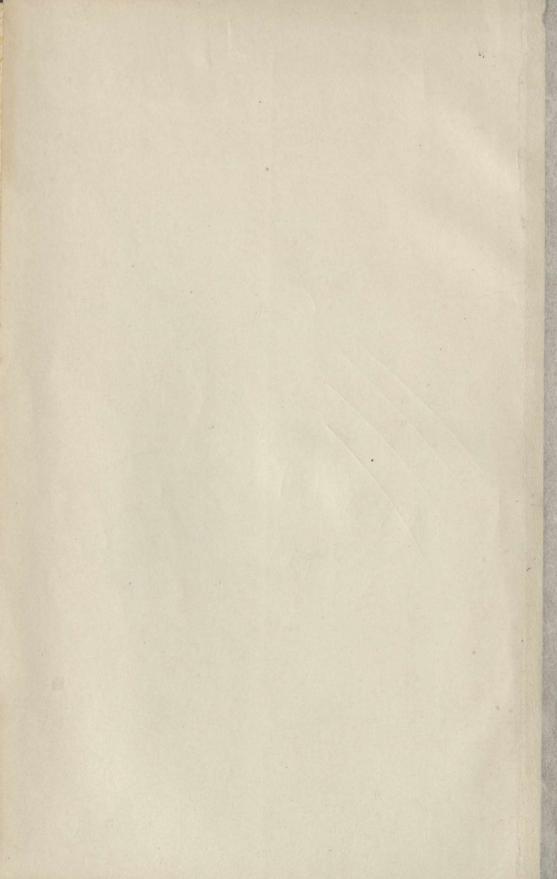
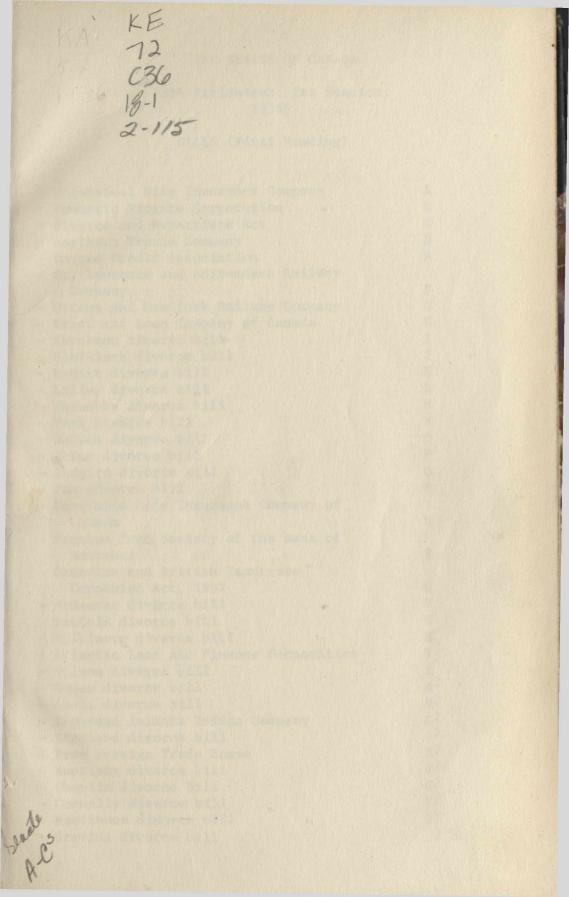


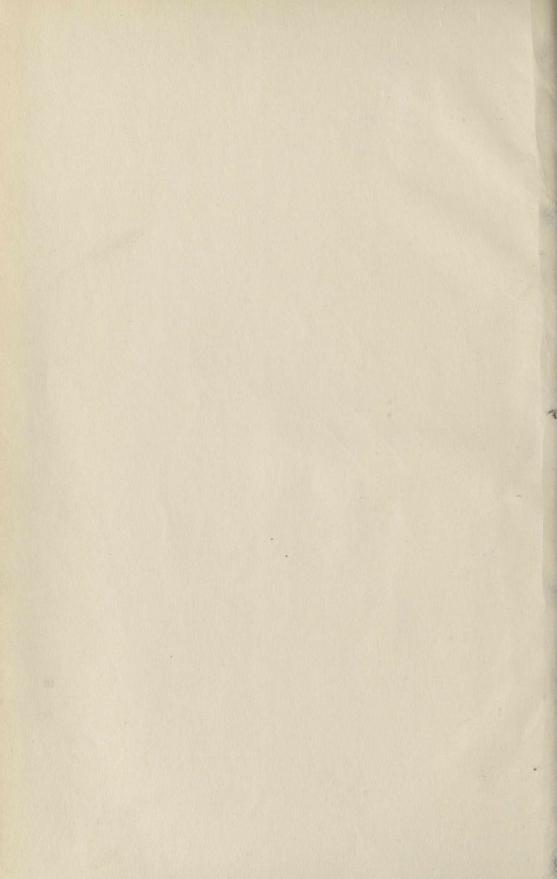
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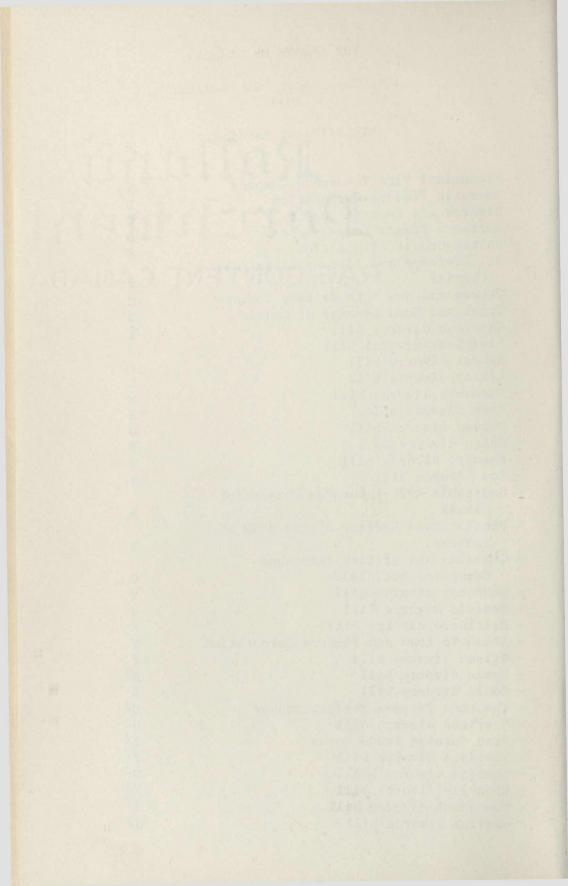


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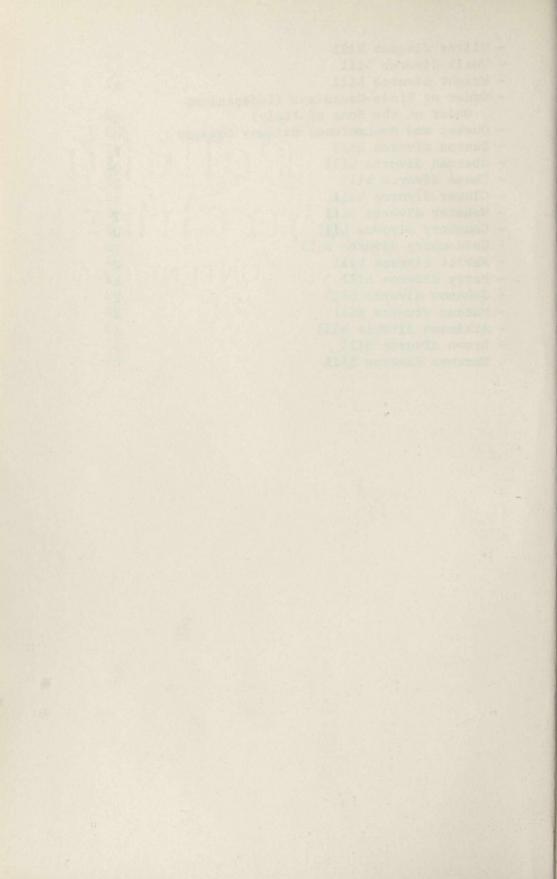
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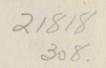
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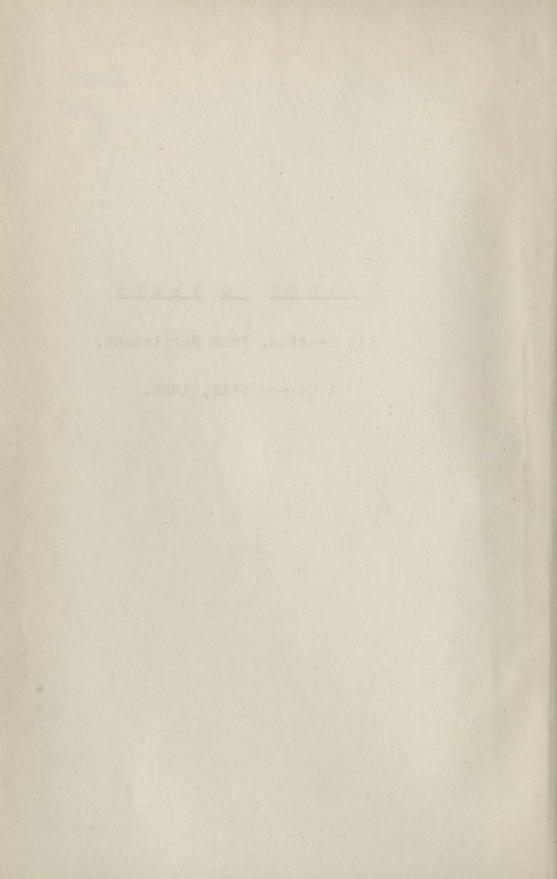




