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Pges 113-114 are incorrectly numbered pages 111 & 111. |

ACTS

OF THE

PARLIAMENT OF THE UNITED KINGDOM

OF

GREAT BRITAIN AND IRELAND

PASSED IN THE SESSIONS HELD IN THE

48TH & 49TH AND 49TH & 50TH YEARS OF THE REIGN OF HER MAJESTY,

QUEEN VICTORIA,

BEING THE SIXTH SESSION OF THE TWENTY-SECOND AND THE FIRST SESSION
OF THE TWENTY-THIRD PARLIAMENTS OF THE UNITED KINGDOM.



OTTAWA:

PRINTED BY BROWN CHAMBERLIN,
LAW PRINTER (FOR CANADA) TO THE QUEEN'S MOST EXCELLENT MAJESTY.

ANNO DOMINI, 1886.

DON DE LA BIBLIOTHÈQUE DE
LA LÉGISLATURE DU QUÉBEC



48-49 VICTORIA.

CHAP. 74.

An Act to amend the Law relating to taking Evidence A.D. 1885.
by Commission in India and the Colonies, and else-
where in Her Majesty's Dominions.

[14th August, 1885.]

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

1. This Act may be cited as the Evidence by Commission Short title.
Act, 1885.

2. Where in any civil proceeding in any court of competent jurisdiction an order for the examination of any witness or person has been made, and a commission, mandamus, order, or request for the examination of such witness or person is addressed to any court, or to any judge of a court, in India or the Colonies, or elsewhere in Her Majesty's dominions, beyond the jurisdiction of the court ordering the examination, it shall be lawful for such court, or the chief judge thereof, or such judge, to nominate some fit person to take such examination, and any deposition or examination taken before an examiner so nominated shall be admissible in evidence to the same extent as if it had been taken by or before such court or judge. Power to courts to nominate examiner in civil proceedings.

3. Where in any criminal proceeding a mandamus or order for the examination of any witness or person is addressed to any court, or to any judge of a court, in India or the Colonies, or elsewhere in Her Majesty's dominions, beyond the jurisdiction of the court ordering the examination, it shall be lawful for such court, or the chief judge thereof, or such judge, to nominate any judge of such court, or any judge of an inferior court, or magistrate within the jurisdiction of such first-mentioned court, to take the examination Power in criminal proceedings to nominate judge or magistrate to take depositions.

Evidence by Commission Act, 1855.

of such witness or person, and any deposition or examination so taken shall be admissible in evidence to the same extent as if it had been taken by or before the court or judge to whom the mandamus or order was addressed.

Application of 22 Vict., c. 20, as to conduct money, &c., to proceedings under this Act.

4. The provisions of the Act passed in the twenty-second year of Her Majesty, chapter twenty, intituled "An Act to provide for taking evidence in suits and proceedings pending before the tribunals in Her Majesty's dominions in places out of the jurisdiction of such tribunals" (which may be cited as the Evidence by Commission Act, 1859), as amended by this Act, shall apply to proceedings under this Act.

Amendment of 22 Vict., c. 20, as to costs.

5. The power to make rules conferred by section six of the Evidence by Commission Act, 1859, shall be deemed to include a power to make rules with regard to all costs of or incidental to the examination of any witness or person, including the remuneration of the examiner, if any, whether the examination be ordered pursuant to that Act or under this or any other Act for the time being in force relating to the examination of witnesses beyond the jurisdiction of the court ordering the examination.

Oath or affirmation of witness.

6. When pursuant to any such commission, mandamus, order, or request as in this Act referred to any witness or person is to be examined in any place beyond the jurisdiction of the court ordering the examination, such witness or person may be examined on oath, affirmation, or otherwise, according to the law in force in the place where the examination is taken, and any deposition or examination so taken shall be as effectual for all purposes as if the witness or person had been examined on oath before a person duly authorized to administer an oath in the court ordering the examination.



49-50 VICTORIA.

CHAP. 35.

An Act respecting the Representation in the Parliament A.D. 1886,
of Canada of Territories which for the time being
form part of the Dominion of Canada, but are not
included in any Province.

[25th June, 1886.]

WHEREAS it is expedient to empower the Parliament of
Canada to provide for the representation in the Senate
and House of Commons of Canada, or either of them, of any
territory which for the time being forms part of the Domi-
nion of Canada, but is not included in any province:

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

1. The Parliament of Canada may, from time to time, make
provision for the representation in the Senate and House of
Commons of Canada, or in either of them, of any territories
which for the time being form part of the Dominion of
Canada, but are not included in any province thereof.

Provision by
Parliament
of Canada
for represen-
tation of
territories.

2. Any Act passed by the Parliament of Canada before the
passing of this Act for the purpose mentioned in this Act
shall, if not disallowed by the Queen, be, and shall be
deemed to have been, valid and effectual from the date at
which it received the assent, in Her Majesty's name, of the
Governor-General of Canada.

Effect of Acts
of Parliament
of Canada.

It is hereby declared that any Act passed by the Parlia-
ment of Canada, whether before or after the passing of this
Act, for the purpose mentioned in this Act or in the British
North America Act, 1871, has effect, notwithstanding any-
thing in the British North America Act, 1867, and the num-

34 & 35 Vict.,
c. 28.
30 & 31 Vict.,
c. 3.

British North America Act, 1886.

ber of Senators or the number of Members of the House of Commons specified in the last-mentioned Act is increased by the number of Senators or of Members, as the case may be, provided by any such Act of the Parliament of Canada for the representation of any provinces or territories of Canada.

Short title
and construc-
tion.

3. This Act may be cited as the British North America Act, 1886.

30 & 31 Vict.,
c. 3.
34 & 35 Vict.,
c. 28.

This Act and the British North America Act, 1867, and the British North America Act, 1871, shall be construed together, and may be cited together as the British North America Acts, 1867 to 1886.

OTTAWA : Printed by BROWN CHAMBERLIN, Law Printer to the Queen's Most Excellent Majesty.

DESPATCH

OF THE

IMPERIAL GOVERNMENT.

RECOGNITION OF ACTING CONSULAR APPOINTMENTS IN
BRITISH COLONIES.

(CIRCULAR,)

*The Right Honorable the Secretary of State for the Colonies to His Excellency
the Governor General of Canada.*

DOWNING STREET, 28th January, 1886.

SIR,—At the request of the Secretary of State for Foreign Affairs, I have the honor to inform you that the following arrangement has been decided upon with reference to the recognition of Acting Consular appointments in British Colonies.

When a Consul is authorized by the Consular Regulations of the country which he represents, or by the terms of his appointment, or by special instructions from his Government, to nominate an acting Consular Officer in his absence, you will be at liberty to recognize the officer so nominated without reference to the Secretary of State.

It will be sufficient, in the first place, that the Consul should inform the Colonial Government once for all of the Consular Regulations of the country which he represents; and, in the second case, that he should communicate the terms of his appointment to the Colonial Government on taking up his post; but, in the third case, the nomination should always be accompanied by the Special Instructions.

I have to request that you will make a notification in this sense to the Consuls in the Colony under your Government.

I have the honor to be, Sir,

Your most obedient humble servant,

FRED. STANLEY.

The Officer Administering
the Government of Canada.

ORDERS IN COUNCIL,
PROCLAMATIONS

AND

OTHER DOCUMENTS

ISSUED

UNDER AUTHORITY OF LAW.



OTTAWA:
PRINTED BY BROWN CHAMBERLIN,
LAW PRINTER (FOR CANADA) TO THE QUEEN'S MOST EXCELLENT MAJESTY,
ANNO DOMINI, 1886.

ORDERS IN COUNCIL, &c.

CANADA.

Governor General.

By an Order in Council of Saturday, the 15th day of August, 1885, His Excellency, by and with the advice of the Queen's Privy Council for Canada, declared His Disallowance of an Ordinance passed by the Lieutenant Governor and Council of the North-West Territories, at the session held in the year 1884, intituled "An Ordinance exempting certain property from seizure and sale under execution."

Vide Canada Gazette, Vol. XIX, p. 291.

By an Order in Council of Thursday, 27th day of August, 1885, His Excellency the Governor General, by and with the advice of the Queen's Privy Council for Canada, declared His Disallowance of the Act passed by the Legislature of the Province of Manitoba, on the 29th day of April, 1884, intituled "An Act respecting Escheats and Forfeitures and Estates of Intestates."

Vide Canada Gazette, Vol. XIX, p. 327.

By an Order in Council of Tuesday, 16th day of March, 1886, His Excellency the Governor General, by and with the advice of the Queen's Privy Council for Canada, declared His Disallowance of the Act passed by the Legislature of the Province of British Columbia, in the 48th year of Her Majesty's reign, intituled "An Act to prevent the immigration of Chinese."

Vide Canada Gazette, Vol. XIX, p. 1686.

By an Order in Council of Tuesday, the 16th day of March, 1886, His Excellency the Governor General, by and with the advice of the Queen's Privy Council for Canada, declared His Disallowance of the Act passed by the Legislature of the Province of British Columbia in the 48th year of the reign of Her Majesty, intituled "An Act to amend the Land Act, 1884."

Vide Canada Gazette, Vol. XIX, p. 1687.

By an Order in Council of Tuesday, 16th day of March, 1886, His Excellency the Governor General, by and with the advice of the Queen's

Governor General, &c.

Privy Council for Canada, declared His Disallowance of the Act passed by the Legislature of the Province of British Columbia, in the 48th year of Her Majesty's reign, intituled "An Act to amend the Sumas Dyking Act, 1878."

Vide Canada Gazette, Vol. XIX, p. 1687.

By an Order in Council of Monday, 22nd day of March, 1886, His Excellency the Governor General, by and with the advice of the Queen's Privy Council for Canada, declared His Disallowance of the Acts passed by the Legislature of the Province of Manitoba, in the session of 1884, chapter 68, intituled "An Act to incorporate the Emerson and North-Western Railway Company," and chapter 70, intituled "An Act to amend an Act to incorporate the Manitoba Central Railway Company, and amending Acts."

Vide Canada Gazette, Vol. XIX, p. 1866.

Agriculture.

By a Proclamation, bearing date 17th June, 1885, intituled "An Act relating to Quarantine," the following Regulation, supplementary to the Quarantine Regulations established by the Proclamations of May twenty-third, in the year of Our Lord one thousand eight hundred and sixty-eight, January twenty-first, in the year of Our Lord one thousand eight hundred and seventy-three, and June seventeenth, in the year of Our Lord one thousand eight hundred and eighty-five, was declared to be in force, that is to say: That Frederick Montizambert, M.D., Medical Superintendent, Grosse Isle, Que.; William N. Wickwire, M.D., Inspecting Physician, Halifax, N.S.; William S. Harding, M.D., Inspecting Physician, St. John, N.B.; Henry Kirkwood, M.D., Inspecting Physician, Pictou, N.S.; William H. Hobkirk, M.D., Inspecting Physician, Charlottetown, P.E.I.; William McK. McLeod, Inspecting Physician, Sydney, N.S.; William Jackson, M.D., Inspecting Physician, Victoria, B.C.; A. Rowand, M.D., Inspecting Physician, Quebec, Que.; Pierre A. Gauvreau, M.D., Inspecting Physician, Rimouski, Que.; were Justices of the Peace within their respective Quarantine Stations, under the Act 85 Vict., chap. 27.

Vide Canada Gazette, Vol. XIX, p. 1.

Agriculture.

By an Order in Council, dated Thursday, 30th day of July, 1885, under the provisions of the Act 42nd Vic., cap. 28, intituled "An Act to provide against infectious or contagious diseases affecting animals,"—

The word "mules" was added to the regulations relating to the inspection of horses in the Order in Council, dated 11th May, 1885, in such way as to read "horses and mules," and such regulations were held to refer to and to include both "horses and mules."

Vide Canada Gazette, Vol. XIX, p. 210.

By a Proclamation, bearing date 5th August, 1885, it was proclaimed and declared that a census should be taken in the North-West Territory of Canada during the year 1885, with reference to Monday the 24th day of August, then instant; such census to be so taken as to ascertain and show with the utmost possible accuracy in respect to the various territorial divisions and of every sub-division thereof, as defined by Proclamation, statistical information which can be conveniently obtained and stated in tabular form touching the several matters specified in the Act 48 Vict., chap. 3, intituled "An Act to provide for the taking of a Census in the Province of Manitoba, the North-West Territories and the District of Keewatin," and other matters which may be specified in the forms and instructions to be issued, as in the said Act provided by the Minister of Agriculture, and in accordance with the Schedules hereunto annexed, numbered from 1 to 5, that is to say:—

1. Nominal return of the living;
2. Return of Public Institutions and Industrial Establishments;
3. Cultivated lands, field products and harvesting;
4. Live stock, animal products, furs and pelts;
5. Shipping, products of the forest, minerals, fisheries and prairie lands.

The procedure to be followed for obtaining the nominal return of the living, shall be in accordance with the *de jure* system or of the domiciled population.

The details of information and the forms to be used were to be as indicated by the Schedules hereinbefore referred to and annexed, numbered from one to five, respectively, and by such instructions and blank forms as might be issued by the Minister of Agriculture for the working thereof.

Agriculture.

Page	The Territories	District No.	Sub-District.
Census of 1885.	Schedule No. 1 — Nominal Return of the People		

Column.		
1	Numbered in the order of visitation. <div style="display: inline-block; vertical-align: middle; font-size: 3em; margin: 0 10px;">}</div> Vessels.	
2		Shanties, wigwams and tents.
3		Houses in construction.
4		Houses uninhabited.
5		Houses inhabited.
6		Families.
7	Names.	
8	Sex.	
9	Age.	
10	Country or Province of Birth.	
11	Religion.	
12	Origin.	
13	Profession, occupation or trade.	
14	Married or widowed.	
15	Instruc- } tion- } Going to school.	
16	Infirmities. <div style="display: inline-block; vertical-align: middle; font-size: 3em; margin: 0 10px;">}</div> Deaf and dumb.	
17		Blind.
18		Unsound mind.
19	Dates of operations and remarks.	

Agriculture.

Page { The Territories. District No. Sub-District.
 Census of 1886. { Schedule No. 2.—Return of Public Institutions and Industrial Establishments.

Columns.	Reference to Schedule No. 1.			
1	Reference to Schedule No. 1.	} Page.		
2			} Line.	
3	Special or legal name of institutions, character and classification.			Public Institutions.
4	Number of inmates.			
5	Kind of industrial establishment. Names of proprietors or company and such other information.		Industrial establishments.	
6	Capital invested in \$.			
7	Hands employed.	Over 16 years.		Male.
8				Female.
9		Under 16 years.		Male.
10				Female.
11	Working days in year.			
12	Wages paid.			
13	Moving Power.	} Kind.		
14				} Nominal force.
15	Raw Material.	} Kind.		
16			} Quantity.	
17				Value in \$.
18	Products.	} Kind.		
19			} Quantity.	
20				Value in \$.

Agriculture.

Page { The Territories District No. Sub-District.
 Census of 1886. { Schedule No. 3—Cultivated Lands and Field Products.

Columns.			
1	Reference to Schedule No. 1.	Page.	
2		Line.	
3	Owner, Tenant or Occupant.		
4	Acres occupied.		Cultivated Lands.
5	Acres cultivated.		
6	Wheat.	Acres.	
7		Bushels.	
8	Barley.	Acres.	
9		Bushels.	
10	Oats.	Acres.	
11		Bushels.	
12	Rye.	Acres.	
13		Bushels.	
14	Peas and Beans.	Acres.	
15		Bushels.	
16	Flax Seed.	Bushels.	Field Products.
17	Potatoes.	Acres.	
18		Bushels.	
19	Turnips.	Acres.	
20		Bushels.	
21	Other Roots.	Acres.	
22		Bushels.	
23	Cultivated Hay.	Acres.	
24		Tons of 2,000 lbs.	
25	Prairie Hay.	Tons of 2,000 lbs.	
26	Scutched Flax and Hemp, lbs.		
27	Began.		Harvesting.
8	Ended.		

Agriculture.

Page } The Territories. District No. Sub-District.
 Census of 1886. } Schedule No. 4.—Live Stock, Animal Products, Furs and Pelts.

Columns.	References to Schedule No. 1.	Page.		
1				
2		Line.		
3		Horses over 3 years.	Live Stock.	
4		Colts and fillies under 3.		
5		Mules.		
6		Working oxen.		
7		Milch cows.		
8		Other horned cattle.		
9		Sheep.		
10		Swine.		
11	Home-made.	Butter—lbs		Animal Products.
12		Cheese—lbs.		
13		Beaver.	Fur bearing Animals.	
14		Bear.		
15		Buffalo.		
16		Fisher.		
17		Fox.		
18		Lynx.		
19		Marten.		
20		Mink.		
21		Musk rat.		
22		Otter.		
23		Skunk.		
24		Wild Cat.		
25		Wolf.		
26		Wolverine.		
27		Caribou	Pelts.	
28		Deer, antelope, &c.		
29		Moose.		
30		Other furs and pelts.		

Agriculture.

Page.	}	The Territories.	District No.	Sub-District.
Census, 1886.		Schedule No. 5.—Shipping, Fisheries, Products of the Forest, Minerals and Prairie Lands.		

Columns.	Reference to Schedule No. 1.			
1	}	Page.		
2		Line.		
3	Steam Vessels.	Number of Shares.		Shipping.
4		Tonnage owned.		
5	Sailing Vessels.	Number of Shares.		
6		Tonnage owned.		
7	Barges.	Number.		
8		Tonnage owned.		
9	Boats.			Fisheries.
10	Men.			
11	Nets, fathoms.			
12	Barrels of White Fish.			
13	Barrels of Trout.			
14	Barrels of Oatfish.			
15	Barrels of other Fish.			
16	Pine logs, Census Standard.			Products of the Forest.
17	Spruce logs, Census Standard.			
18	Other logs, Census Standard.			
19	Gold, ounces.			Minerals.
20	Silver, ounces.			
21	Petroleum, gallons.			
22	Coal, tons.			
23	Acres broken, Fall of 1884 and Spring of 1885.			Prairie Lands.
24	Acres seeded, in 1885.			

Vide Canada Gazette, Vol. XIX., p. 202 et seq.

Agriculture.

By a Proclamation, bearing date 15th August, 1885, it was proclaimed and declared that for the taking of a census in the provisional districts of the Canadian North-West defined by the Order in Council of 8th May, 1882, and the unexplored territory of the Canadian North-West, in order to ascertain and show with the utmost accuracy possible, in respect to the various territorial divisions of the country, and of every sub-division thereof, statistical information which can conveniently be obtained and stated in tabular form, touching the several matters specified in the said Act, the said provisional districts and unexplored territory should be divided into census districts to correspond respectively as nearly as may be with the said provisional districts and unexplored territory, that is to say :—

No. 1.—The Provisional District of Assiniboia, bounded on the south by the International boundary line, the 49th parallel, on the east by the western boundary of Manitoba, on the north by the 9th correction line of the Dominion lands system of survey into townships, which is near to the 52nd parallel of latitude, on the west by the line dividing the 10th and 11th ranges of townships, numbered from the 4th initial meridian of the Dominion Lands system aforesaid, shall be Census District No. 1, Assiniboia.

No. 2.—The Provisional District of Saskatchewan, bounded on the south by the district of Assiniboia, and the province of Manitoba, on the east by Lake Winnipeg and part of Nelson River, on the north by the 18th correction line, of the Dominion Lands system of survey, and on the west by the line of that system dividing the 10th and 11th ranges of townships, numbered from the 4th initial meridian, shall be Census District No. 2, Saskatchewan.

No. 3.—The Provisional District of Alberta, bounded on the south by the International boundary, on the east by the district of Assiniboia, on the west by the Province of British Columbia, and on the north by the 18th correction line before mentioned, which is near the 55th parallel of latitude, shall be Census District No. 3, Alberta.

No. 4.—The Provisional District of Athabasca, bounded on the south by the district of Alberta, on the east by the line between the 10th and 11th ranges of Dominion Lands survey of townships before mentioned, until in proceeding northward that line intersects the Athabasca River, thence by that river, and the Athabasca Lake and Slave River to the intersection of the last with the northern boundary of the district which is to be the 32nd correction line of the Dominion lands townships system, and is very near the 60th parallel, north latitude, westward by the Province of British Columbia, shall be Census District No. 4, Athabasca.

No. 5.—And the unexplored territory lying north of the provisional districts of Saskatchewan and Athabasca, the Province of British Columbia, and part of Manitoba extending to the Arctic Ocean, east of the United States territory of Alaska, extending to Hudson's Bay, and the Nelson River, shall be Census District No. 5, unexplored territory.

The census districts aforesaid to be further divided into census sub-districts, that is to say : Census District No. 1, Assiniboia, shall be divided into and contain :—

Sub-district *a*, Broadview, being bounded on the north by the Saskatchewan districts, on the line between townships 34 and 35, on the south

Agriculture.

by the International boundary line, on the east by the western bounds of Manitoba, and on the west by a line between ranges 6 and 7 west of 2nd initial meridian.

Sub-district *b*, Qu'Appelle and Regina, bounded on the north by the Provisional District of Saskatchewan, or by the line dividing Townships 34 and 35, on the south by the International boundary line, on the east by a line dividing ranges 6 and 7, and on the west by the line dividing ranges 19 and 20, west of 2nd initial meridian.

Sub-district *c*, Moose Jaw, on the north by Provisional District of Saskatchewan, or by the line dividing townships 34 and 35, on the south by the International boundary line, on the east by the line dividing ranges 19 and 20, and on the west by the 3rd initial meridian.

Sub-district *d*, Swift Current, bounded on the north by the Provisional District of Saskatchewan, or the line dividing townships 34 and 35, on the south by the International boundary line, on the east by the 3rd initial meridian, on the west by the line between ranges 13 and 14 west of 3rd initial meridian.

Sub-district *e*, Maple Creek, bounded on the north by the Provisional District of Saskatchewan, or the line between townships 34 and 35, on the south by the International boundary line, on the east by the line between ranges 13 and 14, west of 3rd initial meridian, on the west by the 4th initial meridian.

Sub-district *f*, Medicine Hat, bounded on the north by the Provisional District of Saskatchewan, on the south by the International boundary line, on the east by the 4th initial meridian, on the west by the eastern boundary of Alberta.

Census District No. 2, Saskatchewan, shall be divided into and contain :—

Sub-district *a*, Carrot River and Lake Winnipeg, bounded on the north by the northern limit of the district, on the south by Assiniboia and Manitoba, on the east by the Province of Manitoba, Lake Winnipeg and Nelson River, and on the west by the line between ranges 16 and 17, west of 2nd initial meridian.

Sub-district *b*, Prince Albert, bounded on the north by the northern limit of the district, on the south by Assiniboia, on the east by the line between ranges 16 and 17, west of 2nd initial meridian, and on the west by the line between ranges 14 and 15, west of 3rd initial meridian.

Sub-district *c*, Battleford, on the north by the limits of the district, on the south by Assiniboia, on the east by the line between ranges 14 and 15, west of 3rd initial meridian, and on the west by Alberta.

Census District No. 3, Alberta, shall be divided into and contain :—

Sub-district *a*, Edmonton, bounded on the north by the south boundary of the Provisional District of Athabasca, on the south by the 11th correction line, or the line between townships 42 and 43, on the east by Provisional District of Saskatchewan, and on the west by British Columbia.

Sub-district *b*, Calgary and Red Deer, bounded on the north by the 11th correction line, on the south by the line between townships 18 and 19, on the east by Provisional Districts of Saskatchewan and Assinibois, and on the west by British Columbia.

Agriculture.

Sub-district *c*, Macleod, bounded on the north by the line between the townships 18 and 19, on the south by the international boundary line, on the east by Assiniboia, and on the west by British Columbia.

Census District No. 4, Athabasca, undivided into sub-districts.

"A" Athabasca.

Census District No. 5, unexplored territory, undivided into sub-districts.

"B" unexplored territory.

Vide Canada Gazette, Vol. XIX, p. 203.

By an Order in Council, dated Thursday, 24th day of September, 1885, under the provisions of the Act 48-49 Vic., cap. 70, intituled "An Act respecting infectious or contagious diseases affecting animals,"—

It was provided that in addition to the exceptions mentioned in the Order in Council of the 8th September, 1884, prohibiting the importation of neat cattle from the United States and Territories into the Province of Manitoba and North-West Territories of Canada, neat cattle should be allowed to enter from the State of Dakota, to be driven to the station of the Canadian Pacific Railway named Oak Lake, or such other point as may be indicated by the Minister of Agriculture, for the purpose of transit through the Province of Manitoba *via* Emerson or Gretna, to the State of Minnesota, subject to the same conditions as regards inspection and the same regulations as regards transit as are provided in the said Order in Council of the 8th September, 1884.

Vide Canada Gazette, Vol. XIX, p. 437.

By an Order in Council, dated Saturday, 6th day of February, 1886, under the provisions of the Act 48-49 Vic., cap. 70, intituled "An Act respecting infectious or contagious diseases affecting animals,"—

The provisions of the Order in Council of the 11th May, 1885, as amended by the Order in Council of the 30th July, 1885, respecting the importation or introduction of horses and mules into the Provinces of Manitoba and British Columbia were extended to Fort Macleod, in the Provisional District of Alberta, and Maple Creek, in the Provisional District of Assiniboia, in the North-West Territories.

Vide Canada Gazette, Vol. XIX, p. 1158.

By an Order in Council, dated Tuesday, 4th day of May, 1886, under the provisions of "The Animal Contagious Diseases Act" it was provided that—

1st. All sheep entering the Province of British Columbia shall be liable to inspection under the direction of the Minister of Agriculture.

2nd. No sheep found to be affected with the disease of scab shall be allowed to enter the Province.

Vide Canada Gazette, Vol. XIX, p. 1572.

Agriculture, &c.

By an Order in Council of Thursday, 17th day of June, 1886, under the provisions of "The Animal Contagious Diseases Act," it was directed that:—

1st. All sheep entering the Province of Manitoba or the Provisional Districts of Assiniboia and Alberta, from the adjoining United States or Territories, should be liable to inspection on the direction of the Minister of Agriculture.

2nd. No sheep found to be affected with the disease of scab shall be allowed to enter the said Province or Territories.

Vide Canada Gazette, Vol. XIX, p. 1828.

Customs.

By an Order in Council of Saturday, the 18th day of July, 1885, Ridgetown, in the County of Kent and Province of Ontario, was constituted an outport of Customs and a warehousing port, under the survey of the Collector of Customs at the port of Chatham, Ontario.

Vide Canada Gazette, Vol. XIX, p. 116.

By an Order in Council of Saturday, the 18th day of July, 1885, Listowel, in the County of Perth and Province of Ontario, was constituted an outport of Customs and a warehousing port, under the survey of the Collector of Customs at the port of Stratford, Ontario.

Vide Canada Gazette, Vol. XIX, p. 116.

By an Order in Council of Monday, the 20th day of July, 1885, the port of Shediac, in the Province of New Brunswick, was reduced to an outport of Customs under the survey of the Collector of Customs at the port of Moncton, in the said Province, from and after the first day of July, 1885.

Vide Canada Gazette, Vol. XIX, p. 117.

By an Order in Council of the 31st day of July, 1885, Pivière du Loup, in the County of Témiscouata, in the Province of Quebec, was appointed an outport of Customs and a warehousing port, under the survey of the Collector of Customs at the port of Quebec.

Vide Canada Gazette, Vol. XIX, p. 210.

Customs.

By an Order in Council of the 31st day of July, 1885, the Town of Renfrew, in the County of Renfrew, and Province of Ontario, was appointed an outport of Customs and a warehousing port, under the survey of the Collector of Customs at the port of Ottawa.

Vide Canada Gazette, Vol. XIX, p. 210.

By an Order in Council of Saturday, 5th day of September, 1885, Weller's Bay, in the County of Prince Edward and Province of Ontario, was constituted an outport of Customs and a warehousing port, under the survey of the Collector of Customs at the port of Picton.

Vide Canada Gazette, Vol. XIX, p. 437.

By an Order in Council of Monday, 21st September, 1885, it was directed that the following item in the list of goods entitled to free entry when imported into Canada, viz :—

“ Models of inventions and other improvements in the arts, but no article or articles shall be deemed a model or improvement which can be “ fitted for use ”—

Should be construed to refer only to original models or patterns of such inventions or improvements, and not to castings or copies made therefrom of other material than that of which the original model was made.

Vide Canada Gazette, Vol. XIX, p. 436.

By an Order in Council of Friday, 25th day of September, 1885, it was declared that on and after the 1st October, 1885, the outport of Customs then called Port William, under the survey of the Collector of Customs at the port of Bridgetown, Nova Scotia, should, for the purposes of the Customs Act, 1883, be known and designated as the outport of Port Lorne.

Vide Canada Gazette, Vol. XIX, p. 465.

By an Order in Council of Friday, 6th day of November, 1885, the Order in Council of the 21st September, 1885, placing crucible sheet steel, eleven to sixteen gauge, 2½ to 6 inches wide, on the list of articles that may be admitted into the Dominion of Canada, free of Customs duty, was cancelled, and the following substituted in lieu thereof, viz :—

That crucible sheet steel, eleven to sixteen gauge, 2½ to 18 inches wide, when imported by manufacturers of mower and reaper knives, for manufacture of such knives in their own factories, be and the same is hereby

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placed on the list of articles that may be admitted into the Dominion of Canada free of Customs duty.

Vide Canada Gazette, Vol. XIX, p. 733.

By an Order in Council of Friday, 6th November, 1885, lastings, mohair cloth, or other manufactures of cloth when imported by manufacturers of buttons for use in their own factories, and woven or made in patterns of such size, shape or form, or cut in such manner as to be fit for covering buttons exclusively—these conditions to be ascertained by special examination by the proper officer of Customs, and so certified on the face of each entry—were placed on the list of articles that may be admitted into the Dominion of Canada free of Customs duty.

Vide Canada Gazette, Vol. XIX, p. 733.

By an Order in Council of Tuesday, 17th November, 1885, Point Edward, in the County of Lambton, Province of Ontario, was constituted an outport of Customs and a warehousing port, under the survey of the Port of Sarnia.

Vide Canada Gazette, Vol. XIX, p. 733.

By an Order in Council of Friday, 22nd January, 1886, Thorold, then under the survey of the port of Clifton, in the Province of Ontario, was detached therefrom, and placed under the survey of the Port of St. Catharines, in the Province of Ontario.

Vide Canada Gazette, Vol. XIX, p. 1033.

By an Order in Council of Tuesday, the 23rd February, 1886, the port of Newcastle, in the Province of Ontario, was reduced to an outport of Customs and placed under the survey of the port of Port Hope, in the said Province of Ontario, from the 1st day of March, 1886.

Vide Canada Gazette, Vol. XIX, p. 1263.

By a Proclamation, bearing date 1st March, 1886, it was proclaimed and declared that the values of the foreign currencies as compared with the standard dollar of Canada as hereunder named, should be the values of such foreign currencies for Customs purposes; and all invoices of foreign goods

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made out in such currencies shall be reduced to Canadian currency at the rates so assigned to them, viz :—

Country.	Monetary Unit.	Standard.	Value in Canadian Currency.	Coins.
Argentine Republic	Peso	Gold and silver..	\$0.96.5	Gold: $\frac{1}{2}$ argentine and argentine. Silver: peso and divisions.
Austria	Florin	Silver .....	.37.1	Gold: 4 and 8 florin, 1 and 4 ducat. Silver: 1 and 2 florin.
Belgium	Franc	Gold and silver..	.19.3	Gold: 10 and 20 franc. Silver: 5 francs.
Bolivia	Boliviano	Silver .....	.75.1	Boliviano and divisions.
Brazil	Milreis of 1000 reis....	Gold .....	.54.6	Gold: 5, 10 and 20 milreis. Silver: $\frac{1}{2}$, 1 and 2 milreis.
Chili	Peso	Gold and silver..	.91.2	Gold: escudo, doubloon and condor. Silver: peso and divisions.
Cuba	Peso	Gold and silver.	.93.2	Gold: doubloon. Silver: peso.
Denmark	Crown	Gold .....	.26.8	Gold: 10 and 20 crowns
Ecuador.....	Peso.....	Silver.....	.75.1	Peso.
Egypt.....	Piastre.....	Gold.....	.04.9	Gold: 25, 50 and 100 piastres.
France	Franc	Gold and silver.	.19.3	Gold: 5, 10, 20, 40, 50 and 100 francs. Silver: 5 francs.
German Empire.	Mark	Gold.....	.23.8	Gold: 5, 10 and 20 marks.
Greece	Drachma.....	Gold and silver..	.19.3	Gold: 5, 10, 20, 50 and 100 drachmas. Silver: 5 drachmas.
Hayti	Gourde	Gold and silver.	.96.5	Gold: 1, 2, 5 and 10 gourdes. Silver: gourde.
India.....	Rupee of 16 annas.....	Silver .....	.35.7	Gold: $\frac{1}{2}$, $\frac{3}{4}$ and mohur. Silver: $\frac{1}{2}$, $\frac{3}{4}$ rupee.
Italy	Lira.....	Gold and silver..	.19.3	Gold: 5, 10, 20, 50 and 100 liras. Silver: 5 liras.
Japan.....	Yen	Silver .....	.81.0	Gold: 1, 2, 5, 10 and 20 yens. Silver: yen.
Liberia	Dollar	Gold.....	1.00	
Mexico.....	Dollar.....	Silver.....	.81.6	Gold: 1, 2 $\frac{1}{2}$, 5, 10 and 20 pesos. Silver: peso and divisions.
Netherlands	Florin	Gold and silver .	.40.2	Gold: 10 florin, ducat and double ducat. Silver: $\frac{1}{2}$, 1 2 $\frac{1}{2}$ florin.
Norway	Crown	Gold.....	.26.8	Gold: 10 and 20 crowns.
Peru	Sol	Silver .....	.75.1	Gold: 1, 2, 5, 10 and 20 sols. Silver: sol and divisions.
Portugal	Milreis of 1000 reis....	Gold.....	1.08	Gold: 1, 2, 5 and 10 milreis.
Russia	Rouble of 100 copecks	Silver .....	.60.1	Gold: 3 and 5 roubles. Silver: $\frac{1}{2}$, $\frac{1}{4}$ and 1 rouble.
Spain.....	Peseta of 100 centimes	Gold and silver..	.19.3	Gold: 2, 4 and 5 escudos. Silver: 5 pesetas.
Sweden	Crown	Gold.....	.26.8	Gold: 10 and 20 crowns.
Switzerland.....	Franc	Gold and silver..	.19.3	Silver: 5 francs.
Tripoli	Mahbab of 20 piastres.	Silver .....	.67.7	
Turkey	Piastre.....	Gold.....	.04.4	Gold: 25, 50, 100, 250 and 500 piastres.
United States of Columbia.....	Peso.....	Silver .....	.75.1	Gold: 10 and 20 pesos. Silver: peso.
Venezuela	Bolivar.....	Gold and silver.	.19.3	Gold: 5, 10, 20, 50 and 100 bolivars. Silver: bolivar.

Vide Canada Gazette, Vol. XIX, p. 1821.

By an Order in Council of Monday, the 3rd day of May, 1886, the duty otherwise payable on Seed and Breeding Oysters imported into Canada for

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the purpose of being planted in Canadian waters was remitted, and Collectors of Customs are to accept free entry of such Seed and Breeding Oysters when it is shown to their satisfaction and by the affidavit of the importer on the entry, that said Oysters are imported for and will be used solely for such purpose.

Vide Canada Gazette, Vol. XIX, p. 1764.

By an Order in Council of Monday, 24th day of May, 1886, the name of the outport of Cressy, under the survey of the port of Picton, in the Province of Ontario, was changed, and such outport was to be known and designated as the outport of Prinyer, on and after the 1st day of June, 1886.

Vide Canada Gazette, Vol. XIX, p. 1687.

Fisheries.

By an Order in Council of Thursday, 6th day of August, 1885, the Fishery Regulation adopted by Order in Council, dated 28th May, 1868, relative to oyster fishing, was cancelled and the following substituted therefor:—

“Oysters shall not be fished for, caught, killed, bought, sold or had in possession between the first day of June and the fifteenth day of September in each year, both days inclusive, in the Dominion of Canada.”

Vide Canada Gazette, Vol. XIX, p. 210.

By an Order in Council of Tuesday, 5th January, 1886, the waters of Brome Lake, in the Province of Quebec, were set apart for the natural and artificial propagation of fish from the 1st January to the 1st June in each year, and no other modes of fishing are allowed during the open season, than angling by hand with hook and line or trolling with a spoon.

Vide Canada Gazette, Vol. XIX, p. 954.

By an Order in Council of Wednesday, the 17th day of February, 1886, the following Fishery Regulations for the Province of Nova Scotia were made:—

Smelt Fishery.

1. No person shall fish for, catch, kill, buy, sell, or have in possession any smelts between the fifteenth day of April and the fifteenth day of May (both days inclusive), in each year.

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2. Smelts shall not be fished for, caught, or killed, by means of any kind of bag nets having meshes of a less size than one inch and a-quarter extension measure.

3. The use of bag nets for the purpose of catching smelts is prohibited except under special license from the Minister of Fisheries.

Vide Canada Gazette, Vol. XIX, p. 1194.

By an Order in Council of Wednesday, 17th day of February, 1886, the Fishery Regulations, adopted by the Order in Council of the 16th May, 1879, fixing the close season for pickerel, bass and maskinongé in the Provinces of Ontario and Quebec, from the 15th of April to the 15th of May in each year, were repealed, and the following Regulation adopted in lieu thereof:—

In the Provinces of Ontario and Quebec, no person shall fish for, catch, kill, buy, sell or possess any pickerel between the fifteenth day of April and the fifteenth day of May (both days inclusive) in each year, nor any bass or maskinongé between the fifteenth day of April and the fifteenth day of June (both days inclusive) in each year.

Vide Canada Gazette, Vol. XIX, p. 1194.

By an Order in Council of Monday, the 19th day of April, 1886, the Order in Council of the 6th February, 1884, setting apart Lakes Simcoe and Couchiching for a period of three years from the 1st May, 1884, was cancelled, so far as it relates to the then unexpired portion of the said three years.

Vide Canada Gazette, Vol. XIX, p. 1498.

By an Order in Council of Thursday, 20th day of May, 1886, the Order in Council dated 8rd of October, 1881, establishing Fishery Regulations for the Province of Manitoba and the North-West Territories, was rescinded, and the following Regulations adopted in lieu thereof:—

In the Province of Manitoba and the North-West Territories.

1. Whitefish shall not be fished for, caught or killed between the first day of November and the first day of February in each year, both days inclusive.

2. Whitefish shall not be taken or used, sold or possessed for making oil or feeding domestic animals.

3. Pickerel (doré) shall not be fished for, caught or killed between the fifteenth day of April and the fifteenth day of May in each year, both days inclusive.

Fisheries, &c.

4. Speckled trout (*Salvelinus fontinalis*) shall not be fished for, caught or killed, between the first day of October and the first day of January in each year, both days inclusive.

5. Provided always, that the Minister of Marine and Fisheries shall have power to set apart and license without fee, for the exclusive use of Indians, such waters as he may deem necessary, and that the Indians shall, during the close seasons, have liberty to fish under license for the purpose of providing food for themselves, but not for sale, barter or traffic.

Vide Canada Gazette, Vol. XIX, p. 1651.

Indians.

CANADA.

By the Right Honorable Sir JOHN ALEXANDER MACDONALD, G.C.B.,
Superintendent General of Indian Affairs.

To all to whom these presents may come, or whom the same may in any-
wise concern,—GREETING.

WHEREAS it is in and by the Act of the Parliament of Canada, passed in the forty-seventh year of Her Majesty's reign, chaptered twenty-seven, and intituled "An Act further to amend the Indian Act, 1880," amongst other things in effect enacted, that the Superintendent General of Indian Affairs may, when he considers it in the public interest to do so, prohibit, by public notice to that effect, the sale, gift or disposal, to any Indian in the Province of Manitoba or in any part thereof, or in the North-West Territories or in any part thereof, of any fixed ammunition or ball cartridge; and every person who, after such notice, without the permission in writing of the Superintendent General, sells or gives, or, in any other manner, conveys to any Indian in the section of country thus prohibited any fixed ammunition or ball cartridge, shall incur a penalty of not more than two hundred dollars, or shall be liable to imprisonment for a term of not more than six months or to both fine and imprisonment within the limits aforesaid at the discretion of the court before which the conviction is had:

Now KNOW YE, that I, the said the Right Honorable Sir John Alexander Macdonald, Superintendent General of Indian Affairs, considering it to be in the public interest so to do, do hereby give public notice that the sale, gift or other disposal to any Indian in the North-West Territories of Canada or in any part thereof of any fixed ammunition or ball cartridge is hereby prohibited, and that every person who, after this notice, without the permission in writing of the Superintendent General of Indian Affairs for the time being, sells or gives away, or in any other manner conveys to any Indian in the North-West Territories of Canada or in any part thereof

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any fixed ammunition or ball cartridge, will incur the penalties provided by the said Act.

IN WITNESS whereof, I have hereunto subscribed these presents at my office, in the city of OTTAWA, this NINETEENTH day of AUGUST, A.D. 1885.

JOHN A. MACDONALD,
Superintendent General, Indian Affairs.

By a Proclamation, bearing date the 20th day of May, 1886, it was declared that whereas it had been represented to the Governor General in Council, and established to his satisfaction, that the following bands of Indians, that is to say :

1. The band of Chief John Smith, whose reserve is situated on the right bank of the south branch of the Saskatchewan, within the territory covered by Treaty Six, in the District of Saskatchewan, in the North-West Territories ;

2. The band of Chief James Senum or Pecam, whose reserve is situated south, west and north of White Fish Lake, which is within the territory covered by Treaty Six, in the District of Alberta, in the North-West Territories ;

3. The band of Headman Gambler, whose reserve is situated on the east bank of the Assiniboine at Silver Creek, being within the territory covered by Treaty Two, in the Province of Manitoba,—

Were sufficiently far advanced to admit of some of the members of the said bands taking advantage of the provisions of the Indian Act, 1880, and amending Acts, to become enfranchised if, after serving the term required by law, they are found to be qualified for enfranchisement :

The sections numbered ninety-nine to one hundred and six, both inclusive, of "The Indian Act, 1880," as so amended as aforesaid, were thereafter extended and applied to the several bands of Indians above named.

Vide Canada Gazette, Vol. XIX, p. 1827.

Inland Revenue.

By an Order in Council of the 13th May, 1885, in order to facilitate the operations of "The Canada Temperance Act, 1878," distillers are permitted to remove spirits from their respective distilleries into counties where the said Act is in force, in quantities of ten gallons.

Vide Canada Gazette, Vol. XIX, p. 166.

Inland Revenue.

By an Order in Council of Tuesday, 30th day of June, 1885, the City of Ottawa, in the Province of Ontario, was constituted a port of entry at which raw or leaf tobacco may be imported into Canada.

Vide Canada Gazette, Vol. XIX, p. 5.

By an Order in Council of Saturday, 22nd day of August, 1885, the following Regulation for the governance of the Inspector of grain for the City of Toronto was established :—

“The Inspector of grain at Toronto shall make a daily report to the Secretary of the Board of Trade of Toronto of all grain inspected by him each day, by entering the same in such form as may be required by the Council of the said Board of Trade—the forms for such daily entries to be provided by and at the expense of the said Board.”

“In default of compliance with the terms of the foregoing regulation, the said Inspector shall be liable to a penalty of five dollars for each day's default, but the said penalty shall not be exacted save and until the form of return determined upon by the Council of the said Board of Trade has been filed with and approved of by the Minister of Inland Revenue.”

Vide Canada Gazette, Vol. XIX, p. 326.

By an Order in Council of Friday, 11th day of September, 1885, the Town of Port Arthur and the territory adjacent thereto, and comprised within a radius of fifteen miles thereof, were set apart and designated as the Inspection Division of Port Arthur for the inspection of staple articles under the General Inspection Act, 1874.

Vide Canada Gazette, Vol. XIX, p. 408.

By an Order in Council of Friday, 11th day of September, 1885, the Order in Council of the 23th January, 1885, establishing regulations for the governance of the ferry across the River St. John between St. Basil, in the Province of New Brunswick, and a point immediately opposite in the State of Maine, one of the United States of America, was amended by the addition of the following, viz. :—

Limits.

The limits of the ferry shall extend for three miles above and three miles below St. Basil Church on the Canada side of the river, and a corresponding distance above and below the point immediately opposite in the State of Maine.

Vide Canada Gazette, Vol. XIX, p. 436.

Inland Revenue.

By an Order in Council of Friday, the 2nd day of October, 1885, article 8, section 9, of the Tobacco Regulations established by the Order in Council of the 28th June, 1883, was amended so as to read as follows:—

“9. When the tobacco to be reworked has paid duty a rebate of the duty paid less 5 cents per pound to cover cost of supervision, stamps, etc., on the quantity of tobacco entered for re-manufacture, will be allowed to the manufacturer and will be paid by the Department upon the receipt of a sworn statement from the manufacturer that the tobacco so taken has been reworked and entered to the debit of the Stock Book No. 2 as produced, accompanied by the certificate of the officer in charge of the manufactory that the stamps and the packages were destroyed in his presence and that the tobacco was broken up and steamed or so treated that it could not be removed from the manufactory for sale without being reworked—and which certificate must be countersigned by the Collector of the Division.”

Vide Canada Gazette, Vol. XIX, p. 500.

By an Order in Council of the 20th October, 1885, the following regulations for the ferry across the Ottawa River, between Buckingham, in the County of Ottawa, Province of Quebec, and Cumberland, County of Russell, in the Province of Ontario, were approved :

REGULATIONS.

1st.—Limits.

The limits of the ferry shall extend to a distance of one mile above and one mile below Buckingham wharf, in the County of Ottawa, in the Province of Quebec, and to a similar distance above and below Cumberland wharf, in the County of Russell, in the Province of Ontario.

2nd.—Landing Stages.

Suitable landing stages or wharves serviceable at all states of the water in the river must be constructed on both sides, subject to the approval of the Minister of Inland Revenue.

3rd.—Ferry Boat.

During the first year after the execution of the lease, the lessee shall provide and maintain a vessel propelled either by steam, horse-power or by oars, suitable for the conveyance of passengers, horses, cattle and all ordinary vehicles with safety and reasonable dispatch, and such vessel shall be subject to the approval of the Minister of Inland Revenue, and should the lessee decide to employ a steamboat he must obtain therefor and produce when required a certificate of fitness, safety and sufficiency from the Dominion Board of Steamboat Inspectors.

Inland Revenue.

4th.—Number of Trips.

During the season of navigation the ferry boat shall commence running daily (Sunday excepted) at 6 o'clock, a.m., and shall continue to cross, thereafter, as often as may be found necessary for the convenience of the public, the number of such crossings to be determined from time to time by the Minister of Inland Revenue. Until otherwise determined the lessee shall provide convenient and sufficient means of signalling and shall cross from side to side whenever signalled to do so.

5th.—Tariff of Charges.

	Cents.
For a two-horse cart or conveyance and driver, each way.....	30
For a one-horse cart or conveyance and driver, each way.....	25
For one horse	20
For each additional horse being the property of the same party	10
For each head of horned cattle.....	20
For each additional head of horned cattle, the property of the same party.....	10
For each head of swine or sheep.....	15
For each additional head of swine or sheep, the property of the same party	5
For each passenger (with baggage not exceeding 50 lbs).....	10
For each package of merchandise or goods (other than the above) under 100 lb.....	5
Lots of freight weighing over 100 and under 1,000 lbs. (per hundred)	5
Lots of freight over 1,000 lbs. (per hundred)	3

Sixth.

The ferry boat shall be placed on the route fully completed and equipped, and the landing stages shall be fully constructed on or before the first day of May, 1886.

Seventh.

The lease will be granted for a period of five years, from the first day of May, 1886.

Eighth.

The lessee will be required to give two sureties satisfactory to the Minister of Inland Revenue, who shall be held jointly and severally in the sum of \$400 for the full compliance by the lessee with the terms of the lease.

Ninth.

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

Inland Revenue.

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

Tenth.

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

Vide Canada Gazette, Vol. XIX, p. 685.

By an Order in Council of Friday, 23rd day of October, 1885, the Inland Revenue Division of Winnipeg be and the same is hereby composed of the whole Province of Manitoba and the North-West Territories.

Vide Canada Gazette, Vol. XIX, p. 630.

By an Order in Council of Friday, the 23rd day of October, 1885, the Order in Council dated 22nd June, 1880, establishing the Province of Prince Edward Island an Inspection District, under the provisions of the first section of the Act 36 Victoria, chapter 49, was cancelled, and the City of Charlottetown, in the said Province of Prince Edward Island was constituted an Inspection Division for the purposes of the inspection of fish and fish oils and of flour and meal under the provisions of the above cited Act.

Vide Canada Gazette, Vol. XIX, p. 630.

By an Order in Council of 27th October, 1885, the following Rules and Regulations for the governance of the Pier at Morpeth, in the County of Kent, in the Province of Ontario, with tariff of tolls and dues leviable thereat, in accordance with the provisions of the Act 40 Victoria, chapter 17, were approved.

RULES AND REGULATIONS

For the government of the Pier at Morpeth, in the County of Kent, in the Province of Ontario, with tariff of tolls and dues leviable thereat.

Rule 1.—That no waggon or other vehicle shall drive along the docks or across the same, unless for the purpose of loading or unloading vessels.

Rule 2.—That no lumber, lath, salt or other material shall be piled in or near the snubbing posts in such a manner that a vessel cannot be made fast.

Rule 3.—That masters of vessels or other persons, in charge of vessels or rafts, shall make a faithful report of the cargo, as to quantity and description, to the wharfinger at his office, and any master or person in charge of

Inland Revenue.

any vessel or raft neglecting to so report and pay the tolls and dues (except by permission of the wharfinger) shall be liable to have the vessel or raft of which he may be in charge, or of which he is master, seized and detained then or at any future time until such tolls and dues are paid both on cargo and vessel, and the master, owner or person shall also be liable to the penalty provided by law.

Rule 4.—That any master or person in charge of any vessel or raft, making a false report of cargo shall be liable to fine and imprisonment for each and every false report, and the vessel or raft shall be liable to detention then or at any future time until such dues are paid and satisfied, and if any master or person in charge of any vessel neglects to report her cargo, such vessel or the owner thereof shall be liable for the tolls on such cargo at any future time, and the master thereof shall be liable to fine or imprisonment. The master or person in charge of any vessel or raft shall report and pay the tolls to the wharfinger at his office.

Rule 5.—That no person shall remove any goods, chattels, merchandise or material of any description from the wharf and docks on which the tolls and dues have not been paid, without the permission of the wharfinger.

Rule 6.—That no person shall throw overboard or discharge any ballast, refuse or rubbish of any description into the docks or upon the wharf.

Rule 7.—That all lumber, shingles, laths, salt, or any goods or merchandise, or material of any kind whatsoever, having been landed, piled or placed on the harbor property for shipment, shall be liable to Harbor Tolls whether afterwards shipped or not, the fact of one having been landed, piled or placed on any part of the harbor property shall be presumptive evidence that the owner intended to ship it, and said lumber, timber, salt, &c., shall in consequence be liable to pay the usual tolls, although afterwards removed by teams or otherwise, and shall likewise be liable to all the previous conditions as to removal and ground rent and sale as hereinafter provided.

Rule 8.—That no person shall ride or drive a horse or horses faster than at a walk on the wharf or harbor quay.

Rule 9.—That no lumber, timber, shingles, lath, pickets, ties, cedar posts or poles, cordwood, stone, plaster-stone, coal, salt or other goods or materials of whatsoever nature or kind shall be landed or placed in or upon any of the wharves, piers and lands of the harbor, unless by permission of the wharfinger, and then only on such portions of the harbor property as may be allotted to them for the time being, and shall be so landed and placed in such a manner as the wharfinger may direct; and goods, merchandise, lumber, salt or other material landed or placed on the harbor property shall be shipped or removed within forty-eight hours, and in default of so shipping or removing said goods, lumber, salt or other material, it may be removed at the direction of the wharfinger, and the expense of such removal shall be a lien upon such property so removed; it shall also pay a rental of not more than one dollar for every succeeding forty-eight hours for each and every twelve feet square of the harbor property occupied by said goods, lumber, salt or other material; provided that in case the owner or agent of such goods, lumber, salt or other material, refuses or neglects to ship or remove the same from the harbor

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property after the expiration of one month, it shall be lawful to sell and dispose of the same by public auction to defray the expenses to pay ground rent as above—eight days' notice of such sale to be given by posting hand-bills announcing it in the usual manner.

Rule 10.—That no person shall obstruct the wharfinger in the performance of his duties

Rule 11.—That the tolls and dues specified in the accompanying schedule shall be and they are hereby imposed and authorized to be levied and collected by the wharfinger on the several articles enumerated in said schedule, entering the port of Inverhuron, except on articles belonging to the Government of Canada which are hereby exempt from payment of tolls and dues.

Rule 12.—The penalty for violation of the law or any rule or regulation made thereunder, shall not exceed one hundred dollars, and punishment by imprisonment shall not exceed thirty days.

SCHEDULE.

Apples, per barrel.....	2	cents.
Apples, per bushel	1	"
Bacon, per 100 lbs.....	3	"
Bark, per cord.....	5	"
Beef and pork, per barrel	4	"
Beef and pork, per half barrel	2	"
Beef and pork, per quarter barrel.....	1	"
Beer, ale and porter, per barrel.....	4	"
Beer, ale and porter, per half barrel	2	"
Beer, ale and porter, per quarter barrel.....	1	"
Boilers, per ton.....	25	"
Bricks of all kinds, per M.....	20	"
Building stone, per cord	10	"
Butter, per 100 lbs.....	2	"
Calves, each.....	3	"
Carriages and waggons of all kinds, with springs..	20	"
Carts, without springs, each.....	10	"
Cattle and horses, per head	15	"
Cedar posts, per 100.....	10	"
Cement, per barrel	3	"
Cheese, per 100 lbs.....	2	"
Cider, per barrel	3	"
Clover seed, per bushel.....	2	"
Coal, per ton	5	"
Colts and fillies, each.....	7	"
Corn meal, Indian, per barrel.....	2	"
Cranberries, per barrel.....	5	"
Crockery, including china and glass ware, per crate.	25	"
Cultivators, each.....	15	"
Earthenware, coarse, per crate.....	10	"
Eggs, per barrel, or box of 72 dozen.....	5	"

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Fanning mills, each.....	15	cents.
Fish, per barrel.....	2	"
Fish, per half barrel	1	"
Fish, dry, per 100 lbs.....	2	"
Flour, per barrel.....	2	"
Flour, per 100 lbs.....	1	"
Fruit, per 100 lbs., not otherwise provided for.....	5	"
Furniture, per ton measurement	30	"
Grain of all kinds, except oats, per bushel.....	$\frac{1}{2}$	"
Grain, oats, per bushel.....	$\frac{1}{3}$	"
Grindstones, per ton	15	"
Gypsum, per ton.....	3	"
Hams, per 100 lbs.....	2	"
Hardware, per ton.....	25	"
Hay, per ton.....	10	"
Headings, barrel, per M.....	25	"
Hides or skins, per 100 lbs.....	2	"
Hoops, per M.....	2	"
Hops, per 100 lbs	5	"
Horse rakes, each	5	"
Iron, bar, per ton	15	"
Iron, pig, per ton.....	8	"
Iron, scrap, per ton.....	15	"
Lard, per barrel	5	"
Lard, per half barrel.....	$2\frac{1}{2}$	"
Lath, per thousand pieces.....	$\frac{1}{2}$	"
Leather, per 100 lbs.....	3	"
Lime, per barrel	2	"
Lime, per ton, in bulk.....	5	"
Lumber, sawn or square, per M. feet, B. M.....	3	"
Machinery, engines. &c., per ton.....	25	"
Machines, reaping and mowing, each....	50	"
Machines, thrashing, each.....	75	"
Marble, per ton	25	"
Merchandise, dry goods, per ton.....	50	"
Millstones, per pair	30	"
Molasses, per hogshead.....	8	"
Nails and spikes, per ton.....	25	"
Nursery produce, per ton	30	"
Oatmeal, per barrel.....	2	"
Oils, per barrel	5	"
Paints, per ton.. ..	25	"
Pearl and pot ashes, per barrel.....	8	"
Pickets, per 100.....	3	"
Plaster, calcined, per barrel	4	"
Plaster, land, per barrel.....	2	"
Ploughs, each	3	"
Poles, telegraph, each.....	$\frac{1}{4}$	"
Potatoes and roots, per bushel	$\frac{1}{4}$	"

Inland Revenue.

Rags, per ton.....	15	cents.
Rakes (hay), snaths and forks, per dozen.....	1	"
Rakes, horse, each.....	5	"
Root slicers, each.....	5	"
Salt, per barrel.....	$\frac{1}{4}$	"
Salt, per ton.....	$1\frac{1}{2}$	"
Sand, per ton.....	$1\frac{1}{2}$	"
Sawlogs, per M. feet, B. M.....	1	"
Sheep, per head.....	2	"
Shingles, per M.....	$\frac{1}{2}$	"
Shingle or stave bolts, per cord.....	3	"
Slate, per ten feet square.....	3	"
Spirits of all kinds and wines, per barrel.....	10	"
Spirits of all kinds and wines, per half barrel.....	5	"
Spirits of all kinds and wines, per keg or quarter barrel.....	$2\frac{1}{2}$	"
Spirits of all kinds and wines, per dozen bottles ...	2	"
Staves, fish, flour and salt, per M.....	2	"
Staves, pipe, per M.....	50	"
Staves, West India, per M.....	2	"
Stone, cut, per ton.....	20	"
Stone, block, in the rough, per ton.....	15	"
Stoves, per ton.....	20	"
Straw cutters, each.....	5	"
Swine.....	$2\frac{1}{2}$	"
Ties, railroad, each.....	$\frac{1}{4}$	"
Timothy seed, per bushel.....	2	"
Vinegar, per barrel.....	4	"
Wood, per cord.....	$2\frac{1}{4}$	"
Wool, per ton.....	30	"

Vide Canada Gazette, Vol. XIX, p. 630.

By an Order in Council of Tuesday, the 10th day of November, 1885, all Orders in Council heretofore passed establishing inspection divisions and appointing Inspectors for the inspection of wheat and other grain, within the Province of Ontario, excepting only those establishing the division of and appointing the Inspector for Port Arthur, were rescinded, and the following divisions were established in lieu thereof, viz:—

Ottawa Division.—Comprising all that portion of Ontario lying east of the Kingston and Pembroke Railway.

Kingston Division.—Comprising all that portion of Ontario lying west of the said Kingston and Pembroke Railway and east of the eastern boundaries of the Counties of Ontario, Muskoka and Parry Sound.

Toronto Division.—Beginning at the western boundary of the Kingston Division, thence westerly along the north shore of Lake Ontario to Burling-

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ton, thence northerly along the route of the Hamilton and North-Western Railway to Georgetown, thence westerly to Guelph along the route of the Grand Trunk Railway, and thence north-westerly by the westernmost route of the Wellington, Grey and Bruce Railway to Kincardine. Excepting thereout all stations upon the line of the Grand Trunk and Georgian Bay Extension which shall be deemed to be within the Inspection Division of Stratford.

Stratford Division.—Comprising all that territory lying north of the Grand Trunk Railway, between Guelph and Sarnia, and west of the said western boundary of the Toronto Division as hereinbefore cited. Also all stations upon the lines of the Grand Trunk Railway and Georgian Bay Extension between Stratford and Warton.

London Division.—All that territory lying south of the said line of the Grand Trunk Railway and west of the line of the Port Dover and Lake Huron Railway.

Hamilton Division.—All that territory lying south of the main line of the Grand Trunk Railway (not hereinbefore incorporated in the Division of Toronto) and east of the Port Dover and Lake Huron Railway.

In cases in which lines of railway are designated as the common boundary or boundaries of any two inspection divisions, wheat and grain may be inspected at any stations upon such dividing lines by the Inspector of either of the divisions of which said lines form the common boundary.

Vide Canada Gazette, Vol. XIX, p. 795.

By an Order in Council of Wednesday, the 13th day of January, 1886, the following Regulations for carrying the provisions of the Act passed in the Session of the Parliament of Canada, held in the 48-49th years of Her Majesty's Reign (1885) chaptered 67, and intituled "An Act respecting the Adulteration of Food, Drugs, and Agricultural Fertilizers" into effect, were approved:—

1st. The districts for the purposes of this Act shall be coterminous with the inspection districts of Inland Revenue

The Analysts heretofore appointed are hereby reappointed for the following districts, subject to their obtaining a certificate of competency in chemical and microscopical knowledge and skill from the Board of Examiners to be appointed for such purpose; and no Public Analyst shall be appointed unless he produce the certificate of such Board:—William Saunders, District of Windsor; W. H. Ellis, District of Toronto; F. X. Valade, District of Kingston; J. B. Edwards, District of Montreal; M. Fiset, District of Quebec; W. F. Best, District of New Brunswick; M. Bowman, District of Nova Scotia and Prince Edward Island; J. E. Wright, District of Manitoba.

2nd. Such Analysts may be remunerated as follows:—

(a.) By a retaining fee of \$200 per annua.

Inland Revenue.

(b.) By an allowance for the first year of a sum not exceeding \$300 for the apparatus and material used in the laboratory.

(c.) By an annual allowance of \$100 on account of such expenses as are necessarily incurred in providing material for analysing samples submitted to them by duly authorized officers.

(d.) By an allowance of \$100 towards the rent of the place in which the laboratory may be established.

(e.) By payments equal to the amount of fees payable in each case in accordance with the scale hereinafter established, provided the aggregate sum paid shall not exceed the amount voted for such purpose by Parliament.

3rd. The following tariff of fees is hereby established :—

For analysis of milk.....	\$ 5 00
“ “ when six samples are submitted at one time.....	20 00
“ bread, sweets, and other articles unenumerated.....	5 00
“ butter, cheese, malt liquors, cider, wines, alcoholic liquors, tinctures, liqueurs, condiments, spices, drugs, oils, proprietary infants' and invalids' foods, and fertilizers	8 00
“ tea, coffee, tobacco, cocoa or chocolate, and drugs for their alkaloids, as opium, barks, &c., pharmaceutical liquors, fluid extracts, &c., dispensed medicines and waters	10 00

4th. Any Inland Revenue Officer or other person authorized by the Act, on obtaining a sample from a vendor, and after the completion of his purchase of such samples, shall declare to the vendor the object for which he has made the purchase, and shall forthwith, in presence of the vendor, proceed to divide the sample into three equal parts, making the same up into three parcels of such description as the nature of the article may require, carefully wrapping each separately, attaching to it a label of such form as may be approved from time to time by the Minister of Inland Revenue, and sealing each parcel therewith in such a manner that the parcel cannot be opened without destroying the same. One parcel he shall offer to deliver to the vendor, the second shall be transmitted to the Minister of Inland Revenue, and the third shall be forwarded to the Public Analyst for the district within which the sample was taken.

5th. If a vendor of an article (either wholesale or retail) refuses to give to an officer any sample of such article which the officer desires to procure under the provisions of the 7th section of the Act, after the officer has paid, or tendered, the value of such sample, the officer shall explain the object of his visit and the requirements of sections 7 and 8 of the Act, and shall thereupon demand to be shown the stock of such article and to be furnished with or permitted to take samples of the same. If the vendor still refuses the officer is to repeat the demand in the presence of a reliable witness.

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6th. When samples have been purchased at places distant from the residence of the Public Analyst of the district, the officer or Inspector shall transmit the respective portions of the samples to the Public Analyst and to the Minister of Inland Revenue respectively, by mail or express prepaid, and the cost of such transmission shall be deemed to be a portion of the cost of purchase.

7th. When the Analyst's certificate declares an article to be adulterated within the meaning of the Act, the officer or Inspector shall be advised of such fact, and shall forthwith notify the vendor of intention to prosecute, if such course be determined upon by the Minister of Inland Revenue.

8th. The Analyst shall impartially perform the duties of his office and shall not communicate the result of his analysis to anyone, unless specially authorized or testifying before a court of law in conformity with his duties under the Act.

9th. The Analyst, on receipt of sample, shall proceed with all reasonable speed to make the analysis and forthwith forward his certificate of analysis to the Minister of Inland Revenue.

10th. To any municipality appointing Inspectors under the Act, a remission of one-half the fees shall be made by the Public Analyst, and the half so remitted shall be paid out of the grant made by Parliament for the purposes of this Act.

11th. But such Inspectors shall comply with all the requirements of the law and such instructions from the Minister of Inland Revenue, who shall in each case determine the maximum amount of fees that shall be remitted to a municipality in each fiscal year.

12th. The form of certificate to be used by the Analysts, and the form of label to be used by an officer or Inspector, shall be approved by the Minister of Inland Revenue.

Inland Revenue.

SAMPLE OF :
DATE,

NUMBER :

PURCHASED FROM: _____

QUANTITY :

COST,

MANUFACTURED BY _____

Officer's Signature: _____

Write observations on back of stub.

SAMPLE OF :
DATE,

NUMBER :

PURCHASED FROM: _____

QUANTITY :

COST,

MANUFACTURED BY _____

OBSERVATIONS: _____

Officer's Signature: _____

INLAND REVENUE DEPARTMENT.



DATE,

Sample sold as :

Officer's Signature: _____

ANALYST.



DATE,

Sample sold as :

Officer's Signature: _____

VENDOR.

Inland Revenue.

CANADA.

ANALYSIS OF FOOD.

ANALYSIS OF FOOD, &c.

No. _____

Office at _____

18

Analysis of Sample of _____

received from Mr. _____

Excise Officer, Division }
or Inspector, Municipality }

of _____

18

Sealed and _____

Numbered _____

Result of Analysis : _____

Microscopical Examination : _____

Observations : _____

Fee \$ _____

State if any change had
taken place to interfere with
Analysis.

Analyst. _____

No. _____

OFFICE AT _____

18

I, _____
Public Analyst for the Inland Revenue District of
_____ appointed under the Adulteration Act
1885, hereby certify that I received from _____
Inland Revenue Officer for the Division } of _____
or Inspector for the Municipality }
on the _____ day of _____ 18, [by mail or
otherwise,] a sample of _____ for analysis, sealed
according to Act, seals unbroken, with label bearing
the number _____, and I have analyzed the same
and declare the result of my analysis to be as follows :

MICROSCOPICAL EXAMINATION :

I am of opinion the said sample is (*genuine or adulterated or that it contained*: _____ % of foreign ingredients.)

OBSERVATIONS. (*State if admixture was for purpose of rendering the commodity potable, or palatable, or preserving or improving its appearance, and whether in Analyst's opinion injurious to health.*)

Fee _____ *

As witness my hand.

Analyst. _____

*State whether Collected.

NOTE.—The italics represent the words written in the blank forms.

Vide Canada Gazette, Vol. XIX, p. 1196.

Inland Revenue.

By an Order in Council of Tuesday, 9th March, 1886, all Orders in Council establishing Inspection Divisions for the inspection of flour and meal were cancelled, and divisions for the inspection of flour and meal were established similar to those made for the inspection of grain by Order in Council of the 10th November, 1885.

Vide Canada Gazette, Vol. XIX, p. 1326.

By an Order in Council of Monday, 15th day of March, 1886, the Counties of Lotbinière, Lévis, Bellechasse and Dorchester, in the Province of Quebec, were constituted an Inspection Division for the purposes of the inspection of leather and raw hides.

Vide Canada Gazette, Vol. XIX, p. 1326.

By an Order in Council of Monday, 12th day of April, 1886, the County of Hochelaga, in the Province of Quebec, was constituted a division for the purposes of the inspection of leather and raw hides.

Vide Canada Gazette, Vol. XIX, p. 1468.

By an Order in Council of Friday, 16th day of April, 1886, the following regulations were made for carrying into effect the provisions of the "Fertilizers Act, 1885:—

All Collectors of Customs and Collectors of Inland Revenue are hereby appointed as Inspectors of Agricultural Fertilizers, under the said Act.

Every Inspector is hereby required, as soon as practicable after the 1st January in each year, to ascertain that all importers or manufacturers of fertilizers (which are sold at more than ten dollars per ton, and which contain ammonia or its equivalent of nitrogen, or phosphoric acid) in his collection division, have complied with the provisions of the Act above cited, by forwarding to the Minister of Inland Revenue, at Ottawa, a two-pound sample, in a stoppered and sealed glass jar, of each of the fertilizers they propose to import or manufacture during the year, together with a certificate of analysis, stating the commercial name of the fertilizer, and an affidavit that such sample and certificate fairly represent the fertilizer they propose to import or manufacture.

Every Inspector is hereby required to procure at least once in every year, from every importer or manufacturer of fertilizers within his collection division, a fair average sample of at least two pounds weight, drawn by himself, or his deputy, from the bulk of each parcel imported, and of each batch manufactured and offered for sale, of such fertilizers, and forward the same to the Minister of Inland Revenue, for submission to the Chief Analyst for analysis and comparison with the certified analysis of the same fertilizer deposited and on record with the Minister of Inland Revenue.

Inland Revenue.

On receipt of such samples by the Chief Analyst, he is hereby required to have the same analysed with all convenient expedition, and to report the result of the same to the Minister of Inland Revenue in the form of Certificate A.

After having taken the samples as above described, the Inspectors, or their deputies, are, if the fertilizer is put up in packages, to require that the manufacturer's certificate of analysis, bearing also the commercial name of the fertilizer in question, be placed upon and securely attached to each package by the manufacturer or importer as required by the Act.

If requested to do so by the manufacturer, or the person selling the fertilizer, the Inspector, or his deputy, is hereby authorized to cause to be applied, under his personal supervision, inspector's tags, one to each package, bag or barrel of fertilizer, before the same is offered for sale or distribution. These inspector's tags are to be in the form B, and are to be numbered consecutively, and bear a *fac simile* of the signature of the Minister of Inland Revenue.

Inspectors are hereby authorized to demand and collect a fee (section 10) for each inspection at the rate of (5) five cents per hundred pounds weight of the fertilizer inspected, and this fee shall be paid and the inspector's tag attached before the fertilizer may be removed from the mill, factory, or storehouse, or out of the possession or the manufacturer's agent, or the person importing the same. Should the manufacturer, importer, or purchaser, desire to obtain from the Chief Analyst an analysis of any of the samples above referred to, or of any other he may provide, he shall be entitled to receive the same on payment of a fee of \$3 for each certificate.

Inspectors are not to furnish any tag to be attached to any package of fertilizer unless the manufacturer's certificate of analysis, bearing also the commercial name of the fertilizer, is plainly placed upon each parcel or package, claiming in the case of an ammoniated superphosphate that it contains at least (5) five per centum of soluble phosphoric acid, and (2) two per centum of ammonia; and, in the case of any acid phosphate or dissolved bones, that it contains at least (8) eight per centum of available phosphoric acid.

Nor shall any tag be furnished to be attached to any package of fertilizer, or bill of inspection be delivered in respect of any fertilizer, that is in a damaged or unmerchantable condition.

A.

CERTIFICATE OF ANALYSIS.

Chemical Laboratory.

INLAND REVENUE DEPARTMENT,
OTTAWA,

18 .

I, _____, Chief Analyst for the Department of
Inland Revenue, hereby certify that a sample of fertilizer, forwarded to the
Minister of Inland Revenue by _____ described as _____ No. _____,

Inland Revenue.

manufactured or imported by _____ at _____
 and drawn by _____ has been analysed in this laboratory and
 found to contain :—

Soluble phosphoric acid.....	per cent.
Reverted do	do
Insoluble do	do
Total.....	
Ammonia	do
Moisture.....	do

Chief Analyst.

B.

INSPECTOR'S TAG.

The Fertilizers Act, 1885.

Name.	No.	Inspected, 18 ,
Canada.		

(Signed,)
 Minister of Inland Revenue.

NOTICE.—This tag is merely a guarantee that the manufacturer has complied with the requirements of the Act, and that a sample taken from the lot numbered _____ to _____ has been transmitted to the Minister of Inland Revenue for analysis. A departmental certificate of analysis may be obtained on application and upon payment of a fee of \$5.

Inspector.
 Address.

Vide Canada Gazette, Vol. XIX, p. 1495.

By an Order in Council under date 21st April, 1886, the rate of canal tolls on wheat, Indian corn, oats, peas, barley and rye, when shipped for Montreal or any other Canadian port east of Montreal, were fixed at two cents per ton, for the forthcoming season and no longer.

Vide Canada Gazette, Vol. XIX, p. 1493.

By an Order in Council of Tuesday, 27th day of April, 1886, the town of Listowel, in the Province of Ontario, was constituted a port of entry at which raw or leaf tobacco may be imported into Canada.

Vide Canada Gazette, Vol. XIX, p. 1533.

Inland Revenue, &c.

By an Order in Council of Saturday, 19th day of June, 1886, the County of Prince, in the Province of Prince Edward Island, was constituted a division for the purposes of the inspection of fish and fish oils.

Vide Canada Gazette, Vol. XIX, p. 1828.

Interior.

By an Order in Council of Thursday, the 16th day of July, 1885, the Regulations for the survey, administration and disposal of Dominion lands within the Railway Belt, in the Province of British Columbia, approved and adopted by the Governor in Council, dated 20th of April, 1885, were amended as follows:—

Clause 89 of the said Regulations was rescinded and the following substituted in lieu thereof:—

“89. That the provisions of the Act of the Legislature of British Columbia, 47 Vic, chap. 32, intituled “An Act relating to the cutting of timber upon Provincial lands and for the purpose of deriving a revenue therefrom,” shall govern the mode of disposal and the rents, royalties, dues and charges upon the timber lands in the Railway Belt in British Columbia lying south of 49° 34' north latitude and west of the 121° of longitude west of Greenwich, but the said Act of the Legislature of British Columbia, in so far as it applies to the lands in the Railway Belt lying south of 49° 34' north latitude and west of the 121° of longitude west of Greenwich, shall be administered by the Minister of the Interior of Canada, and the rents, royalties, dues and other charges to be made and collected upon or in respect of the said timber lands shall be paid to the credit of the Receiver General of Canada, and the enactments and provisions in the twenty-six next following clauses shall be limited in their effect to the Dominion lands in the Railway Belt in British Columbia, lying north and east of the tract hereinbefore described, as far as the 120° of longitude west of Greenwich; and in regard to the timbered lands within the Railway Belt in British Columbia lying east of the said 120° of longitude west of Greenwich; the provisions of the Dominion Lands Act, 1883, and the Regulations thereunder made from time to time by the Governor in Council, shall apply;

“(a) The word ‘timber’ shall mean all wood and the products thereof.”

Vide Canada Gazette, Vol. XIX, p. 83.

By an Order in Council of Thursday, 16th day of July, 1885, the Regulations for the survey, administration and disposal of Dominion lands within the Railway Belt in the Province of British Columbia, approved by Order in Council dated 20th April, 1885, and amended by Order in Council of the 16th July instant, were amended as follows, that is to say:—

Interior.

The word "six" was substituted for the word "five" in the last line of clause 12 of said Regulation.

* * * *

Vide Canada Gazette, Vol. XIX, p. 83.

By an Order in Council of Wednesday, 25th day of November, 1885, His Excellency, by and with the advice of the Queen's Privy Council for Canada, was pleased to order, that whereas near the Station of Banff, on the Canadian Pacific Railway, in the Provisional District of Alberta, North-West Territories, there had been discovered several hot mineral springs which promised to be of great sanitary advantage to the public, and in order that proper control of the lands surrounding these springs might remain vested in the Crown, the said lands in the territory including said springs and in their immediate neighborhood, be and they were thereby reserved from sale, or settlement or squatting, namely: All of Sections 13, 14, 15, 22, 23, 24, 25, 26, 27 and 28, and those portions of Sections 34, 35 and 36 lying south of Bow River, all in Township 25, in Range 12, west of the 5th Meridian.

Vide Canada Gazette, Vol. XIX, p. 762.

By an Order in Council of 3rd December, 1885, the price fixed by Order in Council of 13th May, 1884, for lands in the North-West Territories containing anthracite coal, viz., \$20 per acre, was reduced to \$12.50 per acre.

Vide Canada Gazette, Vol. XIX, p. 891.

By an Order in Council of Monday, 12th day of April, 1886, the Regulations for the survey, administration and disposal of Dominion lands within the Railway Belt in the Province of British Columbia, approved by Order in Council of the 20th April, 1885, as amended by two Orders in Council dated 16th July, 1885, were further amended by the adoption of the following additional Regulations:—

1. The Dominion lands in British Columbia shall be laid off, so far as practicable, in quadrilateral townships, each containing thirty-six sections of as nearly one mile square as the convergence of meridians permits, together with an allowance of twelve acres in each section for road purposes.

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

Interior.

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

The lines bounding townships on the east and west sides shall be meridians; and those on the north and south sides shall be chords to parallels of latitude.

3. Each section shall be divided into quarter sections of one hundred and sixty acres, more or less, together with an allowance for roads of three acres in each, subject to the provisions hereinafter made.

4. In the survey of a township, the deficiency or surplus resulting from convergence of meridians shall be divided equally between all the quarter sections involved, 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.

5. The dimensions and area of irregular quarter sections shall, in all cases, be returned by the surveyor at their actual measurements and contents.

6. To facilitate the description for letters patent of less than a quarter section, every section shall be supposed to be divided into quarter quarter sections, or forty and three quarters acres, and such quarter quarter sections shall be numbered as shown in the following diagram, which is intended to show such sub-divisions of a section, which shall be styled legal sub-divisions:—

		N.					
		13	14	15	16		
		12	11	10	9		
W.		5	6	7	8		E.
		4	3	2	1		
		S.					

The area of any legal sub-division, as above set forth, shall, in letters patent, be held to be more or less, and shall in each case be represented by the exact quantity as given to such sub-division in the original survey.

7. The Governor in Council may order the survey by a Dominion Land Surveyor of such public highways as he may deem expedient, and may, for that purpose, enter and take any private roads or lands, whether the area of the roads and lands so taken be or be not in excess of the allowance for roads in any section, quarter section or legal sub-division.

8. On the approval of the survey of a public highway, the fact shall be notified to the Lieutenant-Governor of British Columbia by the Minister of

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the Interior, and, by virtue of such notification, such public highway shall become the property of the said Province, the legal title thereto remaining in the Crown for the public use of the Province, but no such road shall be closed up or its direction varied or any part of the land occupied by it sold or otherwise alienated, without the consent of the Governor General in Council.

9. The Governor in Council may authorize any person to locate and build public highways, or to build public highways located, in accordance with clause nine of these regulations, and such person may then, for the purpose of building such highway, by himself or his agents, enter and take possession of any private roads and lands and the timber thereon, whether the area of the roads and lands so taken be or be not in excess of the allowance for roads in any section, quarter section or legal sub-division, also to enter and take any gravel, timber, stone and other materials required for the construction of any bridge or highway, and also to enter upon any land for the purpose of cutting any drains that such person may think necessary.

Vide Canada Gazette, Vol. XIX, p. 1498.

By an Order in Council of Tuesday, 13th day of April, 1886, the coal lands withdrawn from ordinary sale and from settlement and declared to be coal districts by Order in Council of the 26th December, 1882, as amended by the Orders in Council of the 2nd March, 1883, and 26th March, 1884, and known as the "Souris River," the "Bow River," the "Belly River," the "South Saskatchewan River," the "North Saskatchewan River," and the "Cascade" coal districts, were opened for settlement, reserving, however, the coal mining rights therein.

Vide Canada Gazette, Vol. XIX, p. 1499.

By an Order in Council of Friday, 23rd day of April, 1886, the control of the following trails, which have been surveyed by a Dominion Land Surveyor, under authority of an Order of the Governor in Council, dated 17th December, 1885, were transferred to the Lieutenant-Governor of the North-West Territories in Council for the public use of the Territories, that is to say:—

1. The Saskatchewan Forks and Carlton Trail from the east line of Township 48, Range 24, west of the 2nd Initial Meridian, to the easterly boundary of the Municipal Corporation of the Town of Prince Albert.

2. The Saskatchewan Forks and Carlton Trail from the westerly boundary of the Municipal Corporation of the Town of Prince Albert to the north line of Township 45, Range 1, west of the 3rd Meridian.

3. The trails from Prince Albert to South Branch of the Saskatchewan, as follows:—

a. Trail from Prince Albert to Halcro Settlement (*viâ* Red Deer Hill).

b. South Branch Road to Prince Albert (*viâ* Island Lake) through south-west quarter of Muskoday's Indian Reserve.

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c. From South Branch Road, through north-east quarter of Muskoday's Indian Reserve, to Prince Albert.

d. From South Branch Road to Road b. (*via* Island Lake).

4. South Branch Road from westerly boundary of Halcro Settlement to northerly limit of Muskoday's Indian Reserve.

5. Trail from Carlton Forks, Section 24, Township 46, Range 1, west of 3rd Initial Meridian, to Fisher's or Batoche's Crossing, South Branch of Saskatchewan River.

6. Trail from near the north limit of St. Laurent Mission to Duck Lake.

7. From Fisher's or Batoche's Landing to Gabriel's Crossing.

8. Trail from Duck Lake to Gabriel's Crossing.

Vide Canada Gazette, Vol. XIX, p. 1583.

By a Proclamation, bearing date the 7th day of May, 1886, the territory hereinafter described, that is to say:—

Commencing at the point of intersection of the easterly shore line of Lake Winnipegosis with the northern boundary of the Province of Manitoba, thence in a north-westerly direction along the said easterly shore of Lake Winnipegosis to the southerly end of the portage leading from the head of the said lake into "Cedar Lake," known as the "Cedar" or "Mossy Portage," thence northerly, following the trail of the said portage to the northerly end of the same on the shore of Cedar Lake, thence due north to the northerly boundary of the District of Saskatchewan, thence east along the northerly boundary of the said District of Saskatchewan to the point of its intersection with the westerly shore of the Nelson River, thence southerly, following the western shore of the Nelson River and Lake Winnipeg to its intersection with the northern boundary of the Province of Manitoba, thence due west along the said northern boundary of the said Province to the place of beginning—

Was detached from the said District of Keewatin and re-annexed to that part of the North-West Territories not included in the said district.

Vide Canada Gazette, Vol. XIX, p. 1649.

By an Order in Council of Tuesday, the 11th day of May, 1886, the provisions of clauses numbered thirteen to twenty-four, both inclusive, of the Regulations for the disposal of Dominion Lands within the Railway Belt in the Province of British Columbia, established by the Order in Council of 20th April, 1885, were continued in force until the first day of July, 1887.

REGULATIONS for the disposal of Dominion Lands within the Railway Belt in the Province of British Columbia. Authorized by Order in Council of 20th April, 1885, as amended by the Order in Council of 16th July, 1885.

Homestead Rights.

13. 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, on making

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application in the form A in the schedule of these Regulations, be entitled to obtain homestead entry for any quantity of land not exceeding one quarter section, and being of the class of land open under the provisions of these Regulations, to homestead entry :

(2.) The entry for a homestead shall entitle the recipient to take, occupy and cultivate the land entered for, and hold possession of the same to the exclusion of any other person or persons whomsoever, and to bring and maintain actions for trespass committed on the said land: the title to the land shall remain in the Crown until the issue of the patent therefor, and the said land shall not be liable to be taken in execution before the issue of patent :

(3.) The privilege of homestead entry shall only apply to surveyed agricultural lands; no person shall be entitled to such entry for land valuable for its timber, or for hay land, or for land on which there is a stone or marble quarry, or coal or other mineral having commercial value, or whereon there is any water power which may serve to drive machinery, or for land which by reason of its position, such as being the shore of an important harbor, bridge site or canal site, or being either an actual or prospective railway terminus or station, it will be in the public interest to withhold from such entry.

14. Whenever the survey of any township has been finally confirmed and such township opened for homestead entry, any person who has *bonâ fide* settled and made improvements before such confirmed survey on land in such township, shall have a prior right to obtain homestead entry for the land so settled on, provided such right be exercised within three months after the land is opened for settlement; and provided that such land has not been reserved or the right to homestead entry is not excepted under the provisions of these Regulations: no homestead entry shall be granted to any other person in respect of such land until three months after notice in writing shall have been given by the local agent to such *bonâ fide* settler that such land is open for settlement.

15. The person who shall have first *bonâ fide* settled and made improvements on Dominion lands before such confirmed survey as aforesaid, may stake out the land so settled upon in the following manner: It shall be in the form of a square, and its area shall not exceed one hundred and sixty acres. Its boundaries shall be north and south, east and west lines. At each angle a post at least four inches square and standing four feet above the ground, shall be planted and plainly marked with scribing iron or knife to designate the angle of the claim, and shall also have, in the same manner, the name of claimant marked thereon. Between the posts at the angles, if in timber, a line shall be well cut out and marked. He shall also, with his application to the local agent, accompanied with a fee of ten dollars, furnish an intelligible sketch, showing the nature and shape of the claim, the timber, if any thereon; also all streams, roads, hay lands, water powers, quarries, &c.; and if it shall afterwards be found that the applicant has suppressed any information in said sketch, the right of claimant shall be voided in every respect; and after the land shall have been so staked out he shall, in addition to the prior right of obtaining homestead entry granted by the last preceding section, be entitled (if he shall have continu-

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ously resided on such land), to bring such actions of trespass and ejection as he would be entitled to bring were he the owner in fee of the same land: Provided always, that nothing in these Regulations contained shall give, or be construed to give, any such person any rights whatever against the Crown.

16. To obtain homestead entry it shall be necessary for the person applying therefor to appear and make affidavit before the local agent according to form B, C or D, in the schedule to these Regulations, as the circumstances of the case require. Upon filing such affidavit with the local agent, and on payment to him of an office fee of ten dollars, such person shall receive a receipt from the local agent according to the form F in the schedule to these Regulations; and such receipt shall be a certificate of entry, and shall be authority to the person obtaining it to go into possession of the land described in it:

(2.) Provided, that in the case of intending immigrants or other persons proposing to settle together, the Minister of the Interior or the Land Board, on requisition signed by them, may authorize any person they name to obtain homestead entries for them, before their arrival in the territory in which the land they desire to occupy is situated:

(3.) The person so authorized shall, to obtain such entries, make application in the form G in the schedule to these Regulations, on behalf of each of those whom he represents, and shall make affidavit before the local agent according to form H, J or K, in the schedule to these Regulations, as the circumstances require, and pay for each homestead entry the office fee of ten dollars hereinbefore prescribed for such entry:

(4.) Persons occupying land owned by them may obtain homestead entry for any contiguous land open to the same; but the whole extent of land, including that previously owned and occupied, must not exceed one quarter section:

(5.) A person applying for such entry for contiguous land must, when making the affidavit prescribed for homestead entry, also describe therein the tract he owns and lives upon; and his residence upon and cultivation of the whole shall thereafter be of the kind and for the term required by the provisions of these Regulations, in the case of ordinary homestead entry, before he shall be entitled to patent for the part so entered for: Provided, that such residence and cultivation may be upon either the land originally occupied by him or that for which homestead entry has been obtained, or both.

17. In case a dispute arises between persons claiming the right to homestead entry for the same land, the local agent, or any person thereto authorized by the Minister of the Interior, shall make investigation and obtain evidence respecting the facts; and his report thereon, together with the evidence taken, shall be referred to the Minister of the Interior for decision, or to the Dominion Lands Board, Commissioner of Dominion Lands, or such person as may be appointed by the Governor in Council to consider and decide in case of such disputes:

(2.) Provided, that when two or more persons have settled upon and seek to obtain homestead entry for the same land, the one who settled first thereon and has continued to reside upon and cultivate the land for which

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homestead entry is sought shall be entitled to such entry if the land be of the class open to homestead entry, and if it be not in the opinion of the Minister of the Interior otherwise inexpedient, in the public interest, to entertain any application therefor:

(3.) Provided further that, where contending parties have valuable improvements on the lands in dispute, the Minister of the Interior, if the application to acquire the land by homestead entry is entertained by him, may order a division thereof in such manner as shall preserve to each of them, as far as practicable, his improvements; and the Minister may, at his discretion, direct that what the land so allotted to each of them may be deficient of a quarter-section shall be made up from unoccupied land adjoining, if there be any such of the class open to homestead entry.

18. Any person who has obtained a homestead entry shall be allowed a period of six months from its date within which to perfect the entry, by taking, in his own person, possession of the land and beginning continuous residence thereon and cultivation thereof; and if the entry be not perfected within that period, it shall be void, and the land shall be open to entry by another person, or to other disposition under these Regulations, by the Minister of the Interior:

(2.) Provided further that, in the case of immigrants from elsewhere than the North American Continent, the Governor in Council may extend the time for the perfecting of entry to twelve months from the date thereof.

19. In case a certain number of homestead settlers, embracing not less than twenty families, with a view to greater convenience in the establishment of schools and churches, and to the attainment of social advantages of like character, ask to be allowed to settle together in a hamlet or village, the Minister of the Interior may, in his discretion, vary or dispense with the foregoing requirements as to residence, but not as to the cultivation of each separate quarter-section entered as a homestead.

20. At the expiration of three years from the date of his perfecting his homestead entry, the settler, or in case of his death, his legal representatives, upon proving to the satisfaction of the local agent that he or they, or some of them, have resided upon and cultivated the land during the said term of three years, shall be entitled to a patent for the land, provided such proof is accepted by the Commissioner of Dominion Lands or the Land Board, and on payment of one dollar per acre for the land: Provided also, that the patent therefor shall not issue to any person not then a subject of Her Majesty by birth or naturalization:

(2.) Provided that, in the case of a settler who may have obtained homestead entry for land occupied by him previous to survey thereof, in manner hereinbefore mentioned, residence upon and cultivation of the land for the three years next preceding the application for patent, shall, for the purpose of the issue of patent, be held equivalent to that prescribed in the foregoing clause, if such residence and cultivation be otherwise in conformity with the provisions of these Regulations:

(3.) Any person proving that he has resided on the land for which he has homestead entry for twelve months from the date of his perfecting his entry therefor, and that he has brought under cultivation at least thirty acres thereof, may, before the expiration of the three years defined in sub-

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clause two of this clause, obtain a patent by paying two dollars and fifty cents per acre for the land :

(4.) Proof of the residence, required by this clause, shall be made by the claimant by affidavit, and shall be corroborated by the evidence on oath of two disinterested witnesses, resident in the vicinity of the land affected by their evidence, and accepted as sufficient by the Commissioner of Dominion Lands or the Land Board ; such affidavit shall be sworn and such testimony given before the local agent or some other person named for that purpose by the Minister of the Interior.

21. In case it is proved to the satisfaction of the Minister of the Interior that a settler has not resided upon and cultivated his homestead, except as herein provided, for at least six months in any one year, the right to the land shall be forfeited and the entry therefor shall be cancelled ; and the settler so forfeiting his entry shall not be eligible to obtain another entry except in special cases, in the discretion of the Minister of the Interior :

(2.) Provided, that in the case of illness, vouched for by sufficient evidence, or in the cases of immigrants requiring to return to their native land to bring out their families to their homesteads, or in other special cases, the Minister of the Interior may, in his discretion, grant an extension of time, during which a settler may be absent from his homestead without prejudice to his right therein ; but the time so granted shall not count as residence.

22. A homestead, the entry of which has been cancelled, may, at the discretion of the Minister, be held for sale of the land with the improvements, if any—or of the improvements only in connection with homestead entry thereof—to another person.

23. Any assignment or transfer of homestead right or any part thereof, and any agreement to assign or transfer any homestead right or any part thereof after patent shall have been obtained, made or entered into before the issue of the patent, shall be null and void ; and the person so assigning or transferring or making an agreement to assign or transfer shall forfeit his homestead right, and shall not be permitted to make another homestead entry : Provided, that a person whose homestead may have been recommended for patent by the local agent and who has received from such agent a certificate to that effect in the form L in the schedule to these Regulations, countersigned by the Commissioner of Dominion Lands, may legally dispose of and convey, assign or transfer his right and title therein.

24. If any person or persons thereunto authorized by the Minister of the Interior place immigrants as settlers on homestead lands, free of expense to the Government, the Governor in Council may order that the expenses, or any part thereof, incurred by such person or persons, for the passage money or subsistence in bringing out an immigrant, or for aid in erecting buildings on his homestead, or in providing horses, cattle, farm implements or seed grain for him, may, if so agreed upon by the parties, be made a charge upon the homestead of such immigrant ; and in such case the claim for expenses incurred on behalf of such immigrant, as above, together with interest thereon, must be satisfied before a patent or certificate for patent shall issue for the land : Provided as follows :—

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(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 acknowledgment by such immigrant of the debt so incurred shall have been filed in the office of the Local Agent ;

(c.) That in no case shall the charge against such homestead for principal moneys advanced exceed in amount the sum of five 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 :

(2.) If an immigrant to whom an advance has been made, as in this clause provided, and by whom or for whom a homestead entry has been obtained, forfeits such entry under the provisions of these Regulations, the Minister of the Interior may, in his discretion, treat the person by whom such advance was made as if he were the person who had obtained such entry or his legal representative, and as if, up to the time of his being so treated, no forfeiture of the entry had taken place ; and if, under like circumstances, the immigrant by or for whom a homestead entry has been obtained has acquired a right to receive a patent for the land forming the subject of such entry after three years' residence, and does not apply for the issue of the same, the person or persons by whom the advance was made may obtain such patent or certificate for patent in the name of the person so entitled to obtain the same, or of his legal representatives, and thereupon the advance made shall be a statutory mortgage on such homestead.

Vide Canada Gazette, Vol. XIX, p. 1615

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By a Proclamation, bearing date the 9th day of July, 1885, the thirteenth, sixteenth and forty-fifth sections of the Act, passed in the Session of the Parliament of Canada, held in the thirty-second and thirty-third years of Her Majesty's reign, chaptered twenty-nine, and intituled "An Act respecting procedure in Criminal Cases, and other matters relating to Criminal Law," was declared to be in force in the North-West Territories generally.

Vide Canada Gazette, Vol. XIX, p. 33.

By a Proclamation, bearing date the 17th day of July, 1885, the Act of the Parliament of Canada, passed in the Session thereof, held in the forty-fourth year of Her Majesty's reign, chaptered twenty-six, and intituled "An Act to prescribe a declaration to be taken by employees on telegraph lines under the control of the Government, and to provide for the punishment of telegraph operators and employees who

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divulge the contents of certain telegrams," was declared to be in force in the North-West Territories generally.

Vide Canada Gazette, Vol. XIX, p. 81.

By an Order in Council of Thursday, 30th day of July, 1885, the Selkirk Lunatic Asylum, in the Province of Manitoba, was designated as an asylum or place of confinement for the custody of insane persons held under any law or ordinance in force in the North-West Territories.

Vide Canada Gazette, Vol. XIX, p. 210.

By an Order in Council of Tuesday, 15th day of September, 1885, the Order in Council of the 30th July, 1885, designating the Selkirk Lunatic Asylum, in the Province of Manitoba, as an asylum or place of confinement for the custody of insane persons held under any law or ordinance in force in the North-West Territories, was amended by substituting the words "Manitoba Asylum for the Insane" for the words "Selkirk Lunatic Asylum,"—the same having been so designated by the Act of the Province of Manitoba.

Vide Canada Gazette, Vol. XIX, p. 408.

By a Proclamation, bearing date the 25th day of September, 1895, it was declared that upon and after the first day of October, 1895, all the sections of the "Act for the better preservation of the peace in the vicinity of Public Works," as amended, excepting sections two, three, four, five, six, seven, eight, nine and ten thereof, should be in force in the following localities, namely: All those portions of the Province of British Columbia, lying within twenty miles on each side of the located line of the Canadian Pacific Railway, including the line itself, as are comprised within a point on said railway at a distance of one hundred and fifty miles from the provincial boundary line at the summit of the Rocky Mountains and a point on said located line thirty-five miles beyond the west crossing of the River Columbia.

Vide Canada Gazette, Vol. XIX, p. 496.

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AMENDMENTS to the By-laws of the Pilotage Authority for the Pilotage District of St. John, New Brunswick, approved by the Governor in Council, 2nd July, 1885.

In section 3 of the By-laws, for the words,—

"And if any licensed pilot shall offer his services to any ship or vessel outward bound," and so on to the end of the section, substitute the following:—

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“ And in the case of any vessel arriving within the limits just mentioned, and not having a licensed pilot on board, such vessel shall be liable for outward pilotage to the pilot first thereafter offering his services.”

Add the following to section 10 :—

“ And all vessels returning or arriving in distress, or owing to bad or threatening weather, using the harbor only for refuge, and not otherwise bound here.”

In the amended section 12 of By-laws alter the rates of steamers as follows :—

Inwards.

1st District,	\$1.40	per foot draft of water.
2nd “	1.80	“ “
3rd “	2.20	“ “
4th “	2.50	“ “
5th “	3.10	“ “

Outwards.

To Partridge Island, \$1.75 per foot draft of water.

Down the Bay of Fundy, \$2.75 “

Vide Canada Gazette, Vol. XIX, p. 38.

RULES AND REGULATIONS for the government of Piers and Wharves in the Province of Prince Edward Island, accepted by the Dominion Government as Federal works, with tariff of tolls and dues leviable on vessels and merchandise thereat, in accordance with the provisions of Act 40 Vict., chap. 47, approved by the Governor in Council 2nd July, 1885.

Rule 1.—That no waggon or vehicle shall drive along any breakwater, pier or wharf, unless employed in the loading or unloading of vessels, or carting ballast.

Rule 2.—That no person shall ride or drive a horse or horses faster than a walk on any of the breakwaters, piers or wharves.

Rule 3.—That no lumber, lath or other material shall be piled in or near the snubbing posts, in such a manner that a vessel cannot be made fast.

Rule 4.—That masters of vessels, or other persons in charge of vessels, shall make a faithful report of the cargo, as to the quantity and description to the wharfinger, at his office; and any master or person in charge of any vessel, who neglects to report and to pay the tolls and dues (except by permission of the wharfinger) shall be liable to have the vessel of which he may be in charge, or of which he is the master, seized and detained then, or at any future time, until such dues and tolls are paid on the vessel, and the master, owner or person in charge shall also be liable to the penalty provided by law.

Rule 5.—That any master or person in charge of any vessel, making a false report of cargo, shall be liable to a fine of twenty dollars, with or with-

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out imprisonment, for each and every false report, and the vessel shall be liable to detention then or at any future time, until such dues are paid or satisfied; and if any master or person in charge of any vessel neglects to report her cargo, such vessel, or the owner thereof, shall be liable for the tolls on such cargo at any future time, and the master thereof shall be liable to a fine of twenty dollars for each and every offence. The master or person in charge of any vessel shall report and pay the tolls to the wharfinger, at his office.

Rule 6.—That no person shall remove any goods, chattels, merchandise or material of any description, from any breakwater, pier or wharf, on which the tolls and dues have not been paid, without the permission of the wharfinger.

Rule 7.—That all goods, chattels, merchandise or material of any kind whatever, having been landed, piled or placed on any breakwater, pier or wharf, for shipment, shall be liable to tolls, as per schedule annexed, whether afterwards shipped or not, and shall likewise be liable to all the rules and regulations as to removal and ground rent and sale.

Rule 8.—All tolls and dues shall become due and payable at once upon the goods, chattels, merchandise or other material being landed, piled or placed on any breakwater, pier or wharf.

Rule 9.—That no goods, chattels, merchandise or materials of whatsoever nature or kind, shall be landed or placed in or upon any breakwater, pier or wharf, unless by permission of the wharfinger, and then only on such portions of the breakwater, pier or wharf as may be allowed to them for the time being, and shall be so landed and placed in such a manner as the wharfinger may direct; and goods, chattels, merchandise or other material landed or placed on any breakwater, pier or wharf, shall be shipped or removed within forty-eight hours, and in default of so shipping or removing said goods, chattels, merchandise or other material, it may be removed at the direction of the wharfinger, and the expense of such removal shall be a lien upon such property so removed; it shall also pay a rental of not more than one dollar for every succeeding forty-eight hours for each and every twelve feet square of any breakwater, pier or wharf so occupied thereby. In case the owner or agent of such goods, chattels, merchandise or other material refuses or neglects to ship or remove the same from any breakwater, pier or wharf, after the expiration of twenty-eight days from the time of their being placed there, the proceedings provided for by the Statute in that behalf may be taken, and the said goods, chattels, merchandise or other material sold to pay the sums due with costs.

Rule 10.—That no slaughter house, fish stall or other structure shall be erected upon any breakwater, pier or wharf, without the permission of the Minister of Marine; and any such structure shall pay ground rent to be determined by the Minister of Marine; provision to be made for the removal of the structure by direction of the Minister of Marine.

Rule 11.—That no goods, chattels, merchandise or any other material shall be landed in or on, or shipped from off such slaughter house, fish stall or other structure without the permission of the wharfinger, and all such goods, chattels, merchandise or other material landed in or on, or placed

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for shipment from off such structure, shall be liable for the tolls and dues as if landed on any other part of the breakwater, pier or wharf.

Rule 12.—Vessels will not be entitled to any berth, although they may have been hauled in and made fast to the same, unless permission has first been obtained from the wharfinger, and are in all cases to remove at his request; and refusing or neglecting to do so, will be by him removed at the risk and expense of the owner.

Rule 13.—Vessels to discharge cargo will take precedence over vessels to load.

Rule 14.—Lumber or merchandise of any description discharged overboard, to be rafted, will be charged half rates, but full rates if discharged into lighters, scows or other vessels.

Rule 15.—Goods discharged from one vessel to another vessel will be charged half the specified rates for goods landed upon any breakwater, pier or wharf; and in all cases said charge is to be paid by the inside vessel.

Rule 16.—All goods, chattels, merchandise or material of any description, shipped from any breakwater, pier or wharf, will be charged the same rates as for landing, except in the case of goods, chattels, merchandise, &c., landed and directly re-shipped,—which shall be charged one rate only.

Rule 17.—That no person shall obstruct any wharfinger in the performance of his duties.

Rule 18.—That the tolls and dues specified in the accompanying schedule shall be and they are hereby imposed and authorized to be levied and collected by the wharfinger on the vessels and articles enumerated in said schedule, at any of the breakwaters, piers or wharves named in the schedule annexed.

Rule 19.—That the tolls payable upon such vessels or upon goods, chattels, merchandise or other material being landed, piled or placed on any breakwater, pier or wharf, are hereby imposed upon, and may be collected and recovered from the owner of the same.

Rule 20.—No dirt, sand, gravel or other ballast will be allowed to be put upon any breakwater, pier or wharf, unless with the approbation and under the inspection of the wharfinger; neither will dirt, sweepings of the hold or any articles whatsoever, under any pretence, be permitted to be thrown into the docks. Coal, limestone or any article which either through carelessness or otherwise in discharging or loading shall fall into the docks, shall be removed by the master of the vessel, or by the wharfinger at the expense of the master.

Rule 21.—Wharfage will be charged on all ballast put on board or taken from any vessel at any breakwater, pier or wharf.

Rule 22.—All goods, chattels, merchandise or material of any description on any breakwater, pier or wharf, will be at the sole risk of the owner.

Rule 23.—The penalty for violation of the law or any rule or regulation made thereunder, shall not exceed one hundred dollars, and punishment by imprisonment shall not exceed thirty days.

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SCHEDULE of rates of wharfage to be charged at breakwaters, piers and wharves in Prince Edward Island.

For vessels under 20 tons.....	16	cts. per day.
“ of 20 tons and under 50 tons.....	20	“ “
“ of 50 “ 75 “	25	“ “
“ of 75 “ 100 “	33	“ “
For vessels over 100 tons, for register tonnage of vessel	$\frac{1}{2}$	“ per day per ton
Lighters, per load.....	10	“ per day.
Coal.....	8	“ per ton.
Stone, limestone and ballast.....	6	“ “
Cordage, slate, lignum-vitæ and oakum.....	6	“ “
Chains, anchors, iron, copper, steel, castings, sheet and pig iron, zinc.....	10	“ “
Empty barrels.....	1	“ each.
Dry fish.....	1	“ per quintal.
Barrels containing flour, apples, fish or other articles	2	“ per each brl.
Large casks computed at same rate as full barrels, allowing 30 gallons for each barrel.....	2	“ per barrel.
Earthenware, dry goods, dye woods, carriages, furni- ture and all other articles computed by measure- ment	2	“ per brl. bulk.
Indian corn, oats, barley and all other kinds of grain, peas, beans and all articles of like nature.....	15	“ per 100 bus.
Potatoes, turnips, carrots and articles of like nature..	15	“ “
Salt..... 1 cent per bag or	10	“ per ton.
Timber and large scantling	4	“ “
Scantling under 9 inches square.....	4	“ per 100 feet, running feet.
Lumber, comprising deals, boards and such like.....	12	“ per M., inch measurement
Shingles.....	4	“ per M.
Staves and laths.....	10	“ “
Hemlock, bark and firewood	8	“ per cord.
Bricks.....	10	“ per ton.
Fresh meat	25	“ “
Neat cattle.....	6	“ each.
Horses	10	“ “
Horse and carriage.....	20	“ “
Sheep and pigs.....	2	“ “
Goods not enumerated..... 2 cts. per brl., or	8	“ per ton, dead weight.

Vide Canada Gazette, Vol. XIX, p. 1042.

BY-LAW—Halifax Pilot Commissioners, approved by the Governor in Council, 18th July, 1885.

Every licensed pilot who shall, upon any investigation before the Commissioners, decline or refuse to be sworn by the Commissioners or any of

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them, or who shall decline or refuse to take an oath before the Commissioners or any of them, or who shall refuse or decline to make full answers on oath before the Commissioners or any of them, to all questions administered to him, or to give evidence on oath before the Commissioners, or who shall, by any pretext, evade, or attempt to evade, giving evidence on oath before the Commissioners or any of them, when thereto required by them or any of them, shall for every such offence be liable to a penalty not exceeding forty dollars, and shall also be liable to suspension or dismissal at the discretion of the Commissioners.

Vide Canada Gazette, Vol. XIX, p. 117.

By a Proclamation, bearing date the 25th day of July, 1885, "An Act to provide for the appointment of Harbor Masters for certain Ports in the Provinces of Quebec, Ontario, British Columbia and Prince Edward Island," and the Acts amending the same, were declared to apply to the Port of Sarnia, in the County of Lambton, in the Province of Ontario, and the limits of the said Port of Sarnia declared to be as follows:—To extend from the south boundary of the Town of Sarnia, on the south, to a point on the beach five hundred yards north of the north wall of the Grand Trunk Railway Passenger Station, on the north including the whole of the bay.

Vide Canada Gazette, Vol. XIX, p. 165.

By an Order in Council of Friday, the 25th day of September, 1885, the County of Lunenburg, in the Province of Nova Scotia, was constituted a district for all the purposes of the Act 36 Vict., chap. 55, intituled "An Act respecting Wreck and Salvage."

Vide Canada Gazette, Vol. XIX, p. 464.

BY-LAWS of the Pilotage Authority for the District of Sydney, C.B., approved by the Governor in Council 19th October, 1885.

The Pilotage Authority of the District of Sydney, under and by virtue of the powers vested in them by the Pilotage Act of 1873, hereby pass the following by-laws, and enact as follows:—

By-law No 1.—No pilot shall be under twenty-one years of age. Every pilot must serve two consecutive years under a licensed pilot before being licensed, and be competent to work any class of sailing vessels or steamships, and must know soundings, bearings, marks, courses and distances of the port for which he is licensed; he must be a sober and responsible man of good character, and in every case must submit to examination before the Pilotage Authority previously to being licensed. Every new applicant for a license must give notice thereof to the Commissioners by

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having his name and residence entered in the Secretary's book for two years previously to being licensed.

By-law No 2.—Every pilot or company of pilots must be provided with a boat carrying a flag three feet long and two feet wide, of two colors, the upper horizontal half white, and the lower horizontal half red, and every pilot taking a vessel to sea shall have a sufficient boat in attendance to bring him back to port when his services are ended.

By-law No. 3.—Every pilot when licensed shall pay a fee of ten dollars, and every master and mate certificated shall pay a fee of ten dollars if of a sailing vessel, and of twenty dollars if of a steamship, and the same amount for each annual renewal of such certificate; and every licensed pilot shall give a bond to the Commissioners, at the time of receiving his license, for his compliance with the harbor and pilot regulations, and for the faithful performance of his duty as pilot during the ensuing year, himself in the sum of eighty dollars, and two securities to the satisfaction of the Commissioners in forty dollars each,—such bond to be renewed every year during his continuance in office; and each pilot shall pay three dollars for every renewal thereof,—such sums to be paid to the pilot fund.

By-law No. 4.—Every licensed pilot shall be at all times in readiness for the performance of pilot's duty, and shall not engage in any other employment, between the 15th day of April and the thirty-first day of December in any year, under the penalty of forfeiting his license.

By-law No. 5.—The rates of pilotage shall be as follows :—

	To Sydney.	To North Sydney.
For vessels under 100 tons.....	\$ 6 00	\$ 5 00
from 100 to 150 “	7 00	6 00
“ 150 to 200 “	8 00	7 00
“ 200 to 250 “	9 00	8 00
“ 250 to 300 “	10 00	9 00
“ 300 to 350 “	11 00	10 00
“ 350 to 400 “	12 00	11 00

and for every additional 50 tons or fractional part thereof \$1.00. Outward pilotage shall be the same as inward. Vessels, upon being hailed by a licensed pilot outside the limits of the port, but within the pilotage district of Sydney, and refusing to, or not taking such pilot, shall pay half pilotage inwards; and upon being offered the services of a licensed pilot before being ready for a sea, and refusing the services of such pilot shall be liable to half pilotage outward. Should the services of a pilot so offering be accepted by the Master and afterwards declined, then the vessel shall be liable for full pilotage rates; and any pilot placed in charge of a vessel by the Master shall be entitled to receive, in addition to full pilotage rates, the sum of two dollars per diem for each day the vessel may be detained while he is waiting on her, though stress of weather, or otherwise. Vessels spoken by a pilot outside of harbor limits or changing ports between Sydney and the ports of Lingan, Glace Bay, and Cow Bay, shall only be liable for inward pilotage at the loading port, unless a pilot be employed in changing ports, in which case full tariff rates will be charged. Pilots delivering orders outside of port limits to vessels to proceed elsewhere, shall be entitled to

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receive full inward pilotage only from such vessels; and if, in any case, another regular pilot belonging to the same port be found in charge, the amount of pilotage collected shall be equally divided between the pilot in charge and the pilot delivering orders. Vessels arriving from sea without being spoken inwards by a pilot shall be subject to half pilotage outward unless a pilot be employed, in which case full outward pilotage will be charged,—the half pilotage in this case to be paid into the pilotage fund. Vessels calling for orders and remaining outside of harbor limits shall be exempt from outward pilotage unless a pilot be employed.

By-law No. 6.—The number of pilots for Sydney and North Sydney shall not exceed thirty-five.

By-law No 7.—Any pilot licensed for the District of Sydney, having charge of a vessel bound for an outport, upon being spoken by a pilot properly belonging to the port for which the vessel is bound, shall immediately surrender charge to the pilot of that port, and no pilot belonging to any one port shall interfere with the rights and privileges of pilots belonging to any other port.

By-law No. 8.—No pilot shall be allowed to board or hail any vessel except from a boat licensed by, or belonging to the port for which he is licensed.

By-law No. 9.—Any pilot incapacitated by mental or bodily infirmity, or by habits of drunkenness, shall forfeit his license, and not be at liberty to serve in the capacity of a licensed pilot, and any pilot guilty of drunkenness and incapacity while on duty shall be suspended for three months.

By-law No. 10.—Any pilot guilty of misrepresentation whereby Masters of vessels are induced to enter any port contrary to their previous intention, shall, if so decided by the pilotage authorities, forfeit his license.

By-law No. 11.—In case of any dispute arising between Masters of ships, pilots and others, respecting pilotage, the matter shall be referred to one or more of the pilotage authorities nearest to the place of dispute, and his or their decision shall be final; and all suits for the recovery of pilotage dues shall be brought in the name of the authority of the pilotage district of Sydney.

By-law No. 12.—The pilots for the district of Sydney shall have on their flags the letter "S" and their numbers in plain figures.

By-law No. 13.—All pilot boats shall be inspected and approved by one or more of the Pilotage Commissioners, and shall be licensed for a term not exceeding one year—row boats on the payment of a fee of one dollar, and decked boats on the payment of a fee of five dollars each; and any pilot boarding or hailing a vessel from any boat not so licensed shall forfeit his pilotage

By-law No. 14.—For the purpose of carrying out the provisions of the Dominion Pilotage Act and securing proper records and returns, collectors shall be appointed at the different points within the pilotage district, whose duty it shall be to keep a record of all vessels arriving at these ports, their nationality and tonnage, the amount received from each vessel, and the name of each pilot employed, and to receive and collect all pilotage fees. Five per cent. of the gross earnings of the pilots in this district shall be reserved as a pilotage fund, for the purpose of paying collectors and other

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necessary expenses. Each collector so appointed shall give a bond with two securities to the satisfaction of the Commissioners for the due performance of his duty as such collector

By-law No. 15.—All pilotage dues shall be paid to the Treasurer of the Board, who shall keep a book for the entry of all sums received by him and paid out to the pilots, or on any other account.

By-law No. 16.—Every licensed pilot who shall pilot a vessel inward, or who shall hail such vessel, shall, within one day of her arrival, report the same to the Collector of his port, and the amount of pilotage due therefor; and every licensed pilot shall likewise report to the Collector all vessels piloted outwards by him, or to which he shall offer his services, and shall pay over to the Collector the fees that may be collected by him; and each Collector shall be accountable to the Treasurer of the Board for all fees collected or received by him.

By-law No. 17.—Every licensed pilot on boarding any vessel shall enquire if any person affected with any infectious or contagious disease is on board, and if such vessel be from any port or place making her liable to quarantine laws, or be an immigrant vessel. In either of such cases he shall cause the national flag to be hoisted at the main, and shall bring her to anchor at the proper place for riding quarantine, and shall not suffer any person to board or leave the vessel until she be visited by the health officer, nor without the permission of such officer, under a penalty not exceeding forty dollars for every offence.

By-law No. 18.—Any pilot piloting a vessel inwards from sea shall be entitled to pilot her to sea when she next leaves port, unless on complaint of the master, owner or agent of the said vessel, the pilotage authorities shall direct otherwise.

By-law No. 19.—All steamers, whether employing a pilot or being spoken inwards, shall be liable for full inward pilotage, but shall be exempt from outward pilotage, unless a pilot be employed, in which case the usual tariff rates will be charged.

By-law No. 20.—The harbor limits in the pilotage district of Sydney shall be as follows:—For Sydney harbor, a straight line from Point Edward to Munn's Point; for North Sydney, a straight line from Cranberry Head to Livingston's Point.

By-law No. 21.—Any licensed pilot not complying with the foregoing by-laws, or evading or attempting to evade the sense, intent or meaning of any or either of them, or refusing to abide by and obey the decision of the Board of Commissioners in case of dispute or otherwise, shall be liable to a penalty not exceeding forty dollars, and in case of a continuing breach of the same, shall be liable to have his license withdrawn or suspended, at the discretion of the Pilotage Authority.

The by-laws passed by the Pilotage Authority for the pilotage district of Sydney, on the 8th March, 1881, and approved by His Excellency the Administrator of the Government in Council, are hereby annulled.

Vide Canada Gazette, Vol. XIX, p. 587.

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By a Proclamation, bearing date the 21st day of December, 1885, the Act intituled "An Act to provide for the appointment of Harbor Masters for certain Ports in the Provinces of Quebec, Ontario, British Columbia and Prince Edward Island," and the Acts amending the same, were declared to apply to the Port of St. Thomas, in the County of Montmagny, in the Province of Quebec, and the limits of the said Port declared to extend from Point St. Thomas to Cape St. Ignace, in the River St. Lawrence.

Vide Canada Gazette, Vol. XIX, p. 920.

By a Proclamation, bearing date the 26th day of February, 1886, the Proclamation of the twenty-ninth day of August, A.D. 1883, exempting the stream called the "Twelve-Mile Creek," County of Wentworth, Ontario, from the operation of the Act passed in the thirty-sixth year of Her Majesty's Reign, chaptered sixty-five, and intituled "An Act for the better protection of navigable streams and rivers," was revoked.

Vide Canada Gazette, Vol. XIX, p. 1295.

BY-LAWS of the Pilotage Commissioners for the District of Glace Bay, N.S., approved by the Governor in Council, 3rd March, 1886.

The Pilotage Authority of the District of Glace Bay, under and by virtue of the powers vested in them by the Pilotage Act of 1873, hereby pass the following by-laws, and enact as follows:—

By-law No. 1.—No pilot shall be under twenty-one years of age. Every pilot must serve two consecutive years under a licensed pilot before being licensed, and be competent to work any class of sailing vessels or steamships, and must know soundings, bearings, marks, courses and distances of the port for which he is licensed; he must be a sober and responsible man, of good character, and, in every case, must submit to examination before the Pilotage Authority previously to being licensed. Every new applicant for a license must give notice thereof to the Commissioners, by having his name and residence entered in the Secretary's book for two years previously to being licensed.

By-law No. 2.—Every pilot or company of pilots must be provided with a boat carrying a flag, three feet long and two feet wide, of two colors, the upper horizontal half white, and the lower horizontal half red; and every pilot taking a vessel to sea shall have a sufficient boat in attendance to bring him back when his services are ended.

By-law No. 3.—Every pilot, when licensed, shall pay a fee of ten dollars, and every master and mate certificated shall pay a fee of ten dollars, if of a sailing vessel, and of twenty dollars if of a steamship, and the same amount for each annual renewal of such certificate; and every licensed pilot shall give a bond to the Commissioners, at the time of receiving his license, for his compliance with the harbor and pilot regulations, and for the faith-

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ful performance of his duties as pilot during the ensuing year, himself in the sum of eighty dollars, and two securities, to the satisfaction of the Commissioners, in forty dollars each, such bond to be renewed every year during his continuance in office; and each pilot shall pay three dollars for every renewal thereof, such sums to be paid to the pilot fund.

By-law No. 4.—Every licensed pilot shall be at all times in readiness for the performance of pilot's duty, and shall not engage in any other employment, between the 15th day of April and the 31st day of December in any year, under the penalty of forfeiting his license.

By-law No. 5.—The rates of pilotage shall be as follows :—

To Glace Bay.

For vessels under 100 tons	\$ 5 00
From 100 to 150 "	6 00
" 150 " 200 "	7 00
" 200 " 250 "	8 00
" 250 " 300 "	9 00
" 300 " 350 "	10 00
" 350 " 400 "	11 00

And for every additional 50 tons or fractional part thereof, \$1. Outward pilotage shall be the same as inward. Vessels, upon being hailed by a licensed pilot outside the limits of the port, but within the pilotage district of Glace Bay, and refusing to, or not taking such pilot, shall pay half pilotage inwards; and upon being offered the service of a licensed pilot before being ready for sea, and refusing the services of such pilot, shall be liable to half pilotage outward. Should the services of a pilot so offered be accepted by the master and afterwards declined, then the vessel shall be liable for full pilotage rates; and any pilot placed in charge of a vessel by the master shall be entitled to receive, in addition to the full pilotage rates, the sum of two dollars per diem for each day the vessel may be detained while he is waiting on her, through stress of weather or otherwise. Vessels spoken by a pilot outside of harbor limits, or changing ports, between Sydney and the ports of Lingan, Glace Bay and Cow Bay, shall only be liable for inward pilotage at the loading port, unless a pilot be employed in changing ports, in which case full tariff rates will be charged. Pilots delivering orders outside of port limits, to vessels to proceed elsewhere, shall be entitled to receive full inward pilotage only from such vessels, and if, in any case, another regular pilot belonging to the same port be found in charge, the amount of pilotage collected shall be equally divided between the pilot in charge and the pilot delivering orders. Vessels arriving from sea without being spoken inwards by a pilot, shall be subject to half pilotage outwards unless a pilot be employed, in which case full outward pilotage will be charged—the half pilotage in this case to be paid into the pilotage fund. Vessels calling for orders and remaining outside of the harbor limits shall be exempt from outward pilotage unless a pilot be employed.

By-law No. 6.—The number of pilots for Lingan shall not exceed six, and for Port Caledonia and Glace Bay, not to exceed ten as at present, and

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this number be reduced to six at Glace Bay and Port Caledonia as those at present licensed are removed by death or other causes.

By-law No. 7.—Any pilot licensed for the district of Glace Bay, having charge of a vessel bound for an outward port, upon being spoken by a pilot properly belonging to the port for which the vessel is bound, shall immediately surrender charge to the pilot of that port, and no pilot belonging to any one port shall interfere with the rights and privileges of pilots belonging to any other port.

By-law No. 8.—No pilot shall be allowed to board or hail any vessel except from a boat licensed by, or belonging to the port for which he is licensed.

By-law No. 9.—Any pilot incapacitated by mental or bodily infirmity, or by habits of drunkenness, shall forfeit his license and not be at liberty to serve in the capacity of a licensed pilot; and any pilot guilty of drunkenness and incapacity while on duty shall be suspended for three months.

By-law No. 10.—Any pilot guilty of misrepresentation, whereby masters of vessels are induced to enter any port contrary to their previous intention, shall, if so decided by the Pilotage Authority, forfeit his license.

By-law No. 11.—In case of any dispute arising between masters of ships, pilots and others, respecting pilotage, that matter shall be referred to one or more of the Pilotage Authorities nearest to the place of dispute, and his or their decision shall be final; and all suits for the recovery of pilotage dues shall be brought in the name of the authority of the Pilotage District of Glace Bay.

By-law No. 12.—The pilots for the District of Glace Bay shall have on their flags the letter "G" and their numbers in plain figures.

By-law No. 13.—All pilot boats shall be inspected and approved by one or more of the Pilotage Commissioners, and shall be licensed for a term not exceeding one year—row boats on the payment of a fee of one dollar, and decked boats on the payment of a fee of five dollars each; and any pilot boarding or hailing a vessel from any boat not so licensed shall forfeit his pilotage.

By-law No. 14.—For the purpose of carrying out the provisions of the Dominion Pilotage Act and securing proper records and returns, collectors shall be appointed at the different points within the Pilotage District, whose duty it shall be to keep a record of all vessels arriving at these ports, their nationality and tonnage, the amount received from each vessel, and the name of each pilot employed, and to receive and collect all pilotage fees. Five per cent. of the gross earnings of the pilots in this district shall be reserved as a pilotage fund, for the purpose of paying collectors and other necessary expenses. Each collector so appointed shall give a bond with two securities to the satisfaction of the Commissioners for the due performance of his duty as such collector.

By-law No. 15.—All pilotage dues shall be paid to the treasurer of the Board, who shall keep a book for the entry of all sums received by him and paid out to the pilots or on any other account.

By-law No. 16.—Every licensed pilot who shall pilot a vessel inward, or who shall hail such vessel, shall, within one day of her arrival, report the same to the collector of his port, and the amount of pilotage due there-

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for, and every licensed pilot shall likewise report to the collector all vessels piloted outwards by him, or to which he shall offer his services, and shall pay over to the collector the fees that may be collected by him; and each collector shall be accountable to the treasurer of the Board for all fees collected or received by him.

By-law No. 17.—Every licensed pilot on boarding any vessel shall enquire if any person affected with any infectious or contagious disease is on board, and if such vessel be from any port or place making her liable to quarantine laws, or be an immigrant vessel. In either of such cases he shall cause the national flag to be hoisted at the main, and shall bring her to anchor at the proper place for riding quarantine, and shall not suffer any person to board or leave the vessel until she be visited by the health officer, nor without the permission of such officer, under a penalty not exceeding forty dollars for every offence.

By-law No. 18.—Any pilot piloting a vessel inwards from sea shall be entitled to pilot her to sea when she next leaves port, unless, on complaint of the master, owner or agent of the said vessel, the Pilotage Authorities shall direct otherwise.

By-law No. 19.—All steamers, whether employing a pilot or being spoken inwards, shall be liable for full inward pilotage, but shall be exempt from outward pilotage unless a pilot be employed, in which case the usual tariff rates will be charged.

By-law No. 20.—Any licensed pilot not complying with the foregoing By-laws, or evading or attempting to evade the sense, intent or meaning of any or either of them, or refusing to abide by and obey the decision of the Board of Commissioners in case of dispute or otherwise, shall be liable to a penalty not exceeding forty dollars, and in case of a continuing breach of the same shall be liable to have his license withdrawn or suspended at the discretion of the Pilotage Authority.

Vide Canada Gazette, Vol. XIX., p. 1263.

By a Proclamation, bearing date the 18th day of March, 1836, "An Act to provide for the appointment of Harbor Masters for certain Ports in the Provinces of Nova Scotia and New Brunswick," and the Acts amending the same, were declared to apply to the Port of Port Lorne (Bay Shore) in the County of Annapolis, in the Province of Nova Scotia; and the limits of the said port were declared to extend as follows: Two hundred yards from a point of the pier at Port Lorne, east to what is called East Point; and from a point of said pier west one hundred yards to what is called West Point, and from the head of the pier to low water mark.

Vide Canada Gazette, Vol. XIX, p. 1361.

By an Order in Council of Thursday, 8th day of April, 1886, the following Districts were established in the County of Charlotte, Province of New Brunswick, for the purposes of the "Act respecting wreck and salvage," viz. :—

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1. The River St. Croix and the inner Passamaquoddy Bay ;
2. The districts lying between the extension eastward of the county line between the Counties of Charlotte and Saint John, and a line running eastwardly from inner Passamaquoddy Bay through the middle of La Tête Passage and midway between Bliss Island and the White Horse Island, and to the southward of the Wolves' Island ;
3. All the parish of Campobello, and all the parish of West Isles, except that part thereof that is bounded by inner Passamaquoddy Bay ;
4. The parish of Grand Manan.

Vide Canada Gazette, Vol. XIX, p. 1440.

RULES AND REGULATIONS for the government of the wharf at Kingsville, County of Essex, Ontario ; with tariff of tolls and dues leviable thereat in accordance with the provisions of Act 40 Vict., chap. 17. Approved by the Governor in Council, 16th April, 1886.

Rule I.—That no waggon or other vehicle shall drive along the docks or across the same, unless for the purpose of loading or unloading vessels.

Rule II.—That no lumber, lath, salt or other material shall be piled in or near the snubbing posts in such a manner that a vessel cannot be made fast.

Rule III.—That masters of vessels or other persons in charge of vessels or rafts, shall make a faithful report of the cargo, as to quantity and description, to the wharfinger at his office, and any master or person in charge of any vessel or raft neglecting to so report and pay the tolls and dues (except by permission of the wharfinger) shall be liable to have the vessel or raft of which he may be in charge, or of which he is master, seized and detained then or at any future time, until such tolls and dues are paid both on cargo and vessel, and the master, owner or person shall also be liable to the penalty provided by law.

Rule IV.—That any master or person in charge of any vessel or raft making a false report of cargo shall be liable to fine and imprisonment for each and every false report, and the vessel or raft shall be liable to detention then or at any future time until such dues are paid and satisfied, and if any master or person in charge of any vessel neglects to report her cargo, such vessel or the owner thereof shall be liable for the tolls on such cargo at any future time, and the master thereof shall be liable to fine or imprisonment. The master or person in charge of any vessel or raft shall report and pay the tolls to the wharfinger at his office.

Rule V.—That no person shall remove any goods, chattels, merchandise or material of any description from the wharf and docks on which the tolls and dues have not been paid, without the permission of the wharfinger.

Rule VI.—That no person shall throw overboard or discharge any ballast, refuse or rubbish of any description, into the docks or upon the wharf.

Rule VII.—That all lumber, shingles, lath, salt, or any goods or merchandise or material of any kind whatsoever, having been landed, piled or placed on the harbor property for shipment, shall be liable to harbor tolls, whether afterwards shipped or not, the fact of any of these having been

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landed, piled or placed on any part of the harbor property shall be presumptive evidence that the owner intended to ship it, and said lumber, timber, salt, &c., shall in consequence be liable to pay the usual tolls, although afterwards removed by teams or otherwise, and shall likewise be liable to all the previous conditions as to removal and ground rent, and sale as hereinafter provided.

Rule VIII.—That no person shall ride or drive a horse or horses faster than at a walk on the wharf or harbor quay.

Rule IX.—That no lumber, timber, shingles, laths, pickets, ties, cedar posts or poles, cordwood, stone, plaster-stone, coal, salt or other goods or materials of whatsoever nature or kind, shall be landed or placed in or upon any of the wharves, piers and lands of the harbor, unless by permission of the wharfinger, and then only upon such portions of the harbor property as may be allotted to them for the time being, and shall be so landed and placed in such a manner as the wharfinger may direct; and goods, merchandise, lumber, salt or other material landed or placed on the harbor property, shall be shipped or removed within forty-eight hours; and in default of so shipping or removing said goods, lumber, salt or other material, it may be removed at the direction of the wharfinger, and the expense of such removal shall be a lien upon such property so removed; it shall also pay a rental of not more than one dollar for every forty-eight hours, for each and every twelve feet square of the harbor property occupied by said goods, lumber, salt or other material: provided that in case the owner or agent of such goods, lumber, salt or other material refuses or neglects to ship or remove the same from the harbor property after the expiration of one month, it shall be lawful to sell and dispose of the same by public auction to defray the expenses, and pay ground rent, as above—eight days' notice of such sale to be given by posting handbills, announcing it in the usual manner.

Rule X.—That no person shall obstruct the wharfinger in the performance of his duties.

Rule XI.—That the tolls and dues specified in the accompanying schedule shall be and they are hereby imposed and authorized to be levied and collected by the wharfinger on the several articles enumerated in said schedule, entering the Port of Kingsville, except on articles belonging to the Government of Canada, which are hereby exempted from payment of tolls and dues.

Rule XII.—That if any articles, upon which tolls or dues are payable under the last preceding rule, are shipped or unshipped at the said wharf or docks upon or from off any vessel, the tolls or dues so payable are hereby imposed upon and authorized to be levied and collected on and from such vessel, and on or from the master or person in charge of or owner of such vessel.

Rule XIII.—The tolls payable upon any articles under Rule XI, are hereby imposed upon and may be collected and recovered from the owner of such article.

Rule XIV.—The penalty for violation of the law or any rule or regulation made thereunder, shall not exceed one hundred dollars, and punishment by imprisonment shall not exceed thirty days.

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SCHEDULE.

	Cen. 13.
Apples, per barrel.....	4
Apples, per bushel.....	2
Bacon, per 100 lbs.....	3
Bark, per cord.....	20
Beef and pork, per barrel.....	4
Beer, ale and porter, per barrel.....	4
Boilers, per ton.....	25
Bricks of all kinds, per M.....	25
Building stone, per cord.....	50
Butter, per 100 lbs.....	2
Calves, each.....	5
Carriages and waggons, of all kinds, with springs.....	25
Carts, without springs, each.....	10
Cattle and horses, per head.....	15
Cedar posts, per 100, each.....	$\frac{1}{2}$
Cement, per barrel.....	5
Cheese, per 100 lbs.....	2
Cider, per barrel.....	5
Clover seed, per bushel.....	2
Coal, per ton.....	20
Colts and fillies, each.....	7
Corn meal, Indian, per barrel.....	4
Cranberries, per barrel.....	4
Crockery, including china and glassware, per crate.....	25
Cultivators, each.....	15
Earthenware, coarse, per crate.....	10
Eggs, per barrel, or box of 72 dozen.....	6
Fanning mills, each.....	15
Fish, per barrel.....	2
Fish, dry, per 100 lbs.....	2
Flour, per barrel.....	2
Fruit, per 100 lbs, not otherwise provided for.....	5
Furniture, per ton measurement.....	30
Grain of all kinds, except oats, per bushel.....	1
Grain, oats, per bushel.....	$\frac{1}{2}$
Grindstones, per ton.....	15
Gypsum, per ton.....	3
Hams, per 100 lbs.....	2
Hardware, per ton.....	25
Hay, per ton.....	25
Headings, barrel, per M.....	25
Hides or skins, per 100 lbs.....	2
Hoops, per M.....	5
Hops, per 100 lbs.....	5
Horse rakes, each.....	10
Iron, bar, per ton.....	15

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Iron, scrap, per ton.....	15
Iron, pig, per ton.....	8
Lard, per barrel.....	5
Lath, per thousand pieces.....	5
Leather, per 100 lbs.....	8
Lime, per barrel.....	8
Lime, per ton, in bulk.....	10
Lumber, sawn or square, per M. feet B.M., export.....	30
do do do import.....	25
Machinery, engines, &c., per ton.....	25
Machines, reaping and mowing, each.....	50
Machines, thrashing, each.....	75
Marble, per ton.....	25
Merchandise, dry goods, per ton.....	50
Millstones, per pair.....	30
Molasses, per hogshead.....	8
Nails and spikes, per ton.....	25
Nursery produce, per ton.....	30
Oatmeal, per barrel.....	4
Oils, per barrel.....	5
Paints, per ton.....	25
Pearl and pot ashes, per barrel.....	10
Pickets, per 1,000.....	5
Plaster, calcined, per barrel.....	4
Plaster, land, per barrel.....	4
Ploughs, each.....	5
Poles, telegraph, each.....	2
Potatoes and roots, per bushel.....	1
Rags, per ton.....	15
Rakes (hay), snaths and forks, per dozen.....	8
Root slicers, each.....	10
Salt, per barrel.....	5
Salt, per ton.....	15
Sand, per ton.....	15
Sawlogs, per M. feet, B.M.....	20
Sheep, per head.....	2
Shingles, per M.....	5
Shingles or stave bolts, per cord.....	20
Slate, per ten feet square.....	8
Spirits of all kinds, and wines, per barrel.....	10
do do per dozen bottles.....	2
Staves, fish, flour and salt, per M.....	5
Staves, pipe, per M.....	50
Staves, West India, per M.....	25
Stone, cut, per ton.....	20
Stone, lime, per cord.....	50
Stone, block, in the rough, per ton.....	15
Stoves, per ton.....	25
Straw cutters, each.....	5

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Swine.....	2½
Ties, railroad, each.....	1
Timothy seed, per bushel.....	2
Vinegar, per barrel.....	4
Wood, per cord.....	25
Wool, per ton.....	80

Vide Canada Gazette, Vol. XIX, p. 1496.

By a Proclamation, bearing date the 19th day of April, 1886, "An Act to provide for the appointment of Harbor Masters for certain Ports in the Province of Nova Scotia, and New Brunswick," and the Acts amending the same, were declared to apply to the Port of River Bourgeois, in the County of Richmond, in the Province of Nova Scotia, and the limits of the said port were declared to be as follows: All the waters in the several branches of the harbor, and for the distance of three miles east and three miles west of the entrance, and half a mile south along the shore.

Vide Canada Gazette, Vol. XIX, p. 1531.

By a Proclamation, bearing date the 19th day of April, 1886, "An Act to provide for the appointment of Harbor Masters for certain ports in the Provinces of Nova Scotia and New Brunswick," and the Acts amending the same, were declared to apply to the Port of Little Shippegan and Miscou Gully, in the County of Gloucester, in the Province of New Brunswick, and the limits of the said port were declared to be as follows: All the waters eastward of a line drawn south-west, magnetic, from Herring Point including Miscou Gully, and extending along the coast of the Gulf of St. Lawrence two miles north and south of the point on the north side of the entrance to the said Gully.

Vide Canada Gazette, Vol. XIX, p. 1532.

By an Order of the Governor in Council, under date the 27th April, 1886, the By-law passed by the Harbor Commissioners of Quebec, at a meeting held on the 3rd May, 1882, and approved by the Governor in Council on the 23rd May, 1882, repealing the existing rates of Pilotage and increasing the rates and providing that such By-law should have effect, and the increased rates continue in force only during the season of navigation in the year 1882, was continued in force during the season of navigation in the years 1886 and 1887.

Vide Canada Gazette, Vol. XIX, p. 1533.

By a Proclamation, bearing date the 3rd day of May, 1886, "An Act to provide for the appointment of Harbor Masters for certain Ports in the Provinces of Quebec, Ontario, British Columbia and Prince Edward Island," and the Acts amending the same were declared to apply to the Port of St.

Marine.

Thomas, in the County of Montmagny, in the Province of Quebec ; and the northern boundary of the said Port was defined as follows, viz :—Beginning at a point on the south shore of Margaret Island due north, magnetically from Point St. Thomas, thence following the south shore of Margaret Island to its easterly extremity, thence following an imaginary line to the most westerly extremity of Crane Island, thence following the south coast of Crane Island to a point due north magnetically from Cap St. Ignace.

Vide Canada Gazette, Vol. XIX, p. 1613.

At a meeting of the Pilot Commissioners, being the Pilotage Authority for the Pilotage District of "Victoria and Esquimalt," in the Province of British Columbia, Dominion of Canada, duly convened, regularly held and assembled in the City of Victoria, at the office of said Commissioners, on the 17th day of March, 1886, a full Board being present, the following Resolution was agreed upon and passed unanimously, and was approved of by the Governor in Council on the 11th May, 1886 :—Resolution.—"That Sub-section 5 of Rule XVII of the By-Laws be hereby amended, and that in future Foreign Tug Boats be charged half Pilotage outwards, in accordance with clause 57 of the Pilotage Act, whether spoken in accordance with the By-laws or not."

Vide Canada Gazette, Vol. XIX, p. 1617.

SCHEDULE of rates of toll to be collected for the use of Government Wharf at Hopewell Cape, Albert County, New Brunswick. Approved by the Governor in Council on the 26th day of May, 1886.

Articles.	Rates.
Flour, meal, apples, lime, calcined plaster, hydraulic cement, salt fish, &c.....	1 cent per barrel.
Potatoes, carrots and like articles	$\frac{1}{2}$ " "
All articles contained in casks, hogsheads or puncheons	2 " cask.
Coal, iron, building stone, grindstones, salt and the like	5 " ton.
Chains and anchors.....	10 " "
Salt, meal, oats, potatoes, apples, Indian corn and like articles in bags.	$\frac{1}{2}$ " bag.
Dried fish in bulk	1 " quintal.
Rough plaster from quarry	2 " ton.
Timber, lumber, boards and deals of all kinds.....	5 " M.,B.M.
Cordwood and bark.....	5 " cord.
Goods in cases, boxes, bales, &c.....	4 cts. per ton of 40 cubic feet.
Naval stores, paints, oil, &c., and articles of a similar nature	5 cents per ton.
Stone and gravel or earth ballast for shipping.....	2 " "
Unenumerated articles.....	4 " "
Gravel for use of roads.....	Free.

Marine.

	Articles.	Rates.
Vessels under 50 tons		10 cents per day.
“ of 50 tons and under 100 tons.....		15 “ “
“ 100 “ “ 200 “		20 “ “
“ 200 “ “ 300 “		30 “ “
“ 300 “ “ 400 “		40 “ “
“ 400 “ “ 500 “		50 “ “
“ 500 “ “ 800 “		75 “ “
“ 800 “ “ 1200 “		\$1.00 “
“ 1200 “ “ 1500 “		\$1.25 “

Special arrangements to be made with the wharfinger for vessels lying at the wharf during winter.

Vide Canada Gazette, Vol. XIX, p. 1694.

BY-LAW to repeal the portion of the 8th section of the By-laws of the Quebec Harbor Commissioners, in force since the 9th June, 1877, concerning the discharging of ballast in the Harbor of Quebec, between St. Martin's Point and the west end of Beaumont Shoals, approved by the Governor in Council, 24th May, 1886.

The portion of the eighth section of the by-laws adopted by the Quebec Harbor Commissioners at their meeting held the twenty-third day of the month of May, in the year of our Lord one thousand eight hundred and seventy-seven, and sanctioned by His Excellency the Governor General in Council, the ninth day of June following, concerning the discharging of ballast in the harbor of Quebec, between St. Martin's Point and the west end of Beaumont Shoals, is hereby repealed, and the portion of the said eighth section of the said by-laws remaining in force, will hereafter read as follows :—

8th. The following shall be the limits of the ballast ground within which ships or vessels may discharge ballast into the River St. Lawrence, within the harbor of Quebec, that is to say : that part of the River St. Lawrence which lies between the River Etchemin and a line formed by a beacon on the hill in rear of Diamond Harbor, and the centre of the Martello tower above it, and a line drawn from the west side of the mouth of the River Cap Rouge, to the west side of the mouth of the River Chaudière ; but no ballast shall be discharged in any place within the harbor of Quebec where there is not at least fifteen fathoms of water at low water in neap tides on the north shore, or ten fathoms on the south shore of the said River St. Lawrence.

Vide Canada Gazette, Vol. XIX, p. 1728.

By a Proclamation, bearing date the 5th day of June, 1886, “ An Act to provide for the appointment of Harbor Masters for certain Ports in the Provinces of Nova Scotia and New Brunswick,” and the Acts amending the same, were declared to apply to the Port of Margaree, in the County of

Marine.

Inverness, in the Province of Nova Scotia, and the limits of the said port were declared to extend from Chimney Corner to Friars' Head, inclusive.

Vide Canada Gazette, Vol. XIX, p. 1764.

RATES of Tolls for the use of the Public Wharf at Lacolle, in the County of St. John's, Province of Quebec, approved of by the Governor in Council, 9th June, 1886.

Articles.	Rates.
Flour, meal, apples, lime, calcined plaster, hydraulic cement, salt fish, &c.....	1 ct. per barrel.
Potatoes, carrots and like articles	$\frac{1}{2}$ " "
Articles contained in casks, hogheads or puncheons.....	2 " cask.
Coal, iron, building stone and the like.....	5 " ton.
Chains and anchors.....	10 " "
Salt, meal, oats, potatoes, apples, corn and like articles, in bags.....	$\frac{1}{2}$ " bag.
Dried fish, in bulk.....	1 " qu'tal.
Timber, lumber, boards, deals of all kinds	5 " M.
Cordwood and bark.....	5 " cord.
Goods in cases, boxes, bales, &c.....	4 cts. per ton of 40 cubic feet.
Naval stores, paints, oils, &c., and all articles of a similar nature.....	5 cts. per ton.
Stone and gravel or earth ballast for shipping.....	2 " "
Grain by cargo, when shipped in bulk.....	20 cts. per 100 bushels.
Potatoes by cargo, when shipped in bulk	20 " "
Salt in bulk.....	20 " "
Lumber	10 " M. ft.
Unenumerated articles	4 " ton.
Gravel for use of roads.....	Free.
Fresh fish	"
Vessels under 50 tons.....	10 cents per day.
" 50 tons and under 100 tons	15 " "
" 100 " " 200 "	20 " "
" 200 " " 300 "	30 " "
" 300 " " 400 "	40 " "
" 400 " " 500 "	50 " "

Vessels lying at the wharf during the winter season, by special arrangement with the wharfinger. Vessels lying with moorings attached, for shelter and a harbor, to pay $\frac{1}{2}$ cent per registered ton for every 24 hours or less.

No goods to remain on the wharf longer than seven days, unless by special permission and agreement as to tolls with wharfinger.

Vide Canada Gazette, Vol. XIX, p. 1764.

Marine.

BY-LAWS to amend the Pilotage By-laws of 1875, District of St. John, N.B., and the By-laws amending the same.

In the place of Sections 11 and 12 of the By-laws and By-laws amending the same, all of which are hereby cancelled, substitute the following:—

Rates of Pilotage for all sailing vessels entering and leaving the Port of St. John, N.B.

Inwards.

1st District from Partridge Island to Musquash Head bearing N.W. Per foot draft of water, \$1.50.

2nd District from Musquash Head to Point Lepreaux, N.W. Per foot draft of water, \$1.75.

3rd District shall be from the outside limit of the 2nd District to a bound ranging from the North Head of Grand Manan to Liberty Point, bearing N.W. by W. North Channel; and from Machias Seal Island to Cape Sable Seal Island, bearing S.S.E. South Channel. Per foot draft of water, \$2.25.

Outwards.

From the Harbor of the Port of St. John, N.B., to outside of Partridge Island, per foot draft of water, \$1.25.

Down the Bay of Fundy when required, shall be two dollars per foot (\$2.00) draft of water; over and above the one dollar and twenty-five cents (\$1.25) harbor pilotage outwards.

Transporting.

If any pilot shall be employed in the removal of any ship or vessel within the Port or Harbor of St. John, from any mooring ground to any wharf, or from a wharf to any mooring ground, or from one wharf to another wharf, and such pilot shall see said vessel properly secured and moored, he shall be entitled to demand and receive for such services as follows: Provided always, that if on the arrival of any ship or vessel in the Harbor of St. John, circumstances prevent such ship or vessel from being placed on the mooring ground or at the berth intended by the master, owner or consignee of such ship or vessel, it shall be the duty of the pilot piloting such ship or vessel inward to pilot the same when being removed to such mooring ground or berth, if such removal takes place within twenty-four hours after the arrival of such ship or vessel as aforesaid, without any extra charge for the same.

For vessels not over 100 tons.....	\$1 50
Over 100 tons and not exceeding 200 tons.....	2 00
“ 200 “ “ 300 “	3 00
“ 300 “ “ 400 “	4 00

and twenty-five cents additional for every fifty tons such vessels may measure over 400 tons.

Marine.

All Steamers

not otherwise exempt by the Pilotage Acts shall pay the following rates of pilotage for entering and leaving the Port of St. John, N.B.

Inward.

- 1st District, from Partridge Island to Musquash Head, bearing north-west, per foot draft of water, \$2.00
- 2nd District, from Musquash Head to Point Lepreaux, north-west, per foot draft of water, \$2.50.
- 3rd District shall be from the outside limit of the 2nd district to a bound ranging from the north head of Grand Manan to Liberty Point, bearing north-west by west, north channel; and from Machias Seal Island to Cape Sable Seal Island, bearing south-south-east, south channel, per foot draft of water, \$3.00.

Outward

From the harbor of the Port of St. John, N.B., to the outside of Partridge Island, per foot draft of water, \$1.75.
 Down the Bay of Fundy, when required, shall be two dollars and seventy-five cents per foot draft of water (\$2.75), over and above one dollar and seventy-five cents (\$1.75) harbor pilotage outwards.

Transporting.

If any pilot shall be employed in the removal of any steamer within the port or harbor of St. John, from any mooring ground to any wharf, or from any wharf to any mooring ground, or from one wharf to another wharf, and such pilot shall see the said steamer properly secured and moored, he shall be entitled to demand and receive for such services as follows: Provided always, that if, on the arrival of any steamer in the harbor of St. John, circumstances prevent such steamer from being placed on the mooring ground or at the berth intended by the master, owner or consignee of such steamer, it shall be the duty of the pilot piloting such steamer inwards to pilot the same when being removed to such mooring ground or berth, if such removal takes place within twenty-four hours after the arrival of such steamer as aforesaid, without extra charge for the same:—

For all steamers not exceeding 100 tons.....	\$2 00
Over 100 tons and not exceeding 200 "	2 50
" 200 " " 300 "	3 75
" 300 " " 400 "	5 00

and thirty cents additional for every fifty tons such steamer shall measure over 400 tons.

It being understood if a steamer drop two anchors in the harbor on arrival, she is considered moored, and any removal is a transportation.

Vide Canada Gazette, Vol. XIX, p. 1765.

Public Works.

Public Works.

UPPER OTTAWA IMPROVEMENT COMPANY.

Rates of toll for the year 1886, approved by the Governor in Council 17th February, 1886 :—

Through Des Joachims Boom.

	Per Piece.
Saw logs, 17 ft. and under.....	1/10 cent.
Red and white pine, tamarac, spruce and hemlock, round or flatted, over 17 ft. and under 25 ft. long.....	2/15 "
do do 25 to 35 ft. long.....	1/6 "
do do 35 ft. and upwards in length.....	4/15 "
Red and white pine, tamarac, spruce and hemlock, square.....	2/5 "
Oak, elm, and other hardwood, square or flatted.....	3/5 "

Through Fort William Boom.

Saw logs, 17 ft. and under.....	1/2 cent.
Red and white pine, tamarac, spruce and hemlock, round or flatted, over 17 ft. and under 25 ft. long.....	1/3 "
do do 25 to 35 ft. long.....	5/12 "
do do 35 ft. and upwards in length.....	2/3 "
Red and white pine, tamarac, spruce and hemlock, square.....	1 "
Oak, elm and other hardwood, square or flatted.....	1 1/2 "

Through Melons Chenail Boom.

Saw logs, 17 ft. and under.....	1/10 cent.
Red and white pine, tamarac, spruce and hemlock, round or flatted, over 17 ft. and under 25 ft. long.....	2/15 "
do do 25 to 35 ft. long.....	1/6 "
do do 35 ft. and upwards in length.....	4/15 "
Red and white pine, tamarac, spruce and hemlock, square.....	2/5 "
Oak, elm and other hardwood, square or flatted.....	3/5 "

Passing Lapasse Boom.

Saw logs, 17 ft. and under.....	1/10 cent.
Red and white pine, tamarac, spruce and hemlock, round or flatted, over 17 ft. and under 25 ft. long.....	2/15 "
do do 25 to 35 ft. long.....	1/6 "
do do 35 ft. and upwards in length.....	4/15 "
Red and white pine, tamarac, spruce and hemlock, square.....	2/5 "
Oak, elm and other hardwood, square or flatted.....	3/5 "

Public Works.

Through Improvements in Mississippi Chenail, Chats Rapids and Quio Boom or any of them.

	Per Piece.
Saw logs, 17 ft. and under.....	1 cent.
Red and white pine, tamarac, spruce and hemlock, round or flatted, over 17 ft. and under 25 ft. long.....	1 $\frac{1}{2}$ "
do do 25 to 35 ft. long.....	1 $\frac{3}{4}$ "
do do 35 ft. and upwards in length.....	2 $\frac{3}{8}$ "
Red and white pine, tamarac, spruce and hemlock, square.....	4 "
Oak, elm and other hardwood, square or flatted.....	6 "

Through Improvements from Deschénes to Head of Hull Slide, North Side.

Saw logs, 17 ft. and under.....	$\frac{3}{4}$ cent.
Red and white pine, tamarac, spruce and hemlock, round or flatted, over 17 ft. and under 25 ft. long.....	1 "
do do 25 to 35 ft. long.....	1 $\frac{1}{4}$ "
do do 35 ft. and upwards in length.....	2 "
Red and white pine, tamarac, spruce and hemlock, square.....	8 "
Oak, elm and other hardwood, square or flatted.....	4 $\frac{1}{2}$ "

Through improvements in Thomson's Bay.

Saw logs, 17 ft. and under.....	1 cent.
Red and white pine, tamarac, spruce and hemlock, round or flatted, over 17 ft. and under 25 ft. long.....	1 $\frac{1}{2}$ "
do do 25 to 35 feet long.....	1 $\frac{3}{8}$ "
do do 35 ft. and upwards in length.....	2 $\frac{3}{8}$ "
Red and white pine, tamarac, spruce and hemlock, square.....	4 "
Oak, elm and other hardwood, square or flatted.....	6 "

Through Improvements in Limekiln Eddy.

Saw logs, 17 ft. and under.....	$\frac{1}{2}$ cent.
Red and white pine, tamarac, spruce and hemlock, round or flatted, over 17 ft. and under 25 ft. long.....	$\frac{1}{3}$ "
do do 25 to 35 ft. long.....	1 $\frac{5}{12}$ "
do do 35 ft. and upwards in length.....	2 $\frac{3}{8}$ "
Red and white pine, tamarac, spruce and hemlock, square.....	1 "
Oak, elm and other hardwood, square or flatted.....	1 $\frac{1}{2}$ "

Through Boom below the outlet of Hull Slide.

Saw logs, 17 ft. and under.....	$\frac{1}{8}$ cent.
Red and white pine, tamarac, spruce and hemlock, round or flatted, over 17 ft. and under 25 ft long.....	1 $\frac{4}{15}$ "
do do 25 to 35 ft. long.....	$\frac{1}{3}$ "
do do 35 ft. and upwards in length.....	1 $\frac{8}{15}$ "
Red and white pine, tamarac, spruce and hemlock, square.....	$\frac{2}{3}$ "
Oak, elm and other hardwood, square or flatted.....	1 $\frac{1}{5}$ "
Boom working expense rates.--	

Public Works.

BOOM WORKING EXPENSES.

Through Des Joachims Boom.

	Per Piece
Saw logs, 17 ft. and under.....	1½ cent.
Red and white pine, tamarac, spruce and hemlock, round or flatted, over 17 ft. and under 25 ft. long.....	2 “
do do 25 to 35 ft. long.....	2½ “
do do 3 ft. and upwards in length.....	4 “
Red and white pine, tamarac, spruce and hemlock, square.....	6 “
Oak, elm and other hardwood, square or flatted.....	9 “

Through Fort William Boom.

Saw logs, 17 ft. and under.....	1 cent.
Red and white pine, tamarac, spruce and hemlock, round or flatted, over 17 ft. and under 25 ft. long.....	1½ “
do do 25 to 35 ft. long.....	1¾ “
do do 35 ft. and upwards in length.....	2¾ “
Red and white pine, tamarac, spruce and hemlock, square.....	4 “
Oak, elm and other hardwood, square or flatted.....	6 “

Through Allumette Boom.

Saw logs, 17 ft. and under.....	1 cent.
Red and white pine, tamarac, spruce and hemlock, round or flatted, over 17 ft. and under 25 ft. long.....	1½ “
do do 25 to 35 ft. long.....	1¾ “
do do 35 ft. and upwards in length.....	2¾ “
Red and white pine, tamarac, spruce and hemlock, square.....	4 “
Oak, elm and other hardwood, square or flatted.....	6 “

Through Melons Chenail Boom.

Saw logs, 17 ft. and under.....	1 cent.
Red and white pine, tamarac, spruce and hemlock, round or flatted, over 17 ft. and under 25 ft. long.....	1½ “
do do 25 to 35 ft. long.....	1¾ “
do do 35 ft. and upwards in length... ..	2¾ “
Red and white pine, tamarac, spruce and hemlock, square.....	4 “
Oak, elm, and other hardwood, square or flatted.....	6 “

*Through Improvements in Mississippi Chenail, Chats Rapids and Quio Boom,
or any of them.*

Saw logs, 17 ft. and under.....	2 cents.
Red and white pine, tamarac, spruce and hemlock, round or flatted, over 17 ft. and under 25 ft. long.....	2¾ “
do do 25 to 35 ft. long.....	3½ “
do do 35 ft. and upwards in length.....	5½ “
Red and white pine, tamarac, spruce and hemlock, square.....	8 “
Oak, elm, and other hardwood, square or flatted.....	12 “

Public Works, &c.

Through Improvements in Thomson's Bay.

Saw logs, 17 ft. and under.....	1	cent.
Red and white pine, tamarac, spruce and hemlock, round or flatted, over 17 ft. and under 25 ft. long....	1½	"
do do 25 to 35 ft. long.....	1¾	"
do do 35 ft. and upwards in length.	2¾	"
Red and white pine, tamarac, spruce and hemlock, square.....	4	"
Oak, elm, and other hardwood, square or flatted.....	6	"

Vide Canada Gazette, Vol. XIX, p. 1265.

By a Proclamation, bearing date the 23rd day of April, 1886, that piece of Crown land in the Province of British Columbia, from time to time covered by tide water, situated to the east of James' Bay Bridge, Victoria Harbor, commonly known as the "Mud Flat," was abandoned and left to the control of the City of Victoria, in the Province of British Columbia, under and by virtue of the authority vested in Her Majesty by the Act passed in the thirty-first year of Her Majesty's reign, chaptered twelve and intituled "An Act respecting the Public Works of Canada."

Vide Canada Gazette, Vol. XIX, p. 1569.

Railways and Canals.

RESOLUTION adopted at a meeting of the Canadian Pacific Railway Company, held at Montreal, on the 30th of June, 1885, approved by the Governor in Council, 23rd July, 1885, as follows:—

"Resolved,—That existing By-law No. 50 establishing the tariff of tolls, rates and fares for passenger traffic on certain portions of the Canadian Pacific Railway be, and the same is hereby amended by the addition of the following words thereto:—

"An additional sum of ten cents may be charged by the company for each ticket purchased on the company's trains in cases where a passenger has entered the company's cars at a station where tickets are sold, but has neglected to purchase a ticket at such station or other duly authorized ticket office before entering the cars."

Vide Canada Gazette, Vol. XIX, p. 436.

By an Order in Council of Tuesday, 6th day of October, 1885, a charter in the form set forth in the schedule hereto annexed, prepared under authority of the Order in Council of the 3rd October, then instant, was

Railways and Canals.

granted to certain persons named in the said charter, incorporating them under the name of "The Temiscouata Railway Company," for the purpose of building a railway from a point on the Intercolonial Railway at Rivière du Loup to Edmunston in the Province of New Brunswick.

Schedule.

CANADA.

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

To all to whom these presents shall come, or whom the same may in any wise concern,—GREETING :

WHEREAS by an Act of the Parliament of Canada, passed in the Session held in the 48th and 49th years of Her Majesty's reign, and chaptered 58, it is in effect enacted that for the purpose of incorporating the persons undertaking the construction of a railway from a point on the Intercolonial Railway at Rivière du Loup or Rivière Ouelle, in the Province of Quebec, to Edmunston, in the Province of New Brunswick, and those associated with them in the undertaking, the Governor may grant to them, under such corporate name as he shall deem expedient, a charter conferring upon them the franchises, privileges and powers requisite for the said purposes, which shall be similar to such of the franchises, privileges and powers granted to railway companies during the Session, as the Governor shall deem most useful or appropriate to the said undertaking; and that such charter being published in the *Canada Gazette* with any Order or Orders in Council relating to it shall have force and effect as if it were an Act of the Parliament of Canada :

NOW KNOW YE, that, by and with the advice of our Privy Council for Canada, and under the authority of the hereinbefore in part recited Act, and of any other power and authority whatsoever in us vested in this behalf, we do, by these our Letters Patent, grant a charter unto the persons hereinafter mentioned by name and to those who may be associated with them for the purposes hereof, conferring upon them the franchises, privileges and powers hereinafter set forth, that is to say :—

1. Alexander Roderick McDonald, Superintendent of the Quebec Division, Intercolonial Railway, Paul Etienne Grandbois, Doctor, Member of the Parliament of Canada, Damase Rossignol, Doctor, all residents of Fraserville, Quebec; George Honoré Deschênes, farmer, and Member of the Provincial Legislature of Quebec, resident of the Parish of St. Epiphane; John J. McDonald, of Ottawa; Adolphe Hamel, merchant, Joseph Israel Tarte, journalist, both residents of the City of Quebec, and Charles Bertrand, merchant, of L'Isle Verte, together with such other persons as may become shareholders in the company to be hereby incorporated, are hereby declared to be a body corporate and politic by the name of the "Temiscouata Railway Company," hereinafter called "the company;" and the said railway and the works hereby authorized are declared to be for the general advantage of Canada; and "The Consolidated Railway Act, 1879," and the Acts

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amending the same, shall, as hereby modified, apply to the said railway, as if this charter were an Act of the Parliament of Canada.

2. The company may lay out, construct and operate a railway from a point on the Intercolonial Railway at Rivière du Loup, in the Province of Quebec, to Edmunston, in the Province of New Brunswick.

3. The said Alexander Roderick McDonald, Paul Etienne Grandbois, Damase Rossignol, George Honoré Deschênes, John J. McDonald, Adolphe Hamel, Joseph Israel Tarte and Charles Bertrand, shall be provisional directors of the company (of whom five shall be a quorum), and shall hold office as such until the first election of directors under this charter, and shall have power forthwith to open stock books, procure subscriptions for stock for the undertaking, make calls on stock subscribed, receive payments thereon, make, or cause to be made, plans and surveys of the works herein contemplated, and to deposit in any chartered bank of Canada all moneys received by them on account of stock subscribed, or otherwise received on account of the company, and to withdraw the same for the purposes only of the undertaking, and to receive, on behalf of the company, any grant, loan, bonus or gift made to it in aid of the undertaking, or any portion of it.

4. The capital stock of the company shall be five hundred thousand dollars, divided into five thousand shares of one hundred dollars each, and shall be applied in the first place for the payment of all expenses of organizing the company, and for making the surveys, plans and estimates connected with the works hereby authorized.

5. When twenty-five per cent. of the capital stock has been subscribed and ten per cent. thereof has been paid in to some chartered bank of Canada to the credit of the company, the provisional directors shall call a general meeting of the subscribers to the capital stock, to be held at Fraserville, County of Temiscouata, for the purpose of electing nine directors,—giving at least two weeks previous notice of such meeting in the *Canada Gazette*, and in some daily newspaper published in said Fraserville or in the City of Quebec, and also by circular addressed by mail to each subscriber, stating the time, place and purpose of the said meeting; and at such general meeting the shareholders may choose nine persons, qualified as hereinafter mentioned, to be directors of the company, who, together with the *ex officio* directors (if any) appointed under the provisions of this charter, shall constitute a board of directors, and shall hold office until the first Tuesday in March in the year following their appointment.

6. Thereafter the annual general meeting of the shareholders of the company, for the election of directors and other general purposes, shall be held in said Fraserville on the first Tuesday in March in each year, when nine directors shall be chosen to hold office for one year; and two weeks' previous notice of such meeting shall be given by advertisement published as provided for in the next preceding section.

7. No person shall be a director of the company unless he is the holder, in his own right, of at least ten shares in the stock of the company, and has paid up all calls thereon.

8. Special general meetings of the shareholders of the company may be called in the method prescribed by the by-laws of the company, and upon notice to be given by advertisement published as provided in section five,

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9. At all meetings of the board of directors five shall form a quorum for the transaction of business, and the said board of directors may employ one of their board as a paid director.

10. The number of directors may be increased to not more than twelve, by by-law passed by the shareholders at any general meeting or special meeting called for that purpose.

11. The company may receive as aid in the construction of the said railway, any lands in the vicinity thereof, or any other real property, required for the purposes of the railway, either as gifts or in payment of stock, and may legally dispose of the same, and may alienate the lands or other real property for the purposes of the company; and the company may receive in aid of the construction of the said railway, any bonus in money or debentures, either with or without condition, and may enter into agreements for the carrying out of any such conditions, or with respect thereto.

12. The mayor or warden, or other head of any municipal corporation lawfully giving a bonus, to the amount of ten thousand dollars or upwards, in aid of the construction of such railway, shall be *ex-officio* one of the directors of the company, in addition to the number of directors hereby authorized.

13. The company may become party to promissory notes and bills of exchange for sums not less than one hundred dollars; and any such promissory note made, drawn, accepted or indorsed by the president or vice-president of the company, and countersigned by the secretary and treasurer of the company, shall be binding on the company; and every such promissory note or bill of exchange so made, drawn, accepted or indorsed shall be taken to have been made, drawn, accepted or indorsed with proper authority, and in no case shall it be necessary to have the seal of the company affixed to such promissory note or bill of exchange, nor shall the said president or vice president, or the secretary and treasurer, be individually responsible for the same, unless the said promissory note or bill of exchange has been issued without proper authority: Provided, however, that nothing in this section shall be construed to authorize the company to issue any note or bill of exchange payable to bearer, or intended to be circulated as money, or as the note or bill of a bank.

14. The directors of the company, after the sanction of the shareholders has been first obtained at any special general meeting, called from time to time for such purpose, at which meeting shareholders representing at least one-half in value of the stock are present, may issue bonds, made and signed by the president or vice-president of the company, and countersigned by the secretary and treasurer, and under the seal of the company, for the purpose of raising money for prosecuting the said undertaking; and such bonds shall be taken to be and shall be the first preferential claim and charge upon the undertaking, and the franchises, tolls and property of the company, real and personal, then existing, and at any time thereafter acquired: Provided, however, that the whole amount of such issue of bonds shall not exceed in all the sum of twenty thousand dollars per mile of the said railway to be issued in proportion to the length of railway constructed or under contract to be constructed; and provided also, that in the event, at any time, of the interest upon the said bonds remaining unpaid and owing, then at

Railways and Canals.

the next ensuing annual general meeting of the company, and at all other general or special meetings, as long as the said default continues, all holders of bonds shall have and possess the same rights and privileges and qualifications for being elected directors and for voting as they would have if the bonds they held had been shares: Provided, that the bonds and any transfers thereof, have been first registered in the same manner as is provided for the registration of shares; and it shall be the duty of the secretary of the company, on production thereof, to register the same in the manner required by the bearer thereof, on being required so to do by such bearer.

15. The company may secure such bonds by a deed or deeds of mortgage, executed by the company with the authority of its shareholders, expressed by a resolution passed at such special general meeting; and any such deed may contain such description of the property mortgaged by such deed and such conditions respecting the payment of the bonds secured thereby and of the interest thereon, and the remedies to be enjoyed by the holders of such bonds, or by any trustee or trustees for them, in default of such payment, and the enforcement of such remedies, and may provide for such forfeitures and penalties, in default of such payment, as are approved by such meeting:

(2.) Such deed may also contain, with the approval aforesaid, authority to the trustee or trustees, upon such default, as one of such remedies, to take possession of the railway and property mortgaged, and to hold and run the same for the benefit of bondholders thereof, for a time to be limited by such deed, or to sell the said railway and property, after such delay and upon such notice, terms and conditions as are stated in such deed; and with like approval any such deed may contain provisions to the effect, that upon such default, and upon such other conditions as are described in such deed, the right of voting possessed by the shareholders of the company shall cease and determine, and shall thereafter appertain to the bondholders; and such deed may also provide for the conditional or absolute cancellation, after such sale, of any or all of the shares so deprived of voting power, and may also, either directly by its terms, or indirectly by reference to the by-laws of the company, provide for the mode of enforcing and exercising the powers and authority to be conferred and defined by such deed, under the provisions thereof; and such deed and such provisions thereof as purport, with like approval, to grant such further and other powers and privileges to such trustee or trustees, and to such bondholders, as are not contrary to law or the provisions of this charter, shall be valid and binding; but if any change in the ownership or possession of the said railway and property at any time takes place under the provisions hereof, or of any such deed, or in any other manner, the said railway and property shall continue to be held and operated under the provisions hereof, and of "*The Consolidated Railway Act, 1879*," and of any Act amending the same, as hereby modified.

16. The bonds authorized by this Charter to be issued by the company shall be made payable to bearer, and shall be transferable by delivery until the same shall have been registered as hereinbefore provided, and shall be personal property; they may be issued in whole or in part, in the denomination of dollars or pounds sterling, or in either or both of them, and the

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coupons may be payable in denominations similar to those of the bonds to which they are attached; and the whole or any of such bonds may be pledged, negotiated or sold upon such conditions and at such price as the Board of Directors, from time to time determine.

17. The company may, from time to time, for advances of money made thereon, mortgage or pledge any bond which they, under the provisions of this charter, issue for the construction of the railway or otherwise.

18. It shall not be necessary in order to preserve the lien, priority, charge or privilege purporting to appertain to or be created by any bond issued or mortgage deed executed under the provisions of this charter, that such bond or deed should be registered in any manner or in any place whatever; but every such mortgage deed shall be deposited in the office of the Secretary of State of Canada,—of which deposit notice shall be given in the *Canada Gazette*; and in like manner, any agreement entered into by the company, under the next following section of this charter, shall also be deposited in the said office; and a copy of such mortgage deed or agreement, certified to be a true copy by the Secretary of State or his deputy, shall be received as *prima facie* evidence of the original, in all courts, without proof of the signature or seal upon such original.

19. The company may enter into an agreement with any other railway company whose line of railway is crossed by the line of the company hereby incorporated, or with which it connects, for conveying or leasing to such company the railway of the company hereby incorporated, in whole or in part, or any branch thereof, or any rights or powers acquired under this charter, as also the surveys, plans, works, plant, material, machinery and other property to them belonging, on such terms and conditions, and for such period as may be agreed upon, and subject to such restrictions as to the directors seem fit: Provided, that the said conveyances, leases, agreements and arrangements have been first sanctioned by a majority of the votes, at a special general meeting of the shareholders called for the purpose of considering the same, on due notice given, and also by the Governor in Council: Provided, that before such sanction by the Governor in Council shall be given, notice of the application therefor shall be published in the *Canada Gazette* and in one newspaper in each of the counties through which the said railway runs, for at least two months prior to the time therein named for the making of such application; and such notice shall state a time and place where and when the application will be made, and that all parties may then and there appear and be heard on such application.

20. The company may construct, work and operate such line or lines of telegraph and telephone, in connection with and along the line of their railway and branches, as are necessary or useful for the purposes of their undertaking.

21. The railway shall be commenced within two years, and completed within five years from the date of this charter.

Form of Conveyance of Land to Company.

Deeds and conveyances of lands to the company (not being letters patent from the Crown) may, in so far as circumstances will admit, be in the form following, that is to say:—

Railways and Canals, &c.

“Know all men by these presents, that I, A. B., in consideration of paid to me by the Temiscouata Railway Company, the receipt whereof is hereby acknowledged, grant, bargain, sell and convey unto the said Temiscouata Railway Company, their successors and assigns, all that tract or parcel of land (*describe the land*), to have and to hold the said land and premises unto the said company, their successors and assigns forever.

Witness my hand and seal this _____ day of _____, one thousand, eight hundred and _____.

Signed, sealed and delivered }
 in presence of } A. B. [L.S.]
 C. D.
 E. F.

or in any other form to the like affect; and every deed made in accordance herewith shall be held and construed to impose upon the vendor, executing the same, the obligation of guaranteeing the company and its assigns against all dower and claim for dower, and against all hypothecs and mortgages, and against all liens and charges whatsoever, not excepted in the grant, and also that he has a good, valid and transferable title thereto.

IN TESTIMONY WHEREOF, We have caused these Our Letters to be made Patent, and the Great Seal of Canada to be hereunto affixed. WITNESS, the Honorable Sir WILLIAM JOHNSTON RITCHIE, Knight, Chief Justice of the Supreme Court of Canada, Deputy to Our Right Trusty and Entirely Beloved Cousin, the Most Honorable Sir HENRY CHARLES KEITH PETTY-FITZMAURICE, Marquis of Lansdowne, in the County of Somerset, Earl of Wycombe, of Chipping Wycombe, in the County of Bucks, Viscount Calne and Calstone in the County of Wilts, and Lord Wyeombe, Baron of Chipping Wycombe in the County of Bucks, in the Peerage of Great Britain; Earl of Kerry and Earl of Shelburne, Viscount Clanmaurice and Fitzmaurice, Baron of Kerry, Lixnaw, and Dunkerron, in the Peerage of Ireland; Knight Grand Cross of Our Most Distinguished Order of Saint Michael and Saint George; Governor General of Canada, and Vice Admiral of the same.

At Our Government House, in Our CITY of OTTAWA, this SIXTH day of OCTOBER, in the year of Our Lord one thousand eight hundred and eighty-five, and in the forty-ninth year of Our Reign.

Vide Canada Gazette, Vol. XIX, p. 501.

Secretary of State.

By an Order in Council of Tuesday, 30th day of June, 1885, it was declared, that the second part of “The Canada Temperance Act, 1878,” should be in force and take effect in the united counties of Northumber-

Secretary of State.

land and Durham, upon, from and after the day on which the annual or semi-annual licenses for the sale of spirituous liquors then in force in the said united counties should expire, provided such day were not less than ninety days from the day of the date thereof, and if it were less, then on the like day in the following year; and if there were no licenses in force in the said united counties of Northumberland and Durham, that then the said second part of the said Act should become and be in force and take effect in the said united counties after the expiration of thirty days from the date thereof.

Vide Canada Gazette, Vol. XIX, p. 6.

By an Order in Council of Thursday, 3rd September, 1885, it was declared, that the second part of "The Canada Temperance Act, 1878," should be in force and take effect in the county of Middlesex, upon, from and after the day on which the annual or semi-annual licenses for the sale of spirituous liquors then in force in the said county should expire, provided such day were not less than ninety days from the day of the date thereof, and if it were less, then on the like day in the following year; and if there were no licenses in force in the said county of Middlesex, that then the said second part of the said Act should become and be in force and take effect in the said county after the expiration of thirty days from the date thereof.

Vide Canada Gazette, Vol. XIX, p. 352.

By an Order in Council of Thursday, 3rd September, 1885, it was declared, that the second part of "The Canada Temperance Act, 1878," should be in force and take effect in the county of Lincoln, upon, from and after the day on which the annual or semi-annual licenses for the sale of spirituous liquors then in force in the said county should expire, provided such day were not less than ninety days from the day of the date thereof, and if it were less, then on the like day in the following year; and if there were no licenses in force in the said county of Lincoln, that then the said second part of the said Act should become and be in force and take effect in the said county after the expiration of thirty days from the date thereof.

Vide Canada Gazette, Vol. XIX, p. 352.

By an Order in Council of Saturday, 5th day of September, 1885, it was declared, that the second part of "The Canada Temperance Act, 1878," should be in force and take effect in the county of Guysborough, upon, from and after the day on which the annual or semi-annual licenses for the sale of spirituous liquors then in force in the said county should expire, provided such day were not less than ninety days from the day of the date

Secretary of State.

thereof, and if it were less, then on the like day in the following year ; and if there were no licenses in force in the said county of Guysborough, that then the said second part of the said Act should become and be in force and take effect in the said county, after the expiration of thirty days from the date thereof.

Vide Canada Gazette, Vol. XIX, p. 382.

By an Order in Council of Friday, 25th day of September, 1885, it was declared, that the second part of "The Canada Temperance Act, 1878," should be in force and take effect in the county of Ontario, upon, from and after the day on which the annual or semi-annual licenses for the sale of spirituous liquors then in force in the said county should expire, provided such day were not less than ninety days from the day of the date thereof, and if it were less, then on the like day in the following year ; and if there were no licenses in force in the said county of Ontario, that then the said second part of the said Act should become and be in force and take effect in the said county after the expiration of thirty days from the date thereof.

Vide Canada Gazette, Vol. XIX, p. 464.

By an Order in Council of Friday, 25th of September, 1885, it was declared, that the second part of "The Canada Temperance Act, 1878," should be in force and take effect in the county of Victoria, Province of Ontario, upon, from and after the day on which the annual or semi-annual licenses for the sale of spirituous liquors then in force in the said county should expire, provided such day were not less than ninety days from the day of the date thereof, and if it were less, then on the like day in the following year ; and if there were no licenses in force in the said county of Victoria, that then the said second part of the said Act should become and be in force and take effect in the said county after the expiration of thirty days from the date thereof.

Vide Canada Gazette, Vol. XIX, p. 464.

By an Order in Council of Wednesday, the 11th day of November, 1885, it was declared that the second part of "The Canada Temperance Act, 1878," should be in force and take effect in the county of Lambton, upon, from and after the day on which the annual or semi-annual licenses for the sale of spirituous liquors then in force in the said county should expire, provided such day was not less than ninety days from the day of the date thereof, and if it were less, then on the like day in the following year ; and if there were no licences in force in the said county of Lambton, that then the said

Secretary of State.

second part of the said Act should become and be in force and take effect in the said county after the expiration of thirty days from the date thereof.

Vide Canada Gazette, Vol. XIX, p. 734.

By an Order in Council of Thursday, the 17th day of December, 1885, it was declared that the second part of "The Canada Temperance Act, 1878," should be in force and take effect in the county of Peterborough, upon, from and after the day on which the annual or semi-annual licenses for the sale of spirituous liquors then in force in the said county should expire, provided such day were not less than ninety days from the day of the date thereof, and if it were less, then on the like day in the following year; and if there were no licenses in force in the said county of Peterborough, that then the said second part of the said Act should become and be in force and take effect in the said county after the expiration of thirty days from the date thereof.

Vide Canada Gazette, Vol. XIX, p. 859.