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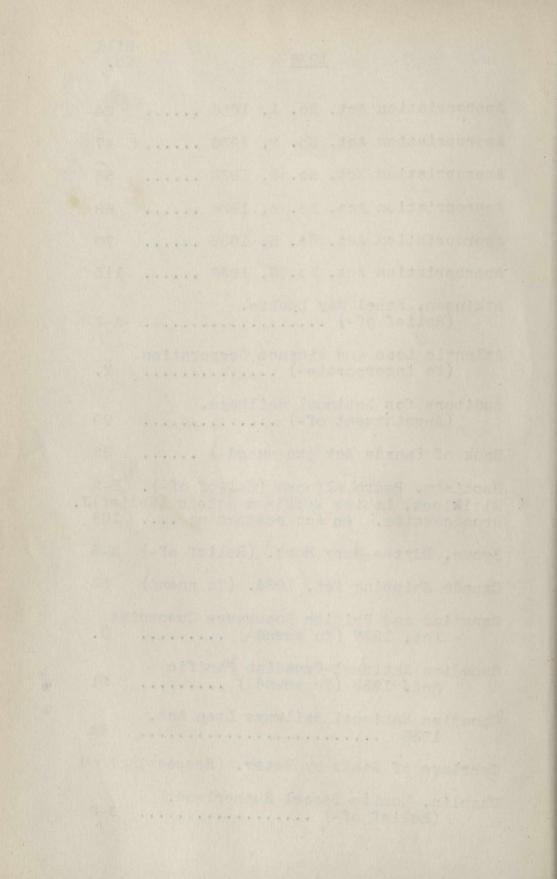
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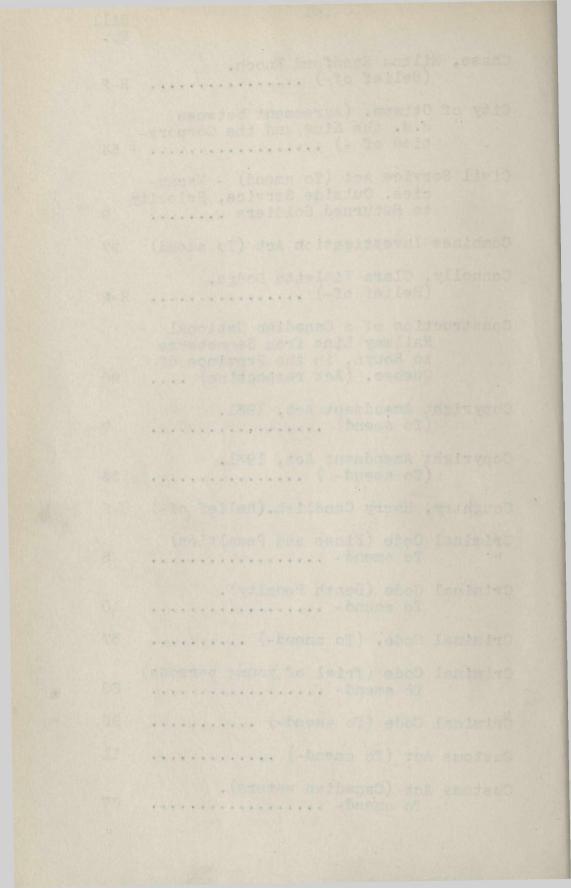
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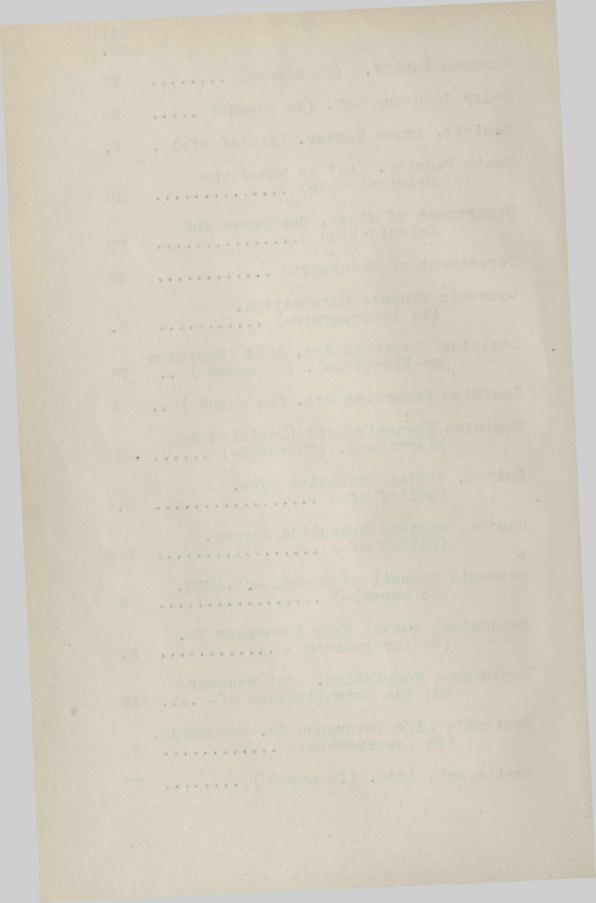
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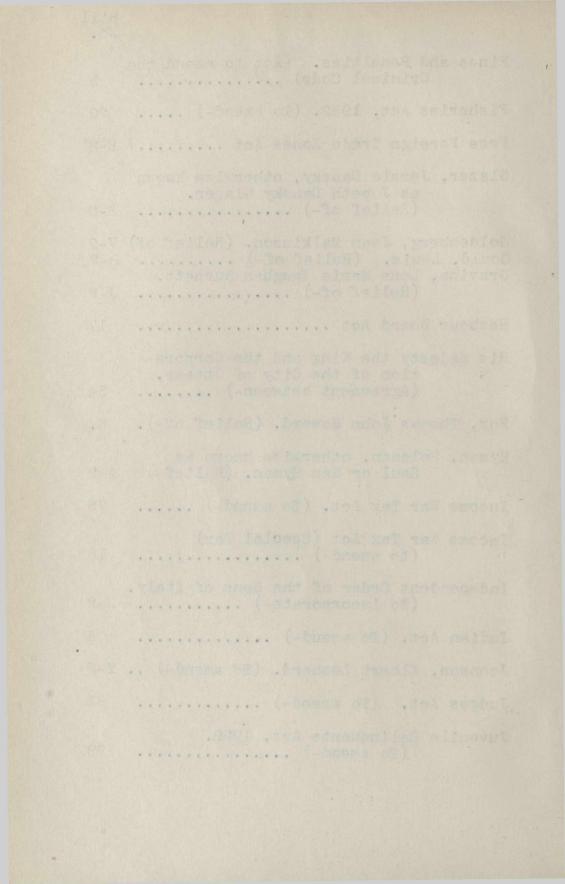
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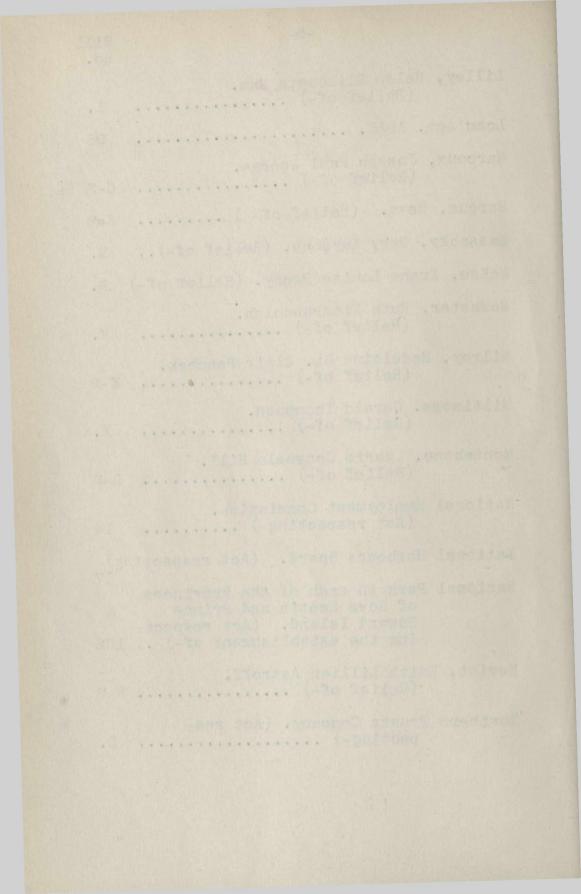
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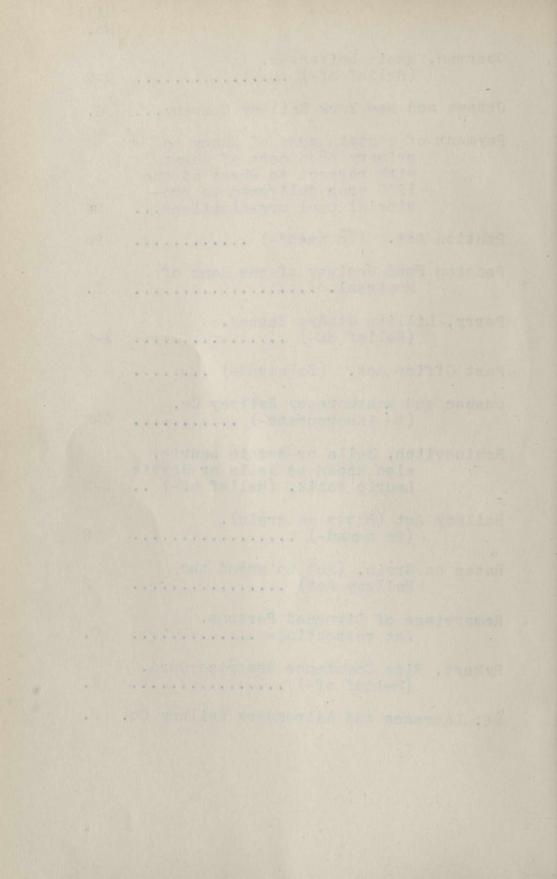


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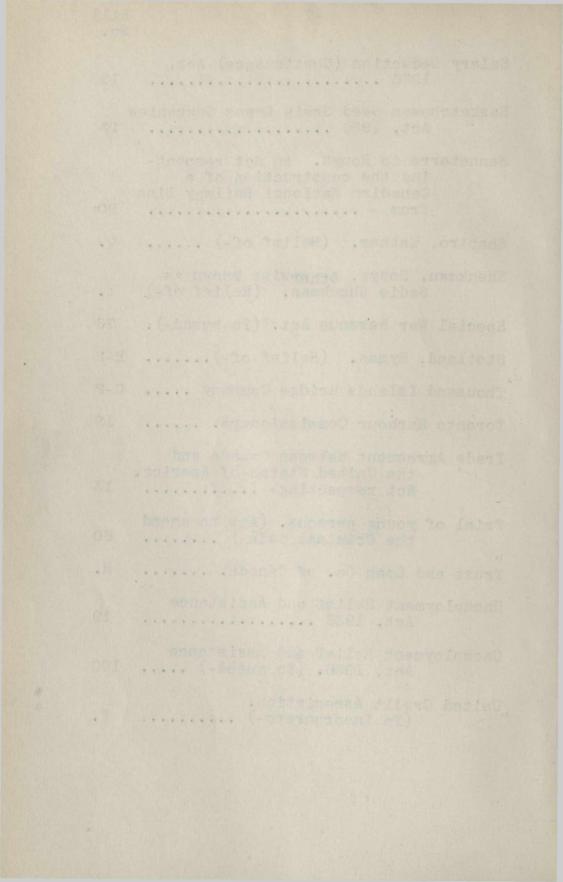
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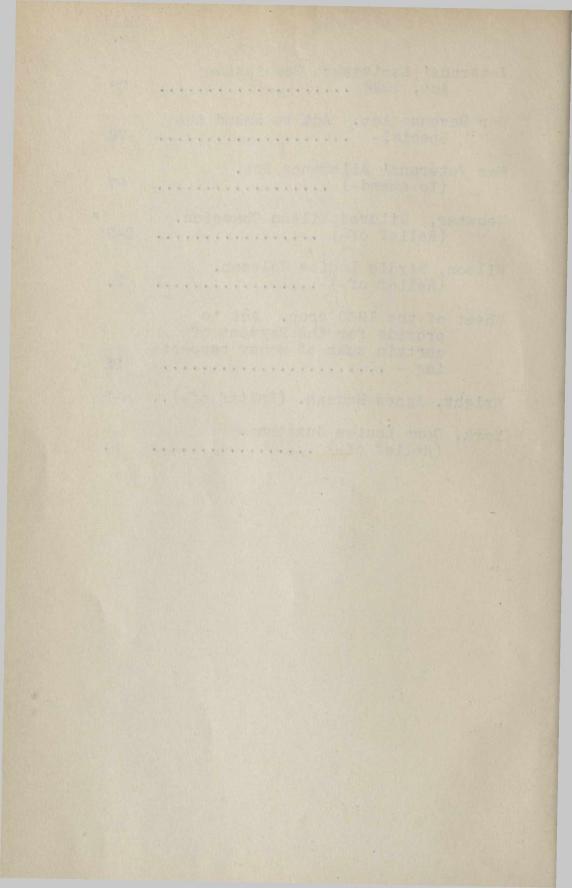
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First Session, Eighteenth Parliament, 1 Edward VIII, 1936

THE SENATE OF CANADA

BILL A.

An Act to incorporate The Economical Mutual Fire Insurance Company.

Read a first time, Wednesday, 4th March, 1936.

Right Honourable SENATOR GRAHAM, P.C.

OTTAWA J. O. PATENAUDE, I.S.O. PRINTER TO THE KING'S MOST EXCELLENT MAJESTY 1936

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1st Session, 18th Parliament, 1 Edward VIII, 1936

THE SENATE OF CANADA

BILL A.

An Act to incorporate The Economical Mutual Fire Insurance Company.

Preamble.

WHEREAS a petition has been presented praying that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Incorporation.

1. George Charles Henry Lang, manufacturer, Louis Jacob Breithaupt, gentleman, Henry Knell, gentleman, Carl Kranz, broker, The Honourable William Daum Euler, publisher, Harvey James Sims, King's Counsel, William John Motz, publisher, Henry Carl Krug, manu- 10 facturer, Frederick William Snyder, insurance manager, all of the city of Kitchener, in the province of Ontario, together with such persons as become policyholders on the mutual system in the Company, are incorporated under the name of "The Economical Mutual Fire Insurance Company," 15 hereinafter called "the Company".

Head office.

Provisional directors.

Classes of **4**. insurance follo

3. The persons named in section one of this Act shall be the provisional directors of the Company. 20

2. The head office of the Company shall be in the city of

4. The Company may make contracts for any of the following classes of insurance upon either the cash premium or the mutual system:—

(a) fire insurance;

(b) accident insurance;

(c) automobile insurance;

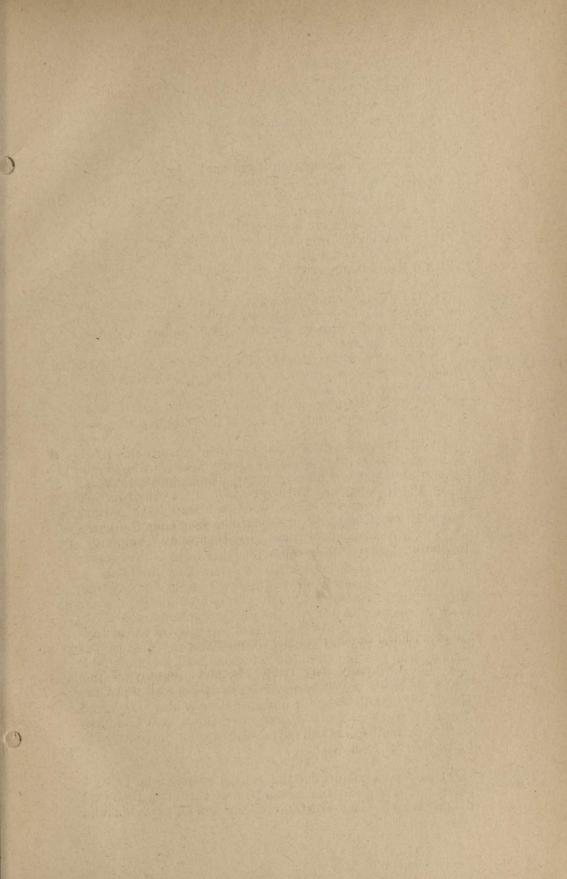
Kitchener in the province of Ontario.