By an Order in Council of Saturday, the 30th day of January, 1886, it was declared that the second part of "The Canada Temperance Act, 1878," should be in force and take effect in the city of St. Thomas, upon, from and after the day on which the annual or semi-annual licenses for the sale of spirituous liquors then in force in the said city should expire, provided such day were not less than ninety days from the day of the date thereof, and if it were less, then on the like day in the following year; and if there were no licenses in force in the said city of St. Thomas that then the said second part of the said Act should become and be in force and take effect in the said city after the expiration of thirty days from the date thereof.

Vide Canada Gazette, Vol. XIX, p. 1125.

By an Order in Council of Saturday, 30th day of January, 1886, it was declared that the second part of "The Canada Temperance Act, 1878," should be in force and take effect in the county of Frontenac, upon, from and after the day on which the annual or semi-annual licenses for the sale of spirituous liquors then in force in the said county should expire, provided that such day were not less than ninety days from the day of the date thereof, and if it were less, then on the like day in the following year.

Vide Canada Gazette, Vol. XIX, p. 1326.

Secretary of State.

Letters Patent have been issued, dated as below, and published respectively in Volume XIX of the *Canada Gazette* at the pages stated, incorporating the following Companies, viz. :—

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The Medicine Hat Coal and Mining Co. ; capital \$£00,000 ; 13th June, 1885.....	86
The Electro-Mechanical Clock Co. ; capital \$100,000 ; 8th July, 1885	122
The Anglo-French Steamship Co. ; capital \$45,000 ; 6th August, 1885	258
The Cobourg Woollen Co. ; capital \$150,000 ; 15th October, 1885.....	636
The Griffin Pulverizer Co. ; capital \$50,000 ; 6th November, 1885...	672
The Edwardsburg Starch Co. ; capital \$250,000 ; 6th November, 1885.....	672
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The Gilbert Brothers Engineering Co. ; capital \$60,000 ; 6th November, 1885.....	766
The Ottawa Paving and Roofing Co. ; capital \$50,000 ; 19th November, 1885.....	766
The Copp-Clark Co. ; capital \$200,000 ; 5th December, 1885.....	891
The Ottawa Telephone Co. ; capital \$25,000 ; 17th December, 1885...	891
The Union Ranching Co. ; capital \$250,000 ; 5th December, 1885 ...	891
The Schlicht and Field Co. ; capital \$50,000 ; 18th January, 1886....	1045
The Hand in Hand Ranching Co. ; capital \$250,000 ; 8th January, 1886.....	1045
The Brynhilda Ship Co. ; capital \$80,000 ; 28th January, 1886.....	1161
The McLeod Improvement Co. ; capital \$7,000 ; 19th April, 1886.....	1579
The Parry Sound Navigation Co. ; capital \$25,000 ; 3rd May, 1886...	1579
The New Success Oil Stove Co. of Yarmouth, N.S. ; capital \$10,000 ; 4th May, 1886.....	1579
The Glengarry Ranche Co. ; capital \$120,000 ; 3rd May, 1886.....	1579
The Owen Sound Electric, Illuminating and Manufacturing Co. ; capital \$50,000 ; 4th May, 1886.....	1580
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The Mark Automatic Car Coupler Co. ; capital \$200,000 ; 18th May, 1886.....	1732
The Westbourne Cattle Co. ; capital \$200,000 ; 20th May, 1886.....	1767
The British and Canadian Mica and Mining Co. ; capital, \$33,000 ; 4th May, 1886.....	1798
The Canadian Sulphite Pulp Co. ; capital \$150,000 ; 14th June, 1886	1834

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The Cochrane Ranche Co., decreasing capital stock from \$500,000 to \$250,000 ; 15th January, 1886.....	1329

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The Edwardsburg Starch Co , decreasing capital stock from \$250,000 to \$200,000 ; 13th March, 1886.....	1867
The Metallic Roofing Co., increasing capital stock from \$7,000 to \$20,000 ; 5th March, 1886.....	1407
The Winnipeg and Western Transportation Co., decreasing capital stock from \$250,000 to \$173,000 ; 16th March, 1886.....	1407
The English and Canadian Wire Fastening Co. of Montreal, Canada, changing name to "The Shoe Wire Grip Co." ; 17th March, 1886	1407
The Winnipeg and Western Transportation Co. ; reducing capital from \$173,000 to \$119,040 ; 23rd May, 1886.....	1407

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ACTS

OF THE

PARLIAMENT

OF THE

DOMINION OF CANADA,

PASSED IN THE SESSION HELD IN THE

FORTY-NINTH YEAR OF THE REIGN OF HER MAJESTY

QUEEN VICTORIA,

BEING THE

FOURTH SESSION OF THE FIFTH PARLIAMENT,

*Begun and holden at Ottawa, on the twenty-fifth day of February, and closed
by Prorogation on the second day of June, 1886.*



HIS EXCELLENCY

THE MOST HONORABLE SIR HENRY CHARLES KEITH, MARQUESS OF LANSDOWNE,
GOVERNOR GENERAL.

VOL. I
PUBLIC GENERAL ACTS.

OTTAWA:
PRINTED BY BROWN CHAMBERLIN,
LAW PRINTER TO THE QUEEN'S MOST EXCELLENT MAJESTY.
ANNO DOMINI, 1886.



49 VICTORIA.

CHAP. I.

An Act for granting to Her Majesty certain sums of money required for defraying certain expenses of the public service, for the financial years ending respectively the 30th June, 1886, and the 30th June, 1887, and for other purposes relating to the public service.

[Assented to 2nd June, 1886.]

MOST GRACIOUS SOVEREIGN,

WHEREAS it appears by Messages from His Excellency Preamble.
the Most Honorable the Marquess of Lansdowne, Governor General of the Dominion of Canada, and the estimates accompanying the same, that the sums hereinafter mentioned are required to defray certain expenses of the public service of the Dominion, not otherwise provided for, for the financial years ending respectively the thirtieth day of June, one thousand eight hundred and eighty-six, and the thirtieth day of June, one thousand eight hundred and eighty-seven, and for other purposes connected with the public service: May it therefore please Your Majesty that it may be enacted, and be it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, that :—

1. From and out of the Consolidated Revenue Fund of Canada there shall and may be paid and applied a sum not exceeding in the whole three million, five hundred and one thousand, nine hundred and twenty-one dollars and twenty-three cents, towards defraying the several charges and expenses of the public service of the Dominion, from the first day of July, in the year of Our Lord one thousand eight hundred and eighty-five, to the thirtieth day of June, in the year of Our Lord one thousand eight hundred and eighty-six, not otherwise provided for, and set forth in Schedule A to this Act, and also for the other purposes in the said schedule mentioned. Sum granted for financial year 1885-'86, \$3,501,921.23.

2. From and out of the Consolidated Revenue Fund of Canada there shall and may be paid and applied a sum not exceeding Sum granted for financial year 1886-'87, \$21,562,021.41.

exceeding in the whole twenty-one million, five hundred and sixty-two thousand and twenty-one dollars and forty-one cents, towards defraying the several charges and expenses of the public service of the Dominion, from the first day of July, in the year of Our Lord one thousand eight hundred and eighty-six, to the thirtieth day of June, in the year of Our Lord one thousand eight hundred and eighty-seven, not otherwise provided for, and set forth in Schedule B to this Act, and also for the other purposes in the said schedule mentioned.

Account to be rendered in detail.

3. A detailed account of the sums expended under the authority of this Act shall be laid before the House of Commons of Canada during the first fifteen days of the then next Session of Parliament.

Declaratory as to certain loans authorized but not raised.

4. And whereas there remained on the thirty-first day of December last, unborrowed and negotiable, of the loans authorized by Parliament for the several works hereinafter mentioned, and for general purposes, the sums opposite to each, respectively, that is to say :—

For Intercolonial Railway.....	\$2,433,333	33
For opening communication and administration of the Government in the North-West Territories.....	1,460,000	00
For improvement of the River St. Lawrence.....	2,680,000	00
do do Quebec Harbor.....	2,125,000	00
For the Quebec Graving Dock.....	750,000	00
For the Harbor of Three Rivers	82,000	00
For the Pacific Railway and Canadian Canals.....	3,893,333	33
For general purposes, balance 30th June, 1885	\$36,144,890	70
For Savings Bank withdrawals to 31st December, 1885.....	5,080,442	44
For four per cent. funded debt redeemed to 31st December, 1885.....	696,308	55
For Dominion stock redeemed to 31st December, 1885.....	332,596	85
For sterling debentures redeemed to 31st December, 1885	10,706	66
For currency debentures redeemed to 31st December, 1885	2,433	34
	<u>\$42,267,378</u>	<u>54</u>
Deduct :—Savings Bank deposits to 31st December, 1885.....	\$6,651,582	40
Sterling bonds issued to 31st December, 1885...	19,466,666	66
Currency bonds issued to 31st December, 1885...	292,000	00
	<u>26,410,249</u>	<u>06</u>
		<u>15,857,129</u>
		<u>48</u>
		<u>\$29,280,796</u>
		<u>14</u>

Therefore

Therefore it is declared and enacted, that the Governor in Council may authorize the raising of the several sums above mentioned, as they may be required for the purposes aforesaid, respectively, under the provisions of the Act passed in the thirty-fifth year of Her Majesty's reign, intituled "*An Act respecting the Public Debt, and the raising of Loans authorized by Parliament,*" as amended by the Act passed in the thirty-eighth year of Her Majesty's reign, intituled "*An Act to amend the Act respecting the Public Debt, and the raising of Loans authorized by Parliament;*" and the sums so raised shall form part of the Consolidated Revenue Fund of Canada, out of which like sums shall be applicable to the several purposes aforesaid, under the Acts and provisions thereunto relating respectively.

Such sums may be raised under 35 V., c. 6, as amended by 38 V., c. 4.

Application of sums so raised.

SCHEDULE A.

SUMS granted to Her Majesty by this Act for the Financial Year ending 30th June, 1886, and the purposes for which they are granted.

SERVICE.	Amount.	Total.
	\$ cts.	\$ cts.
CHARGES OF MANAGEMENT.		
To cover balance of expenses of removal of Assistant Receiver-General's Office, Halifax.....		260 35
CIVIL GOVERNMENT.		
SALARIES AND CONTINGENCIES.		
Office of the Queen's Privy Council for Canada :—Salary of one 2nd Class Clerk.....	\$1,350 00	
Salary of Messenger, from 1st March to 30th June.....	100 00	
	1,450 00	
Department of the Secretary of State :—To pay Léonce Labelle allowance for optional subjects and extra work.....	\$167 50	
To pay H. Roy, for extra work performed.....	73 00	
To pay D. D. McDonald, for extra work.....	50 00	
To pay salary of J. F. Waters, as 3rd Class Clerk, from 1st April to 30th June, at \$1,000 per annum.....	250 00	
	540 50	
Department of Fisheries :—To pay S. P. Bauset the difference between \$1,800 and \$2,200, from 1st July, 1885, to 1st July, 1886.....	400 00	
Department of the Interior :—To provide for the increase of salary of one 3rd Class Clerk, George Bell, from \$550 to \$700, from 1st July, 1885, to 30th June, 1886.....	150 00	
Office of the Auditor-General :—To provide for the salary of W. J. Reid, 3rd Class Clerk, from 1st July, 1885, to 30th June, 1886.....	800 00	
Department of Indian Affairs :—Allowance at the rate of \$50 per annum to the undermentioned Clerks, for having passed in one optional subject—		
J. W. Shore, passed in November, 1884.....	\$ 79 16	
W. A. Hunton, passed in May, 1885.....	54 16	
Increase of salary to D. O. F. Bliss, from 1st July, 1885.....	200 00	
	333 32	
Carried forward.....	3,673 82	280 35

SCHEDULE A—Continued.

SERVICE.	Amount.	Total.
	\$ cts.	\$ cts.
Brought forward.....	3,673 82	260 35
CIVIL GOVERNMENT—Concluded		
SALARIES AND CONTINGENCIES—Concluded.		
Department of Finance :—To pay the difference between \$400 and \$600, in allowance of the Minister's Private Secretary, from 10th December, 1885, to 30th June, 1886.....	\$110 69	
To pay E. L. Brittain, allowance for optional subject, from 1st June, 1885.....	54 16	
	164 85	
Department of Agriculture :—For nine months' allowance to Minister's Private Secretary, from 1st October, 1885	\$150 00	
For allowance to Mr. H. H. Bailey, Patent Examiner, from 1st December, 1885, to 30th June, 1886, at the rate of \$100 per annum.....	58 33	
	508 33	
Inland Revenue Department :—To pay J. F. Shaw, R. Devlin, O. E. Chubbuck and J. A. Doyon, the usual annual increment, they having been provided for in the Estimates of 1885-86, at \$1,100 only, while by a vote of last Session they were provided for in the Supplementary Estimates for 1884-85, at \$1,100, dating from 1st July, 1884.....		200 00
To provide for the payment to the undermentioned officers, allowances at the rate of \$50 per annum, for having passed in one optional subject :—		
Public Works Department :—G. Hennessy, from 1st June, 1885.....	54 16	
Post Office Department :—J. S. Stevenson, from 1st June, 1885.....	51 16	
	105 32	4,655 32
ADMINISTRATION OF JUSTICE.		
Miscellaneous Justice, including North-West Territories, and \$40.00 to E. Coté, \$28 50 to F. Colson, \$13.00 to F. K. Bennetts, \$187 60 to J. A. Coté, and \$166 25 to H. Roy, for services, &c., in connection with the publication of the report of Riel's case.....	46,000 00	
To pay Sheriff Chapleau, at the rate of \$800 per annum, for travelling expenses from 7th July, 1883, to 1st January, 1885.....	1,190 14	
	47,190 14	
DOMINION POLICE.		
For salaries of extra constables during the year.....		750 00
LEGISLATION.		
ELECTIONS.		
To meet expenses connected with Franchise Act.....	200,000 00	
SENATE.		
To pay James Young, Government Stationer, for services in the purchase of stationery for the Senate.....	200 00	
Carried forward.....	200,200 00	52,855 81

SCHEDULE

SCHEDULE A—Continued.

SERVICE.	Amount.	Total.
Brought forward	\$ cts. 200,200 00	\$ cts. 52,855 81
LEGISLATION—Continued.		
HOUSE OF COMMONS.		
To meet salary of the Deputy Speaker.....	\$2,000 00	
To recoup amount expended out of grant for the current year in completing the publication of the Debates, House of Commons, for Session of 1885. (The authority required by Section 51 of "The Civil Service Act," is hereby given for paying out of this vote such sums as may be required to pay such employees of the Civil Service as it is necessary to employ to do duty as amanuenses to the Debates Staff of the House of Commons, for the present Session as well as for the Sessions of 1884 and 1885)	26,287 83	
To pay C. Medlow for engrossing and illuminating Address of House to Major-General Sir F. Middleton.	25 00	
To cover additional amount required for stationery.....	1,000 00	
	29 312 83	
SESSIONAL INDEMNITY.		
To pay members of the House of Commons, who were detained by storms while on their way to attend the Session, the balance of their indemnity:—		
Mr. Gagné	\$ 64 00	
Mr. Burns	44 00	
Mr. Jenkins.....	48 00	
Mr. Stairs.....	48 00	
Mr. A. C. Macdonald	48 00	
Mr. Kinney	48 00	
	304 00	
MISCELLANEOUS.		
To pay to A. H. Todd, difference between the salary, \$1,400, which he is at present receiving, and \$1,600 from 1st July, 1885, to 30th June, 1886	\$ 200 00	
To pay to James Fletcher, from 1st July to 27th November, 1885, difference between \$1,150 and \$1,400 per annum	102 06	
To pay to L. P. Sylvain, from 1st July to 27th November, 1885, difference between \$1,000 and \$1,100 per annum	40 82	
To pay John Smith difference between \$750 and \$1,000, from 1st January to 30th June, 1886	125 00	
To purchase 400 copies of the Dominion Annual Register and Review for 1885.....	1,200 00	
To pay Mr. Alphonse Desjardins the amount of his account for 40 copies of "Débats de la Législature de Québec," \$323.90, for 1884, and 40 copies of a similar work for 1885, \$320	643 90	
To pay for 150 copies of Mr. Faucher de St. Maurice's work on Parliamentary Procedure, to be purchased for the use of both Houses of Parliament, and of the several Departments, as well as for the Library of Parliament and its exchanges	750 00	
To purchase a complete set of the Statutes of Canada since 1841, for the use of the Library.....	135 00	
Carried forward.....	\$3,196 78	229,816 83 52,855 81

SCHEDULE

SCHEDULE A—Continued.

SERVICE.	Amount.	Total.
Brought forward.....	\$3,196 78	\$ cts. 229,816 83
LEGISLATION—Concluded.		
MISCELLANEOUS—Concluded.		
To pay Messrs. Rowell & Hutchison's account for volumes 5, 6 and 7 of the Ontario Law Reports, for Library exchanges.....	\$180 00	\$ cts. 52,855 81
To provide for the purchase of 100 copies of Mr. Augustin Côté's work, entitled "Jugements et Délibérations du Conseil Souverain," for Library Exchanges and Government Service	300 00	
	3,676 78	233,493 61
ARTS, AGRICULTURE AND STATISTICS.		
Further amount required for Colonial and Indian Exhibition in London	50,000 00	
To pay C. C. Chipman for special services in connection with Public Archives	400 00	50,400 00
QUARANTINE.		
For amount of fees collected for inspection of cattle in Manitoba and the North-West Territories, and deposited to the credit of the Receiver-General, required to pay the Inspectors	2,447 59	
For payments for Immigrant patients in the Winnipeg and St. Boniface Hospitals	15,000 00	17,447 59
PENSIONS.		
To pay a pension at the rate of \$400 per annum from 1st April, 1885, to 30th June, 1886, to Mrs. Delaney, whose husband was murdered at Frog Lake	500 00	
To pay pensions to the injured, wounded and invalided militiamen, engaged in the suppression of the late rebellion in the North-West Territories	10,000 00	10,500 00
MILITIA.		
Repairs—Military Properties :— For drainage, &c., Citadel, Quebec.....	16,250 00	
Contingencies—To provide for payment of gratuity to Militia District Staff Officers on retirement, viz :— 1 Deputy Adjutant-General, 2 years' pay, at \$1,700 per annum	\$3,400 00	
1 Brigade Major, 2 years' pay at \$1,200 per annum	2,400 00	5,800 00
C. H. O'Meara, allowance as acting paymaster for Military District No. 4, 1885-86.....	\$200 00	
Lt.-Col. D. A. Macdonald, pay as supply officer, Rebellion of 1885, sixty days' pay to 26th May, 1885, at \$4.87.....	292 20	492 20
	492 20	22,542 20
PUBLIC WORKS.		
(Chargeable to Capital.)		
Port Arthur Harbor and Kaministiquia River		16,000 00
Carried forward.....		403,239 21

SCHEDULE

SCHEDULE A—Continued.

SERVICE.	Amount.	Total.
	\$ cts.	\$ cts.
Brought forward.....		403,239 21
RAILWAYS AND CANALS.		
<i>(Chargeable to Capital.)</i>		
CANADIAN PACIFIC RAILWAY.		
British Columbia	\$200,000 00	
To pay Mr. H. M. Ball for his services as land valuator in British Columbia	730 00	
To settle claims, Stonewall Branch	263 84	
To cover payment of claims, Pembina Branch	583 49	
	201,577 33	
INTERCOLONIAL RAILWAY.		
Increased accommodation at St. John.....	\$33,000 00	
Halifax Extension	11,000 00	
Dartmouth Branch	16,600 00	
Dalhousie Branch.....	3,500 00	
Rivière du Loup Town Branch.....	5,600 00	
Indiantown Branch.....	36,000 00	
Construction Account.....	4,300 00	
Rolling Stock.....	20,000 00	
To settle the claim for the purchase of land near Derby Station.....	2,178 45	
Furnishing Pullman cars.....	11,500 00	
	143,878 45	
SUNDRY RAILWAYS.		
Surveys of Cape Breton and other Railways.....	8,000 00	
Additional for settling unpaid claims of sub-contractors and others for labor, board, &c., in the construction of the Short Line Rail- way, between Oxford and New Glasgow, and for acquiring their rights in the Railway and in the said claims, the expenditure to be under Order in Council and to be a first charge on the subsidy for such Railway, under 45 Victoria, chapter 14.....	25,000 00	
CANALS.		
Carillon Canal.....	24,000 00	
		402,255 78
RAILWAYS AND CANALS.		
<i>(Chargeable to Income.)</i>		
Cornwall Canal—Construction of a drain between town and canal....	5,022 47	
Chambly Canal—Raising banks, lowering bottom of canal, re-build- ing lock walls, &c.....	5,000 00	
Rideau Canal—To pay claims for land damages.....	580 00	
		11,002 47
PUBLIC WORKS.		
<i>(Chargeable to Income.)</i>		
PUBLIC BUILDINGS.		
<i>Prince Edward Island.</i>		
Charlottetown—New Dominion Building	13,000 00	
Carried forward.....	13,000 00	816,497 46

SCHEDULE A—Continued.

SERVICE.	Amount.	Total.
	\$ cts.	\$ cts.
Brought forward.....	13,000 00	816,497 46
PUBLIC WORKS—Continued.		
(Chargeable to Income.)		
PUBLIC BUILDINGS—Concluded		
<i>Nova Scotia.</i>		
Halifax Examining Warehouse.....	\$5,000 00	
Halifax Dominion Building.....	3,600 00	
	8,600 00	
<i>New Brunswick.</i>		
Woodstock Post Office, Custom House, &c.....	3,000 00	
<i>Quebec.</i>		
Montreal Drill Hall.....	20,000 00	
<i>Ontario.</i>		
Kingston Penitentiary.....	\$11,616 00	
Port Hope Post Office, Custom House, &c.....	2,000 00	
Guelph Post Office, Custom House, &c.—Alterations and Improvements.....	952 00	
Berlin Post Office, Custom House, &c.—Drainage.....	450 00	
Toronto Examining Warehouse.....	918 00	
Amherstburg Post Office, Custom House, &c.—Balance due.....	1,200 00	
Galt Post Office, Custom House, &c.....	5,000 00	
St. Thomas Post Office, Custom House, &c.....	2,225 17	
Clifton do do To complete.....	600 00	
London Custom House Extension.....	5,000 00	
	29,961 17	
<i>Manitoba.</i>		
Winnipeg Post Office.....	\$30,000 00	
Winnipeg Powder Magazine.....	975 50	
	30,975 50	
<i>North-West Territories.</i>		
Regina Gaol and Lunatic Asylum.....	\$11,500 00	
Additional barrack and stabling accommodation for Mounted Police Force.....	25,000 00	
Public Buildings, North-West Territories generally.....	6,500 00	
	43,000 00	
<i>British Columbia.</i>		
Victoria Immigrant Building.....	2,902 67	
REPAIRS, FURNITURE, HEATING, &C.		
Departmental Buildings, Eastern Block — Additional vault and safe accommodation, Finance Department...	\$3,400 00	
Carried forward.....	\$3,400 00	
	151,439 34	816,497 46

SCHEDULE

SCHEDULE A—Continued.

SERVICE.	Amount.	Total.
	\$ cts.	\$ cts.
Brought forward	\$3,400 00	151,439 34
PUBLIC WORKS—Continued.		
<i>(Chargeable to Income.)</i>		
REPAIRS, FURNITURE, HEATING, &c.—Concluded.		
Lighting Commons Chamber and adjoining apartments, corridors, &c., by electricity in a permanent manner...	\$7,500 00	
Parliament Buildings—Improvements, renewals, &c.....	9,500 00	
Departmental Buildings, Western Block—To make good damages by fire, February 23, 1886, including furniture and fittings	6,500 00	
Quebec Post Office—Repairs and renewals.....	4,000 00	
Quebec Inland Revenue Office—Fittings and furniture....	175 00	
Quebec Marine Hospital—Repairs and renewals	4,500 00	
Gas, Public Buildings, Ottawa—To cover amount expended out of appropriation for 1885-86, in payment of extra quantity of gas used during quarter ending 30th June, 1885, owing to prolonged Session of Parliament.....	5,000 00	
	40,575 00	
HARBORS AND RIVERS.		
<i>Nova Scotia.</i>		
Digby Pier.....	\$1,500 00	
Petite Rivière.....	250 00	
	1,750 00	
<i>Prince Edward Island.</i>		
Souris East—To pay James E. Poole in full and final settlement of all claims made by him in connection with his contract for the reconstruction of the break-water at Souris East	\$423 00	
Port Selkirk—Repairs to Pier.....	750 00	
	1,173 00	
<i>New Brunswick.</i>		
Hopewell Cape		1,167 50
<i>Quebec.</i>		
River Nicolet—Harbor of Refuge	\$5,000 00	
Berthier (<i>en bas</i>)	500 00	
River Yamaska.....	18,000 00	
River St. Lawrence—Removal of anchors, chains, boulders, &c.....	500 00	
Rivière du Loup Pier (<i>en bas</i>)—Repairs and improvements	2,400 00	
	26,400 00	
ROADS AND BRIDGES.		
Bridges, Ottawa City, over the Rideau Canal and approaches thereto, and Major's Hill Park.	\$8,000 00	
Aid to the Municipality of Russell, Manitoba, towards the construction of a Bridge across the Assiniboine, near the mouth of the Shell River.....	10,000 00	
Bridge at Des Joachims Rapids, River Ottawa—Balance due contractors on final estimate	1,174 50	
	19,174 50	
Carried forward	241,679 34	816,497 46

SCHEDULE

SCHEDULE A—Continued.

SERVICE.	Amount.	Total.
	\$ cts.	\$ cts.
Brought forward.....	241,679 34	816,497 46
PUBLIC WORKS—Concluded.		
<i>(Chargeable to Income.)</i>		
DREDGING.		
Dredging, Maritime Provinces—Additional amount required.....	\$10,000 00	
Dredging, Ontario—Additional amount required.....	7,000 00	
	17,000 00	
SLIDES AND BOOMS.		
Carillon Slides and Booms.....	7,171 00	
TELEGRAPHS.		
Telegraph Lines, Manitoba and the North-West Territories—Telegraph lines between Dunmore and Fort McLeod, and between Moose Jaw and Wood Mountains—To complete.....	11,000 00	
MISCELLANEOUS.		
Miscellaneous works not otherwise provided for—Additional amount required.....	\$5,000 00	
Surveys and Inspections.....	5,000 00	
	10,000 00	
		286,850 34
MAIL SUBSIDIES AND STEAMSHIP SUBVENTIONS.		
Winter Service between the terminus of the Eastern Extension Railway at Mulgrave, and the Ports of Hawkesbury, Hastings, Arichat, Canso and Guysboro', per S.S. "Rimouski," winter of 1884-85.....		2,000 00
OCEAN AND RIVER SERVICE.		
Repairs and alterations to buildings now occupied by the Montreal Water Police.....	2,000 00	
To provide for the payment to the Harbor Commissioners of Montreal the annual cost of maintaining the buoys and beacons in Montreal Harbor, for 1884-85 and 1885-86.....	14,000 00	
Winter communication between Prince Edward Island and the main land.....	2,000 00	
	18,000 00	
LIGHTHOUSE AND COAST SERVICE.		
Construction of Lights.....	15,000 00	
To pay increase of Agent's salary, Quebec.....	200 00	
	15,200 00	
FISHERIES.		
Further amount required to cover the cost of the Police Vessels to be employed in the protection of the fisheries.....	50,000 00	
Fish-breeding.....	5,000 00	
	55,000 00	
GEOLOGICAL SURVEY.		
Further amount required for Geological Survey.....		18,400 00
Carried forward.....		1,211,947 80

SCHEDULE

SCHEDULE A—Continued.

SERVICE.	Amount.	Total.
	\$ cts.	\$ cts.
Brought forward		1,211,947 80
DEPARTMENT OF INDIAN AFFAIRS.		
Surveys—To recoup the Indian Fund for an expenditure over the amount (\$3,000) granted in 1881-82, for surveys in the older Provinces.....	\$521 12	
Schools—To provide for an increase in the salary of the Indian School teacher, at Oka, for December, March and June quarters, 1885-86 ; at the rate of \$27.50 per annum	20 62	
To provide for an increase in the salary of the Indian School teacher, at Cornwall Island, for December, March and June quarters, 1885-86 ; at the rate of \$60 per annum.....	45 00	
	586 74	
BRITISH COLUMBIA.		
To enable the Department to satisfy a claim for dower, made on behalf of the widow of the late A. S. Bates, from whose estate were purchased certain lands for an Indian Reserve, at Williams' Lake, B.C.....	\$1,345 00	
To provide for the purchase, from the Department of Railways and Canals, of a building hitherto used for railway purposes, and now required for an Indian office, at Kamloops, B.C.....	700 00	
To enable the Department to bear one moiety of the salary of an assistant female Teacher in the Indian School, at Fort Simpson, B.C., from the date of her appointment on 1st September, 1885, to 30th June, 1886, at \$200 a year, the other moiety to be supplied by the Methodist Church of Canada	166 67	
	2,211 67	
MANITOBA AND THE NORTH-WEST TERRITORIES.		
To provide, under the authority of an Order in Council, dated the 22nd January, 1886, for the following over-expenditure of the sums granted last Session on Indian Account, viz :—		
Destitute Indians	\$300,000 00	
Seed grain.....	22,000 00	
Buildings.....	16 215 00	
Supplies	23,000 00	
Debit balances	37,402 00	
To provide, under the authority of an Order in Council, dated the 25th February, 1886, for the payment to the Rev. Father Lacombe of this sum, for and in consideration of the services specified therein, and for which His Excellency's Warrant was issued	1,000 00	
	399,617 00	
		402,415 41
NORTH-WEST MOUNTED POLICE.		
Further amount required to complete the service for the year	150,000 00	
To pay Lt.-Col. A. G. Irvine, a gratuity equal to 18 months' pay.....	3,466 66	
To pay gratuity on retirement to Inspector F. J. Dickens	1,000 00	
To pay C. Costin for examining arms	75 00	
	154,541 66	
MISCELLANEOUS.		
Miscellaneous printing	16,000 00	
To pay for compilation, printing and publishing correspondence, petitions, and Orders in Council respecting Provincial Legislation....	1,000 00	
Aid (in the form of a loan) to the distressed fishermen in the Counties of Gaspé and Bonaventure	2,000 00	
Carried forward	19,000 00	1,768,904 87

SCHEDULE A—Continued.

SERVICE.	Amount.	Total.
Brought forward	\$ cts. 19,000 00	\$ cts. 1,768,904 87
MISCELLANEOUS—Continued.		
Repairs to steamer "Bayfield," engaged in the service of the Georgian Bay Survey	4,000 00	
To re-pay the amount of a forged bond for £1,000, and one coupon attached thereto	4,988 32	
To pay the Bank of Montreal the amount now standing at the debit of the Receiver-General's advance account with the Halifax Agency.	24,097 02	
To provide for losses, Post Office Savings Banks Funds, occurring through burglary :—		
Lachute	\$ 87 86	
Markdale	48 63	
Peterboro'	205 00	
	341 49	
To authorize the transfer of an amount sufficient to cover the deficiency in the 5 per cent. stock	13,300 00	
To pay John Kerr, surviving executor of the late George Wilson, balance of amount deposited in the Savings Bank, Bathurst, and not credited by the Agent, \$350; and interest from 11th April, 1878, to 11th April, 1886, \$133.03	483 03	
To pay amount of interest from 10th October, 1884, to 23rd July, 1885, on the amount of the judgment of Privy Council, Queen vs. Doutré.	379 83	
To pay for seed grain for settlers in the Prince Albert District.....	46,884 02	
Losses arising out of rebellion in the North-West Territories.....	\$37,595 68	
Salaries and expenses of Commissioners investigating claims connected with the late rebellion in the North-West	10,000 00	
Further amount required to meet expenses in connection with the late rebellion in the North-West Territories, including gratuities	760,000 00	
To meet expenditure on account of the Mounted Police for the recent troubles in the North-West Territories.....	175,000 00	
Extra services—		
L. Fortescue	125 00	
A. Fisher	108 33	
R. M. Gallwey	45 83	
L. DuPlessis	45 83	
To pay John McDonnell, who was wounded whilst repairing the pilot house of the steamer "Northcote," during the engagement at Batoche	217 00	
A. Benoit and F. E. Aldrich, pay for extra services during the pressure of work consequent upon the rebellion of 1885, \$500 each	1,000 00	
W. L. Tilley, pay for extra services as Secretary to the Surgeon-General, rebellion of 1885	172 00	
	1,014,309 67	
To pay Dr. Robert Bell for services as medical officer during Hudson Bay expeditions of 1884 and 1885.....	400 00	
To pay Messrs. McLean, Roger & Co. interest from the date of the judgment of Mr. Justice Henry, 18th February, 1884, to 2nd October, 1884, on \$69,781 43, the amount found to be due to them, \$2,598 15; also of their costs of suit, \$2,090.90, and interest thereon from the date of the certificate of taxation, 17th November, 1885, to the time when the money to be voted shall become available, say 1st June, 1886, \$67.02, interest calculated at 6 per cent. per annum.....	4,756 07	
To indemnify the St. Catharines Milling and Lumbering Company for the costs of the suit of The Queen vs. the St. Catharines Milling and Lumbering Company.....	11,500 00	
To pay A. M. P. Drouin, for extra services in preparation of Return to Parliament of Incorporated Companies.....	48 50	
Carried forward.....	1,144,487 95	1,768,904 87

SCHEDULE

SCHEDULE A—Continued.

SERVICE.	Amount.	Total.
	\$ cts.	\$ cts.
Brought forward.....	1,141,487 9¢	1,768,904 87
MISCELLANEOUS—Concluded		
To pay the family of M. Hynes, who was killed whilst attending to his duties as Acting Assistant Gauger, in the Customs, at the Port of Montreal.....	200 00	
To pay Brown Chamberlin for services connected with the Commission respecting the Government Printing Office.....	105 00	
To pay W. E. Hodgins for compiling reports, Orders in Council, &c., respecting legislation, proof-reading, &c.....	500 00	
To pay Messrs. Wilson, Power, Ferguson and Creighton for incorporating with the draft Revised Statutes Acts of the Session of 1885; revising and making additions to schedules and tables, and preparing for publication a collection of Statute Law of public general nature not included in consolidation.....	4,000 00	
To pay W. Gliddon for reading the proof of the draft of the Revised Statutes.....	321 13	
To provide for other expenses connected with the publication of the Consolidated Statutes and a third volume of Public Law.....	30,000 00	
To pay Messrs Bischoff Dodgson & Coxe, for professional services <i>in re</i> Prevost vs the "Compagnie de Fives-Lilles".....	1,704 25	
To Alonzo Wright, M.P., for Ottawa County, on his application for aid to the sufferers by the Hull fire.....	7,000 00	
		1,188,318 33
COLLECTION OF REVENUES.		
CUSTOMS.		
To provide for a probable expenditure in connection with the polariscopic tests of sugars, including costs of instruments, apparatus and pay of officers.....	\$ 2 300 00	
To pay S. W. McMichael differential salary whilst acting as Collector at the Ports of Sarnia and Clifton, from the 1st August to 30th November, 1885.....	216 66	
To pay A. L. Waters for extra services after hours, as stenographer and type-writer <i>in re</i> the Brousseau and Lisabelle investigation.....	47 00	
Allowance to Assistant Commissioner of Customs for services as Acting Chief Controller, at \$400 per annum, from 20th August, 1885.....	344 45	
		2,908 11
CHINESE IMMIGRATION.		
To meet payments by Customs Department in the administration of the Chinese Immigration Act, including salaries, pay of extra clerk, books, and other contingencies.....		1,630 00
EXCISE.		
To provide increase of salary to J. H. Kenning, Collector of Inland Revenue, Winnipeg, to \$1,800, from 1st December, 1885.....	\$ 116 66	
Preventive Service.....	2,000 00	
Amount necessary to provide for some new appointments including Deputy Collector at Victoria, B.C.....	1,677 83	
		3,794 49
SLIDES AND BOOMS.		
To provide for the appointment of John Jackson, now Messenger, Crown Timber Office, Ottawa, as Caretaker in addition to duties as Messenger, and increase his salary from \$500 to \$600 per annum.....		58 33
Carried forward.....	8,360 93	2,957,223 20

SCHEDULE A—Continued.

SERVICE.	Amount.	Total.
	\$ cts.	\$ cts.
Brought forward.....	8,360 93	2,957,223 20
COLLECTION OF REVENUES—Continued.		
RAILWAYS AND CANALS.		
Lachine.....	\$ 2,000 00	
Williamsburg.....	250 00	
Welland.....	3,450 00	
Trent.....	1,200 00	
Rideau.....	16,500 00	
St. Ours.....	1,500 00	
Dredge Vessels.....	960 00	
To pay the representatives of the late Charles Langelier as part of the cost of maintaining and operating a swing bridge over the Chambly Canal for six years.....	1,800 00	
To refund to Mr. John Heney the amount of canal tolls and wharfage paid by him on wood, delivered to the Government under contract.....	3,850 49	
To pay F. K. Blatch, for the preparation of a map of the canals of the Dominion.....	200 00	
To pay W. M. Kavanagh, Collector of Canal Tolls at St. Peter's, Cape Breton, from the 1st July, 1885, at the rate of \$20 per annum.....	200 00	
	31,850 49	
<i>Canadian Pacific Railway.</i>		
To pay the amount of an outstanding claim for freight charges.....	89 02	
<i>Eastern Extension Railway.</i>		
Operating expenses.....	\$30,000 00	
To pay six months' salary to Mr. F. D. Laurie, formerly Superintendent of the Eastern Extension Railway.....	1,200 00	
	31,200 00	
PUBLIC WORKS.		
<i>Maintenance and Repairs.</i>		
Slides and Booms—River Trent and Newcastle District.....	700 00	
<i>Telegraphs.</i>		
Telegraph Lines—Manitoba and the North-West Territories.....	4,000 00	
MINOR REVENUES.		
Ordnance Lands, including repairs to roads at Grand Falls.....	2,250 00	
POST OFFICE.		
To provide for the statutory increase of salary from the 1st January, 1885, instead of from the 1st April, 1885, to Mr. D. O'Donoghue, third class clerk in the Montreal Post Office.....	10 00	
Carried forward.....	\$ 10 00	78,450 44
		2,957,223 20

SCHEDULE

SCHEDULE A—*Concluded.*

SERVICE.	Amount.	Total.
	\$ cts.	\$ cts.
Brought forward	\$10 00	78,450 44
COLLECTION OF REVENUES—<i>Concluded.</i>		
<i>POST OFFICE—<i>Concluded.</i></i>		
To provide for payment to Mr. John J. Lally, Railway Mail Clerk in the Ottawa Postal Division, as compensation for the loss of his clothing, watch, &c., on the 4th December, 1885, he being at the time in charge of the Postal Car on the Canadian Pacific Railway, which was totally destroyed by fire near Missanabie...	99 30	
To provide for payment to Mr. R. R. Brough, for performing the duties of Assistant Inspector of the Manitoba Postal Division, from the 1st November, 1883, to the 30th September, 1884, being the difference between his salary, \$800, and that of an Assistant Inspector, \$1,200.....	368 67	
To provide for payment to Mr. R. R. Brough, Assistant Postmaster at Winnipeg, of the 20 per cent. provisional allowance on the \$150 he received as difference of salary estimated for and salary prescribed by the Civil Service Act.....	30 00	
Further amount required to complete the service of the year.....	105,000 00	
	105,505 97	
DOMINION LANDS.		
To provide for the expenses in connection with the Commission for the settlement of the Half-breed claims in the North-West Territories.	2,500 00	
		186,456 41
LIQUOR LICENSE ACT.		
To pay expenditure under the Liquor License Act :—		
Refund of fees collected from applicants for licenses	84,000 00	
Miscellaneous expenses of boards.....	41,000 00	
		125,000 00
UNPROVIDED ITEMS.		
Unprovided items, 1884-85 (See Auditor General's report for 1884-85, pages 83 to 90)		233,241 62
Total.....		3,501,921 23

SCHEDULE B.

SUMS granted to Her Majesty by this Act, for the Financial Year ending 30th June, 1887, and the purposes for which they are granted.

SERVICE.	Amount.	Total.
CHARGES OF MANAGEMENT.		
	\$	cts.
Financial Inspector.....	2,600	00
Assistant Financial Inspector.....	1,700	00
Office of Assistant Receiver-General, Toronto.....	7,600	00
do do Montreal.....	5,600	00
Auditor and do Halifax.....	11,000	00
do do St. John.....	11,000	00
do do Winnipeg.....	6,000	00
do do do board allowance.....	900	00
do do Victoria.....	8,200	00
do do Charlottetown.....	4,900	00
Country Savings Banks: New Brunswick, Nova Scotia and British Columbia.....	16,000	00
Commission on \$6,877,766.37, for payment of interest on Public Debt.....	34,315	63
Brokerage on \$295,952.37, Intercolonial Railway Loan Sinking Fund.....	739	88
Brokerage on \$29,151.85, Rupert's Land Loan Sinking Fund.....	72	88
Brokerage on \$15,445.42, British Columbia Loan Sinking Fund.....	38	61
Brokerage and commission on \$611,095.14, Sinking Fund on Loans of 1874, 1875, 1876, 1878 and 1879.....	4,808	21
Brokerage and commission on \$130,269.80, Sinking Fund on Loan of 1883.....	977	02
Commission and brokerage on \$489,581.90, reduced 4 per cent. Loan.....	3,671	86
Estimated sum payable to Financial Commissioner in England.....	1,500	00
English bill stamps, postages, telegrams, &c.....	7,000	00
Expenses in connection with the issue and redemption of Dominion notes, including one Extra Clerk.....	9,000	00
Printing, advertising, inspection, expressage, miscellaneous charges, &c., including commutation of stamp duty and contingencies of country savings banks.....	20,600	00
Printing Dominion Notes.....	25,000	00
To cover expenses, including rent, in connection with the Assistant Receiver-General's Office, at Halifax.....	1,600	00
		184,224 09
CIVIL GOVERNMENT.		
The Governor General's Secretary's Office.....	9,750	00
The Office of the Queen's Privy Council for Canada.....	20,677	50
The Department of Justice.....	17,845	00
do do Penitentiaries Branch.....	5,350	00
do do Militia.....	41,200	00
do do Secretary of State.....	45,630	00
do do Interior.....	110,875	00
North-West Mounted Police.....	7,800	00
The Department of Indian Affairs.....	36,257	50
The Office of the Auditor-General.....	21,100	00
The Department of Finance and Treasury Board.....	53,067	50
do do Inland Revenue.....	37,760	00
do do Customs.....	33,100	00
The Post Office Department.....	168,585	00
The Department of Agriculture.....	47,705	00
do do Marine.....	23,912	50
do do Fisheries.....	13,100	00
do do Public Works.....	42,020	00
do do Railways and Canals.....	47,447	50
Departmental contingencies.....	191,750	00
Stationery Office, for stationery.....	10,000	00
Carried forward.....	984,932	50
		184,224 09

SCHEDULE

SCHEDULE B.—Continued.

SERVICE.	Amount.	Total.
	\$ cts.	\$ cts.
Brought forward.....	934,932 50	184,224 09
CIVIL GOVERNMENT.		
Amount required to provide for the contingent expenses of the High Commissioner for Canada in London, and to provide \$486.66 for the salary of the Secretary.....	2,500 00	
Post Office and Finance Departments—Contingencies—Amount required to make payment to those officers of the Savings Bank Branch, Post Office and Finance Departments, engaged in the balancing of and computing interest on depositors' accounts, to 30th June, 1886:—		
Post Office Department.....	\$1,550 00	
Finance do	1,250 00	
	2,800 00	
Amount required for salaries of Board of Examiners, and other expenses in connection with the Civil Service Act.....	7,000 00	
Queen's Privy Council for Canada:—To provide for the salary and promotion of a second class clerk to a first class.....	1,400 00	
Auditor General's Office:—To provide for the salary of P. W. Sherwood, omitted in main Estimates.....	\$500 00	
To provide for the payment of H. A. Baldwin, for two optional subjects, omitted in main Estimates.....	100 00	
	600 00	
Fisheries Department:—To provide for the salary of one second class clerk	1,100 00	
Post Office Department:—To provide for the payment to J. S. Stevenson, for one optional subject	50 00	
Marine Department:—To provide for the promotion of one third to a second class clerkship from 1st July, 1886.....	100 00	
Department of Indian Affairs:—To provide for the promotion from a third to a second class clerkship of H. C. Ross.....	\$350 00	
To increase the salary of D. C. F. Bliss from \$412 50 to \$600.	187 50	
do H. McKay from \$580 to \$700.....	120 00	
	657 50	
Department of the Secretary of State:—To pay L. H. Roy the difference between the minimum of a third class clerk and his previous salary as a temporary clerk.....	350 00	
	1,001,490 00	
ADMINISTRATION OF JUSTICE.		
Miscellaneous Justice, including North-West Territories.....	20,000 00	
Travelling expenses of Stipendiary Magistrates in the North-West Territories	4,000 00	
Circuit allowances, British Columbia.....	6,000 00	
Travelling allowances, Supreme and County Court Judges, Manitoba.	2,500 00	
Reporter of the Supreme Court of Canada and the Exchequer Court...	2,200 00	
Assistant Reporter of the Supreme Court of Canada and the Exchequer Court, 2nd class clerk ..	1,100 00	
Clerk in the office of the Registrar of the Supreme Court of Canada and the Exchequer Court.....	950 00	
Second Clerk in the office of the Registrar of the Supreme Court of Canada and the Exchequer Court.....	750 00	
Senior Messenger of the Supreme Court of Canada and the Exchequer Court.....	500 00	
Second Messenger of the Supreme Court of Canada and the Exchequer Court.....	500 00	
Third messenger of the Supreme Court of Canada and the Exchequer Court	370 00	
Contingencies and disbursements; Judges' travelling expenses; also salaries of officers (Sheriff, Registrar as editor of reports, Usher, &c.,) in the Supreme and Exchequer Courts of Canada, and \$150 for books for Judges.....	5,000 00	
Carried forward.....	43,870 00	1,185,714 09

SCHEDULE B—Continued.

SERVICE.	Amount.	Total.
	\$ cts.	\$ cts.
Brought forward	43,870 00	1,185,714 09
ADMINISTRATION OF JUSTICE—Concluded.		
Printing, binding and distributing the Supreme Court reports.....	2,000 00	
Sundry disbursements connected with the Maritime Court of Ontario, Judges' travelling expenses, &c.....	100 00	
Salary of Registrar of Vice-Admiralty Court, Quebec.....	666 66	
Salary of Marshal of Vice-Admiralty Court, Quebec.....	333 34	
To provide Vice-Admiralty Court Rooms, St. John, N. B.	150 00	
do do Halifax.....	150 00	
For the purchase of law reports and text books for the Supreme Court Library.....	1,500 00	
For salaries and other expenses for the maintenance of the gaol and lunatic asylum at Regina.....	10,000 00	
		58,770 00
POLICE.		
Dominion Police.....		16,500 00
PENITENTIARIES.		
Kingston.....	107,935 38	
do Salary of fireman.....	600 00	
St. Vincent de Paul.....	80,949 51	
Dorchester.....	46,993 50	
Manitoba.....	52,654 64	
do To make provision for salary of hospital overseer and school- master.....	350 00	
British Columbia.....	46,971 25	
		336,454 28
LEGISLATION.		
SENATE.		
Salaries and Contingent Expenses of the Senate	57,388 00	
HOUSE OF COMMONS.		
Salary of the Deputy Speaker.....	2,000 00	
Salaries, per Clerk's Estimate	64,075 00	
Expenses of Committees, Extra Sessional Clerks, &c.....	13,200 00	
Contingencies	24,000 00	
Publishing Debates, House of Commons	40,000 00	
Salaries and Contingencies, per Sergeant-at-Arms' Estimate	30,842 50	
To pay F. Rouleau an increase of salary.....	400 00	
MISCELLANEOUS.		
Salaries of Officers of the Library	16,350 00	
Grant to Parliamentary Library	10,000 00	
Purchase of Works on America	1,000 00	
Contingencies of the Library	2,500 00	
Binding newspapers, &c	2,000 00	
Printing, Binding and Distributing the Laws	12,000 00	
Printing, Printing Paper and Book-binding	80,000 00	
Miscellaneous Printing	2,000 00	
Salary of the Clerk of the Crown in Chancery	2,250 00	
Contingencies do do	1,200 00	
To pay Rowsell & Hutchison for 12 copies of vols. 8 and 9, Ontario Law Reports	120 00	
To meet expenses of Franchise Act, including \$500 to R. Romaine for services	100,000 00	
		461,325 50
Carried forward		2,058,763 87

SCHEDULE

SCHEDULE B--Continued.

SERVICE.	Amount.	Total.
	\$ cts.	\$ cts.
Brought forward		2,058,763 87
ARTS, AGRICULTURE AND STATISTICS.		
To meet expenses in connection with care of Archives	6,000 00	
do do Patent Record	9,500 00	
do do preparation of Criminal Statistics	4,000 00	
do do Dominion Exhibition	10,000 00	
do do Health Statistics	10,000 00	
To meet expenses of the Indian and Colonial Exhibition, &c	60,000 00	
Towards expenses of establishing a Central Experimental Farm, and Experimental Farm Stations	30,000 00	
To meet expenses in connection with the Census in Manitoba	15,000 00	
		144,500 00
IMMIGRATION.		
Salaries of Immigration Agents and Employees, viz. :-		
Agent, Quebec	1,700 00	
Assistant do	1,100 00	
Clerk do	1,000 00	
Norwegian Interpreter	660 00	
Messenger	365 00	
Agent, Montreal	1,300 00	
do Ottawa	1,300 00	
do Kingston	1,300 00	
do Toronto	1,650 00	
do Hamilton	1,250 00	
do London, Ontario	1,000 00	
do Halifax	1,000 00	
do St. John	1,000 00	
do Winnipeg	1,400 00	
do Emerson	1,000 00	
do Brandon	1,400 00	
do Qu'Appelle	1,400 00	
do Medicine Hat	1,200 00	
do North-West Territories, Calgary	1,200 00	
do Port Arthur	1,000 00	
do Victoria, B.C.	1,000 00	
For Interpreter's salary, Winnipeg	800 00	
do do Qu'Appelle	800 00	
do do Brandon	800 00	
do do North-West Territories	800 00	
Salaries in London (England) Office	7,100 00	
do of Agents in Europe	7,100 00	
Travelling expenses of Agents in Europe	7,300 00	
Contingencies of Canadian and other Agencies (not European) ...	30,000 00	
Aid to Montreal Women's Protection Immigration Society	1,000 00	
Towards Immigration, and Immigration expenses	200,000 00	
		279 925 00
QUARANTINE.		
Medical Inspection, Quebec	1,600 00	
Quarantine, Grosss Isle	9,566 00	
do St. John, N. B.	2,600 00	
do Pictou, N. S.	800 00	
do Halifax, N. S.	3,400 00	
do Charlottetown, P. E. I.	1,000 00	
do Victoria, B. C.	1,900 00	
do Sydney, N. S.	1,900 00	
Tracadie Lazaretto	3,200 00	
To meet expenses of precautionary measures for Public Health	15,000 00	
Carried forward	40,966 00	2,483,188 87

SCHEDULE

SCHEDULE B—Continued.

SERVICE.	Amount.	Total.
	\$ cts.	\$ cts.
Brought forward.....	40,966 00	2,483,188 87
QUARANTINE—Concluded.		
To meet expenses for Cattle Quarantines :—		
Province of Quebec.....	5,000 00	
do Ontario.....	3,000 00	
Maritime Provinces.....	3,000 00	
Province of Manitoba.....	2,000 00	
To meet possible expenses for sheep scab and cattle diseases.....	10,000 00	
For payment for immigrant patients in Winnipeg and St. Boniface Hospitals.....	14,000 00	
		77,966 80
PENSIONS.		
John Bright, Messenger, House of Assembly.....	80 00	
Lady Cartier.....	1,200 00	
Mrs. Delaney, wife of Indian Agent killed at Frog Lake.....	400 00	
Pensions payable on account of Fenian Raid.....	3,728 00	
To meet probable amount required for Veterans of War of 1812.....	9,840 00	
Compensation to Pensioners in lieu of land.....	4,000 00	
Pensions payable on account of Rebellion of 1885.....	20,000 00	
		39,248 00
MILITIA.		
Salaries, Military Branch and District Staff.....	17,500 00	
Brigade Majors, salaries, transport expenses, &c.....	12,700 00	
Ammunition, including artillery ammunition, and the manufacture of small-arms ammunition at the Cartridge Factory at Quebec.....	\$55,000 00	
Clothing and great coats.....	90,000 00	
Military stores.....	60,000 00	
	205,000 00	
Public armories and care of arms, including pay of Storekeepers, Caretakers, Storemen and Armorsers.....	60,000 00	
Drill instruction.....	\$ 40,000 00	
Drill pay and other incidental expenses connected with the drill and training of the Militia.....	250,000 00	
	290,000 00	
Contingencies and general services not otherwise provided for, including grants to Artillery and Rifle Associations, and Bands of efficient corps.....	38,000 00	
Government grant to Dominion of Canada Rifle Association.....	10,000 00	
Dominion Artillery Association—Government grant towards Artillery competition to be held in Canada, or for sending a team of Dominion Militia Artillerymen to compete at Shoeburyness, England.....	2,000 00	
Royal Military College of Canada at Kingston.....	59,000 00	
Permanent Corps—Pay and maintenance of "A," "B" and "C" Batteries, Schools of Artillery, at Quebec, Kingston and Victoria, B. C.; and Cavalry and Infantry Schools, at Quebec, Fredericton, Toronto and Winnipeg.....	435,700 00	
Improved rifled ordnance.....	3,000 00	
Drill sheds and rifle ranges.....	10,000 00	
Care and maintenance of military properties transferred from the Ordnance and Imperial Government.....	12,000 00	
Construction and repairs of military properties.....	75,000 00	
		1,229,900 00
Carried forward.....		3,830,302 87

SCHEDULE

SCHEDULE B—Continued.

SERVICE.	Amount.	Total.
Brought forward	\$ cts.	\$ cts. 3,830,302 87
RAILWAYS AND CANALS.		
(Chargeable to Capital)		
RAILWAYS.		
<i>Canadian Pacific Railway.</i>		
Subsidy, Canadian Pacific Railway Company	460,000 00	
Expenditure in British Columbia	350,000 00	
Port Arthur to Red River	72,000 00	
Salaries and expenses of Staff	30,000 00	
To pay L. K. Jones, for services as Private Secretary to the Chief Engineer of the Canadian Pacific Railway, from 1st July, 1886, to 30th June, 1887	100 00	
To settle land claims west of Winnipeg	\$5,000 00	
do do on the Pembina Branch	5,000 00	
	10,000 00	
<i>Intercolonial Railway.</i>		
Miscellaneous works not otherwise provided for	6,000 00	
St. Charles Branch	57,000 00	
To extend the Intercolonial Railway from a point at or near Stellarton to the Town of Pictou	60,000 00	
To pay claims arising out of the construction of this railway	20,000 00	
<i>Cape Breton Railway.</i>		
Construction of Railway in Cape Breton	500,000 00	
CANALS.		
Lachine	70,000 00	
Cornwall	70,000 00	
Williamsburgh—For the construction of an entrance and lock at head of Rapide Plat Canal	100,000 00	
Williamsburgh—Towards the enlargement of the upper entrance to Galops Canal	100,000 00	
St. Lawrence River and Canals	75,000 00	
Murray—Towards completing the present works	150,000 00	
Welland	235,000 00	
Welland—Towards deepening to 14 feet throughout	\$750,000 00	
Land and damages, Grand River	16,000 00	
	766,000 00	
Trent River Navigation—For construction of locks and the improve- ment of navigation between Lakefield and Balsam Lake	103,000 00	
Trent River Navigation—For construction of locks and the improve- ment of navigation between Lakefield and Balsam Lake, &c	160,000 00	
St. Anne	32,000 00	
Grenville	25,000 00	
Tay—For construction of works	44,000 00	
Culbute—To remove a shoal above the locks, land damages and works connected with the retaining dams	30,000 00	
	3,555,100 00	
Carried forward		7,385,402 87

SCHEDULE

SCHEDULE B—Continued.

SERVICE.	Amount.	Total.
	\$ cts.	\$ cts.
Brought forward		7,385,402 87
RAILWAYS AND CANALS.		
(Chargeable to Income.)		
RAILWAYS.		
Surveys and inspections.....	10,000 00	
Railway statistics	1,200 00	
Surveys of Cape Breton and other railways	10,000 00	
CANALS.		
<i>Lachine Canal.</i>		
Forming and repairing roads, Montreal terminus of Canal, and for increased bridge accommodation	35,300 00	
<i>Welland Canal.</i>		
Cleaning out back ditches	4,700 00	
Construction of waste weir at Dunnville.....	25,000 00	
Towards filling a pond near St. Catharines.....	5,000 00	
<i>Chimby Canal.</i>		
Raising banks, lowering bottom of canal, rebuilding lock walls, &c...	13,000 00	
<i>St. Anne's Canal.</i>		
Renewal of dam at head of old lock	5,000 00	
<i>Carillon Canal.</i>		
Office for collecting canal tolls	1,200 00	
<i>Rideau Canal.</i>		
For works necessary to increase the supply of water to the canal and the Gananoque River	20,000 00	
Construction of a bridge at Hog's Back	3,000 00	
Removing obstruction in the bed of the canal at Lower Brewers	5,000 00	
Construction of a bridge at Brass Point	6,000 00	
<i>Miscellaneous.</i>		
Miscellaneous works not otherwise provided for	15,000 00	
Arbitrations and awards.....	5,000 00	
Surveys and inspections.....	10,000 00	
Reconstruction of steam dredge No. 1	10,000 00	
		184,400 00
Carried forward.....		7,569,802 87

SCHEDULE

SCHEDULE B—Continued.

SERVICE.	Amount.	Total.
	\$ cts.	\$ cts.
Brought forward.....		7,569,802 87
PUBLIC WORKS.		
<i>(Chargeable to Capital.)</i>		
PUBLIC BUILDINGS.		
<i>Ottawa.</i>		
Additional Public Building, Wellington Street, Ottawa.....	110,000 00	
MILITARY WORKS AND BUILDINGS.		
Towards erecting and building military defences in British Columbia..	25,000 00	
HARBORS.		
<i>Esquimaux Graving Dock.</i>		
Amount required to complete.....	45,000 00	
To provide for completion—To be repaid by the Imperial Government in 1887.....	250,000 00	
<i>Port Arthur.</i>		
Amount required for construction of Port Arthur Harbor and for Kaministiquia River.....	70,000 00	
<i>New Brunswick.</i>		
Cape Tormentine Harbor.....	130,000 00	630,000 00
PUBLIC WORKS.		
<i>(Chargeable to Income.)</i>		
PUBLIC BUILDINGS.		
<i>Nova Scotia.</i>		
Amherst Public Building.....	\$ 4,600 00	
Baddeck Post Office, Custom House, &c.	5,900 00	
New Glasgow Public Building.....	8,000 00	
North Sydney Post Office, Custom House, &c.....	15,900 00	
Sydney (South) Post Office, Custom House, &c.....	3,500 00	
Yarmouth Post Office, Custom House, &c.....	10,000 00	
Lunenburg Public Building.....	4,000 00	
Kentville Public Building.....	4,000 00	
<i>Prince Edward Island.</i>		
Charlottetown, New Dominion Building.....	\$33,700 00	
Montagus Post Office, Custom House, &c.....	4,800 00	
Summerside Public Building.....	3,000 00	
Carried forward.....	\$98,500 00	8,199,802 87

SCHEDULE

SCHEDULE B—Continued.

SERVICE.	Amount.	Total.
	\$ cts.	\$ cts.
Brought forward.....	\$96,500 00	8,199,802 87
PUBLIC WORKS—Continued.		
<i>(Chargeable to Income.)</i>		
PUBLIC BUILDINGS—Continued.		
<i>New Brunswick.</i>		
Bathurst Post Office, Custom House, &c.....	\$ 9,000 00	
Newcastle Post Office, Custom House, &c.....	10,450 00	
St. Stephen's Post Office, Custom House, &c.....	10,000 00	
St. John Post Office—Improvements.....	1,400 00	
Fredericton Post Office, Custom House, &c.—Repairs.....	1,400 00	
Kingston Marine Hospital—Repairs and improvements....	1,000 00	
Woodstock Post Office, Custom House, &c.—To complete.	5,500 00	
Dorchester Penitentiary.....	20,000 00	
St. John Dominion Buildings—Improvements.....	1,500 00	
St. John Custom House—Renewals, &c.....	3,350 00	
<i>Quebec.</i>		
Hull Post Office and Inland Revenue Offices.....	\$ 2,000 00	
Montreal Post Office—Renewals.....	3,250 00	
Quebec Drill Hall.....	15,000 00	
Quebec Dominion Buildings—Improvements, &c.....	1,500 00	
Sorel Public Building.....	11,500 00	
St. Vincent de Paul Penitentiary—Materials and tools for use of convicts in construction, &c.....	19,500 00	
Montreal Armories.....	45,000 00	
Sherbrooke Custom House, Post Office, &c.—Furniture, grading, &c.....	3,500 00	
Quebec Immigration Building.....	5,500 00	
Immigration Buildings, Quebec.....	10,000 00	
Grosse Isle Quarantine Station.....	8,000 00	
Quebec Custom House.....	1,500 00	
Quebec Drill Hall.....	7,000 00	
Three Rivers Dominion Buildings—Improvements, &c.....	1,475 00	
Montreal Dominion Buildings—Improvements and repairs	1,500 00	
Montreal Post Office—Electric lighting.....	2,250 00	
Ste. Anne de Restigouche—Repairs to buildings on Indian Reserve.....	750 00	
Coaticook Post Office and Inland Revenue Office.....	4,000 00	
Dundee Custom House—Repairs, &c.....	500 00	
Hull Post Office and Inland Revenue Offices.....	20,000 00	
St. Jérôme Public Building.....	4,000 00	
Rivière du Loup (Fraserville) Post Office, Custom House, &c.....	4,000 00	
<i>Ontario.</i>		
Amherstburg Post Office, Custom House, &c.....	\$ 1,500 00	
Berlin Post Office, Custom House, &c.....	3,000 00	
Barrie Post Office, &c.....	4,500 00	
Chatham Post Office—To complete.....	1,500 00	
Galt Post Office, Custom House, &c.....	12,000 00	
Hamilton Post Office and Custom House.....	28,000 00	
Kingston Penitentiary.....	17,000 00	
Orangeville Post Office, &c.....	5,500 00	
Peterborough Post Office, Custom House, &c.....	10,000 00	
Prescott Post Office, Custom House, &c.....	8,000 00	
Carried forward.....	\$422,825 00	8,199,802 87

SCHEDULE

SCHEDULE B—Continued.

SERVICE.	Amount.	Total.
	\$ cts.	\$ cts.
Brought forward	\$122,825 00	8,199,802 87
PUBLIC WORKS—Continued.		
<i>(Chargeable to Income.)</i>		
PUBLIC BUILDINGS—Continued.		
<i>Ontario—Concluded.</i>		
Toronto Examining Warehouse.....	\$12,000 00	
Toronto Dominion Buildings—Improvements, &c.....	1,500 00	
To pay Messrs. Langley and Burke, architects, balance due for professional services in connection with the old Post Office building, Toronto.....	417 43	
Toronto Inland Revenue and Assistant Receiver-General's offices—Improvements and repairs.....	3,300 00	
Toronto Post Office.....	8,000 00	
Brantford Post Office, &c.—Improvements, &c.....	1,000 00	
Ottawa Post Office, Custom House, &c.....	5,100 00	
Ottawa Examining Warehouse	10,000 00	
Public Buildings, Ottawa—Pump-house repairs.....	1,000 00	
Pembroke Post Office, Custom House, &c.....	4,000 00	
To complete electric lighting of Senate and Commons Chambers, main corridors, reading rooms, post offices, Speakers' quarters, &c.....	13,000 00	
London Custom House.....	34,000 00	
St. Thomas Post Office, Custom House, &c.....	2,400 00	
London Infantry School.....	30,000 00	
Belleville Post Office.....	700 00	
Lindsay Post Office, Custom House, &c.....	4,000 00	
Windsor Post Office, Custom House, &c.—Grading, &c... ..	2,960 00	
Berlin Post Office, Custom House, &c.....	400 00	
Napanee Post Office and Custom House.....	4,000 00	
Galt Post Office, &c.—To complete	4,000 00	
Trenton Public Building.....	4,000 00	
Port Hope Post Office.....	2,200 00	
<i>Manitoba.</i>		
Manitoba Penitentiary.....	\$50,000 00	
Winnipeg Post Office.....	40,000 00	
Manitoba Penitentiary.....	25,000 00	
Winnipeg temporary Post Office—Alterations and additions to render building fit for occupation by officers of Department of Interior and Indian Affairs—and heating by steam.....	6,000 00	
Winnipeg Dominion Lands Office.....	8,500 00	
Winnipeg Custom House—Alterations, fittings, &c.....	3,000 00	
<i>North-West Territories.</i>		
Public Buildings, North-West Territories generally.....	\$ 5,000 00	
Regina Gaol and Lunatic Asylum.....	7,000 00	
Regina Post Office and Custom House	3,500 00	
Prince Albert Court House and Gaol	15,500 00	
North-West Mounted Police Barracks.	75,000 00	
Qu' Appelle Indian Industrial School—Extension, &c.....	4,000 00	
Regina Court House—Outbuildings.....	350 00	
North-West Council Building.....	560 00	
Carried forward	\$814,152 43	8,199,802 87

SCHEDULE B—Continued.

SERVICE.	Amount.	Total.
	\$ cts.	\$ cts.
Brought forward	\$814,152 43	8,199,802 87
PUBLIC WORKS—Continued.		
<i>(Chargeable to Income.)</i>		
PUBLIC BUILDINGS—Concluded.		
<i>British Columbia.</i>		
British Columbia Penitentiary	\$50,000 00	
Vancouver Quarantine Station and outbuildings	5,500 00	
New Westminster Post Office, Custom House, &c.— Grounds	1,000 00	
<i>Public Buildings Generally.</i>		
Public Buildings generally	15,000 00	885,652 43
REPAIRS, FURNITURE, HEATING, &c.		
Repairs, Furniture, Heating, &c	\$175,000 00	
Grounds, Public Buildings, Ottawa, including Major's Hill Park	9,500 00	
Removal of snow, Public Buildings, Ottawa	2,000 00	
Heating Public Buildings, Ottawa	53,000 00	
Gas, Public Buildings, Ottawa	23,000 00	
Water, Public Buildings, Ottawa	14,000 00	
Allowance for Fuel and Light, Rideau Hall	8,000 00	
Telephonic service, Public Buildings, Ottawa	3,000 00	
Salaries of Engineers, Firemen, Caretakers, &c., of the Dominion Public Buildings	37,000 00	
Heating Dominion Public Buildings—Fuel, &c	50,000 00	
Lighting Dominion Public Buildings—hitherto paid by the various Departments occupying the offices	25,000 00	
Water do do	8,500 00	408,000 00
HARBORS AND RIVERS.		
<i>Nova Scotia.</i>		
Mabou	\$2,000 00	
Breakwater, Economy	1,500 00	
Canada Creek repairs	700 00	
Repairs on Piers—Arisaig, Bayfield and McNair's Cove (Cape George)	19,000 00	
South Ingonish	2,000 00	
Boularderie	2,000 00	
Cow Bay	9,600 00	
Great Tancock Island	2,500 00	
Indian Islands	1,000 00	
West Pubnico	1,000 00	
Beaver Cove	1,000 00	
Cap la Ronde	500 00	
Sarette's, or Far Point Island and Beaver River	1,000 00	
Petite Rivière Breakwater—To complete	600 00	
Sheet Harbor Ballast Wharf	5,000 00	
Bay St. Lawrence	2,000 00	
Great Village River	3,900 00	
White Point	1,000 00	
Fox Island or Lawrenceton	2,500 00	
Chipman's Brook	300 00	
Carried forward	\$59,100 00	1,293,652 43 8,199,802 87

SCHEDULE

SCHEDULE B—Continued.

SERVICE.	Amount.	Total.
	\$ cts.	\$ cts.
Brought forward	\$59,100 00	1,293,652 43
PUBLIC WORKS—Continued.		
<i>(Chargeable to Income.)</i>		
HARBORS AND RIVERS—Continued.		
<i>Nova Scotia—Concluded.</i>		
Digby	\$ 1,250 00	
Yarmouth	2,000 00	
Margaretville	8,500 00	
Harborville and Kingsport	4,050 00	
Lismore	2,500 00	
Port Greville	6,000 00	
Blue Rock	4,000 00	
Broad Cove	8,000 00	
<i>Prince Edward Island.</i>		
Repairs to breakwaters, piers, &c., acquired from Local Government, Prince Edward Island	\$ 2,000 00	
New London—Breakwater	2,500 00	
Cascumpec—Removal of rock	5,000 00	
Souris Breakwater—Repairs	2,000 00	
Souris—Breakwater at Knight's Point, repairs, &c.	5,000 00	
<i>New Brunswick.</i>		
St. John Harbor—Negro Point Breakwater	\$ 35,500 00	
River St. John—Bear Island to Fredericton	1,000 00	
River St. John, above Grand Falls, and River Tobique ...	3,000 00	
River St. John—River des Chutes to Bear Island	2,000 00	
To pay Messrs. Reid & Co. for work done on Clifton Breakwater in 1883	582 11	
River St. Francis	500 00	
Upper Salmon River	3,000 00	
River St. John—Improvement of channel between Fredericton and Woodstock	1,000 00	
Tynemouth, or Ten-Mile Oreek	1,000 00	
Grande Anse	1,500 00	
Shippegan	1,200 00	
Dalhousie—Ballast wharf	5,000 00	
Grand Lake, Jemseg	1,600 00	
<i>Maritime Provinces Generally.</i>		
General repairs and improvements, Maritime Provinces ...	\$ 12,000 00	
<i>Quebec.</i>		
New Carlisle—To complete	\$ 12,000 00	
Etang du Nord	7,000 00	
Bic Pier—To complete	750 00	
Ste. Anne de la Pocatière—To complete	2,000 00	
Rivière Ouelle—Pointe aux Orignaux—To complete	3,000 00	
Chateau Richer—To complete	1,000 00	
River Nicolet	9,900 00	
Lanoraie—To complete	3,000 00	
River St. Lawrence—Removal of chains, anchors, boulders, &c.	5,000 00	
Matane—Completion of breakwater, east side of river	500 00	
Barachois de Malbaie and mouth of Newport River	1,300 00	
Carried forward	\$224,732 11	1,293,652 43
		8,199,802 87

SCHEDULE

SCHEDULE B—Continued.

SERVICE.	Amount.	Total.
	\$ cts.	\$ cts.
Brought forward	\$224,732 11	1,293,652 43 8,199,802 87
PUBLIC WORKS—Continued.		
<i>(Chargeable to Income.)</i>		
HARBORS AND RIVERS—Continued.		
<i>Quebec—Concluded.</i>		
St. François, Island of Orleans	\$ 1,000 00	
River Yamaska	7,000 00	
Ste. Anne de Sorel—Ice pier.....	1,200 00	
General repairs and improvements, Harbors and Rivers, Quebec	10,000 00	
Lake Megantic Pier	1,200 00	
Port Daniel.....	6,000 00	
Grand Pabos	1,000 00	
Percé	7,000 00	
Montmagny	2,000 00	
Rivière Blanche—Repairs	2,000 00	
Rimouski River	1,000 00	
River Saguenay—Enlargement of La Grande Décharge from Lake St. John	5,000 00	
River Saguenay—Improvement of channel below Chicou- timi	5,000 00	
Chicoutimi, St. Alphonse and Anse St. Jean	3,425 00	
Rivière Verte	1,000 00	
St. Zotique—To complete	1,000 00	
Trois Pistoles do	4,000 00	
St. Laurent, St. Jean and Ste. Famille	3,000 00	
River Ste. Anne de Beaupré	2,000 00	
Beauport	500 00	
Doucet's Landing.....	2,000 00	
Berthier (<i>en haut</i>).....	2,000 00	
Longueuil	10,000 00	
Ile Perrot.....	6,000 00	
Cascades	3,000 00	
Rivière du Lièvre	10,000 00	
Bay St. Paul	5,000 00	
Kamouraska	3,000 00	
Rivière Bras St. Nicholas ..	1,200 00	
St. Placide	5,000 00	
<i>Ontario.</i>		
Cobourg Harbor, Lake Ontario	\$ 4,000 00	
Little Current, Lake Huron	2,000 00	
Port Hope Harbor, Lake Ontario	1,000 00	
Kingston Harbor, Lake Ontario	4,000 00	
Chantry Island—Protection of island and lighthouse	500 00	
Midland Harbor.....	10,000 00	
Toronto Harbor—To complete	10,000 00	
Sault Ste. Marie.....	4,000 00	
General repairs and improvements, Harbors and Rivers, Ontario	8,000 00	
Belleville Harbor—Local authorities contributing an equal amount.....	10,000 00	
Oakville Harbor.....	8,000 00	
Kincardine, repairs	3,000 00	
Saugeen River pier	7,000 00	
Summerstown	3,000 00	
Carried forward.....	\$410,757 11	1,293,652 43 8,199,802 87

SCHEDULE

SCHEDULE B—Continued.

SERVICE.	Amount.	Total.
	\$ cts.	\$ cts.
Brought forward	\$410,757 11	1,293,652 43
PUBLIC WORKS—Continued.		
<i>(Chargeable to Income.)</i>		
HARBORS AND RIVERS—Concluded.		
<i>Ontario—Concluded.</i>		
Owen Sound, Lake Huron.....	\$ 10,000 00	
Thornbury, Lake Huron.....	2,000 00	
Kingsville, Lake Erie	4,000 00	
Port Elgin, Lake Huron.....	2,500 00	
Hilton or Marksdale, Lake Huron	5,000 00	
Collingwood Harbor	5,000 00	
<i>Manitoba.</i>		
General repairs and improvements, Harbors and Rivers, Manitoba	\$ 1,000 00	
<i>North-West Territories.</i>		
North Saskatchewan River.....	\$ 15,000 00	
<i>British Columbia.</i>		
General repairs and improvements, Harbors and Rivers, British Columbia	\$ 2,000 00	
Victoria Harbor—Removal of Dredger Rock.....	8,500 00	
Fraser River	8,000 00	
Cowichan River	1,000 00	
<i>Harbors and Rivers Generally.</i>		
Harbors and Rivers generally.	\$ 6,000 00	
		480,757 11
DREDGING.		
New dredging plant	\$17,000 00	
Dredge vessels—Repairs.....	32,000 00	
Dredging—Nova Scotia.....	} 30,000 00	
do Prince Edward Island		
do New Brunswick		
do Quebec.....	15,000 00	
do Ontario	15,000 00	
do Manitoba	10,000 00	
do British Columbia	15,000 00	
do General service.....	5,000 00	
		139,000 00
SLIDES AND BOOMS.		
River Oulonge slide.....	\$ 1,800 00	
Slides and booms.....	15,000 00	
Gatineau Booms	5,000 00	
River Oulonge and Black River, Ottawa District.....	9,000 00	
River Ottawa.....	8,400 00	
Rapides des Quinze—Upper Ottawa.....	2,500 00	
		42,200 00
Carried forward.....	1,955,609 54	8,199,802 87

SCHEDULE B—Continued.

SERVICE.	Amount.	Total.
	\$ cts.	\$ cts.
Brought forward.....	1,955,609 54	8,199,802 87
PUBLIC WORKS—Concluded.		
<i>(Chargeable to Income.)</i>		
ROADS AND BRIDGES.		
Bridges, Ottawa City, over the River Ottawa, the Slides, the Rideau Canal and approaches thereto.....	\$11,500 00	
Aid towards the construction of a bridge across the Elbow River, near Calgary.....	2,000 00	
Portage du Fort Bridge.....	6,000 00	
Further aid to the municipality of New Edinburgh, towards the erection of an iron bridge over the Rideau River on the highway leading to Rideau Hall.....	2,000 00	
Bridge across the Bow River near Calgary.....	12,000 00	
Aid towards the construction of a free bridge over the Old Man's River at Fort Macleod, local authorities furnishing \$2,500.....	2,500 00	
Further aid to the municipalities of Calumet and Bryson, towards the construction of a high level bridge over the Calumet Channel, River Ottawa, provided the municipalities contribute a further sum of \$1,000 and the Quebec Government make an additional grant of \$2,000.....	2,000 00	
	38,000 00	
TELEGRAPHS.		
Land and Cable Telegraph Lines for the Sea Coasts and Islands of the Lower Rivers and Gulf of St. Lawrence and Maritime Provinces :—		
Land Line on North Shore of St. Lawrence—Extension towards Pointe aux Esquimaux.....	\$5,000 00	
Grosse Isle Quarantine extension.....	1,500 00	
Land Line from Mabou to Cheticamp.....	4,600 00	
Branch from main Government Line along the East Coast of Cape Breton Island to New Haven or Neill's Harbor.....	300 00	
Telegraph Lines—Manitoba and the North-West Territories :—		
Re-construction of line between Battleford and Edmonton <i>via</i> Fort Pitt.....	14,000 00	
Telegraph Lines—British Columbia :—		
Land line between Australian Ranche and Barkerville.....	1,500 00	
	26,900 00	
MISCELLANEOUS.		
Miscellaneous works, not otherwise provided for.....	\$10,000 00	
Surveys and Inspections.....	20,000 00	
Arbitrations and Awards.....	5,000 00	
National Art Gallery.....	1,000 00	
Gratuity of two months' salary to the widow of the late Michael Scanlan, 2nd Assistant Engineer, Parliament Buildings.....	110 00	
Monument to Joseph Brant.....	5,000 00	
Examination in connection with spring floods at Montreal and vicinity.....	5,000 00	
	48,110 00	
		2,066,619 54
Carried forward.....		10,266,422 41

SCHEDULE B—Continued.

SERVICE.	Amount.		Total.	
	\$	cts.	\$	cts.
Brought forward			10,268,422	41
MAIL SUBSIDIES AND STEAMSHIP SUBVENTIONS.				
Steam communication on Lakes Huron and Superior.....	12,000	00		
Steam service between the United States and Victoria, B.C.....	17,640	00		
Steam communication with the Magdalen Islands.....	7,800	00		
Steam communication between Grand Manan, N.S., and Mainland....	4,000	00		
Steam communication between Halifax and St. John <i>via</i> Yarmouth...	10,000	00		
For subsidy to a line of steamers to run fortnightly between France and Quebec.....	50,000	00		
For subsidy to a line of steamers to run between Liverpool or London, or both, and St. John, N.B., and Halifax, N.S., a port in the Dominion to be the terminal port.....	25,000	00		
Subsidy to steamer between Campbellton and Gaspé, and intermediate ports	12,500	00		
For steam communication from Port Mulgrave, at the terminus of the Eastern Extension Railway, to East Bay, Cape Breton.....	6,000	00		
For steam communication between Halifax and St. Pierre.....	2,000	00		
For steam communication from Halifax to Murray Harbor and Charlottetown, alternately.....	3,000	00		
For steam communication between Canada and Antwerp or Germany.....	24,000	00		
For steam communication between Port Mulgrave or Pictou Railway terminus and Cheticamp, touching at Port Hood, Mabou, Broad Cove, Margaree, and Cheticamp, the Local Government having granted a similar amount, conditionally on a Dominion vote for the same service.....	2,000	00		
For steam communication between Canso, Arichat, Guysboro', Port Hood and Mabou, and such other places between above limits as may be agreed upon, touching daily at Port Mulgrave, and also to provide for continuance of service during winter, on the Port Mulgrave and Canso section.....	5,000	00		
To provide for steam communication between Prince Edward Island and the Mainland	10,000	00		
For steam communication between St John and ports in Basin of Minas, Parrsboro', Maitland, Summerville, Hantsport, Avondale, Windsor, Kingsport, Wolfville, &c	2,000	00		
For steam communication between Canada and Germany.....	24,000	00		
To provide for a subsidy of \$1,500 a voyage, for five voyages, of steamers from a port in New Brunswick and Prince Edward Island to Great Britain or Continental ports.....	7,500	00		
			224,440	00
OCEAN AND RIVER SERVICE.				
Maintenance and repairs of Government Steamers.....	130,000	00		
To provide for the examination of Masters and Mates	6,000	00		
Rewards for saving life and Life-Boat Service.....	8,000	00		
To provide for investigation into Wrecks and Casualties, and collection of information relating to Disasters to Shipping.....	1,500	00		
Expenses in connection with Canadian Registration to Shipping	100	00		
Montreal and Quebec River and Water Police	40,000	00		
Removal of obstructions in navigable rivers, including removal of wreck of SS. "Ottawa," in River St. Lawrence	14,000	00		
Winter communication, Prince Edward Island.....	5,000	00		
			205,000	00
LIGHTHOUSE AND COAST SERVICE.				
Salaries and allowances, &c., of Lighthouse-keepers, including Cape Race light and fog-whistles.....	175,000	00		
Agencies, rents and contingencies.....	19,960	00		
To pay increase of Agent's salary at Quebec	260	00		
Carried forward.....	195,160	00	10,695,862	41

SCHEDULE B—Continued.

SERVICE.	Amount.	Total.
	\$ cts.	\$ cts.
Brought forward	195,160 00	10,695,862 41
LIGHTHOUSE AND COAST SERVICE—Concluded.		
Maintenance and repairs to lights, fog-whistles, buoys and beacons, humane establishments, and provision depots	323,000 00	
Completion and construction of lighthouses and fog-alarms.....	40,000 00	
Signal service.....	7,500 00	
To provide for the payment to the Harbor Commissioners of Montreal of the annual cost of maintaining the buoys and beacons in the St. Lawrence River, below Montreal.....	7,000 00	
		572,660 00
SCIENTIFIC INSTITUTIONS.		
Observatory, Toronto.....	\$5,250 00	
do Kingston.....	500 00	
do Montreal.....	500 00	
	6,250 00	
Grant for Meteorological Observatories, including instruments and cost of telegraphing weather warnings.....	50,000 00	
		56,250 00
MARINE HOSPITALS AND SICK AND DISTRESSED SEAMEN.		
Marine and Immigrant Hospital, Quebec	\$20,000 00	
St. Catharine's Hospital, Ontario.....	500 00	
Kingston Hospital.....	500 00	
Marine Hospitals in the Provinces of Quebec, Nova Scotia, New Brunswick, Prince Edward Island and British Columbia.....	35,000 00	
	56,000 00	
Expenses of shipwrecked and disabled seamen.....	6,000 00	
		62,000 00
STEAMBOAT INSPECTION.		
To provide for expenses of Steamboat Inspection.....		25,000 00
FISHERIES.		
SALARIES AND DISBURSEMENTS OF FISHERY OVERSEERS AND WARDENS.		
Ontario.....	16,000 00	
Quebec	15,000 00	
Nova Scotia	17,500 00	
New Brunswick	13,000 00	
Prince Edward Island	3,500 00	
British Columbia.....	4,000 00	
Manitoba, Keewatin and North-West Territories.....	3,000 00	
Fish-breeding, building of fish-ways and clearing of rivers.....	35,000 00	
To provide for legal and incidental expenses.....	2,000 00	
Maintenance and repairs of fishery protection steamers and vessels.....	100,000 00	
Canadian Fisheries Exhibit	1,500 00	
To pay for services performed by persons in the Customs and Fisheries Departments, and other expenses in connection with the distribution of the fishing bounty and collection of statistics.....	5,000 00	
To provide for the cost of the police vessels to be employed in the protection of the fisheries.....	50,000 00	
To build fish-ways in La Have River.....	2,000 00	
To remove obstructions at Grand River Falls, to enable fish to ascend to breeding grounds.....	1,500 00	
For the encouragement of the production of cod liver oil and fish guano, the appropriation to be expended under regulations to be established by the Governor General in Council.....	4,000 00	
		273,000 00
Carried forward.....		11,684,772 41

SCHEDULE

SCHEDULE B—Continued.

SERVICE.	Amount.	Total.
	\$ cts.	\$ cts.
Brought forward		11,684,772 41
SUPERINTENDENCE OF INSURANCE.		
To meet expenses in connection with superintendence of Insurance Companies.....		6,000 00
GEOLOGICAL SURVEY.		
Geological Survey	41,600 00	
Further amount required for Geological Survey.....	15,000 00	
To pay Messrs. C. E. McKiel and John Ackers, clerks in Export Section of Statistics Branch, Customs Department, for preparation of returns, by quarters, of mineral exports	100 00	
		56,700 00
DEPARTMENT OF INDIAN AFFAIRS.		
<i>Ontario, Quebec and the Maritime Provinces.</i>		
Grants required to supplement the Indian Fund :—		
Province of Quebec, for relief of distress	\$ 4,200 00	
For purchase of blankets for Indians of Ontario and Quebec.....	1,600 00	
For Indian schools in Ontario, Quebec, Nova Scotia, and New Brunswick.	13,450 00	
For payment of annuities under Robinson Treaty.....	15,588 00	
		34,838 00
<i>Schools.</i>		
Aid towards the rebuilding of the Industrial Schools at Wikwemikong, Manitoulin Island	\$ 4,000 00	
To provide a salary for the teacher of a girls' school at Caughnawaga	300 00	
To enable the Department to pay a portion of the salary of a teacher at Cornwall Island	60 00	
To enable the Department to pay a portion of the salary of a teacher at Oka	27 50	
To provide additional salary for a teacher at Golden Lake.	150 00	
To enable the Department to provide for the maintenance of 10 additional pupils at the Mount Elgin Institute, at \$60 each	600 00	
To supplement grants made by the Church of England to the schools at Sucker Creek, Manitoulin Island, and at Kegwenouang, in the Lake Nipigon District, at \$200 each	400 00	
To admit of an increase in the salaries of teachers of Indian day schools in Manitoba, Keewatin and North-West Territories	5,000 00	
		10,537 50
<i>Nova Scotia.</i>		
Salaries	\$ 900 00	
For the relief of distress and the purchase of seed grain....	3,045 00	
For medical attendance and medicines	1,012 00	
Miscellaneous expenses, stationery, &c	75 00	
To complete the building of a school house at New Germany, Nova Scotia.....	90 00	
		5,122 00
Carried forward.....	50,497 50	11,747,472 41

SCHEDULE B—Continued.

SERVICE.	Amount.	Total.
	\$ cts.	\$ cts.
Brought forward.....	50,497 50	11,747,472 41
DEPARTMENT OF INDIAN AFFAIRS— Concluded.		
<i>New Brunswick.</i>		
Salaries	\$ 1,870 00	
For the relief of distress and the purchase of seed grain....	2,700 00	
For medical attendance and medicines.....	470 00	
Miscellaneous expenses, stationery, &c	50 00	
To provide a salary for the Rev. J. L. McDougall, Missionary to Indians in Restigouche County, N. B.....	25 00	
	5,115 00	
<i>Prince Edward Island.</i>		
For salaries	\$ 500 00	
For relief of distress and purchase of seed grain	1,125 00	
For medical attendance and medicines	300 00	
For miscellaneous expenses, stationery, &c.....	75 00	
	2,000 00	
<i>British Columbia.</i>		
For Indians of British Columbia generally	\$31,030 00	
For surveys	11,837 00	
Reserve Commission	9,500 00	
To increase the salary of Agent Meason from \$1,000 to \$1,200	200 00	
To provide prizes for an annual Indian Agricultural and Industrial Exhibition at Cowichan	200 00	
To provide towards the salary of a female teacher at Port Simpson.....	200 00	
	52,967 00	
<i>Manitoba and North-West Territories.</i>		
Annuities	\$157,480 00	
Agricultural implements, tools and harness.....	38,630 00	
Cattle and pigs	12,414 00	
Seed grain.....	19,244 00	
Provisions for use at annuity payments.....	18,149 00	
Ammunition and twine.....	4,302 00	
Supplies for destitute Indians.....	323,590 00	
Clothing	4,000 00	
Schools, Day.....	41,836 00	
do Industrial.....	52,500 00	
Surveys	7,500 00	
Farm wages	28,938 00	
do maintenance.....	22,445 00	
Sioux.....	3,452 00	
General expenses	92,404 00	
Agency buildings.....	23,900 00	
	850,784 00	
<i>Miscellaneous.</i>		
To provide a salary for Chief Angus Cooke, of the Indian Reserve in Gibson.....	\$ 50 00	
To provide for further surveys in Ontario and Quebec	1,500 00	
To aid in the purchase of cattle and agricultural implements for destitute bands of Indians	4,000 00	
The re-vote of the amount voted last Session, but not expended, for the removal of the residue of the Lake of Two Mountains Indians to the Township of Gibson....	5,000 00	
	10,550 00	
		971,913 50
Carried forward		12,719,385 91

SCHEDULE B—Continued.

SERVICE.	Amount.	Total.
	\$ cts.	\$ cts.
Brought forward		12,719,385 91
NORTH-WEST MOUNTED POLICE.		
Pay of Force	320,000 00	
Subsistence	90,375 00	
Forage	82,000 00	
Fuel and light	30,000 00	
Clothing	70,000 00	
Repairs, renewals, replacement of horses, arms and ammunition	107,600 00	
Medicines, medical comforts and hospital expenses	7,000 00	
Books and stationery	5,000 00	
Scouts, guides, billeting charges, travelling allowances, transport of men and stores	60,000 00	
Contingencies	8,000 00	
		779,975 00
MISCELLANEOUS.		
Canada Gazette	4,500 00	
Miscellaneous printing	12,000 00	
Unforeseen expenses, expenditure thereof to be under Order in Council, and a detailed statement to be laid before Parliament within the first fifteen days of the next Session	25,000 00	
Commutation in lieu of remission of duties on articles imported for the use of the Army and Navy	3,000 00	
For the expenses of Government in the North-West Territories, including printing, roads, bridges, ferries, aid to schools, &c.	74,400 00	
For the expenses of Government in the District of Keewatin	1,500 00	
To meet expenditure required to put in force the Canada Temperance Act, 1878	20,000 00	
To compensate members of the North-West Mounted Police for injuries received in the discharge of duty	2,000 00	
On account of expenditure in connection with surveys of Lakes Superior and Huron	18,000 00	
To provide for the payment of Mr. Fabre's salary and contingencies of his office	3,500 00	
To meet cost of litigated matters	5,000 00	
To provide the expenses of an expedition (by water) to Hudson's Bay, to test the practicability of the route for commercial purposes	10,000 00	
To cover expenses of taking evidence concerning the Public Accounts, and reporting the same to the Auditor-General of Canada, under authority of section 55 of the Audit Act (41 Victoria, chapter 7); and to pay for legal advice to the Auditor-General, and assistance to him in estimating the value of printing for Returning Officers and others	500 00	
Academy of Arts	2,000 00	
To meet payments to Extra Clerks for services rendered in preparation of Returns ordered by Parliament	10,000 00	
Commercial agencies	10,000 00	
For the establishment of a model farm	20,000 00	
Towards aiding in the publication of "Histoire Généalogique des Familles Françaises"	1,000 00	
To provide for the administration of the Chinese Immigration Act, including remuneration to Customs officers	4,000 00	
Miscellaneous printing	8,000 00	
To pay L. J. Crowe for services in connection with the seizure of the premises and plant of the Acadia Steel Works	100 00	
To pay additional gratuity to Thomas Townsend on account of injuries received while working on Point Frederick Shoal	150 00	
To pay a gratuity to Mrs. Forrest, widow of the late keeper of the light-ship at Colchester Reef	200 00	
To provide for the publication of the proceedings of the Royal Society	5,000 00	
Additional assistance to Dr. Rand in publication of a Micmac Indian Dictionary	500 00	
		240,350 00
Carried forward		13,739,710 91

SCHEDULE

SCHEDULE B—Continued.

SERVICE.	Amount.	Total.
	\$ cts.	\$ cts.
Brought forward.....		13,739,710 91
COLLECTION OF REVENUES.		
CUSTOMS.		
<i>Salaries and Contingent Expenses of the several Ports.</i>		
In the Province of Ontario.....	\$260,525 00	
do Quebec.....	203,200 00	
do New Brunswick.....	87,215 00	
do Nova Scotia.....	106,485 00	
do Manitoba.....	34,000 00	
do North-West Territories.....	8,000 00	
do British Columbia.....	32,800 00	
do Prince Edward Island.....	21,180 00	
Provinces generally—To cover any unforeseen changes it may appear necessary to make in Staff.....	5,600 00	
Salaries and travelling expenses of Inspectors of Ports, and travelling expenses of other officers on inspection.....	18,000 00	
Miscellaneous—Contingencies of head office, covering printing, stationery, advertising, telegraphing, &c., for the several ports of entry.....	15,000 00	
To meet expenditure in connection with the Board of Customs and Outside Detective Service, including \$800 salary of the Commissioner of Customs as Chairman of the Board.....	15,000 00	
Account of Board of Customs and Outside Detective Service—To provide for the probable expenditure in connection with the polariscopic tests of sugars, including pay of officers appointed or employed for that service.....	5,000 00	
	809,365 00	
EXCISE.		
Salaries of officers and inspectors of Excise.....	\$245,432 50	
To provide for increases dependent upon the result of Excise examinations.....	2,000 00	
To provide for increase of pay of chief officers at large distilleries and factories.....	2,000 00	
Travelling expenses, rent, fuel, stationery, &c., and to provide for the cost of obtaining stamps, and for the stamping of imported and Canadian tobacco, &c.....	60,000 00	
To enable the Department to grant an allowance to Excise Officers in Manitoba, to compensate for increased cost of living as compared with the older Provinces.....	2,000 00	
To pay Collectors of Customs allowance on duties collected by them.....	3,500 00	
Preventive Service.....	7,000 00	
Commission to sellers of stamps for Canada twist tobacco.....	500 00	
	324,432 50	
<i>Special.</i>		
To enable the Department to purchase wood naphtha and similar articles for issue to bonded manufacturers, under provisions of 46 Victoria, chapter 15, section 224, the cost of which will be recouped by the manufacturers to whom they are supplied.....	\$ 2,000 00	
	324,432 50	
Carried forward.....	1,133,797 50	13,739,710 91

SCHEDULE B—Continued.

SERVICE.	Amount.	Total.
	\$ cts.	\$ cts.
Brought forward	1,133,797 50	13,739,710 91
COLLECTION OF REVENUES—Continued.		
CULLING TIMBER.		
<i>Montreal.</i>		
Deputy Supervisor.....	\$ 900 00	
Bookkeeper and Clerk.....	600 00	
<i>Quebec.</i>		
Supervisor.....	\$ 2,200 00	
Deputy Supervisor.....	1,600 00	
Cashier.....	1,500 00	
2 Specification Clerks.....	1,400 00	
1 Messenger and Caretaker.....	350 00	
8 Specification Clerks, &c., 8 months; 1 at \$1,000, 2 at \$700, 1 at \$650, 2 at \$600, 2 at \$ 50	5,350 00	
1 Assistant Bookkeeper.....	1,100 00	
Pay of Cullers.....	30,000 00	
Contingencies	8,000 00	
Annuities to Superannuated Cullers.....	6,800 00	
	59,600 00	
WEIGHTS AND MEASURES AND GAS.		
Salaries of Inspectors and Assistant Inspectors of Weights and Measures.....	\$45,950 00	
Salaries of Inspectors of Gas.....	11,700 00	
Salary of Commissioner of Standards.....	800 00	
Rent, fuel, travelling expenses, postage, stationery, &c., for Weights and Measures.....	17,000 00	
Rent, fuel, travelling expenses, postage, stationery, &c., for Gas.....	6,500 00	
Salary of the Chief Inspector of Standards.....	1,800 00	
	83,750 00	
INSPECTION OF STAPLES.		
For the purchase and distribution of standards of flour, &c , and other expenditures under the Act.....	2,500 00	
ADULTERATION OF FOOD.		
To meet expenses under the Act.....	21,500 00	
MINOR REVENUES.		
Minor Revenues.....	\$ 3,000 00	
Ordnance Lands.....	2,000 00	
	5,000 00	
RAILWAYS.		
<i>Repairs and Working Expenses.</i>		
Intercolonial Railway	\$2,400,000 00	
To pay a gratuity of one year's salary to T. M. Boggs on his retiring from the service owing to loss of eye sight.....	400 00	
Eastern Extension Railway	75,000 00	
Prince Edward Island Railway.....	210,000 00	
Windsor Branch Railway.....	20,000 00	
	2,705,400 00	
Carried forward.....	4,011,547 50	13,739,710 91

SCHEDULE B—Continued.

SERVICE.	Amount.	Total.
	\$ cts.	\$ cts.
Brought forward.....	1,011,547 50	13,739,710 91
COLLECTION OF REVENUES—Continued.		
CANALS.		
<i>Maintenance and Repairs.</i>		
Repairs and working expenses.....	\$460,000 00	
Salaries and contingencies of canal officers.....	37,024 00	
	497,024 00	
PUBLIC WORKS.		
Collection of Slide and Boom Dues	\$21,650 00	
Repairs and working expenses, Harbors and Slides.....	82,800 00	
Telegraph Line between Prince Edward Island and the Mainland.....	2,000 00	
Land and Cable Telegraph Lines of the Sea Coasts and Islands of the Lower Rivers and Gulf of St. Lawrence, including \$5,000 to meet cost of working steamer "Newfield" or other vessel when required for cable service.....	27,350 00	
Telegraph Lines, Manitoba and the North-West Terri- tories.....	20,000 00	
Telegraph Lines, British Columbia.....	31,500 00	
Telegraph and Signal Service generally.....	10,000 00	
Agent and Contingencies, British Columbia.....	4,000 00	
	202,300 00	
POST OFFICE.		
Ontario.....	\$1,307,600 00	
Quebec.....	625,600 00	
New Brunswick.....	236,360 00	
Nova Scotia.....	242,710 00	
Prince Edward Island.....	42,480 00	
British Columbia.....	120,926 00	
Manitoba and North-West Territories	266,270 00	
To provide for increase of salary to one 1st Class Clerk, Toronto Post Office.....	100 00	
To provide for three 3rd Class Clerks in the Toronto Post Office, one at \$600. and two at \$400 each	1,400 00	
To provide for the promotion of a 2nd Class Railway Mail Clerk in the Montreal Postal Division to the 1st Class.	260 00	
To provide for the salary of five Letter Carriers to be appointed to the Toronto Post Office, at \$360 each....	1,800 00	
To provide for one 1st Class Clerk in the office of the Post Office Inspector, at Halifax, N.S.....	1,200 00	
To provide for one Chief Railway Mail Clerk, in the London Postal Division	1,500 00	
To provide for one Chief Railway Mail Clerk, in the Ottawa Postal Division.....	1,200 00	
To provide for one 3rd Class Clerk in the Charlottetown Post Office	400 00	
	2,849,806 00	
DOMINION LANDS—OUTSIDE SERVICE.		
<i>Lands Board at Winnipeg.</i>		
Commissioner's salary	\$ 5,000 00	
Superintendent of Mines' salary	3,200 00	
do travelling expenses.....	1,200 00	
Carried forward.....	\$ 9,400 00	13,739,710 91

SCHEDULE B—Continued.

SERVICE.	Amount.	Total.
	\$ cts.	\$ cts.
Brought forward.....	\$9,400 00	7,560,677 50
COLLECTION OF REVENUE—Continued.		
DOMINION LANDS—OUTSIDE SERVICE—Concluded.		
<i>Land Board at Winnipeg—Concluded.</i>		
Inspector of Agencies' salary	\$ 2,000 00	
do travelling expenses	1,200 00	
Secretary's salary	1,800 00	
Assistant Secretary's salary	1,400 00	
Clerks' salaries	12,000 00	
Contingencies, light, postage, telegrams, &c	2,400 00	
Caretaker and Messenger	600 00	
Inspector of Colonization Companies' salary	3,000 00	
do do travelling expenses	1,000 00	
6 Homestead Inspectors' salaries	7,200 00	
do expenses	5,000 00	
Land Guide service	2,000 00	
Special services	5,000 00	
<i>Dominion Lands Agencies.</i>		
13 Dominion Lands Agents	\$16,800 00	
17 Clerks	16,878 00	
Contingencies, including office rent, fuel, &c.....	8,000 00	
<i>Crown Timber Agencies.</i>		
Crown Timber Agent, Winnipeg, salary	\$ 2,000 00	
Book-keeper, Winnipeg, salary.....	1,095 00	
Crown Timber Agent, Edmonton, salary.....	1,200 00	
do Calgary do	1,200 00	
do Prince Albert do	1,200 00	
6 Forest Rangers	4,200 00	
Contingencies	5,000 00	
<i>Miscellaneous.</i>		
Stationery and Printing for Outside Service	\$ 4,000 00	
Board of Examiners of Dominion Land Surveyors	1,000 00	
Contingencies paid at Head Office for Outside Service.....	1,000 00	
<i>Half-breeds' Claims.</i>		
To provide for the expenses in connection with the Commission for the settlement of the Half-breed Claims in the North-West Territories.....	\$ 2,500 00	
<i>British Columbia.</i>		
Agent	\$ 2,500 00	
5 Clerks	6,940 00	
Caretaker.....	120 00	
Contingencies	2,000 00	
	131,633 00	
Carried forward.....	7,692,310 50	13,739,710 91

SCHEDULE

SCHEDULE B—*Concluded.*

SERVICE.	Amount.	Total.
	\$ cts.	\$ cts.
Brought forward	7,692,310 50	13,739,710 91
COLLECTION OF REVENUES—<i>Concluded.</i>		
DOMINION LANDS—INSIDE SERVICE.		
Extra Clerks at Head Office, Ottawa, advertising and other similar expenses.....	30,000 00	7,722,310 50
DOMINION LANDS.		
<i>(Chargeable to Capital)</i>		
Amount required for surveys, examination of survey returns, printing of plans, &c.....		100,000 00
Total.....		21,562,021 41

CHAP. 2.

An Act further to amend “The Interpretation Act.”

[Assented to 2nd June, 1886]

Preamble.

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

31 V., c. 1, s. 7, paragraph 28 repealed. New provision.

1. The twenty-eighth paragraph of the seventh section of “*The Interpretation Act*” is hereby repealed, and the following is enacted in lieu thereof:—

Words directing or empowering a Minister include the acting Minister and successors and deputy.

“*Twenty-eighthly.*—Words directing or empowering a Minister of the Crown to do any act or thing, or otherwise applying to him by his name of office, include a Minister acting for, or, if the office is vacant, in the place of such Minister, under the authority of an Order in Council and also his successors in such office, and his or their lawful deputy; and words directing or empowering any other public officer or functionary to do any act or thing, or otherwise applying to him by his name of office, include his successors in such office, and his or their lawful deputy.”

Ratification of past acts.

2. All acts hitherto done by any Minister of the Crown, acting for another Minister, or, where such office was vacant, in the place of such other Minister, are hereby ratified, confirmed and made as valid as if done by the Minister for whom, or in whose place, he so acted.

3. Section fifteen of the said Act is hereby repealed and the following is substituted therefor:—

Sect. 15
repealed.

“15. Every person who obtains an Act of a private or personal character shall pay to the Queen’s Printer the cost of printing five hundred copies of such Act in the English language and two hundred and fifty copies thereof in the French language.”

Fees to be
paid on
private Acts.

CHAP. 3

An Act to amend the Act respecting the Electoral Franchise and the Dominion Elections Act, 1874.

[Assented to 2nd June, 1886.]

WHEREAS it is expedient to amend “*The Electoral Franchise Act*,” and “*The Dominion Elections Act, 1874*,” as hereinafter set forth: Therefore Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, declares and enacts as follows:—

Preamble.

1. Section two of the Act first cited is hereby amended by striking out the definitions of “owner” (when it relates to the ownership of real property situate elsewhere in Canada than in the Province of Quebec) “occupant” “father” “mother” “farmer’s son” “son of an owner of real property” and “actual value” or “value” and inserting the following in lieu thereof:—

S. 1 of 48-49
V., c. 40,
amended.

“The expression ‘owner,’ when it relates to the ownership of real property situate elsewhere in Canada than in the Province of Quebec, means the proprietor either in his own right or for his own benefit, or if such proprietor is a married man, it means the proprietor in his own right, or in the right of his wife, or the person whose wife is such proprietor, of freehold estate, legal or equitable, in lands and tenements held in free and common soccage, of which such person or the wife of such person is in actual possession, or in respect of which such person or the wife of such person is in receipt of the rents and profits:

“Owner”
elsewhere
than in
Quebec.

“The expression ‘occupant’ means a person in actual occupation of real property otherwise than as ‘owner,’ ‘tenant,’ or ‘usufructuary,’ in his own right, or in the case of a married man, in his own right or in the right of his wife, or whose wife is in such actual occupation, and who or whose wife receives to his or her own use and benefit the revenues and profits thereof:

“Occupant.”

“The

"Father."
"Mother."

"The expression 'father' includes grandfather, stepfather and father-in-law; and the expression 'mother' includes grandmother, stepmother and mother-in-law:

"Farmer's son."

"The expression 'farmer's son' means and includes the son of an owner and actual occupant of a farm or of a tenant and actual occupant of a farm under a lease for a term of not less than five years:

"Son."

"The expression 'son' includes a grandson, stepson and son-in-law:

"Actual value," or "value."

"The expression 'actual value' or 'value' means the then present market value of any real property, if sold upon the ordinary terms of sale: Provided, that the assessment rolls, as finally revised for municipal purposes, shall be *prima facie* evidence of the value of such property."

Ss. 3 and 4 repealed; new provision.

2. Sections three and four of the said Act are hereby repealed, and the following substituted therefor:—

Who shall be registered as voters if qualified as to—

3. Every person shall be entitled to be registered in any year upon the list of voters for the proper polling district of any electoral district or portion of an electoral district, and when so registered to vote, if such person—

Age.

"(1.) Is of the full age of twenty-one years, and is not by this Act or by any law of the Dominion of Canada disqualified or prevented from voting; and—

Allegiance.

"(2.) Is a British subject by birth or naturalization; and—

Ownership.

"(3.) Is the owner of real property within any city or part of a city in the electoral district, of the actual value of at least three hundred dollars, or within any town or part of a town in the electoral district, of the actual value of at least two hundred dollars, or in any place in the electoral district, other than a city or town, of the actual value of at least one hundred and fifty dollars; or—

Tenancy.

"(4.) Is the tenant of any real property within the electoral district, under a lease, at a monthly rental of at least two dollars, or at a quarterly rental of at least six dollars, or at a half-yearly rental of at least twelve dollars, or at an annual rental of at least twenty dollars, and has been in possession thereof as such tenant for at least one year before his being placed upon the list of voters, or the date of the application for the placing of his name on the list of voters, and has really and *bonâ fide* paid one year's rent for such real property, at not less than the rate aforesaid; except when the rental is an annual one and for a larger sum than twenty dollars, in which case it shall be sufficient

sufficient that at least twenty dollars of the last year's rent which accrued next before the time aforesaid shall have been paid: Provided always, that a change or changes of tenancy during the year shall not deprive such tenant of the right to be registered on a list of voters if such change or changes have been without any intermission of time between the tenancies, and if the several tenancies are such as would entitle the tenant to be registered on a list of voters had such tenant been in possession under any one of them, as such tenant, for the year next before the time aforesaid: Provided also, that in any place except a city, town or incorporated village, the rental hereinbefore mentioned may be payable in money, in kind, or in money's worth of like value; and provided further, that if on any revised or final assessment roll the amount of the tenant's rent is not stated, the fact that the real property in respect of which his name is entered on such roll as the tenant thereof is assessed on such roll in cities at three hundred dollars or more, or in towns at two hundred dollars or more, or in any place other than a city or town at one hundred and fifty dollars or more, shall be *primâ facie* evidence of his right to be registered on the list of voters, so far as such right depends on the amount of rental; or—

As to changes of tenancy.

As to nature of rent payable.

As to valuation on assessment roll.

“(5.) Is the *bonâ fide* occupant of real property within any city or part of a city in the electoral district, of the actual value of at least three hundred dollars, or within any town or part of a town in the electoral district, of the actual value of at least two hundred dollars, or in any place in the electoral district, other than a city or town, of the actual value of at least one hundred and fifty dollars: Provided in every such case, that such person has been in possession of such real property as such occupant for one year next before his being placed upon the list of voters, or the date of the application for the placing of his name on the list of voters, and is, and has been for such time, in the enjoyment of the revenues and profits thereof; or—

Occupancy.

As to length of possession.

“(6.) Is a resident within the electoral district, and derives an income of at least three hundred dollars annually from his earnings in money or money's worth, or partly in money and partly in money's worth, or from some profession, calling, office or trade, or from some investment in Canada, and has so derived such income and has been a resident of Canada for one year next before his being placed upon the list of voters, or the date of the application for the placing of his name on the list of voters; or—

Residence and income.

“(7.) Is a farmer's son not otherwise qualified to vote in the electoral district in which his father's farm is situated; and—

As a farmer's son.

“(a.)

If father is living.

“(a.) If his father is living, is and has been resident within the electoral district continuously, except as hereinafter provided, with his father for one year next before his being placed upon the list of voters, or the date of the application for the placing of his name on the list of voters, if the value of such farm is sufficient, if equally divided among the father and one or more sons as co-owners, to qualify them to be registered as voters, in which case the father and such one or more sons as so desire may be so registered as voters; and if there are more such sons than one resident as aforesaid, and claiming to be registered as voters in respect thereof, and if the value of the farm of the father is not sufficient to give the father and each of such sons the right to vote in respect of such value, if equally divided among them, then the right to be registered as a voter and to vote in respect of such farm, shall belong only to the father and the eldest or so many of the elder of such sons, being so resident as aforesaid, as the value of such farm, if equally divided, will qualify; or—

Case of more than one son.

If father is dead.

“(b.) If his father is dead, is and has been resident within the electoral district continuously, except as hereinafter provided, with his father, or with his mother (after the death of his father), being the owner of the farm, in respect of which the right of voting is claimed by or for him, for one year next before his being placed upon the list of voters, or the date of the application for the placing of his name on the list of voters, if the value of the farm, in respect of which it is claimed that he should be registered as a voter, is sufficient, if equally divided among all the sons of such father as co-owners, to qualify them as voters under this Act, in which case such one or more sons as so desire may be so registered as voters; and if there are more such sons than one resident as aforesaid, and claiming to be registered as voters in respect thereof, and if the value of such farm is not sufficient to give each of such sons the right to vote in respect of such value, if equally divided among them, then the right to be registered as a voter and to vote in respect of such farm shall belong only to the eldest or so many of the elder of such sons, being so resident as aforesaid, as the value of such farm, if equally divided, will qualify; or—

Case of more than one son.

As son of owner not a farmer.

“(8.) Is the son of an owner of real property in such electoral district, or portion of an electoral district, other than a farm, and is not otherwise qualified to vote in the electoral district in which such property is situated; and—

If father is living.

“(a.) If his father is living, is and has been resident within the electoral district continuously, except as hereinafter provided, with his father for one year next before his being placed upon the list of voters, or the date of the application for the placing of his name on the list of voters, if the value

value of the real property on which his father resides, and in respect of which his father is qualified to be registered as a voter as owner, is sufficient, if equally divided among the father and one or more sons as co-owners, to qualify them to be registered as voters under this Act, in which case the father and such one or more sons as so desire, may be so registered as voters; and if there are more such sons than one resident as aforesaid, and claiming to be registered as voters in respect of such property, and if the value thereof is not sufficient to give the father and each of the sons the right to vote in respect of such value, if equally divided, then the right to be registered as a voter and to vote in respect of such real property, shall belong only to the father and the eldest or so many of the elder of such sons, being so resident as aforesaid, as the value of such real property, if equally divided, will qualify; or—

Case of more than one son.

“(b) If his father is dead, is and has been resident within the electoral district continuously, except as hereinafter provided, with his father, or with his mother (after the death of his father) being such owner, for one year next before his being placed upon the list of voters, or the date of the application for the placing of his name on the list of voters, if the value of the real property on which his father, or his mother (after the death of his father) resided or resides, and in respect of which such father would, if living, be qualified to be registered as a voter as owner, is sufficient, if equally divided among all his sons as co-owners, to qualify them to be registered as voters under this Act, in which case such one or more sons as so desire may be so registered as voters; and if there are more such sons than one resident as aforesaid, and claiming to be registered as voters in respect of such property, and if the value thereof is not sufficient to give each of such sons the right to vote in respect of such value, if equally divided, then the right to be registered as a voter and to vote in respect of such real property, shall belong only to the eldest or so many of the elder of such sons, being so resident as aforesaid, as the value of such real property, if equally divided, will qualify; or—

If father is dead.

Case of more than one son.

“(9.) Is a fisherman, resident in the electoral district, and is the owner of real property and boats, nets, fishing gear and tackle, within any such electoral district, or portion of an electoral district, or of a share or shares in a registered ship, which together are of the actual value of at least one hundred and fifty dollars; or—

As a fisherman.

“(10.) Is and has been, for one year next before his being placed upon the list of voters, or the date of the application for the placing of his name on the list of voters, a resident within the electoral district, and in receipt of a life annuity secured

As resident and annuitant.

secured on real estate in Canada, by virtue of a deed of donation or any other title equivalent thereto, of at least one hundred dollars in money or money's worth, or partly in money and partly in money's worth."

S. 5 repealed;
new provision.

3. Section five of the said Act is hereby repealed and the following substituted therefor:—

In a city or town attached to a county or riding and vice versa.

"**5.** The qualifications required of voters in respect of a city or town, or portion of a city or town, shall apply to voters in respect of a city or town, or a portion of a city or town attached for electoral purposes to a county or riding of a county in any electoral district; and the qualifications required of voters in respect of any place other than a city or town shall apply to voters in respect of any municipality or place, not being a city or town or a portion of a city or town, which is attached to or included for electoral purposes in a city or town or portion of a city or town."

When certain sections shall come into force.

4. Sections one, two, three and twelve of this Act shall not come into force until the first day of January, in the year one thousand eight hundred and eighty-seven.

S. 8 repealed;
new provision.

5. Section eight of the said Act is hereby repealed and the following substituted therefor:—

As to residence of persons qualified as sons.

"**8.** In the case of a farmer's son or of the son of an owner of real property other than a farmer, each such son, to entitle him to vote as such, under the foregoing provisions of this Act, must have been, from the time of his name having been placed on the list of voters to the time of the election for the electoral district in which he tenders his vote, and must then be, a resident in such electoral district as hereinbefore provided with his father, (or with his mother after the death of his father), being such owner as aforesaid; but—

Occasional absence.

"(a.) Occasional absence or absences of any such son from the residence of his father (or of his mother, as the case may be), for any period or periods not exceeding in all six months in the year next before his being placed on the list of voters, or the date of the application for placing his name on the said list, or for any period or periods not exceeding in all six months subsequent to the then last revision of such list, shall not disqualify such son from being placed on the list of voters or from voting:—

Certain time to be deemed as spent at home.

"(b.) And the time spent by such son as a mariner or as a fisherman, in the pursuit of either of the said occupations, or as a student at any institution of learning in Canada, shall be considered, for the purposes of this Act, as having been spent at the residence of his father, or of his mother, as the case may be."

6. The time to be fixed for the final revision of lists of voters under the said Act, shall be not less than five weeks after the publication by posting up of the lists, and each sitting for such final revision shall include when practicable at least three and (except in cities and towns) not more than five polling districts; the place for the holding of the final revision shall be in one of the polling districts the lists for which are to be so finally revised; and there shall be a sitting for such final revision in each city, town, township, parish, incorporated village and other known territorial division, and in the province of Prince Edward Island at least two sittings in each existing provincial electoral district except Charlottetown and Royalty and Georgetown and Royalty.

Time and place for final revision.

7. The revising officer shall exhibit to any person requiring to examine the same all notices of additions or objections or declarations in support thereof, deposited with or mailed to him under sections nineteen and twenty-six of the said Act, and shall permit copies thereof to be taken.

Notices of additions, &c., to be exhibited on request.

8. If, at the time of the final revision, the person by whom any application to add to, amend or correct the list was made or notice of any objection or complaint was given, does not appear in support of the application, objection or complaint, or is desirous of withdrawing the same, the revising officer shall allow any other elector, who is desirous of so doing, to appear in support of such application, objection or complaint, or he may, without such substitution, hear any evidence that is available in support thereof and dispose of the matter accordingly.

Provision in case of withdrawal of objection.

9. The revising officer shall not remove the name of any person entered on the list of voters from such list on the ground that the qualification of such person is incorrectly entered thereon, if it appears that such person is entitled to be registered on the list of voters as possessed of any of the qualifications set forth in the said Act, but the revising officer shall retain the name of such person on the list and correct the same accordingly.

Defective description may be corrected.

10. Section thirty-three of the said Act is hereby repealed and the following substituted therefor:

S. 33 repealed; new provision.

“33. On or as soon as possible after the first day of June in each year after the year of Our Lord one thousand eight hundred and eighty-six, the revising officer, being duly sworn as hereinbefore provided, shall cause the list of voters of the preceding year to be compared with the last assessment rolls, and shall, with all the information that he can obtain from that or any other source, proceed to revise the lists of voters then in force under this Act for the electoral district

Lists to be revised.

What the lists shall show.

or portion of an electoral district for which he is appointed, entering thereupon the names of all persons not already on such lists, and who, according to the provisions of this Act, are entitled to have their names so entered, indicating in the proper column thereof whether they are qualified in respect of real property, as owners, tenants, occupants, or otherwise, and stating the numbers of the lots, portions of lots and concessions, streets, or other available description of real property in respect of which they are qualified, and their post office addresses as nearly as can be ascertained by the said officer, or whether they are qualified in respect of income; and as to the sons of farmers, or other owners' sons as aforesaid, and voters on income, stating also in such lists in the proper column thereof the residence and post office addresses of such persons as nearly as can be ascertained by him, and noting on the said lists the names of any persons who are dead or who are not, according to the provisions of this Act, entitled to be registered as voters, stating the reason of such note, and making any other verbal or clerical corrections which seem necessary; and he shall attest all such additions, erasures or corrections, with his initials, and sign such lists as such revising officer; and such assessment rolls as aforesaid shall be *prima facie* evidence of value."

Attestation of changes.

Evidence of value.

S. 41 amended.

11. Section forty-one of the said Act is hereby amended by striking out the words "two hundred" in the third line thereof and inserting the words "three hundred" in lieu thereof.

S. 42 amended.

12. The following are hereby added to section forty-two of the said Act, as sub-sections two and three thereof:—

Parties if summoned to obey the summons.

"2. Every person, in respect of the placing of whose name on the list of voters an application has been made, or notice of an objection or complaint has been given, and every person who gives notice of any such objection or complaint, shall, if he is resident within the polling district, the list for which is sought to be amended, or within ten miles thereof, and is not absent from such limits, upon being served with a summons in the said form J, obey the same without being tendered or paid any allowance for his expenses:

Penalty in default.

"3. If any person summoned as in the next preceding sub-section provided, does not so attend in obedience to such summons, the revising officer may, in the absence of satisfactory evidence as to the reason of such non-attendance, or, if such person is an applicant to be placed on the list of voters, as to his right to be placed on such list, dismiss the objection or complaint, or strike the name of such person off the list of voters, or refuse to place his name thereon, as the case requires, or the revising officer may impose a fine not exceeding five dollars on such person, or he may do both."

13. Section forty-eight of the said Act is hereby repealed. S.48 repealed.

14. The form B in the schedule to the said Act is hereby repealed and the form A in the schedule hereto substituted in lieu thereof. Form B amended.

15. As respects lists of voters revised after the year one thousand eight hundred and eighty-six, the same shall be certified and published, in the manner required by the said Act as hereby amended, on or before the first day of September in each year, and shall be finally revised and certified and duplicates thereof forwarded to the Clerk of the Crown in Chancery on or before the first day of November in each year. Time for future revisions and returns.

16. Whenever from illness or from other casualty a revising officer is unable to hold any sitting at the time appointed therefor, the clerk may adjourn the sitting to any hour on the following day to be named by him, and so from day to day until the revising officer is able to attend, or until other provision is made for the holding of such sitting. If revising officer is unable to act.

17. Any revising officer appointed under the Act hereby amended may, in case of illness or necessary absence, after leave granted therefor by the Governor in Council, appoint a deputy revising officer to act for him during such illness or absence; such appointment shall be subject to the approval of the Governor in Council: Deputy may be appointed in certain cases.

2. The deputy revising officer shall be possessed of all the qualifications, and during such illness or absence shall have all the powers of a revising officer, and if he is not a judge of any court his decision shall be subject to appeal as provided in the Act hereby amended. Powers of deputy.

18. In the present year, one thousand eight hundred and eighty-six, it shall not be necessary, in any case in which the preliminary list of voters has been made for a polling district constituted under the laws in force at the time of the passing of the said Act, and does not contain the names of more than three hundred voters that such polling district should be divided as provided by section twenty-one of the said Act; and in every such case the final revision shall be made upon such preliminary list, and it shall not be necessary that such list shall be printed and published as provided by section twenty-four of the said Act, but the notice of the final revision required by the last cited section, and section twenty-five of the said Act may be posted up and published at any time after the passing of this Act. Polling district not to be sub-divided in case specified. Proceedings in such case.

19. The lists of voters prepared under the said Act in the present year, one thousand eight hundred and eighty-six, shall, Certain lists to be valid.
VOL I—4½ when

when finally revised, be valid and shall avail for the purposes of the said Act, notwithstanding that any form thereby prescribed is departed from, or that anything done is not done within the time or in the manner prescribed thereby, or that the territorial limits assigned to the revising officers in the district of Algoma were altered or extended subsequently to their having taken the oath of office :

No action shall lie against revising officers for Algoma.

2. No action or proceeding shall lie or be maintained against the revising officers in the said district of Algoma, for any penalty or penalties by reason of their acting as such revising officers after the limits assigned to them had been changed and new commissions had been issued to them without taking their oaths of office anew.

Oath of qualification of a voter.

20. The oath of qualification to be administered to a voter under the provisions of the section substituted by section six of the Act forty-first Victoria, chapter six, for section forty-three of "*The Dominion Elections Act, 1874*," shall be in the form B or in one of the forms C, D, E, F or G, in the schedule to this Act, as the circumstances of the case require.

SCHEDULE.

FORM A.
LIST OF VOTERS

For the year commencing 1st June, 18____ of the (Municipality of, or the City or Town, or as the case may be) _____ of the Electoral District of _____) in the Electoral District of _____

- LIST OF POST OFFICES, WITH THEIR REFERENCE NUMBERS.**
- | | |
|------------------|------------------|
| 1. Campbelltown. | 7. Port Talbot. |
| 2. Cowal. | 8. Tyreconnel. |
| 3. Dutton. | 9. Wallacestown. |
| 4. Iona. | |
| 5. Iona Station. | |
| 6. Largie. | |

POLLING DISTRICT No. _____

Comprising all the Lots and Parts of Lots in the following territory : Bounded on or towards the South by _____, on the West by _____, and on the East by _____, (or as the case may be.)

Consecutive Number.	Name in Full. (Surname first.)	Occupation.	Post Office	Nature and Title of Qualification.	Concession, Street and No. of Lot, or other sufficient description of property; and residence if qualified on income, or as son of owner or farmer's son, with name of owner or farmer in the case of owner's or farmer's sons.
1	Atkinson, Alfred.....	Carpenter.....	9	Son of owner.....	Lot 21, con. 3, John Atkinson.
2	Adams, Wm. Henry.....	Farmer.....	8	Owner.....	N.W. pt. lot 28, con. 6.
3	Asseltine, Pierre.....	Stonemason.....	1	Tenant.....	Pt. 20, broken front, Rideau.
4	Benjamin, Ernest.....	Bricklayer.....	7	Income.....	667 Wellington street, W.
5	Bissonette, Paul.....	Fisherman.....	4	Fisherman and owner.....	Pt. 34, range No. 10.
6	Brennan, Edward.....	Plasterer.....	2	Income.....	8 Broad street.
7	Campion, Francis.....	Farmer.....	3	Farmer's son.....	Lot 21, con. 4, Peter Campion.
8	Cooper, Charles.....	Printer.....	5	Tenant.....	Pt. 10, east George street.
9	Clegge, William.....	Painter.....	6	Occupant.....	Lot 14, Eigin street.

Dated _____ 188____
A. B.,
Revising Officer for the electoral district (or part of the electoral district) of _____

FORM B.

Form of Oath of Qualification of a person whose name is registered as a voter on the list of voters otherwise than as a farmer's son or as the son of the owner of other real property.

I, (A.B.), solemnly swear (or if he is one of the persons permitted by law to affirm in civil cases, solemnly affirm),—

1. That I am the person named, or purporting to be named, by the name of
(and if there are more persons than one of the same name on the said list, inserting also his addition or occupation) on the list of voters for polling district No. in the electoral district (or municipality) of

2. That I am a British subject (by birth or naturalization, as the case may be) and that I am of the full age of twenty-one years :

3. That I have not voted before at this election either at this or at any other polling place :

4. That I have not received anything nor has anything been promised me, directly or indirectly, either to induce me to vote at this election or for loss of time, travelling expenses, hire of team or for any other service connected therewith :

5. That I have not, directly or indirectly, paid or promised anything to any person either to induce him to vote or to refrain from voting at this election. So help me God.

FORM C.

Form of Oath of Qualification of a person whose name is registered as a voter on the list of voters, as being a farmer's son not claiming the benefit of the provision as to occasional absence as a mariner, fisherman or student.

I, (A.B.), solemnly swear (or if he is one of the persons permitted by law to affirm in civil cases, solemnly affirm),—

1. That I am the person named, or purporting to be named, by the name of
(and if there are more persons than one of the same name on the said list, inserting also his addition or occupation) on the list of voters for polling district No. in the electoral district (or municipality) of

2. That I am a British subject (by birth or naturalization, as the case may be) and that I am of the full age of twenty-one years :

3. That I have not voted before at this election, either at this or at any other polling place :

4. That I have not received anything, nor has anything been promised me, directly or indirectly, either to induce me to vote at this election, or for loss of time, travelling expenses, hire of team or for any other service connected therewith :

5. That I have not, directly or indirectly, paid or promised anything to any person, either to induce him to vote or to refrain from voting at this election :

6. That I am resident with my father (*or if his father is dead, with my mother*) within this electoral district, and that I have not been absent from such residence more than six months since I was placed on the list of voters. So help me God.

FORM D.

Form of Oath of Qualification of a person whose name is registered as a voter on the list of voters as being the son of the owner of real property, other than a farm, not claiming the benefit of the provision as to occasional absence as a mariner, fisherman or student.

I, (A.B.), solemnly swear (*or if he is one of the persons permitted by law to affirm in civil cases, solemnly affirm*),—

1. That I am the person named, or purporting to be named, by the name of
(*and if there are more persons than one of the same name on the said list, inserting also his addition or occupation*) on the list of voters for polling district No. in the electoral district
(*or municipality*) of

2. That I am a British subject (by birth *or* naturalization, *as the case may be*) and that I am of the full age of twenty-one years :

3. That I have not voted before at this election, either at this or at any other polling place :

4. That I have not received anything nor has anything been promised me, directly or indirectly, either to induce me to vote at this election or for loss of time, travelling expenses, hire of team, or for any other service connected therewith :

5. That I have not, directly or indirectly, paid or promised anything to any person, either to induce him to vote or to refrain from voting at this election :

6. That I am resident with my father (*or if his father is dead, with my mother*) within this electoral district, and that I have not been absent from such residence more than six months since I was placed on the list of voters. So help me God.

FORM E.

Form of Oath of Qualification of a person whose name is registered as a voter on the list of voters as a farmer's son and claiming the benefit of the provision as to occasional absence as a mariner, fisherman or student.

I, (A. B.), solemnly swear (*or if he is one of the persons permitted by law to affirm in civil cases, solemnly affirm*),—

1. That I am the person named, or purporting to be named, by the name of
(*and if there are more persons than one of the same name on the said list, inserting also his addition or occupation*) on the list of voters for polling district No. _____ in the electoral district (*or municipality*) of _____ :

2. That I am a British subject (by birth *or naturalization, as the case may be*) and that I am of the full age of twenty-one years :

3. That I have not voted before at this election, either at this or at any other polling place :

4. That I have not received anything nor has anything been promised me, directly or indirectly, either to induce me to vote at this election or for loss of time, travelling expenses, hire of team or for any other service connected therewith :

5. That I have not, directly or indirectly, paid or promised anything to any person either to induce him to vote or to refrain from voting at this election :

6. That I am resident with my father (*or if his father is dead, with my mother*) within this electoral district. That I am a mariner (*or a fisherman, or a student in an institution of learning in Canada, as the case may be*), and that I have not been absent from such residence for more than six months since I was placed on the said list of voters, except in the exercise of my occupation as such mariner (*fisherman, or student, as the case may be*). So help me God.

FORM

FORM F.

Form of Oath of Qualification of a person whose name is registered as a voter on the list of voters as the son of an owner of real property other than a farm, and claiming the benefit of the provision as to occasional absence, as a mariner, fisherman or student.

I, (A.B.), solemnly swear (or if he is one of the persons permitted by law to affirm in civil cases, solemnly affirm),—

1. That I am the person named, or purporting to be named, by the name of
(and if there are more persons than one of the same name on the said list, inserting also his addition or occupation) on the list of voters for polling district No. in the electoral district (or municipality) of :

2. That I am a British subject (by birth or naturalization, as the case may be) and that I am of the full age of twenty-one years :

3. That I have not voted before at this election, either at this or at any other polling place :

4. That I have not received anything nor has anything been promised me, directly or indirectly, either to induce me to vote at this election or for loss of time, travelling expenses, hire of team or for any other service connected therewith :

5. That I have not, directly or indirectly, paid or promised anything to any person either to induce him to vote or to refrain from voting at this election :

6. That I am resident with my father (or if his father is dead, with my mother) within this electoral district. That I am a mariner (or fisherman or a student in an institution of learning in Canada, as the case may be) and that I have not been absent from such residence for more than six months since I was placed on the said list of voters except in the exercise of my occupation as a mariner (or fisherman or student, as the case may be.) So help me God.

FORM G.

Form of Oath of Qualification of a person whose name has been excluded from the list of voters and which exclusion appears by the list of voters to be the subject of an undecided appeal.

I, (A. B.), solemnly swear (or if he is one of the persons permitted by law to affirm in civil cases, solemnly affirm),—

1. That I (*stating residence, post office address and addition or occupation*) duly applied before the revising officer for the electoral district of _____ (*or portion of an electoral district, as the case may be, in which the polling district where such person applies for a ballot paper is situated*) to have my name registered on the list of voters for this polling district (*or in the case of the first lists made for such electoral district or portion of an electoral district on the list or one of the lists of voters for such electoral district, or portion of an electoral district,*) under the provisions of "The Electoral Franchise Act."

2. That my application to have my name so registered was refused; that I have duly appealed from such decision of the said revising officer, pursuant to the provisions of the said Act;

3. That I am a British subject (by birth *or naturalization as the case may be*) and that I am of the full age of twenty-one years:

4. That I have not voted before at this election, either at this or at any other polling place:

5. That I have not received anything nor has anything been promised me, directly or indirectly, either to induce me to vote at this election or for loss of time, travelling expenses, hire of team or for any other service connected therewith:

6. That I have not, directly or indirectly, paid or promised anything to any person either to induce him to vote or to refrain from voting at this election:

7. (*Also if the claim of such person to be entitled to be registered on the list of voters and to vote is as a farmer's son or as the son of an owner of real property other than a farmer, and if the subject of such appeal is the exclusion of his name from such list as such son*) That I am resident with my father (*or if his father is dead, with my mother*) within this electoral district. *If the person is a mariner, fisherman or student, claiming the benefit of the provision as to occasional absence, add "that I am a mariner (or fisherman or student at an institution of learning in Canada, as the case may be) and that I have not been absent from such residence more than six months since my said application to be placed on the list of voters. So help me God."*

CHAP. 4.

An Act respecting the Revised Statutes of Canada.

[Assented to 2nd June, 1886.]

WHEREAS it has been found expedient to revise, classify and consolidate the public general statutes passed by the Parliament of the Dominion of Canada, and also certain public general statutes which were passed by the several legislatures of the Provinces of Canada before they respectively became a part thereof, and which are still in force, and relate to matters within the legislative authority of the Parliament of Canada; and whereas such revision, classification and consolidation have been made accordingly; and whereas it is expedient to provide for the incorporation therewith of the public general statutes passed during the present session, and for giving the force of law to the body of the Revised Statutes to result from such incorporation: Therefore Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Preamble.

1. The printed Roll marked A and attested as that of the said statutes, so revised, classified and consolidated as aforesaid, under the signature of the Governor General and that of the Clerk of the Parliaments, and deposited in the office of such Clerk, shall be held to be the original thereof, and to embody the several Acts and parts of Acts mentioned as to be repealed in the Schedule A annexed to the said Roll; but the marginal notes thereon, and the references to former enactments at the foot of the several sections thereof, and the explanatory notes and tables inserted by the revisors, form no part of the said statutes, and shall be held to have been inserted for convenience of reference only, and may be omitted or corrected; and any misprint or error, whether of commission or omission, or any contradiction or ambiguity in the said Roll may also be corrected, but without changing the legal effect; and such alterations in the language of the said statutes as are requisite in order to preserve a uniform mode of expression, and do not alter the legal effect, may be made in the Roll hereinafter mentioned.

Original roll of the said statutes to be certified and deposited.

As to marginal notes, references, misprints, &c.

Correction of errors or ambiguities, &c.

2. The Governor General may select such Acts and parts of Acts passed during the present session as he deems it advisable to incorporate with the said statutes contained in the said Roll marked A, and may cause them to be so incorporated therewith, adapting their form and language to those of the said statutes, but without changing their effect, inserting them in their proper places in the said statutes, striking

Governor may cause such Acts of the present session as he thinks proper to be inserted and Schedule A corrected.

striking out of the latter any enactments repealed by or inconsistent with those so incorporated, altering the numbering of the chapters and sections, if need be, and adding to the said Schedule A a list of the Acts and parts of Acts of the present session so incorporated as aforesaid, and also amending the said statutes in the particulars and to the extent in the schedule to this Act set forth.

Certified roll including such inserted Acts and such amendments of Schedule A to be deposited and deemed the original.

3. As soon as the said incorporation of such Acts and parts of Acts with the said statutes, and the said addition to the said Schedule A and amendments have been completed, the Governor General may cause a correct printed Roll thereof, attested under his signature and countersigned by the Secretary of State, to be deposited in the office of the Clerk of the Parliaments, which Roll shall be held to be the original thereof, and to embody the several Acts and parts of Acts mentioned as repealed in the amended Schedule A thereto annexed; but any marginal notes and references to former enactments which appear thereon shall be held to form no part of the said statutes, but to be inserted for convenience or reference only.

Proclamation declaring the Revised Statutes in force.

4. The Governor in Council, after such deposit of the said last mentioned Roll, may, by proclamation, declare the day on, from and after which the same shall come into force and have effect as law, by the designation of "The Revised Statutes of Canada."

Effect of such proclamation.

5. On, from and after such day, the same shall accordingly come into force and effect as and by the designation of "The Revised Statutes of Canada," to all intents, as if the same were expressly embodied in and enacted by this Act, to come into force and have effect on, from and after such day:

Repeal of enactments mentioned in schedule A.

2. On, from and after such day, all the enactments in the several Acts and parts of Acts in such amended Schedule A mentioned shall, so far as the same are within the legislative authority of the Parliament of Canada, stand and be repealed to the extent mentioned in the third column of the said Schedule A:

As to certain enactments in Schedule C.

3. The Acts and parts of Acts mentioned in Schedule C, annexed to the said Roll marked A, shall, so far as they constitute indictable offences, be repealed, from and after a day when the proper legislature makes provision for the punishment of the offence by fine or imprisonment, under "*The British North America Act, 1867.*"

Effect of repeal of enactments in Schedule A

6. The repeal of the said Acts and parts of Acts shall not revive any Act or provision of law repealed by them; nor shall the said repeal prevent the effect of any saving clause in

in the said Acts and parts of Acts, or the application of any of the said Acts or parts of Acts, or of any Act or provision of law formerly in force, to any transaction, matter or thing anterior to the said repeal, to which they would otherwise apply.

not retro-active.

7. The repeal of the said Acts and parts of Acts shall not affect—

As to certain matters anterior to repeal.

(a.) Any penalty, forfeiture or liability, civil or criminal, incurred before the time of such repeal, or any proceedings for enforcing the same, had, done, completed or pending at time of such repeal ;

Penalties, &c.

(b.) Any indictment, information, conviction, sentence or prosecution had, done, completed or pending at the time of such repeal :

Indictments, &c.

(c.) Any action, suit, judgment, decree, certificate, execution, process, order, rule, or any proceeding, matter or thing whatsoever respecting the same, had, done, made, entered, granted, completed, pending, existing or in force at the time of such repeal ;

Actions, &c.

(d.) Any act, deed, right, title, interest, grant, assurance, descent, will, registry, by-law, rule, order in council, proclamation, regulation, contract, lien, charge, status, capacity, immunity, matter or thing, had, done, made, acquired, established or existing at the time of such repeal ; or—

Acts, deeds, rights, &c.

(e.) Any office, appointment, commission, salary, allowance, security or duty, or any matter or thing appertaining thereto, at the time of such repeal ;

Offices, &c.

2. Such repeal shall not defeat, disturb, invalidate or prejudicially affect any other matter or thing whatsoever, had, done, completed, existing or pending at the time of such repeal :

Any other matters.

3. But every such—

(a.) Penalty, forfeiture and liability,

But the same shall remain valid, &c.

(b.) Indictment, information, conviction, sentence and prosecution,

(c.) Action, suit, judgment, decree, certificate, execution, process, order, rule, proceeding, matter or thing,

(d.) Act, deed, right, title, interest, grant, assurance, descent, will, registry, by-law, rule, order in council, proclamation, regulation, contract, lien, charge, status, capacity, immunity, matter or thing,

(e.)

(e.) Office, appointment, commission, salary, allowance, security and duty, and—

(f.) Matter and thing,

Continuance thereof under Revised Statutes.

may and shall remain and continue as if no such repeal had taken place, and, so far as necessary, may and shall be continued, prosecuted, enforced and proceeded with under the said Revised Statutes and other the statutes and laws having force in Canada, and subject to the provisions of the said several statutes and laws, as if no such repeal had taken place.

Revised Statutes not to be deemed new laws.

8. The said Revised Statutes shall not be held to operate as new laws, but shall be construed and have effect as a consolidation and as declaratory of the law as contained in the said Acts and parts of Acts so repealed, and for which the said Revised Statutes are substituted :

How construed if they differ from the repealed enactments.

2. But if upon any point the provisions of the said Revised Statutes are not in effect the same as those of the repealed Acts and parts of Acts for which they are substituted, then as respects all transactions, matters and things subsequent to the time when the said Revised Statutes take effect, the provisions contained in them shall prevail, but as respects all transactions, matters and things anterior to the said time, the provisions of the said repealed Acts and parts of Acts shall prevail.

As to references to repealed Acts in former Acts, &c.

9. Any reference in any former Act remaining in force, or in any proclamation, order in council, instrument or document, to any Act or enactment so repealed, shall, after the Revised Statutes take effect, be held, as regards any subsequent transaction, matter or thing, to be a reference to the enactments in the Revised Statutes, having the same effect as such repealed Act or enactment.

As to effect of insertion of an Act in Schedule A.

10. The insertion of any Act in the said Schedule A shall not be considered as a declaration that such Act or any part of it was or was not in force immediately before the coming into force of the said Revised Statutes.

Copies by Queen's Printer to be evidence.

11. Copies of the said Revised Statutes, purporting to be printed by the Queen's Printer from the amended Rolls so deposited, shall be evidence of the said Revised Statutes in all courts and places whatsoever.

As to distribution of copies of Revised Statutes.

12. The laws relating to the distribution of the printed copies of the statutes shall not apply to the said Revised Statutes, but the same shall be distributed in such numbers and to such persons only as the Governor in Council directs.

13. This Act shall be printed with the said Revised Statutes, and shall be subject to the same rules of construction as the said Revised Statutes.

This Act to be printed with them, &c.

14. Any chapter of the said Revised Statutes may be cited and referred to in any Act or proceeding whatsoever, either by its title as an Act, or by its short title, or by using the expression "The Revised Statute respecting—" adding the remainder of the title given at the beginning of the particular chapter, or by using the expression "The Revised Statutes "or" The Revised Statutes of Canada, chapter " adding the number of the particular chapter in the copies printed by the Queen's Printer.

How the Revised Statutes may be cited.

SCHEDULE.

Acts and parts of Acts amended.

Chapter and subject of Act.	Manner in which amended.
(1.) Chapter 7, "An Act respecting Elections of Members of the House of Commons."	By striking out the forms of oaths of qualification marked "S" and "T" in the schedule to the said Act, and by changing the letters by which the subsequent forms are marked and identified to suit the omission of those forms.
(2.) Chapter 75, "An Act respecting the Navigation of Canadian Waters."	By striking out the words "a similar fog-horn and bell" in the fifth line of article twelve of section two, and by inserting the following in lieu thereof: "an efficient fog-horn to be sounded by a bellows or other mechanical means, and also with an efficient bell."
(3.) Chapter 175, "An Act respecting Summary Proceedings before Justices of the Peace."	By striking out section one hundred and three.

CHAP. 5.

An Act respecting Commissions to Public Officers of Canada.

[Assented to 2nd June, 1886.]

WHEREAS under the existing customary practice certain officers only in the Civil Service of Canada receive commissions on their appointments, and it may be found expedient to issue commissions to some who do not now receive them: Therefore Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Preamble.

Governor in Council may by regulations determine what officers shall receive commissions.

Proviso.

Regulations may be amended.

Record and notice of commissions.

1. The Governor in Council, at any time after the passing of this Act, may make regulations declaring and determining what officers or classes of officers in the Civil Service, now or hereafter to be appointed under Orders in Council, shall receive commissions under the Great Seal or under the Privy Seal respectively, and what fee shall be paid thereon; and such commissions may be issued to the officers who have not received and are declared entitled to receive them; but nothing done under this Act shall affect any commission now in force.

2. Regulations made under this Act may be revoked or amended, and others made in like manner; but no such regulation shall affect the validity of any commission heretofore issued.

3. Commissions issued under this Act shall be recorded in the office of the Registrar General of Canada, and notice of the appointments shall be inserted in the *Canada Gazette* by the Secretary of State, and a list of such commissions issued during the year shall be laid before Parliament within the first fifteen days of its next ensuing session in each year.

CHAP. 6.

An Act to amend the law relating to the salaries of certain Judges of the Supreme Court of Judicature for Ontario.

[Assented to 2nd June, 1886.]

Preamble.

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

Salary of additional judge of chancery division.

How paid.

Sec. 1 of 46 V., c. 9, repealed.

1. The salary of the additional Judge of the Chancery Division of the High Court of Justice for Ontario, for whose appointment provision is made by the Act of the Legislature of that Province, forty-eighth Victoria, chapter thirteen, shall be five thousand dollars per annum; and such salary shall be paid out of any unappropriated moneys forming part of the Consolidated Revenue Fund of Canada.

2. The first section of the Act forty-sixth Victoria, chapter nine, intituled "*An Act to provide for the salaries and superannuation and travelling allowances of certain Judges of certain Provincial Courts,*" is hereby repealed.

CHAP.

CHAP. 7.

An Act to expedite the issue of Letters Patent for Indian Lands.

[Assented to 2nd June, 1886.]

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

Preamble.

1. A Deputy Governor may be appointed by the Governor General, who shall have the power, in the absence of, or under instructions of, the Governor General, to sign letters patent for Indian 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.

Deputy Governor may be appointed who may be authorized to sign letters patent for Indian lands.

2. Every patent for Indian lands shall be prepared in the Department of Indian Affairs, and shall be signed by the Superintendent General of Indian Affairs or his deputy, or by some other person thereunto specially authorized by order of the Governor General in Council, and when so signed, shall be registered by an officer specially appointed for that purpose by the Registrar General, and then transmitted to the Secretary of State of Canada, by whom, or by the Under Secretary of State, the same shall be countersigned, and the Great Seal of Canada thereto caused to be affixed: Provided, that every such patent for land shall be signed by the Governor or Deputy Governor, as hereinbefore provided.

Such patents to be prepared in the Department of Indian Affairs and signed by Superintendent, or deputy, &c. Registration, countersigning and affixing Great Seal. Proviso: for signature by Governor or Deputy.

CHAP. 8.

An Act to explain the Act, intituled "An Act for the final settlement of the claims made by the Province of Manitoba on the Dominion."

[Assented to 2nd June, 1886.]

FOR the removal of all doubts as to the proper construction of section six of the Act passed in the session held in the forty-eighth and forty-ninth years of Her Majesty's reign, chapter fifty, intituled "*An Act for the final settlement of the claims made by the Province of Manitoba on the Dominion*":—Her Majesty, by and with the advice and

Preamble.

48-49 V., c. 50.

consent

consent of the Senate and House of Commons of Canada, declares and enacts as follows:—

How the rate
per capita
mentioned in
section 6 of
the said Act
shall be
calculated.

1. Notwithstanding anything in the section above mentioned, it is hereby declared to be the intention thereof that the rate *per capita* at which the calculations therein mentioned are to be made, shall be taken and construed to be the rate *per capita* ascertained by dividing by seventeen thousand (that is to say, the estimated population of the Province of Manitoba under the Act thirty-third Victoria, chapter three) the sum of five hundred and fifty-one thousand, four hundred and forty-seven dollars (being the amount of capital on which the said Province was entitled to receive interest under and by virtue of section twenty-four of the Act last above cited and the Act thirty-sixth Victoria, chapter thirty); and the said section six of the Act cited in the preamble of this Act, shall be construed as if the provisions hereof had been made therein: Provided always, that nothing herein contained shall be taken or construed as in any way varying or altering any other provision of the said section or of the Act cited in the preamble, not inconsistent herewith or repugnant hereto.

Proviso.

CHAP. 9.

An Act further to amend the Act respecting the Canadian Pacific Railway.

[Assented to 2nd June, 1886.]

Preamble.
Agreement
between the
Government
and the Com-
pany.

WHEREAS an agreement has been entered into between the Government of the Dominion and the Canadian Pacific Railway Company, (hereinafter called the Company), subject to the approval of Parliament, providing for the payment and settlement, in the manner described in the said agreement, of the full amount remaining due, with interest, of the loans and advances heretofore authorized to be made to the company by the Government, amounting in all to the sum of twenty-nine millions eight hundred and eighty thousand nine hundred and twelve dollars, and containing certain stipulations by the Company for authority to deal with their lands and with the branch of their railway known as the Algoma branch, in manner and form as stated in the said agreement; and it is expedient to approve and ratify the said agreement, and to grant the powers necessary to carry out the same: Therefore Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

1. The said agreement, a copy of which is appended hereto, is hereby approved and ratified, and the Government and the Company respectively are hereby authorized to perform and carry out the conditions thereof according to their intent and purport: provided that the Governor in Council may extend the time for the payment of the first instalment and interest mentioned in the said agreement, to a date not later than the first day of July now next.

Agreement ratified, and power given to carry it out.

Proviso.

2. So soon as the payment and settlement of the sum advanced on the said sum of twenty-nine millions eight hundred and eighty thousand nine hundred and twelve dollars, and interest, shall have been effected, as provided by the said agreement, the Company, under the authority of a special general meeting of their shareholders, called for the purpose, may issue mortgage bonds, secured upon the branch of the said railway known as the Algoma branch, constructed and to be hereafter constructed, completing the connection between the main line of the Canadian Pacific Railway and the river Ste. Marie,—which issue shall constitute a first mortgage and privilege upon the said branch railway, constructed and to be thereafter constructed, including the rolling stock and plant applicable thereto, and upon the tolls and revenues thereof, after deduction from such tolls and revenues of working expenses, and upon such rolling stock and plant appertaining thereto, as shall be declared and described in any deed of mortgage securing such bonds, which shall be executed by the Company, in conformity with its charter; but the proceeds of such bonds shall be applied exclusively to the cost of completion and equipment of the said Algoma branch, including the bridge over the said river: and before the issue of such bonds, the Company shall make by-laws, prescribing the mode in which the due and exclusive application of the proceeds of the said bonds to the purposes hereinafter defined shall be secured, and in which, in case of default in the payment of the interest on such bonds or of the capital thereof, the rolling stock and plant, if any, included in such mortgage as appertaining to the said branch, shall be identified, and the tolls and revenues derivable from such branch, ascertained and distinguished from the tolls and revenues of the main line, and making such further provisions as may be just and expedient for the protection of the holders of the bonds secured upon the said branch line, without interfering with the rights of the holders of other securities of the Company; and such by-laws shall be submitted for approval to the Governor in Council, and upon such approval, a certified copy thereof shall be deposited in the office of the Secretary of State, and thereafter such by-laws shall continue to be valid and binding upon the Company, and shall not be altered or repealed by the Company so long as the bonds referred to therein remain in force.

On payment of the \$39,880,912 company may be authorized to issue mortgage bonds on the Algoma branch.

Application of proceeds.

Company shall previously pass by-laws respecting such bonds for protection of the holders.

By-laws subject to approval by Governor in Council, and not to be altered while bonds are in force.

Mode of securing bonds to be as provided in the charter of the Company.

Company may also issue mortgage bonds secured on land grants.

Conditions of such issue.

For security of outstanding land grant bonds beyond the \$5,000,000 in hands of the Government.

Provision for release of certain bonds held by Government under construction contract, on satisfactory proof that their retention is unnecessary.

Company may acquire stock in North Shore Railway.

On completion of railway disqualification of shareholders as M.P.'s to cease.

3. The mode of securing the said mortgage bonds, and the rights, privileges and remedies applicable thereto and available to the holders thereof, shall be such as are described in sections twenty-eight, thirty-two, thirty-three, thirty-four, thirty-five and thirty-six of the charter of the Company.

4. The Company may also issue mortgage bonds to such amount as they shall deem fit, and as shall be approved by the Governor in Council, not to exceed two dollars per acre, and according to the terms of the said agreement, secured upon the lands of the Company to which they shall then be entitled under the provisions of the construction contract executed on the twenty-first day of October, one thousand eight hundred and eighty; and the provisions of sections thirty, thirty-two, thirty-four, thirty-five and thirty-six of the charter of the Company shall apply to such last-mentioned bonds; but nothing herein contained shall affect or impair the security or remedies of the holders of outstanding land grant bonds: and in making such last-mentioned issue of bonds, the Company shall reserve and place in the hands of the trustees of the mortgage securing such bonds, if trustees are created by such mortgage deed, and if not, then in the hands of some person or company appointed for the purpose by the Governor in Council, an amount of the said bonds equal in value to the land grant bonds then outstanding and unsatisfied above and beyond the sum of five million dollars of such bonds in the hands of the Government, the exchange of which is provided for by the said agreement; and the bonds so reserved shall not be used or disposed of for any other purpose whatsoever, except for providing, by payment or exchange, for the land grant bonds so outstanding and unsatisfied.

5. If after the said Canadian Pacific Railway shall have been constructed and duly placed in operation to its terminus on the seaboard in the Province of British Columbia, it shall be established to the satisfaction of the Governor in Council that the retention of the amount of five million dollars in bonds under the provisions of the construction contract, as security for the operation of the railway, is no longer necessary in the public interest, the Governor in Council may order that the said bonds be released and delivered to the Company.

6. The Company may take and hold the stock of the North Shore Railway Company as a means of acquiring the railway of the said company.

7. Upon the completion of the said Canadian Pacific Railway according to the said contract, and upon its being duly opened for traffic, the disqualification of the shareholders thereof from becoming or being members of the Senate or House of Commons of Canada by reason of their
being

being such shareholders shall be removed, and shall cease and determine.

8. The Company shall lay before the House of Commons within the first fifteen days of the meeting of Parliament a list of all lands sold by them during the year ending on the first day of October in each year, together with the names of the purchasers. Yearly return
of land sales.

SCHEDULE.

Agreement referred to in Section One of this Act.

THIS AGREEMENT made, subject to the approval of Parliament, between Her Majesty the Queen, acting for the Dominion of Canada, herein represented by the Honorable A. W. McLelan, Minister of Finance, hereinafter called the Government, and the Canadian Pacific Railway Company, herein represented by the Chief Executive Officer thereof, hereinafter called the Company, witnesses, —

1. That inasmuch as the amount actually advanced to the Company by the Government on account of the sum of \$20,000,000, secured by the first mortgage bonds of the Company, to the amount of £4,109,500 sterling, is \$19,150,700, it is agreed that the Company shall repay to the Government, with interest at the rate of four per centum per annum, as provided by the Act 48-49 Victoria, chapter 57, the said sum of \$19,150,700,—such payment to be made in two equal instalments, the first of which shall be paid on the first day of May next, and the second thereof on or before the first day of July next, both with interest as aforesaid.

2. That upon full payment of the said two cash instalments and interest as hereinbefore provided, the land grant of the Company shall be reduced by such number of acres as shall be sufficient, computing the value thereof at \$1.50 per acre, to extinguish the balance of the loan of \$29,880,912, mentioned in the Act 48-49 Victoria, chapter 57, that is to say, the sum of \$9,880,912, with interest at the rate aforesaid to the first day of May next; and such reduction shall be effected by the retention by the Government of lands of equal average quality and value with the lands constituting the portion of the Company's land grant not heretofore disposed of by the Company.

3. That upon the settlement of all accounts respecting the said authorized loan of \$29,880,912, and payment and settlement as aforesaid of all sums of money due thereon, all the bonds of the Company secured exclusively upon the land grant of the Company, commonly called land grant bonds, now held by the Government in excess of the sum of \$5,000,000 of such bonds held by the Government under
the

the Construction Contract of the 21st October, 1880, shall be cancelled, and the debenture stock of the Ontario and Quebec Railway Company held by the Government under the Act 47 Victoria, chapter 61, section 1, shall be returned to the Company ; and the Government shall authorize the Company, under section 10 of 48-49 Victoria, chapter 57, to mortgage the Algoma Branch to such amount per mile as is authorized by the Charter of the Company with respect to the main line.

4. That upon the settlement in manner aforesaid of the indebtedness of the Company to the Government, the Company may issue first mortgage bonds upon the remaining lands granted to them under their said contract, in such manner as is provided by their Charter in respect of the issue of land grant bonds, and to such amount per acre as they shall deem fit, not to exceed \$2 per acre, subject to the approval of the Governor in Council—all of the outstanding land grant bonds obtainable being first duly cancelled, and a reserve being made from the new issue to cover such outstanding land grant bonds as cannot be obtained for cancellation. And in the event of the Company making such issue, the Government will accept in exchange for the said \$5,000,000 of the said land grant bonds, a like amount of the new issue of bonds,—such bonds to be held and dealt with in the same manner as the Government were, by 44 Victoria, chapter 1, intituled “An Act respecting the Canadian Pacific Railway,” authorized to hold and deal with the said \$5,000,000 so exchanged.

5. That all necessary legislation required to carry the provisions hereof into force shall be asked for from Parliament at its present session.

In witness whereof the Minister of Finance has hereto set his hand and seal, and the Chief Executive Officer and the Secretary of the Canadian Pacific Railway Company have hereto set their hands and have caused the seal of the Company to be hereto affixed the 30th day of March, in the year of Our Lord one thousand eight hundred and eighty-six.

(Signed,) A. W. MCLELAN,



Signed and Sealed by the Minister of Finance in the presence of

(Signed,) GEO. W. BURBIDGE.

The Canadian Pacific Railway Company per
(Signed,) GEO. STEPHEN,

President.

(Signed,) C. DRINKWATER,

Secretary.



CHAP.

CHAP. 10.

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

[Assented to 2nd June, 1886.]

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

Preamble.

1. The Governor in Council may grant the subsidies hereinafter mentioned to the railway companies, and towards the construction of the railways also hereinafter mentioned, that is to say:—

Subsidies authorized.

For a railway from a point at or near Moncton, to Buctouche, in the Province of New Brunswick, thirty miles, a subsidy not exceeding \$3,200 per mile, nor exceeding in the whole.....\$	96,000
For a railway from Ingersoll <i>via</i> London to Chatham, in the Province of Ontario, eighty miles, a subsidy not exceeding \$3,200 per mile, nor exceeding in the whole.....	256,000
To the Northern and Western Railway Company, for ten miles of their railway, intervening between the termini of the portions of their railway for which subsidies are already granted, the one from Fredericton and the other from Indiantown, and an extension of two miles down to deep water at Chatham, in the Province of New Brunswick, a subsidy not exceeding \$3,200 per mile, nor exceeding in the whole.....	32,000
To the Caraquet Railway Company, for ten miles of their railway from the end of the present subsidized portion at Lower Caraquet to Shippegan, in the Province of New Brunswick, a subsidy not exceeding \$3,200 per mile, nor exceeding in the whole.....	32,000
To the Lake Erie, Essex and Detroit River Railway Company, for thirty-seven miles of their railway, from Windsor to Leamington, in the Province of Ontario, a subsidy not exceeding \$3,200 per mile, nor exceeding in the whole....	118,400
To the Thunder Bay Colonization Railway Company, for fifty-six miles of their railway, from the end of the present subsidized section to a point near Crooked Lake, in the Province of Ontario, a subsidy not exceeding \$3,200 per mile, nor exceeding in the whole	179,200
	To

To the Parry Sound Colonization Railway Company, for forty miles of their railway, from the Village of Parry Sound to the Village of Sandridge, on the line of the Northern Pacific Junction Railway, in the Province of Ontario, a subsidy not exceeding \$3,200 per mile, nor exceeding in the whole.....	128,000
For a railway from a point at or near New Glasgow or St. Lin, to or near to Montcalm, in the Province of Quebec, eighteen miles, a subsidy not exceeding \$3,200 per mile, nor exceeding in the whole.....	57,600
For a railway from Hereford to the International Railway, in the Township of Eaton, in the Province of Quebec, thirty-four miles, a subsidy not exceeding \$3,200 per mile, nor exceeding in the whole.....	108,800
For a railway from St Felix to Lake Maskinongé, Parish of St. Gabriel, in the Province of Quebec, ten miles, a subsidy not exceeding \$3,200 per mile, nor exceeding in the whole.....	32,000
For a railway from Glenannan to Wingham, in the Province of Ontario, five miles, a subsidy not exceeding \$3,200 per mile, nor exceeding in the whole.....	16,000
For a railway from a point at or near the McCann Station on the Intercolonial Railway, to the Joggins, on Cumberland Basin, in the Province of Nova Scotia, twelve miles, a subsidy not exceeding \$3,200 per mile, nor exceeding in the whole.....	38,400
For a railway from L'Assomption to l'Epiphanie, in the Province of Quebec, three miles and a half, a subsidy not exceeding \$3,200 per mile, nor exceeding in the whole.....	11,200
To the Montreal and Western Railway Company, for seventy miles of their railway from St. Jérôme, north-westerly towards Desert, in the Province of Quebec, a subsidy of \$5,161 per mile, in lieu of the subsidies granted by 46 Victoria, chapter. 25, and 47 Victoria, chapter 8, not exceeding in the whole.....	361,270
For a railway from St. Andrews to the Canadian Pacific Railway at, or at any point east of the Town of Lachute, in the County of Argenteuil, in the Province of Quebec, seven miles, in lieu of the subsidy granted by 47 Victoria, chapter 8, a subsidy not exceeding \$3,200 per mile, nor exceeding in the whole.....	22,400
To the Canada Atlantic Railway Company, for twelve miles of their railway from Clark's Island to Valleyfield and from Lacolle, in the	Province

Province of Quebec, to the International Boundary, a subsidy not exceeding \$3,200 per mile, nor exceeding in the whole.....	88,400
For a railway from Truro to Newport, in the Province of Nova Scotia, forty-nine miles, a subsidy not exceeding \$3,200 per mile, nor exceeding in the whole.....	156,800
To the Quebec and Lake St. John Railway Company, for ninety-five miles of their railway, from a point fifty miles north of St. Raymond to Lake St. John. in the Province of Quebec, a subsidy not exceeding \$1,961 per mile, nor exceeding in the whole (in addition to the subsidy granted by 45 Victoria, chapter 14, and 46 Victoria, chapter 25, of \$3,200 per mile).....	186,295
To the Cap Rouge and St. Lawrence Railway Company, for twelve miles of their railway from Lorette <i>viâ</i> Cap Rouge to Quebec, in the Province of Quebec, a subsidy not exceeding \$3,200 per mile, nor exceeding in the whole....	88,400
For the construction of wharves and landing stages on the line of the railway from Long Sault to the foot of Lake Temiscamingue, a subsidy of..	6,000
To the Gananogue, Perth and James' Bay Railway Company, seventeen miles, a subsidy not exceeding \$3,200 per mile, nor exceeding in the whole.....	54,400
For a railway from St. Eustache to St. Placide, County of Two Mountains, eighteen miles, a subsidy not exceeding \$3,200 per mile, nor exceeding in the whole.....	57,600
For a railway from a point on the Intercolonial Railway through the Stewiacke Valley, on a line which will afford facilities of communication with the Iron Mines, Spring Side, Upper Stewiacke, and Musquodoboit settlements, twenty-five miles, a subsidy not exceeding \$3,200 per mile, nor exceeding in the whole....	80,000
For a railway from Yamaska to the River St. Francis, in the Province of Quebec, ten miles, a subsidy not exceeding \$3,200 per mile, nor exceeding in the whole.....	82,000
For a railway from Perth Centre Station on the New Brunswick Railway, to a point near Plaister Rock Island, in the Province of New Brunswick, twenty-eight miles, a subsidy not exceeding \$3,200 per mile, nor exceeding in the whole.....	89,600
For a railway from Fredericton to the Village of Prince William, in the Province of New Brunswick, twenty-two miles, a subsidy not exceeding \$3,200 per mile, nor exceeding in the whole.	70,400
	For

For a railway from a point on the Intercolonial Railway near Newcastle or <i>via</i> Douglastown, to a point on the River Miramichi, opposite the Town of Chatham, in the Province of New Brunswick, six miles, a subsidy not exceeding \$3,200 per mile, nor exceeding in the whole....	19,200
For a railway from a point on the Canadian Pacific Railway to Eganville, in the Province of Ontario, twenty-two miles, a subsidy not exceeding \$3,200 per mile, nor exceeding in the whole.....	70,400
To the Belleville and North Hastings Railway Company, for seven miles of their railway from the Village of Madoc to the Junction with the Central Ontario Railway at Eldorado, in the Province of Ontario, a subsidy (in addition to the subsidy of \$1,500 per mile granted by 48-49 Victoria, chapter 59) not exceeding \$1,700 per mile, nor exceeding in the whole.....	11,900
To the Napanee, Tamworth and Quebec Railway Company, for eighteen miles of their railway from Tamworth to Tweed, in lieu of the subsidy granted by 48-49 Victoria, chapter 59, a subsidy of	70,000
To the Albert Railway Company, for their railway from Salisbury to Hopewell, in the Province of New Brunswick, which is a feeder to the Intercolonial Railway, in the form of a loan, repayable at such time and secured in such manner as the Governor in Council determines, a subsidy of.....	15,000

Company may be incorporated by O.C. for constructing railway from Long Sault to Lake Temiscamingue; and wharves, &c.

2. For the purpose of incorporating the persons undertaking the construction of the railway from Long Sault to the foot of Lake Temiscamingue, and of the wharves and landing stages on the line of the said railway mentioned in the next preceding section, the Governor in Council may grant to them, under such corporate name as he shall deem expedient, a charter conferring upon them the franchises, privileges and powers requisite for the said purposes, as the Governor in Council shall deem most useful or appropriate to the said undertaking; and such charter being published in the *Canada Gazette*, with any order or orders in Council relating to it, shall have force and effect as if it were an Act of the Parliament of Canada.

To whom and for what purposes and on what conditions the said subsidies may be granted.

3. The subsidies hereinbefore mentioned as to be granted to companies named for that purpose, shall be granted to such companies, respectively; the other subsidies shall be granted to such companies as shall be approved by the Governor in Council as having established to his satisfaction their ability to construct and complete the said railways respectively. All the lines for the construction of which subsidies

subsidies are granted shall be commenced within two years from the first day of August next and completed within a reasonable time, not to exceed four years, to be fixed by Order in Council, and shall also be constructed according to descriptions and specifications and upon conditions to be approved by the Governor in Council, on the report of the Minister of Railways and Canals, and specified in an agreement to be made in each case by the company with the Government, and which the Government is hereby empowered to make; the location, also, of every such line of railway shall be subject to the approval of the Governor in Council: and all the said subsidies, respectively, shall be payable out of the Consolidated Revenue Fund of Canada, by instalments on the completion of each section of the railway of not less than ten miles, proportionate to the value of the portion so completed, in comparison with that of the whole work undertaken, to be established by the report of the said Minister: Provided, always, that the granting of such subsidies to the companies mentioned, respectively, shall be subject to such conditions for securing such running powers or traffic arrangements and other rights, as will afford all reasonable facilities and equal mileage rates to all railways connecting with those so subsidized, as the Governor in Council may determine.

How payable.

Proviso: as to running powers, &c.

CHAP. 11.

An Act to authorize the grant of certain subsidies in land for the construction of the railways therein mentioned.

[Assented to 2nd June, 1886.]

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

Preamble.

1. The Governor in Council may grant to the Manitoba and North-Western Railway Company, Dominion lands to the extent of six thousand four hundred acres per mile for each mile of the company's branch railway running from a point on the main line of that railway, at or near Todburn, in a north-westerly direction through the county of Russell to the Assiniboine River, near the town of Shellmouth, about twenty-six miles.

Grant to Manitoba and N.-W. Railway Company.

2. The Governor in Council may grant to the North-West Central Railway Company, or to such other company as may undertake the construction of the railway or a railway from a point on the Manitoba and Northwestern Railway, *via* Rapid City,

To the N.-W. Central Railway Company.

City, westward, Dominion lands to the extent of six thousand four hundred acres for each mile of the company's railway, for the whole distance from Brandon Station, on the Canadian Pacific Railway, or from such point on the Manitoba and North-Western Railway as aforesaid, to Battleford, in the Provisional District of Saskatchewan, about four hundred and fifty miles.

To the Wood Mountain and Qu'Appelle Railway Company.

3. The Governor in Council may grant to the Wood Mountain and Qu'Appelle Railway Company, Dominion lands to the extent of six thousand four hundred acres for each mile of the company's railway for the whole distance commencing at a point in township number four, in range number thirty, west of the second meridian, in the Dominion Lands system of survey, passing through the town of Fort Qu'Appelle, to join the Manitoba and North-Western Railway at a point to be fixed for that purpose by the Governor in Council, about two hundred and forty miles.

Grants to be subject to certain conditions.

4. The said grants, and each of them may be so made in aid of the construction of the said railways respectively, in the proportions and upon the conditions fixed by the Orders in Council made in respect thereof,—each of the said enterprises being respectively subject to any modification thereof which may hereafter be made by the Governor in Council; and, except as to such conditions, the said grants shall be free grants, subject only to the payment by the grantees respectively of the cost of survey of the lands and incidental expenses at the rate of ten cents per acre in cash on the issue of the patents therefor.

Cost of surveys &c.

Recital.

5. And whereas it may become necessary for the construction of the railway in respect of which the granting of a subsidy is authorized by the second section of this Act, that a company should be incorporated with the powers requisite for such construction, and for making financial arrangements for the purposes thereof: Therefore, it is hereby further enacted as follows:—

Governor in Council may incorporate a company to construct a certain railway.

For the purpose of incorporating the persons undertaking the construction of the said railway, or a railway from a point on the Manitoba and North-Western Railway, *vid* Rapid City, westward, and for the incorporation of those who shall be associated with them in the undertaking, the Governor in Council may grant to them, under such corporate name as he shall deem expedient, a charter conferring upon them the franchises, privileges and powers requisite for the said purposes, which shall be similar to such of the franchises, privileges and powers granted to railway companies during the present session, as the Governor shall deem most useful or appropriate to the said undertaking; and such charter, being published in the *Canada Gazette*, with

with any Order or Orders in Council relating to it, shall have force and effect as if it were an Act of the Parliament of Canada: Provided always, that in the event of a company being so incorporated, it shall be provided in the charter that such company shall be subject to all the present legal obligations of the North-West Central Railway Company, in relation to the said railway.

Publication and effect of charter.
 Proviso: conditions of Charter.

CHAP. 12.

An Act to amend an Act to authorize the granting of subsidies in land to certain railway companies.

[Assented to 2nd June, 1886.]

WHEREAS it is expedient to make further provision, as hereinafter set forth, respecting the subsidies in land authorized by the Act passed in the session held in the forty-eighth and forty-ninth years of Her Majesty's reign, chapter sixty, intituled "*An Act to authorize the grant of certain subsidies in land for the construction of the railways therein mentioned*:" Therefore Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Preamble.

48-49 V., c. 60.

1. Notwithstanding anything contained in sections eight and nineteen of the "*Dominion Lands Act, 1883*," the Governor in Council is hereby empowered to grant the subsidies in land authorized by the Act cited in the preamble to this Act, wholly or in part, in tracts each comprising a township or a fractional part of a township, as he deems expedient; but no such grant shall be made until an extent of land equivalent to that reserved for the Hudson's Bay Company in the township, or fractional part of a township to be so granted, has been set apart for that company out of other ungranted available public lands, and such change has been assented to by the said Hudson's Bay Company; nor shall any such grant be made until a tract or tracts of land equivalent in extent, and as nearly as may be in value, to that set apart as school lands in the township, or fractional part of a township, to be so granted, has been set apart as school lands out of other ungranted available public lands; and the substituted lands so set apart shall stand in place of those reserved for the Hudson's Bay Company and set apart as school lands respectively under the said sections eighteen and nineteen of the "*Dominion Lands Act, 1883*," in the township or fractional part of a township to be so granted.

Subsidies in land under the said Act may be granted in townships or fractions thereof; subject to certain conditions as to lands reserved under 46 V., c. 17, for Hudson's Bay Company, or as school lands, for which others shall be substituted.

What the grants under this Act shall include or reserve.

2. The grants of land so made shall include the statutory allowance for roads between sections in the townships and fractional parts of townships so granted, but shall be subject to a reserve of one acre out of every one hundred acres, for the establishment of trails, with convenient watering places, for the purpose of driving and watering cattle.

As to lands reserved for trails.

3. Such trails shall be for the public benefit, and shall be open to the public for use as common highways, and shall be set off within two years after the passing of this Act, by an officer appointed by the Minister of the Interior for that purpose; and the cost of the survey of such trails shall be borne by the company to which the grant is made.

CHAP. 13.

An Act respecting the extension of the Intercolonial Railway from a point at or near Stellarton to the Town of Pictou.

[Assented to 2nd June, 1886.]

Preamble.
48-49 V., c.
41.

WHEREAS by the Act of Supply passed in the session held in the forty-eighth and forty-ninth years of Her Majesty's reign, and chaptered forty-one, the sum of two hundred and fifty thousand dollars was granted to Her Majesty, "to extend the Intercolonial Railway from a point at or near Stellarton to the Town of Pictou:" Therefore Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, declares and enacts as follows:—

Power to construct or acquire, &c., the said branch line.

1. It is, and has been, since the passing of the Act cited in the preamble to this Act, lawful for the Minister of Railways and Canals, to locate, construct, acquire, equip and work a branch line of railway from a point on the Intercolonial Railway at or near Stellarton in Nova Scotia, to a point in the town of Pictou in the said Province; and such branch line shall be part of the Intercolonial Railway.

Powers of Minister under 44 V., c. 25.

2. For the construction and working of and for all purposes relating to the said Branch Railway, the said Minister shall have and exercise and shall be held to have had all the powers and authority vested in him by "*The Government Railways Act, 1881*," all the provisions whereof shall extend and apply to the said Branch Railway, which shall be held to be constructed and worked under the said Act.

Money appropriated to be available until work is completed and paid for.

3. The money appropriated as aforesaid for the said branch line, or any revote thereof, shall be applied to defray the cost of, or occasioned by, its construction and acquisition.

CHAP.

CHAP. 14.

An Act to authorize the construction of a railway from the Straits of Canso to Louisburg or Sydney, as a public work.

[Assented to 2nd June, 1886.]

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

Preamble.

1. The Minister of Railways and Canals is hereby authorized to construct a railway from a point on the Straits of Canso to Louisburg or Sydney, as a public work; and "*The Government Railways Act, 1881*," shall apply to such railway, and the location and all other incidents of the work shall be determined by the Governor in Council.

Railway to be made as a public work under 44 V., c. 25.

CHAP. 15.

An Act respecting the Railway from Esquimalt to Nanaimo, in British Columbia.

[Assented to 2nd June, 1886.]

WHEREAS by the articles of agreement between certain persons therein named and Her Majesty, therein represented by the Minister of Railways and Canals, and the specification thereunto annexed, which are recited in the Act passed in the forty-seventh year of Her Majesty's reign, and chaptered six, it is provided that the gradients and alignments of the railway from Esquimalt to Nanaimo therein mentioned as to be constructed by the parties of the first part, or a company to be formed by their incorporation, shall be the best that the physical features of the country will admit of without involving unusually or unnecessarily heavy works of construction, with respect to which the Governor in Council shall decide; and whereas the company formed as aforesaid, having carried the works of construction of the said railway far forward towards completion, have represented that in order to avoid such unusually heavy work, they have been compelled by the physical features of the country in many places, to adopt sharper curves than those mentioned in the said specification, and have prayed that the same be allowed by Parliament and the said Act amended accordingly; and inasmuch as it appears by the reports of the Engineer of the Department

Preamble.

Recital of case:—

Agreement under 47 V., c. 6, as to curves on the railway, and necessary departure therefrom.

of

of Railways and Canals, who has inspected the said works, that the gradients of the said railway are as required by the said specification, and the work satisfactorily performed, and that although sharper curves have been introduced than are admissible under the said specification, the railway is of a more durable and substantial character than if built where flatter curves could have been obtained, and that the allegations of the said company as to the difficulties arising from the physical features of the country appear to be true, it is expedient to grant their prayer: Therefore Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

With the consent of the Lt.-Governor of British Columbia in Council the Governor in Council may accept the existing curves.

1. The Governor in Council may, with the consent of the Lieutenant-Governor of the Province of British Columbia in Council, accept curves in the said railway not being of less radius than five hundred and seventy-three feet, as satisfying the requirements of the said Act forty-seventh Victoria, chapter six, which shall be construed and have effect as if that radius had been mentioned as the least allowed by paragraph two of the specification A in the schedule to the said Act, instead of a radius of eight hundred feet.

CHAP. 16.

An Act respecting the Carleton, City of Saint John, Branch Railroad.

[Assented to 2nd June, 1886.]

Preamble.
48-49 V., c.
41.

Schedule B.

Proceedings
under it.

WHEREAS by an Act passed in its now last session the Parliament of Canada appropriated the sum of eighty-five thousand dollars, to purchase the Branch Railroad, harbor frontage, wharf and town lots, and all other property of the Carleton, City of Saint John, Branch Railroad Company; and whereas, in pursuance thereof, the outstanding bonds of the said Company, and also four thousand seven hundred shares out of the five thousand shares of its capital stock, have been purchased by the Government of Canada; and it is expedient to declare that the said railroad is a work for the general advantage of Canada, and to make provision for vesting the same with its appurtenances in Her Majesty, for the public uses of the Dominion: Therefore Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Work declared to be for advantage of Canada.