(d) aviation insurance:

(e) bond insurance;

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(f) burglary insurance;

(q) credit insurance;

(h) earthquake insurance;

(i) explosion insurance;

(j) falling aircraft insurance:

(k) guarantee insurance;

(l) hail insurance:

(m) inland transportation insurance;

(n) personal property insurance;

(o) plate glass insurance;

(p) sickness insurance;

(q) sprinkler leakage insurance;

(r) steam boiler insurance;

(s) tornado insurance;

(t) weather insurance.

Commencement of business.

Other classes of insurance.

"Surplus" defined.

Election of directors.

Term of office.

5. (1) The Company may transact the business of fire insurance when *bona fide* applications have been received for insurance on the mutual system to an amount of at least five million dollars.

(2) Except as otherwise provided by The Canadian and 20 British Insurance Companies Act, 1932, the Company shall not transact the business of the other classes of insurance mentioned in the next preceding section, or any of them, until its surplus amounts to at least five hundred thousand dollars. 25

(3) In this section the word "surplus" means the excess of assets over liabilities, including the reserve of unearned premiums calculated pro rata for the unexpired term of all policies of the Company.

6. (1) There shall be elected at the first annual meeting 30 and at each subsequent annual meeting of the Company a board of not less than nine nor more than twenty-one directors, who shall hold office as hereinafter provided.

(2) The Company shall, by by-law passed not less than three months prior to the holding of its first annual meeting 35 after the passing of this Act, determine the number of directors to be elected at the said annual meeting by the policyholders on the mutual system. The Company may by the said by-law provide that the directors shall be elected for one, two or three years. If the by-law provides for two 40 years' or three years' term of office it may also provide either (a) that the term of office shall be continuous for all directors or (b) that a certain proportion, not less than one-third, shall retire annually. All retiring directors shall be eligible for re-election. 45

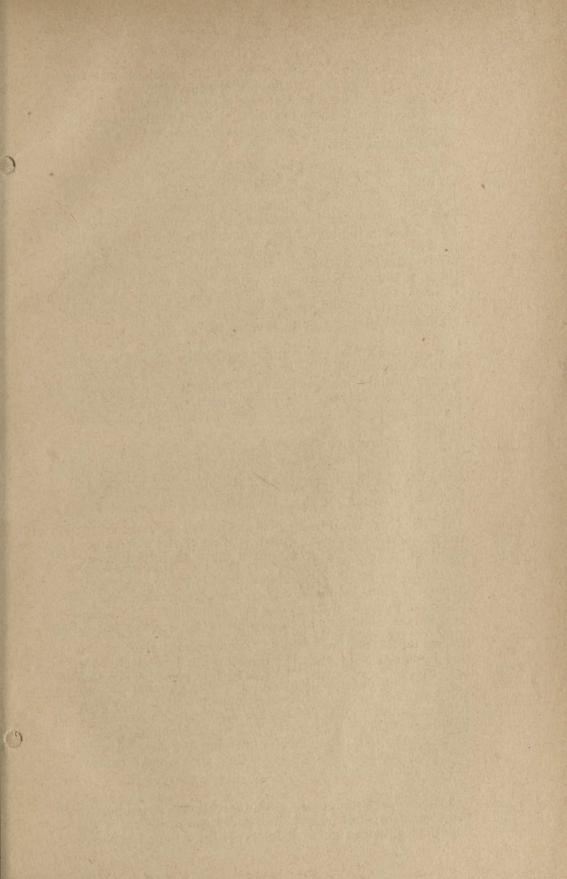
Qualifications of directors.

7. Any policyholder on the mutual system who holds a policy or policies to the amount of at least one thousand dollars and who is not in default in respect of his premium note

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or any instalment or assessment on his premium note and who has paid in cash all liabilities incurred by him to the Company shall be eligible to be elected as a director, but he shall cease to be such director if the amount of his insurance as aforesaid becomes reduced below the sum of 5 one thousand dollars.

Voting at meetings.

Proxies.

Notice of meetings.

Annual statement.

Liability of assets for losses on policies.

Provision for meeting deficiency of assets if Company is wound up.

S. At all meetings of the Company each policyholder on the mutual system who is not in default in respect of his premium note or any instalment or assessment on his premium note shall be entitled to the number of votes in 10 proportion to the amount of insurance held by him on the mutual system according to the following scale: Under fifteen hundred dollars, one vote; fifteen hundred dollars to three thousand dollars, two votes and three thousand dollars or over, three votes. Such policyholder may not 15 vote by proxy unless the proxy himself is a policyholder on the mutual system and entitled to vote.

9. (1) Notice of every annual or special general meeting of the Company shall be sent by post to every policyholder on the mutual system and shall be published in a newspaper 20 published at or near the place where the head office is located at least seven days previous to the day of the meeting.

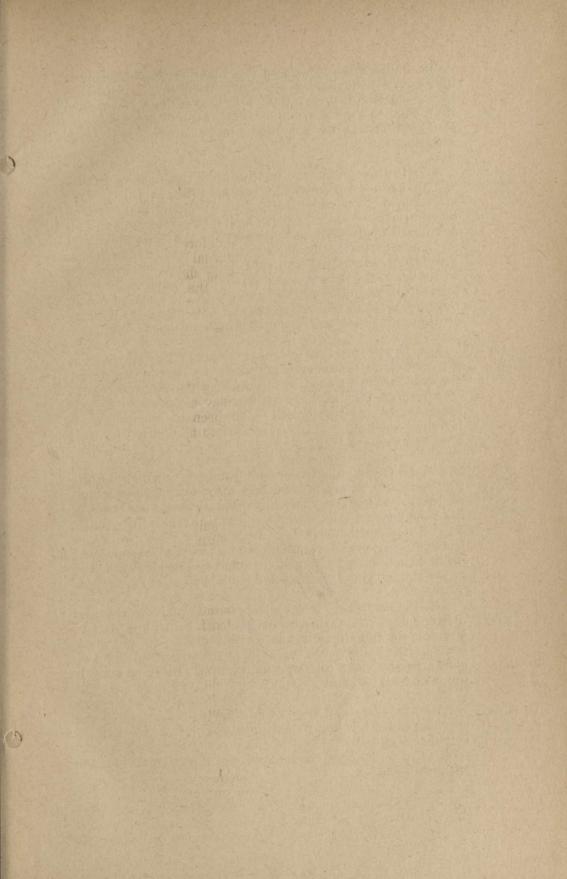
(2) The directors shall at least seven days prior to the date of the annual meeting send to every policyholder on 25 the mutual system by post the annual statement for the year ending on the last previous thirty-first day of December, which statement shall be certified by the auditors of the Company.

10. All the assets of the Company, including the premium 30 notes given by policyholders, shall be liable for losses occurring on all the policies of the Company. A policyholder of the Company on the mutual system shall be liable in respect of any loss or other claim or demand against the Company to the extent of the amount unpaid 35 upon his premium note and no more.

11. In the event of the winding up of the Company if the assets on hand at the date of winding up, exclusive of the unearned portion of the premium notes of the policyholders on the mutual system, are insufficient to pay all the 40 liabilities of the Company in full an assessment shall be made on the said policyholders in respect of their premium notes to an amount not exceeding the unpaid balance of such notes.

Assessment of premium notes and

12. All premium notes and undertakings belonging to 45 the Company shall be assessed under the direction of the undertakings. board of directors at such intervals from their respective



dates, and for such sums, as the directors shall determine; and every policyholder on the mutual system who has given a premium note or undertaking shall pay the sums from time to time payable by him to the Company during the continuance of his policy in accordance with such 5 assessment.

Effect of non-payment of assessment. 13. If the assessment on the premium note or undertaking upon any policy be not paid within thirty days after the day on which the said assessment shall become due the policy of insurance for which the said assessment shall 10 have been made shall be null and void as respects all claim for losses occurring during the time of such nonpayment: Provided always, that the said policy shall be reinstated when such assessment shall have been paid, unless the secretary give notice to the contrary to the assessed party; 15 but nothing shall relieve the assured party from his liability to pay such assessment or any subsequent assessments.

Right to sue for amount of assessment.

Power of Company to deduct from payment due under a loss.

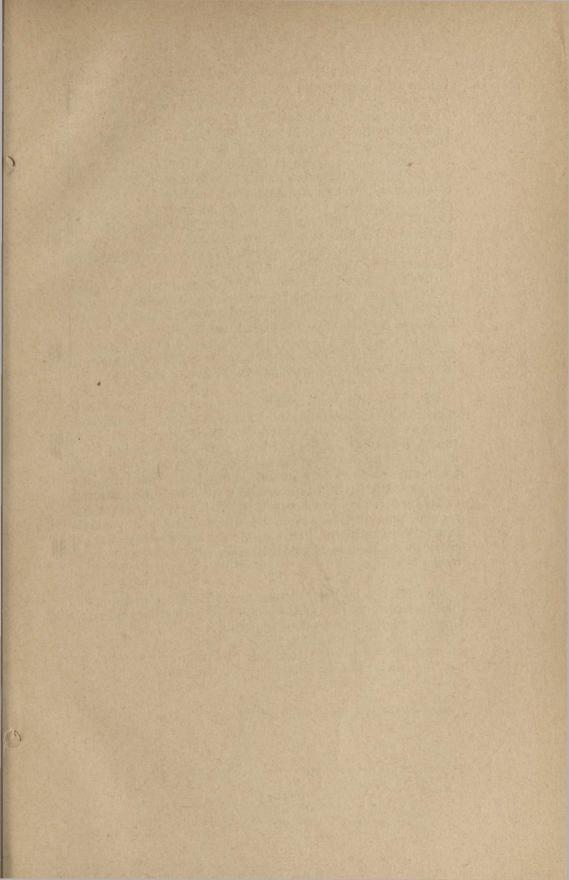
Effect of insurance on cash plan.