1. The railroad of the Carleton, City of Saint John, Branch Railroad Company, with its harbor frontage, wharves and town lots, and all other property of the said Company, is hereby declared to be a work for the general advantage of Canada.

2. The Minister of Railways and Canals may purchase from the several holders thereof, the shares in the capital stock of the Company now outstanding, paying to each such shareholder a sum not exceeding that paid by him for his stock, without interest thereon.

Purchase of certain shares of stock of company.

3. As soon as the Minister of Railways and Canals has purchased the shares now outstanding of the capital stock of the said company, the said railroad with its harbor frontage, wharves and town lots, and all other property of the Company, shall be vested in Her Majesty for the public uses of Canada, free from all claims and incumbrances whatsoever; and the Governor in Council may, by proclamation, declare that the same has so become vested in Her Majesty.

Railway, &c., vested in the Crown after such purchase.

Proclamation.

4. If the Minister of Railways and Canals cannot agree with any shareholder in the said Company for the purchase of his shares in its stock, or with the holder of any incumbrance for the discharge thereof, the Governor in Council may, by proclamation, declare that from and after a day to be named in such proclamation, the railroad of the said Company, with its harbor frontage, wharves and town lots, and all other property of the Company, shall be vested in Her Majesty for the public uses of Canada, free from all claims and incumbrances whatsoever, saving the right of any shareholder or incumbrancer whose shares of the stock of the said Company have not been purchased or whose incumbrance has not been discharged as hereinbefore provided, to obtain compensation therefor in the manner by law provided in the case of the expropriation of lands required for public works; and all provisions of law relating to claims arising from such expropriation, shall, as far as applicable, apply to the cases mentioned in this section.

Provision if any such stock cannot be purchased.

Saving right of compensation.

Certain enactments to apply.

5. From and after the date of a proclamation issued under either of the two sections of this Act next preceding, the Minister of Railways and Canals shall, for all purposes relating to the said railroad, have and exercise all the powers and authority vested in him by "*The Government Railways Act, 1881*," all the provisions whereof shall extend and apply to the said railroad; and any other property of the said Company vested in Her Majesty under such proclamation, and not required for railway purposes shall be subject to the control and management of such Ministers and Departments as the Governor in Council directs.

Railway and property vested in the Crown.

Management thereof, and of other property.

CHAP. 17.

An Act respecting certain subsidies for a railway from Metapediac on the Intercolonial Railway to Paspebiac.

[Assented to 2nd June, 1886]

Preamble.
Recital.
46 V., c. 25.

47 V., c. 8.

Agreement
between Her
Majesty and
the company.

WHEREAS by the Act, forty-sixth Victoria, chapter twenty-five, the Governor in Council was authorized to grant to the Baie des Chaleurs Railway Company, incorporated by Act of the Legislature of the Province of Quebec, a subsidy not exceeding three thousand two hundred dollars per mile, nor exceeding in the whole three hundred and twenty thousand dollars, for one hundred miles of their railway from Metapediac on the Intercolonial Railway to Paspebiac in the Province of Quebec, and by the Act forty-seventh Victoria, chapter eight, further authority was given to the Governor in Council to grant a subsidy, not exceeding in the whole three hundred thousand dollars, for a branch of the Intercolonial Railway from Metapediac eastward towards Paspebiac, twenty miles in the Province of Quebec, subject in both cases to certain conditions mentioned in the said Acts respectively; and whereas the said Company, by two separate instruments designated as articles of agreement, made in duplicate, between Her Majesty Queen Victoria and the Company, both bearing date the seventh day of November, one thousand eight hundred and eighty-five, have undertaken to construct, in the manner and subject to the conditions set forth in the said instruments respectively, as well the said twenty miles as the remaining eighty miles of the railway from Metapediac to Paspebiac, and it was thereby further agreed that the Government should request Parliament, at the present session, to authorize the arrangement hereinafter mentioned as to the application of the subsidies aforesaid to the several portions of the said one hundred miles of railway: Therefore Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

How the subsidies heretofore granted shall be applicable.

1. The said subsidy of three hundred thousand dollars shall apply to the first section of twenty miles of the said railway, eastward from Metapediac; the subsidy of three thousand two hundred dollars per mile authorized for the said first section shall, with the three thousand two hundred dollars which alone would have been applicable to the second section of twenty miles eastward from Metapediac, be also applicable to it, making six thousand four hundred dollars per mile applicable to the said second section; and to the remaining sixty miles of the said one hundred miles of the railway the subsidy of three thousand two hundred dollars per mile shall apply.

2. The two instruments of agreement mentioned in the preamble to this Act, which were made subject to the approval of Parliament, are hereby approved and confirmed.

Agreement confirmed.

3. The Company shall complete the railway hereinbefore mentioned by the first day of December, one thousand eight hundred and eighty-eight, and the provisions of the above cited Acts which are applicable thereto shall, except as hereby modified, continue to apply to the said railway and the said Company.

Time for completion of work.

CHAP. 18.

An Act to amend the Act to provide for the granting of a subsidy to the Chignecto Marine Transport Railway Company (Limited.)

[Assented to 2nd June, 1886.]

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

Preamble.

1. The term during which a subsidy may be granted out of the Consolidated Revenue Fund of Canada to the Chignecto Marine Transport Railway Company (Limited), under the provisions of the Act forty-fifth Victoria, chapter fifty-five, shall be twenty years instead of twenty-five years, and the amount of the subsidy that may be so granted shall be one hundred and seventy thousand six hundred and two dollars a year, instead of one hundred and fifty thousand dollars a year.

Duration and yearly amount of subsidy to the company, under 45 V., c. 55.

2. The Company shall only call on the Government of Canada for the payment of such sums of the subsidy payable as above mentioned (which shall not in any case exceed the amount then due and payable), as may be required to make up the net earnings of the undertaking to seven per cent. per annum on the authorized share and bond capital of the Company, namely, five millions of dollars.

Company to call for such amount only as may be required to make up its net earnings to 7 per cent. per annum on its capital.

3. In case the earnings of the undertaking should exceed seven per cent. per annum upon the aforementioned capital, the Company shall pay over to the Government of Canada, one-half of the surplus profit beyond the said seven per cent., until the whole of the subsidy which may then have been paid to the Company shall have been repaid to the Government by the Company.

Repayment of subsidy to Government out of surplus profits.

4. The indenture made on the fourth day of March, in the year of our Lord one thousand eight hundred and eighty-six, between the Chignecto Marine Transport Company (Limited)

Indenture of agreement of Her Majesty

and the com-
pany con-
firmed.

(Limited) and Her Majesty the Queen, represented therein by the Minister of Railways and Canals of Canada, a copy of which is in the schedule annexed to this Bill, is hereby approved and ratified.

SCHEDULE.

THIS INDENTURE, made this fourth day of March, in the year of our Lord one thousand eight hundred and eighty-six,

BETWEEN "The Chignecto Marine Transport Railway Company (Limited)," hereinafter throughout called the "Company," of the first part; and Her Majesty the Queen Victoria, represented herein by the Minister of Railways and Canals of Canada, hereinafter throughout called the "Minister," of the second part;

WITNESSETH, That in consideration of the money subsidy hereinafter agreed and consented to be paid to the Company, their successors and assigns, by Her Majesty Queen Victoria, her heirs and successors, in manner hereinafter mentioned, they, the Company, do hereby, for themselves, their successors and assigns, covenant, promise and agree to and with Her Majesty, her heirs and successors, in manner following, that is to say:—

1. The Company shall and will acquire the right of way from the County Council of the County of Cumberland, in the Province of Nova Scotia, or from the owners, occupants and lessees of all lands required for the purposes of said Company in fee simple or otherwise.

2. The Company will well, truly and faithfully make, build, construct, complete and equip in an efficient, substantial and workmanlike manner, and in accordance with the terms of the proposal made by them to the Government, dated the third day of February, A.D. eighteen hundred and eighty-two (a copy of which proposal for a greater security is attached hereto), a ship railway across the Isthmus of Chignecto, between the Provinces of Nova Scotia and New Brunswick, from Tidnish on Baie Verte, on the Gulf of St. Lawrence, to a point at or near the mouth of La Planche River, in the Bay of Fundy, capable of raising and lowering in its hydraulic lifts and transporting over its line, steamers and other vessels of not less than one thousand tons register each, with full cargo, on the line of the route and course shown on the map hereunto annexed, with sufficient and safe docks at each terminus of the railway, capable each of holding securely six steamers or vessels of the tonnage aforesaid (which docks the Company shall enlarge hereafter, when found necessary), and all the bridges, culverts and other works appurtenant thereto, and will perform all the engineering services, whether in the field or in preparing plans or doing other office works, the whole works to be done in a workmanlike and efficient manner.

3. The gradients shall be as nearly level as practicable, and the alignment one straight line, and the road-bed constructed in a workmanlike and efficient manner.

4. The rails shall be of steel weighing not less than 110 pounds to the lineal yard, and shall be connected by steel fish plates and fastened in the most approved manner.

5. The Company shall construct such and so many suitable sidings, traverses or passing places at such convenient places at the termini of said railway as may be convenient and necessary for the purposes of traffic.

6. The Company shall diligently prosecute the works which have been commenced and shall complete the same in a substantial manner and fully equipped for the services for which it is intended, and to the entire satisfaction of the Minister, on or before the first day of July, A.D. eighteen hundred and eighty-nine.

7. The Company shall, after the completion of the said railway, truly and faithfully keep and maintain the same, and the works and rolling stock, in thorough repair and in good and efficient working and running order, ready and fit, at all times, for the purposes for which they are intended: and the Company shall and will work the said railway efficiently, charging and receiving such tolls on hulls and cargoes as may be approved of by the Governor in Council.

8. Her Majesty doth hereby for herself, her heirs and successors, covenant, promise and agree to and with the Company, their successors and assigns, in the manner following, that is to say:—

(1.) Should the said railway and docks, and works appurtenant to the present undertaking, be completed in every respect in accordance with this contract, and should they be accepted as such by the Governor in Council, then, and in such case only and so long during the term of twenty years from the date of said acceptance by the Governor in Council, as the said ship railway is kept in thorough repair and satisfactorily performs the services aforesaid to the satisfaction of the Government, a subsidy at the rate of one hundred and seventy thousand six hundred and two dollars per annum shall be payable to the Company at the end of each half year in instalments of (\$85,301) eighty-five thousand three hundred and one dollars; it being expressly understood and agreed, however, that such subsidy shall not be payable for any period during the said twenty years during which the conditions above mentioned have not been complied with.

(2.) The Company shall only call upon the Government of Canada for the payment of such portion of the subsidy, payable as aforementioned (which shall not in any case exceed the amount then due or payable), as may be required to
make

make up the net earnings of the undertaking to seven per cent per annum on the authorized share and bond capital of the Company (\$5,500,000).

(3.) In case the earnings of the undertaking should exceed seven per cent. per annum upon the aforementioned capital, the Company agrees to pay over to Her Majesty's Government of Canada, one-half of the surplus profit beyond the said seven per cent., until the whole of the subsidy which may then have been paid to the Company shall have been repaid to the Government by the Company.

(4.) Whereas, the terms of payment fixed by the Act of the Parliament of Canada, 45th Victoria, chap. 55 (1882), of the subsidy granted to the said Company, are hereby modified to a certain extent, this agreement is made subject to the approval of the said Parliament of Canada at its now next session.

(5.) In case of dispute on any matters relating to this agreement between the parties hereto, the decision thereof is hereby especially given to the Minister of Railways and Canals of Canada, whose determination shall be final and conclusive.

IN WITNESS THEREOF, the managing director of the said Company, appointed by the Act of incorporation of the said Company, and the secretary of the said Company, have hereto signed their names and attached the seal of the Company, and the Honorable the Minister of Railways and Canals hath hereunto signed his name and caused these presents to be sealed and countersigned by the Secretary of the Department of Railways and Canals of Canada.

Signed and delivered by the managing director and by the secretary of the said Company, the common seal of the Company having been first affixed hereto, in the presence of—	[Signed],	H. G. C KETCHUM, <i>Managing Director.</i>
	[Signed].	HENRY KENDRICK, <i>Secretary.</i>
	[Signed], HECTOR CAMEROV, of Toronto, Canada.	[L.S.]

Signed, sealed and delivered by the Minister and Sec- retary of Railways and Canals, in the presence of—	[Signed],	J. H POPE, <i>Minister of Railways and Canals.</i>
	[Signed], H. A. FISSIAULT.	A. P. BRADLEY, <i>Secretary.</i> [L.S.]

CHAP. 19.

An Act respecting the Improvement of the Harbor of
Quebec.

[Assented to 2nd June, 1886.]

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

1. In addition to the sums authorized by the Acts thirty-sixth Victoria, chapter sixty-two, forty-third Victoria, chapter seventeen, forty-fifth Victoria, chapter forty-seven and forty-seventh Victoria, chapter nine, to be raised in the manner therein mentioned, for the relief of the Quebec Harbor Commissioners and the improvement of the said harbor, it shall be lawful for the Governor in Council to raise, by the issue of debentures bearing interest, payable half yearly, at a rate not exceeding four per cent. per annum, a further sum of seven hundred and fifty thousand dollars. Further sum may be raised for improvement of the harbor. Rate of interest limited.

2. The sum so raised may be advanced, from time to time, to the said commissioners, to enable them to complete their wet and tidal docks, now in course of construction in the said harbor. Advance to commissioners.

3. The repayment by the commissioners of the sum so advanced shall be provided for in the manner prescribed by the Act first above cited, as amended by the Act forty-sixth Victoria, chapter thirty-nine, for the repayment of the sums advanced to the commissioners under it, and subject to the provisions of the said Act in that behalf. As to repayment by commissioners.

CHAP. 20.

An Act respecting the transfer of the Lighthouse at Cape Race, Newfoundland, and its appurtenances, to the Dominion of Canada.

[Assented to 2nd June, 1886.]

WHEREAS it appears from a despatch from Her Majesty's Preamble.
Secretary of State for the Colonies, bearing date fifth Recital of facts.
January, one thousand eight hundred and eighty-six, and
other public documents laid before Parliament by order of
His Excellency the Governor General, during the present
session :—

That

That the lighthouse at Cape Race, in the island of Newfoundland, was erected in the year one thousand eight hundred and fifty-six, on a lot of ground containing about three hundred acres, appropriated therefor by the Government of the said Colony, and that the cost thereof, with its appurtenances, was paid out of the Consolidated Fund of the United Kingdom ;

That in pursuance of an Order of Her Majesty in Council, made under the "*Merchant Shipping Act Amendment Act, 1855,*" dues have been levied in respect of the said lighthouse, and applied, under the direction of the Board of Trade, in maintaining it and its appurtenances, and in repaying to the said Consolidated Fund the cost incurred in respect thereof ;

That the whole of the said cost has been so repaid, and that there remains a balance arising from the said dues, which it is estimated will, on the thirtieth day of June, one thousand eight hundred and eighty-six, amount to twenty thousand pounds, or thereabouts ;

That in pursuance of an Order of Her Majesty in Council, made under the said recited Act on the twelfth day of December, one thousand eight hundred and eighty-five, the dues leviable in respect of the said lighthouse will, on and after the first day of July, one thousand eight hundred and eighty-six, cease to be levied ;

Consent of
the Imperial
Government.

That the Government of the United Kingdom, on the recommendation of the Board of Trade, is willing that the said lighthouse and its appurtenances be transferred to Canada, on condition that the same be maintained for all time at the expense of the Dominion, without any dues being thereafter charged in respect thereof, and that in consideration thereof, the sum to be certified by the Board of Trade as the net balance aforesaid, of the moneys arising from such dues before the first day of July, one thousand eight hundred and eighty-six, after the payment of all expenses of maintaining the lighthouse and appurtenances up to the date of the transfer, and of such gratuities to the existing lighthouse and fog-signal staff as the Board of Trade may direct,—if the services of such staff be not required by the Government of Canada after the date of the transfer,—shall be paid to or for the use of the Government of Canada, by Her Majesty's Paymaster General, in such manner as the Board of Trade may direct ;

And that a Bill to authorize the transfer and terms aforesaid, and the draft of which accompanies the despatch hereinbefore mentioned, will be laid before the Parliament of the United Kingdom by the Government thereof ;

And

And whereas, inasmuch as the said lighthouse is indispensable to the safety of Canadian vessels and others navigating the North Atlantic, to and from Canada, and by the proposed transfer the Dominion will be relieved from the payment of lighthouse dues, amounting yearly to about one thousand two hundred dollars, on vessels trading between Canadian ports and ports in Europe not in the United Kingdom, which the Dominion Government has paid rather than burden the trade by collecting them, it is expedient to authorize the acceptance of the proposed transfer and the conditions aforesaid :

Necessity
of the light-
house.

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

1. The Government of Canada may accept the transfer and terms aforesaid, and from the first day of July, one thousand eight hundred and eighty-six, or so soon thereafter as the transfer shall have been made, and the said lighthouse, with the tract of land attached thereto, and all other land and all rights of water or other rights heretofore used and enjoyed therewith, and all the other appurtenances thereof, for all the estate and interest therein, either of the Board of Trade or of Her Majesty, or of any body corporate, person or persons in trust for Her Majesty or for the Board of Trade or for any public service, shall have been assigned to and vested in Her Majesty for the public service of the Dominion of Canada, the said lighthouse and its appurtenances shall be maintained for all time at the expense of the revenues of the Dominion, without any dues being thereafter charged in respect thereof.

Government
may accept
the transfer
mentioned;
and light-
house to be
thereafter
maintained
by Canada.

And without
tolls.

2. The money to be paid by Her Majesty's Paymaster General to and for the use of the Government of Canada, under the conditions of the said transfer, shall form part of the Consolidated Revenue Fund of Canada.

Money pay-
able to
Canada, to
form part of
Consolidated
Revenue
Fund.

CHAP. 21.

An Act further to amend "The Post Office Act, 1875."

[Assented to 2nd June, 1886.]

WHEREAS, in view of the extension of the Post Office Savings Bank system to the Province of British Columbia and the North-West Territories, the term at present fixed by "The Post Office Act, 1875," as that during which

Preamble.

38 V., c. 7.

which the entry by the proper officer in the depositor's book shall be conclusive evidence of title to a deposit is, in consequence of the remote situation of certain post offices in the said Province and Territories, insufficient to allow of the receipt of an acknowledgment from the Postmaster General of such deposit within such term; and whereas it is expedient to make further provision in the premises: Therefore Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

38 V., c. 7, s. 61, repealed.
New section.

1. Section sixty-one of the Act above cited is hereby repealed, and the following substituted therefor:—

Deposits to be entered in depositor's book and entry to be attested.

“61. Every deposit received by any postmaster appointed for that purpose shall be entered by him at the time in the depositor's book, and the entry shall be attested by him and by the dated stamp of his office; and the amount of such deposit shall, upon the day of such receipt, be reported by such postmaster to the Postmaster General, and the acknowledgment of the Postmaster General, signified by the officer whom he appoints for the purpose, shall be forthwith transmitted to the depositor:

Acknowledgement of Postmaster General to be transmitted.

And to be conclusive evidence of depositor's right.

“2. Such acknowledgment shall be conclusive evidence of the claim of the depositor to the repayment of the deposit, with the interest thereon, upon demand made by him on the Postmaster General; and, in order to allow a reasonable time for the receipt of the acknowledgment, the entry by the proper officer in the depositor's book shall also be conclusive evidence of the title, as respects a deposit made in any part of Canada other than the Province of British Columbia or the North-West Territories, for ten days from the making of the deposit, and as respects a deposit made in the Province of British Columbia or the North-West Territories for eighteen days from the making of the deposit; and if such acknowledgment has not been received by the depositor through the post within such ten or such eighteen days respectively, and before or upon the expiry thereof he demands such acknowledgment from the Postmaster General, by letter addressed to him at Ottawa, then the entry in his book shall be conclusive evidence of title during another term of ten or eighteen days respectively, and *toties quoties*:

Time for which entry in depositor's book is to be conclusive evidence.

Acknowledgment by Postmaster General.

Deposits to be integral numbers of dollars.
Deposits exempted from seizure.

“3. No deposit shall be received of less amount than one dollar, or of any sum not a multiple thereof:

“4. No sum of money deposited under this Act, shall, while in the hands of any postmaster, or while in course of transmission to or from the Postmaster General, at any time be liable to demand, seizure or detention, under legal process against the depositor thereof.”

CHAP. 22.

An Act respecting the Department of Public Printing and Stationery.

[Assented to 2nd June, 1886.]

WHEREAS it is expedient to make further provision Preamble.
 respecting the execution of the printing, binding and other work of like character, and the obtaining of stationery required for the service of the Parliament and of the Government of Canada, and to consolidate the several provisions of law relating to such services: Therefore Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

INTERPRETATION.

- 1.** In this Act unless the context otherwise requires,— Interpretation.
- (a.) The expression “Minister” means the Secretary of State of Canada or the member of Her Majesty’s Privy Council for Canada in charge, for the time being, of the Department hereby constituted: “Minister.”
- (b.) The expression “Queen’s Printer” means the Queen’s Printer and Controller of Stationery hereinafter mentioned. “Queen’s Printer.”

CONSTITUTION OF THE DEPARTMENT.

2. There shall be a department which shall be called Department constituted: and by whom to be presided over and managed.
 “The Department of Public Printing and Stationery,” over which the Secretary of State of Canada or such other member of the Queen’s Privy Council for Canada as the Governor in Council, from time to time, directs, shall preside, and the Secretary of State, or such other member of the said Privy Council shall have the management and direction of the Department.

3. All printing, stereotyping or electrotyping, lithography or binding work or work of a like nature, and paper and other material therefor, required for the use of the Senate and the House of Commons, and of the several Departments of the Government of Canada—whether for the inside service or the outside service—shall be procured and executed subject to the superintendence and audit of the proper officer of the Department; the proper officer of the Department shall also superintend and execute the purchase and distribution of all paper, books and all other articles of stationery of whatsoever kind, and the distribution and sale of all books or publications issued by order of either or both Houses of Parliament, or any Department of the Government of Canada, Certain work to be done and articles supplied by the department.

Advertising for public service.

Exception as to Library of Parliament.

Appointment of Queen's Printer: his status and salary.

His duties and powers.

How to be exercised and performed.

Qualification of Queen's Printer.

Appointment of certain officers.

Their tenure of office and duties.

Qualification of superintendent of printing.

And of superintendent of stationery.

Canada, and the audit of all accounts for the advertising required for the public service; and all work and supplies in this section before mentioned shall be done, purchased and distributed through the Department exclusively, except that books, which are procured for addition to the Library of Parliament, may be procured as before the passing of this Act.

4. The Governor in Council may, by commission under the Great Seal, appoint an officer, who shall be called the Queen's Printer and Controller of Stationery, shall hold office during pleasure, and shall be the deputy head of the department with the present salary of the Queen's printer; he shall, under the Minister, have the management and control of the several services to which this Act relates, and shall have such powers and shall perform such duties as are conferred upon and assigned to him by this Act or by any other Act of the Parliament of Canada, or by any Order in Council made thereunder; but all such powers shall be exercised and duties performed subject to the control of the Minister and as he directs; and wherever, in any Act of the Parliament of Canada, any power is conferred upon or any duty is assigned to the Queen's Printer, such power may be exercised and such duty shall be performed by the Queen's Printer appointed under this Act:

2. No person shall be appointed Queen's Printer unless he has been actively employed for at least ten years in the management of a printing establishment in Canada, or in the superintendence of the printing and cognate services of the Parliament or Government of Canada:

3. The Governor in Council may also appoint a Superintendent of Printing, a Superintendent of Stationery and an Accountant, who shall respectively have the rank of a chief clerk in the Civil Service of Canada; the Governor in Council may also appoint such other officers, clerks and servants as are necessary for the proper conduct of the business of the Department; and the said superintendents, accountant, officers, clerks and servants shall hold office during pleasure, and shall perform such services as are, from time to time, assigned to them by the Governor in Council or by the Minister:

4. No person shall be appointed Superintendent of Printing unless he has had at least five years' experience in the management of a printing house in Canada, or in the management and superintendence of similar services for the Parliament or Government of Canada, or in both; no person shall be appointed Superintendent of Stationery unless he has had at least five years' experience in the active management of a stationery establishment in Canada, or in the management and superintendence of similar work for the Parliament

Parliament or Government of Canada, or in both ; and no person shall be appointed Accountant unless he has a competent knowledge of book-keeping and accounts, and has had at least five years' experience in the measuring and auditing of printing and binding work, either in a printing or publishing establishment, or in the service of the Parliament or Government of Canada, or in both :

And of
accountant.

5. The Superintendent of Printing, the Superintendent of Stationery and the Accountant, being appointed as experts in the work to be performed by them, shall not be subject to the ordinary Civil Service examinations.

Exemption
from exam-
ination.

PUBLIC PRINTING.

5. A Government establishment shall be organized at Ottawa and shall be under the management of the Superintendent of Printing, in which establishment all printing, electrotyping, stereotyping, lithographing and binding and other work of like nature required for the service of the Parliament and Government of Canada shall be executed :

Printing, &c.,
to be done in
a government
establish-
ment.

2. The Superintendent of Printing shall have authority to employ such apprentices, journeymen, skilled hands or workmen, as are necessary to perform the work of the establishment and to remove the same, and shall purchase such material, other than printing and other paper, as are necessary for such service :

Employment
of workmen.

3. All persons employed under the provisions of the next preceding sub-section shall be paid in accordance with weekly or monthly pay-rolls audited by the Accountant ; and the provisions of " *The Civil Service Act* " shall not apply to the persons so employed :

Their pay-
ment.
Civil Service
Act not to
apply.

4. The Superintendent of Printing shall make all purchases authorized by this section upon requisitions duly approved by the Minister or as he directs, and payment therefor shall be made, after audit by the Accountant.

Purchases
under this
section how
made.

STATIONERY OFFICE.

6. An office shall be established as a branch of the Department which shall be called the Stationery Office, and shall be under the management of the Superintendent of Stationery :

Stationery
office.

2. The Superintendent of Stationery shall, under the direction of the Minister, have charge of the purchase and supply of all printing and other paper and of all other articles of stationery required for the use of members and employees of the two Houses of Parliament and of the several departments of the Government of

Purchase and
supply of
stationery.

Sale and distribution of official publications.

of Canada; he shall also have charge of the sale of all the official publications of the Parliament and Government of Canada which are issued for sale, as well as of the distribution of all public documents and papers to the officials and other persons that are entitled to receive the same without payment:

Documents for Parliament.

3. The Superintendent of Stationery shall furnish to such officer as is designated by either House of Parliament or by any committee or joint committee appointed for the purpose such number of copies of any document which is printed under the provisions of this Act as such House or committee decides to be necessary for the use of each such House or for distribution to the members thereof:

Purchases to be made upon requisition, or contracts approved by the Minister.

4. All purchases made under the authority of this section shall be so made upon requisition approved by the Minister or the Queen's Printer, and in the case of printing paper for parliamentary printing, the *Canada Gazette* and departmental reports, in accordance with contracts entered into with the like approval after tenders have been called for; and moneys received by the superintendent of stationery shall be paid over to the accountant for the public uses of Canada, and by him deposited from time to time in some chartered bank of Canada to the credit of the Minister of Finance and Receiver General, and shall form part of the Consolidated Revenue Fund of Canada

Application of moneys, received by superintendent.

Supply of stationery to departments and Houses of Parliament.

7. The Superintendent of Stationery shall supply any articles of stationery to any department of the Civil Service according to such regulations as are approved by the Governor in Council, upon requisition therefor, signed by the deputy head of such department; and to either House of Parliament, according to regulations approved by such House, upon requisition therefor signed by the clerk of such House of Parliament; and the quantity supplied, and the value thereof shall be charged against such department or House of Parliament; and an account shall be furnished monthly of the same, respectively, to each deputy head of a department and the clerk of each House of Parliament, accompanied by the several requisitions in respect of the several articles mentioned in the said account, and such deputy head or clerk shall, if the same is found correct, certify to the correctness of such account, and return it to the Superintendent of Stationery.

Accounts to be furnished, and certified, and to and by whom.

ACCOUNTANT.

Duty of accountant as to accounts and money under control of the department.

8. The Accountant shall, under direction of the Minister and the Queen's Printer, audit all accounts for any of the services under the control of the Department, keep the accounts of the Department, receive and deposit all cash paid in, and render statements of account to the clerks of the

he two Houses of Parliament and the deputy heads of the several departments, as and when the same are required by this Act or by regulations made by, or instructions received from, the Minister.

CANADA GAZETTE, ETC.

9. The Queen's Printer shall print and publish or cause to be printed and published, for the Government, under his superintendence, the official Gazette of Canada, which shall be known as the *Canada Gazette*, the Statutes of Canada, and all such official and departmental and other reports, forms, documents, commissions, and other papers, as he is required to print and publish, or cause to be printed and published, by or under the authority of the Governor in Council; and whatever is printed under his superintendence, by authority of this Act, shall be held to be printed by him.

Publication
of *Canada
Gazette*,
Statutes, &c.

10. All Proclamations issued by the Governor General or under the authority of the Governor in Council, and all official notices, Orders in Council, regulations, advertisements and documents relating to the Dominion of Canada, or matters under the control of the Parliament thereof, and requiring publication, shall be published in the *Canada Gazette*, unless some other mode of publication thereof is required by law.

Certain docu-
ments to be
printed in
*Canada
Gazette*.

11. The Governor in Council may, from time to time, prescribe the form, mode and conditions of publication of the *Canada Gazette*, and designate the public bodies, officers and persons to whom it shall be sent without charge, and regulate the price of subscription thereto, and the charges to be paid for the publication of notices, advertisements and documents; and all sums payable for such last mentioned charges shall be paid in advance to the accountant and by him accounted for and paid over to the Minister of Finance and Receiver General, in such manner as the Governor in Council or the Minister directs, and shall form part of the Consolidated Revenue Fund of Canada.

Powers of
Governor in
Council as to
Gazette.

Applications
of moneys
received
for notices,
&c., in
Gazette.

GENERAL PROVISIONS.

12. Each deputy head of a department and the clerk of each House of Parliament shall furnish to the Minister, when required, an estimate of the probable quantity, quality and variety of all articles commonly known as "stationery," and of the probable amount, in value, of printing and binding which may be required for the purposes of each such department or House of Parliament for the then ensuing financial year.

Estimates to ;
be furnished
to the Minis-
ter.

13. The Minister shall report to the Governor in Council, the total probable amount, in quantities, qualities and value, required for the stationery, printing and binding for the departments

Minister to
report to
Governor in
Council as to

such estimates, and for what purpose.

And as to other matters.

Obtaining of supplies, on approval of reports.

Monthly statement for Auditor General, by Queen's Printer: how certified.

Stock to be taken, and when.

Audit Act, 41 V., c. 7, to apply.

Account to be laid before Parliament Yearly.

How expenses under this Act shall be met.

departments of the civil service and for the two Houses of Parliament for such year, as may be required and ordered by either House of Parliament, and a requisite sum therefor shall be placed in the Estimates as a separate item, and an apportionment in respect of each department and each House of Parliament shall be made by the Governor in Council which may be increased or varied from time to time, so that the whole sum voted by Parliament in any year, together with the value of the stock on hand, is not exceeded; and the Minister shall further report to the Governor in Council, the mode or modes in which he proposes that the said articles shall be procured, and the regulations under which tenders may be asked for the same and as to the terms of acceptance thereof, and as to the mode of collection and disposal of the waste paper of the several departments and Houses of Parliament; and upon the approval by the Governor in Council of such reports, any necessary supplies of stationery, to the extent of the appropriation made by Parliament, may be procured, and any necessary arrangements for printing and binding may be made in accordance with the provisions of this Act, and all stationery so procured, shall be placed in the custody of the Superintendent of Stationery, as hereinbefore mentioned.

14. The Queen's Printer shall furnish a statement monthly to the Auditor General, with the accounts and vouchers therefor, of all printing and binding executed for, and all stationery and articles purchased and supplied to each department and to each House of Parliament during the preceding month, certified as correct by the deputy head of such department, or by the clerk of either House of Parliament, as the case may be, in the manner provided with respect to contingencies by the Act thirty-fifth Victoria, chapter thirty-five; and the Auditor General shall, quarterly or more frequently at his discretion, cause the stock of stationery in store to be checked with the quantities purchased and supplied.

2. The provisions of the Act forty-first Victoria, chapter seven, intituled "*An Act to provide for the better auditing of the Public Accounts,*" and the Act amending the same, shall, so far as applicable, extend to the accounts and charges incurred under this Act.

15. An account shall be laid before Parliament each year, showing the value of the stock of stationery on hand at the beginning of the year, the amount expended during the year for stationery, printing and binding, the amounts charged against each department and each House of Parliament and the stock on hand at the end of the year.

16. The expenses to be incurred under the provisions of this Act, shall be paid out of such moneys as are appropriated for

for the purpose by Parliament, and shall be accounted for in like manner as other moneys expended for the public service.

17. Sections three and six of the Act thirty-first Victoria, chapter twenty-seven, sections twelve, thirteen, fourteen, fifteen, sixteen and seventeen of the Act thirty-first Victoria, chapter thirty-five, sections one, two, three, five, six, seven and eight of the Act passed in the session held in the thirty-second and thirty-third years of Her Majesty's reign, chapter seven, the Act thirty-third Victoria, chapter six, and all the words in section thirteen of the Act thirty-sixth Victoria, chapter four, from the word "Canada" in the fifth line to the end of the said section are hereby repealed.

CHAP. 23.

An Act respecting Experimental Farm Stations.

[Assented to 2nd June, 1886.]

WHEREAS it is expedient to establish experimental farm stations as hereinafter provided, for the promotion of agriculture, by the dissemination of useful and practical information respecting matters connected therewith: Therefore Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

1. This Act may be cited as "*The Experimental Farm Station Act.*" Preamble. Short title.

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

(a.) The expression "the Minister" means the Minister of Agriculture; Minister.

(b.) The expression "farm station" means an experimental farm station established under the provisions of this Act. Farm station.

3. The Governor in Council may establish, first, a farm station for the Provinces of Ontario and Quebec jointly; secondly, one for the Provinces of Nova Scotia, New Brunswick and Prince Edward Island jointly; thirdly, one for the Province of Manitoba; fourthly, one for the North-West Territories of Canada, and fifthly, one for the Province of British Columbia; and the farm station for the Provinces of Ontario and Quebec jointly shall be the principal or central station. Farm stations may be established. For provinces and for N.W. T.

4. The Governor in Council may, for the purpose of establishing such farm stations, acquire by purchase an extent of land, not exceeding five hundred acres, in the vicinity of the seat of Government, for the central farm station, and Land may be acquired for such purpose in provinces.

- and an extent of land, not exceeding three hundred acres, in either of the Provinces of Nova Scotia, New Brunswick or Prince Edward Island, and a like extent of land in the Province of British Columbia, for the farm stations secondly and fifthly mentioned in the next preceding section ; and the Governor in Council may, for the like purpose, set apart in Manitoba and in the North-West Territories of Canada such tracts of unoccupied available public lands, which are the property of Canada, as are necessary for the farm stations thirdly and fourthly mentioned in the next preceding section ; but the tract of public land so set apart shall not, in each case, exceed one section :
- And set apart in Manitoba and N. W. T.**
- Extent limited.**
- Land for tree planting and timber growing.**
- Powers for acquiring lands.**
- Management of farm stations.**
- Remuneration of employees.**
- Duties of officers.**
- Respecting stock.**
2. The Governor in Council may also set apart in the Province of Manitoba, and in that portion of the Province of British Columbia known as the Railway Belt, in each a tract or tracts not exceeding ten sections, and in each of the four provisional districts of the North-West Territories defined by order of the Governor in Council, and known as Assiniboia, Alberta, Saskatchewan and Athabasca, a tract or tracts not exceeding ten sections, for the purpose of tree-planting and timber growing :
3. For the acquiring of lands for the purposes of this Act, all the powers respecting the acquiring and taking possession of land conferred upon the Minister of Public Works by the Act passed in the thirty-first year of Her Majesty's reign, chapter twelve, and intituled "*An Act respecting the Public Works of Canada*," and the Acts amending the same, are hereby conferred upon the Minister; and all the provisions of the said Acts respecting the compensation to be awarded for lands acquired thereunder shall apply to lands acquired under the provisions of this Act.
5. The said farm stations shall be under the control and direction of the Minister, subject to such regulations as are, from time to time, made by the Governor in Council; and the Governor in Council may appoint a director and such officers and employees as are necessary for each farm station.
6. The Governor in Council may fix the rate of remuneration of the director and officers and employees at each farm station, and such remuneration, and all expenses incurred in carrying this Act into effect, shall be paid out of such moneys as are provided by Parliament for that purpose.
7. Such officers of each farm station as are charged with such duty by the Minister shall,—
- (a.) Conduct researches and verify experiments designed to test the relative value, for all purposes, of different breeds of stock, and their adaptability to the varying climatic or other conditions which prevail in the several Provinces and in the North-West Territories ;
- (b.)

(b.) Examine into the economic questions involved in the production of butter and cheese; Butter and cheese.

(c.) Test the merits, hardiness and adaptability of new or untried varieties of wheat or other cereals, and of field crops, grasses and forage-plants, fruits, vegetables, plants and trees, and disseminate among persons engaged in farming, gardening or fruit growing, upon such conditions as are prescribed by the Minister, samples of the surplus of such products as are considered to be specially worthy of introduction; Field crops, fruit, vegetables, &c.

(d.) Analyze fertilizers, whether natural or artificial, and conduct experiments with such fertilizers, in order to test their comparative value as applied to crops of different kinds; Fertilizers.

(e.) Examine into the composition and digestibility of foods for domestic animals; Foods.

(f.) Conduct experiments in the planting of trees for timber and for shelter; Trees.

(g.) Examine into the diseases to which cultivated plants and trees are subject, and also into the ravages of destructive insects, and ascertain and test the most useful preventives and remedies to be used in each case; Diseases of plants and trees.

(h.) Investigate the diseases to which domestic animals are subject; Diseases of animals.

(i.) Ascertain the vitality and purity of agricultural seeds; and— Seeds.

(j.) Conduct any other experiments and researches bearing upon the agricultural industry of Canada, which are approved by the Minister. Experiments and researches.

8. The officer in charge, or such other officer at each farm station as the Minister designates, shall, for the purpose of making the results of the work done thereat immediately useful, prepare and transmit through the director to the Minister, for publication, at least once in every three months, a bulletin or report of progress. Quarterly report to be made.

9. Such bulletins or reports, and all samples of grain, and of such plants and other products as are designated by the Minister, which are distributed for experiment and trial, may be transmitted in the mails of Canada subject to such regulations as to parcel postage, as are prescribed by the Postmaster General. Transmission of certain matters by mail.

Annual re-
port for Par-
liament.

10. The officer in charge of each farm station shall prepare and transmit through the director to the Minister, on or before the thirty-first day of December in each year, a full and detailed report of the work accomplished, and of the revenue and expenditure at such farm station, which report shall be laid before both Houses of Parliament within the first twenty-one days of each session.

CHAP. 24.

An Act respecting the representation of the North-West Territories in the Parliament of Canada.

[Assented to 2nd June, 1886.]

Preamble.

WHEREAS it is expedient to make provision for the representation of the inhabitants of the North-West Territories in the House of Commons of Canada as hereinafter provided: Therefore Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Short title.

1. This Act may be cited as "*The North-West Territories Representation Act, 1886.*"

Representa-
tion of Sas-
katchewan
and Alberta.

2. The Provisional Districts of Saskatchewan and Alberta, in the said Territories, as they were respectively constituted by an Order of the Governor in Council, bearing date the eighth day of May, one thousand eight hundred and eighty-two, shall each be an electoral district and shall each return one member to the House of Commons of Canada.

Assiniboia
to be divided.

3. The provisional district of Assiniboia as it was constituted by the said Order in Council shall be divided into two electoral districts, each of which shall return one member to the said House of Commons:

East and west
ridings.

2. The said electoral districts shall be known as the East and West Ridings of Assiniboia and shall be constituted as hereinafter described:

East riding of
Assiniboia.

(a.) The east riding of Assiniboia shall consist of so much of the said provisional district of Assiniboia as lies to the east of a line drawn from the international boundary line, along the centre of the road allowance between the fifteenth and sixteenth ranges of townships lying west of the second initial meridian in the system of Dominion land surveys, as
the

the same is now or is hereafter set off, to the northerly boundary of the said provisional district of Assiniboia ;

(b.) The west riding of Assiniboia shall consist of so much of the said provisional district of Assiniboia as lies to the west of the said line so drawn along the centre of the said road allowance, between the fifteenth and sixteenth ranges of townships in this section before mentioned.

West riding
of Assiniboia.

4. Every person qualified to vote at the election of a member under this Act shall be a *bond fide* male resident and householder, of adult age, who is not an alien or an Indian, within the electoral district, and who has resided in such electoral district for at least twelve months immediately preceding the issue of the writ of election.

Who shall be
qualified to
vote.

5. Every writ for the election of a member of the House of Commons under this Act shall be dated and be returnable on such days as the Governor General determines, and shall be addressed to such person as the Governor General appoints ; and such person shall be the returning officer at the election to which such writ relates : Provided always, that if the person to whom the writ has been addressed refuses, or is disqualified or unable to act, the Governor General may appoint another person to be such returning officer.

Writs of elec-
tion to whom
addressed, &c.

Proviso : in
case of inabil-
ity to act.

6. The Governor General shall fix the place and the day for the nomination of candidates at each such election, and the place and the day so fixed shall be specified in the writ of election for the electoral district to which such day applies : Provided always, that in the case of a general election the day so fixed shall be the same as that fixed for the nomination of candidates in the other electoral districts of Canada.

Place and day
of nomina-
tion.

7. The writs of election shall be in the form A in the schedule to this Act, and shall be transmitted by mail to the respective returning officers, unless otherwise ordered by the Governor General.

Form of writ
of election.

8. None of the persons hereinafter mentioned shall be appointed returning officers or deputy returning officers, election clerks or poll clerks, that is to say :—

Who may not
be appointed
returning
officers, &c.

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

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

(c.) Members of the House of Commons, or members of the Legislative Assemblies of the several Provinces of Canada,
or

or of the Council or Legislative Assembly of the North-West Territories ;

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

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

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

(g.) Sheriffs, registrars or other persons who have been found guilty by the House of Commons, or by any court for the trial of controverted elections, or other competent tribunal, of any offence or dereliction of duty under this Act.

Who shall not be obliged to act as such.

9. None of the persons hereinafter mentioned, unless they are sheriffs, registrars, town clerks or assessors shall be obliged to act as returning officers, deputy returning officers, election clerks or poll clerks, that is to say :—

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

(b.) Physicians or surgeons ;

(c.) Millers ;

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

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

(f.) Persons who have previously served as returning officers at the election of a member for the House of Commons.

Proceedings on receipt of writ.

10. The returning officer shall, on receiving the writ of election, forthwith indorse thereon the date on which he receives the same, and before taking any further action thereon, he shall take the oath of office in the form B in the schedule to this Act.

Election clerk.

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

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

Duties of election clerk.

13. The election clerk shall, before acting as such clerk, take the oath of office in the form D in the schedule to this Act.

His oath of office.

14. Neither the returning officer nor the election clerk shall in any case vote at an election in the electoral district for which he is acting, except as hereinafter provided.

Returning officer and election clerk not to vote.

15. At least fifteen days before the day fixed in the writ for the nomination of candidates the returning officer shall cause to be posted up in a conspicuous position, in at least ten of the most public places in the electoral district, a proclamation in the form E in the schedule to this Act, in which proclamation shall be set forth the place and the day specified in the writ for the nomination.

Proclamation to be posted up.

Form.

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

Another day for nomination may be fixed in cases specified.

Report in such case.

17. At any time after the date of the proclamation, and before two of the clock in the afternoon of the day fixed for the nomination, any four or more electors may nominate a candidate by affirming to and signing, before a justice of the peace, or before the returning officer, and causing to be filed with the returning officer a nomination paper in the form F in the schedule to this Act; and any votes given at the election for any other candidates than those so nominated shall be null and void.

Nomination of candidates.

Nomination paper: its effect.

18. No nomination paper shall be valid and acted upon by the returning officer unless it is accompanied by the consent in writing of the person therein nominated, except when such person is absent from the North-West Territories, when such absence shall be stated in the nomination paper; and—

Consent of candidate.

Unless

Deposit of
\$200 to be
made.

Unless a sum of two hundred dollars is deposited in the hands of the returning officer at the time the nomination paper is filed with him; and the receipt of the returning officer shall, in every case, be sufficient evidence of the production of the nomination paper, of the consent of the candidate and of the payment herein mentioned:

Application
of sum
deposited.

2. The sum so deposited by any candidate shall be returned to him in the event of his being elected, or of his obtaining a number of votes at least equal to one-half the number of votes polled in favor of the candidate elected,—otherwise it shall belong to Her Majesty for the public uses of Canada; and the sums so paid and not returned as herein provided, shall be applied by the returning officer towards the payment of the election expenses; and an account thereof shall be rendered by him to the Auditor General of Canada.

Attestation of
nomination
paper on oath.

19. The returning officer shall require the person, or one or more of the persons producing any such nomination paper, to make oath before him, that he or they know that the several persons who have signed such nomination paper are electors duly entitled to vote; and that they have signed the same in his or their presence; and that the consent of the candidate has been signed in his or their presence, or that the person named as candidate is absent from the North-West Territories, as the case may be:

Form of oath.

2. Such oath may be in the form G in the schedule to this Act, and the fact of its having been taken shall be stated on the back of the said nomination paper.

Return by
acclamation.

20. Whenever only one candidate has been nominated within the time fixed for that purpose, the returning officer shall make his return to the Clerk of the Crown in Chancery that such candidate is duly elected for the said electoral district,—of which return he shall send within forty-eight hours a duplicate or certified copy to the person elected; and such return shall be in the form H in the schedule to this Act.

Return form.

Report with
return.

21. The returning officer shall accompany his return to the Clerk of the Crown in Chancery with a report of his proceedings and of any nomination proposed and rejected for non-compliance with the requirements of this Act.

Withdrawal
of candidate.

22. Any candidate nominated may withdraw at any time after his nomination, and before the closing of the poll, by filing with the returning officer a declaration in writing to that effect, signed by himself; and any votes cast for the candidate who has so withdrawn shall be null and void;

Return if only
one candidate
remains.

and if, after the withdrawal, there remains but one candidate, then the returning officer shall return as duly elected the candidate

candidate so remaining, without waiting for the day fixed for holding the poll, or for the closing of the poll if such withdrawal is filed on the polling day.

23. If at the time fixed for receiving nominations there remain more than one candidate in nomination, the returning officer shall grant a poll for taking the votes of the electors.

When poll may be granted.

24. As soon as the time for receiving nominations has elapsed, or at any time thereafter, the returning officer, if required, shall deliver gratis to every candidate, or to the person who filed the nomination paper on his behalf, a certified list of the candidates nominated.

Delivery of certified list of candidates.

25. If a poll is granted, the returning officer shall subdivide the electoral district into as many polling divisions as he deems necessary for the convenience of the electors; and he shall number, or otherwise designate them, and fix upon a suitable polling station in each such division.

Polling subdivisions to be established.

26. Whenever a poll has been granted it shall be held on the same day of the week as the nomination, in the fourth week thereafter, and shall be opened at the hour of nine of the clock in the forenoon, and kept open until five of the clock in the afternoon of the said day; and the votes at the several polling stations shall be given between the said hours of that day, and by open voting.

When poll shall be held.

27. Immediately after having granted a poll, the returning officer shall cause to be posted up at all places where the proclamation for the election was posted up, an election notice in the form I in the schedule to this Act.

Proclamation if poll is granted.

28. The Governor General may appoint enumerators to make lists of the electors in the electoral district; and if such appointments have not been made, the returning officer conjointly with any two justices of the peace, or with one justice of the peace and a notary public, or with any one of them resident in or near the electoral district and two electors of such district, neither of the number being a candidate, shall appoint under their hand a competent and reliable person to be enumerator for any one or more polling divisions of such district; and the returning officer shall see that no polling division is omitted to be included in some one of such appointments:

Appointment of enumerators to make lists of electors.

Duty of returning officer.

2. The enumerator shall, before acting as such, take the oath of office in the form J, in the schedule to this Act.

Oath of enumerator.

29. Each such enumerator, immediately after the nomination day, if a poll is granted, shall carefully compile a list of the

List of voters to be prepared.

the

Copies and form.

the persons qualified as electors to vote at the election then pending, for the polling division or each of the polling divisions for which he has been appointed; and he shall make three plainly written copies of the same, with the names of the voters alphabetically arranged, giving the occupation and residence of each voter, in the form K in the schedule to this Act.

Lists to be completed and posted up.

30. Each enumerator shall complete, date at his place of residence and sign the copies of the voters' list or lists as aforesaid, eight days before the polling day; two of the said copies for each polling division he shall forthwith post up in two of the most public places within such polling division, and the other he shall retain for revision.

Correction of list of voters by enumerators.

31. If any enumerator, at any time after posting up any voters' list, and before the polling day, is fully satisfied, from representations made to him by any credible person, that the name of any qualified voter has been omitted from the voters' list of the polling division to which such voter belongs, he shall add such name to the copy of the list in his possession below his own signature, and shall attest such addition by his initials; if the enumerator, in like manner, is fully satisfied that there is on the list the name of any person who is not qualified as a voter in such polling division, he may draw erasing lines through such name, and write his own initials opposite thereto in the column for "remarks"; and if the enumerator finds the occupation, addition or residence of any voter to be inaccurately stated in the list, he may make the necessary alteration and affix his initials thereto in like manner.

Attestation of list of voters.

32. Every enumerator, having revised and corrected such retained copy of each voters' list compiled by him, if he deems such correction necessary, as provided in the next preceding section, shall write at the foot of such copy and close to the last name thereon, on the day immediately preceding the polling day, a certificate in the form of the second certificate contained in form K in the schedule to this Act.

Form.

List to be delivered to deputy-returning officer.

Its effect.

33. The enumerator shall deliver the voters' list so certified forthwith, or before eight o'clock in the morning of the polling day, to the deputy returning officer for the polling division to which it relates; and such list as received by such deputy returning officer, shall be the voters' list for such polling division, subject to be further corrected on the polling day as hereinafter provided.

Notice to be posted up.

34. It shall be the duty of the returning officer to cause to be posted up with the election notice, a notice of information to electors in the form L in the schedule to this Act.

35. The returning officer shall secure at each polling station a room, building, or other convenient place for the officers employed at the poll, with a window or door opening to the outside, and in winter, if possible, two rooms, one for the officers and the other for the electors while voting.

Accommodation at polling stations.

36. The returning officer shall, by a commission under his hand, appoint one deputy returning officer for each polling division comprised in the electoral district; but if the returning officer sees fit to act in the capacity of deputy returning officer for any polling division, he may dispense with appointing a deputy for such division and himself perform the duties of deputy returning officer therein, without taking any oath of office other than that which he is hereinbefore required to take

Appointment of deputy returning officers. Proviso.

37. Every deputy returning officer shall, before acting as such, take an oath of office in the form M in the schedule to this Act.

Deputy's oath of office.

38. The returning officer shall furnish each deputy returning officer with a poll book which shall be in the form N in the schedule to this Act, and which shall contain as many columns showing the names of candidates as there are candidates duly nominated, and with at least five copies of the notice (form L) for the information of electors.

Poll book, &c., to be furnished. Form.

39. Each deputy returning officer shall forthwith appoint by commission under his hand a poll clerk, who before acting as such shall take the oath in the form O in the schedule to this Act.

Appointment of poll clerk.

40. Any person who produces to the deputy returning officer, at any time, a written authority from a candidate to represent him as an agent at a polling station, shall be recognized as such by the deputy returning officer, and if no such agent is nominated by the candidate, any two electors may, at their own request, be recognized as the agents of such candidate: Provided always, that any agent bearing a written authorization from the candidate, shall always be entitled to represent such candidate in preference to, and to the exclusion of, any two electors who might otherwise claim the right of representing such candidate under this section.

Agents of candidates.

If none appointed. Proviso.

41. In addition to the deputy returning officer and his poll clerk, each candidate and his agent, or in such candidate's absence any two agents of such candidate, and no others, shall be permitted to remain in the room or place, or that part thereof where the votes are recorded.

Who may remain where votes are recorded.

42. The deputy returning officer shall,—

(a.) Duties of deputy

returning
officer when
a poll is held.

- (a.) Post up on the polling day before nine o'clock in the forenoon at least three of the handbills containing "Information for Electors" in conspicuous places near the polling station ;
- (b.) See that the poll clerk is put in possession of the poll book and voters' list in time for the polling ;
- (c.) Open the poll on the polling day at nine o'clock in the forenoon and keep it open till five o'clock in the afternoon of the same day ;
- (d.) Receive the votes of electors and see that they are correctly recorded by the poll clerk, and ask all questions relating to the qualification of voters required by any candidate or his agent ;
- (e.) Administer either or both of the oaths hereinafter mentioned to any elector, if required, and when necessary direct that the voters' list be corrected accordingly ;
- (f.) When the poll is declared by him to be closed, immediately sum up with the poll clerk the votes received by each candidate, and sign on the poll book with the poll clerk the certificate hereinafter mentioned ;
- (g.) When the said certificate is signed, seal up the poll book and voters' list in one package and forward them to the returning officer as he directs.

Administra-
tion of oaths
to electors.

43. Every deputy returning officer may and shall, when he is required so to do by any candidate or agent of a candidate, administer to any elector either one or both of the oaths set forth in form P in the schedule to this Act.

Oath when
voter's name
is not on the
list.
Form.

44. The deputy returning officer shall, while the poll is open, if required by any elector whose name is not on the voters' list, administer to such elector oath number one in the said form P ; and such oath having been taken, the deputy returning officer shall at once cause such elector's name to be added to the voters' list, with the word "sworn" written thereafter.

Voter on the
list may be
sworn.

If he refuses.

45. Every person whose name is on the voters' list, unless sworn as in the next preceding section provided, shall, before being permitted to vote, if required by any candidate, agent or elector, take the said oath number one ; and if he refuses to take the same, erasing lines shall be drawn through his name on the voters' list, and the words "refused to be sworn" written thereafter.

46. Every voter shall be entitled to vote whose name is on the voters' list and has not been erased therefrom in accordance with the foregoing provisions of this Act or whose name is added to the said list as herein provided; but if any such voter, when required by the deputy returning officer, or by any candidate, agent or elector, refuses to take oath number two in the said form P, he shall not be permitted to vote, and if his name has been entered in the poll book, erasing lines shall be drawn through it, and the words "refused to take oath number two" written thereafter.

What voters may vote.

Refusal to take oath. Its effect.

47. Whenever the deputy returning officer does not understand the language of an elector claiming to vote, he may swear an interpreter, to be the means of communicating between him and such elector with reference to all matters required to enable such elector to vote.

Interpreter may be sworn.

48. Any deputy returning officer, candidate, agent or poll clerk, who belongs to a polling division other than the one at which he is stationed on the polling day, shall be permitted to vote at the polling station where he is so stationed, provided he produces a certificate from the enumerator of the polling division to which he belongs, that he is a qualified voter in such polling division; which certificate it shall be the duty of such enumerator to give gratis to any qualified elector who is so stationed outside of his own polling division.

As to votes of certain officers and agents.

Condition.

49. In case any vote is recorded as provided in the next preceding section, in a different polling division to that in which the voter resides, the particular office or position which the voter is filling at the station at which he voted shall be entered opposite his name in the poll book in the column for "remarks."

Entry in such case.

50. If the deputy returning officer is unable or fails to perform his duties, the poll clerk shall act in his place without taking any further oath of office, and he shall appoint another poll clerk who shall take the oath of office as such hereinbefore prescribed.

Poll clerk to act as deputy returning officer in case of need.

51. The poll clerk shall write in the poll book the full name and the occupation and residence of each voter, and shall, opposite thereto, mark the figure 1 in the column for the candidate in whose favor the vote of such voter is given; and immediately the vote is recorded he shall write "voted" after the elector's name in the voters' list.

How votes shall be recorded.

52. The poll clerk shall make such additions, alterations, and erasures in the voters' list, and such entries in the poll book as the deputy returning officer directs him to make, as is required by any provision of this Act.

Correction of list of voters.

Close of the poll and summing up the votes.

53. At five o'clock in the afternoon of the polling day the deputy returning officer shall declare the poll closed; and immediately thereafter he and the poll clerk, in the presence of the candidates, or their agents, shall sum up the votes given for each candidate, and shall enter in the poll book, immediately below the last name recorded, and sign a certificate in the form Q in the schedule to this Act.

Certificate.

Duplicate to be retained. Its use.

54. A duplicate copy of the said certificate shall be made out and signed in the same manner, on a separate sheet of paper, which duplicate shall be kept by the deputy returning officer, after he has forwarded the poll book and voters' list to the returning officer; and if by any means the poll book should be lost or destroyed, he shall deliver the said duplicate certificate to the returning officer.

Copies for candidates.

55. Every poll clerk, on being requested so to do by any candidate or his agent, shall deliver, free of charge, to such candidate or agent, a copy of the certificate made by the deputy returning officer and himself at the close of the poll.

Addition of votes by the returning officer.

56. The returning officer, at the place, day and hour appointed by his election notice, and after having received all the poll books, shall proceed to open them in presence of the election clerk, and the candidates or their representatives, if present, or of at least two electors, and to add together the number of votes given for each candidate from the poll books of the several polling divisions returned by the deputy returning officers; but if all the poll books are not received on the day named in the election notice, he may adjourn the final summing up of votes until every poll book, or in its absence, the duplicate certificate of the deputy returning officer and poll clerk, has been received.

Postponement if poll books are not all received.

Declaration of election.

57. The candidate who, on the final summing up of the votes, is found to have a majority of votes, shall be then declared elected.

Provision in case of a tie.

58. When, on the final addition of votes by the returning officer, an equality of votes is found to exist between any of the candidates, and the addition of a vote would entitle any of such candidates to be declared elected, the returning

Casting vote.

officer, shall give such additional or casting vote.

Return and form thereof.

59. The returning officer after such final summing up shall forthwith transmit his return to the Clerk of the Crown in Chancery by mail, after having registered the same, and such return shall be in the form R in the schedule to this Act.

Copies for candidates.

60. The returning officer shall forward to each of the respective candidates a copy of his return to the Clerk of the Crown in Chancery.

- 61.** The returning officer shall accompany his return to the Clerk of the Crown in Chancery with a report of his proceedings, including the number shown in his final summing up of votes; he shall also forward to the said Clerk of the Crown in Chancery, by mail, after having registered the same, all the poll books and voters' lists of the several polling divisions. What shall accompany the return.
- 62.** The proclamation and other notices required to be posted up at any election under this Act, the poll books and all other documents herein mentioned may either be printed or written, or partly printed and partly written. Proclamation &c., may be written or printed.
- 63.** The returning officer shall not delay proceeding with an election under this Act, unless he ascertains that the poll at any polling station has been so obstructed or so grossly neglected or mismanaged, that qualified electors have had no fair opportunity to record their votes; in which case he shall not return any candidate elected, but shall report the proceedings in full to the Clerk of the Crown in Chancery. Proceedings not to be delayed. Exception. Report in such case
- 64.** One copy of this Act, and of such portions of the several Acts respecting the elections of members of the House of Commons of Canada as are hereinafter incorporated with this Act, and of such instructions, approved by the Governor in Council, as are necessary to carry out the elections according to the provisions of this Act (with a copious alphabetical index prefixed), for the returning officer, and one for each of his deputies, shall be transmitted, with the writ of election, to each returning officer. Copies of Act for returning officer and deputies. With instructions and index.
- 65.** Every one who, at an election of a member of the House of Commons under this Act, tenders a vote in the name of some other person, whether such name is that of a person living or dead, or a fictitious person; or having voted once at any such election, tenders a vote at the same election, is guilty of personation, and shall be liable to a penalty not exceeding six hundred dollars, and to imprisonment for a term not exceeding six months. Personation defined. Penalty for.
- 66.** Inasmuch as in view of the extension of the electoral franchise to the North-West Territories, as by this Act provided, and the specific provisions in that behalf herein enacted, and of the remoteness of certain portions of the said Territories, it may appear that the allowances for fees and disbursements provided by section one hundred and twenty-six of "*The Dominion Elections Act, 1874*," will be inadequate or insufficient for a fair and just but economical remuneration for the services performed, the Governor in Council may make a tariff of fees, costs and expenses, based, as nearly as may be, on the tariff of fees, costs and expenses in the said section set forth, to be paid and allowed to returning Recital. Tariff of fees may be made.

returning officers and other persons employed at or with respect to elections under this Act, and may, from time to time, revise and amend such tariff:

To be laid before House of Commons.

2. A copy of every such tariff, and of every amendment thereof, shall be laid before the House of Commons at the then next session thereof.

Certain provisions of 37 V., c. 9, incorporated with this Act.

67. Sections twenty, sixty-four, sixty-five, seventy, seventy-three, seventy-five, seventy-six, seventy-eight to one hundred and fourteen, both inclusive, one hundred and sixteen to one hundred and twenty-five, both inclusive, and one hundred and twenty-seven to one hundred and thirty, both inclusive, of "*The Dominion Elections Act, 1874*;" section fifteen of the Act forty-first Victoria, chapter six, and the Act forty-sixth Victoria, chapter four, are hereby incorporated with this Act, and shall be read as forming part thereof.

41 V., c. 6, s. 15.
46 V., c. 4.

37 V., c. 10;
38 V., c. 10;
38 V., c. 11,
ss. 25 and 48;
39 V., cc. 9
and 10, and c.
26, s. 16; 42
V., c. 6, and
42 V., c. 39, s.
10, to apply.

68. "*The Dominion Controverted Elections Act, 1874*;" the Act thirty-eighth Victoria, chapter ten; sections twenty-five and forty-eight of the Act thirty-eighth Victoria, chapter eleven; the Acts thirty-ninth Victoria, chapters nine and ten; section sixteen of the Act thirty-ninth Victoria, chapter twenty-six; the Act forty-second Victoria, chapter six, and section ten of the Act forty-second Victoria, chapter thirty-nine shall also apply to elections of members of the House of Commons under this Act.

Interpretation of "Province" "Court" and "Judge."

69. In the Acts and parts of Acts in the two sections next preceding mentioned and in the application thereof to elections under this Act, the expression "Province" includes "North-West Territories," and the expressions "court" and "judge" mean a stipendiary magistrate acting as such in the North-West Territories.

S. 11 of 48-49 V., c. 40 not affected, and that Act not to apply to N.W.T.

70. Nothing in this Act contained shall be deemed to repeal or to modify in any manner whatsoever the provisions of section eleven of "*The Electoral Franchise Act*," and the said Act shall not, except as expressly therein provided, apply to the North-West Territories.

Commencement of Act.

71. This Act shall come into force upon, from and after such day as the Governor General, by proclamation, directs.

SCHEDULE OF FORMS.

A.

Writ of Election.

VICTORIA, by the Grace of God of the United Kingdom of
Great Britain and Ireland, QUEEN, Defender of the
Faith;—To _____ of _____,
GREETING :

Whereas, by the advice of Our Privy Council for Canada,
we have ordered a Parliament to be holden at Ottawa, on
the _____ day of _____ next (*omit this preamble, except in
the case of a general election*) We command you that,
notice of the time and place of election being duly given,
you do cause election to be made according to law of a
member to serve in the House of Commons of Canada, for
the electoral district of _____

(*except in case of a general election, insert here
in the place of _____, deceased, or otherwise,
stating the cause of vacancy*) and that you do cause the
nomination of candidates at such election to be held on the
_____ day of _____ next, at _____, and do cause the name
of such member when so elected, whether he is present or
absent, to be certified to our Clerk of the Crown in Chancery,
as by law directed.

Witness, Our Right Trusty and Well-beloved, &c.,
Governor General (*or Administrator of the Government*) of
our Dominion of Canada, at our City of Ottawa, the
_____ day of _____ in the _____ year of Our Reign and in
the year of Our Lord 18 _____

Indorsement.

Received the within Writ on the _____ day of _____ 18 _____ .

(*Signature*), _____ A. B.,
Returning Officer.

B.

Oath of the returning officer.

I, the undersigned, A. B., returning officer for the electoral
district of _____, solemnly swear (*or if he is one
of the persons permitted by law to affirm in civil cases, solemnly
affirm*) that I am legally qualified according to law to act as
returning officer for the said electoral district of _____

and that I will act faithfully in that capacity, without partiality, fear, favor or affection: So help me God.

(Signature). A. B.,
Returning Officer.

Certificate of returning officer having taken oath of office.

I, the undersigned, hereby certify that on the _____ day of the month of _____, 18____, A. B., the returning officer for the electoral district of _____, took and subscribed before me, the oath (or affirmation) of office, in such case required of a returning officer, by "The North-West Territories Representation Act, 1886."

In testimony whereof, I have delivered to him this certificate.

(Signature). C. D.,
Justice of the Peace.

C.

Commission of an election clerk.

To E. F. (set forth his legal addition and residence).

Know you, that in my capacity of returning officer for the electoral district of _____, I have appointed, and do hereby appoint you to be my election clerk, to act in that capacity according to law, at the approaching election for the said electoral district of _____, which election will be opened by me, on the _____ day of the month of _____, 18____.

Given under my hand this _____ day of _____, in the year 18____.

(Signature). A. B.,
Returning Officer.

D.

Oath of the election clerk.

I, the undersigned, E. F., appointed election clerk for the electoral district of _____, solemnly swear (or if he is one of the persons permitted by law to affirm in civil cases, solemnly affirm), that I will act faithfully in my said capacity as election clerk, and also in that of returning officer if required to

to act as such according to law, without partiality, fear, favor or affection : So help me God.

(Signature). E. F.,
Election Clerk.

Certificate of the election clerk having taken the oath of office.

I, the undersigned, hereby certify that on the day of _____, 18____, E. F., election clerk for the electoral district of _____, took and subscribed before me, the oath (or affirmation) of office required in such case of an election clerk, by "The North-West Territories Representation Act, 1886."

In testimony whereof, I have delivered to him this certificate under my hand.

(Signature). C. D.,
Justice of the Peace.
or A. B.,
Returning Officer.

E.

PROCLAMATION.

Electoral District of _____, to wit:

Public notice is hereby given to the electors of the electoral district aforesaid, that, in obedience to Her Majesty's Writ to me directed, and bearing date the day of _____ 18____, I require the presence of the said electors at (*describe the place where the nomination is to take place*) on _____ the _____ day of _____, from noon until two of the clock in the afternoon for the purpose of nominating a person to represent them in the House of Commons of Canada, and that, in case a poll becomes necessary, such poll will be open on the day and during the time prescribed by law at the polling station in each of the polling divisions which are, after the nomination, specified by me in an election notice.

Of which all persons are hereby required to take notice and govern themselves accordingly.

Given under my hand at _____, this day of _____, in the year 18____.

(Signature). A. B.,
Returning Officer.

F.

F.

Nomination paper, &c.

We, the undersigned electors of the electoral district of _____ hereby nominate (*name, residence and addition or description of person nominated*) as a candidate at the election now about to be held of a member to represent the said electoral district in the House of Commons of Canada.

Witness our hands at _____ in the said electoral district, this _____ day of _____ 18 _____ .
 Signed by the said electors, in presence _____ }
 of _____, of _____, (additions.) }
Signatures with residence and additions.

I, the said _____, nominated in the foregoing nomination paper, hereby consent to such nomination.

Witness my hand at _____, this _____ day of _____ 18 _____ .
 Signed by the said nominee, in presence _____ }
 of _____, of _____, (additions) } *Signature.*

G.

Oath of attestation of the nomination paper.

I, G. H., of _____ (additions) solemnly swear (or if he is one of the persons permitted by law to affirm in civil cases, solemnly affirm) that I know (*mentioning the names of the signers known to him*), and that they are duly qualified as electors of the electoral district of _____, to vote at an election of a member to serve in the House of Commons of Canada, and that they respectively signed the foregoing (or within) nomination paper in my presence; and further (*if the case be so*), that I know the said _____, thereby nominated as a candidate, and that he signed his consent to the nomination in my presence.

Sworn (or affirmed) before me, at _____ }
 , this _____ day of _____ (Signature,) G.H.
 , 18 _____ }
 C. D.,
 Justice of the Peace.

The forms in this schedule may be varied according to circumstances, the intention of the Act being complied with, and the assent of the candidate may be sworn to by a separate elector, if the facts require it to be so.

H.

Return when there is only a single candidate nominated.

I hereby certify that the member elected for the electoral district of _____, in pursuance of the within written writ, is R. O., of _____, in _____ (as in the nomination paper), no other candidate having been nominated (or the other or all other candidates having withdrawn, as the case may be).

(Signature)

A. B.,
Returning Officer

I.

Election Notice.

Electoral District of }
To wit. : }

Public notice is hereby given to the electors of the electoral district aforesaid, that a poll has been granted for the election now pending for the said district, and that such poll will be open on _____, the _____ day of _____, 18____, from the hour of nine in the forenoon till the hour of five in the afternoon, in each of the following divisions, that is to say :—

For the polling division No. 1 (or other designation) consisting of (or bounded as follows, or as the case may be) at (describe the polling station; and so continue for all the other polling divisions and polling stations in the electoral district.)

Further, that the persons duly nominated, and for whom only votes will be received, are,—

1. } (Insert the name and additions of each candidate, as
2. } given in the nomination paper.)
3. }

And further, that unless the election is otherwise terminated before the time above named for closing the poll, I will, on _____, the _____ day of _____, 18____, open the poll-books, sum up the votes given for the several candidates and return as elected the one having the majority of votes.

Of which all persons are hereby required to take notice and govern themselves accordingly.

Given under my hand at _____, this _____ day of _____, 18____.

(Signature)

A. B.,
Returning officer.
J.

J.

Oath of enumerator.

I, the undersigned, I. J., appointed enumerator for the polling district No. , (or as the case may be) of the electoral district of , solemnly swear (or, being one of the persons permitted by law to affirm in civil cases, solemnly affirm) that I will act faithfully in my said capacity of enumerator, without partiality, fear, favor, or affection. So help me God.

(Signature), I. J.,
Enumerator.

Certificate of an enumerator having taken the oath of office.

I, the undersigned, hereby certify that on the day of the month of , I. J., enumerator for the polling district No. , (or as the case may be) of the electoral district of , took and subscribed the oath (or affirmation) of office, required in such case of an enumerator, by "The North-West Territories Representation Act, 1886."

In testimony whereof, I have delivered to him this certificate under my hand.

(Signature), C. D.,
Justice of the Peace.
or A. B.,
Returning Officer.

K.

List of voters.

Electoral district of

Polling division No. 1. (or as the case may be.)

No.	Name.	Occupation or Addition.	Residence.	Remarks.

I certify that the foregoing is a true copy of the voters' list in polling division No. 1 (or as the case may be) of the electoral district of , as prepared by me for

for use in the election of a member of the House of Commons for the said electoral district, now pending.

(*Signature,*)

I. J.,
 Enumerator.

(*Here the enumerator shall make any addition to the list which he finds necessary.*)

I certify that the foregoing is a correct list of the voters in polling division No. 1 (*or as the case may be*) of the electoral district of _____ as revised (*or if no correction is made, as finally approved*) by me this _____ day of _____ 18 .

(*Signature,*)

I. J.,
 Enumerator.

—
 L.

Information to electors.

The following is the qualification of electors as prescribed by the Parliament of Canada.

(*Here insert section four of this Act.*)

If any elector finds that his name is not on the voters' list of the polling division to which he belongs, he may apply to the enumerator on any day before the polling day and if the enumerator objects to add his name to the said list, he may require the deputy returning officer, on the polling day, while the poll is open, to cause his name to be placed on the list on taking before that officer the following oath :

(*Here insert oath No. 1. See form P.*)

Each elector may vote only at one polling station and for one candidate within the same electoral district.

Any elector wishing to record his vote shall, in his turn while the poll is open, go up to the deputy returning officer, state his full name, occupation or addition and place of residence, take such oaths as the deputy returning officer lawfully puts to him, and declare for which candidate he votes.

Every elector, after having voted, shall quietly leave the polling station.

(*Signature,*)

A. B.,
 Returning Officer.

Dated

18

M.

M.

Oath of deputy returning officer.

I, the undersigned, G. H., appointed deputy returning officer, for the polling district, No. , (*or as the case may be*) of the electoral district of , solemnly swear (*or, being one of the persons permitted by law to affirm in civil cases, solemnly affirm*) that I will act faithfully in my said capacity of deputy returning officer, without partiality, fear, favor, or affection. So help me God.

(*Signature*), G. H.,
Deputy Returning Officer.

Certificate of a deputy returning officer having taken the oath of office.

I, the undersigned, hereby certify that on the day of the month of , G. H., deputy returning officer for the polling district No. , (*or as the case may be*) of the electoral district of , took and subscribed the oath (*or affirmation*) of office, required in such case of a deputy returning officer, by "The North-West Territories Representation Act, 1886."

In testimony whereof, I have delivered to him this certificate under my hand.

(*Signature*), C. D.,
Justice of the Peace.
or A. B.
Returning Officer.

N.
FORM OF POLL-BOOK.

No. of the Voter.	No. on the Voters List.	Name of Voter.	Occupation or Addition.	Place of Residence.	Sworn.	Name of Candidate.	Name of Candidate.	Name of Candidate.	Remarks.

O.

Oath of poll clerk.

I, the undersigned, L. M., appointed poll clerk for the polling district, No. _____, (or as the case may be) of the electoral district of _____ do solemnly swear (or, if he is one of the persons permitted by law to affirm in civil cases, do solemnly affirm) that I will act faithfully in my capacity of poll clerk, and also in that of deputy returning officer if required to act as such, according to law, without partiality, fear, favor or affection. So help me God.

(Signature),

L. M.,
Poll Clerk.*Certificate of the poll clerk having taken the oath.*

I, the undersigned, hereby certify that on the _____ day of the month of _____, L. M., poll clerk for the polling district, No. _____, (or as the case may be) of the electoral district of _____ took and subscribed before me the oath (or affirmation) of office required of a poll clerk in such cases by "The North-West Territories Representation Act, 1886."

In testimony whereof, I have delivered to him this certificate under my hand.

(Signature)

C. D.,
Justice of the Peace.
or A. B.,
Returning Officer.
or G. H.,
Deputy Returning Officer.

P.

Oaths to be taken by voters.

No. 1.

You do swear that you are a *bonâ fide* male resident and householder within this polling division of this electoral district, that you are of the full age of twenty-one years, that you are not an alien or an Indian, and that you have resided in this electoral district for at least twelve months immediately preceding the date of the issue of the writ for this election. So help you God.

No.

No. 2.

☉ You do swear that you have not received any money or other reward nor have you accepted any promise made to you, directly or indirectly, to induce you to vote at this election, and that you have not before voted at this election in this electoral district, either at this or any other polling station. So help you God.

Q.

Certificate in the Poll Book.

We, the undersigned, deputy returning officer and poll clerk for the polling division No. (or as the case may be) of the electoral district of _____, solemnly declare that to the best of our knowledge and belief the poll book for the said polling division contains a true and exact record of the votes polled at the polling station thereof; that we have faithfully counted the votes given for each candidate, and that the number recorded for (here insert the name of one candidate) was _____ (and so on for each of the candidates.)

In witness whereof we hereto set our hands, this
day of _____ 18 .

(Signatures)

G. H.,
Deputy Returning Officer.
L. M.,
Poll Clerk.

R.

Return when a poll has been held.

I hereby certify that the member elected for the electoral district of _____ in pursuance of the within writ, as having the majority of votes lawfully given, is (name as in the nomination paper.)

Dated at _____ this _____ day of _____ 18 .

(Signature.)

A. B.,
Returning Officer.

CHAP. 25.

An Act further to amend the law respecting the North-West Territories.

[Assented to 2nd June, 1886.]

Preamble.

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

Interpreta-
tion of terms
used in this
Act.

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

(a.) The expression "Territories" means the North-West Territories ;

(b.) The expression "Supreme Court" or "court" means the Supreme Court of the North-West Territories ;

(c.) The expression "Lieutenant-Governor" means the Lieutenant-Governor of the Territories ;

Lt.-Governor
in Council.

(d.) The expression "Lieutenant-Governor in Council" means the Lieutenant-Governor of the Territories in Council, or the Lieutenant-Governor by and with the advice and consent of the Legislative Assembly of the Territories, as the case may be.

What Domin-
ion Acts shall
or shall not
apply to N.-
W.T.

2. Every Act of the Parliament of Canada, except in so far as otherwise provided in any such Act, and except in so far as the same is, by its terms, applicable only to one or more of the Provinces of Canada, or in so far as any such Act is, for any reason, inapplicable to the Territories, shall apply to and be in force in the Territories.

And what
civil and
criminal laws
of England.

3. Subject to the provisions of the next preceding section the laws of England relating to civil and criminal matters, as the same existed on the fifteenth day of July, in the year of our Lord one thousand eight hundred and seventy, shall be in force in the Territories, in so far as the same are applicable to the Territories, and in so far as the same have not been, or may not hereafter be, repealed, altered, varied, modified or affected by any Act of the Parliament of the United Kingdom applicable to the Territories, or of the Parliament of Canada, or by any ordinance of the Lieutenant-Governor in Council.

Supreme
court for
N.-W.T.

4. There is hereby constituted and established in and for the Territories a supreme court of record of original and appellate jurisdiction, which shall be called "The Supreme Court of the North-West Territories."

How com-
posed.

5. The Supreme Court shall consist of five puisne judges, who shall be appointed by the Governor in Council by letters patent under the great seal.

6. Any person may be appointed a judge of the court who is or has been a judge of a superior court of any Province of Canada, a stipendiary magistrate of the Territories or a barrister or advocate of at least ten years' standing at the bar of any such Province, or of the Territories. Qualification of judges.

7. No judge of the court shall hold any other office of emolument under the Government of Canada, or of any Province thereof, or of the Territories; but this provision shall not prevent the judges from being eligible for appointment as members of the North-West Council without emolument. Not to hold any other office.
Proviso.

8. Each judge of the court shall reside at such place in the Territories as the Governor in Council may, in the commission to such judge, or by Order in Council, direct. Where to reside.

9. The judges of the court shall hold office during good behavior, but shall be removable by the Governor General, on address of the Senate and House of Commons of Canada. Tenure of office.

10. Each judge of the court shall be paid a yearly salary of four thousand dollars, and such travelling allowances as the Governor in Council determines, and may be granted an annuity equal to two-thirds of his salary, at the time of his resignation if, having continued in his office as such judge, or in such office and the office of a judge of any superior court in Canada, or of a stipendiary magistrate of the Territories, for fifteen years or upwards, or being afflicted with some permanent infirmity disabling him from the due execution of his office, he resigns such office. Salary and allowances of judges.
Retiring allowance.

11. Such salaries, travelling allowances and annuities, shall be payable out of any unappropriated moneys forming part of the Consolidated Revenue Fund of Canada, and for any period less than a year such salaries and annuities shall be paid *pro rata*. How paid.

12. Every judge shall, previously to entering upon the duties of his office as such judge, take an oath in the form following:— Oath of office.

“ I, _____, do solemnly and sincerely promise and swear that I will duly and faithfully, and to the best of my skill and knowledge, execute the powers and trusts reposed in me as one of the judges of the Supreme Court of the North-West Territories. So help me God.” Form.

13. Such oaths shall be administered by the Lieutenant-Governor or by a judge of the court. How administered.

14. The court shall, within the Territories, and for the administration of the laws for the time being in force within the Territories, possess all such powers and authorities as by the law of England are incident to a superior court of civil and Powers of the court.

As exercised
by courts in
England on
15th July,
1870.

Further
detail of
powers.

Trial, judg-
ment and
execution.

and criminal jurisdiction; and shall have, use and exercise all the rights, incidents and privileges of a court of record and all other rights, incidents and privileges as fully to all intents and purposes as the same were on the fifteenth day of July, one thousand eight hundred and seventy, used, exercised and enjoyed by any of Her Majesty's Superior Courts of Common Law, or by the Court of Chancery, or by the Court of Probate in England, and may and shall hold pleas in all and all manner of actions, causes and suits as well criminal as civil, real, personal and mixed, and may and shall proceed in such actions, causes and suits by such process and course as are provided by law, and as shall tend with justice and despatch to determine the same, and may and shall hear and determine all issues of law and may and shall also hear and (with or without a jury as provided by law) determine all issues of fact that may be joined in any such action, cause or suit, and judgment thereon give and execution thereof award in as full and as ample a manner as might at the said date be done in Her Majesty's Court of Queen's Bench, Common Bench or in matters which regard the Queen's revenue (including the condemnation of contraband or smuggled goods) by the Court of Exchequer or by the Court of Chancery or the Court of Probate in England.

Sittings of the
court in banc.

15. The court shall sit in banc at the seat of government of the Territories at such times as the Lieutenant-Governor in Council appoints. The senior judge present shall preside, and any three judges of the court shall constitute a quorum.

Proceedings
at such
sittings.

16. The court sitting in banc shall hear and determine all applications for new trials, all questions or issues of law, all questions or points in civil or criminal cases reserved for the opinion of the court, all appeals or motions in the nature of appeals, all petitions and all other motions, matters or things whatsoever which may be lawfully brought before it.

Division of N.
W. T. into
judicial
districts.

17. The Governor in Council may, at any time, by proclamation divide the Territories into judicial districts, and give to each such district an appropriate name, and in like manner, from time to time, alter the limits and extent of such districts.

Extent of
jurisdiction of
the judges as
to locality
and nature
of cases.

18. Every judge of the court shall have jurisdiction throughout the Territories, but shall usually exercise the same within the district to which he is assigned by the Governor in Council, and in all causes, matters and proceedings, other than such as are usually cognizable by a court sitting in banc and not by a single judge of such court, shall have and exercise all the powers, authorities and jurisdiction of the court.

Presiding at
sittings.

19. Sittings of the court, which shall be presided over by a judge of the court, shall be held in each judicial district

district at such times and places as the Lieutenant-Governor of the Territories appoints.

20. For each judicial district the Governor in Council may appoint a sheriff and a clerk of the court and may name the place at which such sheriff and clerk, respectively, shall reside and keep an office; and the clerk of the district within which the seat of Government of the Territories is situate, shall be registrar of the court sitting in banc.

Sheriff and clerk for each judicial district.

21. Each clerk of the court shall use such a seal for sealing processes issued out of the court in the district for which he is appointed as the Lieutenant-Governor approves.

Seal of court.

22. Before entering on the duties of his office each of the sheriffs to be appointed under the provisions of this Act shall give security by bond or by guarantee of some guarantee company approved by the Governor in Council in the sum of two thousand dollars, and the clerks shall each give the like security in the sum of one thousand dollars.

Security by sheriff and clerk.

23. Each sheriff shall be paid a yearly salary of five hundred dollars, and such fees as the Lieutenant-Governor in Council prescribes.

Remuneration of sheriff.

24. Each clerk shall be paid such fees as the Lieutenant-Governor in Council prescribes.

And of clerk.

25. Any sheriff or clerk may, with the approval of the Lieutenant-Governor, appoint a deputy.

Deputies.

26. Every sheriff and clerk shall be an officer of the Supreme Court generally, and not merely of the judges sitting or acting in his district, and shall obey the lawful orders of the said court and of the judges thereof, in whatever district such orders are made, provided anything is required to be done under them by the sheriff or clerk in his district.

Duties of sheriffs and clerks.

27. The Lieutenant-Governor in Council may, from time to time, but subject to the provisions hereof, make ordinances in relation to the administration of justice in the Territories, and to the constitution, maintenance and organization of the said court, including procedure therein in civil matters, in as full and ample a manner as the Legislature of any Province of Canada could, under the fourteenth paragraph of the ninety-second section of "*The British North America Act, 1867*," or otherwise, make laws in relation to the administration of justice in the Province, and to the constitution, maintenance and organization of a provincial court, both of civil and criminal jurisdiction, including procedure in civil matters in such court.

Legislative powers of the Lt-Governor in Council, as to administration of justice in N.-W.T.

28. The procedure in criminal cases in the court shall, subject to any Act of the Parliament of Canada, conform as nearly as may be to the procedure existing in like cases in England,

Procedure in criminal cases.

No grand jury. England, on the fifteenth day of July, in the year one thousand eight hundred and seventy; but no grand jury shall be summoned or sit in the Territories.

Ordinance respecting juries.

29. The Lieutenant-Governor in Council may, from time to time, make ordinances in respect to the mode of calling juries in criminal as well as civil cases, and when and by whom and the manner in which they may be summoned or taken, and in respect to all matters relating to the same.

Judges to have powers of stipendiary magistrates.

30. The judges of the court shall have all the powers, authority and jurisdiction now vested in the stipendiary magistrates of the Territories; and wherever in any Act of the Parliament of Canada relating to the Territories, the words "stipendiary magistrate" or "stipendiary magistrates" are used, the same shall mean a judge or the judges of the Supreme Court, as the case may be.

Section 5 of 43 V., c. 25, amended.

31. The fifth section of "*The North-West Territories Act, 1880*," is hereby amended by striking out the words "of which number the stipendiary magistrates hereinafter mentioned shall *ex officio* form part."

And certain other sections of the same and of other Acts.

32. Sections seventy-one, seventy-four, seventy-five and seventy-seven of "*The North-West Territories Act, 1880*," section eighty-nine of the said Act, so far as it relates to stipendiary magistrates, the second and sixth sections of the Act forty-seventh Victoria, chapter twenty-three, intituled "*An Act to amend the North-West Territories Act, 1880*," and the fourth and sixth sections of the Act passed in the session held in the forty-eighth and forty-ninth years of Her Majesty's reign, chapter fifty-one, intituled "*An Act respecting the Administration of Justice, and other matters, in the North-West Territories*," are hereby repealed.

Governor in Council may repeal certain provisions of 43 V., c. 25 and 47 V., c. 23.

33. The Governor in Council may, from time to time by proclamation, declare that paragraphs five to fifteen, both inclusive, of the seventy-sixth section of "*The North-West Territories Act, 1880*"; section eighty-six of the said Act, and the fourth and fifth sections of the Act forty-seventh Victoria, chapter twenty-three, intituled "*An Act to amend the North-West Territories Act, 1880*," or any of such paragraphs or sections, shall be repealed from and after a date to be named in such proclamation.

Section 7 of 48-49 V., c. 51, amended.

34. The section substituted by the seventh section of the Act passed in the session held in the forty-eighth and forty-ninth years of Her Majesty's reign, chapter fifty-one, intituled "*An Act respecting the administration of justice and other matters in the North-West Territories*," for section nine of the Act forty-seventh Victoria, chapter twenty-three is hereby amended by striking out the words "clerk of the district court of the district or division," and substituting therefor

therefor the words, "clerk of the Supreme Court of the judicial district."

35. This Act shall not come into force until a day to be named by the Governor in Council by his proclamation : Provided always, that at any time after the passing hereof, the Lieutenant-Governor in Council may make ordinances in the exercise of the powers conferred by the twenty-seventh and twenty-ninth sections hereof,—such ordinances to come into force on the day on which this Act comes into force. Commencement of this Act. Proviso: as to certain ordinances to be made under it.

CHAP. 26.

An Act respecting Real Property in the Territories.

[Assented to 2nd June, 1886.]

WHEREAS it is expedient to give certainty to the title to estates in land in the Territories and to facilitate the proof thereof, and also to render dealings with land more simple and less expensive: Therefore Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, declares and enacts as follows:— Preamble.

SHORT TITLE.

1. This Act may be cited as "*The Territories Real Property Act.*" Short title.

COMMENCEMENT.

2. This Act shall commence and take effect from and after the first day of January, one thousand eight hundred and eighty-seven. Commencement of Act.

INTERPRETATION.

3. In this Act, and in all instruments purporting to be made or executed thereunder, unless the context otherwise requires:— Interpretation of expressions used in Act.

The expression "Land" means and includes land, messuages, tenements and hereditaments, corporeal and incorporeal, of every kind and description, whatever may be the estate or interest therein, together with all paths, passages, ways, water-courses, liberties, privileges, easements, mines, minerals and quarries appertaining thereto, and all trees and timber thereon and thereunder lying or being, unless any such are specially excepted: Land.

The expression "Owner" means and includes any person or body corporate entitled to any freehold or other estate or interest Owner.

interest in land, at law or in equity, in possession, in futurity or expectancy :

- Transfer.** The expression "Transfer" means and includes the passing of any estate or interest in land under this Act, whether for valuable consideration or otherwise :
- Mortgage.** The expression "Mortgage" means and includes any charge on land created merely for securing a debt :
- Mortgagee.** The expression "Mortgagee" means and includes the owner of a mortgage :
- Mortgagor.** The expression "Mortgagor" means and includes the owner or transferee of land, or of any estate or interest in land pledged as security for a debt :
- Encumbrance.** The expression "Encumbrance" means and includes any charge on land created for any purpose whatever, inclusive of mortgage, unless expressly distinguished :
- Encumbrancer.** The expression "Encumbrancer" means and includes the owner of any land or of any estate or interest in land subject to any encumbrance :
- Encumbrancee.** The expression "Encumbrancee" means and includes the owner of an encumbrance :
- Lunatic.** The expression "Lunatic" means and includes any person found by any competent tribunal or commission *de lunatico inquirendo*, to be a lunatic :
- Person of unsound mind.** The expression "Person of unsound mind" means and includes any person not an infant, who not having been found to be a lunatic, has been found on like inquiry to be incapable, from infirmity of mind, of managing his own affairs :
- Instrument.** The expression "Instrument" means and includes any grant, certificate of title, conveyance, assurance, deed, map, plan, will, probate or exemplification of will, or any other document in writing relating to the transfer or other dealing with land or evidencing title thereto :
- Register.** The expression "Register" means and includes the register of titles to land to be kept in accordance with this Act :
- Registrar.** The expression "Registrar" means and includes any person appointed under this Act as registrar of titles :
- Territories.** The expression "Territories" means and includes the District of Keewatin and all other Territories of Canada :
- The

The expression "Court" means and includes any court Court. authorized to adjudicate in the Territories in civil matters in which the title to real estate is in question :

The expression "Court of Appeal" means and includes Court of Appeal. the Court of Appeal herein constituted :

The expression "Judge" means and includes any official Judge. authorized in the Territories to adjudicate in civil matters in which the title to real estate is in question :

The expression "Transmission" applies to change of Transmission. ownership consequent upon lunacy, levy under execution, order of court or other act of law, or in virtue of any settlement or any legal succession in case of intestacy :

The expression "Grant" means and includes any grant of Grant. Crown land, whether in fee or for years, and whether direct from Her Majesty or pursuant to the provisions of any statute :

The expression "Indorsed" means and includes anything Indorsed. written upon any instrument or other document, or in the margin thereof, or at the foot thereof :

The expression "Possession," when applied to persons Possession. claiming title to land, signifies also alternatively the reception of the rents and profits thereof.

PRELIMINARY.

4. From and after the commencement of this Act, all All lands in Territories subject to Act. lands in the Territories shall be subject to the provisions hereof.

DESCENT, CONVEYANCE ETC. OF REAL PROPERTY.

5. All lands in the Territories which, by the common law, All lands to be chattels real and go to executor, etc., of deceased. are regarded as real estate, shall be held to be chattels real, and shall go to the executor or administrator of any person or persons dying seized or possessed thereof, as other personal estate now passes to the personal representatives.

6. Hereafter no words of limitation shall be necessary in Effect of conveyance : words of limitation not required. any conveyance of any land in order to convey all or any title therein, but every deed or instrument conveying land shall operate as an absolute conveyance of all such right and title as the grantor has therein at the time of its execution, unless a contrary intention be expressed in such conveyance ; but nothing herein contained shall preclude any conveyance from operating by way of estoppel ; and hereafter the introduction of any words of limitation into any conveyance or devise of any land, shall have the like Proviso : effect of words of limitation. force

force and meaning, as the same words of limitation would have if used by way of limitation of any personal estate, and no other.

Devisee to
take from
personal re-
presentative.
Exception.

7. No devise shall be valid or effectual as against the personal representative of the testator, until the land affected thereby is conveyed to the devisee thereof, by the personal representative of the devisor, saving and excepting such devises as are made by the testator to his personal representative, either in his representative capacity or for his own use.

Dower
abolished.
Widow's
right.

8. No widow whose husband dies on or after the day of the commencement of this Act shall be entitled to dower in the real property of her deceased husband, but she shall have the same right in such real property as if it were personal property.

Tenancy by
the curtesy
abolished.
Husband's
right.

9. No husband whose wife dies on or after the day of the commencement of this Act shall be entitled to any estate by the curtesy in the real property of his deceased wife, but he shall have the same right therein as a wife has in the personal property of her deceased husband.

Where land
conveyed to
man and his
wife.

10. Whenever land is conveyed to a man and his wife the grantees shall take according to the tenor of the deed; and they shall not take by entireties unless it is so expressed in the conveyance or transfer.

Conveyances
by husband
to wife or *vice
versâ*.

11. A man may make a valid conveyance or transfer of his real estate to his wife, and a woman may make a valid conveyance or transfer of her real estate to her husband, without, in either case, the intervention of a trustee.

Estate tail
abolished:
fee simple
substituted.

12. Any grant, devise or limitation, which heretofore would have created an estate tail, shall be construed to carry an estate in fee simple, or the greatest estate the grantor or devisor had in the land granted or conveyed; and no estate in fee simple shall be changed into any limited fee or fee-tail, but the land, whatever form of words is used in any instrument of transfer or transmission or dealing, shall, except as hereinafter otherwise provided, be and remain an absolute estate in the owner for the time being.

Married
woman to be
as if *feme sole*.

13. A married woman shall, in respect of land acquired by her after the coming into force of this Act, have all the rights and be subject to all the liabilities of a *feme sole*, and may alienate and, by will or otherwise, deal with land as if she were unmarried.

Forfeiture by
wife for adul-
tery.

14. If a wife has left her husband, and has lived in adultery after leaving him, she shall take no part of the estate of her husband.

15. If a husband has left his wife and has lived in adultery after leaving her, he shall take no part of her estate. And, by husband.

16. Illegitimate children shall inherit from the mother as if they were legitimate, and through the mother if dead, any property or estate which she would, if living, have taken by purchase, gift, devise or descent from any other person. Illegitimate children inherit from mother.

17. When an illegitimate child dies intestate, without issue, the mother of such child shall inherit. And mother from such child.

REGISTRATION DISTRICTS.

18. The provisional districts of Assiniboia and Alberta, as defined by an order of the Queen's Privy Council for Canada, dated the eighth day of May, one thousand eight hundred and eighty-two, shall, for the purposes of this Act, be land registration districts, to be known respectively as the Assiniboia Land Registration District and the Alberta Land Registration District; and that portion of the provisional district of Saskatchewan lying eastward of the third principal meridian shall be a land registration district, to be known as the "East Saskatchewan Land Registration District;" and that portion of the said Saskatchewan provisional district lying westward of the said meridian shall also be a registration district, to be known as the "West Saskatchewan Land Registration District." Registration districts: Assiniboia, Alberta, East Saskatchewan, West Saskatchewan.

19. The Governor in Council may, from time to time, by proclamation, as the settlement of the country and the exigencies of the public service require, constitute any other portion of the Territories a land registration district, and declare by what local name the same shall be known and designated. Provision for further registration districts.

20. As soon after the passing of this Act as practicable, and whenever, at any subsequent period, a new registration district is established, the Governor in Council may provide in each registration district, at the public expense, and thereafter maintain in a proper state of repair, a building of stone or brick, to serve as the office of the Registrar, and as the place of deposit and preservation of the registers, duplicates, instruments and documents connected with the registration of titles, and shall fit up the said office with such fire-proof safes and other secure places as are necessary. Registration offices, etc., to be provided at public expense.

21. In each such registration district, at such place as the Governor in Council determines, there shall be an office, to be called the "Land Titles Office;" and the business of such office shall be conducted by an officer to be called the registrar, appointed by the Governor in Council, with Land titles office, and appointment of registrars, assistants and clerks by Governor in Council.

such assistants and clerks as are necessary, and as the Governor in Council, from time to time, appoints.

Deputy registrars appointment, powers and duties.

22. The Governor in Council may, from time to time, appoint a deputy to any of the registrars aforesaid, to act in case of the death, illness or absence from his office of the registrar to whom he is deputy, and every deputy, during the time he so acts, shall have all the powers and privileges, and perform all the duties and be subject to all the responsibilities of the officer to whom he is deputy.

Existing registrars of deeds to be *ex-officio* registrars; qualification of future appointees.

23. Every registrar of deeds appointed and acting in the Territories, when this Act comes into force, shall, upon taking the oath and giving the security hereinafter mentioned, be *ex-officio* a registrar under this Act, and shall hold office during pleasure; but thereafter, no person shall be appointed a registrar unless he is a barrister or advocate, of at least three years standing in one of the Provinces of Canada.

Salaries.

24. The salaries of registrars, deputy registrars, and other necessary officers, and such incidental expenses of carrying this Act into effect as are sanctioned by the Governor in Council, shall be paid out of moneys provided by Parliament for that purpose.

Oath of office.

25. Every registrar and deputy registrar, before he enters upon the execution of his office, shall take, before some judge or stipendiary magistrate in the Territories, the oath of office in the form A in the schedule to this Act.

Registrars' bond.

26. Before any registrar or deputy registrar appointed under this Act is sworn into office, he, and two or more sufficient sureties, shall enter into a joint and several bond in duplicate under their hands and seals to Her Majesty, in a penal sum to be fixed at not less than one thousand dollars, for the true and faithful performance by the said registrar or deputy registrar, of his duty in respect of all things directed to be done by or required of him by this Act or any law in that behalf: Provided nevertheless that the obligation of any guarantee company approved of by the Governor in Council, to the like effect, may be substituted for such bond. And the said bond shall be in the form B in in the said schedule, or to the like effect; and such bond or guarantee shall be subject to the approval of the Governor in Council.

Condition.

Proviso.

Form of bond.

Sureties to justify.

27. The sureties in such bond and duplicate shall justify under oath (form C), and the execution by the registrar, or deputy registrar, and his sureties shall be verified by affidavit of a subscribing witness (form D), taken before a justice of the peace; and one of such duplicates, with the affidavits appended, shall be forthwith transmitted to the Secretary of

of State, to be filed in his office, and the other shall be filed in the office of the Lieutenant-Governor of the Territories. Custody of bonds.

28. The registrar or deputy registrar shall, when required by the Secretary of State, execute a new bond in the form and to the effect provided in section twenty-six of this Act, or furnish such other security as is deemed expedient. New bonds when required.

29. Each registrar shall have a seal of office, approved by the Governor in Council, with which he shall seal all certificates of title and stamp all instruments which are presented to him for registration. Seals of office.

30. Each registrar shall, when required, and upon the payment of the legal fees, furnish, attested by the seal of his office, exemplifications, copies and abstracts of any uncancelled instrument affecting land, which is deposited, filed, kept or registered in his office, and every such exemplification or certified copy shall be received as evidence in the same manner and with the same effect as if the original was produced. Certified copies of documents in registrar's office to be evidence.

31. No registrar, deputy registrar or clerk in any land titles office under this Act shall, directly or indirectly, act as the agent of any person investing money and taking securities on real estate within his registration district; nor shall such registrar, deputy registrar or clerk advise, for any fee or reward or otherwise, upon titles of land, or practise as a conveyancer; nor shall he carry on or transact, within the registry office, any business or occupation whatever, other than his duties as such registrar, deputy or clerk. Registrar, etc., not to act as agent, etc.
Nor carry on other business in his office.

32. The registrar shall not, nor shall any deputy registrar or any person acting under authority of the registrar, be liable to any action or proceeding for or in respect of any act *bond fide* done or omitted to be done in the exercise or supposed exercise of the powers given by this Act, or any order or general rule made in pursuance of this Act. Indemnity of registrars, etc., for acts bond fide under this Act.

33. The land titles office shall be kept open on all days except Sundays and legal holidays, between the hours of ten in the forenoon and four in the afternoon, during which time either the registrar or his deputy shall be in attendance. Office days and hours.

REGISTRATION.

34. The registrar shall not register any instrument purporting to transfer, or otherwise to deal with or affect any land under the provisions of this Act, except in the manner herein provided, nor unless such instrument is in accordance with the provisions hereof; but any instrument substantially Form of instruments for registration.

- stantially in conformity with the forms in the schedule to this Act; or an instrument of like nature, shall be sufficient: Provided, that the registrar shall have power to reject any instrument appearing to be unfit for registration.
- Proviso.**
- 35.** The registrar shall not make any entry in the register of any notice of trusts, whether expressed, implied or constructive.
- No notice of trust to be entered.**
- 36.** The registrar may require the owner of any land within his registration district desiring to transfer or otherwise to deal with the same under the provisions of this Act, to deposit with the registrar a map or plan of such land, with the several measurements marked thereon, certified by a licensed surveyor, and upon one of the following scales:—
- Registrar may require plan of land dealt with.**
- Scale of plan.**
- If less than one acre.** (a.) If the land, or the portion thereof proposed to be transferred or dealt with, is of less area than one acre, then such map or plan shall be on a scale not less than one inch to two chains;
- Over one and not more than five.** (b.) If such land, or the portion thereof proposed to be transferred or dealt with, is of greater area than one acre, but not exceeding five acres, then such map or plan shall be on a scale not less than one inch to five chains;
- Over five but not more than eighty.** (c.) If such land, or the portion thereof proposed to be transferred or dealt with, is of greater area than five acres, but not exceeding eighty acres, then such map or plan shall be on a scale not less than one inch to ten chains;
- Exceeding eighty.** (d.) If such land, or the portion thereof proposed to be transferred or dealt with, is of greater area than eighty acres, then such map or plan shall be on a scale of one inch to twenty chains:
- Owner to attest plan.** 2. Such owner shall sign the said plan and declare the accuracy of the same before the registrar or a justice of the peace:
- If owner does not comply.** 3. If such proprietor neglects or refuses to comply with such requirements as aforesaid, it shall not be incumbent on the registrar to proceed with the registration of such transfer or dealing:
- Provision as to subsequent divisions.** 4. Subsequent sub-divisions of the same land may be delineated upon a duplicate of the map or plan of the same so deposited, if such map is upon a sufficient scale, in accordance with the provisions herein contained; and the correctness of the delineation of each such sub-division shall be acknowledged

acknowledged in the manner prescribed for the case of the deposit of an original map :

5. Where parts of different legal sub-divisions are included in the same transfer, the map shall represent the whole of such legal sub-divisions, and shall indicate the location of the lands to be transferred: Provided always, that this shall not be necessary in the case of lots in a city, town or village, the plan of which has been registered.

As to parts of legal sub-divisions.

37. The registrar may administer any oath or take any affirmation or declaration in lieu of an oath from any one entitled by law to affirm or declare.

Registrar may administer oaths, etc.

38. The registrar shall keep a book or books, which shall be called "the register," and shall bind up therein duplicates of all certificates of titles to be issued as hereinafter provided for; and each certificate of title shall constitute a separate folio of such book; and the registrar shall record therein the particulars of all instruments, dealings and other matters by this Act required to be registered or entered in the register, and affecting the land included under such certificate of title.

The register.

How kept.

39. The registrar shall also keep a book or books which shall be called "the day-book," and in which shall be entered by a short description every instrument which is given in for registration, with the day, hour and minute of filing; and for purpose of priority between mortgagees, transferees and others, the time of filing shall be taken as the time of registration; and the registrar, in entering memorials upon the grants and certificates of titles embodied in the register, and in endorsing a memorial upon an instrument to be issued, shall take the time from the day-book as the time of registration.

The day-book; its form and use.

Priority.

Time of filing to be noted on memorial.

40. Every grant shall be deemed and taken to be registered under the provisions and for the purposes of this Act, so soon as the same has been marked by the registrar with the folio and volume on and in which it is embodied in the register; and every transfer and other instrument purporting to transfer, or in any way to affect land under the provisions of this Act, shall be deemed to be so registered as soon as a memorial thereof, as hereinafter described, has been entered in the register upon the folio constituted by the existing grant or certificate of title of such land.

Time for registration of grants.

And of transfers and other instruments.

41. Except as hereinafter otherwise provided, every instrument presented for registration shall, unless a Crown grant, be attested by a witness, and shall be registered in the order of time in which the same is presented for that purpose;

Instruments for registration; how to be attested.

Order of registry and priority.

Effect of registration.

purpose ; and instruments registered in respect of or affecting the same estate or interest shall, notwithstanding any express, implied or constructive notice, be entitled in priority the one over the other, according to the time of registration and not according to the date of execution ; and the registrar, upon registration thereof, shall file the same in his office ; and so soon as registered, every instrument in conformity with the provisions of this Act shall, for the purposes of this Act, be deemed and taken to be embodied in the register as part and parcel thereof ; and such instrument, when so constructively embodied and stamped with the seal of the registrar, shall thereupon create, transfer, surrender or discharge, as the case may be, the estate or interest therein mentioned in the lands mentioned in the said instrument.

Particulars required in memorials.

42. Every memorial entered in the register shall state the nature of the instrument to which it relates, the day, hour, and minute of the presentation of such instrument for registration, and the names of the parties thereto, and shall refer by number or symbol to such instrument, and shall be signed by the registrar.

Memorials to be recorded on duplicate of instrument.

Certificate of time of registration.

Evidence of.

43. Whenever a memorial of any instrument has been entered in the register, the registrar shall, except in the case of transfer or other dealing endorsed upon any certificate or other instrument as herein provided, record the like memorial on the duplicate certificate or other instrument evidencing title to the land intended to be dealt with or in any way affected ; and the registrar shall endorse on every instrument so registered a certificate of the day and hour at which the said instrument was presented to be registered, and shall authenticate each such certificate by signing his name and affixing his seal thereto ; and such certificate shall be received in all courts of law as conclusive evidence that such instrument has been duly registered.

Registration of letters patent issued after Act in force.

44. Whenever any land is granted in the Territories by the Crown, the letters patent therefor, when issued, shall be forwarded from the office whence the same are issued to the registrar of the registration district in which the lands so granted are situated, and the registrar shall retain the letters patent in his office and bind the same, and a certificate of title, as provided by section fifty-four of this Act, with any necessary qualification, shall be granted to the patentee.

And of estate, in lands already patented.

45. The owner of any estate, or interest in any land, whether legal or equitable, letters patent for which have already issued from the Crown, may apply to have his title registered under the provisions of this Act.

46. The application therefor shall be made in writing in the form E in the said schedule, to the registrar of the registration district in which the lands are situated, and shall be verified by the affidavit of the applicant, or some one on his behalf, accompanied by—

Application for registration how made.

- (a.) All deeds in possession of the applicant, if any ;
- (b.) A certificate showing all registrations affecting the title, down to the time when such application is filed, with copies of any registered documents, the originals or duplicates whereof he is unable to produce ;
- (c.) A certificate from the sheriff, showing that there is no execution in his hands against the applicant.

Documents required with it.

47. Upon the filing of such application, if the applicant is the original grantee of the Crown of the land, and no deed, mortgage or other encumbrance, or instrument, or caveat affecting the title appears to have been registered, or, if not such original grantee, all the original title deeds are produced and any person other than the applicant is in actual occupation of the land in question, and no caveat has been registered, and if, in every case where any other person is admitted to be interested in the land, whether as mortgagee or otherwise, such person is a consenting party to such application, the registrar, if he entertains no doubt as to the title of the applicant, shall, on payment of the fees prescribed, register the said land under this Act.

If applicant is grantee of Crown, and no encumbrance, or encumbrancer consents, and title clear.

Registration on payment of fee.

48. If, upon the application being made as aforesaid, it appears that any person other than the applicant is interested in the said lands, whether as mortgagee or otherwise, who is not a party to the application, or in case any person other than the applicant is in possession of the lands in question, or in case a caveat has been registered against the said lands, or the registrar entertains any doubt as to the title of the applicant, he shall forthwith, having given the applicant a certificate of the filing of such application, transmit the application, with all evidence supplied, to the judge, to be dealt with as hereinafter mentioned.

If title not clear, registrar to transmit application to the judge.

49. The judge shall examine, without delay, all titles which are submitted to him, and for such purpose shall hear all persons interested, or claiming to be, and shall hear and consider the claims as against the applicant, of any person who is in possession of the lands ; and he shall have and exercise all the powers for compelling the attendance of persons and the production of documents, which usually appertain to courts of civil justice and the judges thereof in civil actions brought therein.

Judge to examine titles submitted.

Powers of judge.

Adverse claims may be filed.

50. Any person having an adverse claim or a claim not recognized in the application for registration may, at any time before the judge has approved of the applicant's title, file with the registrar a short statement of his claim, verified by affidavit, and shall serve a copy thereof on the applicant, or his solicitor or agent.

Judge to examine.

51. If any adverse claim is filed, the judge shall proceed to examine into and adjudicate thereon, and no certificate of title shall be granted until such adverse claim has been disposed of.

Judge may direct publication of the application.

52. In any case before him, the judge shall, if any person other than the applicant appears to be interested, and in any other case, may direct that notice of the application be published in some newspaper or newspapers in such form and for such period as the judge thinks expedient, and no order for registration shall be granted by him until after the expiration of at least four weeks from the first publication of such notice, if he has directed the same to be published.

Applicant's title found satisfactory, judge to order certificate of title by registrar after four weeks, unless order appealed from.

53. The judge, if satisfied with the applicant's title, shall thereupon make an order directing the registrar, after the expiration of four weeks from the date thereof, unless in the meantime such order is appealed from, to register the same and issue to the applicant a certificate of title under this Act, which order, together with all documents and proofs submitted in the case, shall be transmitted to and retained by the registrar in his custody.

After registration applicant to receive certificate of title from the registrar.

Duty of registrar.

54. After registration, on application by the person entitled thereto, and payment of the prescribed fees, a certificate of title shall be granted by the registrar in the form F in the said schedule, signed by him, and sealed with the seal of his office, and a copy thereof shall be preserved by the registrar in his office, in the register; and the registrar shall indorse upon the certificate of title a memorial of every mortgage, encumbrance, lease, rent charge, term of years or other dealing affecting the land; and such memorial shall be indorsed upon the duplicate in the possession of the owner, as well as upon the duplicate which is in the register.

Certificate on subsequent transfer.

55. Upon any subsequent transfer of the land mentioned in any such certificate, the certificate of title to be issued to the transferee shall be issued by the registrar of the registration district where the land is situate, in the prescribed form.

Registered owner or mortgagee to give his P. O.

56. Every registered owner or mortgagee of any land or interest therein shall deliver to the registrar a memorandum in writing of some post office address within the Territories,

to

to which it shall be sufficient to mail all notices that, under this Act, are required to be sent to such registered owner or mortgagee; and every registered owner and mortgagee shall, from time to time, in like manner, notify the registrar of any change in his post office address; and every registered owner or transferee of any registered interest shall, if required by the registrar so to do, before the delivery of any certificate of title, sign a receipt therefor in his own handwriting, or otherwise furnish the registrar with his signature, so as to prevent personation, as far as possible.

address and a receipt for certificate.

57. Every registration of ownership shall be made on a separate folio of the register, and upon any transfer of ownership the register of the transferor's title shall be cancelled, and the title of the transferee shall thereupon be entered upon a new folio; and the registrar shall note upon the register of the title of the transferor the number of the register of the transferee's title, and upon that of the transferee the number of the register of the transferor, so that reference can be readily made from one to the other, as occasion requires.

Every registration of ownership to be on a separate folio, and properly numbered.

EFFECT OF REGISTRATION.

58. In every instrument charging, creating or transferring any estate or interest in land under the provisions of this Act, there shall be implied the following covenant by the person charging, creating or transferring such estate or interest, that is to say: That he will do such acts and execute such instruments as, in accordance with the provisions of this Act, are necessary to give effect to all covenants, conditions and purposes expressly set forth in such instrument, or by this Act declared to be implied against such person in instruments of a like nature.

Certain covenants to be implied in instruments creating or transferring estate in lands.

59. No instrument, until registered under this Act, shall be effectual to pass any estate or interest in any land (except a leasehold interest for three years or for a less period), or render such land liable as security for the payment of money; but upon the registration of any instrument in manner hereinbefore prescribed, the estate or interest specified in such instrument shall pass, or, as the case may be, the land shall become liable as security, in manner and subject to the covenants, conditions and contingencies set forth and specified in such instrument or by this Act declared to be implied in instruments of a like nature; and if two or more instruments executed by the same owner, and purporting to transfer or encumber the same estate or interest in any land, are presented at the same time to the registrar for registration and indorsement, he shall register and indorse that instrument under which that person claims property, who presents to him the certificate of title of such land for that purpose.

No instrument valid until registered, except a lease for three years or less.

Effect of registration.

Case of more than one instrument to the same effect presented together.

Registered owner's title to be subject to encumbrances noted in register, etc., but free from all others ; except as provided.

60. The registered owner of land or of any estate or interest in land, under the provisions of this Act, shall hold the same, subject (in addition to the incidents implied by virtue of this Act) to such encumbrances, liens, estates or interests, as are notified on the folio of the register constituted by the certificate of title to such land, absolutely free from all other encumbrances, lien, estates or interests whatsoever, except in case of fraud wherein he has participated or colluded, and except the estates or interests of all persons entitled to or interested in any portion of land that is, by wrong description of parcels or of boundaries, erroneously included in the certificate of title, lease or other instrument evidencing the title of such registered owner, and except the estate or interest of an owner claiming the same land under a prior certificate of title registered under the provisions of this Act :

How date of priority shall be computed.

2. Such priority shall, in favor of any person in possession of land, be computed with reference to the grant or earliest certificate of title under which he or any person through whom he derives title, has held such possession, notwithstanding the surrender of such certificate, in exchange for a new certificate upon any transfer or dealing.

Title of registered owner to be subject to certain implied qualifications.

61. The land mentioned in any certificate of title granted under this Act shall, by implication, and without any special mention in the certificate of title, unless the contrary is expressly declared, be subject to—

- (a.) Any subsisting reservations contained in the original grant of the said land from the Crown ;
- (b.) Any municipal charges, rates or assessments for the year current at the date of such certificate, or which are thereafter imposed on the said land, or which have theretofore been imposed for local improvements and which are not then due and payable, and any such charges, rates or assessments in respect of which the right of the municipality to have recourse against the land is not matured, not exceeding three years' charges, rates or assessments in the whole ;
- (c.) Any subsisting right of way or other easement, howsoever created upon, over or in respect of the said land ;
- (d.) Any subsisting lease or agreement for a lease for a period not exceeding three years, where there is actual occupation of the said land under the same ;

(c.)

- (e.) Any decrees, orders or executions against or affecting the interest of the registered owner in such land, which have been registered and maintained in force against such registered owner;
- (f.) All public highways embraced in the description of the lands included in any certificate; and—
- (g.) Any right of appropriation which may, by statute, be vested in any person or body corporate.

62. Every certificate of title granted under this Act shall (except in case of fraud, wherein the registered owner has participated or colluded), so long as the same remains in force and uncanceled under this Act, be conclusive evidence at law and in equity as against Her Majesty and all persons whomsoever, that the person named in such certificate is entitled to the land included in such certificate, for the estate or interest therein specified, subject to the exceptions and reservations mentioned in the next preceding section,—except so far as regards any portion of land that may, by wrong description of boundaries or parcels, be included in such certificate, and except as against any person claiming under any prior certificate of title granted under this Act in respect of the same land; and for the purpose of this section that person shall be deemed to claim under a prior certificate who is holder of, or whose claim is derived directly or indirectly from the person who was the holder of the earliest certificate granted, notwithstanding that such certificate has been surrendered and a new certificate granted upon any transfer or dealing.

Certificate to be conclusive evidence of title.

Exception as to wrong description in certificate.

As to claimants under prior certificate.

63. A purchaser or encumbrancee for valuable consideration shall not be affected by the omission to send any notice by this Act directed to be given or by the non-receipt thereof.

As to omission or non-receipt of notices.

64. After the registration of the title to any land under the provisions of this Act, no instrument shall be effectual to pass any interest therein or to render such land liable as security for the payment of money as against any *bond fide* transferee of the said land under this Act, unless such instrument is executed in accordance with this Act, and is duly registered thereunder.

After first registration instruments must be executed according to this Act to be valid.

TRANSFERS.

65. When land under the provisions of this Act, or any portion of such land, is intended to be transferred, or any right of way or other easement is intended to be created or transferred, the registered owner may execute a memorandum of transfer in the form G in the said schedule, which memorandum shall, for description of the land intended to be dealt

Memorandum to be made and what it must contain.

If indorsed on instrument proving title.

dealt with, refer to the grant or certificate of title of such land, or shall give such description as is sufficient to identify the same, and shall contain an accurate statement of the estate, interest or easement intended to be transferred or created, and a memorandum of all leases, mortgages and other encumbrances to which the same are subject; and such transfer, if it be indorsed on the instrument evidencing the title of the transferrer, need not be executed in duplicate.

When easement is to be enjoyed with other land.

66. Whenever any easement or any incorporeal right in or over any land under the provisions of this Act, is created for the purpose of being annexed to or used and enjoyed together with other land under the provisions of this Act, the registrar shall also enter a memorial of the instrument creating such easement or incorporeal right upon the folio of the register book constituted by the existing certificate of title of such other land.

If the transfer is of an interest in the whole or part of the land mentioned in the transfer.

67. If the memorandum of transfer purports to transfer the transferrer's interest in the whole or part of the land mentioned in any grant or certificate of title, the transferrer shall deliver up the certificate of title of the said land, and the registrar shall, on payment of the prescribed fees, enter in the register and on the duplicate certificate of title, a memorandum cancelling the same, either wholly or partially, according as the memorandum of transfer purports to transfer the whole or part only of the interest of the transferrer in the land mentioned in such certificate of title, and setting forth the particulars of the transfer.

Duty of registrar cancelling certificate as to the whole or part so transferred.

68. The registrar, upon cancelling any certificate of title, either wholly or partially, pursuant to any such transfer, and receiving the prescribed fees, shall make out to the transferee a certificate of title to the land mentioned in such memorandum of transfer; and every such certificate of title shall refer, if practicable, to the original grant of such land and to the instrument of transfer; and the registrar shall retain every memorandum of transfer and cancelled or partially cancelled certificate of title, and in the case of a partially cancelled certificate of title, shall return the duplicate to the grantee after the memorandum partially cancelling the same has been entered thereupon, or may, whenever required thereto by the owner of an unsold portion of land included in any such partially cancelled grant or certificate of title, or by a registered transferee of such portion or of any part thereof, or where such a course appears more expedient, make out to such owner or transferee a certificate of title for such portion or any part thereof, of which he is the owner or transferee, upon the delivery of the partially cancelled certificate of title to the registrar, to be cancelled and retained.

69. In every instrument transferring an estate or interest in land under the provisions of this Act, subject to mortgage or encumbrance, there shall be implied the following covenant by the transferee, that is to say: That such transferee will pay the interest, annuity or rent charge secured by such mortgage or encumbrance, after the rate and at the time specified in the instrument creating the same, and will indemnify and keep harmless the transferrer from and against the principal sum or other moneys secured by such instrument, and from and against all liability in respect of any of the covenants therein contained or under this Act implied, on the part of the transferrer.

Implied covenants by transferee of estate or interest subject to encumbrance.

LEASES.

70. When any land under the provisions of this Act is intended to be leased or demised for a life or lives, or for a term of three or more years, the owner shall execute a lease in the form H in the said schedule, and every such instrument shall, for description of the land intended to be dealt with, refer to the certificate of title of the land, or shall give such other description as is necessary to identify such land; and a right for the lessee to purchase the land therein described may be stipulated in such instrument; and in case the lessee pays the purchase money stipulated, and otherwise observes his covenants expressed and implied in such instrument, the lessor shall be bound to execute a memorandum of transfer to such lessee of the said land, and to perform all necessary acts by this Act prescribed for the purpose of transferring the land to the purchaser: Provided always, that no lease of mortgaged or encumbered land shall be valid and binding against the mortgagee or encumbrancee, unless such mortgagee or encumbrancee has consented to such lease prior to the same being registered, or subsequently adopts the same.

Form of lease for three years or more.

Right to purchase by lessee, may be stipulated.

Obligation of lessor in such case.

Proviso: as to lease of land encumbered.

71. In every memorandum of lease, unless a contrary intention appears therein, there shall be implied the following covenants by the lessee, that is to say:

Covenants implied against lessee.

(a.) That he will pay the rent thereby reserved at the times therein mentioned, and all rates and taxes which may be payable in respect of the demised property during the continuance of the lease;

Payment of rent.

(b.) That he will at all times, during the continuance of the said lease, keep and, at the termination thereof, yield up the demised property in good and tenantable repair, accidents and damage to buildings from fire, storm and tempest or other casualty, and reasonable wear and tear excepted.

To keep in repair.

Powers in favor of lessor.

72. In every memorandum of lease, unless a different intention appears therein, there shall also be implied the following powers in the lessor, that is to say :

To inspect premises.

(a.) That he may, by himself or his agents, enter upon the demised property and view the state of repair thereof, and may serve upon the lessee, or leave at his last or usual place of abode, or upon the demised premises, a notice in writing of any defect, requiring him within a reasonable time, to be therein mentioned, to repair the same, in so far as the tenant is bound to do so ;

To re-enter on default to pay rent, etc.

(b.) That in case the rent or any part thereof is in arrear for the space of two calendar months, or in case default is made in the fulfilment of any covenant, whether expressed or implied in such lease, on the part of the lessee, and is continued for the space of two calendar months, or in case the repairs required by such notice, as aforesaid, are not completed within the time therein specified, such lessor may enter upon and take possession of such demised premises.

Duty of registrar in case of re-entry.

73. In any such case the registrar, upon proof to his satisfaction of recovery of possession by a lessor, or as transferee by a legal proceeding, shall make an entry of the same in the register, and the estate of the lessee in such land shall thereupon determine, but without releasing the lessee from his liability in respect of the breach of any covenant in such lease expressed or implied, and the registrar shall cancel such lease, if delivered up to him for that purpose.

Conditions implied in lease or mortgage under this Act.

74. Whenever, in any lease or mortgage made under this Act, the forms of words in column one of the form I in the said schedule, and distinguished by any number therein, are used, such lease or mortgage shall be taken to have the same effect, and be construed as if there had been inserted therein the form of words contained in column two of the same form, and distinguished by the same number ; and every such form shall be deemed a covenant by the covenantor with the covenantee and his transferees, binding the former and his heirs executors, administrators, and transferees ; but it shall not be necessary in any such lease to insert any such number ; and there may be introduced into or annexed to any of the forms in the first column, any expressed exceptions from the same or expressed qualifications thereof respectively, and the like exceptions or qualifications shall be taken to be made from or in corresponding forms in the second column.

Form may be varied.

Case of surrender effected otherwise than by operation of law.

75. Whenever any lease or demise which is required to be registered by this Act is intended to be surrendered, and the surrender thereof is effected otherwise than through the operation of a surrender in law, there shall be indorsed

dorsed upon such lease or counterpart thereof the word "surrendered," with the date of such surrender, and such indorsement shall be signed by the lessee and the lessor as evidence of the acceptance thereof, and shall be attested by a witness; and the registrar shall thereupon enter in the register a memorial recording the date of such surrender, and shall likewise indorse upon the lease a memorandum recording the fact of such entry having been so made in the register; and upon such entry having been so made, the estate or interest of the lessee in such land shall vest in the lessor or in the person in whom, having regard to intervening circumstances, if any, the said land would have vested if no such lease had ever been executed; and production of such lease or counterpart bearing such indorsed memorandum shall be sufficient evidence that such lease has been so surrendered: Provided, that no lease subject to mortgage or encumbrance shall be surrendered without the consent of the mortgagee or encumbrancee.

Effect of entry
by registrar.

Proviso.

MORTGAGES AND ENCUMBRANCES.

76. Whenever any land or estate, or interest in land, subject to the provisions of this Act, is intended to be charged or made security in favor of any mortgagee, the mortgagor shall execute a memorandum of mortgage in the form J in the said schedule, or to the like effect; and whenever any such land is intended to be charged with or made security for the payment of an annuity, rent-charge, or sum of money, in favor of any encumbrancee, the encumbrancer shall execute a memorandum of encumbrance in the form K in the said schedule, or to the like effect: and every such instrument shall contain an accurate statement of the estate or interest intended to be mortgaged or encumbered, and shall, for description of the land intended to be dealt with, refer to the certificate of title on which such estate or interest is held, or shall give such other description as is necessary to identify such land, together with all mortgages or encumbrances affecting the same, if any.

Forms of
mortgages
and encum-
brances.

Estate or
interest
affected must
be stated.

77. Mortgage and encumbrance under this Act shall have effect as security, but shall not operate as a transfer of the land thereby charged; and if default is made in payment of the principal sum, interest, annuity or rent charge, or any part thereof thereby secured, or in the observance of any covenant expressed in any memorandum of mortgage or encumbrance registered under this Act, or that is herein declared to be implied in such instrument, and such default is continued for the space of one calendar month, or for such longer period of time as is expressly limited for that purpose in such instrument, the mortgagee or encumbrancee may give to the mortgagor or encumbrancer notice in writing to pay, within a time to be

Mortgage,
etc., not to be
a transfer.

Notice in case
of default by
mortgagor to
pay money
secured, etc.

be specified in such notice, the money then due or owing on such mortgage or encumbrance, or to observe the covenants therein expressed or implied, as the case may be, and that all competent rights and powers will be resorted to unless such default be remedied, or where the mortgagor or encumbrancer cannot be found, may give such notice in that behalf to the mortgagor or encumbrancer in such manner as the judge, on summary application *ex parte*, directs.

Power to mortgagee to sell, etc.

78. After such default in payment or in the observance of covenants continuing for the further space of one calendar month from the service of such notice, or for such period as to the judge seems meet, such mortgagee or encumbrancee is hereby authorized and empowered to sell the land so mortgaged or encumbered, or any part thereof, and all the estate or interest therein of the mortgagor or encumbrancer, and, either altogether or in lots, by public auction or by private contract, or by both such modes of sale, and subject to such conditions as he thinks fit, and to buy in and re-sell the same, without being liable for any losses occasioned thereby, and to make and execute all such instruments as are necessary for effecting the sale thereof; and all such sales, contracts, matters and things hereby authorized shall be as valid and effectual as if the mortgagor or encumbrancer had made, done or executed the same; and the receipt or receipts in writing of the mortgagee or encumbrancee shall be a sufficient discharge to the purchaser of such land, estate, or interest, or of any portion thereof, for so much of his purchase-money as is thereby expressed to be received; and no such purchaser shall be answerable for the loss, mis-application or non-application, or be obliged to see to the application of the purchase-money by him paid, nor shall he be concerned to inquire as to the fact of any default or notice having been made or given as aforesaid; and the purchase-money to arise from the sale of any such land, estate, or interest shall be applied: first, in payment of the expenses occasioned by such sale; secondly, in payment of the moneys which are then due or owing to the mortgagee or encumbrancee; thirdly, in payment of subsequent mortgages or encumbrances, if any, in the order of their priority; and the surplus, if any, shall be paid to the mortgagor or encumbrancer, as the case may be.

Receipt of mortgage valid.

Purchaser not bound see to application of purchase money.

Application of purchase money.

Registration to vest estate in purchaser.

79. Upon the registration of any memorandum or instrument of transfer executed by a mortgagee or encumbrancee, for the purpose of such sale as aforesaid, the estate or interest of the mortgagor or encumbrancer therein described as conveyed, shall pass to and vest in the purchaser, freed and discharged from all liability on account of such mortgage or encumbrance or of any mortgage or encumbrance

registered

registered subsequent thereto; and the purchaser shall be entitled to receive a certificate for the same

Certificate thereof.

80. When default for six calendar months, has been made in the payment of the interest or principal sum secured by memorandum of mortgage, a registered mortgagee may make application in writing to the judge for an order for foreclosure; and such application shall state that such default has been made as aforesaid, and that the land, estate or interest mortgaged has been offered for sale at public auction after proper notice given to the mortgagor, as in this Act provided, and that the amount of the highest bid at such sale was not sufficient to satisfy the money secured by such mortgage, together with the expenses occasioned by such sale, and that notice in writing of the intention of such mortgagee to make such application has been given to the mortgagor, either personally or by leaving the same with an adult at his usual or last known place of abode; and such application shall be accompanied by a certificate of the licensed auctioneer by whom such land was put up for sale, and by such other proof of the matters stated by the application as the judge requires; and the statements made in such application shall be verified by the oath of the applicant.

Mortgagee may apply to judge for order of foreclosure after offer for sale, and insufficient biddings.

Certificate of auctioneer, employed to sell.

81. Upon receiving such application the judge shall cause notice to be published once in each of three successive weeks in a newspaper likely to give the best notice, offering such land for sale, and shall in such case limit and appoint a time, not less than one month from the date of the last advertisement of such notice in such paper, upon or after which the judge may issue to such applicant an order for foreclosure, unless, in the interval, a sufficient amount has been realized by the sale of such land to satisfy the principal and interest moneys due and all expenses occasioned by such sale and proceedings; and every such order for foreclosure, under the hand of the judge and entered in the register, shall have the effect of vesting in the mortgagee all the estate and interest of the mortgagor in the land mentioned in such order, free from all right and equity of redemption on the part of the mortgagor or of any person claiming through or under him.

Notice by judge offering land for sale.

Order for foreclosure.

Entry of order and its effect.

82. Upon the production of any memorandum of mortgage or encumbrance, having thereon an indorsement signed by the mortgagee or encumbrancee, and proved by the affidavit of an attesting witness, discharging the land from the whole or part of the principal sum or annuity secured, or discharging any part of the land comprised in such instrument from the whole of such principal sum or annuity, or upon proof being made to the satisfaction of the judge of the payment of all moneys due on any mortgage or encumbrance, the judge may direct the registrar to make, and the

Registration of discharge of mortgage, etc.

Entry by registrar.

registrar

- Effect of entry. registrar shall thereupon make an entry in the register, noting that such mortgage or encumbrance is discharged wholly or partially, or that part of the land is discharged, as aforesaid, as the case requires; and upon such entry being so made, the land, or the estate or interest in, or the portion of the land mentioned or referred to in such indorsement as aforesaid, shall cease to be subject to or liable for such principal sum or annuity, or, as the case may be, for the part thereof noted in such entry as discharged.
- Death of annuitant or cessation of encumbrance. **83.** Upon proof of the death of the annuitant, or of the occurrence of the event or circumstance upon which, in accordance with the provisions of any memorandum of encumbrance, the annuity or sum of money thereby secured ceases to be payable, and upon proof that all arrears of the said annuity and interest or money have been paid, satisfied, or discharged, the registrar shall, upon the order of the judge, make an entry in the register book, noting that such annuity or sum of money is satisfied and discharged, and shall cancel such instrument; and upon such entry being made, the land shall cease to be subject to or liable for such annuity or sum of money, and the registrar shall, in any or either such case as aforesaid, indorse on the grant, certificate of title, or other instrument evidencing the title of the mortgagor or encumbrancer to the land mortgaged or encumbered, a memorandum of the date on which such entry as aforesaid was made by him in the register book, whenever such grant, certificate of title or other instrument is presented to him for that purpose
- Entry. Its effect. Registrar's duty. **84.** If any mortgagor becomes entitled to pay off the mortgage money, and the registered mortgagee is absent from the Territories and there is no person authorized by registered power of attorney to give a receipt to the mortgagor for the mortgage money after the date appointed for the redemption of any mortgage, the judge, on application to him and proof of the facts and of the amount due for principal and interest upon such mortgage, may direct the payment into a chartered bank having a branch or agency in the district, or, if not in the district, in the Territories, of such mortgage money, with all arrears of interest then due thereon, to the credit of the mortgagee or other person entitled thereto, and thereupon the interest upon such mortgage shall cease to run or accrue :
- Payment into chartered bank allowed on order of judge, if no person in Territories to receive the money. **2.** The registrar shall, upon presentation of the judge's order and of the receipt of the manager or agent of such bank for the amount of the said mortgage money and interest, make an entry in the register discharging such mortgage, stating the day and hour on which such entry is made :
- Entry of discharge. **3.** Such entry shall be a valid discharge of such mortgage and shall have the same force and effect as is hereinbefore given
- Effect of such entry.

given to a like entry when made upon production of the memorandum of mortgage with the receipt of the mortgagee :

4. The registrar shall, when such order and receipt are presented to him, send a notice of the fact to the mortgagee by letter addressed by mail to his last known place of abode :

Notice to mortgagee.

5. The registrar shall indorse on the certificate of title, or other instrument as aforesaid, and also on the memorandum of mortgage, whenever those instruments are brought to him for that purpose, the several particulars hereinbefore directed to be indorsed upon each of such instruments respectively :

Indorsement on certificate of title.

6. After payment as aforesaid of any mortgage money and interest, the mortgagee entitled thereto shall not recover any further sum in respect of such mortgage than the amount so paid.

No further amount recoverable.

85. Mortgages, encumbrances and leases may be transferred by a transfer executed in the form L in the said schedule, and the transfer shall be registered in the manner hereinbefore set forth, and transferees shall have priority according to the date and time of registration :

Transfer of mortgages, encumbrances or leases

2. Any mortgagee may transfer a part of the sum secured by the mortgage by a transfer executed in the form M in the said schedule, and the part so transferred shall continue to be secured by the mortgage, and may be given priority over the remaining part, or may be deferred, or may continue to rank equally with it under the security of the original mortgage, as stated in the instrument of transfer ; and the registrar shall enter on the certificate of title a memorandum of the amount of the mortgage so transferred, the name of the transferee, and how the sum so transferred is to rank, and shall notify the mortgagor of the facts.

Transfer of part of sum secured by mortgage.

86. Upon the registration of any transfer of any mortgage, encumbrance or lease, the estate or interest of the transferrer, as set forth in such instrument, with all rights, powers and privileges thereto belonging or appertaining, shall pass to the transferee ; and such transferee shall thereupon become subject to and liable for all and every the same requirements and liabilities to which he would have been subject and liable if named in such instrument.

Effect of registration of transfers.

87. By virtue of every such transfer the right to sue upon any mortgage or other instrument, and to recover any debt, sum of money, annuity or damage thereunder (notwithstanding the same may be deemed or held to constitute a chose in action), and all interest, at the time of such transfer,

Rights of transferee.

in

in any such debt, sum of money, annuity or damages, shall be transferred so as to vest the same in law in the transferee thereof: Provided always, that nothing herein contained shall prevent any court of competent jurisdiction from giving effect to any trusts affecting the said debt, sum of money, annuity or damages, in case the said transferee shall hold the same as trustee for any other person.

Implied covenant to repair by mortgagor remaining in possession.

88. In every memorandum of mortgage there shall be implied against the mortgagor remaining in possession, a covenant that he will repair and keep in repair all buildings or other improvements erected and made upon the land, and that the mortgagee may, at all convenient times, until such mortgage is redeemed, be at liberty, with or without surveyors or others, to enter into or upon such land to view and inspect the state of repair of such buildings or improvements.

POWERS OF ATTORNEY.

From owner to be in form N of schedule.

Registration.

Power of owner suspended until revocation.

89. The registered owner of any land, estate or interest, may authorize and appoint any person to act for him or on his behalf in respect of the transfer or other dealing with such land, estate or interest, in accordance with the provisions of this Act, by executing a power of attorney in any form heretofore in use for the like purpose, or in the form N in the said schedule, or as near thereto as circumstances permit, and a duplicate or attested copy thereof shall be deposited with the registrar, who shall enter in the register a memorandum of the particulars therein contained and the date and hour and minute it is deposited with him; and until such power of attorney is revoked in the manner provided by the next following section, the right of the registered owner to effect a transfer or to otherwise deal with such land, estate or interest shall be suspended.

Revocation: how effected.

90. Any such power of attorney may be revoked by a revocation order in the form O in the said schedule; and after the registration of any revocation of a power the registrar shall not give effect to any transfer or other instrument signed pursuant to such power, unless under any registration abstract outstanding at the time.

TRANSMISSION.

Land of deceased owner to vest in personal representative, who shall be registered as owner.

91. Whenever the owner of any land dies, such land shall, subject to the provisions of this Act, vest in the personal representative of the deceased owner, who shall, before dealing with such lands, make application in writing to the registrar to be registered as owner, and shall produce to the registrar the probate of the will of the deceased owner, or letters of administration, or the order

order of the court authorizing him to administer the estate of the deceased owner, or an office copy of the said probate, letters of administration or order, as the case may be; and thereupon the registrar shall enter in the register a memorial of the date of the will and of the probate or of the letters of administration or order of the court as aforesaid, the date, hour and minute of the production of the same to him, the date of the death of such owner, when the same can be ascertained, with such other particulars as he deems necessary; and upon such entry being made, the executor or administrator, as the case may be, shall be deemed to be the owner of such lands, and the registrar shall note the fact of such registration by memorandum under his hand on the probate of the will, letters of administration, order, or other instrument as aforesaid: Provided always, that the title of the executor or administrator to such land shall relate back and take effect as from the date of the death of the deceased owner: Provided also, that the duplicate certificate of title granted to the deceased owner shall be delivered up to be cancelled or proved to have been lost; and the registrar shall issue to the executor or administrator a fresh certificate of title, stating therein the fact that the new registered owner is the executor or administrator.

How registered.

Duty of registrar.

Proviso.

Proviso.

92. Whenever any mortgage, encumbrance or lease affecting land registered under this Act is transmitted in consequence of the will or intestacy of the owner thereof, the probate of the will of the deceased owner, or letters of administration, or the order of the court authorizing a person as aforesaid to administer the estate of the deceased owner, accompanied by an application in writing from the executor or administrator or such other person as aforesaid, claiming to be registered as owner in respect of such estate or interest, shall be produced to the registrar, who shall thereupon enter in the register and on the instrument evidencing title to the mortgage, encumbrance or lease transmitted, when the same can be produced, the date of the will and of the probate, or of the letters of administration or order of the court as aforesaid, the date and hour of the production of the same to him, the date of the death of such owner, when the same can be ascertained, with such other particulars as he deems necessary; and upon such entry being made, the executor or administrator, or such other person, as the case may be, shall be deemed to be the owner of such mortgage, encumbrance or lease, and the registrar shall note the fact of such registration by memorandum under his hand on the letters of administration, probate or order as aforesaid.

Mortgage, etc., transmitted by will or intestacy.

Registration of personal representative, as owner.

How effected.

Effect thereof, and duty of registrar.

93. Any person registered in place of a deceased owner, shall hold the land in respect of which he is registered, upon the trusts and for the purposes to which the same is applicable

If lands of deceased are subject to trusts.

cable

cable by this Act or by law, and subject to any trusts and equities upon which the deceased owner held the same, but, for the purpose of any registered dealings with such land, he shall be deemed to be the absolute owner thereof:

Proviso: in favor of persons beneficially interested. Provided always, that any person beneficially interested in any such lands or any estate or interest therein, may apply to a court or judge having jurisdiction, to have the same taken out of the hands of the trustee having charge by law of such property, and transferred to some other person or persons; and the court or judge, upon reasonable cause being shown, shall name some suitable person or persons as owner of the lands, or the estate or interest in question, as the case may be; and upon the person or persons named accepting the ownership and giving approved security for the due fulfilment of the trusts, the court or judge may order the registrar to cancel the certificate to the trustee, and to grant a new certificate to the person or persons so named; and the registrar, upon the production of such order, shall cancel the certificate to the trustee, and shall enter in the register a memorandum of the appointment, by order of the court or judge, of such person or persons as owner in trust; and a certificate of title shall be issued to him or them.

Court may appoint a person to act as owner for the purposes of such trusts.

Duty of registrar in such case.

Duty of sheriff, etc., receiving process against land.

94. Every sheriff, or other officer charged with the execution thereof, shall, after this Act is in force and thereafter, after the delivery to him of any writ or other process affecting land, or lien, mortgage or encumbrance, or other interest therein, deliver a copy of every such writ or process so in his hands or that may thereafter be delivered to him, certified under his hand, together with a memorandum in writing of the lands intended to be charged thereby, to the registrar within whose district such lands are situate; and no land shall be bound by any such writ or other process, until such copy and memorandum have been so delivered; and from and after the delivery of a copy of any such writ or other process and memorandum to the registrar the same shall operate as a caveat against the transfer by the owner of the land mentioned in such memorandum, or of any interest he has therein, and no transfer shall be made by him of such land or interest therein except subject to such writ or other process.

Sheriff's memorandum to operate as a caveat.

Satisfaction of writ to be entered on register.

95. Upon production and delivery to the registrar of a certificate by the sheriff (under his seal of office) or other officer, of the satisfaction of or withdrawal from his hands of any such writ or process as aforesaid, he shall enter a memorandum to that effect on the register, and from thenceforth such writ or process shall be deemed to be satisfied.

Sheriff's sale to require confirmation by a judge.

96. No sale by a sheriff or other officer as aforesaid, under process of law, of any land, shall be of any effect until the same

same has been confirmed by a judge; and upon the production to the registrar of a duly executed transfer of any land so sold, if an order of confirmation of such sale is indorsed on such transfer, the purchaser at such sale shall be entitled to be registered as the owner of the interest purchased by him at such sale, and to a certificate of title to the same.

97. The application for the confirmation of a sale made under any process of law, may be made by the sheriff or other officer making such sale, or any person interested in such sale, on notice to the owner, unless the judge to whom such application is made, dispenses with such notice; and if the sale is confirmed the costs of confirmation shall be borne and paid out of the purchase money, or as the judge directs; but in case such sale is not confirmed, the purchase money paid by him shall be refunded to the purchaser; and the judge may make such order as to the costs of all parties to the sale and of the application for its confirmation as he thinks just.

The application for such confirmation and how made.

If confirmation not adjudged.

98. When any land is sold under process of law, the registrar shall, upon the production to him of the transfer of the same in the form P in the said schedule with proof of the due execution thereof, and the order of confirmation of such sale, cause a notice to be mailed to the proper post office address of the person whose interest in such land has been sold, and after the expiration of four weeks from the mailing of such notice shall register the purchaser as the owner of the interest in the said land so sold, and shall issue to him a certificate in the prescribed form and do all other things necessary for the registration of the vendee as registered owner of the interest in the land purchased by him, unless such registration is in the meantime stayed by the order of some court or judge having jurisdiction; and in such case the registration shall not be made nor the certificate issued, except according to the order and direction of such court or judge.

Notice of intended registration of sheriff's sale.

Registration.

Certificate of registrar.

99. The registrar, upon the production of the register or other sufficient proof of the marriage of a female owner of any land, estate or interest, accompanied by a statement in writing, signed by her, shall enter on the register and also upon the certificate of title or other instrument evidencing the title of such female owner, when produced to him for that purpose, the name and description of her husband, the date of the marriage and where solemnized, and the date and hour of the production to him of the register or other sufficient evidence of such marriage; and the registrar, upon application to that effect, and surrender of the existing certificate of title, shall comply with such application, and perform such acts as, in accordance with the provisions

On proof of marriage of female owner, and statement in writing by her, her husband's name, &c., to be entered by registrar.

Surrender of existing certificate, and issue of new one on application.

visions

visions of this Act, are necessary for the purpose of giving effect thereto.

CAVEATS.

Who may lodge caveat, and for what purpose.

100. Any person claiming to be interested under any will, settlement or trust deed, or any instrument of transfer, or transmission, or under any unregistered instrument, or otherwise howsoever, in any land, may lodge a caveat with the registrar to the effect that no disposition of such land be made either absolutely, or in such manner and to such extent only as in such caveat is expressed, or until notice has been served on the caveator, or unless the instrument of disposition be expressed to be subject to the claim of the caveator, as claimed in such caveat, or to any lawful conditions expressed therein :

Form.

2. A caveat may be in the form Q in the said schedule, and shall be verified by the oath of the caveator or his agent, and shall contain an address within the registration district at which notices may be served :

Registrar's duty on receipt.

3. Upon the receipt of a caveat, the registrar shall make a memorandum thereon of the date, hour and minute of the receipt thereof, and shall enter a memorandum thereof in the register, and shall forthwith send a notice of such caveat, through the post office or otherwise, to the person against whose title such caveat has been lodged :

Effect of caveat while in force.

4. So long as any caveat remains in force the registrar shall not enter in the register any memorandum of transfer or other instrument purporting to transfer or otherwise deal with or affect the land in respect to which such caveat is lodged :

Proceedings for setting it aside.

5. The owner or other person claiming the land may, by summons, call upon the caveator to attend before a court of competent jurisdiction or a judge thereof, to show cause why the said caveat should not be withdrawn, and the said court or judge may, upon proof that such last-mentioned person has been summoned, and upon such evidence as the court or judge requires, make such order in the premises either *ex parte* or otherwise as to the said court or judge seems fit :

Caveat to lapse in one month unless proceedings taken.

6. After the expiration of one month from the receipt thereof, such caveat shall lapse, unless, within that time, proceedings in a court of competent jurisdiction have been taken to establish the caveator's title to the estate or interest specified in the caveat, and an injunction or order has been granted, restraining the registrar from issuing a certificate of title or otherwise dealing with the said land :

7. The caveator may, by notice in writing to the registrar, withdraw his caveat at any time, but notwithstanding such withdrawal the court or judge may order the payment by the caveator of the costs of the caveatee incurred prior to such withdrawal :

Power to withdraw caveat.

8. An entry shall be made by the registrar, in the register, of the withdrawal, lapse or removal of any caveat or of any order made by the court in connection therewith ; and after such withdrawal, lapse or removal, it shall not be lawful for the same person or for any one on his behalf to lodge a further caveat in relation to the same matter :

Entry of withdrawal, etc.

9. Any person lodging or continuing any caveat wrongfully and without reasonable cause, shall be liable to make compensation to any person who has sustained damage thereby, and such compensation may be recovered by proceedings at law if the caveator has withdrawn such caveat, and no proceedings have been taken by the caveatee as herein provided, but if proceedings have been taken by the caveatee, then such compensation shall be determined by the court or judge acting in the same proceedings :

Liability of person wrongfully entering caveat.

10. The judge, on application for that purpose, on behalf of any person who is under the disability of infancy, lunacy, unsoundness of mind or absence from the Territories, may, by order directed to the registrar, prohibit the transfer or dealing with any land belonging to any such person,— and the dealing with any land in any case in which it appears to him that an error has been made by misdescription of such land or otherwise in any certificate of title or other instrument, or for the prevention of any other improper dealing.

Power of judge to prohibit transfer of land of person under disability.

Or of land misdescribed in certificate, &c.

ATTESTATION OF INSTRUMENTS.

101. Powers of attorney and instruments requiring to be registered under this Act, other than grants from the Crown, orders in council, instruments under the seal of any corporation, orders of a court or a judge, or certificates of any judicial proceedings, attested as such, shall be witnessed by one person who shall attest the instrument in the usual legal form of attestation ; and the witness so attesting the instrument shall appear before the registrar, deputy registrar or a judge, stipendiary magistrate, or notary public or a justice of the peace in or for the said Territories, and make an affidavit in the form R in the said schedule.

How to be witnessed.

Oath of witnesses.

102. Instruments requiring to be registered under the provisions of this Act, executed without the limits of the Territories, shall be witnessed by some person who can write, and

As to instruments executed out of the Territories.

and who shall make an affidavit in the form R in the said schedule before one of the following persons :—

- In Canada. (a.) If made in any Province of Canada, before a judge of any court of record, any commissioner authorized to take affidavits in such Province for use in any court of record in the Territories, or before any notary public under his official seal ; or—
- In the United Kingdom. (b.) If made in the United Kingdom, before a judge of any court of record, the mayor of any city or incorporated town under the common seal of such city or town, or a notary public under his official seal ; or—
- In a British colony. (c.) If made in any British colony or possession out of Canada, before a judge of any court of record, the mayor of any city or incorporated town, under the common seal of such city or town, or notary public under his official seal ; or—
- In a foreign country. (d.) If made in a foreign country, before the mayor of any city or town, certified under the common seal of any such city or town, or before the British consul, vice-consul or consular agent residing therein, or before any judge of any court of record or a notary public, under his official seal.

EJECTMENT—ASSURANCE FUND, &c.

103. No action of ejectment or other action for the recovery of any land shall lie or be sustained against the registered owner, under this Act, for the estate or interest in respect to which he is so registered, except in any of the following cases, that is to say,—

- Registered owner protected against ejectment; except in cases of—
- Mortgagor in default; (a.) The case of a mortgagee as against a mortgagor in default ;
- Encumbrancer in default; (b.) The case of an encumbrancee as against an encumbrancer in default ;
- Lessee in default; (c.) The case of a lessor as against a lessee in default ;
- Fraud ; (d.) The case of a person deprived of any land by fraud as against the person registered as owner of such land through fraud, or as against a person deriving otherwise than as a transferee *bonâ fide* for value, from or through a person registered through fraud ;
- Wrong boundaries ; (e.) The case of a person deprived of or claiming any land included in any grant or certificate of title of other land by misdescription of such other land or of its boundaries, as against the registered owner of such other land ;

(f.)

(f.) The case of a registered owner claiming under an instrument of title prior in date of registration, under this Act, in any case in which two or more grants, or two or more certificates of title, or a grant and a certificate of title, are registered under this Act in respect to the same land:

Double registration ;

2. In any case, other than as aforesaid, the production of the certificate of title shall be an absolute bar and stoppel to any such action against the person named in such instrument as seized of, or as registered owner or lessee of the land therein described.

As to other cases.

104. Any person deprived of land or of any estate or interest in land in consequence of fraud, or by the registration of any other person as owner of such land, estate, or interest, or in consequence of any fraud, error, omission or misdescription in any certificate of title or in any entry or memorial in the register, may, in any case in which such lands have been included in two or more grants from the Crown, bring and prosecute an action at law for the recovery of damages against such person as the judge appoints, and in any other case against the person upon whose application such erroneous registration was made, or who acquired title to the estate or interest in question through such fraud, error, omission or misdescription: Provided always, that except in the case of fraud or error occasioned by any omission, misrepresentation or misdescription in the application of such person to be registered as owner of such land, estate or interest, or in any instrument executed by him, such person shall, upon a transfer of such land *bonâ fide* for value, cease to be liable for the payment of any damages which, but for such transfer, might have been recovered from him under the provisions hereinbefore contained, and such damages, with costs of action, may, in such last-mentioned case, be recovered out of the land assurance fund, by action against the registrar as nominal defendant.

Compensation of party deprived of land by fraud, error, etc., as to registration. Action for damages, under direction of a judge.

Proviso: defendant not to be liable in damages, unless guilty of fraud, etc.

Recovery thereof from assurance fund.

105. Nothing in this Act contained shall be so interpreted as to leave subject to action for recovery of damages as aforesaid, or to action of ejectment, or to deprivation of the estate or interest, in respect to which he is registered as owner, any purchaser or mortgagee *bonâ fide* for valuable consideration of land under this Act, on the plea that his vendor or mortgagor has been registered as owner through fraud or error, or has derived from or through a person registered as owner through fraud or error, except in the case of mis-description, as mentioned in section one hundred and three.

Purchasers and mortgagees protected in such case.

Exception.

106. The land assurance fund shall be formed by the Receiver-General by deducting from the gross fees returned

Assurance fund ; how formed.

and

and paid in to him by the registrars, twenty per cent. of the fees so received for the purposes of this Act, and investing the same, together with all interest and profits accrued thereon from time to time, in Canadian Government securities:

Fees to be fixed from time to time by Governor in Council, and per cent- age on value of property registered.

2. The fees under this Act shall be those which are from time to time fixed by the Governor in Council, together with one-fifth of one per cent. on the value of the real property registered, if such value amounts to or is less than five thousand dollars, and one-tenth of one per cent. on the additional value, when such value exceeds five thousand dollars. The value shall be ascertained by the oath or solemn affirmation of the applicant, owner or person acquiring such land. If the registrar be not satisfied as to the correctness of the value so affirmed or sworn to, it shall be lawful for him to require such applicant, owner or person acquiring such land to produce a certificate of such value, under the hand of a sworn valuator, appointed by a judge, which certificate shall be received as conclusive evidence of such value, for the purpose aforesaid.

Value how ascertained.

If the defend- ant in action directed by judge is dead, action against regis- trar as nomi- nal defendant

107. If the person, against whom such action for damages is directed to be brought as aforesaid, is dead or cannot be found within the Territories, an action for damages may be brought against the registrar as nominal defendant, for the purpose of recovering the amount of the said damages and costs against the assurance fund, and in any such case, if final judgment is recovered, and also in any case in which damages are awarded in any action as aforesaid, and the sheriff makes a return of *nulla bona*, or certifies that any portion thereof, with costs awarded, cannot be recovered from such person, the Minister of Finance and Receiver General, upon receipt of a certificate of the court before which the said action was tried, shall pay the amount of such damages and costs as are awarded, or the unrecovered balance thereof as the case may be, and charge the same to the account of the assurance fund herein- before named.

Recovery of damages from assurance fund.

Action for damages may in certain cases be brought against regis- trar as nomi- nal defen- dant.

108. Any person sustaining loss or damage through any omission, mistake or misfeasance of the registrar, or any of his officers or clerks, in the execution of their respective duties under the provisions of this Act, and any person deprived of any land or of any estate or interest in land, by the registration of any other person as owner of such land, or by any error, omission or misdescription in any certificate of title, or in any entry or memorial in the register, and who, by the provisions of this Act, is barred from bringing an action of ejectment or other action for the recovery of such land, estate or interest, may, in any case in which the remedy by action for recovery of damages, as hereinbefore provided, is barred, bring an action against the registrar as nominal defendant, for recovery of damages; and if the plaintiff recovers

Payment out of assurance fund.

recovers final judgment against such nominal defendant, the court or judge before whom such action is tried, shall certify to the fact of such judgment, and the amount of such damages and costs recovered, and the Minister of Finance and Receiver-General shall pay the amount thereof to the person entitled on production of an exemplification or certified copy of the judgment rendered: Provided always, that notice in writing of every such action, and of the cause thereof, shall be served upon the Attorney-General of Canada, and also upon the registrar, three calendar months at least before the commencement of such action.

Proviso:
notice of
action.

109. If, in any such action, judgment is given in favor of the nominal defendant, or the plaintiff discontinues or becomes non-suited, the plaintiff shall be liable to pay the full costs of defending such action, and the same when taxed shall be levied in the name of the nominal defendant, by the like process of execution as in ordinary civil cases.

When nomi-
nal defendant
shall have
costs.

110. No action for recovery of damages sustained through deprivation of land, or of any estate or interest in land, shall lie or be sustained against the registrar, or against the assurance fund, unless the same is commenced within the period of six years from the date of such deprivation: Provided nevertheless, that any person under the disability of infancy, lunacy or unsoundness of mind, may bring such action within six years from the date on which such disability ceases: and the plaintiff in any such action, within six years from the date on which such disability ceased, and the plaintiff in any such action at whatever time it is brought, and the plaintiff in any action for the recovery of land, shall be non-suited in any case in which it appears to the satisfaction of the judge before whom such action is tried, that such plaintiff or the person through or under whom he claims title had notice by personal service or otherwise was aware of such delay, and wilfully or collusively omitted to lodge a caveat forbidding the same, or allowed such caveat to lapse.

No action
after a cer-
tain time.

Proviso: in
case of dis-
ability.

As to persons
having notice
and neglect-
ing to file
caveats.

111. Whenever any amount has been paid out of the assurance fund on account of any person, such amount may be recovered from him, or if dead, from the estate of such person, by action against his personal representatives, in the name of the registrar; and a certificate signed by the Minister of Finance and Receiver-General of such payment out of the assurance fund, shall be sufficient proof of such debt; and whenever any amount has been paid out of the assurance fund on account of any person who has absconded, or who cannot be found within the Territories, and has left any real or personal estate within the same, the judge, upon the application of the registrar, and upon the production of a

Recovery of
amount paid
out of assur-
ance fund.

If party liable
is out of Ter-
ritories.

certificate signed by the Minister of Finance and Receiver-General that the amount has been paid in satisfaction of a judgment against the registrar as nominal defendant, may allow the registrar to sign judgment against such person forthwith for the amount so paid out of the assurance fund, together with the costs of the application; and such judgment shall be final, subject only to such right to have such judgment opened up, as may be provided in relation to ordinary procedure in the territory in which the real property is situate, in cases of judgment by default; and such judgment shall be signed in like manner as a final judgment by default in an adverse suit, and execution may issue immediately; and if such person has not left real or personal estate within the Territories sufficient to satisfy the amount for which execution has issued as aforesaid, the registrar may recover such amount, or the unrecovered balance thereof, by information against such person at any time thereafter in the Exchequer Court of Canada at the suit of the Attorney-General of Canada.

Judgment to be final. Exception.

If such party has not left property to satisfy the claim.

Assurance fund not liable in certain cases.

112. The assurance fund shall not, under any circumstances, be liable for compensation for any loss, damage or deprivation occasioned by the breach by a registered owner of any trust, whether express, implied or constructive; nor in any case in which the same land has been included in two or more grants from the Crown; nor shall the assurance fund be liable in any case in which such loss or deprivation has been occasioned by any land being included in the same certificate of title with other land, through misdescription of the boundaries or parcels of any land, unless, in the case last aforesaid, it is proved that the person liable for compensation and damages is dead, or has absconded from the Territories, or has been adjudged insolvent, or the sheriff has certified that he is not able to realize the full amount and costs awarded in any action for such compensation; and the said fund shall be liable for such amounts only as the sheriff fails to recover from the person liable as aforesaid.

REMEDIAL PROCEEDINGS.

Appeal by a person dissatisfied with act or omission of registrar.

113. If any person is dissatisfied with any act, omission, refusal, decision, direction or order of the registrar, such person may require the registrar to set forth, in writing under his hand, the grounds of such act, omission, refusal, direction, decision or order; and such person may then apply to the judge by petition, setting forth the grounds of his dissatisfaction, and the judge, having caused the registrar to be served with such petition, shall have jurisdiction to hear the said petition, and to make such order in the premises as the circumstances of the case require, and as to the costs of the parties appearing upon such petition.

114. Whenever a question arises with regard to the performance of any duty, or the exercise of any function by this Act conferred or imposed upon the registrar, or whenever, in the exercise of any duty of the registrar, a question arises as to the true construction or legal validity or effect of any instrument, or as to the persons entitled, or as to the extent or nature of the estate, right or interest, power or authority of any person or class of persons, or as to the mode in which any entry ought to be made on the register or certificate of title, or as to any doubtful or uncertain right or interest stated, or claimed to be dealt with by the registrar, he may refer the same in the form S in the said schedule to the judge, who may allow any of the parties interested to appear before him and summon any others of such persons to appear and show cause, either personally or by counsel or attorney, in relation thereto ; and the judge, having regard to the persons appearing before him, whether summoned or not, shall decide the question, or direct any proceedings to be instituted for that purpose, and direct such particular form of entry to be made on the register or certificate of title as under the circumstances appears to be just.

Registrar may refer doubtful points to judge.

Proceedings before judge.

115. If it appears to the satisfaction of the registrar that any grant, certificate of title, or other instrument has been issued in error, or contains any misdescription of land, or boundaries, or that any entry or indorsement has been made in error on any grant, certificate of title or other instrument, or that any such grant, certificate, instrument, entry or indorsement has been fraudulently or wrongfully obtained, or that any such grant, certificate, or instrument, is fraudulently or wrongfully retained, he may, by written demand, require the person to whom such grant, certificate or instrument has been so issued, or by whom it has been so obtained or is retained, to deliver up the same, for the purpose of being cancelled or corrected, as the case requires ; and in case such person refuses or neglects to comply with such requisition, or cannot be found, the registrar may apply to the court or judge to issue a summons for such person to appear before him and show cause why such grant, certificate or other instrument should not be delivered up to be cancelled or corrected as aforesaid, and if such person, when served with such summons, neglects or refuses to attend before such court or judge at the time therein appointed, the court or judge may issue a warrant authorizing and directing the person so summoned to be apprehended and brought before the said court or judge for examination.

Power of registrar in case of fraud or error.

Intervention of judge or court, on application of registrar.

116. Upon the appearance before the court or judge of any person summoned or brought up by virtue of a warrant as aforesaid, such court or judge may examine such person upon oath, and in case it appears right so to do, may order such person to deliver up such grant, certificate of title

Examination of persons before judge.

or other instrument as aforesaid; and upon refusal or neglect by such person to deliver up the same, pursuant to such order, or to be put under oath, or to be examined, or to answer any question touching the matter after being sworn, may commit such person to the nearest common gaol for any period not exceeding six months, unless such grant, certificate of title, or other instrument is sooner delivered up, or sufficient explanation is made why the same cannot be done; and in such case, or in case such person has absconded so that summons cannot be served upon him as hereinbefore directed, such court or judge may direct the registrar to cancel or correct any certificate of title or other instrument, or any entry or memorial in the register relating to such land, and to substitute and issue such certificate of title or other instrument or make such entry as the circumstances of the case may require; and the registrar shall obey such order.

Cancellation of certificate by order of judge, and duty of registrar.

Further powers of direction by court or judge

117. In any proceeding respecting land or in respect of any transaction or contract relating thereto, or in respect of any instrument, caveat, memorial, or other entry affecting land, the court or judge, by decree or order, may direct the registrar to cancel, correct, substitute or issue any certificate of title, or make any memorial or entry in the register, and otherwise to do every such act or make every such entry necessary to give effect to such decree or order.

GENERAL PROVISIONS.

Registrar may cancel separate certificates to same person and issue one certificate for whole land.

118. Upon the application of any owner of lands held under separate certificates of title, or under one certificate of title, and the delivering up of such certificate or certificates of title, the registrar may issue to such proprietor a single certificate of title for the whole of such land, or several certificates, each applying to a portion of such lands, in accordance with such application and as far as the same may be done consistently with any regulation for the time being in force respecting the parcels of land that may be included in one certificate of title; and upon issuing any such certificate of title, the registrar shall enter on the new certificate of title all the memorials to which the piece of land is at the time subject, and shall cancel the previous certificate of title of such land so delivered up, and shall endorse thereupon a memorandum, setting forth the occasion of such cancellation and referring to the certificate of title so issued.

Provision in case of loss or destruction of certificate.

119. In the event of a certificate of title of land being lost or destroyed, the owner of such land, together with other persons, if any, having knowledge of the circumstances, may make a declaration, stating the facts of the case, the names and descriptions of the registered owners, and the particulars of all mortgages, encumbrances, and other matters

matters affecting such land and the title thereto, to the best of declarant's knowledge and belief; and the registrar, if satisfied of the truth of such declaration and the *boná fides* of the application, may issue to the owner of such land a provisional certificate of title of such land, which provisional certificate shall contain an exact copy of the original certificate of title bound up in the register, and of every memorandum and indorsement thereon, and shall also contain a statement why such provisional certificate is issued; and the registrar shall, at the same time, enter in the register notice of the issuing of such provisional certificate and the date thereof, and why it was issued; and such provisional certificate shall be available for all purposes and uses for which the grant or certificate of title so lost or destroyed would have been available, and as valid, to all intents, as such lost certificate: Provided always, that the registrar, before issuing such provisional certificate, shall give at least thirty days' notice of his intention so to do, in some newspaper published in the registration district, if there is one, and by posting such notice upon the door of the registry office, and in some other public place.

Provisional certificate.

Entry in register.

Proviso: notice by registrar.

120. Any owner sub-dividing land for the purpose of selling the same in allotments, as a town plot, shall deposit with the registrar a map of such town plot,—which map shall exhibit distinctly all roads, streets, passages, thoroughfares, squares or reserves, appropriated or set apart for public use, and also all allotments into which the said land is divided, and such allotments shall be marked with distinct numbers and symbols; and every such map shall be signed by the owner or his agent, and certified as accurate by a Dominion land surveyor before the registrar or a justice of the peace.

Owner sub-dividing land to file map.

How certified.

121. Every covenant and power declared to be implied in any instrument by virtue of this Act, may be negatived or modified by express declaration in the instrument, or indorsed thereon; and in any action for a supposed breach of any such covenant, the covenant alleged to be broken may be set forth, and it shall be lawful to allege that the party against whom such action is brought did so covenant, precisely in the same manner as if such covenant had been expressed in words in such memorandum of transfer or other instrument, any law or practice to the contrary notwithstanding; and every such implied covenant shall have the same force and effect, and be enforced in the same manner as if it had been set out at length in such instrument; and where any memorandum of transfer or other instrument, in accordance with this Act, is executed by more parties than one, such covenants as are by this Act to be implied in instruments of a like nature, shall be construed to be several, and not to bind the parties jointly.

Implied covenants may be negatived or modified.

Effect of such covenants.

Owner to allow use of his name in certain cases.

122. The owner of any land or of any lease, mortgage or charge, shall, on the application of any beneficiary or person interested therein, be bound to allow his name to be used by such beneficiary or person in any action, suit or proceeding, which it may be necessary or proper to bring or institute in the name of such owner, concerning such land, lease, mortgage or charge, or for the protection or benefit of the title vested in such owner, or of the interest of any such beneficiary or person; but nevertheless such owner shall, in any case, be entitled to be indemnified in like manner as, if being a trustee, he would, before the passing of this Act, have been entitled to be indemnified in a similar case of his name being used in any such action, suit or proceeding by his *cestui que trust*.

But entitled to indemnity.

Person under disability may act by his guardian or person representing him.

123. Whenever any person, who, if not under disability, might have made any application, given any consent, done any act, or been party to any proceeding under this Act, is a minor, idiot or lunatic, the guardian or committee of the estate, respectively, of such person may make such application, give such consent, do such act, and be party to such proceeding as such person if free from disability might have made, given, done and been party to, and shall otherwise represent such person for the purposes of this Act; and whenever there is no guardian or committee of the estate of any such person aforesaid being infant, idiot or lunatic, or whenever any person, the committee of whose estate if he were idiot, or lunatic, would be authorized to act for and represent such person under this Act, is of unsound mind and incapable of managing his affairs, but has not been found an idiot or lunatic under inquisition, any court of competent jurisdiction or a judge thereof, may appoint a guardian of such person for the purpose of any proceedings under this Act, and from time to time change such guardian. And whenever such Court or a judge thereof sees fit, it or he may appoint a person to act as the next friend of a married woman for the purpose of any proceeding under this Act, and from time to time remove or change such next friend.

Where there is no guardian or committee.

Court or judge may appoint and change from time to time.

As to next friend of married woman.

How purchaser for valuable consideration shall be ascertained.

124. Whenever, in any action, suit or other proceeding affecting the title to land or other estate or interest therein, subject to the provisions of this Act, it becomes necessary to determine the fact whether the transferee, mortgagee, encumbrancee or lessee, is a purchaser or transferee for valuable consideration or not, any person who is a party to such action, suit or other proceeding, may give in evidence any transfer, mortgage, encumbrance, lease or other instrument affecting the title to such land, estate or interest in dispute, although the same is not referred to in the certificate of title, or has been cancelled by the registrar.

Encumbrance prior to grant may be filed

125. Any mortgage or other encumbrance created by any party rightfully in possession of land prior to the issue of the

the grant, may be filed in the office of the registrar, who shall, on registering such grant, enter in the register and indorse upon the certificate of the title before issuing the same to the applicant owner thereof a memorandum of such mortgage or encumbrance; and when so entered and indorsed, the said mortgage or encumbrance shall be as valid as if made subsequent to the issue of the grant; and if more than one mortgage or encumbrance are filed, they shall be registered in the order of time in which they have been filed in the office.

with registrar.

126. Except in the case of fraud, no person contracting or dealing with, or taking or proposing to take a transfer from the registered owner of any registered estate or interest, shall be bound or concerned to inquire into or ascertain the circumstances in, or the consideration for which such registered owner, or any previous registered owner of the estate or interest in question is or was registered, or to see to the application of the purchase money or of any part thereof, nor shall he be affected by notice, direct, implied or constructive, of any trust or unregistered interest, any rule of law or equity to the contrary notwithstanding; and the knowledge that any trust or unregistered interest is in existence, shall not of itself be imputed as fraud.

Purchaser from registered owner not affected by notice except in case of fraud.

127. In any suit for specific performance brought by a registered owner of any land under this Act, against a person who has contracted to purchase such land, not having notice of any fraud or other circumstances which, according to this Act, would affect the right of the vendor, the certificate of title of such registered owner shall be held conclusive evidence that such registered owner has a good and valid title to the land, for the estate or interest therein mentioned or described, and shall entitle such registered owner to a decree for the specific performance of such contract.

Registered owner suing for specific performance of contract to purchase entitled to decree.

128. Upon the transfer of any land, estate or interest under the provisions of this Act, to two or more persons as joint owners, to be held by them as trustees, it shall be lawful for the transferrer to insert in the memorandum of transfer or other instrument the words "no survivorship;" and the registrar, shall in such case, include such words in the memorial of such instrument, to be entered by him in the register as hereinbefore directed, and shall also enter the said words upon any certificate of title issued to such joint owners pursuant to such memorandum of transfer; and any two or more persons registered as joint owners of any land, estate or interest, under this Act, held by them as trustees, may, by writing under their hand, authorize the registrar to enter the words "no survivorship"

Insertion of words "no survivorship," in a transfer.

Who may authorize such insertion.

Effect of entry in register ; subject to order of court or judge.

survivorship" upon the certificate of title or other instrument evidencing their title to such estate or interest, and also upon the duplicate of such instrument in the register or filed in his office ; and after such entry has been made and signed by the registrar, in either such case as aforesaid, it shall not be lawful for any less number of joint proprietors than the number then registered to transfer or otherwise deal with the said land, estate or interest, without obtaining the sanction of a court or a judge thereof, by an order on motion or petition.

Notice before effect is given to order of court or judge.

129. Before making any such order as aforesaid, the court or judge shall, if it seems requisite, cause notice of intention so to do to be properly advertised, and in such case appoint a period of time within which any person interested may show cause why such order should not be made ; and thereupon the said court or judge may order the transfer of such land, estate or interest to any new owner or owners, solely or jointly with or in the place of any existing owner or owners, or may make such order in the premises as the court thinks just, for the protection of the persons beneficially interested in such land, estate or interest, or in the proceeds thereof ; and upon such order being deposited with the registrar, he shall make such entry, and upon such entry being made, the person or persons named in such order shall be registered as owner or owners of such land, estate or interest.

Deposit of order and entry thereof.

Jurisdiction of courts in cases of fraud.

130. Nothing contained in this Act shall take away or affect the jurisdiction of any competent court on the ground of actual fraud, or over contracts for the sale or other disposition of land, or over equitable interest therein.

As to exceptions of mines, etc., in grants.

131. Whenever, in any grant or instrument under this Act, any mines or minerals are excepted from the grant or transfer, the registrar, on issuing a certificate of title, shall therein insert the words so used in the grant or instrument.

Governor in Council to provide books forms, rules, etc.

132. The Governor in Council may, from time to time, provide the necessary books and forms, provide any additional forms he deems necessary, and make such rules and regulations as are necessary to carry into effect the provisions of this Act, and make such rules and regulations as to him appear necessary for giving effect to this Act, in cases unprovided for, according to its true intent and purpose.

Governor in Council to establish fees.

133. All fees payable under this Act or in connection therewith shall be settled by tariff made by the Governor in Council.

Fees to be paid to registrar.

134. The registrar shall demand and receive the several fees so settled, and perform the duties for which fees are specified in this Act on payment thereof.

135. The registrar shall keep a correct account of all sums of money received by him in accordance with the provisions of this Act, and shall pay the same to the Minister of Finance and Receiver General, at such times and in such manner as are directed by the Governor in Council.

He shall keep account of fees and pay to Receiver-General.

136. Proceedings under this Act shall not abate or be suspended by any death, transmission or change of interest; but in any such event the judge may make such order for carrying on, discontinuing or suspending the proceedings, upon the application of any person interested, as under the circumstances he thinks just, and may, for such purpose, require the production of such evidence, and such notices to be given as he thinks necessary.

In case of death, pending proceedings not to abate; power of judge in such case.

137. No petition, order, affidavit, certificate, registration or other proceeding under this Act shall be invalid by reason of any informality or technical irregularity therein, or of any mistake not affecting the substantial justice of the proceedings.

Documents under Act not invalid for informality.

APPEAL.

138. Any person feeling aggrieved by any judgment or decision of the court or judge may appeal to the Court of Appeal, and for the purposes of this Act the several stipendiary magistrates of the Territories sitting together are hereby constituted the Court of Appeal; and a majority of such stipendiary magistrates shall form a quorum. Such Court of Appeal shall be presided over by the senior stipendiary magistrate present, and shall sit at least once in each year at the seat of government of the Territories for the purpose of hearing appeals from orders, judgments and decisions of the court or a judge under this Act; and such court shall have power, by rules and orders, to regulate the sittings of the court, the practice and proceedings on appeal and before it, including costs and payment thereof, and the enforcement of judgments of such court; and such judgment shall be certified by the presiding judge, and shall be final in all cases.

Stipendiary magistrates to be Court of Appeal.

Quorum.

Sittings of the court and its powers.

PENALTIES.

139. Every person who wilfully makes any false statement or declaration in any dealing in land under this Act,—or suppresses or conceals, or assists or joins in, or is privy to the suppressing, withholding or concealing from the registrar, court or judge, or either of them, any material document, fact or matter of information, or wilfully makes any false statement in any declaration required under the authority or made in pursuance of this Act,—or who fraudulently procures or is privy to the fraudulent procurement of any certificate of title or instrument, or of any entry in the register,—or knowingly mis-

Punishment of persons making wilfully false statements, or guilty of fraud in matters relative to registration.

leads

leads or deceives the court, the judge, the registrar or any person hereinbefore authorized to require explanation or information in respect to any land or the title to any land under this Act, or in respect to which any dealing or transmission is proposed to be registered,—or is a party to or privy to any fraudulent act whatever in any matter connected with the working of this Act, shall, on conviction before a judge or stipendiary magistrate, without a jury, be liable to a penalty not exceeding five hundred dollars or to imprisonment with or without hard labor, for any period less than two years.

REPEAL OF FORMER ACTS.

Repeal of parts of 43 V., c. 25, 47 V., c. 23, and all laws inconsistent with this Act.

140. Sections twenty-three to forty-one, inclusive; forty-three to forty-six, inclusive; section fifty-seven and sections sixty-three to seventy inclusive. of the Act forty-third Victoria, chapter twenty-five, and section one of the Act forty-seventh Victoria, chapter twenty-three, together with all laws, statutes, Acts, ordinances, rules, regulations and practice whatever, relating to freehold and other interests in land in the Territories, so far as the same are inconsistent with the provisions of this Act, are hereby repealed, except as to matters done or pending thereunder, or retained in operation by express provision in this Act.

SCHEDULE.

FORM A.

FORM OF REGISTRAR'S OR DEPUTY REGISTRAR'S OATH OF OFFICE.

Territories of Canada.

District of } I (*name and describe deponent*), having been
 To WIT. } appointed to the office of registrar (*or deputy registrar*) in and for the (*name of registration district, &c.*), do swear (*or as the case may be*) that I will well, truly and faithfully perform and execute all duties required of me, relating to the said office, so long as I continue therein; and that I have not given, directly or indirectly, nor authorized any person to give, any money, gratuity or reward whatsoever for procuring the said office for me.

Sworn before me at _____, the }
 day of _____ A.D. 18 ____ }
 A.B. J.P., in and for the }
 said *District*.

*Signature of Registrar
 or Deputy Registrar*

FORM B.

FORM OF BOND OF REGISTRAR OR DEPUTY REGISTRAR.