Distributions to policy holders on mutual system. 14. If any member or other person who has given a premium note or undertaking shall, for thirty days after the due date mentioned in the notice of assessment neglect 20 or refuse to pay said assessment the Company may sue for and recover the same with costs of suit and such proceeding shall not be a waiver of any forfeiture incurred by such non-payment.

15. If there be any loss on property insured by the 25 Company, the board of directors may deduct the amount of the premium note, less any paid assessments thereon, from the payment due under the loss and retain the amount so deducted until the time has expired for which insurance has been made, and at the expiration of the said time the 30 insured shall have the right to demand and receive such part of the retained sum as shall not have been assessed against.

16. No insurance on the cash plan shall make the insured a member of the Company or liable to contribute or pay any sum to the Company or to its funds or to any other 35 member thereof beyond the cash premium agreed upon or give him any right to participate in the profits or surplus funds of the Company.

17. The directors may from time to time out of the earnings of the Company distribute equitably to the holders 40 of policies issued by the Company on the mutual system such sums as in the judgment of the directors are proper and justifiable.



Power to acquire rights, etc. of a certain Ontario insurance company.

Duties in such event.

Approval of Treasury Board.

Special application of Section Five of this Act.

Conditions for bringing this Act into force.

Application of 1932, c. 46. **18.** (1) The Company may acquire by agreement to insure or otherwise the whole or any part of the rights and property, and may assume the obligations and liabilities of, The Economical Mutual Fire Insurance Company incorporated in the year 1871 under the laws of the province of 5 Ontario pursuant to the provisions of chapter fifty-two of the Consolidated Statutes of Upper Canada, 1859, being an Act entitled "An Act Respecting Mutual Fire Insurance Companies", in this Act called "the provincial Company", and in the event of such acquisition and assumption the 10 Company shall perform and discharge all such duties, obligations and liabilities of the provincial Company in respect to the rights and property acquired as are not performed and discharged by the provincial Company.

(2) No agreement between the Company and the provin- 15 cial Company providing for such acquisitions and assumption shall become effective until it has been submitted to and approved by the Treasury Board of Canada.

(3) An offer by the provincial Company to make such an agreement shall be deemed to be a *bona fide* application for 20 insurance for the purposes of section five of this Act.

19. This Act shall come into force on a date to be specified by the Superintendent of Insurance in a notice in the *Canada Gazette*. Such notice shall not be given until this Act has been approved by a resolution adopted by at 25 least two-thirds of the votes of the members of the provincial Company present or represented by proxy at a meeting duly called for that purpose nor until the Superintendent of Insurance has been satisfied by such evidence as he may require that such approval has been given and that the 30 provincial Company has ceased to do business or will cease to do business forthwith upon a licence being issued to the Company.

20. Except as hereinbefore provided the Canadian and British Insurance Companies Act, 1932, with all amendments 35 thereto, shall apply to the Company.

THE SENATE OF CANADA

BILL B.

An Act to incorporate Domestic Finance Corporation.

Read a first time, Thursday, 5th March, 1936.

Honourable Senator MARCOTTE.

OTTAWA J. O. PATENAUDE, I.S.O. PRINTER TO THE KING'S MOST EXCELLENT MAJESTY 1936

THE SENATE OF CANADA

BILL B.

An Act to incorporate Domestic Finance Corporation.

Preamble.

WHEREAS the persons hereinafter named have by their petition prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of 5 Canada, enacts as follows:—

1. (1) Auguste D'Amour, hotel-keeper, Joseph Moyneur,

merchant, of the city of Ottawa, province of Ontario, Joseph Barnabé, financier, of the city of Hull, province of Quebec, and Joseph Paul Labelle, lawyer, of the said 10 city of Ottawa, province of Ontario, together with such persons as become shareholders in the company, are hereby

Incorporation.

Corporate name.

incorporated under the name of "Domestic Finance Corporation", hereinafter called "the Company". (2) In the French language the Company may be 15 designated under the name of "La Compagnie de Prêts domestiques".

2. The persons named in section one of this Act shall

3. The capital stock of the Company shall be five 20

be the provisional directors of the Company.

Provisional directors.

Capital stock.

Shares.

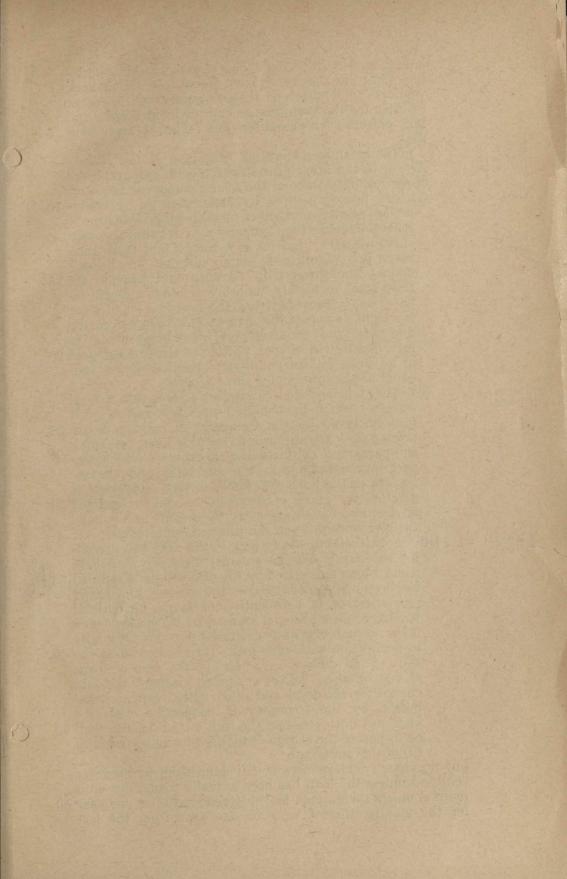
Head Office.

hundred thousand dollars, divided into five thousand shares of one hundred dollars each.

4. The head office of the Company shall be in the city of Ottawa, in the county of Carleton, in the province of Ontario. 25

Powers.

5. (1) The Company may throughout Canada:—
(a) buy, sell, deal in and lend money on the security of conditional sales agreements, lien notes, hire purchase agreements, chattel mortgages, trade paper, bills of



lading, warehouse receipts, bills of exchange and chosesin-action; and may receive and accept from the makers, vendors or transferors thereof guarantees or other security for the performance and payment thereof and may enforce such guarantees and realize on such security;

(b) notwithstanding anything contained in the Interest Act, or in the Money Lenders Act, or in paragraph (c) of section sixty-three of the Loan Companies Act,—

- (i) lend money secured by assignment of choses-in- 10 action, chattel mortgages or such other evidence of indebtedness as the Company may require, and may charge interest thereon at a rate of not more than seven per centum per annum, and may on all loans deduct the interest in advance and provide for 15 repayment in weekly, monthly or other uniform repayments: Provided that the borrower shall have the right to repay the loan at any time before the due date, and, on such repayment being made, to receive a refund of such portion of the interest paid 20 in advance as has not been earned, except a sum equal to the interest for three months:
- (ii) charge, in addition to interest as aforesaid, for all expenses which have been necessarily and in good faith incurred by the Company in making or re- 25 newing a loan authorized by the next preceding sub-paragraph (i), including all expenses for inquiry and investigation into the character and circumstances of the borrower, his endorsers, co-makers or sureties, for taxes, correspondence and professional 30 advice, and for all necessary documents and papers, two per centum upon the principal sum loaned;

(iii) notwithstanding anything in the next two preceding sub-paragraphs (i) and (ii) the Company shall, when a loan authorized by the said sub-paragraph (i) 35 has been made or renewed on the security of a chattel mortgage, or of subrogation of taxes, be entitled to charge an additional sum equal to the legal and other actual expenses disbursed by the Company in connection with such loan, but not exceeding the 40 sum of ten dollars, save that in the case of loans of one hundred dollars or less in amount, the said charge for the legal and other actual expenses disbursed by the Company in connection with such loan other actual expenses disbursed by the said charge for the legal and other actual expenses disbursed by the Company in connection with the loan, but not exceeding the sum of ten dollars, shall 45 be in lieu of the charge authorised by sub-paragraph (ii) of this paragraph;

but no charge for expenses of any kind shall be made or collected unless the loan has been actually made, nor on a renewal unless such a loan has been renewed after one year 50 for the making thereof or after one year from the last

R.S., c. 102; R.S., c. 135; R.S., c. 28.

Loans.

Rate of interest.

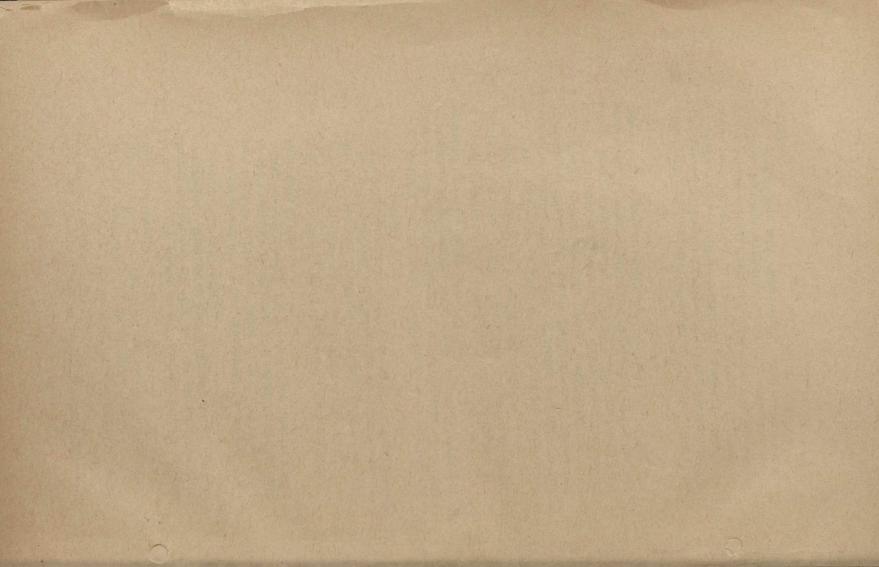
Proviso.

Right to repay.

Refund.

Charges for expenses.

Additional charge.



renewal thereof and in neither such case shall the charge exceed the sum of five dollars;

(c) lend money on the security of real estate or lease-

holds, or purchase or invest in mortgages or hypothecs

Loans on real estate.

As principals or agents.

Borrowing power.

- upon freehold or leasehold real estate and for subro-5 gation of taxes; (d) do all or any of the above mentioned things, and all things authorized by this Act, as principals, agents, contractors, trustees or otherwise and either alone or
- (e) if authorized by by-law sanctioned by a vote of not less than two-thirds in value of the subscribed stock of the Company represented at a general meeting duly called for considering the by-law, the directors may from time to time:-15

in conjunction with others;

- (i) borrow money upon the credit of the Company;
- (ii) limit or increase the amount to be borrowed;
- (iii) hypothecate, mortgage or pledge the real or personal property of the Company, or both, to secure the payment of any money borrowed for the purposes 20 of the Company.

(2) Nothing in this section contained shall limit or restrict the power of the Company to borrow money on bills of exchange or promissory notes made, drawn, accepted or endorsed by or on behalf of the Company. 25

(3) Nothing in this Act contained shall authorize the Company to issue bonds, debentures or other securities for moneys borrowed, or to accept deposits.

(4) Any officer or director of the Company who does. causes or permits to be done, anything contrary to the 30 provisions of this section shall be liable for each such offence to a penalty of not less than twenty dollars and not more than five thousand dollars in the discretion of the court before which such penalty is recoverable; and any such penalty shall be recoverable and disposed of in the manner 35 prescribed by section ninety-eight of the Loan Companies Act.

Application of Loan Companies Act.

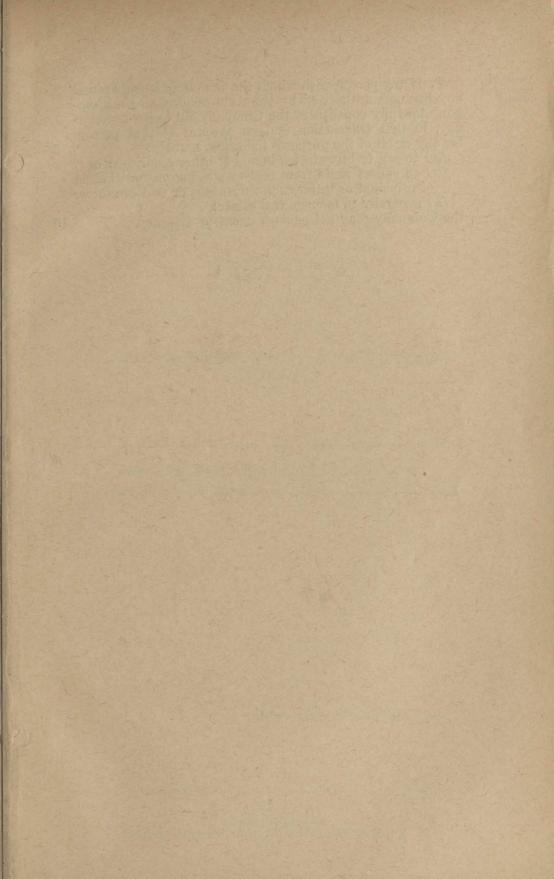
Penalty.

Recovery

and deposit.

R.S., c. 28.

6. Except as otherwise provided in this Act, the Loan Companies Act, chapter twenty-eight of the Revised Statutes of Canada, 1927, excepting therefrom paragraph (f) of sub- 40 section one of section sixty-one, paragraph (c) of subsection two of section sixty-one, subsection three of section sixty-two, sections sixty-four, sixty-five, sixty-six, sixtyseven, eighty-two and eighty-eight, shall apply to the Company. 45



Company may act as agent, etc. 7. If any person with whom the Company is transacting any business authorized by the Acts relating to the Company lawfully constitutes the Company his agent or attorney, in that transaction and on account of that person, for any or all of the purposes following, namely:—

(a) to sell or buy stocks, bonds or other securities; or

(b) to collect rents from real estate, payments whether of principal or interest on mortgages or real estate; or(c) generally to manage real estate;

the Company may act as such agent or attorney.

10

THE SENATE OF CANADA

BILL C.

An Act respecting the remarriage of certain divorced persons.

Read a first time, Monday, 23rd March, 1936.

Honourable Senator HUGHES.

THE SENATE OF CANADA

BILL C.

An Act respecting the remarriage of certain divorced persons.

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

Short title.

Remarriage of divorced respondents. 1. This Act may be cited as "The Divorce and Remarriage Act."

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2. Whenever, hereafter, in Canada, any divorce of married persons is, by statute or by the decree or judgment of any competent court, enacted, decreed, pronounced or granted, the respondent in the proceedings for the divorce, hereinafter referred to as the "delinquent spouse," shall 10 not during the lifetime of the petitioner or complainant in such proceedings, hereinafter referred to as the "former spouse," be competent to intermarry with any person other than his then unmarried former spouse.

3. If, during the lifetime of his former spouse such 15 delinquent spouse—

(a) in Canada goes through a form of marriage with any person other than this former spouse, or

(b) leaves Canada with the intent to intermarry with any person other than his former spouse and thereafter 20 out of Canada, goes through a form of marriage with a person other than this former spouse,

he shall, in Canada, be and be deemed to be guilty of bigamy and punishable as in and by the *Criminal Code* provided.

Remarriage punishable as bigamy.

THE SENATE OF CANADA

BILL D.

An Act respecting The Northern Trusts Company.

Read a first time, Monday, 23rd March, 1936.

Honourable Senator HAIG.

OTTAWA J. O. PATENAUDE, I.S.O. PRINTER TO THE KING'S MOST EXCELLENT MAJESTY 1936

THE SENATE OF CANADA

BILL D.

An Act respecting The Northern Trusts Company.

Preamble.

WHEREAS The Northern Trusts Company has by its petition prayed that it be enacted as hereinafter set forth and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as 5 follows:—

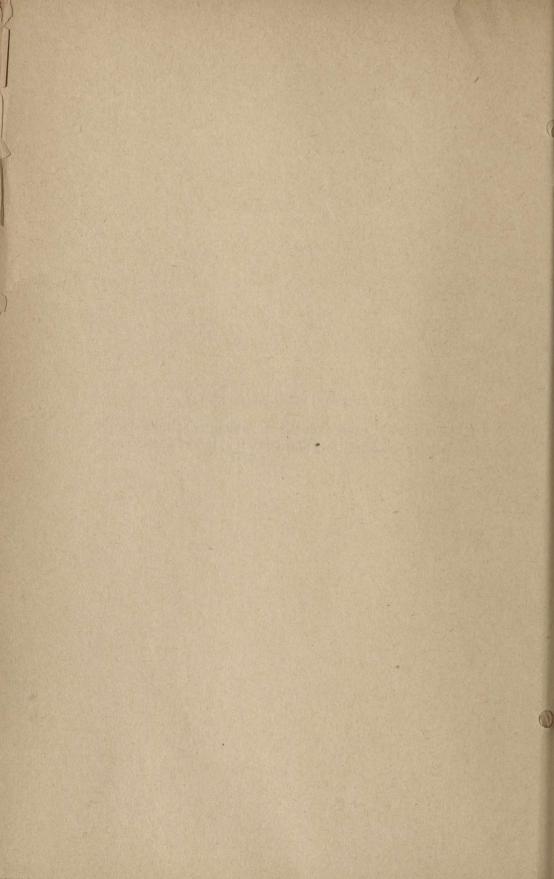
1923. c. 89.