Territories of Canada, } Know all men by these presents
District of } that I (*insert name and addition of*
 To WIT. } *the principal*) of the of
 , in the , in the territories of the Domi-
 nion of Canada, (hereinafter called "the principal")
 and we (*insert names and additions of the sureties*) of
 the of in the of
 in the of
 and of of
 the of in the
 (hereinafter called "the sureties"), are respectively held and
 firmly bound unto our Sovereign Lady the Queen, her heirs
 and successors, in the respective penal sums following, that
 is to say:—"The principal" in the sum of dollars
 of lawful money of Canada, and each of "the sureties" in a
 sum of dollars of like lawful money, to be paid
 to our said Sovereign Lady the Queen, her heirs and suc-
 cessors; for which said respective payments, well and faith-
 fully to be made, we severally,—and not jointly, or each for
 the other,—bind ourselves, and our respective heirs, execu-
 tors and administrators, firmly by these presents, sealed with
 our respective seals.

Dated this day of
 in the year of our Lord one thousand eight hundred and
 and in the year of Her Majesty's
 reign.

Whereas "the principal," having been appointed to the
 office or employment of
 is required by law to give security to the Crown for the due
 performance of the duties appertaining thereto; and "the
 sureties" have consented to become his sureties for such his
 performance of the said duties; and this bond is given in
 pursuance of (*insert the title of this Act.*)

Now the condition of this obligation is, that if "the prin-
 cipal" faithfully discharges the duties of the said office and
 duly accounts for all moneys and property which may come
 into his custody by virtue of the said office, this obligation
 shall be void, otherwise the same shall remain in full force
 and effect.

Signed, sealed and delivered in }
 the presence of } *Signatures and Seals.*

FORM C.

AFFIDAVIT OF JUSTIFICATION BY A SURETY.

Territories of Canada, } I, one of the
District of } sureties in the foregoing bond
 To WIT. } named, make oath (*or affirm, as the*
 } *case may be*) and say as follows:—

1. I am seized and possessed to my own use of real (*or*
 real and personal) estate, in the of
 in Canada, of the actual value of dollars, over
 and above all charges upon or encumbrances affecting the
 same.

2. My post office address is as follows : (*insert it*)

Sworn before me at the of
 in the of
 this
 day of A.D. one thousand }
 eight hundred and eighty } *Signature.*
 J. P. for the said

FORM D.

AFFIDAVIT OF ATTESTATION.

Territories of Canada, } I,
District of } of the of in the
 To WIT. } of
 on the of make oath and say that I
 was personally present, and did see (one of *or*
as the case may be) the obligors in the above bond *or*
 writing obligatory named, duly execute the said instrument
 by signing, sealing, and, as (*his or their* respective acts and
 deeds, *as the case may be*), delivering the same; and that I am
 a subscribing witness to such execution.

Sworn before me, at the of
 in the of
 this day of A.D. 18 , }
 J. P. for the said } *Signature.*

*A separate affidavit in this form will be made by a witness to
 the execution by each obligor, if the same person does not wit-
 ness the execution by all of them.*

FORM

FORM E.

APPLICATION TO BRING LAND UNDER THE OPERATION OF
"THE TERRITORIES REAL PROPERTY ACT."

To the registrar of _____ registration district :

I (*insert name and addition*) hereby apply to have the land hereinafter described brought under the operation of "*The Territories Real Property Act.*" And I declare—

1. That I am the owner (*or agent for* _____, the owner) of an estate in fee simple in possession (*or of an estate of freehold in possession for my life, or otherwise as the case may require*) in ALL THAT piece of land, being (*here describe the land.*)

2. That such land, including all buildings and other improvements thereon, is of the value of _____ dollars, and no more.

3. That there are no documents or evidences of title affecting such land in my possession, or under my control, other than those included in the schedule hereto.

4. That I am not aware of any mortgage or encumbrance affecting the said land, or that any other person hath any estate or interest therein at law or in equity, in possession, remainder, reversion or expectancy (*if there be any add: other than as follows, and set the same forth.*)

5. That the said land is now occupied (*if unoccupied, prefix un to occupied; if occupied, add by whom, and state the name and addition of the occupant and the nature of his occupancy.*)

6. That the names and addresses, so far as known to me, of the occupants of all lands contiguous to the said land, are as follows:—

7. That the names and addresses, so far as known to me, of the owners of all lands contiguous to the said land, are as follows:—

(*If the certificate of title is not to issue to the applicant, add:*)
And I direct the certificate of title to be issued in the name of (*insert name and addition.*)

Dated this _____ day of _____, 18 .

Made and subscribed at _____ }
in the presence of _____ } *Signature.*

SCHEDULE OF DOCUMENTS REFERRED TO.

AFFIDAVIT.

Territories of Canada, } I,
District of , } of
 To WIT. } make oath and say—

1. I am the applicant named in the application hereto annexed.

2. That the several statements contained in the said application are true, to the best of my knowledge and belief.

Sworn before me at the of
 in the of this
 day of . A.D. 18 . }
 J. P. for the said } *Signature.*

FORM F.

CERTIFICATE OF OWNERSHIP.

CANADA—TERRITORIES,
 DISTRICT.

REGISTRATION

This is to certify that A.B., of is now the owner of an estate (*describe the estate*) of , and in (*describe the property*), subject to the encumbrances, liens and interests notified by memorial underwritten or indorsed hereon, or which may hereafter be recorded in the register of title, and subject to the exceptions and qualifications mentioned in the fifty-eighth section of the "*Territories Real Property Act.*"

In witness whereof I have hereunto subscribed my name and affixed my seal this day of , A.D. 18 .

If the title is possessory, say :

The title of A. B. is subject to the claims (if any) which can be enforced to the said land by reason of any defect in the title of (*name of the first registered owner.*)

And if subject to a mortgage, say :

The title of A. B. is subject to mortgage, dated the day of , made by A. B. to W. B., to secure \$3,000 and interest

interest at the rate of 8 per cent. per annum from the 17th day of July, 1877, payable as therein mentioned. (*If mortgage is discharged, say*): Discharged by certificate No. B, 1502.

And if subject to a lease, say :

The title of A. B. is subject to a lease, dated the _____ day of _____, made by A. B. to Y. Z., for the term of ten years.

When the transfer is absolute, say :

This declaration is cancelled and a new declaration of title issued.

(*Signature.*)

FORM G.

TRANSFER.

I, A. B., being registered owner of an estate (*state the nature of estate*), subject, however, to such encumbrances, liens and interests as are notified by memorandum underwritten (*or endorsed hereon*), in all that certain tract of land containing _____ acres, more or less, and being _____ section, township _____, range _____, in the _____ (*or district, as the case may be.*) (*Here state rights of way, privileges, easements, if any, intended to be conveyed along with the land and if the land dealt with contains all included in the original grant, refer thereto for description of parcels and diagrams; otherwise set forth the boundaries and accompany the description by a diagram*), do hereby, in consideration of the sum of \$ _____, paid to me by E. F., the receipt of which sum I hereby acknowledge, transfer to the said E. F. all my estate and interest in the said piece of land. (*When a lesser estate, then describe such lesser estate.*)

In witness whereof, I have hereunto subscribed my name this _____ day of _____ 18 _____.

Signed on the day above named, } (*Signature.*)
by said A. B., in the presence }
of _____ G. A. }

FORM H.

LEASE.

I, A. B., being registered as owner, subject, however, to such mortgages and encumbrances as are notified by memorandum

randum underwritten (or indorsed hereon), of that piece of land (*describe it*), part of _____, section _____, township _____, range _____, containing _____ acres, more or less (*here state rights of way, privileges, easements, if any, intended to be conveyed along with the land, and if the land dealt with contains all included in the original grant or certificate of title or lease, refer thereto for description and diagram, otherwise set forth the boundaries by metes and bounds*) do hereby lease to E. F., of (*here insert description*), all the said lands, to be held by him, the said E. F., as tenant, for the space of _____ years, from (*here state the date and term*), at the yearly rental of \$ _____, payable (*here insert terms of payment of rent*), subject to the covenants and powers implied (*also set forth any special covenants or modifications of implied covenants.*)

I, E. F., of (*here insert description*), do hereby accept this lease of the above described lands, to be held by me as tenant, and subject to the conditions, restrictions and covenants above set forth.

Dated this _____ day of _____.

Signed by above-named A. B., as lessor, and E. F., as lessee, this _____ day of _____, 188 _____, in presence of X Y.	}	(<i>Signature of Lessor.</i>) (<i>Signature of Lessee.</i>)
---	---	--

(*Here insert memorandum of mortgages and encumbrances.*)

FORM I.

STATUTORY COVENANTS.

COLUMN ONE.

COLUMN TWO.

- | | |
|---|---|
| 1. Will not, without leave, assign or sublet. | 1. The covenantor, his executors, administrators, or transferees, will not, during the said term, transfer, assign, or sublet the premises hereby leased, or any part thereof, or otherwise by any act or deed procure the said premises, or any part thereof, to be transferred or sublet, without the consent in writing of the lessor or his transferees first had and obtained. |
| 2. Will fence. | 2. The covenantor, his executors, administrators, or transferees, will, during the continuance of the said term, erect and put upon the boundaries of the said land, or on those boundaries on which no substantial fence now exists, a good and substantial fence. |

3. Will cultivate. 3. The covenantor, his executors, administrators, or transferees, will, at all times during the said term, cultivate, use and manage in a proper husband-like manner, all such parts of the land as are now or shall hereafter, with the consent in writing of the said lessor or his transferees, be broken up or converted into tillage, and will not impoverish or waste the same.
4. Will not cut timber. 4. The covenantor, his executors and administrators, or transferees, will not cut down, fell, injure or destroy any living timber or timber-like tree standing and being upon the said land, without the consent in writing of the said lessor or his transferees.
5. Will not carry on offensive trade. 5. The covenantor, his executors, administrators, or transferees will not, at any time during the said term, use, exercise, or carry on, or permit, or suffer to be used, exercised, or carried on, in or upon the said premises, or any part thereof, any noxious, noisome or offensive art, trade, business, occupation or calling, and no act, matter or thing whatsoever shall, at any time during the said term, be done in or upon the said premises, or any part thereof, which shall or may be or grow to the annoyance, nuisance, grievance, damage, or any disturbance of the occupiers or owners of the adjoining lands and properties.

FORM J.

MEMORANDUM OF MORTGAGE.

I, A. B., being registered as owner of an estate (*here state nature of interest*), subject, however, to such encumbrances, liens and interests as are notified by memorandum under written (*or indorsed hereon*), of that piece of land (*description*), part of section , township , range , containing acres, be the same more or less (*here state rights of way, privileges, easements, if any, intended to be conveyed along with the land, and if the land dealt with does contain all included in the original grants, refer thereto for description of parcels and diagrams, otherwise set forth the boundaries and accompany the description by a diagram*), in consideration of the sum of \$ lent to me by E. F., of (*here insert description*), the receipt of which sum I do hereby acknowledge, covenant with the said E. F. :—

Firstly. That I will pay to him, the said E. F., the above sum of \$, on the day of

Secondly That I will pay interest on the said sum at the rate of _____ on the \$ _____ in the year, by equal payments on the _____ day of _____, and on the _____ day of _____, in every year.

Thirdly. (*Here set forth special covenants, if any.*)

And for the better securing to the said E. F. the repayment, in manner aforesaid, of the principal sum and interest, I hereby mortgage to the said E. F. my estate and interest in the land above described.

In witness whereof, I have hereunto signed my name this
day of _____ 18 _____.

Signed by the above named
A. B. as mortgagor this _____ } (*Signature of Mortgagor.*)
day of _____ in pre-
sence of G. H. }

(*Insert memorandum of mortgages and encumbrances.*)
For form of transfer of mortgage, see Form L.

FORM K.

MEMORANDUM OF ENCUMBRANCE.

I, A.B., being registered as owner of an estate (*state nature of estate*), subject, however, to such mortgages and encumbrances as are notified by memorandum underwritten (or indorsed hereon), of that piece of land of (*description*) part of _____ section _____, township _____, range _____ containing _____ acres, more or less (*here state rights of way, privileges, easements, if any, intended to be conveyed along with the land, and if the land dealt with contains all included in the original grant or certificate of title, refer thereto for description of parcels and diagrams, otherwise set forth the boundaries and accompany the description by a diagram*), and desiring to render the said land available for the purpose of securing to and for the benefit of C.D., of (*description*) the (*sum of money, annuity or rent charge*) hereinafter mentioned: do hereby encumber the said land for the benefit of the said C.D., with the (*sum, annuity or rent charge*) of _____, to be raised and paid at the times and in the manner following, that is to say: (*here state the times appointed for the payment of the sum, annuity or rent charge intended to be secured, the interest, if any, and the events on which such sum, annuity or rent charge shall become and cease to be payable, also any special covenants or powers, and any modification of the powers or remedies given to an encumbrancee by this Act*): And subject

subject as aforesaid, the said C.D. shall be entitled to all powers and remedies given to an encumbrancee by "*The Territories Real Property Act.*"

In witness whereof I have hereunto
signed my name this
day of _____, in presence } (*Signature of encum-*
of _____ } (*brancer.*)

(*Insert memorandum of mortgages and encumbrances.*)

FORM L.

(*Indorse memorandum of transfer of mortgage or encumbrance or lease.*)

TRANSFER OF MORTGAGE, ENCUMBRANCE, OR LEASE
BY INDORSEMENT.

I, the within mentioned C.D., in consideration of \$
this day paid to me by X. Y., of _____, the receipt of
which sum I do hereby acknowledge, hereby transfer to him
the mortgage (encumbrance or lease, as the case may be)
within written, together with all my rights, powers, title,
and interest therein.

In witness whereof, I have hereunto subscribed my name
this _____ day of _____ 18 .

C. D., *Transferrer.*
Accepted, X. Y., *Transferee.*

FORM M.

TRANSFER OF PART OF MORTGAGE OR ENCUMBRANCE
BY INDORSEMENT.

I, the within mentioned C. D. in consideration of \$
this day paid to me by X. Y., of _____, the receipt of
which sum I do hereby acknowledge, hereby transfer to him
\$ _____ of the mortgage (or encumbrance, as the case may
be) within written, together with all my rights, powers,
title, and interest therein, and the sum so transferred shall
be preferred (or deferred or rank equally, as the case may be)
to the remaining sum secured by the mortgage.

In witness whereof, I have hereunto subscribed my name
this _____ day of _____ 18 .

C. D., *Transferrer.*
Accepted, X. Y., *Transferee.*

FORM N.

POWER OF ATTORNEY.

I, A. B., being registered as owner of an estate (*here state nature of the estate or interest*), subject, however, to such encumbrances, liens and interests as are notified by memorandum under written (*or indorsed hereon*), in (*here refer to schedule for description and contents of the several parcels of land intended to be affected, which schedule must contain reference to the existing certificate of title or lease of each parcel*) do hereby appoint C. D. attorney on my behalf to (*here state the nature and extent of the powers intended to be conferred, as to sell, lease, mortgage, &c.*) the lands in the said schedule described, and to execute all such instruments, and do all such acts, matters and things as may be necessary for carrying out the powers hereby given, and for the recovery of all rents and sums of money that may become or are now due, or owing to me in respect of the said lands, and for the enforcement of all contracts, covenants or conditions binding upon any lessee or occupier of the said lands, or upon any other person in respect of the same, and for the taking and maintaining possession of the said lands, and for protecting the same from waste, damage or trespass.

In witness whereof, I have hereunto subscribed my name
 this day of 18 .

Signed by the above named }
 A. B. this day of }
 in the presence of X. Y. }

Signature.

FORM O.

REVOCATION OF POWER.

I, A. B., of , hereby revoke the power of attorney,
 given by me to , dated the day of

In witness whereof, I have hereunto subscribed my name
 this day of 18 .

Signature of Constituent.

FORM P 1.

TRANSFER OF LAND UNDER PROCESS OF LAW.

I, , of the
 person appointed to execute the process hereinafter men-
 tioned, in pursuance of a writ dated the

day

day of _____ one
 thousand eight hundred and _____ and issued out
 of (*insert name of court*), a court of competent jurisdiction, in
 an action wherein _____ is the plaintiff, and
 _____ the defendant, which said
 _____ is registered as the owner of the land herein-
 after described, subject to the mortgages and encumbrances
 notified hereunder, do hereby, in consideration of the sum of
 _____ paid to me, as aforesaid, by E. F.
 (*insert addition*) TRANSFER to the said E. F. all that piece of
 land (*here insert a sufficient description of the land, and refer to
 the debtor's certificate of title or grant.*)

Dated the _____ day of _____
 one thousand eight hundred and _____

(*Signature of Officer.*)

Mortgages and encumbrances referred to. (*State them.*)

FORM P 2.

TRANSFER OF LEASE, MORTGAGE, OR ENCUMBRANCE UNDER PROCESS OF LAW.

I, _____, of _____, the person appointed to
 execute the writ hereinafter mentioned (*or otherwise, as the
 case may be*), in pursuance of a writ of *feri facias*, tested the
 day of _____ one thousand eight hundred
 and _____, and issued out of (*insert name of court*) a court of
 competent jurisdiction, in an action wherein
 _____ is the plaintiff and _____ the defendant, which said
 _____ is registered as the owner of a lease (mort-
 gage or encumbrance, *as the case may be*) numbered
 _____ of (*or upon*) the land hereinafter described, subject to
 the mortgages or encumbrances notified hereunder, do
 hereby, in consideration of the sum of _____ paid
 to me, as sheriff aforesaid, by E. F. (*insert addition*) TRANSFER
 to the said E. F. the lease (mortgage or encumbrance) granted
 by _____
 to and in favor of _____, dated the
 day of _____ to, in and over (*here describe the land
 according to the description in the lease, mortgage, or encum-
 brance, and refer to the registered instrument.*)

Dated the _____ day of _____ one thousand
 eight hundred and _____

(*Signature of Officer.*)

Mortgages and encumbrances referred to. (*State them.*)

FORM

FORM P 3.

TRANSFER OF LAND UNDER DECREE OR ORDER OF A COURT
OF COMPETENT JURISDICTION.

I (*insert name*), in pursuance of a decree (*or order*) of (*insert name of court*), a court of competent jurisdiction, dated the _____ day of _____ one thousand eight hundred and _____, and entered in the register, vol. _____, fol. _____, hereby TRANSFER to E. F. (*insert addition*), subject to the mortgages and encumbrances notified hereunder, all that piece of land being (*here insert a sufficient description of the land and refer to the certificate of title or grant*).

Dated the _____ day of _____ one thousand eight hundred and _____

(*Signature of Transferrer.*)

Mortgages and encumbrances referred to. (*State them*).

FORM P 4.

TRANSFER OF LEASE, MORTGAGE OR ENCUMBRANCE, UNDER
DECREE OR ORDER OF A COURT OF
COMPETENT JURISDICTION.

I (*insert name*), in pursuance of a decree or order of (*insert name of court*), a court of competent jurisdiction, dated the _____ day of _____ one thousand eight hundred and _____, and entered in the register, vol. _____, fol. _____, hereby TRANSFER to E. F. (*insert addition*), subject to the mortgages and encumbrances notified hereunder, the lease (*or mortgage or encumbrance, as the case may be*) granted by _____ in favor of _____ (of or upon) all that piece of land (*here insert description of the land according to the description in the lease, mortgage, or encumbrance, and refer to the registered instrument.*)

Dated the _____ day of _____, one thousand eight hundred and _____

(*Signature of Transferrer.*)

Mortgages and encumbrances referred to. (*State them*).

FORM Q.

FORM OF CAVEAT FORBIDDING REGISTRATION OR DEALING
WITH LANDS.

To the Registrar of _____ district :

Take notice that I, A. B., of (*insert description*), claiming, (*here state the nature of the estate or interest claimed, and the grounds*)

grounds upon which such claim is founded) in (here describe land and refer to grant or certificate of title), forbid the registration of any memorandum of transfer or other instrument until this caveat be withdrawn by the caveator or by the order of a court of competent jurisdiction, or a judge thereof, or unless such dealing be subject to the claim of the caveator, or until after the lapse of twenty-one days from the date of the service of notice by the caveator at the following address: (Insert it.)

Signature of Caveator or his Agent.

Dated this day of , 18 .

I, the above named A. B. (or C. D., agent for the above A. B.,) of (residence and description) make oath (or affirm, as the case may be) and say, that the allegations in the above caveat are true in substance and in fact (and if no personal knowledge, add), as I have been informed and verily believe.

Sworn, &c.

Signature.

FORM R.

AFFIDAVIT OF ATTESTATION OF AN INSTRUMENT EXECUTED OUT OF THE TERRITORIES.

I (A. B.), of , in the , make oath and say—

1. I was personally present and did see named in the (within or annexed) instrument, who is personally known to me to be the person named therein, duly sign and execute the same for the purposes named therein ;

2. That the same was executed on the day of the date thereof, at the , in the , and that I am the subscribing witness thereto ;

3. That I, , know the said .

Sworn before me at , in the day } Signature.
of A.D. 18 . }

FORM S.

REFERENCE BY REGISTRAR TO A JUDGE.

(Date.)

In the matter of the registration of transfer (or as the case may be) A.B. to C.D.

The

The registrar, under section one hundred and fourteen of "*The Territories Real Property Act*," hereby humbly refers the following matter to the court, to wit: (*Here state briefly the difficulty which has arisen.*)

The parties interested, so far as the registrar knows or has been informed, are: (*Here give the names.*)

Signature.

Registrar of Titles. [L.S.]

CHAP. 27.

An Act further to amend the "Dominion Lands Act, 1883."

[Assented to 2nd June, 1886.]

Preamble.
47 V., c. 17.

WHEREAS it is expedient to amend the "*Dominion Lands Act, 1883*" as hereinafter set forth: Therefore Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Interpretation.

1. In this Act the expression "the said Act" means the "*Dominion Lands Act, 1883.*"

Clause 2 amended.

2. Sub-clauses three and four of clause two of the said Act are hereby repealed, and the following substituted therefor:—

New sub-clause in place of sub-clause 3.

Governor in Council may appoint certain officers, their powers and duties.

And a Dominion Lands Board: for settling disputed questions. Its powers and duties.

3. The Governor in Council may appoint an officer who shall be styled "The Commissioner of Dominion Lands," an officer who shall be styled "The Inspector of Dominion Lands Agencies," and an officer who shall be styled "The Superintendent of Mines," and such officers shall respectively have the powers, not inconsistent with the provisions of this Act, and perform the duties that are, from time to time, conferred upon and assigned to them by order of the Governor in Council; the Governor in Council may also establish a "Dominion Lands Board" to investigate and settle all disputed questions arising out of the duties imposed upon the Commissioner of Dominion Lands, the Inspector of Dominion Lands Agencies, and the Superintendent of Mines, and all other matters connected with the administration of the Dominion lands system in Manitoba and the North-West Territories; and such Dominion Lands Board shall be composed of such persons, and shall have such powers and authority, not inconsistent with this Act, and shall perform such duties as the Governor in Council from time to time directs:

New sub-clause in

4. Copies of any records, documents, plans, books or papers belonging to or deposited in the Dominion Lands office,

office, attested under the signature of the Minister of the Interior, or of the Secretary of the Department of the Interior, or of the Surveyor General, or of any chief clerk or officer authorized thereto, 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 Commissioner of Dominion Lands, the Secretary of the Dominion Lands Board or other officer in charge of such office, shall be competent evidence in all cases in which the original records, documents, books, plans or papers would be evidence; and lithographed or other copies of maps or plans purporting to be issued or published by the Dominion Lands office of the Department of the Interior, and to have a lithographed or copied signature of the Minister of the Interior or of the Surveyor General thereto attached, shall be received in all courts and proceedings as *prima facie* evidence of the originals, and of the contents thereof."

place of sub-clause 4.

Certified copies of plans or documents to be evidence.

As to lithographic copies, &c.

2. The following is hereby added to the said clause two as sub-clause six thereof:—

New sub-clause added.

"6. Every person who is now employed in the outside service of the Dominion lands branch of the Department of the Interior, and every extra clerk who is now employed in the said branch, shall, within three months after the first day of July, one thousand eight hundred and eighty-six, and every person or extra clerk who is hereafter so employed, shall, before any salary is paid to him, take and subscribe the oath of allegiance, and also the oath of office prescribed by clause fifty-seven of 'The Civil Service Act.'"

Employees and extra clerks to take certain oaths.

3. The Minister of the Interior, with the approval of the Governor in Council, may, whenever he deems it necessary so to do, vary any of the forms in the schedule to the said Act from form A to form M, both inclusive, or he may, from time to time, with the like approval, cause to be adopted such other forms to the like effect as he considers applicable to any special case or class of cases.

Minister may vary forms in schedule to 46 V., c. 17.

4. Clause twenty-nine of the said Act, as amended by clause one of the Act forty-seventh Victoria, chapter twenty-five, is hereby repealed, and the following substituted therefor:—

Clause 29, as amended by 47 V., c. 25, repealed.

"29. Every person applying for homestead entry shall appear and make affidavit before the local agent or, in his absence, the senior clerk performing his duties, according to the form B, C, D or E, in the schedule to this Act, as the circumstances of the case require; and upon filing such affidavit with such local agent or senior clerk, and on payment to him of an office fee of ten dollars, such person shall receive a receipt from the local agent, or senior clerk, according

New clause. Affidavit by applicant for homestead.

Fee.

according

according to the form F in the schedule to this Act; and such receipt shall be a certificate of entry, and shall be authority to the person obtaining it to take possession of the land described in it:

Further fee on pre-emption entry.

"2. If a person who obtains homestead entry applies for and obtains at the same time a pre-emption entry, he shall pay to the local agent or senior clerk, a further office fee of ten dollars, and shall receive therefor from him a receipt in like form, and having like effect to that prescribed for homestead entry:

As to entry by agent.

"3. The Minister of the Interior or the Dominion Lands Board, upon requisition, may authorize any person named therein to make a homestead entry or homestead and pre-emption entries, on behalf of any person signing such requisition and desiring to obtain such entry or entries:

Application and affidavit of such agent.

"4. The person so authorized shall, in order to obtain such entry or entries, make application in the form G in the schedule to this Act, on behalf of each of those whom he represents, and shall make an affidavit before the local agent or, in his absence, the senior clerk performing his duties, according to the form H, J, K or L, in the schedule to this Act, as the circumstances of the case require; and shall pay for each homestead entry, and for each pre-emption entry, the office fee of ten dollars hereinbefore prescribed for such entry."

Fees.

Clause 33 again amended.

5. Sub-clauses one and four of clause thirty-three of the said Act, as amended by the Act forty-seventh Victoria, chapter twenty-five, are hereby further amended by inserting the words "or in his absence, the senior clerk performing his duties," after the words "local agent," wheresoever the same occur in the said sub-clauses:

Sub-clause added to clause 33.

2. The following is hereby added to the said clause thirty-three as sub-clause seven thereof:—

Proof required for patent.

"7. Any person claiming a patent under a homestead entry or under a homestead and pre-emption entry shall also be entitled thereto upon proving to the satisfaction of the Commissioner of Dominion Lands or the Dominion Lands Board,—

Fulfilment of conditions of cultivation.

"(a.) That he perfected his homestead entry by commencing the cultivation of the homestead within six months from the date of his homestead entry, or if the entry was obtained on or after the first day of September in any year, before the first day of June following;

Preparation to crop.

"(b.) That within the first year after the date of his homestead entry he broke and prepared for crop not less than five acres of his homestead quarter section;

"(c.)

“(c.) That within the second year he cropped the said five acres, and broke and prepared for crop not less than ten acres in addition, making not less than fifteen acres in all ;

The same, and cropping.

“(d.) That he erected a habitable house upon his homestead before the expiration of the second year after his homestead entry, and has *bonâ fide* resided therein and has cultivated the land for three years next prior to the date of his application for his patent ;

Erection of house.

“(e.) That at the commencement of the third year after the date of his homestead entry, or previously, he commenced the residence on his homestead required by the next preceding paragraph of this sub-clause.”

Commencing residence.

6. Every person who has obtained a homestead entry, and who purposes to apply for a patent for such homestead, shall give six months' notice in writing to the Commissioner of Dominion Lands of his intention to make such application, and shall produce evidence to the officer who is authorized to receive the application, that such notice has been duly given.

Notice of application for patent.

7. Clause thirty-six of the said Act is hereby amended by inserting after the word “Lands” in line fourteen of the said clause, the words “or in his absence by a member of the Dominion Lands Board.”

Clause 36 amended.

8. Clause thirty-seven of the said Act is hereby repealed and the following substituted therefor :—

Clause 37 repealed.

“37. No person who has obtained a homestead patent or a certificate countersigned by the Commissioner of Dominion Lands, or a member of the Dominion Lands Board, as in the next preceding clause mentioned, shall be entitled to obtain another homestead entry ;”

New clause.
No second homestead entry allowed.

But such repeal shall not take away the right of any person who, before the passing of this Act, had received such certificate or recommendation for a patent.

Saving rights acquired.

9. Clause thirty-eight of the Dominion Lands Act, with the sub-sections thereof, is hereby repealed, and the following section with sub-sections thereof substituted therefor :—

Clause 38 repealed.

“38. If any person or company shall be desirous of assisting by advances in money intending settlers to place themselves on homestead lands in Manitoba or the North-West Territories, and of securing such advances, such person or company may make application to the Minister of the Interior, stating the plan or project intended to be acted upon,

Provision as to persons making advances to intending settlers.

upon, the steps to be taken in furtherance thereof, and the amount to be advanced to such settlers; and the Minister of the Interior may sanction and authorize such plan or project, or refuse his sanction and authority thereto:

On approval of plan by Minister such persons may create a charge upon their homesteads for money advanced for certain purposes; subject to certain conditions.
Rate of interest limited.

“(a.) If such plan or project be so sanctioned, and such person or company shall thereupon place any settler upon a homestead, a statement of the expense incurred by such person or company in paying the actual *bonâ fide* cost of the passage and of providing for the subsistence of such settler and his family, of erecting buildings on his homestead (to which purpose at least one-half of the advance made shall be devoted) and of providing horses, cattle, farm implements and seed grain for him, together with an amount in money sufficient to cover the interest on the amount advanced for a time to be agreed upon, to enable such settler to obtain a return from the cultivation of such homestead, shall be furnished to him, and upon his approval thereof, shall be submitted with proper vouchers in support thereof to the local agent, who shall examine and verify the same both by such vouchers and by an examination of such settler, and of such person or company, or their representative; and shall certify the result of such verification by a writing upon such statement signed by him, and thereupon such settler may make and execute an acknowledgment in writing of the amount so advanced to him, and may by such writing create a charge upon such homestead for the amount of such advance, not exceeding the sum of six hundred dollars, and for the interest thereon, at a rate not exceeding eight per cent. per annum;

Form of acknowledgment of charge.

Proviso as to interest.

And as to payment of capital.

Registration of acknowledgment and charge.

“(b.) Such acknowledgment and charge shall be in the form of Schedule Q hereto appended, and a duplicate thereof shall be deposited with the local agent, and thereafter the holder of such charge shall have the right to enforce payment of the amount so advanced and of the interest thereon by ordinary legal proceedings; provided always, that the time to be fixed for the payment of the first instalment of interest upon such advance shall not be earlier than the first day of November in any year, nor shall it be within less than two years from the establishment of such settler upon such homestead; and provided also, that such settler shall not be bound to pay the capital of such advance or any part thereof within a less period than five years from the date of his establishment upon such homestead;

“(c.) Upon such acknowledgment and charge being duly executed and duly registered in the Registry Office for the Territorial Division in which such homestead shall be situated, the same shall constitute and be and remain a first charge upon such homestead after the issue of the patent or certificate of patent for such homestead, until duly satisfied and extinguished according to law;

“(d)

“(d.) If such settler shall not perform the conditions of settlement required to entitle him to a patent for such homestead within the time and in the manner provided by the Dominion Lands Act, and shall thereby forfeit his right to obtain a patent, the holder of the charge created thereon may apply to the Minister of the Interior for a patent of such homestead, and upon establishing the facts to the satisfaction of the Minister shall receive a patent in his name therefor; and such patentee shall be bound to place a *bond fide* settler on such homestead by the sale thereof to such settler or otherwise within two years from the date of such patent, and in default of so doing within the said period shall be bound and obliged on demand to sell the said homestead to any person willing to become a *bond fide* settler thereon for such sum of money as shall be sufficient to pay the amount of such charge and interest, and the expenses incurred by the patentee in obtaining such patent and in retaining the homestead, on pain, in case of refusal, of an absolute forfeiture of the said property and of all claims thereon and of the patent or other title thereto. But if the settler has acquired a right to receive a patent for the land so charged and does not apply for the issue of the same, the holder of such charge may obtain such patent, or certificate for patent, in the name of the person entitled to receive the same or of his legal representatives, and thereafter the said charge shall become a statutory mortgage on such homestead.

Proceedings in case of failure to perform conditions of charge.

Patent to mortgagee, and his obligations under it.

Proviso: if settler being entitled to patent, does not apply for it.

“Section five of the Act forty-three Victoria, chapter forty-two, intituled “*An Act relating to interest on Moneys secured by Mortgage on Real Estate*,” and all amendments to the said clause, shall apply to all charges created under the provisions of this Act.”

Section 5 of 48 V., c. 42, to apply.

— — —
“ FORM Q.

“ *Acknowledgment and Charge.*

“ I, the undersigned, A.B., holding as a homestead the (N.W.) quarter of Section _____, Township _____, Range _____ West of _____ meridian, hereby acknowledge to have received from C.D. as an advance, under the provisions of the Dominion Lands Act and the amendments thereto, in aid of my establishment upon the said homestead, the sum of _____ dollars, as shown by the statement thereof, as hereto annexed, certified by the Local Land Agent of the Dominion Government, which sum of money I undertake to pay to the said C.D., his representatives or assigns, within

_____ years

years from the date hereof, with interest thereon at the rate of _____ per cent. per annum, payable half-yearly, on the first days of _____ and _____ in each year, the first instalment whereof will become due on the day of _____ next, and as security for such payments, I hereby create a first mortgage and charge upon the said homestead according to the provisions of the said Act and amendments.

“ And I, E.F., the wife of the said A.B., hereby bar and relinquish my right of dower upon the said homestead in favor of the said C.D.

“ In witness whereof, the parties hereto have executed these presents in duplicate this _____ day of _____ 18 _____ .”

Clause substituted for clause 39, by 47 V., c. 25, repealed.

10. The clause substituted for clause thirty-nine of the said Act by clause four of the Act forty-seventh Victoria, chapter twenty-five, is hereby repealed, and the following substituted therefor :—

Duration of homestead entry privilege limited.

“ **39.** The privilege of pre-emption, in connection with a homestead entry, shall be discontinued from and after the first day of January, in the year one thousand eight hundred and ninety.”

Clause 83 amended.

11. The first two lines of clause eighty-three of the said Act are hereby repealed and the following substituted therefor: “ The Dominion Lands Board or any member thereof.”

Clauses 88 and 89 repealed, and new substituted.

12. Clauses eighty-eight and eighty-nine of the said Act are hereby repealed, and the following substituted therefor :—

Board of Examiners of surveyors, of whom to consist.

Meetings, times and places.

“ **88.** There shall be a Board of Examiners for the examination of candidates for commissions as Dominion land surveyors, or as articulated pupils, which shall consist of the Surveyor General and eight other competent persons, 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 February and August in each year, and at such other times as the Minister of the Interior directs—due notice thereof being given in the *Canada Gazette*; and the place of meeting shall be at the city of Ottawa, or such other place as is from time to time fixed by the Minister of the Interior :

Members to be sworn.

“ **2.** Every member of the board shall take an oath of office, according to the form N, in the schedule to this Act, which shall be administered by a judge of any one of the superior courts

courts in any Province of Canada, or a judge of the Supreme Court of Canada; and such judge is hereby authorized and required to administer such oath:

“3. Three members of the board shall form a quorum: Quorum.

“4. The board shall, from time to time, appoint a fit and proper person to be secretary thereof, who shall keep a record of its proceedings: Secretary.

“5. The Minister of the Interior may cause examinations of candidates for commissions as Dominion land surveyors, or as articulated pupils, to be held at such times and places as he directs, by one of the members of the board, but such examinations shall be subject to the rules and regulations made by the board in that behalf, and shall have no effect unless they are conducted in accordance with such rules and regulations, and are subsequently approved by the board.” Powers of Minister as to examinations.

“89. No person shall be admitted as an articulated pupil with any Dominion land surveyor unless he has previously passed an examination before the board of examiners, or before one of the members thereof, as to his penmanship and orthography, and also as to his knowledge of arithmetic, algebra, including quadratic equations, plane geometry, plane trigonometry, spherical trigonometry as far as the solution of triangles, the mensuration of superficies, and the use of logarithms, and has obtained a certificate of such examination, and of his proficiency, from such board.” Examination for articles as pupils.

13. Sub-clause one of clause ninety-one of the said Act is hereby repealed, and the following substituted therefor:— Sub-clause of 91 repealed.

“91. No pupil shall be entitled to be examined before the board, or before one of the members thereof, for admission as a Dominion land surveyor, unless he has previously served regularly and faithfully for and during the period of three successive years, under articles in writing, in the form O, in the schedule to this Act, duly executed before two witnesses, as pupil of a Dominion land surveyor, and unless he produces an affidavit from such surveyor in the form O 2 in the schedule to this Act, together with his own affidavit in the form O 3 in the schedule to this Act, that he has so served; or if for some good and valid reason such affidavits cannot be produced, unless he produces such evidence of the service as the board requires; and such three years' service shall include at least twelve months' actual practice in the field.” Conditions precedent to examination for admission as surveyor.

14. Clause ninety-two of the said Act is hereby repealed, and the following substituted therefor:— Clause 92 repealed.

“92.

New clause.
Transfer of
pupil.
Proviso.

“**92.** 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; but such pupil shall not be entitled to examination unless he produces the affidavits of both surveyors in the form O 2 in the schedule to this Act, or in default thereof, such evidence as is required by the next preceding clause.”

Clauses 95,
96 and 97 re-
pealed, and
new substitut-
ed.

15. Clauses ninety-five, ninety-six and ninety-seven of the said Act are hereby repealed and the following substituted therefor:—

As to admis-
sion of sur-
veyors from
provinces.

“**95.** Every person who, subsequently to the fourteenth day of April, one thousand eight hundred and seventy-two, was or becomes duly qualified by certificate, diploma or commission, to survey lands in any Province of Canada, and who, in order to become so qualified, has served a term under articles to a surveyor, similar to the term prescribed by this Act, and has passed an examination in the subjects prescribed by clauses eighty-nine and ninety-nine hereof before the board of examiners of such Province, shall be entitled to obtain a commission as Dominion land surveyor, without being subjected to any examination other than with respect to the system of survey of Dominion lands; but 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 clauses to entitle him, under the foregoing provisions, to such commission; and before any such commission as Dominion land surveyor is granted it shall 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 with respect to 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.”

Board to
judge as to
qualification.

Proviso for
reciprocity by
province.

As to admis-
sion of sur-
veyors from
other parts of
Her Majesty's
Dominions.

“**96.** Every person who shows, to the satisfaction of the board of examiners, that he has been duly admitted as a surveyor of lands in any part of Her Majesty's dominions other than the Provinces of Canada, to which the provisions of the next preceding clause relate, and that he has had at least two years' practice either as a surveyor or as a pupil to a surveyor, of which practice at least six months has been in the field, shall be entitled to a commission on passing an examination in the subjects set forth in clauses eighty-nine and ninety-nine of this Act, and on his producing an affidavit from a Dominion land surveyor in the form O 2 in the schedule to this Act, that such person has, in addition to the service aforesaid, served for one year with him, including at least six months' actual practice with him in the field.”

“**97.**

“**97.** Every graduate in surveying of the Royal Military College of Canada, and every person who has 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 a complete course of theoretical and practical instruction in surveying is organized, and who has thereupon received from such college or university a diploma as civil engineer, shall be exempt from serving three years as aforesaid, and shall be entitled to examination after one year's service under articles with a Dominion land surveyor, at least six months of which service has been in the field, on producing the affidavit required by the next preceding clause as to such service; but it shall rest with the board to decide whether the course of instruction in such college or university is that required by this clause.”

And of graduates from colleges.

Proviso: power of board.

16. Clause ninety-nine of the said Act is hereby repealed and the following substituted therefor:—

Clause 99 repealed, and new substituted.

“**99.** No person shall, unless he is thereto entitled under any other clause of this Act, receive a commission from the board authorizing him to practise as a Dominion land surveyor, unless he has complied with the foregoing provisions of this Act, nor until he has attained the full age of twenty-one years and has passed a satisfactory examination before the board, or before a member thereof as hereinbefore provided, on the following subjects, that is to say: plane and solid geometry; spherical trigonometry, so far as it includes solution of triangles; the use of logarithms; measurement of areas, including their calculation by latitude and departure, and the dividing or laying off land; a knowledge of the elements of practical astronomy and the solution of the following elementary problems:—

Examination for admission as surveyor.

In mathematics.

“(a.) To ascertain the latitude of a place from an observation of a meridian altitude of the sun or of a star;

In practical astronomy.

“(b.) To obtain the local time and the azimuth from an observed altitude of the sun or a star;

“(c.) From an observed azimuth of a circumpolar star, when at its greatest elongation from the meridian, to ascertain the direction of the latter;

“He shall 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 in a style of draughtsmanship satisfactory to the board, the describing of land by metes and bounds for title, and with the adjustments and methods of use of ordinary surveying instruments; and shall also be

In surveying operations and use of instruments.

perfectly conversant with the system of survey as embodied in this Act, and with the manual of standing instructions and regulations published by the authority of the Minister of the Interior, from time to time, for the guidance of Dominion land surveyors."

Sub-clause repealed.

17. Sub-clause one of clause one hundred and one of the said Act is hereby repealed and the following substituted therefor :—

New sub-clause.

" **101.** Every person who passes the examination prescribed by this Act, and every person who is entitled to receive a commission under clause ninety-five of this Act, shall receive a commission from the board in accordance with the form P 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 before a judge of any one of the superior courts in any Province of Canada, who is hereby authorized and required to administer such oaths, or before the board, any member of which may administer the same, the oath of allegiance, and an oath in the form following :—

Commission to successful candidate on his giving certain security to Her Majesty.

Oath of office.

" 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, affection or partiality : So help me God "

Clause 102 repealed.

18. Clause one hundred and two of the said Act is hereby repealed and the following substituted therefor :—

New clause. Voluntary examination in higher branches of study.

" **102.** Every Dominion land surveyor who has previously given the notice prescribed in clause ninety-eight of this Act may be examined as to his knowledge of the following subjects relating to the higher branches of surveying, qualifying him, in addition to the performance of the duties declared by this Act to be within the competence of Dominion land surveyors, for the prosecution of extensive governing or topographic surveys, or those of geographic exploration, that is to say :—

Mathematics.

" (a) Algebra ;

" (b.) Plane and spherical trigonometry ;

" (c.) The plane co-ordinate geometry of the point, straight line, circle and ellipse, and the transformation of co-ordinates ;

" (d.) The geometrical theory of limits, and the determination of the form, magnitude and radius of curvature of any plane section of a spheroid of revolution ;

" (e.)

“(e.) Differential calculus as far as Taylor’s and McLaurin’s theorems, with its practical application ;

“(f.) Methods of trigonometrical 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, regard being had to the effect of the figure of the earth ;

Geodetic surveying.

“(g.) The theory of the projections and developments used in the delineation of spherical surfaces ;

Delineation of spherical surfaces.

“(h.) The portion of the theory of practical astronomy which relates to the determination of the geographic position of points on the earth’s surface and the directions of lines on the same ;

Practical astronomy.

“(i.) The use of the method of least squares in combining direct and indirect observations, the solution of simple equations of condition and the determination of the probable and the mean error ;

Problems.

“(j.) The theory of the Dominion lands system of survey, the methods of surveying blocks and township outlines and of making tract, micrometer and exploratory surveys ;

Dominion lands system of survey.

“(k.) The theory and use of the instruments used in connection with the foregoing, and also of the ordinary meteorological instruments ;

Use of instruments.

“(l.) 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 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 Canada ;

Mineralogy and geology.

Geology of N. America.

“(m.) Methods of trigonometrical levelling, of measurement of heights by barometer or by the temperature of boiling water, and the use of the pendulum in determining the compression of the earth ;

Trigonometrical levelling.

“(n.) The instruments and methods used in determining the magnetic declination, inclination and intensity.”

Magnetic observations.

19. Sub-clause six of clause one hundred and four is hereby repealed, and the following substituted therefor :—

Clause 104 amended.

“6. To the secretary of the board as an admission fee by any candidate receiving a commission, twenty dollars ; but

Fees to secretary.

such amount, as also the ten dollars required to be paid under sub-clause two of this clause, shall be paid to the Minister of Finance and Receiver General to the credit of Dominion lands ”

New sub-clause added.

2. The following are hereby added to the said clause one hundred and four as sub-clauses seven and eight thereof:—

Fees to secretary.

“ 7. To the secretary of the board by each applicant who obtains a commission as Dominion topographical surveyor, as his fee thereon, two dollars ;

The same.

“ 8. To the secretary of the board for testing a surveyor's standard of length, two dollars ”

Clauses 105, 106 repealed.

20. Clauses one hundred and five and one hundred and six of the said Act are hereby repealed and the following substituted therefor :—

New clause. Allowances to members of boards of examiners.

“ 105. Every member of the board who attends at the meetings thereof, and the secretary and every member who holds an examination as provided by clause eighty-eight, 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 shall pay such sums ; but no member of the board, if he has to travel more than one hundred miles in order to be present at the meeting, shall receive any allowance for travelling expenses for attending such meeting, unless such member was previously specially notified to attend the same by the secretary. ”

Proviso.

New clause. Suspension or dismissal of surveyor for negligence or corruption.

“ 106. The board may, in its discretion, suspend or dismiss from the practice of his profession any Dominion land or topographical surveyor whom it finds guilty of gross negligence or corruption in the execution of the duties of his office ; but the board shall not suspend or dismiss such 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 ; and if, after being summoned as aforesaid, the surveyor does not appear, the board may appoint a fit and proper person to present the evidence on behalf of the surveyor.”

Clause 109 repealed.

21. Clause one hundred and nine of the said Act is hereby repealed, and the following substituted therefor :—

New clause. Standard of measures of length.

“ 109. 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

tested and stamped as correct by the Department of Inland Revenue, shall be furnished to him by the secretary of the board on payment of a fee of eight 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; and the said standard measure shall be returned to the secretary of the board as often as it requires to be tested again:

"2. Every surveyor who is found performing his duties without being in possession of the standard measure which, by this clause, he is required to have, shall be liable to be suspended for a period not exceeding twelve months."

Penalty for not having standard.

22. The following are hereby added to the schedule to the said Act as form O 2 and form O 3:—

Forms added to schedule, as to service of pupils.

— — —
"FORM O 2.

I, A B., of _____ Dominion land surveyor, do solemnly swear that C.D. has served regularly and faithfully as my pupil from the _____ day of _____ 18 _____ to the _____ day of _____ 18 _____. That he has been engaged with me in the field on the following surveys, that is to say:

From the _____ day of _____, to the _____ day of _____ on the survey of _____ at _____
 From the _____ day of _____ to the _____ day of _____ on the survey of _____ at _____
 _____, and that the said C.D. has always conducted himself with all due diligence, honesty and sobriety on the said service.

Sworn before me _____ }

— — —
"FORM O 3.

I, C D., of _____, do solemnly swear that I have attained the full age of twenty-one years; that I have served regularly and faithfully with A.B., Dominion land surveyor, as his pupil, from the _____ day of _____ 18 _____, to the _____ day of _____ 18 _____. That I have been engaged with him in the field between the following dates on the following surveys, that is to say:

From

From the day of to the day of
 on the survey of at
 From the day of to the day of
 on the survey of at

Sworn before me }

23. This Act shall be read and construed as one with the said Act.

CHAP. 28.

An Act to make further provision respecting the Administration of the Public Lands of Canada in British Columbia.

[Assented to 2nd June, 1886.]

Preamble.

46 V., c. 17,
s. 2.

47 V., c. 6.

WHEREAS it is expedient to enable the Governor in Council to extend the jurisdiction of the Dominion Lands Board, appointed under the provisions of the "*Dominion Lands Act, 1883*," to the public lands of Canada in the Province of British Columbia, for the administration of which provision is made by section eleven of the Act forty-seventh Victoria, chapter six: Therefore Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Governor in Council may extend the powers of the Lands Board to lands in British Columbia.

46 V., c. 17.

1. The Governor in Council may declare that the jurisdiction of the said Dominion Lands Board shall extend to all public lands in the Province of British Columbia which are the property of Canada, and for the administration of which provision is made by the Act secondly cited in the preamble to this Act, and thereupon the said Dominion Lands Board shall, as respects the said lands, have the like powers and perform the like duties as are conferred upon and assigned to them in relation to public lands of Canada, for the administration of which provision is made by the "*Dominion Lands Act, 1883*."

CHAP. 29.

An Act to make further provision respecting grants of land to members of the Militia Force on active service in the North-West.

[Assented to 2nd June, 1886.]

WHEREAS it is expedient to make further provision, as hereinafter set forth, respecting the grants of land authorized to members of the Militia Force by the Act passed in the session held in the forty-eighth and forty-ninth years of Her Majesty's reign, and chaptered seventy-three: Therefore Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, declares and enacts as follows:—

1. In the Act hereinbefore cited the expression "member of the enrolled militia force actively engaged and bearing arms in the suppression of the Indian and Half-breed outbreak" shall be deemed to include, in addition to the members of the said force mentioned in the said Act:—

(a.) Every officer, non-commissioned officer and man of any irregular force raised by authority and actively engaged and bearing arms in the suppression of the said outbreak, other than as a home guard for the protection of property at or near their place of residence;

(b.) Every scout actively engaged during the said outbreak whose services have been certified to by competent authority;

(c.) The master, pilot and every member of the crew of the steamer "Northcote" and every member of the crew of every other boat engaged in action during the said outbreak;

(d.) Every person regularly appointed to the medical staff, and actively engaged during the said outbreak;

(e.) Nurses and hospital dressers actively engaged, by authority, during the said outbreak, and reported for special meritorious service by the Major-General commanding;

(f.) Every officer, non-commissioned officer and man of a corps of the enrolled Militia Force, which corps served in the suppression of the said outbreak west of Port Arthur, who, having started with the corps to which he belonged for service as aforesaid, was incapacitated through accident and ordered to return home or was invalided, not through any fault of his own, before the corps to which he belonged reached Port Arthur; and if any such officer, non-commissioned officer

If since dead. officer or man so ordered to return home or invalided has since died, then his legal representative or representatives.

Privilege granted to members of Militia Force holding certificate of homestead and pre-emption entry.

2. Every member of the enrolled Militia Force, to whom the Act hereinbefore cited as hereby amended, applies, who, at the time he was called out for active service in suppressing the outbreak in the said Act mentioned, was the holder of a certificate of a homestead and pre-emption entry, under "*The Dominion Lands Act, 1883*," may tender the warrant mentioned in section three of the Act hereinbefore first cited in payment of all moneys due by him in respect of such pre-emption entry, and such warrant shall be received by the proper officer as a payment in cash to an equivalent amount; but no such warrant shall be receivable under the provisions of this section from any substitute of any such member of the enrolled Militia Force, under the said first cited Act.

Proviso.

And to certain members thereof serving under section 21, of Militia Act, 1883, and of schools of military instruction.

3. Any member of the several corps, enlisted and serving under the provisions of section twenty-one of "*The Consolidated Militia Act of 1883*," or of the Schools of Military Instruction constituted thereunder, who is entitled to participate in the advantages conferred by the Act hereinbefore first cited, may tender the warrant mentioned in section three of the said first cited Act, in payment *pro tanto* for any land he selects for settlement within six months from the expiry of his term of service under the said section twenty-one: Provided always, that such member shall, on or before the first day of August, one thousand eight hundred and eighty-six, notify the Minister of the Interior whether he will accept a warrant to be applied as in this section before mentioned, or scrip for eighty dollars, as in the said first cited Act provided.

Proviso.

CHAP 30.

An Act respecting Tolls over the Dunnville Dam and Bridge connecting works constructed over the Grand River.

[Assented to 2nd June, 1886]

Preamble.

WHEREAS the work known as the Dunnville Dam and Bridge, erected over the Grand River is a public work of Canada vested in Her Majesty and under the control and management of the Minister of Railways and Canals; and whereas public convenience would be greatly promoted by the abolition of the collection of tolls for the use of the said Dam and Bridge and by allowing free passage over the same: Therefore

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

1. Notwithstanding anything in the “ *Act respecting the Public Works of Canada,*” or in any other Act contained, no tolls shall be hereafter levied or collected for passage over the Dam and Bridge mentioned in the preamble to this Act. No tolls to be levied for passage over the said work.

CHAP. 31.

An Act respecting the Union Suspension Bridge.

[Assented to 2nd June, 1886.]

WHEREAS the Union Suspension Bridge, erected over Preamble. the River Ottawa, between the cities of Ottawa and Hull, is a public work of Canada vested in Her Majesty and under the control and management of the Minister of Public Works; and whereas public convenience would be greatly promoted by the abolition of the collection of tolls for the use of the said bridge and by allowing free passage over the same: Therefore Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows :—

1. Notwithstanding anything in the “ *Act respecting the Public Works of Canada,*” or in any other Act contained, no tolls shall be hereafter levied or collected for passage over the bridge mentioned in the preamble to this Act. No tolls to be hereafter taken for passing the said bridge.

CHAP. 32.

An Act respecting the Burlington Bay Canal

[Assented to 2nd June, 1886.]

WHEREAS it is expedient in the interests of navigation, Preamble. and for the convenience of the public, that tolls for the use of the public work hereinafter mentioned should no longer be collected: Therefore Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows :—

Tolls on canal
abolished.

1. Notwithstanding anything contained in the Act thirty-first Victoria, chapter twelve, intituled "*An Act respecting the Public Works of Canada*," no tolls shall hereafter be payable or collected in respect of the use of the public work near the city of Hamilton, in the Province of Ontario, commonly called the Burlington Bay Canal.

CHAP. 33.

An Act for the relief of the Corporation of the Town of Cobourg.

[Assented to 2nd June, 1886]

Preamble.
Recital of
case of town
of Cobourg.

WHEREAS it appears by the Public Accounts of the Dominion for the financial year ending on the first day or July, one thousand eight hundred and eighty-four, that the corporation of the town of Cobourg was then indebted to the Government of the Dominion in the sum of forty-four thousand seven hundred and ninety-eight dollars and twenty-four cents, such indebtedness arising out of their purchase of the Cobourg Harbor and the Port Hope and Rice Lake Road; and whereas the said corporation have represented that they contributed in the financial year one thousand eight hundred and seventy-six and seventy-seven the sum of twenty-five thousand five hundred and seven dollars and forty-nine cents, towards defraying the cost of constructing the harbor of refuge at Cobourg, established by the Government, which, though of great advantage to the shipping of the whole Dominion as a large and safe harbor of refuge, is of no special advantage to the town of Cobourg, no revenue being derived therefrom; and the said corporation has prayed for relief to the amount of their said contribution, and it is expedient to grant their prayer on the condition hereinafter mentioned: Therefore Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Reduction of
debt to Gov-
ernment by
amount of
contribution
for harbor of
refuge.

1. On the payment by the said corporation of the balance of the said sum of forty-four thousand seven hundred and ninety-eight dollars and twenty-four cents, together with the interest due thereon, after deducting therefrom the said sum of twenty-five thousand five hundred and seven dollars and forty-nine cents, the Government may discharge the said corporation from all further indebtedness on account of the said first-mentioned sum, or any interest thereon.

CHAP.

CHAP. 34.

An Act further to amend "The Steamboat Inspection Act, 1882."

[Assented to 2nd June, 1886.]

WHEREAS it appears by a despatch from Her Majesty's Secretary of State for the Colonies, and other documents laid before Parliament by His Excellency the Governor General, that the Board of Trade of the United Kingdom have reported to Her Majesty that they were satisfied that the examination under the Canadian laws of persons applying for certificates of competency as engineers on board sea-going steamboats or vessels propelled wholly or in part by steam, are so conducted as to be equally efficient with the examinations for the like purpose under the Imperial Acts relating to merchant shipping, and are granted on such principles as to show like qualifications and competency as those granted under the said Imperial Acts, and are liable to be forfeited for the same reasons and in the like manner: and that Her Majesty will be advised to extend the provisions of the Order in Council made under the "*Merchant Shipping (Colonial) Act 1869*," and dated the twenty-ninth day of June, one thousand eight hundred and eighty-two, making the colonial certificates of competency granted by the Minister of Marine and Fisheries in Canada to persons intending to act as masters or mates on board British sea-going ships of the same force as if they had been granted under the said Imperial Acts, to certificates of competency as first-class or second-class engineers for sea-going British ships; and in view of such extension it is expedient to amend the said "*Steamboat Inspection Act, 1882*," as hereinafter mentioned: Therefore Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

1. Certificates of competency granted under "*The Steamboat Inspection Act, 1882*," to persons examined and found qualified under it as engineers, shall hereafter be granted by the Minister of Marine and Fisheries, instead of the Board of Inspection, and shall be on parchment and signed by the said Minister instead of the chairman of the said Board; and any such certificate in force at the time of the passing of this Act, may be delivered up by the holder thereof to the said Minister, who may thereupon give to the holder a certificate on parchment and signed as hereby required.

2. Every certificate of competency to which it is intended that the said Order of Her Majesty in Council, shall apply, shall have the word "*Canada*" inserted prominently on

Preamble.
Recital.

Imp. Act 33
V., c. 11.

45 V., c. 35.

Certificates of
competency
as engineer
to be granted
and signed by
the Minister.

As to those to
be used under
the Order of
Her Majesty
in Council.
on

on its face and back, and shall be as nearly as possible similar in shape and form to corresponding certificates of competency for the foreign trade granted by the Board of Trade under the Acts relating to merchant shipping, and shall be numbered in consecutive order :

On what proof of service to be granted.

2. Such certificate shall be granted only on proof that the previous service at sea of the person applying for the same has been such as is required by the regulations for the time being in force in the United Kingdom with respect to certificates of like grade :

To be subject to forfeiture for certain offences.

3. Every such certificate of competency shall be subject to be suspended or cancelled by the Board of Trade for like offences or causes and in like manner, as certificates granted under the Imperial Acts relating to merchant shipping, all the provisions whereof or of any Order of Her Majesty in Council made under them shall apply to such certificates,— or to be revoked for cause by the Minister of Marine and Fisheries under the provisions of the Act hereby amended.

Certificates granted under Imperial Acts to be in force as to Canadian ships.

3. Certificates of competency as first or second class engineers in sea-going ships, granted under the Imperial Acts relating to merchant shipping, shall, after the time of the coming into force of the Order of Her Majesty in Council referred to in the preamble to this Act, and while in force under the said Imperial Acts, be of the same force and effect in Canada as if granted under the Act hereby amended, but subject to be forfeited for cause, as respects ships to which "*The Steamboat Inspection Act, 1882,*" applies, as if granted under the said Canadian Act.

As to sections hereby amended.

4. The sections hereinafter referred to as amended are those of "*The Steamboat Inspection Act, 1882.*"

Section 9, amended.

5. Section nine is so amended that it shall read and have effect as follows :—

Powers and duties of chairman of the Inspection Board.

"9. The chairman of the Board of Steamboat Inspection, who shall also be the Supervising Inspector, may at any time, inspect or examine the hull, equipment, boiler, and machinery of any steamboat, and if he suspects any inspector of having neglected his duty in relation to such steamboat, or in any other respect, he may call a meeting of the board to investigate the case, or may himself investigate it; and the result of such investigation shall be forthwith communicated in writing to the Minister of Marine and Fisheries: he shall receive and examine all reports and accounts of inspectors, and report fully to the Minister upon all matters pertaining to his official duties, so as to ensure, as far as possible, a uniform and efficient administration of the inspection laws, rules and regulations: "

6. The first sub-section or paragraph of section sixteen, is so amended that it shall read and have effect as follows:—

Section 16,
amended.

“16. If the inspector of hulls who inspects any steamboat in the manner required by this Act, approves the hull and equipment of such steamboat, he shall sign a certificate in triplicate according to the form A, in the schedule to this Act, and such triplicate certificate shall be delivered by him to the inspector of boilers and machinery for the same district, who when he has inspected and approved the boilers and machinery of the steamboat, shall make and sign in triplicate upon the same sheet of paper, a certificate according to the form A, in the said schedule, and shall deliver two of the triplicates of the said certificates to the owner or master of the steamboat, who shall deliver one triplicate to the chief officer of Customs as aforesaid, and shall cause the other to be posted up, framed and protected by glass, in some conspicuous part of the steamboat for the information of the public; and the inspector of boilers and machinery shall retain the other triplicate for the purposes of this Act.”

Certificates
of inspection
how and by
whom granted,
and how
to be dealt
with

7. Sub-section four of section sixteen, is so amended that it shall read and have effect as follows:—

Section 16,
further
amended.

“4. Each inspector shall keep a register of the inspections and certificates made and granted by him, in such form and with such particulars respecting them, as the chairman of the Inspection Board shall, from time to time, require, and shall furnish copies thereof to the chairman when required.”

Register of
inspections.

8. Sub-section three of section seventeen is amended by inserting the words “their strength compared with” after the words “according to” in the eighth line thereof:

Section 17,
amended.

2. Sub-section four of section seventeen is amended by inserting the words “their strength compared with” after the words “according to” in the seventeenth line thereof:

Further
amended.

3. The first paragraph of sub-section seven of section seventeen, is so amended that it shall read and have effect as follows:—

Further
amended.

“7. The external working pressure to be allowed on plane circular iron furnaces and flues subjected to such pressure, when the longitudinal joints are welded or made with a butt strap, shall be determined by the following formula:—

Working
pressure to be
allowed in
certain cases.

9. Sub-section thirteen of section seventeen is so amended that it shall read and take effect as follows:—

Further
amendmen t.

Donkey
boilers.

“ 13. Donkey boilers on steamboats shall be provided with a safety valve which may be locked up.”

Section 19,
amended.

10. Sub-section two of section nineteen is so amended that it shall read and have effect as follows :—

Cocks and
valves to
boilers.

“ 2. The boiler cocks and valves attached to the boilers, shall be substantially made, and in no case shall they be attached to the boilers by screwing into the plate, unless, as an additional security, bolted flanges be used in addition to such attachment.”

Further
amended.

11. Sub-section four of section nineteen, is so amended that it shall read and have effect as follows :—

Lock-up safe-
ty valves.

“ 4. The lock-up safety valves shall be of a construction approved by the Board of Steamboat Inspection,—such valves to be tested and proved by an inspector before use; and no inspector shall grant a certificate to any steamboat unless the boiler, or each boiler if more than one, of such steamboat be provided with a safety valve.”

Repeal of part
of section 32.

12. Sub-section two of section thirty-two is hereby repealed.

Section 36,
amended.
As to life
preservers.

13. Each life preserver required by section thirty-five shall have a buoyancy equal to sustaining twenty-three pounds of iron immersed in water.

Provision
added to sec-
tion 39.

As to use of
coal oil
lamps.

14. The following provision is hereby added to the first sub-section or paragraph of section thirty-nine, after the words “ in use on board ”:—“ and no coal oil lamp shall be used between decks on any passenger steamboat, in which hay or other inflammable material is carried, under a penalty of one hundred dollars for each contravention of this provision, nor shall any coal oil which will not bear a test of three hundred degrees Fahrenheit without taking fire be used on any passenger steamboat.”

Section 45,
amended.

Certificates
not to be
subject to
renewal.

15. So much of section forty-five, as requires that the certificate of any engineer shall be subject to renewal, yearly or otherwise, is repealed, as is also so much of the said section as authorizes the Board of Inspection to grant any such certificate, and every certificate hereafter granted shall be for life or during good conduct, and shall be signed by the Minister of Marine and Fisheries; and for every such certificate granted on the delivery up under section one of this Act of an unexpired certificate, or on the expiration of the term for which any certificate was granted, the applicant shall pay one dollar, but the sum payable for the first certificate to an engineer of any class, or for a certificate raising him to a higher class after re-examination, shall be

Fees payable
on those
granted under
section 1, or
on expiration
of present
certificates.

as now five dollars; and the said sums shall be paid and applied as provided in the said section forty-five.

16. Sub-section four of section forty-six is hereby amended by adding after "as" in the first line the words "second or third class engineers, or as." Section 46, amended.

17. Section fifty-two is so amended that it shall read and have effect as follows:— Section 52, amended.

"**52.** Each chief officer of Customs shall demand of the owner or master of every steamboat entered, cleared or otherwise officially dealt with by such officer, the production of the certificate of inspection of such steamboat and of the receipt for the payment of the rate or duty mentioned in section fifty of this Act, in respect of such steamboat; and if such certificate and receipt are not so produced, then such chief officer shall seize and detain the said steamboat until the same are produced and exhibited, and any penalty incurred and lawfully imposed on such steamboat under the provisions of this Act, has been paid in full; and in default of payment such chief officer shall sell such steamboat for the payment of such rate or duty and penalties, in the usual manner, and shall deal with the proceeds as if the penalties were incurred for violation of the Customs laws"

Chief officer of Customs to demand production of certificate of inspection and receipt for duty.
Penalty if certificate is not produced.

18. Section thirty-six is so amended that it shall read and have effect as follows:— Section 36, amended.

"**36.** A cork jacket with shoulder straps and waist lines for fastening the same around the body, or such other description of life-preserver as the Governor in Council approves, shall be the form of life-preserver to be used on passenger steamboats."

Description of life preservers.

19. Schedule A of the said Act is so amended that it shall read and have effect as follows:— Schedule A, amended.

"SCHEDULE A.

"Certificate of the Inspector of Hulls and Equipment, for a steamboat to carry passengers, or a freight boat of or over 150 tons gross.

"Having examined the hull and equipment of the steamboat (*name*), of _____, whereof _____ is (*or are*) owner (*or owners*) and _____ is master, on this _____ day of _____, A.D. 18 _____ :

Form. Certificate of inspector of hulls and equipment.

"The particulars of her gross and register tonnage, as shown on her certificate of registry being as follows:—

Tonnage

	Tons.
Tonnage under tonnage deck.....	
Houses on deck (<i>naming them</i>).....	
Total gross tonnage	
Deduct for engine room.....	
Register tonnage.....	

“I (*Inspector's name*), Inspector of Hulls and Equipment, do hereby certify that her hull is in all respects staunch, seaworthy and in good condition for navigation; that the equipment of the vessel throughout is in conformity with the requirements of “*The Steamboat Inspection Act, 1882,*” the said steamboat having on board, properly placed and in good order for immediate service,—

“(*Number*) boats, having together a carrying capacity for persons; lifeboats, having (together) a carrying capacity for persons; life preservers; wooden floats; fire buckets; axes; lanterns, and one life buoy having a proper heaving line attached; and that she has the fire-pumps, hose and other appliances for extinguishing fire required by the said Act, and placed as therein provided, and in every way efficient and according to the requirements of the said Act; and I further certify that the said steamboat is permitted to run on the waters between (*here insert the places between which the steamboat is to be employed in running, and the season or period of time during which she may be so employed, and for which the certificate is granted, and if she is a passenger steamboat, add*: and that she is adapted and fit to carry (*number*) passengers and no more (*as the case may be*).

“Date (*time and place*).

A. B.,

Inspector of Hulls and Equipment.

“*Certificate of the Inspector of Boilers and Machinery for the same Steamboat.*

And of
inspector of
boilers and
machinery.

“And I (*Inspector's name*), Inspector of Boilers and Machinery, do hereby certify, that the engine, boiler and machinery of the steamboat (*name*) are sufficient and suitable to authorize her being lawfully employed in the carriage of passengers (*or as a freight boat, or as a ferry boat, as the case may be*), without hazard to life, on the route on which she is to be placed, as hereinafter mentioned; that the engine of the said steamboat is of nominal horse power, and that her boiler can carry with safety pounds of steam pressure per square inch, and no more.

“*Add*”

“ Add the certificate as to the waters on which the steamboat is to run, as in the certificate of the Inspector of Hulls and Equipment.

“ Date (time and place)

C. D.,
Inspector of Boilers and Machinery.”

20. Nothing in this Act shall invalidate or affect any inspection made or certificate of inspection granted in conformity to the Act hereby amended, before the passing of this Act. Inspection prior to this Act not affected.

CHAP. 35.

An Act respecting certain works constructed in or over Navigable Waters.

[Assented to 2nd June, 1886.]

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

1. In this Act, unless the context otherwise requires, the expression “ work ” means and includes any bridge, boom, dam, aboiteau, wharf, dock, pier or other structure, and the approaches or other works necessary or appurtenant thereto ; and “ lawful work ” means and includes any “ work ” not contrary to the law in force at the place of the construction thereof at the time of such construction. Interpretation.
“ Work.”
“ Lawful work.”

2. The local authority, company or person proposing to construct any work in navigable waters, for which no sufficient sanction otherwise exists, may deposit the plans thereof and a description of the proposed site with the Minister of Public Works, and a duplicate of each in the office of the registrar of deeds for the district, county or province in which such work is proposed to be constructed, and may apply to the Governor in Council for approval thereof, and shall give one month’s notice of the said deposit of plans and application, by advertisement in the *Canada Gazette*, and in two newspapers published in or near the locality where such work is to be constructed. Plans with description of site to be deposited and notice given.

3. Any local authority, company or person may proceed in like manner to obtain the approval by the Governor in Council of the site and plans of any work heretofore constructed. Obtaining approval of work already constructed.

4. No approval shall be given under this Act of the site or plans of any bridge over the river St. Lawrence. Act not to apply to bridge over River St. Lawrence.

Rebuilding or repairing lawful work.

5. Any lawful work may be rebuilt or repaired if the interference with navigation is not increased by such rebuilding or repairing.

Powers of Parliament reserved.

6. Parliament may, at any time, annul or vary any order of the Governor in Council made under this Act; and any action of Parliament in that behalf shall not be deemed an infringement of the rights of the local authority, company or person concerned.

Proviso: as to works constructed under certain authority.

7. Nothing hereinbefore contained, except the provisions of the first and fifth sections hereof, shall apply to any work constructed under the authority of any Act of the Parliament of Canada, or of the legislature of the late Province of Canada, or of the legislature of any Province now forming part of Canada, passed before such Province became a part thereof.

Regulations to be made by Order in Council as to works.

8. The Governor in Council may, from time to time, make such orders or regulations as he deems expedient for the purpose of maintaining existing facilities for navigation, or for securing better facilities therefor, respecting any work to which this Act applies, or of which the plan and site have been or are hereafter approved under any Act of the Parliament of Canada; and the local authority, company or person constructing, owning or in possession of any such work shall be subject to such orders or regulations.

Enactments repealed.

9. The Acts and parts of Acts mentioned in the schedule hereto, are hereby repealed.

SCHEDULE.

Year of Reign and Chapter.	Title of Act.	Extent of Repeal.
45 Vict., c. 37....	An Act respecting bridges over navigable waters, constructed under the authority of Provincial Acts.....	The whole, except sections 1, 2, 6 and 11.
46 Vict., c. 43....	An Act respecting booms and other works constructed in navigable waters, whether under the authority of Provincial Acts or otherwise.....	The whole, except section 1.
46 Vict., c. 44....	An Act to amend an Act of the present session, respecting booms and other works constructed in navigable waters, whether under the authority of Provincial Acts or otherwise.....	The whole.
48-49 Vict., c. 6..	An Act to amend the law respecting bridges, booms and other works constructed over or in navigable waters, under the authority of Provincial Acts..	The whole.

CHAP. 36.

An Act respecting the protection of Navigable Waters.

[Assented to 2nd June, 1886.]

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

1. In this Act, unless the context otherwise requires:—

Interpreta-
tion of terms
used.
Vessel.

(a.) The expression "vessel" includes every description of ship, boat or craft of any kind, and whether propelled by steam or otherwise, and whether used as a sea-going vessel or on inland waters only;

(b.) The expression "owner" means the registered owner.

Owner.

2. If the navigation of any navigable water, over which the Parliament of Canada has jurisdiction, is obstructed, impeded or rendered more difficult or dangerous by the wreck, sinking, lying ashore or grounding of any vessel or part thereof or other thing, the owner, master or person in charge of such vessel or other thing, by which any such obstruction or obstacle is caused, shall forthwith give notice of the existence thereof to the Minister of Marine and Fisheries, or to the collector of customs at the nearest or most convenient port, and shall place and, as long as such obstruction or obstacle continues, shall maintain, by day a sufficient signal and by night a sufficient light to indicate the position thereof,—and in default of giving such notice and placing and maintaining such signal and light shall, on summary conviction before two justices of the peace, be liable to a penalty of forty dollars for every day during which he neglects so to do without lawful or reasonable excuse.

Notice of any
obstruction to
be given to
the Minister
of Marine and
Fisheries.

Signal to be
placed to in-
dicate such
obstruction.

Penalty for
neglect.

3. The Minister of Marine and Fisheries may cause such signal and light to be placed and maintained, if the owner, master or person in charge of such vessel or other thing by which the obstruction or obstacle is caused fails or neglects so to do.

Minister may
cause signal
to be placed.

4. If, in the opinion of the Minister of Marine and Fisheries, the navigation of any navigable water as aforesaid is obstructed, impeded or rendered more difficult or dangerous by reason of the wreck, sinking, lying ashore or grounding of any vessel or of any part thereof, or other thing, the said Minister may, under the authority of the Governor in Council, if such obstruction or obstacle continues for more than twenty-four hours, cause the same to be removed.

Minister may
cause obstruc-
tion to be
removed.

Sale of vessel causing obstruction for costs incurred and application of proceeds.

removed or destroyed, in such manner and by such means as he thinks fit, and may use gunpowder or other explosive substance for that purpose if he deems it advisable, and may cause such vessel, or its cargo, or any thing causing or forming part of such obstruction or obstacle to be conveyed to such place as he thinks proper, and to be there sold by auction or otherwise as he deems most advisable, and may apply the proceeds of such sale to make good the expenses incurred by him in placing and maintaining any signal or light to indicate the position of such obstruction or obstacle, or in the removal, destruction or sale of such vessel, cargo or thing,—paying over any surplus of such proceeds to the owner of the vessel or thing sold, or other persons entitled to such proceeds or any part thereof, respectively.

Recovery of cost if proceeds of sale are insufficient to defray it.

5. Whenever, under the provisions of this Act, the Minister of Marine and Fisheries has caused any signal or light to be placed and maintained to indicate the position of any obstruction or obstacle, or has, with the authority of the Governor in Council, caused to be removed or destroyed any obstruction or obstacle to the navigation of any navigable water occasioned by the wreck, sinking or lying ashore or grounding of any vessel or part thereof, or other thing, and the cost of placing and maintaining such signal or light or of removing or destroying such vessel or part thereof or other thing has been defrayed out of the public moneys of Canada, and the net proceeds of the sale under this Act of such vessel or its cargo, or the thing, which caused or formed part of such obstruction, are not sufficient to make good the expenses incurred for the purposes aforesaid and the costs of sale, the amount by which such proceeds fall short of the expenses so defrayed as aforesaid, and such costs—or the whole amount of such expenses, if there is nothing which can be sold as aforesaid—shall be recoverable with costs by the Crown from the owner of such vessel or other thing or from the managing owner or from the master or person in charge thereof at the time such obstruction or obstacle was occasioned, or from any person through whose act or default, or through the act or default of whose servants such obstruction or obstacle was occasioned or continued; and any sum so recovered shall form part of the Consolidated Revenue Fund of Canada.

And from whom.

Existing rights and liabilities not impaired.

6. Nothing in this Act shall be construed to exempt any owner, master or person from any obligation or responsibility with respect to any obstruction or obstacle imposed on him by any other law, or to derogate from or impair any power or right vested by any such law in the Quebec Harbor Commissioners, or Montreal Harbor Commissioners, or other authority, with respect to such obstruction or obstacle, and not incompatible with the powers hereby vested in the Minister of Marine and Fisheries.

7. No owner or tenant of any saw-mill, or any workman therein or other person shall throw or cause to be thrown, or suffer or permit to be thrown, any sawdust, edgings, slabs, bark or rubbish of any description whatsoever, into any river, stream or other water any part of which is navigable, or which flows into any navigable water; and every person who violates the provisions of this section shall, on summary conviction, be liable, for a first offence, to a penalty of not less than twenty dollars, and for each subsequent offence, to a penalty of not less than fifty dollars :

No saw-dust or saw-mill rubbish to be thrown into navigable waters.

Penalty for contravention.

2. The several fishery officers shall, from time to time, examine and report on the condition of such rivers, streams and waters, and prosecute all persons violating the provisions of this section; and for enforcing the said provisions, such officers shall have and exercise all the powers conferred upon them for like purposes by " *The Fisheries Act* :"

Fishery officers to enforce this provision.

3. The Governor in Council, when it is shown to his satisfaction that the public interest would not be injuriously affected thereby, may, from time to time, by proclamation published in the *Canada Gazette*, declare any such river, stream or water, or part or parts thereof, exempted from the operation of this section, in whole or in part, and may, from time to time, revoke such proclamation.

Exemption by proclamation in certain cases.

8. The Acts and parts of Acts mentioned in the schedule hereto, are hereby repealed.

Repeal.

SCHEDULE.

Year of Reign and chapter.	Title of Act.	Extent of Repeal.
36 Vict., c. 65.....	An Act for the better protection of Navigable Streams and Rivers.....	The whole.
37 Vict., c. 29.....	An Act for the removal of obstructions by wreck and like causes in navigable waters of Canada, and other purposes relative to wrecks.....	
43 Vict., c. 30.....	An Act to amend the law respecting the removal of obstructions in navigable waters by wrecks.....	The whole, except section four.
		The whole.

CHAP. 37.

An Act further to amend the Acts relating to duties of Customs, and the importation or exportation of goods into or from Canada.

[Assented to 2nd June, 1886.]

Preamble.

IN amendment of the several Acts imposing or relating to duties of Customs on the importation or exportation of certain goods, the importation of goods free of duty, the prohibition of the importation of certain others, and matters connected therewith: Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Present duties on certain articles repealed and new substituted.

1. The duties of Customs, if any, imposed by any Act now in force on the articles mentioned in this section respectively, are hereby repealed, except in so far as they are the same as those hereinafter mentioned, and the rates of duty hereinafter mentioned are substituted for them respectively, or, if any such article is now free of duty, the duty herein mentioned and set opposite to it is hereby imposed on it:—

Subsection A, 31st March.

1. Almonds, shelled, a specific duty of five cents per pound..... 5 cts. per lb.
2. Almonds, not shelled, and nuts of all kinds, not elsewhere specified, a specific duty of three cents per pound..... 3 cts. per lb.
3. Baking powder, a specific duty of six cents per pound, the weight of the package to be included in the weight for duty..... 6 cts. per lb.
4. Boxes, cases and writing desks, fancy and ornamental, and fancy manufactures of bone, shell, horn and ivory, also dolls and toys of all kinds and materials, ornaments of alabaster, spar, terra cotta or composition, statuettes, beads and bead ornaments, thirty per cent. *ad valorem*..... 30 per cent.
5. Bolts, nuts, washers and rivets of iron or steel, not elsewhere specified, a specific duty of one cent per pound and fifteen per cent. *ad valorem*..... 1 ct. per lb & 15 per ct
6. Blueing—Laundry blueing of all kinds, twenty-five per cent. *ad valorem*..... 25 per cent.
7. Cider, clarified or refined, a specific duty of ten cents per Imperial gallon..... 10 cts. per gal.
8. Cider not clarified or refined, a specific duty of five cents per Imperial gallon..... 5 cts. per gal.

9. Cordage of all kinds, a specific duty of one and a quarter cent per pound and ten per cent. *ad valorem*..... $1\frac{1}{4}$ ct. per lb. & 10 p. c.
10. Desiccated cocoanut, sweetened or not, a specific duty of eight cents per pound..... 8 cts. per lb.
11. Feathers, Ostrich and Vulture, undressed, twenty per cent. *ad valorem*..... 20 per cent.
12. Feathers, Ostrich and Vulture, dressed, thirty per cent. *ad valorem*..... 30 per cent.
13. Fruit, dried, viz. :—Raisins, a specific duty of one cent per pound and ten per cent. *ad valorem*..... 1 ct p lb. and 10 per cent.
14. Fruit, dried, viz. :—Currants, dates, figs, prunes, and all other dried fruits not elsewhere specified, a specific duty of one cent per pound 1 ct. per lb.
15. Fruit, green, viz. :—Blackberries, gooseberries, raspberries and strawberries, a specific duty of four cents per pound, the weight of the package to be included in the weight for duty..... 4 cts. per lb.
16. Peaches, a specific duty of one cent per pound, the weight of the package to be included in the weight for duty 1 ct. per lb.
17. Gas, water and soil pipes of cast iron, thirty per cent. *ad valorem* 30 per cent.
18. Gloves and mitts of all kinds, thirty per cent. *ad valorem*..... 30 per cent.
19. Hair cloth of all kinds, thirty per cent. *ad valorem*..... 30 per cent.
20. Harness and saddlery of every description, and parts of the same, thirty per cent. *ad valorem* 30 per cent.
21. Laces, braids, fringes, embroideries, cords, tassels and bracelets; also braids, chains or cords of hair, thirty per cent. *ad valorem* 30 per cent.
22. Lead pipe and lead shot, a specific duty of one and a quarter cent per pound..... $1\frac{1}{4}$ ct. per lb.
23. Printed or dyed cotton fabrics, not elsewhere specified, twenty-seven and a half per cent. *ad valorem* $27\frac{1}{2}$ per cent.
24. Spirits and strong waters, not having been sweetened or mixed with any article so that the degree of strength thereof cannot be ascertained by Sykes' hydrometer, for every Imperial gallon of the strength of proof by such hydrometer, and so in proportion for any greater or less strength than the strength of proof, and for every greater or less quantity than a gallon, viz. : Geneva gin, rum, whiskey, alcohol or spirits of wine, and unenumerated, un-

mixed

- mixed and not sweetened spirits, by whatever name called, a specific duty of one dollar and seventy-five cents per Imperial gallon..... \$1.75 per Imp. gall.
25. Old Tom gin, a specific duty of one dollar and seventy-five cents per Imperial gallon \$1.75 per Imp. gall.
26. Spirits and strong waters, mixed with any ingredient or ingredients, (and although thereby coming under the denomination of proprietary medicines, tinctures, essences, extracts or any other denomination, including medicinal elixirs and fluid extracts, whether in bulk or bottle, not elsewhere specified, shall be nevertheless deemed to be spirits or strong waters, and subject to duty as such) a specific duty of two dollars per Imperial gallon and thirty per cent. *ad valorem*..... \$2 per Imp. gal. and 30 per ct.
27. Cologne water and perfumed spirits in bottles or flasks, not weighing more than four ounces each, fifty per cent. *ad valorem* 50 per ct.
28. Cologne water and perfumed spirits in bottles, flasks or other packages, weighing more than four ounces each, a specific duty of two dollars per Imperial gallon and forty per cent. *ad valorem*..... \$2 per Imp. gal. and 40 per ct.
29. Tubing, wrought iron, plain, two inches in diameter or under, coupled and threaded, or not, thirty per cent. *ad valorem* 30 per ct.
30. Whips of all kinds, thirty per cent. *ad valorem* 30 per ct.
31. Wire, iron or steel, galvanized or not, fifteen gauge and coarser, not elsewhere specified, twenty per cent. *ad valorem*..... 20 per ct.
32. Barbed wire fencing of iron or steel, a specific duty of one and a half cent per pound 1½ ct. per lb.
33. Buckthorn, and strip fencing of iron or steel, a specific duty of one and one eighth cent per pound..... 1½ ct. p. lb.
34. Yeast cakes and compressed yeast in packages or bulk, of one pound and over, a specific duty of six cents per pound..... 6 cts. p. lb.
35. Yeast cakes in packages of less than one pound, a specific duty of eight cents per pound 8 cts. p. lb.
36. Portland and Roman cement, shall be classed with all other cement at specific rates as now provided.
37. On sugar, melado, concentrated melado, concentrated cane-juice, concentrated molasses, concentrated beet root juice and

concrete, when imported direct from the country of growth and production, for refining purposes only, not over number fourteen Dutch Standard in color, and not testing over seventy degrees by the polariscope test, a specific duty of one cent per pound, and for every additional degree, shown by polariscope test, three and one-third cents per one hundred pounds additional.....

1 ct per lb.
70 deg. test
and 3 1/3 cts.
per 100 lbs.
for each deg.
above 70.

- 38. On sugar not for refining purposes, not over number fourteen Dutch Standard in color, when imported direct from the country of growth and production, a specific duty of one cent per pound and thirty per cent. *ad valorem* on the value thereof, free on board at the last port of shipment.....
 - 39. On all sugars above number fourteen Dutch Standard in color, and on refined sugar of all kinds, grades or standards, one and one-half cents per pound, and thirty-five per cent. *ad valorem* on the value thereof free on board at the last port of shipment.....
 - 40. On all sugars not imported direct without transhipment from the country of growth and production, there shall be levied and collected an additional duty of seven and one-half per cent of the whole duty so otherwise payable thereon.....
- 1 ct. per lb.
and 30 p. c.
- 1 1/2 ct. p. lb
and 85 p. c.
- 7 1/2 per cent.
of duty
additional.

Provided that when any cargo of sugar imported for refining purposes is found to grade, in part, above number fourteen Dutch Standard in color, such part to the extent of not exceeding fifteen per cent. of the whole of the cargo may be admitted to enter by polariscopic test.

- 41. Syrups, cane juice, refined syrup, sugar house syrup or sugar house molasses, syrup of sugar, syrup of molasses or sorghum, whether imported direct or not—a specific duty of one cent per pound and thirty per cent. *ad valorem*.....
 - 42. Molasses, other, when imported direct without transhipment and from the country of growth and production—fifteen per cent. *ad valorem*.....
 - 43. Molasses, when not so imported—twenty per cent. *ad valorem*
- 1 ct. p.lb.and
30 per cent.
- 15 per cent.
- 20 per cent.

The value upon which the *ad valorem* duty shall be levied and collected upon all the above-named syrups and molasses shall

be the value thereof free on board at the last port of shipment.

44. Provided that molasses, when imported for or received into any Refinery or sugar factory, or to be used for any other purpose than actual consumption, shall be subject to, and there shall be levied and collected thereon, an additional duty of five cents per Imperial gallon..... 5 cents per Imp. gall.

Provided that the change in the rates of duty on sugars and molasses shall apply only to importations arriving in Canada on and after the thirty-first day of March, 1886, and not to such articles warehoused prior to that date

45. Sugar candy, brown or white, and confectionery, a specific duty of one and a quarter cent per pound and thirty-five per cent *ad valorem* 1¼ ct. per lb. and 35 p. c.

Sub-section B, 28th May.

46. Oilcloth, in the piece, cut or shaped, oiled, enamelled, stamped, painted or printed, India rubbered, flocked or coated, not otherwise provided for, a specific duty of five cents per square yard and ten per cent. *ad valorem*..... 5 cts. p. sq. yard and 10 per cent.
47. Floor oilcloth, thirty per cent. *ad valorem*... 80 per cent.
48. Straw board, in sheets or rolls, plain or tarred, a specific duty of forty cents per one hundred pounds..... 40 c. p. 100 lbs.
49. Earthenware and stoneware, viz. :—Demijohns or jugs, churns and crocks, a specific duty of two cents per gallon of holding capacity..... 2 cts. p. gall.
50. Rubber belting, hose, packing, matts and matting, a specific duty of five cents per pound and fifteen per cent. *ad valorem*..... and 15 per ct.
51. Carriage hardware, thirty-five per cent. *ad valorem*..... 35 per ct.
52. Soap, perfumed and toilet, a specific duty of ten cents per pound, the weight of the inside packages and wrappers to be included in the weight for duty, and ten per cent. *ad valorem*..... 10 cts. p. lb. and 10 p. ct.
53. Union collar cloth paper, in rolls or sheets, not glossed or finished, five per cent. *ad valorem*..... 5 per cent.
54. Union collar cloth paper, glossed or finished, in rolls or sheets, twenty per cent. *ad valorem*..... 20 per cent.

55. Paper hangings or wall paper, in rolls, costing eight cents or under per roll of eight yards in length and eighteen inches wide, a specific duty of two cents per roll of said length..... 2 cts. p. roll.
56. Felt, pressed, of all kinds, not filled or covered by or with any woven fabric, seventeen and a half per cent. *ad valorem*... 17½ per cent.
57. Stereotypes and electrotypes and bases for same made wholly or in part of type metal, not elsewhere specified, a specific duty of five cents per pound..... 5 cts. p. lb.
58. Scythes, a specific duty of two dollars and forty cents per dozen..... \$2.40 p. doz.
59. Wire covered with cotton, linen, silk or other material, twenty-five per cent. *ad valorem*..... 25 per ct.
60. Stove bolts and nuts, and all bolts and rivets of one-quarter inch diameter and less, thirty-five per cent. *ad valorem*..... 35 per ct.
61. Handkerchiefs, cotton or linen, plain or printed, in the piece or otherwise, twenty-five per cent. *ad valorem*..... 25 per ct.
62. Nail plate, iron or steel, sixteen gauge and thicker, twenty-five per cent. *ad valorem*.... 25 per ct.
63. Colors, dry, viz.: Blue-black, Chinese blue, Prussian blue and raw umber. In pulp, viz.: Carmine, cologne and rose lakes, scarlet and maroon, satin and fine-washed white, twenty per cent. *ad valorem*..... 20 per cent.

2. The duties of Customs, if any, imposed by any Act now in force on the articles mentioned in this section, are hereby repealed, and they may be imported into Canada, or taken out of warehouse for consumption, free of duty :—

Certain articles to be free of duty.

Sub-section A, 31st March.

1. Articles for the personal use of Consuls General who are natives or citizens of the country they represent and who are not engaged in any other business or profession.

2. Grease, the refuse of animal fat, for the use of soap stock not otherwise provided for.

3. Iron and steel, old and scrap; but nothing shall be deemed scrap iron or steel except waste or refuse iron or steel that has been in actual use and fit only to be re-manufactured, and bloom ends and crop ends of steel rails for re-melting.

4. Jute cloth as taken from the loom, neither pressed, mangled, calendered, nor in any way finished, and not less than forty inches wide, when imported by manufacturers of jute bags for use in their own factories.

The

The provisions hereby made being substituted for those now in force with respect to the free admission of any of the said articles.

Sub-section B., 28th May.

5. Jute yarn, plain, dyed or colored, when imported by manufacturers of carpets, rugs and mats, for use in their own factories.

6. Such philosophical instruments and apparatus as are not manufactured in the Dominion, when imported by and for use in universities, colleges, schools and scientific societies.

Certain articles taken out of free list.

3. The articles mentioned in this section are hereby taken out of the list of goods which may be imported into Canada free of duty, and shall be subject respectively to a duty of twenty per cent. *ad valorem* :—

1. Iron sand or globules, and dry putty for polishing granite.

Export duties on certain articles altered.

4. The rates of export duty now imposed on the following articles are hereby repealed, and the export duties hereinafter mentioned are substituted for them, and there shall be levied and collected on,—

Shingle bolts, a specific export duty of one and a half dollars per cord of 128 cubic feet.... \$1.50 p. 128 cub. feet.

Spruce logs, a specific export duty of one dollar per thousand feet, board measure..... \$1 per M.

Pine logs, a specific export duty of two dollars per thousand feet, board measure. \$2 per M.

Proviso: as to powers of Governor in Council.

Provided that the powers vested in the Governor in Council by the Act forty-second Victoria, chapter fifteen, section six, shall be extended to and apply in all respects to the above-named articles, and that the Governor in Council may increase the export duty on pine logs to three dollars per thousand feet, board measure.

List of prohibited articles amended.

5. Schedule D of the Act forty-second Victoria, chapter fifteen, relating to articles the importation of which is prohibited, as amended by the Act forty-fourth Victoria, chapter ten, is hereby amended,—

Sub-section A, 31st March.

As to certain reprints.

1. By striking out the item relating to copyright works, and substituting the following item therefor :—

Reprints of Canadian copyright works, and reprints of British copyright works which have been also copyrighted in Canada.

Sub-section

Sub-section B, 28th May.

2. And by adding the following item thereto :—

The importation of oleomargarine, butterine, and all such substitutes for butter, is hereby prohibited, under a penalty of not less than two hundred nor more than four hundred dollars for each offence, and the forfeiture of such goods, and of all packages in which they are contained.

Oleomargarine and imitations of butter.

6. The foregoing sections and sub-sections of this Act shall be held to have come into and to have been in force respectively, on and after the days hereinafter mentioned as to each of them respectively (except that the change in the rates of duty on sugar and molasses shall, as therein provided, apply only to importations arriving in Canada on and after the said day, and not to such articles warehoused prior to that date) that is to say :—

When the foregoing provisions shall be held to have come into force respectively.

Sub-section A of section one, on and after the thirty-first day of March in the present year, one thousand eight hundred and eighty-six ; Sub-section B of section one, on and after the twenty-eighth day of May in the said year ; Sub-section A of section two, on and after the thirty-first day of March in the said year ; Sub-section B of section two, on and after the twenty-eighth day of May in the said year ; Section three, on and after the thirty-first day of March in the said year ; Section four, on and after the twenty-eighth day of May in the said year ; Sub-section A of Section five, on and after the thirty-first day of March in the said year ; and Sub-section B of Section five, on and after the twenty-eighth day of May, in the said year ;

And on and after the day on which each said section or sub-section respectively is to be held to have come into force, the alterations thereby made in the duties of Customs, on the importation or exportation, or as to the admission of any article free of duty, or the prohibition of the importation of any article, or otherwise howsoever, shall be held to have taken effect and applied, and the duties thereby imposed to have been and to be payable on all goods imported or exported, or taken out of warehouse for consumption, on or after the said day ; subject to the exception aforesaid, as to sugars and molasses warehoused before such day.

Effect thereof on and after the day named for that purpose.

7. The Acts now in force respecting Customs, and the importation or exportation or prohibition of importation of goods, and all regulations lawfully made or to be made under them, and the meanings assigned to words and expressions used in them, shall apply to the duties imposed and to the provisions made by this Act, in so far as they are consistent with it ; and all Acts or parts of Acts inconsistent with this Act are hereby repealed.

Certain enactments to apply to this Act, and—

Inconsistent repealed.

CHAP. 38.

An Act respecting the bounty on Pig Iron manufactured in Canada from Canadian Ore.

[Assented to 2nd June, 1886.]

Preamble.

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

Continuation of bounty authorized for three years.

1. The Governor in Council may, until the thirtieth day of June, one thousand eight hundred and eighty-nine, continue to grant the bounty of one dollar and fifty cents per ton on pig iron manufactured in Canada from Canadian ore, authorized to be granted until the thirtieth day of June, one thousand eight hundred and eighty-six, by the Act forty-sixth Victoria, chapter fourteen.

And of reduced bounty for three further years.

2. The Governor in Council may, in the manner by the said Act provided, grant a bounty of one dollar per ton on pig iron so manufactured, from the first day of July, one thousand eight hundred and eighty-nine to the thirtieth day of June, one thousand eight hundred and ninety-two.

46 V., c. 14, to apply.

3. The provisions of the Act above cited shall apply to the bounties which the Governor in Council is hereby empowered to grant.

 CHAP. 39.

An Act in amendment of "The Consolidated Inland Revenue Act, 1883," and the Act amending the same.

[Assented to 2nd June, 1886.]

Preamble.

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

Interpretation.

46 V., c. 15.

48-49 V., c. 62.

1. In this Act the expression "Act first cited" means "*The Consolidated Inland Revenue Act, 1883*," and the expression "Act secondly cited" means the Act passed in amendment thereto in the session held in the forty-eighth and forty-ninth years of Her Majesty's reign and chaptered sixty-two.

2. All the words after "day" in the fifth line of section thirty-three of the Act first cited, and section one of the Act secondly cited are hereby repealed; and such repeal shall be deemed to have taken effect from and after the first day of March in the present year, one thousand eight hundred and eighty-six. Both Acts amended from 1st March, 1886.

3. The sub-section substituted by section eight of the Act secondly cited for sub-section four of section one hundred and twenty-six of the Act first cited is hereby repealed and the following substituted therefor:— The same again amended.

"4. Upon the quantity of spirits which passes from the tail of the first worm in which it is condensed into the closed spirit receivers, subject to the following abatements:— Computation of duty on spirits passing into receiver.

"(a.) An abatement not exceeding three per cent. for such quantity of fusil oil or other refuse as is separated therefrom by a second process of distillation,—the quantity so allowed in abatement being determined and destroyed in the presence of an officer of excise or otherwise accounted for in accordance with such regulations as are approved by the Governor in Council; Abatement for refuse destroyed.

"(b.) In the case of spirits which are not removed from the distiller's premises within twelve months of the date of their manufacture, an abatement for shrinkage by evaporation while maturing, which shall not exceed six per cent. for the first year, four per cent. for the second year, three per cent. for the third year, and two per cent. for each succeeding year up to seven years in all, after which no further abatement for shrinkage shall be allowed; but no such abatement shall be allowed unless the distiller has complied with all regulations made by the Governor in Council in relation to such abatement, nor unless the spirits have been kept in wood or in ventilated tanks approved by the Governor in Council, during the whole period for which the abatement is claimed; and every such abatement shall be made in respect of each specific package or tank, and shall in no case exceed the actual deficiency found to exist in the package or tank." And for shrinkage by evaporation. Proviso.

4. Sub-section six of section one hundred and twenty-seven of the Act first cited is hereby amended by adding at the end thereof, the words "in respect of other matters subject to excise, as provided by section thirty-nine of this Act." 46 V., c. 15, s. 127, sub-a. 6, amended.

5. The paragraph numbered ten of section one hundred and forty-one of the Act first cited is hereby amended by striking out the words "and ex-manufactory" in the first line thereof. Section 141, amended.

Section 143,
amended.

6. Sub-sections one and two of section one hundred and forty-three of the Act first cited, as amended by section nine of the Act secondly cited, are hereby repealed and the following substituted therefor:—

Spirits pro-
duced to be
warehoused.

“**143.** All spirits produced in a distillery shall be warehoused in accordance with departmental regulations made in that behalf:

Least
quantity.

“2. No less quantity than one hundred gallons of proof spirits shall be entered for warehouse by one entry; and except for exportation no less quantity than fifty gallons of proof spirits shall be ex-warehoused by one entry.”

Permit for re-
moval of malt
required.

7. No malt shall be removed or delivered, either in bond or duty paid, into the possession of any person other than a brewer or distiller licensed under the Act first cited, except upon a written permit granted by the Collector of Inland Revenue for the division in which the malt house from which such removal or delivery is to take place is situated; and every person who removes, delivers or receives any malt in violation of the provisions of this section shall incur a penalty of one hundred dollars.

Penalty for
contraven-
tion.

46 V., c 15, s.
226, repealed.

8. Section two hundred and twenty-six of the Act first cited is hereby repealed and the following substituted therefor:—

New section
226.

Duties of
Excise.

“**226.** There shall be imposed, levied and collected on goods manufactured in bond within Canada, the following duties of excise, which shall be paid to the Collector of Inland Revenue, as by this Act provided, that is to say:—

On goods
manufactured
in bond.

On articles
not produced
in Canada.

Proviso: as
to spirits used
for certain
purposes.

Proviso:
exception as
to certain
articles.

“All goods manufactured in bond shall, if taken out of bond for consumption in Canada, be subject to duties of excise equal to the duties of customs to which they would be subject if imported from the United Kingdom and entered for consumption in Canada; and whenever any article not the produce of Canada, upon which the duty of excise would be levied if produced in Canada, is taken into a bonded manufactory, the difference between the duty of excise to which it would be so liable, and the customs duty which would be levied on such article, if so imported and entered for consumption, shall be paid as a duty of excise when it is taken into the bonded manufactory; but in the case of spirits to be used for any chemical or manufacturing purpose only, the foregoing provisions of this section may be varied, in whole or in part, by the Governor in Council, provided that no increase of duties shall accrue therefrom:

“Provided always, that the undermentioned articles, when manufactured in bond, shall, when entered for consumption

sumption in Canada, be subject to the following duties of excise, and to no other, that is to say—

“Vinegar containing six per cent. of acetic acid, the strength to be determined by such tests as are established by Order in Council, and so in proportion for any greater or or less strength—on every gallon or less quantity than a gallon, four cents ;

“Methylated spirits, being composed of alcohol mixed with wood naphtha in such proportions and subject to such regulations as are, from time to time, made by the Department of Inland Revenue, and spirits used in any bonded manufactory in the production of ether and of such other chemical compositions as are determined by the Governor in Council—for every gallon of the strength of proof, by Sikes’ hydrometer, and so in proportion for any greater or less strength, and for any less quantity than a gallon, fifteen cents.”

9. No methylated spirits and no spirits to be used for any chemical or manufacturing purpose shall be removed from any bonded manufactory and delivered to any person who has not obtained a permit to sell or use the same from the Department of Inland Revenue; and every person who removes, delivers or receives any such spirits in violation of the provisions of this section shall incur a penalty of one hundred dollars for the first offence and of five hundred dollars for each subsequent offence :

2. The Governor in Council may, from time to time, make regulations respecting the sale of methylated spirits and of spirits to be used for any chemical or manufacturing purpose only.

10. The sub-sections substituted for sub-sections one and two of section two hundred and eighty-seven of the Act first cited by section twenty-one of the Act secondly cited are hereby repealed and the following substituted therefor :—

“**287.** No less quantity than one hundred pounds of raw leaf tobacco, two hundred pounds of cavendish or other tobacco, or eight thousand cigars, shall be entered for warehouse by one entry :

“**2.** Except for exportation, no less quantity than one hundred pounds of raw leaf tobacco, or of cavendish or manufactured tobacco, or four thousand cigars, shall be ex-warehoused by one entry.”

11. The section substituted for section two hundred and eighty-eight of the Act first cited by section twenty-two of the Act secondly cited is hereby repealed and the following substituted therefor :—

Limitation of size of package for removal in bond.

“288. No tobacco of any description put up in packages containing one pound or under, nor tobacco in any sized packages whatever containing less than ten pounds, if the product of raw leaf tobacco of Canadian growth, shall be removed in bond from one warehouse to another warehouse, whether within the same or any other Inland Revenue division.”

CHAP. 40.

An Act in further amendment of the “Weights and Measures Act of 1879.”

[Assented to 2nd June, 1886.]

Preamble.

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

Section 48 of 42 V., c. 16, amended.

1. Section forty-eight of the “*Weights and Measures Act of 1879*” is hereby amended by inserting, immediately after the word “denominations” in the seventeenth line of the said section, the following as paragraph seven :—

Definition of weights, &c.

“7. The defining and specifying what weights, measures, weighing machines and balances shall or shall not be admitted to verification.”

CHAP. 41.

An Act to amend “The Adulteration Act.”

[Assented to 2nd June, 1886.]

Preamble.

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

Section 3 of 48-49 V., c. 67, amended.

1. The following is hereby added to section three of “*The Adulteration Act*” as sub-section two thereof :—

Qualification of analyst.

“2. No analyst shall be appointed until he has undergone an examination before a special examining board appointed by the Governor in Council, and until he has obtained from such board a certificate setting forth that he is duly qualified to perform the duties attached to the office of analyst.”

CHAP.

CHAP. 42.

An Act to prohibit the Manufacture and Sale of certain substitutes for Butter.

[Assented to 2nd June, 1886.]

WHEREAS the use of certain substitutes for butter, here- Preamble.
 tofore manufactured and exposed for sale in Canada, is injurious to health; and it is expedient to prohibit the manufacture and sale thereof: Therefore Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

1. No oleomargarine, butterine or other substitute for Manufacture and sale of certain substitutes for butter prohibited.
 butter, manufactured from any animal substance other than milk, shall be manufactured in Canada, or sold therein, and every person who contravenes the provisions of this Act in any manner whatsoever shall incur a penalty not exceeding four hundred dollars and not less than two hundred dollars, and in default of payment shall be liable to imprisonment for a term not exceeding twelve months and not less than three months.

CHAP. 43.

An Act to amend "The Animal Contagious Diseases Act."

[Assented to 2nd June, 1886.]

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

1. Section thirteen of "*The Animal Contagious Diseases Act*," passed in the session held in the forty-eighth and forty-ninth years of Her Majesty's reign, is hereby repealed and the following substituted therefor:— Section 13 of 48-49 V., c. 70, repealed and new section substituted.

"13. The Governor in Council may order a compensation to be paid to the owners of animals slaughtered under the provisions of this Act; and whenever the animal slaughtered was affected by infectious or contagious disease, the compensation shall be one-third of the value of the animal before it became so affected, but shall not in any such case exceed twenty dollars; in every other case the compensation shall be three-fourths of the value of the animal, but shall Compensation for animals slaughtered. When affected with contagious disease. How the value of the animal shall
 not

be computed in other cases. not in any case of grade animals exceed fifty dollars, and in any case of thorough-bred pedigree animals two-thirds of the value of the animal, not to exceed one hundred and fifty dollars; and in all such cases the value of the animal shall be determined by the Minister of Agriculture or by some person appointed by him :

Proviso : no compensation if the owner has contravened the Act. “ Provided always, that such compensation may be withheld in whole or in part where the owner or the person having charge of the animal has, in the opinion of the Minister of Agriculture, been guilty, in relation to the animal, of an offence against this Act, or where the animal, being a foreign one, was, in his judgment, diseased at the time of entering Canada.”

Excess of sum received for carcass, over compensation paid to belong to owner. 2. If in any case the sum received by the Government, on the sale of a carcass of an animal slaughtered, under the provisions of the said Act, exceeds the amount paid for compensation to the owner of the animal slaughtered, such excess, after deduction of reasonable expenses, shall be paid to such owner.

CHAP. 44.

An Act respecting interest in the Province of British Columbia.

[Assented to 2nd June, 1886.]

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

Rate when there is no special agreement. 1. In the Province of British Columbia, in all cases where interest is chargeable or recoverable by law or by any contract expressed or implied, or upon any judgment of any court in British Columbia, if the rate of interest has not been agreed upon in writing, such rate shall be six per cent. per annum.

Rate on sum awarded by a judgment when more than 6 per cent. has been agreed upon. 2. In all cases in which judgment is recovered upon any contract in writing in or by which interest at a higher rate than six per cent. per annum has been agreed to be paid, the amount awarded by such judgment shall bear interest at the rate agreed upon, not however exceeding twelve per cent. per annum.

3. The Ordinance number seventy-one of the Revised Statutes of British Columbia (1871) is hereby repealed.

Ordinance
No 71, of 1871
repealed.

4. This Act shall not extend to contracts entered into before its passing.

Act not to
apply to ex-
isting con-
tracts.

CHAP. 45.

An Act respecting Insurance.

[Assented to 2nd June, 1886.]

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

Preamble.

SHORT TITLE.

1. This Act may be cited as "*The Insurance Act 1886.*"

Short title.

INTERPRETATION.

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

Interpre-
tation.

(a.) The expression "Minister," means the Minister of Finance and Receiver General;

"Minister."

(b.) The expression "Superintendent," means the Superintendent of Insurance;

"Superin-
tendent."

(c.) The expression "company" means and includes any corporation or any society or association, incorporated or unincorporated, or any partnership carrying on the business of insurance;

"Company."

(d.) The expression "Canadian company" means a company incorporated or legally formed in Canada, for the purpose of carrying on the business of insurance in Canada, and which has its head office therein;

"Canadian
company."

(e.) The expression "agent" means the chief agent of the company in Canada, named as such in the power of attorney hereinafter referred to, by whatever name he is designated;

"Agent."

(f.) The expression "chief agency" means the principal office or place of business of the company in Canada;

"Chief
Agency."

(g.) The expression "inland marine insurance," means marine insurance in respect to subjects of insurance at risk upon the waters of Canada above the harbor of Montreal;

"Inland
Marine
Insurance."

(h.)

"Canadian policy."

(h.) The expression "Canadian policy" or "policy in Canada," as regards life insurance, means a policy issued by any company licensed under this Act to transact the business of life insurance in Canada, in favor of any person or persons resident in Canada at the time when such policy was issued; and "policy holder in Canada" means any such person as aforesaid;

The same.

(i) The expression "Canadian policy" or "policy in Canada," as regards fire and inland marine insurance, means a policy of insurance on any property within Canada, issued by any company licensed under this Act to transact the business of fire or inland marine insurance;

(j.) The expression "license" includes certificate of registration;

(k.) The expression "policy" includes a certificate of membership relating in any way to life insurance.

APPLICATION OF ACT.

To what companies this Act shall not apply. Marine.

§. The provisions of this Act shall not apply—

(a.) To any company transacting, in Canada, ocean marine insurance exclusively; or—

Policies prior to 22nd May, 1868.

(b.) To any policy of life insurance in Canada, issued previously to the twenty-second day of May, in the year one thousand eight hundred and sixty-eight, by any company which has not subsequently received a license; or—

Certain companies under Provincial Acts.

(c.) To any company incorporated by an Act of the legislature of the late Province of Canada, or by an Act of the Legislature of any Province now forming part of Canada which carries on the business of insurance, wholly within the limits of that Province by the Legislature of which it was incorporated, and which is within the exclusive control of the Legislature of such Province; but any such company carrying on the business of life insurance may, by leave of the Governor in Council, avail itself of the provisions of this Act, and if it so avails itself, the provisions of this Act shall thereafter apply to it and such company shall have the power of transacting its business of insurance throughout Canada.

Proviso.

LICENSES.

What companies or persons only may transact life, fire or inland marine

4. No company or person, except as hereinafter provided, shall accept any risk or issue any policy of fire or inland marine insurance or policy of life insurance, or grant any annuity on a life or lives, or receive any premium, or carry on any

any business of life or fire or inland marine insurance, in Canada,—or prosecute or maintain any suit, action or proceeding, either at law or in equity, or file any claim in insolvency relating to such business, without first obtaining a license from the Minister to carry on such business in Canada.

insurance
business in
Canada.

5. The license shall be in such form as is, from time to time, determined by the Minister, and shall specify the business to be carried on by the company; and it shall expire on the thirty-first day of March in each year, but shall be renewable from year to year.

Form and
duration of
license.

6. The Minister, as soon as the company applying for the same has deposited in his hands the securities hereinafter mentioned, and has otherwise conformed to the requirements of this Act, shall issue such license as aforesaid.

License to
issue on cer-
tain condi-
tions only.

DEPOSITS TO BE MADE BEFORE THE ISSUE OF LICENSE.

7. Every company carrying on the business of life insurance, and every Canadian company carrying on the business of fire or of inland marine insurance, or of both combined, shall, before the issue of such license, deposit with the Minister, in such securities as are hereinafter mentioned, the sum of fifty thousand dollars; and every company incorporated or legally formed out of Canada, carrying on the business of fire or of inland marine insurance, or of both combined, shall, before the issue of such license, deposit with the Minister, in such securities as are hereinafter mentioned, the sum of one hundred thousand dollars.

Deposit of
securities
with the
Minister, and
to what
amount.

8. All such deposits may be made by any company in securities of the Dominion of Canada, or in securities issued by any of the Provinces of Canada; and by any company incorporated in the United Kingdom in securities of the United Kingdom; and by any company incorporated in the United States, in securities of the United States; and the value of such securities shall be estimated at their market value at the time when they are so deposited:

Nature of
securities.

Companies
in U. K.
Companies
in U. S.
Valuation of
such secu-
rities.

2. If any securities other than those above mentioned are offered as a deposit, they may be accepted, at such valuation and on such conditions as the Treasury Board directs:

Valuation of
other secu-
rities.

3. If the market value of any of the securities which have been deposited by any company declines below that at which they were deposited, the Minister may notify the company to make a further deposit, so that the market value of all the securities deposited by the company shall be equal to the amount which it is required by this Act to deposit; and on failure by the company to make such further deposit within sixty days after being called upon so to do, the Minister may withdraw its license:

If the value
declines, fur-
ther deposit.

Penalty for
failure.

Company may deposit further security.

How to be dealt with.

4. Any company licensed under this Act may, at any time, deposit in the hands of the Minister any further sums of money or securities beyond the sum herein required to be deposited; and any such further sums of money, or securities therefor, so deposited in the hands of the Minister, shall be held by him and be dealt with according to the provisions of this Act in respect to the original sum required to be deposited by such company, and as if the same had been part of such original deposit; and no part of such additional deposit shall be withdrawn, unless with the sanction of the Governor in Council, on the report of the Treasury Board.

Any deficiency of security to be made good by fire and inland marine companies.

Penalty for default.

9. If it appears from the annual statements, or from an examination of the affairs and condition of any company carrying on the business of fire or inland marine insurance, that the re-insurance value of all its risks outstanding in Canada, together with other liabilities in Canada, exceeds its assets in Canada, including the deposit in the hands of the Minister, the company shall be notified by the Minister to make good the deficiency; and on its failure so to do, within sixty days after being so notified, he shall withdraw its license.

Any deficiency of security by other companies to be made good by them.

Penalty for default.

10. If it appears from the annual statements, or from an examination, as provided for by this Act, of the affairs and condition of any company carrying on the business of life insurance, that its liabilities to policy-holders in Canada, including matured claims, and the full reserve or re-insurance value for outstanding policies, as hereinafter described, after deducting any claim the company has against such policies, exceed its assets in Canada, including the deposit in the hands of the Minister, the company shall be called upon by the Minister to make good the deficiency; and on its failure so to do within sixty days, he shall withdraw its license:

As to company incorporated elsewhere than in Canada.

Deposits and assets to be vested in trust.

2. If any such company as is mentioned in this and the next preceding section is incorporated or legally formed elsewhere than within Canada, the assets in Canada as aforesaid shall be taken to consist of all deposits which the company has made with the minister under the foregoing provisions of this Act, and of such assets as have been vested in trust for the company for the purposes of this Act, in two or more persons resident in Canada, appointed by the company and approved by the Minister:

Trust deed and dealing with assets.

3. The trust deed shall first be approved of by the Minister; and the trustees may deal with such assets in any manner provided by the deed of trust appointing them, but so that the value of the assets held by them shall not fall below the value required by this section:

4. In the case of any such life insurance company, which gave written notice to the Minister before the thirty-first day of March, in the year one thousand eight hundred and seventy-eight, of its intention to avail itself of the proviso contained in section seven of "*The Consolidated Insurance Act, 1877*," the foregoing requirements of this section shall not apply to policies issued previously to that date; and the deposit of such company, which was in the hands of the Minister, on the twenty-eighth day of April, in the year one thousand eight hundred and seventy-seven, shall be dealt with in regard to such policies, in conformity with the fourth and fifth sections of an Act passed by the Parliament of Canada in the thirty-fourth year of Her Majesty's reign, intituled "*An Act to amend the Act respecting Insurance Companies*:" and whenever the full liability under such policies falls below the amount so held by the Minister, he may, with the concurrence of the Treasury Board, direct that the whole or such portion of the difference as he deems advisable, shall be released and handed over to the company, and so on, from time to time, until the total deposit with the Minister is reduced to the amount of fifty thousand dollars required by this Act.

Provision as to companies which gave notice before 31st March, 1878.

Release of surplus securities to such company.

11. So long as any company's deposit is unimpaired, and the conditions of this Act are satisfied, and no notice of any final judgment against the company, or order made by the proper court in that behalf for the winding up of the company or the distribution of its assets, is served upon the Minister, the interest upon the securities forming the deposit shall be handed over to the company as it falls due.

Interest on securities—when to be payable to company.

DOCUMENTS TO BE FILED.

12. Every company shall, before the issue of a license to it, file in the department of Finance,—

Certain documents to be filed.

(a) A copy of the charter, Act of incorporation, or articles of association of the company, certified by the proper officer in charge of the original thereof;

Copy of charter.

(b.) A power of attorney from the company to its agent in Canada, under the seal of the company, if it has a seal, and signed by the president and secretary or other proper officers thereof, in presence of a witness, who shall make oath or affirmation as to the due execution thereof; and the official positions in the company held by the officers signing such power of attorney shall be sworn to or affirmed by some person cognizant of the facts necessary in that behalf; and—

Power of attorney to agent in Canada.

(c.) A statement, in such form as is required by the Minister, of the condition and affairs of such company

Statement of affairs of company.

on

on the thirty-first day of December then next preceding, or up to the usual balancing day of the company, if such day is not more than twelve months before the filing of the statement.

What the power of attorney must contain.

13. Such power of attorney shall declare at what place in Canada the head office, or chief agency of such company is, or is to be established,—and shall expressly authorize such attorney to receive service of process in all suits and proceedings against such company in any Province of Canada, in respect of any liabilities incurred by the company therein, and also to receive from the Minister and the superintendent, all notices which the law requires to be given, or which it is thought advisable to give,—and shall declare that service of process for or in respect of such liabilities, and receipt of such notices, at such office or chief agency, or personally on or by such attorney at the place where such head office or chief agency is established, shall be legal and binding on the company to all intents and purposes whatsoever.

Provision to be made for service of process.

If changes are made in a chief agency.

14. Whenever any such company changes its chief agent or chief agency in Canada, such company shall file a power of attorney, as hereinbefore mentioned, containing any such change or changes in such respect, and containing a similar declaration as to service of process and notices as hereinbefore mentioned; and every company shall, at the time of making the annual statement hereinafter provided for, declare that no change or amendment has been made in the charter, Act of incorporation or articles of association of the company, and that no change has been made in the chief agency or chief agent, without such amendment or change having been duly notified to the superintendent.

Declaration of no change to be made in charter, &c

Duplicates of such documents to be filed in court.

15. Duplicates of all such documents, duly verified as aforesaid, shall be filed in the office of one of the superior courts in the Province in which the head office or chief agency of the company is situated — or if the chief agency is in the Province of Quebec, with the prothonotary of the Superior Court of the district wherein such chief agency is established.

SERVICE OF COMPANIES WITH PROCESS.

Service of process on company.

16. After such power of attorney and certified copies are filed as aforesaid, any process in any suit or proceeding against any such company, in respect of any liabilities incurred in any Province of Canada, may be validly served on the company at its chief agency; and such service shall be deemed to be service on the company:

Constructive service of process.

2. If such power of attorney becomes invalid or ineffective from any reason whatsoever, or if other service cannot

not be effected, the court or a judge may order constructive service of any process or proceeding to be made, by such publication as is deemed requisite to be made in the premises, for at least one month in at least one newspaper; and such publication shall be held to be due service upon the company of such process or proceeding.

NOTICE OF LICENSE.

17. Every company on first obtaining such license shall forthwith give due notice thereof in the *Canada Gazette*, and in at least one newspaper in the county, city or place where the head office or chief agency is established, and shall continue the publication thereof for the space of four weeks:

Company to give notice of license.

2. The like notice shall be given, for the space of three calendar months, when a company ceases, or gives notice that it intends to cease, to carry on business in Canada.

And of ceasing business.

PUBLICATION OF LICENSED COMPANIES.

18. The Minister shall cause to be published quarterly in the *Canada Gazette* a list of the companies licensed under this Act, with the amount of deposits made by each company; and upon any new company being licensed, or upon the license of any company being withdrawn in the interval between two such quarterly statements, he shall publish a notice thereof in the *Canada Gazette* for the space of four weeks.

Notices by minister of companies licensed.

ANNUAL RETURNS BY COMPANIES.

19. The president, vice-president or managing director, and the secretary or manager of every Canadian company licensed under this Act, shall prepare annually, under their own oath, and cause to be deposited at the Department of Finance, a statement of the condition and affairs of such company at the usual balancing day of the company in the preceding year—which statement shall exhibit the assets and liabilities of the company, and its income and expenditure during the previous year, and such other information as is deemed necessary by the Minister:

Statement to be prepared yearly and sent to Minister of Finance.

What it must show.

2. In the case of such companies carrying on the business of life insurance, such statement shall be deposited as aforesaid on the first day of January in each year or within two months thereafter, and shall be made in the form and manner set forth in the form A in the schedule to this Act: Provided however, that a preliminary abstract of the years' business to December thirty-first inclusive, comprising the cash premium receipts of the year, the number and amount of the policies issued and taken up, that are in force, and that have become claims and been paid to that date, shall be sent to the Superintendent

Form of statement and time for deposit by life companies.

Proviso, as to preliminary abstracts.

Superintendent of Insurance within the first fifteen days of January in each year ;

And by fire and marine companies.

3. In the case of such companies carrying on the business of fire or inland marine insurance, such statement shall be deposited as aforesaid on the first day of February in each year, or within one month thereafter, and shall be made in the form and manner set forth in the form B in the schedule to this Act :

To be sworn to.

4. Such statements shall be sworn to before some person duly authorized to administer oaths in any legal proceeding, in the form C in the schedule to this Act :

Minister may alter form of statement.

5. The Minister may, from time to time, make such changes in the form of such statements as seem to him best adapted to elicit from the companies a true exhibit of their condition in respect to the several points hereinbefore enumerated.

Yearly statements by companies incorporated elsewhere than in Canada.

20. Every company incorporated or legally formed elsewhere than in Canada, and at present licensed or hereafter licensed under this Act, and every company which is subject to the provisions of this Act, shall make annual statements of its condition and affairs under the oath of its chief agent, and shall furnish the same to the Minister at the same time as Canadian companies ; and the form and manner of making of such statements shall, as to the Canada business of such company, be the same (so far as applicable) as is required of Canadian companies,—and as to its general business, shall be in such form and to such date as such company is required by law to furnish to the Government of the country in which its head office is situate, in a separate schedule attached. The blank forms of the statements of the Canada business shall be furnished in duplicate by the Superintendent.

Blank forms as to Canada business.

PENALTIES AND FORFEITURES.

Penalty for violation of two next preceding sections.

21. Every company which violates any provision of either of the two sections next preceding shall incur a penalty of five hundred dollars for each violation, and an additional penalty of one hundred dollars for each month during which any such company neglects to make such publication or to file such affidavits and statements as are therein required :

Withdrawal of license for non-payment of penalty.

2. If such penalties are not paid, the Minister, with the concurrence of the Treasury Board, may order the license of such company to be suspended or withdrawn, as is deemed expedient.

Penalty for issuing any policy in con-

22. Every person who delivers any policy of insurance, or interim receipt, or who collects any premium (except only

on

on policies of life insurance issued to persons not resident in Canada at the time of issue) or carries on any business of insurance on behalf of any life, fire or inland marine insurance company, without such license as aforesaid, shall, on summary conviction thereof, before any two justices of the peace or any magistrate having the powers of two justices of the peace, for a first offence, incur a penalty of not less than twenty dollars and costs and not more than fifty dollars and costs, and in default of payment the offender shall be liable to imprisonment with or without hard labor for a term of not less than one month nor more than three months; and for a second or any subsequent offence such offender shall be imprisoned with hard labor for a term not less than three months nor more than six months:

travention of this Act.

First offence.

Second or subsequent offence.

2. One half of any such penalty when recovered shall belong to Her Majesty and the other half thereof to the informer.

Application of penalty.

23. All informations or complaints for the prosecution of offences under the provisions of sections twenty-two, twenty-five and forty-two of this Act shall be laid or made in writing within one year after the commission of the offence.

Limitation of time for prosecution.

24. Unless otherwise provided in the special Act incorporating any insurance company, passed by the Parliament of Canada after the twenty-eighth day of April, one thousand eight hundred and seventy-seven, or hereafter to be passed, such special Act and all Acts amending the same shall expire and cease to be in force at the expiration of two years from the passing thereof, unless within such two years the company thereby incorporated obtains a license from the Minister under the provisions of this Act.

Limitation of time of duration of special Acts.

SUPERINTENDENT AND HIS DUTIES.

25. The Governor in Council may appoint an officer, to be called the superintendent of insurance, who shall act under the instructions of the Minister, and shall examine and report to the Minister, from time to time, upon all matters connected with insurance, as carried on by the several companies licensed to do business in Canada, or required by this Act to make returns of their affairs:

Superintendent of insurance; appointment and duties.

2. Such superintendent may be appointed at a salary not exceeding four thousand dollars per annum:

Salary.

3. The Governor in Council may, from time to time, appoint such officers and clerks under the superintendent, as are necessary for the purposes of this Act:

Officers and clerks.

Duties of superintendent.

4. The superintendent shall keep a record of the several documents required to be filed by each company in the superior courts of Canada, under this Act ; and shall,—

Entry of securities deposited.

(a.) Enter in a book, under the heading of each company, the securities deposited on its account with the Minister, naming in detail the several securities, their par value, and value at which they are received as deposit ;

Report before issue of licenses.

(b.) In each case, before the issue of any new license, or the renewal of any license, make a report to the minister that the requirements of the law have been complied with, and that from the statement of the affairs of the company it is in a condition to meet its liabilities ;

Record of licenses.

(c.) Keep a record of the licenses as they are issued ;

Inspection of affairs.

(d.) Visit the head office of each company in Canada, at least once in every year, and examine carefully the statements of the condition and affairs of each company, as required under this Act, and report thereon to the Minister as to all matters requiring his attention and decision ;

Report to Minister of Finance, for Parliament.

(e.) Prepare for the Minister, from the said statements, an annual report, showing the full particulars of each company's business, together with an analysis of each branch of insurance, with each company's name ; giving items, classified from the statements made by each company :

Provision if superintendent considers further inquiry necessary as to any company.

5. If the superintendent, after a careful examination into the condition and affairs and business of any company licensed to transact business in Canada, from the annual or other statements furnished by such company to the Minister or for any other cause, deems it necessary and expedient to make a further examination into the affairs of such company and so reports to the Minister, the Minister may, in his discretion, instruct the superintendent to visit the office of such company, to thoroughly inspect and examine into all its affairs, and to make all such further inquiries as are necessary to ascertain its condition and ability to meet its engagements, and whether it has complied with all the provisions of this Act applicable to its transactions :

Books to be open to inspection.

6. The officers or agents of such company shall cause their books to be open for the inspection of the superintendent, and shall otherwise facilitate such examination so far as it is in their power ; and for that purpose the superintendent may examine under oath the officers or agents of such company relative to its business :

Record of inspection and report.

7. A report of all companies so visited by the superintendent shall be entered in a book kept for that purpose, with notes and memoranda showing the condition of each company after such investigation ; and a special report shall

be

be communicated in writing to the Minister, stating the superintendent's opinion as to its standing and financial position, and all other matters desirable to be made known to the Minister :

8. If it appears to the superintendent that the assets of any company are insufficient to justify its continuance of business under the requirements of sections seven, eight, nine and ten, or that it is unsafe for the public to effect insurance with it, he shall make a special report on the affairs of such company to the Minister; and if the Minister, after full consideration of the report, and after a reasonable time has been given to the company to be heard by him, and upon such further inquiry and investigation as he sees proper to make, reports to the Governor in Council that he agrees with the superintendent in the opinion so expressed in his report, the Governor in Council may, if he also concurs in such opinion, suspend or cancel the license of such company ; and such company shall, during such suspension or cancellation, be held to be unlicensed, and unauthorized to do further business :

Special report if the company appear unsafe.

Proceedings thereon.

Suspension or cancellation of license.

9. Every person who, after notification of the suspension or cancelling of such license in the *Canada Gazette*, delivers any policy of insurance, collects any premium or transacts any business of insurance, on behalf of such company, shall be liable to the penalties provided for in the twenty-second section of this Act :

Penalty for carrying on business in such case.

10. Once in every five years, or oftener, at the discretion of the Minister, the superintendent shall himself value, or procure to be valued under his supervision, the Canadian policies of life insurance of all companies licensed under this Act to transact the business of life insurance in Canada ; and such valuation shall be based on the mortality table of the Institute of Actuaries of Great Britain, and on a rate of interest at four and one half per centum per annum, except in the case of bonus additions or profits accrued or declared before the twenty-eighth day of April, one thousand eight hundred and seventy-seven, and then valued on the basis of a rate of interest other than that above mentioned, which, in any such valuation, shall continue to be valued on such other basis :

Valuation of Canadian policies every five years.

Basis of valuation.

11. The Minister may, from time to time, instruct the superintendent to visit the head office of any company licensed under this Act and incorporated or legally formed elsewhere than in Canada, and to examine into the general condition and affairs of such company ; and if such company declines to permit such examination, or refuses to give any information necessary for such purpose, in its possession or control, its license shall be withdrawn :

Examination of affairs of a company out of Canada.

Payments by companies towards expenses of office of superintendent.

12. Every company now licensed, and every company hereafter licensed under this Act, and every company transacting life insurance business under the thirty-second section of this Act, shall annually contribute a sum in proportion to the gross premiums received by it in Canada during the previous year, towards defraying the expenses of the office of the superintendent,—which sum shall be paid upon the demand of the superintendent :

Contribution by fire and marine companies limited.

13. The sum to be contributed annually by companies carrying on the business of fire or inland marine insurance in respect exclusively of such business carried on by them shall not exceed in all eight thousand dollars :

Superintendent not to be interested in any company.

14. The superintendent, or any officer or clerk under him, shall not, directly or indirectly, be interested as a shareholder in any insurance company doing business in Canada, or licensed under this Act :

Annual report for Parliament.

15. The Minister shall lay the superintendent's annual report before Parliament within thirty days after the commencement of each session thereof.

PROVISIONS RELATING TO LIFE INSURANCE.

Provisions applicable to life companies.

26. The provisions of sections twenty-seven to forty-three inclusive apply only to life insurance companies and to other insurance companies carrying on life and other insurance, only in so far as relates to the life insurance business of such companies.

CONDITIONS ON POLICIES.

Conditions not set out in full on the policy, to be void.

27. No condition, stipulation or proviso modifying or impairing the effect of any policy or certificate of life insurance issued after the first day of January, one thousand eight hundred and eighty-six, by any company doing business within Canada under the authority of the Parliament of Canada shall be good or valid unless such condition, stipulation or proviso is set out in full on the face or back of the policy.

As to statements in application for policy.

28. No policy or certificate shall contain or have endorsed upon it any condition providing that such policy or certificate shall be avoided by reason of any statement contained in the application therefor being untrue, unless such condition is limited to cases in which such statement is material to the contract.

Forfeiture and Renewal of Licenses.

Withdrawal of license for non-payment of claims.

29. Whenever satisfactory proof has been furnished to the Minister of any undisputed claim upon a company, arising

arising on any policy of life insurance in Canada, remaining unpaid for the space of sixty days after becoming due, or of a disputed claim remaining unpaid after final judgment in a regular course of law and tender of a legal valid discharge made to the agent of such company, the Minister may withdraw the license of such company.

30. Such license may be renewed if, within thirty days after such withdrawal, such undisputed claims or final judgments upon or against the company are paid and satisfied. Renewal if claim is satisfied.

31. When the license of a company carrying on the business of life insurance has been withdrawn by the Minister under any of the foregoing sections of this Act, such license may be renewed if, within thirty days after such withdrawal, such company complies with the requirements of this Act to the satisfaction of the Minister. Renewal of license.

Companies Ceasing to do Business and Release of Deposits.

32. In the case of any company which, previously to the twenty-eighth day of April, in the year one thousand eight hundred and seventy-seven, was licensed to transact the business of life insurance in Canada, and which ceased to transact such business before the thirty-first day of March, one thousand eight hundred and seventy-eight, having before that date given written notice to that effect to the Minister, the premiums due or to become due on policies actually issued before the last mentioned date may continue to be collected, and the claims arising thereon may be paid, and all business appertaining thereto may be transacted, and all proceedings appertaining thereto, either at law or in equity, may be continued or commenced and prosecuted; and the deposit at present in the hands of the Minister shall be dealt with under the law as it existed previously to the first mentioned date, as if this Act had not been passed. Provision for case of certain companies which have ceased business. Notice to minister. How deposit shall be dealt with in such case.

33. When any company licensed under this Act desires to discontinue business and to have its assets in Canada released, and gives written notice to that effect to the Minister, it may, with the consent of the policy-holders, procure the transfer of its outstanding policies in Canada to some company or companies licensed under this Act in Canada, or may obtain the surrender of the policies, as far as is practicable: Power and proceedings of company ceasing business.

2. The trustees may employ any portion of the assets vested in them for the purpose of effecting such transfer or surrender: Use of assets in such case.

Lists of policy holders to be filed.

3. The company shall file with the Minister a list of all Canadian policy-holders whose policies have been so transferred or have been surrendered, and also a list of those which have not been transferred or surrendered :

Notice to be published.

4. The company shall, at the same time, publish in the *Canada Gazette* a notice that it will apply to the Minister for the release of its assets and securities on a certain day not less than three months after the date of the notice, and calling upon its Canadian policy-holders opposing such release to file their opposition with the Minister on or before the day so named :

Action there-
after of Minis-
ter as to dis-
posal of assets
or securities.

5. After that day, upon the application for release being made, if the Minister, with the concurrence of the Treasury Board, is satisfied that such transfer or surrender has been effected, he may direct that a portion of the assets held by the trustees, or securities held by the Minister, shall be retained, sufficient in amount to cover the full equitable net surrender value of such policies (including bonus additions and accrued profits), as have not been transferred or surrendered, or in respect to which opposition has been filed, and may order the remaining assets or securities aforesaid to be released and transferred or paid over to the company :

Tenders to
policy-
holders.

If policy-
holders refuse
the tenders.

6. The portion retained shall be tendered in the manner hereinafter described to the aforesaid policy-holders *pro ratâ*, according to the aforesaid values of their respective policies; and on the acceptance of the amount so tendered, such policies shall thereby be deemed to be cancelled; but if such tender is refused by any policy-holder, the amount so tendered may be paid over to the company, and the policy shall continue in force; and such policy-holder shall not be barred from any recourse he has, either in law or in equity, against the company to compel the fulfilment of its contract under such policy :

Surrender
values, how
determined.

7. The surrender values above mentioned shall be determined by the superintendent on the basis stated in the twenty-fifth section of this Act, and he shall collect from the company the expenses of such valuation at the rate of three cents for each policy or bonus addition, and shall pay the same to the Minister before the latter shall hand over the securities :

Special
arrangements
may be made.

8. Nothing herein contained shall prevent any policy-holder from making special arrangements with the company whereby his policy may be continued in force; and, on proof being given of such arrangement, such policy may be omitted or removed from the above mentioned lists of policies, and this Act shall thereafter not apply in respect of such policy.

34. The tender referred to in the next preceding section shall be made in the following manner:—

How the tender shall be made.

(a.) A list and notice in the form D in the schedule to this Act, or to the like effect, shall be published in the *Canada Gazette* for at least thirty days previously to the day named in such notice:

List and notice to be published in *Canada Gazette*.

(b.) The company shall also cause the said list and notice to be published in such newspapers in Canada and for such length of time as the Minister determines:

And in other papers.

(c.) A notice in the form E in the schedule to this Act, or to the like effect, shall be sent by mail (postpaid or franked) from the office of the superintendent to each of the policy-holders named in the said list, whose address is known to him; and such notice shall be deposited in some post office in Canada at least thirty days previously to the day named therein, which shall be the same day as that named in the list and notice above mentioned:

Notice to be sent to each policy-holder.

(d.) Any policy-holder who does not signify in writing to the superintendent his acceptance of the amount so tendered, on or before the day named in the said notice, shall be deemed to have refused the same; but the Minister may, at any time prior to the payment over to the company of the amount so refused, allow any policy-holder to signify his acceptance of such amount,—which acceptance, so allowed, shall have the same effect as if made on or before the day named in the said notice.

Policy holders not signifying acceptance deemed to have refused.

35. In computing or estimating the reserve necessary to be held in order to cover its liability to policy holders in Canada, each company may employ any of the standard tables of mortality as used by it in the construction of its tables, and any rate of interest not exceeding four and one half per centum per annum; but if it appears to the superintendent that such reserve falls below that computed on the basis stated in the twenty-fifth section of this Act, he shall report the same to the Minister, who may thereupon direct the superintendent to compute, or to procure to be computed under his supervision, the reserve on the basis therein mentioned, and the amount so computed, if it differs materially from the return made by the company, may be substituted in the annual statement of assets and liabilities; and in such case the company shall furnish to the superintendent, on application, the full particulars of each of its policies necessary for such computation, and shall pay to the superintendent an amount at the rate of three cents for each policy or bonus addition so computed, which amount he shall pay over to the Minister:

How reserve for covering liabilities to Canadian policy holders shall be calculated.

Minister may order re-computation.

Costs.

Company may require computation by superintendent.

2. Any company instead of itself computing or estimating the reserve above mentioned, may require the same to be computed by the superintendent on the basis stated in the twenty-fifth section of this Act, on payment of a like amount as is mentioned in the next preceding sub-section :

Proviso: as to bonus additions or profits on policies.

3. Provided always, that in the case of any bonus additions or other profits on the policies of any company, accrued or declared before the twenty-eighth day of April, one thousand eight hundred and seventy-seven, and which have been heretofore valued on the basis of a rate of interest other than that above mentioned, such company may compute or have the same computed on such other basis ; and provided also, that in the case of any company which has heretofore based its computation or estimate of its reserve necessary to cover its liability to policy holders in Canada (other than the reserve to cover the bonus additions or other profits in the last proviso mentioned) on a rate of interest of five per centum per annum, the basis of computation or estimates mentioned in the twenty-fifth section and in this section shall not apply until the twenty-eighth day of April, one thousand eight hundred and eighty-seven, but such company may, until such date, compute such reserve, or have the same computed, at a rate of interest not exceeding five per centum per annum.

And as to companies having heretofore computed the reserve at 5 per cent. interest.

MUTUAL OR ASSESSMENT LIFE INSURANCE COMPANIES.

Certain forms of insurance forbidden.

36. No company shall carry on within Canada any business of life insurance by promising to pay on the death of a member of such company, a sum of money solely from the proceeds of assessments or dues collected or to be collected from the members thereof for that purpose without being licensed or registered under this Act, except that, in the case of any contract entered into, or any certificate of membership or policy of insurance issued before the twentieth day of July, one thousand eight hundred and eighty-five, by any company carrying on such business, assessments may be made and collected, and claims paid, and all business connected therewith transacted without any penalty being incurred.

Proviso: as to contracts prior to this Act.

Certain companies may be conditionally exempted from the operation of the Act.

37. Any company incorporated or legally formed within Canada which transacts business of the nature described in the next preceding section may, at the discretion of the Minister, on report of the superintendent approved by the Treasury Board, be exempted from the operation of the foregoing provisions of this Act, except those of sections twenty-five, twenty-seven, twenty-eight, twenty-nine, thirty and thirty-one, and be permitted to transact the business of life insurance on the conditions specified in the five sections next following.

38. Companies to be so exempted shall register their titles or corporate names in the office of the superintendent; they shall also make attested returns of their condition and affairs at such times and in such form, and attested in such manner, as are prescribed by the Minister, and the superintendent shall include such returns in his annual report; and any failure to make such returns, when called for by the superintendent, shall subject such company, and any officer thereof, to the penalties mentioned in the twenty-first section of this Act :

Conditions of such exemption.

Penalty for non-compliance therewith.

2. The registration of any such company shall cease to be valid on the thirty-first day of March in each year, but shall be renewable from year to year, in the discretion of the Minister.

Yearly renewal of registration.

39. The provisions of this section shall apply to corporations or associations incorporated or legally formed elsewhere than in Canada for the purpose of carrying on the business of life insurance upon the co-operative or assessment plan :

Application of this section.

2. Any such corporation or association may be licensed by the Minister, under the provisions of this Act, to transact business in Canada upon depositing with him fifty thousand dollars, and thereafter shall have the right to transact business so long as it continues to pay its losses to the full limit named in its certificates or policies, and has complied with all the requirements of this Act and of the Superintendent of Insurance :

License may be issued on deposit of \$50,000.

Duration of license.

3. In addition to such deposit of fifty thousand dollars, the Minister, upon the report of the superintendent, approved by the Treasury Board, may, from time to time, require such other and further deposit as is recommended in such report and so approved, to be made by such companies or deposited with trustees to be named by the Minister, upon such trusts as are determined by the Governor in Council :

Further deposits may be required.

4. Death claims shall be a first charge on all moneys realized from assessments, and no deduction shall be made from any such death claims on any account whatsoever :

Death claims to be a first charge.

5. No portion of any moneys received from assessments for death claims shall be used for any expense whatever; and every notice of any assessments shall truly specify the cause and purpose thereof :

Application of moneys from assessments.

6. Every application, policy and certificate, issued or used by any such company in Canada, shall have printed thereon in a conspicuous place, in ink of a colour different from that of the ink used in the instrument, and in good-sized type, the following words :—

Notice to be printed on policy, &c.

“ This

Form.

“ This association is not required by law to maintain the reserve which is required of ordinary life insurance companies ” :

Promise to pay out of certain funds to be contained in policy, &c.

7. Every certificate and policy shall contain a promise to pay the whole amount therein mentioned, out of the death fund of the association and out of any moneys realized from assessments to be made for that purpose ; and every such association shall be bound forthwith and from time to time, to make assessments to an amount adequate with its other available funds, to pay all obligations created under any such certificate or policy without deduction or abatement :

In every policy issued in Canada.

8. The condition embodied in the next preceding subsection shall be inserted in every policy or certificate issued or delivered by any such company to any person insured in Canada :

Clause required in policies in favor of residents in Canada.

9. In every policy issued by a company licensed in accordance with this section of this Act in favor of a resident of Canada, a clause shall be either embodied therein or endorsed thereon, to the effect that an action to enforce the obligation of such policy may be validly taken into any court of competent jurisdiction in the Province wherein the policy-holder resides or last resided before his decease, and such policy shall not contain any provision inconsistent with such clause.

Certain provisions to apply to companies not referred to in section 43.

40. The provisions contained in sub-sections four, five, six, seven and eight of the next preceding section shall also apply to any company (not being such a company, society or association, as is referred to in section forty-three of this Act) incorporated in Canada and carrying on the business of life insurance upon the co-operative or assessment plan.

Form of words to be printed on certain policies.

41. The words “ assessment system ” shall be printed in large type at the head of every policy and every application for the same, and also in every circular and advertisement issued or used in Canada in connection with the business of a company to which any of the provisions of the five sections next preceding apply.

Penalty for doing business or using forms of policies, &c., in contravention of this Act.

42. Every director, manager, agent or other officer of any such company as is hereinbefore lastly mentioned, which carries on business without being licensed or registered, and—

(b.) Every person who transacts any business of insurance on behalf of any such company which so carries on business, without being registered or licensed, and—

(c.) Every such company which neglects to print the words “ assessment system ” as provided by the next preceding section, and—

(d.)

(d.) Every director, manager, agent or other officer of such company and every other person who transacts business on behalf of any such company and who circulates or uses any application, policy, certificate, circular or advertisement on which the words "assessment system" are not printed as hereinbefore provided,—

Shall be liable to the penalties mentioned in the twenty-second section of this Act.

43. Nothing contained in this Act shall apply to any society or association of persons for fraternal, benevolent, industrial or religious purposes, among which purposes is the insurance of the lives of the members thereof exclusively; or to any association for the purpose of life insurance formed in connection with such society or organization and exclusively from its members, and which insures the lives of such members exclusively :

Certain societies exempted from this Act.

2. Any society or association which is declared by this section to be exempt from the application of this Act, may, nevertheless, apply to the Minister to be allowed to avail itself of the provisions of the seven sections next preceding, and upon such application being assented to, such society or association shall cease to be so exempt by virtue of this section.

But such societies may avail themselves of this Act.

PROVISIONS RELATING TO FIRE AND INLAND MARINE INSURANCE.

44. The provisions of sections forty-five to forty-eight inclusive, apply only to fire and inland marine insurance companies and to other insurance companies carrying on fire and other insurance or inland marine and other insurance, in so far as relates to the fire or inland marine insurance business of such companies.

What provisions shall be applicable to fire and inland marine companies.

Forfeiture and Renewal of Licenses.

45. Whenever any company fails to make the deposits under this Act at the time required, or whenever written notice has been served on the Minister of any undisputed claim arising from loss insured against in Canada remaining unpaid for the space of sixty days after it becomes due, or of a disputed claim remaining unpaid after final judgment in a regular course of law and tender of a legal valid discharge, the license of such company may be withdrawn by the Minister.

Licenses forfeited by failure to make deposit or non-payment of claims.

46. Such license may be renewed, and the company may again transact business, if, within sixty days after notice to the Minister of the failure of the company to pay any undisputed claim, or the amount of any final judgment as provided in the next preceding section, undisputed claims

Renewal on certain conditions.

or

or final judgments upon or against the company in Canada are paid and satisfied.

Companies Ceasing to do Business and Release of Deposits.

Duty of company ceasing business.

47. When any company has ceased to transact business in Canada, and has given written notice to that effect to the Minister, it shall insure, on behalf of its Canadian policy holders, all its outstanding risks, in some company or companies licensed in Canada, or obtain the surrender of the policies; and its securities shall not be delivered to the company until the same is done to the satisfaction of the Minister:

Conditions on which deposits may be released.

2. Upon making application for its securities, the company shall file with the Minister a list of all Canadian policy-holders who have not been so re-insured or who have not surrendered their policies; and it shall, at the same time, publish in the *Canada Gazette* a notice that it has applied to the Minister for the release of its securities on a certain day, not less than three months after the date of the notice, and calling upon its Canadian policy holders opposing such release to file their opposition with the Minister on or before the day so named; and after that day, if the Minister, with the concurrence of the Treasury Board, is satisfied that the company has ample assets to meet its liabilities to Canadian policy-holders, all the securities may be released to it by the Governor in Council, or a sufficient amount of them may be retained to cover the value of all risks outstanding or respecting which opposition has been filed, and the remainder may be released; and thereafter, from time to time, as such risks lapse, or proof is adduced that they have been satisfied, further amounts may be released on the authority aforesaid:

Retaining amount to cover outstanding risks.

Payment of losses after license has been withdrawn.

3. When a company has ceased to transact business in Canada after the notice hereby required, and its license has in consequence been withdrawn, such company may, nevertheless, pay the losses arising upon policies not re-insured or surrendered, as if such license had not been withdrawn.

FIRE POLICIES.

Duration of fire policies.

48. No fire policy shall be issued for or extend over a longer period than three years.

INSURANCE OTHER THAN LIFE, FIRE OR INLAND MARINE.

No company to transact any business of insurance not herein mentioned

49. No company or person shall issue any policy other than a life, fire or inland marine insurance policy, or receive any premium in respect thereof, or carry on any business of insurance other than life, fire or inland marine insurance, without

without permission obtained from the Minister, who, with the approval of the Governor in Council, shall determine in each case, whether such permission shall be granted, and whether a license is proper or necessary to be issued, and whether any and what deposit shall be required to be made with the Minister, and the sections of this Act which shall apply to such company or person :

without permission.

2. The minister may require annual statements under oath of such business, in such form and manner as he deems expedient, may revoke the permission or license granted if he sees cause therefor, and may grant to the superintendent the same powers with regard to such company as are conferred on him by this Act with regard to other insurance companies, and may require such company to contribute towards the expenses of the office of the superintendent such sum as he deems equitable :

Powers of the Minister as respects companies receiving such permission.

3. Every company or person carrying on any such business without obtaining such permission or license, or after such permission or license is revoked, or which neglects or refuses to make the statements required,—and every person who delivers any policy of insurance, or collects any premium on behalf of such company, shall respectively incur the penalties mentioned in the twenty-first and twenty-second sections of this Act :

Penalty for contravention.

4. This section shall not apply to companies carrying on, in Canada, ocean marine insurance business exclusively.

Ocean marine companies exempted.

50. The Act passed in the thirty-eighth year of Her Majesty's reign, chaptered twenty, intituled "*An Act to amend and consolidate the several Acts respecting Insurance, in so far as regards Fire and Inland Marine business,*" except sections sixteen and seventeen thereof, the Act passed in the fortieth year of Her Majesty's reign, chaptered forty-two, intituled "*An Act to amend and consolidate certain Acts respecting Insurance,*" except sections fifteen and sixteen thereof, and the Act passed in the Session held in the forty-eighth and forty-ninth years of Her Majesty's reign, chaptered forty-nine, intituled "*An Act to modify the application of 'The Consolidated Insurance Act, 1877,'*" are hereby repealed.

Repeal 38 V., c. 20. 40 V., c. 42. 48-49 V., c. 49, except certain sections.

SCHEDULE.

FORM A.

DETAILS OF YEARLY STATEMENT—LIFE INSURANCE.

A list of the stockholders, with the amount subscribed for, the amount paid thereon, and the residence of each stockholder.

Property

Property or Assets held by the Company, specifying Assets as per Ledger Accounts.

The value (as nearly as may be) of the real estate held by the company.

The amount secured by way of loan on real estate, whether by mortgages, bonds or any other security, distinguishing between those having first or second lien on such real estate.

The amount of loans secured by bonds or stock or other collaterals.

The amount of loans, as above, on which interest has not been paid within one year previous to such statement, with a schedule thereof.

The amount of loans made in cash to policy-holders on the company's policies assigned as collaterals.

Premium notes, loans or liens on policies in force, the reserve on each policy being in excess of all indebtedness thereon.

Par and market values of Canadian and other stocks and securities owned by the company, specifying in detail the amount, number of shares, and the par and market value of each kind.

Amount of cash at head office.

Amount of cash in banks, with details.

Bills receivable.

Agents' ledger balances.

Other Assets.

Interest due and accrued.

Rents due and accrued.

Due from other companies for losses or claims on policies of the company re-insured.

Net amount of uncollected and deferred premiums.

Commuted commissions.

All other property owned by the company, with details.

Liabilities.

Net present value of all outstanding policies in force, with mode of computation or estimation, deducting those re-insured.

Premium

Premium obligations in excess of net values of their policies.

Claims for death losses and matured endowments, and annuity claims, due and unpaid, or in process of adjustment, or adjusted but not due, or resisted.

Dividends to stockholders, and dividends of surplus or other profits to policy holders, due and unpaid.

Amount due on account of office expenses.

Amount of loans.

Amount of all other claims against the company.

Income.

Amount of cash premiums received, less re-insurance. Premium notes, loans or liens taken in part payment for premiums; and premiums paid by dividends, including re-converted additions, and by surrendered policies.

Cash received for annuities.

Amount of interest received.

Amount received for rents.

Net amount received for profits on bonds, stocks and other property actually sold.

All other income in detail.

Premium Note Account.

Premium notes, loans or liens on hand at date of last previous statement.

Additions and deductions in detail during the year.

Balance, note assets at date.

Expenditure.

Total amount actually paid for losses and matured endowments.

Cash paid to annuitants and for surrendered policies.

Premium notes, loans or liens used in purchase of surrendered policies.

The same voided by lapse.

Cash surrender values, including re-converted additions applied in payment of premiums.

Dividends

Dividends paid to policy-holders, or applied in payment of premiums.

Premium notes, loans or liens used in payment of dividends to policy holders.

Cash paid stockholders for interest or dividends.

Cash paid for commissions, salaries and other expenses of officials.

Cash paid for taxes, licenses, fees or fines.

All other expenditures in detail.

Exhibit of Policies.

Number and amount of policies and additions in full at the end of the previous year.

New policies and changes.

Policies terminated, and the manner of termination.

Number and amount of policies in force at date of statement.

Re-insurances.

FORM B.

DETAILS OF ANNUAL STATEMENTS—FIRE AND INLAND MARINE INSURANCE.

A list of the stockholders, with the amount subscribed for, the amount paid thereon, and the residence of each stockholder.

The Property or Assets held by the Company, specifying,—

The value (as nearly as may be) of the real estate held by such company ;

The amount of cash on hand and deposited in banks to the credit of the company—specifying in what banks the same are deposited, with amounts separately ;

The amount of cash in the hands of agents ;

The amount of loans secured by bonds and mortgages constituting either a first or second lien on real estate, in separate schedules ;

The amount of loans on which interest has not been paid within one year previous to such statement, with a schedule thereof ;

The

The amounts due the company for which judgments have been obtained ;

The amount of Canadian stocks held by the company, and of any other stocks owned by the company, specifying in detail the amount, number of shares, and par and market value of each kind of stock owned by the company absolutely ;

The amount of stocks held as collateral security for loans, with the amount loaned on each kind of stock, its par and market value ;

The amount of assessments on stock and premium notes, paid and unpaid ;

The amount of interest actually due and unpaid ; also the amount of interest accrued and unpaid ;

The amount of premium notes on hand on which policies are issued, with amount paid thereon ; also, bills receivable held by the company and considered good, the amounts of each class separately, and the amounts on each class overdue ;

The amount of all other property belonging to the company, with a detail thereof.

The Liabilities of the Company, specifying,—

The amount of losses due and yet unpaid ;

Amount of losses adjusted, but not due ;

Amount of losses incurred during the year, including those claimed, not yet adjusted, and of those reported to the company upon which no action has been taken—the amounts of each class separately, carrying out the totals in one sum ;

Amount of claims for losses resisted by the company, distinguishing those in suit ;

Amount of dividends declared and due, and remaining unpaid ;

Amount of dividends declared, but not yet due ;

Amount of money borrowed, and security given for payment thereof—stating each loan separately, and the interest paid therefor ;

The amount of unearned fire premiums ;

Amount of unearned inland marine premiums ;

Amount received for marine (ocean) premiums, not marked off ;

Amount

Amount of all other claims against the company, with a detailed statement thereof;

Aggregate amount of all unpaid losses, claims and liabilities whatsoever, except capital stock.

Income of the Company, specifying,—

Amount of cash premiums received, less re-insurance ;

Amount of notes received for premiums, less re-insurance ;

Amount of interest money received ;

Amount of income received from all other sources.

Expenditure of the Company, specifying,—

Amount paid for losses which occurred prior to the first day of January last, deducting savings and salvage, which losses were estimated in the last statement at \$;

Amount paid for losses which occurred during the year, deducting savings and salvage ;

Total amount actually paid during the year for losses in each branch, in separate columns ;

Amount and rate of dividends paid during the year ;

Amount of expenses paid during the year, including commissions and fees to agents and officers of the company ;

Amount of all other payments and expenditures, with details thereof.

Miscellaneous.

Gross amount of risks taken during the year, original and renewal, in each branch of the company's business separately—deducting amount of re-insurance effected thereon in each branch separately ;

And amount of risks in force at end of the year in each branch of the company's business, deducting re-insurance ; and showing at foot, in separate columns, the net amount of risks then in force.

FORM C.

Form of Declaration to accompany the Statement.

Province of
County of

,

President, and

Secretary of

Company being duly sworn, depose and say, and each for himself says, that they are the above described officers

officers of the said company, and that on the _____ day of _____ last all the above described assets were the absolute property of the said company, free and clear from any liens or claims thereon, except as above stated, and that the foregoing statement, with the schedules and explanations hereunto annexed and by them subscribed, are a full and correct exhibit of all the liabilities, and of the income and expenditure, and of the general condition and affairs of the said company, on the said _____ day of _____ last, and for the year ending on that day, according to the best of their information, knowledge and belief, respectively.

Signatures.

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

FORM D.

In the matter of the _____ (*here insert name of the company*). Notice is hereby given that the Minister of Finance has, pursuant to the thirty-third and thirty-fourth sections of "*The Insurance Act*," directed assets to be retained, sufficient in amount to cover the full equitable net surrender value of the policies in the above company (including bonus additions and accrued profits) which have not been transferred or surrendered or in respect of which opposition has been filed as provided by the said thirty-third section ; and the assets so retained are hereby tendered to the aforesaid policy holders *pro ratâ* according to the aforesaid values of their respective policies. A list of such policy holders and of the amounts tendered to them respectively is hereinunder given, and notice is hereby given that any policy-holder not signifying in writing to the Superintendent of Insurance his acceptance of the amount hereby tendered to him on or before the _____ day of _____, A.D. 18 _____, shall be deemed to have refused the same, and the amount tendered, may, pursuant to the said Act, be paid over to the company.

List of policy-holders and amounts tendered :

Name.	Address so far as known.	Amount and number of policies.	Amount tendered.
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Dated at Ottawa, this _____ day of _____ A.D. 18 _____ .

(Signed,) _____
Minister of Finance,
Canada.

(Signed,) _____
Superintendent of Insurance.

FORM E.

OFFICE OF THE SUPERINTENDENT OF INSURANCE,
DEPARTMENT OF FINANCE,

Ottawa, , 18 .

In the matter of the (*here insert the name of the company.*)

You are hereby notified that the Minister of Finance has, pursuant to the thirty-third section of "*The Insurance Act,*" directed assets to be retained sufficient in amount to cover the full equitable net surrender value of the policies in the above company, including bonus additions and accrued profits which have not been transferred or surrendered or in respect to which opposition has been filed as provided by the said thirty-third section. The assets so retained are tendered to the aforesaid policy-holders *pro rata* according to the aforesaid values of their respective policies.

The amount hereby tendered to you, and the policy or policies in respect of which the same is tendered, are given below, and you are hereby notified that unless on or before the day of A. D., 18 , you signify in writing to the Superintendent of Insurance your acceptance of the amount hereby tendered, you shall be deemed to have refused the same, and the amount tendered may, pursuant to the said Act, be paid over to the company.

Yours, &c.,
(Signed,)

Superintendent of Insurance.

Name.	Number and Amount of Policy.	Amount Tendered.
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CHAP. 46.

An Act further to amend "An Act respecting Insolvent Banks, Insurance Companies, Loan Companies, Building Societies and Trading Corporations."

[Assented to 2nd June, 1886.]

Preamble.

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

1.

1. Section sixty of the Act passed in the forty-fifth year of Her Majesty's reign, chaptered twenty-three, and intituled "*An Act respecting Insolvent Banks, Insurance Companies, Loan Companies, Building Societies and Trading Corporations,*" is hereby amended by the addition of the following sub-section :—

Section 60 of 45 V., c. 23 amended; sub-section added.

"3. Clerks and other persons in or having been in the employment of the company in or about its business or trade, shall be collocated in the dividend sheet by special privilege over other creditors, for any arrears of salary or wages due and unpaid to them at the time of the making of the winding-up order, not exceeding the arrears which have accrued to them during the three months next previous to the date of such order."

Privilege of claims of clerks and employees allowed to a certain extent.

CHAP. 47.

An Act to amend the law respecting Crown Cases reserved.

[Assented to 2nd June, 1886.]

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

Preamble.

1. Any judge, within the meaning of "*The Speedy Trials Acts,*" trying any person under such Acts, may, in his discretion, reserve any question of law arising on such trial for the consideration of the justices of the court having, within the Province in which such trial takes place, jurisdiction to hear Crown cases reserved, and thereupon the like proceedings shall be had and taken as in other cases in which questions arising on criminal trials are reserved for the consideration of such justices.

Judge in cases under *Speedy Trials Acts,* may reserve questions of law.

Proceedings thereon.

CHAP. 48.

An Act respecting the application of certain Fines and Forfeitures.

[Assented to 2nd June, 1886.]

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

Preamble.

To go to the Crown when not otherwise directed.

1. Where no other provision is made by any law of Canada for the application of any fine, penalty or forfeiture imposed for the violation of any such law, the same shall belong to the Crown for the public uses of Canada.

Governor in Council may apply them to certain purposes.

2. The Governor in Council may, from time to time, direct that any fine, penalty or forfeiture or any portion thereof, which would otherwise belong to the Crown for the public uses of Canada, be paid to any provincial, municipal or local authority, which wholly or in part bears the expenses of administering the law under which such fine, penalty or forfeiture is imposed, or that the same be applied in any other manner deemed best adapted to attain the objects of such law and to secure its due administration.

CHAP. 49.

An Act to make further provision respecting Summary Proceedings before Justices and other Magistrates.

[Assented to 2nd June, 1886.]

Preamble.

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

Interpretation.

“Justice” or “justice of the peace.”

1. In this Act the expression “justice” or “justice of the peace” includes any two or more justices of the peace, and also a police magistrate and a stipendiary magistrate, and any person having the power and authority of two or more justices of the peace.

Convictions, &c., not to be invalid for informalities.

Proviso: for satisfaction of court.

2. No conviction or order made by any justice of the peace and no warrant for enforcing the same, shall, on being removed by *certiorari* be held invalid for any irregularity, informality or insufficiency therein: Provided, that the court or judge before which or whom the question is raised is, upon perusal of the depositions, satisfied that an offence of the nature described in the conviction, order or warrant, has been committed over which such justice has jurisdiction, and that the punishment imposed is not in excess of that which might have been lawfully imposed for the said offence; and any statement which, under this Act or otherwise, would be sufficient if contained in a conviction, shall also be sufficient if contained in an information, summons, order or warrant.

Proviso.

Certain matters to be within preceding section. Statements.

3. The following matters amongst others shall be held to be within the provisions of the next preceding section :—

(a.) The statement of the adjudication, or of any other matter or thing, in the past tense instead of in the present ;

(b.)

(b.) The punishment imposed being less than the punishment by law assigned to the offence stated in the conviction or order, or to the offence which appears by the depositions to have been committed ;

Punishment.

(c.) The omission to negative circumstances, the existence of which would make the act complained of lawful, whether such circumstances are stated by way of exception or otherwise in the section under which the offence is laid, or are stated in another section ;

Omission to negative exception or provision.

But nothing herein contained shall be construed to restrict the generality of the wording of the next preceding section.

Proviso.

4. No information, summons, conviction, order or other proceeding shall be held to charge two offences, or shall be held to be uncertain on account of its stating the offence to have been committed in different modes, or in respect of one or other of several articles, either conjunctively or disjunctively ; for example, in charging an offence under the twenty-sixth section of the Act passed in the session held in the thirty-second and thirty-third year of Her Majesty's reign, intituled "*An Act respecting Malicious Injuries to Property*," it may be alleged that "the defendant unlawfully and maliciously did cut, break, root up and otherwise destroy or damage a tree, sapling or shrub ;" and it shall not be necessary to define more particularly the nature of the act done, or to state whether such act was done in respect of a tree, or a sapling, or a shrub.

Offences may be laid conjunctively or disjunctively.

Example.

32-33 V., c. 22.

5. If an application is made to quash a conviction or order made by a justice of the peace, on the ground that such justice has exceeded his jurisdiction, the court or judge to which or whom the application is made may, as a condition of quashing the same, if the court or judge thinks fit so to do, provide that no action shall be brought against the justice of the peace who made the conviction, or against any officer acting under any warrant issued to enforce such conviction or order.

Protection of justices.

6. The court having authority to quash any conviction, order or other proceeding by or before a Justice of the Peace, may prescribe by general order that no motion to quash any conviction, order or other proceeding by or before such justice and brought before any court by *certiorari*, shall be entertained unless the defendant is shown to have entered into a recognizance with one or more sufficient sureties, before a justice or justices of the county or place within which such conviction or order has been made, or before a judge or other officer as may be prescribed by such general order, or to have made a deposit to be prescribed in like manner, with a condition to prosecute such writ of *certiorari* at his own costs and charges, with effect, without any wilful or affected delay, and

Security to be given for prosecution of certiorari.

And for costs if ordered.

and, if ordered so to do, to pay the person in whose favor the conviction, order or other proceeding is affirmed, his full costs and charges to be taxed according to the course of the court where such conviction, order or proceeding is affirmed.

No *certiorari* when appeal is had.

7. No writ of *certiorari* shall be allowed to remove any conviction or order had or made before any justice of the peace if the defendant has appealed from such conviction or order to any court to which an appeal from such conviction or order is authorized by law, or shall be allowed to remove any conviction or order made upon such appeal.

5 Geo. 2nd, c. 19, s. 2, not to apply.

8. The second section of the Imperial Act, passed in the fifth year of the reign of His Majesty King George the Second, and chaptered nineteen, shall no longer apply to any conviction, order or other proceeding by or before a justice of the peace in Canada, but the sixth section of this Act shall be substituted therefor, and the like proceedings may be had for enforcing the condition of a recognizance taken under this Act as might be had for enforcing the condition of a recognizance taken under the said Imperial Act.

Sec. 6 of this Act substituted.

Proclamation or Order in Council to be judicially noticed.

9. No order, conviction or other proceeding shall be quashed or set aside and no defendant shall be discharged by reason of any objection that evidence has not been given of a proclamation or order of the Governor General in Council, but such proclamation or order of the Governor General in Council shall be judicially noticed.

Procedendo not necessary for return of proceedings not quashed: order of court sufficient.

10. If a motion or rule to quash a conviction, order or other proceeding is refused or discharged, it shall not be necessary to issue a writ of *procedendo*, but the order of the court refusing or discharging the application shall be a sufficient authority for the registrar or other officer of the court forthwith to return the conviction, order and proceedings to the court or justice from which or whom they were removed, and for proceedings to be taken thereon for the enforcement thereof, as if a *procedendo* had issued, which shall forthwith be done.

33 V., c. 27, s. 1 and 40 V., c. 27, amended.

11. The section substituted for the sixty-fifth section of the Act passed in the session of Parliament held in the thirty-second and thirty-third years of Her Majesty's reign, chaptered thirty-one, intituled "*An Act respecting the duties of Justices of the Peace, out of sessions, in relation to summary convictions and orders,*" by the first section of the Act passed in the thirty-third year of Her Majesty's reign, chaptered twenty-seven, intituled "*An Act to amend the Act respecting the duties of Justices of the Peace, out of sessions, in relation to summary convictions and orders,*" as amended by the Act passed in the fortieth year of Her Majesty's reign, chaptered twenty-seven, intituled "*An Act to amend the law respecting*
Appeals

Appeals from convictions before, or orders by Justices of the Peace," is hereby further amended by striking out the word "twelve" in the first and fourth lines of the sub-section numbered one, and by substituting therefor in each case the word "fourteen;" also by striking out the word "four" in the third line of the sub-section numbered two and by substituting therefor the word "ten."

12. The sixth section of the Act passed in the fortieth year of Her Majesty's reign, chaptered four, intituled "*An Act to extend to the Province of Prince Edward Island certain criminal laws now in force in the other Provinces of Canada,*" is hereby amended by striking out the word "twelve" in the twelfth line thereof and substituting therefor the word "fourteen."

40 V., c. 4, s. 6,
amended.

13. The seventh section of the Act last mentioned is hereby amended by striking out the word "twelfth" in the sixth line thereof and substituting therefor the word "fourteenth."

40 V., c. 4, s. 7,
amended.

CHAP. 50.

An Act further to amend the law of evidence in certain cases.

[Assented to 2nd June, 1886.]

WHEREAS it is expedient to amend the law of evidence so as to render easier the proof of Provincial Statutes in certain cases: Therefore Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Preamble.

1. In any criminal proceeding or any civil proceeding in respect of which the Parliament of Canada has jurisdiction in this behalf, where it becomes necessary or expedient to prove or give in evidence any statute of any Province of the Dominion of Canada or of the late Province of Canada, passed either before or after the passing of "*The British North America Act, 1867,*" the court or judge before whom such proceeding is pending, or being heard or tried, shall take judicial notice of any such provincial statute, in like manner and way, as if such statute was a statute of the Province where such proceeding is being heard or tried; and any copy of any such statute purporting to be printed and published by the printer authorized to print and publish the same, shall be receivable and received in evidence to prove the contents thereof in every court having cognizance of any such proceeding.

Judicial
notice to be
taken of pro-
vincial sta-
tutes in crim-
inal cases.

Proof of any
such statute.

CHAP.

CHAP. 51.

An Act to amend "An Act respecting Offences against the Person.

[Assented to 2nd June, 1886.]

Preamble.

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

32-33 V., c.
20, s. 25,
amended.

Wife may be
witness
against hus-
band in cer-
tain cases.

1. Section twenty-five of the Act passed in the session held in the thirty-second and thirty-third years of Her Majesty's reign, intituled "*An Act respecting Offences against the Person*," is hereby amended by adding thereto the words following: "and in any prosecution of any person under this section, for refusing or neglecting to provide necessary food, clothing or lodging for his wife or child, his wife shall be competent to give evidence as a witness, either for or against her husband :

(2.) The person charged shall be a competent witness in his own behalf".

 CHAP. 52.

An Act to punish seduction, and like offences, and to make further provision for the Protection of Women and Girls.

[Assented to 2nd June, 1886.]

Preamble.

WHEREAS it is expedient to make further provision for the punishment of offences against chastity: Therefore Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

1. Any person who—

Seduction or
attempted
seduction of
girl over 12
and under 16,
or,—

(1.) Seduces and has illicit connection with any girl of previously chaste character, or who attempts to have illicit connection with any girl of previously chaste character, being in either case of or above the age of twelve years and under the age of sixteen years, or—

Unlawful
connection or
attempt with
idiotic or im-
becile females

(2.) Unlawfully and carnally knows, or attempts to have unlawful carnal knowledge of any female idiot or imbecile woman or girl, under circumstances which do not amount to rape, but which prove that the offender knew at the time

of

of the offence that the woman or girl was an idiot or imbecile, shall be guilty of a misdemeanor, and upon conviction thereof shall be punished as hereinafter provided.

not amounting to rape, to be a misdemeanor.

2. Any person above the age of twenty one years who, under promise of marriage, seduces and has illicit connection with any unmarried female of previously chaste character and under eighteen years of age, shall be guilty of a misdemeanor, and upon conviction thereof shall be punished as hereinafter provided.

And also seduction under promise of marriage.

3. Any person who procures a feigned or pretended marriage between himself and any woman, or any person who knowingly aids and assists in procuring such feigned or pretended marriage, shall be guilty of a misdemeanor, and upon conviction thereof shall be punished as hereinafter provided.

Procuring pretended marriage. Misdemeanor.

4. Any person who, being the owner and occupier of any premises, or having, or acting, or assisting in the management or control thereof, induces, or knowingly suffers, any girl of such age as in this section mentioned, to resort to or be in or upon such premises for the purpose of being unlawfully and carnally known by any man, whether such carnal knowledge is intended to be with any particular man or generally,—

Inducing resort to house for illicit carnal knowledge.

(1.) Shall, if such girl is under the age of twelve years, be guilty of felony, and being convicted thereof shall be liable, at the discretion of the court, to be imprisoned in any penitentiary for a term not exceeding ten years, or for a period of less than two years in any other place of confinement :

If the girl is under 12 years : felony.

(2.) If such girl is of or above the age of twelve and under the age of sixteen years, shall be guilty of a misdemeanor and upon conviction thereof shall be punished as hereinafter provided :

If above 12 but under 16 : misdemeanor.

Provided, that it shall be a sufficient defence to any charge under this section if it shall be made to appear to the court or jury before whom the charge shall be brought, that the person so charged had reasonable cause to believe that the girl was of or above the age of sixteen years.

Proviso : in case of reasonable belief in greater age than 16.

5. No person shall be convicted of any offence under this Act upon the evidence of one witness, unless such witness be corroborated in some material particular, by evidence implicating the accused.

No conviction on evidence of one witness only.

6. In every case arising under this Act the defendant shall be a competent witness in his own behalf upon any charge or complaint against him.

Defendant to be a competent witness.

Prosecution
must be with-
in one year
after offence.

7. No prosecution under this Act shall be commenced after the expiration of one year from the time of committing the offence.

Punishment
of misde-
meanor under
this Act.

8. Any person convicted of any offence declared to be a misdemeanor under this Act, shall be liable to imprisonment for two years in a penitentiary, or for a less term in any other place of confinement, in the discretion of the court having jurisdiction.

CHAP. 53.

An Act to amend the Criminal Law, and to declare it a misdemeanor to leave unguarded and exposed certain holes, openings and excavations.

[Assented to 2nd June, 1886.]

Preamble.

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

Leaving un-
guarded holes
in the ice on
any frequent-
ed water a
misdemeanor.

1. Every person who cuts or makes, or causes to be cut or made for the purpose of harvesting or obtaining ice for sale or use, any hole, opening, aperture or place, of sufficient size or area to endanger human life, through the ice on any navigable or other water open to or frequented by the public, and leaves such hole, opening, aperture or place, while it is in a state dangerous to human life, whether the same is frozen over or not, unguarded and unenclosed by a guard or fence of sufficient height and strength to prevent any person from accidentally riding, driving, walking, skating or falling therein, is guilty of a misdemeanor, and liable to be punished by fine or imprisonment, on complaint and conviction thereof, before any justice of the peace or district magistrate, having jurisdiction in any city, judicial district or county within which, or on the borders of which, such navigable or other water is wholly or partly situate.

Prosecution
and punish-
ment.

Like provi-
sion as to
unused mines,
&c.

2. Every person who is the owner, manager or superintendent of any abandoned or unused mine or quarry or property upon or in which any excavation in search of mines or quarries has been or shall hereafter be made of a sufficient area and depth to endanger human life, and who leaves the same unguarded and unenclosed by a guard or fence of sufficient height and strength to prevent any person from accidentally riding, driving, walking or falling therein, is guilty of a misdemeanor, and liable to be punished by fine or imprisonment

imprisonment or both, on conviction thereof, before any justice of the peace having jurisdiction in the locality in which the said mine or quarry is situate.

Prosecution and punishment.

3. If within five days after conviction for one of the offences referred to in the two sections next preceding, a suitable guard or fence is not constructed around or over the said exposed opening, to conform to the provisions of this Act, the person liable for such omission may be again complained of and convicted for the said offence, and the plea of a former conviction therefor shall not avail to him as a relief from the said complaint and conviction.

Continuing to leave openings unguarded after conviction.
To be a new offence.

4. In case any person loses his or her life by accidentally riding, driving, walking, skating or falling into any such hole, opening, aperture or place unguarded as hereinbefore provided, the person or persons whose duty it was to guard such hole, opening, aperture or place, in manner aforesaid, shall, on conviction thereof, be deemed guilty of manslaughter.

Offence to be manslaughter if causing loss of life.

CHAP. 54.

An Act to amend An Act respecting a Reformatory for certain Juvenile Offenders in the County of Halifax, in the Province of Nova Scotia.

[Assented to 2nd June, 1886.]

WHEREAS it is expedient to amend the Act forty-seventh Victoria, chapter forty-five, intituled "An Act respecting a Reformatory for certain Juvenile Offenders in the County of Halifax, in the Province of Nova Scotia," in the manner hereinafter set forth: Therefore Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Preamble. 47 V., c. 45.

1. Section six of the said Act is hereby amended by adding the following sub-sections thereto:—

47 V., c. 45, s. 6, amended.

2. If any boy so sentenced and detained in the Home, has, in the opinion of the governing body of the Home, so conducted himself during a term of six consecutive months as by his good behaviour, diligence and industry, to warrant his being set at large and no longer detained in the Home, and if the police court or stipendiary magistrate of the city of Halifax concurs with the said governing body in recommending the issue of a license to such boy to be at large, then the Minister of Justice, or such person as he appoints

Ticket of leave may be granted by Minister of Justice or by his authority

to issue such licenses, may issue a license to such boy to be at large in the Province of Nova Scotia, or in such part thereof as is specified in such license :

And may be
revoked, &c.

“ 3 Such license may be revoked or altered at pleasure by the Minister of Justice, or by such person as he appoints, as aforesaid :

Minister to
make regula-
tions.

“ 4. The Minister of Justice may make such regulations as he sees fit as to the form of such licenses, the conditions of enjoyment and forfeiture thereof, and for ascertaining that such conditions are duly complied with :

Contraven-
tion of condi-
tions of ticket
of leave how
to be dealt
with.

“ 5. Upon information on oath that the holder of any such license has contravened any of the conditions thereof, the police court or stipendiary magistrate of the city of Halifax may issue a warrant for his arrest, wherever in the Dominion of Canada he may be, and cause him to be brought before such court or magistrate, and upon conviction of such contravention, shall remand him to such Home, there to serve the remainder of his original sentence, with such additional term, not exceeding one year, as to such court or magistrate seems proper.”

Punishment.

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