Capital stock. 1. Section three of chapter eighty-nine of the statutes of 1923, is hereby repealed and the following section is substituted therefor:—

"**3.** The capital stock of the Company shall be one 10 million dollars divided into shares of twenty dollars each."

The section to be repealed reads as follows:----

"3. The capital stock of the Company shall be two million dollars divided into shares of fifty dollars each."



THE SENATE OF CANADA

BILL E.

An Act to incorporate United Credit Association.

Read a first time, Tuesday, 24th March, 1936.

HONOURABLE SENATOR LITTLE.

THE SENATE OF CANADA

BILL E.

An Act to incorporate United Credit Association.

Preamble.

WHEREAS the persons hereinafter named have by their petition prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada. 5 enacts as follows:---

1. David Slater, real estate agent, Gilmour F. Schoales,

insurance agent, and Patrick Herman McNulty, surgeon, all of the city of Winnipeg in the province of Manitoba, together with such persons as become shareholders in the 10 company, are hereby incorporated under the name of

"United Credit Association." hereinafter called "the Com-

Incorporation

Corporate name.

Provisional directors.

pany."

hundred dollars each.

Capital stock Shares.

Head office.

4. The head office of the Company shall be in the city of Winnipeg, in the province of Manitoba.

3. The capital stock of the Company shall be two hundred

thousand dollars, divided into two thousand shares of one

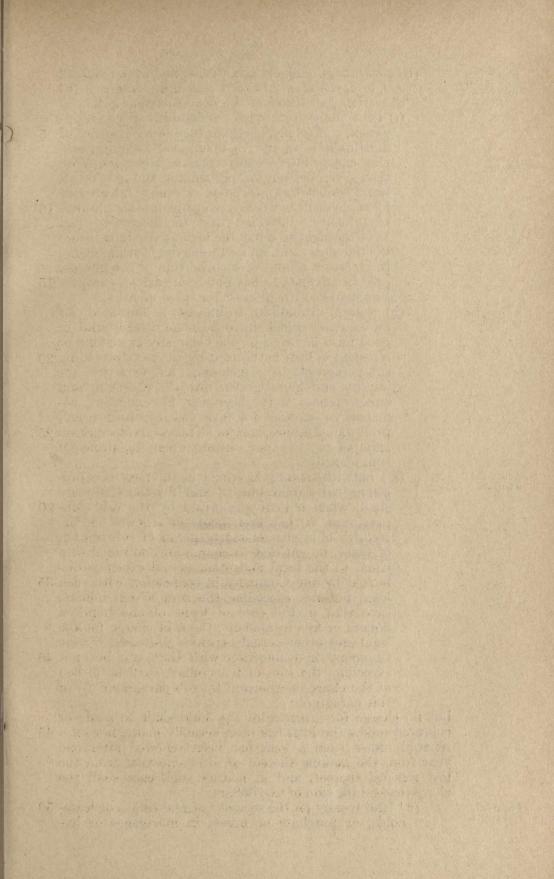
Powers.

5. (1) The Company may throughout Canada:-

the provisional directors of the Company.

(a) buy, sell, deal in and lend money on the security of conditional sales agreements, lien notes, hire purchase agreements, chattel mortgages, trade paper, bills of lading, warehouse receipts, bills of exchange 25 and choses-in-action; and may receive and accept from the makers, vendors or transferors thereof guarantees or other security for the performance and payment thereof and may enforce such guarantees and realize on such security; 30

2. The persons named in section one of this Act shall be 15



R.S. c. 102; R.S. c. 135; R.S. c. 28.

Loans.

Rate of interest.

Proviso. Right to repay. Refund.

Charges for expenses.

Additional charge.

Loans on real estate. (b) notwithstanding anything contained in the Interest Act, or in the Money Lenders Act, or in paragraph (c) of section sixty-three of the Loan Companies Act,—

(i) lend money secured by assignment of choses-inaction, chattel mortgages or such other evidence of 5 indebtedness as the Company may require, and may charge interest thereon at a rate of not more than seven per centum per annum, and may on all loans deduct the interest in advance and provide for repayment in weekly, monthly or other uniform 10 repayments: Provided that the borrower shall have the right to repay the loan at any time before the due date, and, on such repayment being made, to receive a refund of such portion of the interest paid in advance as has not been earned, except a 15 sum equal to the interest for three months;

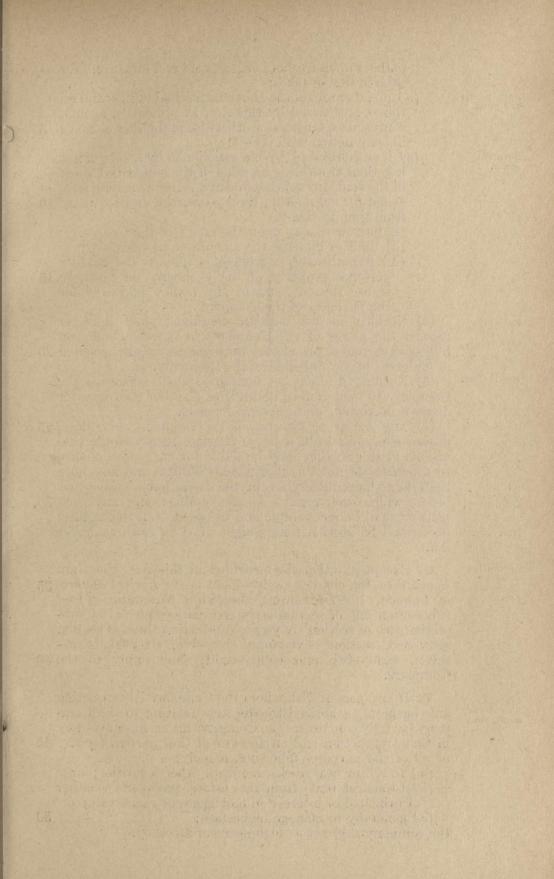
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(ii) charge, in addition to interest as aforesaid, for all expenses which have been necessarily and in good faith incurred by the Company in making or renewing a loan authorized by the next preceding 20 sub-paragraph (i), including all expenses for inquiry and investigation into the character and circumstances of the borrower, his endorsers, comakers or sureties, for taxes, correspondence and professional advice, and for all necessary documents 25 and papers, two per centum upon the principal sum loaned;

(iii) notwithstanding anything in the next two preceding sub-paragraphs (i) and (ii) the Company shall, when a loan authorized by the said sub- 30 paragraph (i) has been made or renewed on the security of a chattel mortgage, or of subrogation of taxes, be entitled to charge an additional sum equal to the legal and other actual expenses disbursed by the Company in connection with such 35 loan, but not exceeding the sum of ten dollars, save that in the case of loans of one hundred dollars or less in amount, the said charge for the legal and other actual expenses disbursed by the Company in connection with the loan, but not 40 exceeding the sum of ten dollars, shall be in lieu of the charge authorized by sub-paragraph (ii) of this paragraph:

but no charge for expenses of any kind shall be made or collected unless the loan has been actually made, nor on a 45 renewal unless such a loan has been renewed after one year from the making thereof or after one year from the last renewal thereof, and in neither such case shall the charge exceed the sum of five dollars;

(c) lend money on the security of real estate or lease- 50 holds, or purchase or invest in mortgages or hy-



As principals or agents.

Borrowing power.

Borrowing on bills of exchange.

Restrictions.

Penalty.

Recovery and deposit.

R.S. c. 28.

Application of Loan Companies Act.

Company may act as agent, etc. pothecs upon freehold or leasehold real estate and for subrogation of taxes;

(d) do all or any of the above mentioned things, and all things authorized by this Act, as principals, agents, contractors, trustees or otherwise and either alone or 5 in conjunction with others;

(e) if authorized by by-law sanctioned by a vote of not less than two-thirds in value of the subscribed stock of the company represented at a general meeting duly called for considering the by-law, the directors may 10 from time to time:—

- (i) borrow money upon the credit of the Company;
- (ii) limit or increase the amount to be borrowed;
- (iii) hypothecate, mortgage or pledge the real or personal property of the Company, or both, to 15 secure the payment of any money borrowed for the purposes of the Company.

(2) Nothing in this section contained shall limit or restrict the power of the Company to borrow money on bills of exchange or promissory notes made, drawn, accepted 20 or endorsed by or on behalf of the Company.

(3) Nothing in this Act contained shall authorize the Company to issue bonds, debentures or other securities for moneys borrowed, or to accept deposits.

(4) Any officer or director of the Company who does, 25 causes or permits to be done, anything contrary to the provisions of this section shall be liable for each such offence to a penalty of not less than twenty dollars and not more than five thousand dollars in the discretion of the court before which such penalty is recoverable; and any such 30 penalty shall be recoverable and disposed of in the manner prescribed by section ninety-eight of the Loan Companies Act.

6. Except as otherwise provided in this Act, the Loan Companies Act, chapter twenty-eight of the Revised Statutes 35 of Canada, 1927, excepting therefrom paragraph (f) of sub-section one of section sixty-one, paragraph (c) of subsection two of section sixty-one, sub-section three of section sixty-two, sections sixty-four, sixty-five, sixty-six, sixtyseven, eighty-two and eighty-eight, shall apply to the 40 Company.

7. If any person with whom the Company is transacting any business authorized by the Acts relating to the Company lawfully constitutes the Company his agent or attorney in that transaction and on account of that person, for any 45 or all of the purposes following, namely:—

(a) to sell or buy stocks, bonds or other securities; or

- (b) to collect rents from real estate, payments whether
- of principal or interest on mortgages or real estate; or (c) generally to manage real estate:

the company may act as such agent or attorney.

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THE SENATE OF CANADA

BILL F.

An Act respecting The St. Lawrence and Adirondack Railway Company.

Read a first time, Tuesday, 24th March, 1936.

Honourable Senator Coré.

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THE SENATE OF CANADA

BILL F.

An Act respecting The St. Lawrence and Adirondack Railway Company.

1888, c. 64; 1893, c. 60; 1894, c. 93; 1895, c. 62; 1896 (1st Session), ce. 18, 32, 37; 1897, c. 62; 1901, c. 82; 1915, c. 55.

Preamble.

Lease of railway authorized. WHEREAS The St. Lawrence and Adirondack Railway Company has by its petition prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House 5 of Commons of Canada, enacts as follows:—

1. Subject to the provisions of sections one hundred and fifty-one, one hundred and fifty-two and one hundred and fifty-three of the *Railway Act*, The St. Lawrence and Adirondack Railway Company may from time to time, for 10 a period not exceeding in all ninety-nine years from the date of the expiry of the now existing lease made under authority of chapter fifty-five of the Statutes of Canada, 1915, lease and renew any lease of its railway and undertaking to The New York Central Railroad Company, a 15 company incorporated under the laws of the states of New York, Pennsylvania, Ohio, Indiana, Michigan and Illinois, in the United States of America. and having its principal office at the city of Albany, in the said state of New York, or to any corporate successor of that company. 20

Certain lease included. 2. The Company may include in any such lease or renewal an assignment of all its rights and privileges under or by virtue of a certain indenture of lease or trackage agreement between The Grand Trunk Railway Company of Canada as lessor and the Company as lessee, dated the 25 first day of January, eighteen hundred and ninety-six and set forth in chapter eighteen of the Statutes of Canada, 1896, and any amendment or modification of such lease or trackage agreement.

EXPLANATORY NOTES.

Section 1.

All of the stock and all of the bonds of The St. Lawrence and Adirondack Railway Company have for many years been owned by The New York Central Railroad Company and in 1915, by Chapter 55 of the Statutes of that year. The St. Lawrence and Adirondack Railway Company was authorized to lease its railway and undertaking to The New York Central Railroad Company. In the Act of 1915, the lessee company is described as "The New York Central Railroad Company, a company incorporated under the laws of the States of New York, Pennsylvania, Ohio, Indiana, Michigan and Illinois, in the United States, and having its principal office at the City of Albany in the said State of New York." The reason for this long description was that a year or two before 1915 there had been a consolidation effected by concurrent legislation in the States mentioned amalgamating a number of other railroad companies to form The New York Central Railroad Company. Prior to that consolidation, the New York Central and Hudson River Railroad Company, popularly known as the New York Central, had acquired the stock and bonds of these other railroad companies incorporated in the States named, and hence the necessity for the incorporation of an amalgamated company by concurrent legislation of the States named. The Act of 1915 authorized a lease for only twenty-one years and this lease will expire during 1936. Hence the necessity of the Company's coming back to Parliament and asking authority to lease for a further period. Under the circumstances, it is suggested that the authority should extend to a lease or leases for a period or periods not exceeding in the aggregate ninety-nine years.

Section 2.

By Chapter 18 of the Statutes of 1896, a lease from The Grand Trunk Railway Co. of Canada to The St. Lawrence & Adirondack Railway Company of that portion of the Grand Trunk line extending from the southerly end of the curve south of the present Beauharnois Station to the present terminus at Valleyfield for a term of ninety-nine years from the first of January 1896, was confirmed. It is necessary to authorize the inclusion of an assignment of this lease in the proposed lease to the New York Central. Agreement of 1st July, 1908, included.

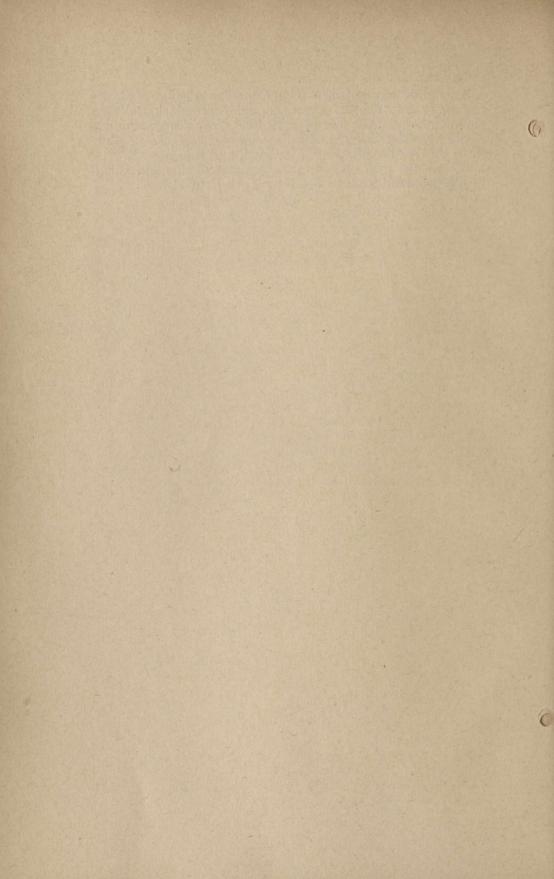
3. Subject to the provisions of sections one hundred and fifty-one, one hundred and fifty-two and one hundred and fifty-three of the Railway Act, The St. Lawrence and Adirondack Railway Company may also include in any such lease or renewal an assignment of all of its rights and 5 privileges under or by virtue of a certain trackage agreement between The Canadian Pacific Railway Company and the Company, dated the first day of July, nineteen hundred and eight, for the operation of the trains of the Company over the line of The Canadian Pacific Railway Company 10 and over that Company's St. Lawrence River bridge and into the Windsor Street terminals from Adirondack Junction to the City of Montreal, or any agreement in renewal thereof or in substitution therefor, or any amendment or modification thereof. 15

Powers and obligations under lease. 4. The said The New York Central Railroad Company and any such corporate successor thereof shall, during the currency of any such lease or renewal thereof, in respect of the operation, construction, improvement and control of the railway and undertaking, and generally in respect of 20 anything which it may desire to do as lessee under the said lease, or as sub-lessee or assignee of the rights and privileges of the Company under any assignment of any lease or trackage agreement, have all the powers and rights and be subject to all the obligations and be entitled to all the 25 immunities provided in any Act respecting The St. Lawrence and Adirondack Railway Company, in the *Railway Act*, in any amendment thereto, and in any other Act for the time being in force.

Section 3.

An agreement between The Canadian Pacific Railway Company and The St. Lawrence and Adirondack Railway Company, dated the first of July 1908, provides for running rights over the Canadian Pacific from Adirondack Junction in to the Windsor Station, Montreal, and it is necessary to authorize the inclusion of an assignment of this agreement in the proposed lease to the New York Central.

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THE SENATE OF CANADA

BILL G.

An Act respecting The Ottawa and New York Railway Company.

Read a first time, Tuesday, 24th March, 1936.

Honourable Senator Coré.

OTTAWA J. O. PATENAUDE, I.S.O. PRINTER TO THE KING'S MOST EXCELLENT MAJESTY 1936

THE SENATE OF CANADA

BILL G.

An Act respecting The Ottawa and New York Railway Company.

1897, c. 57; 1898, c. 82; 1905, c. 141; 1915, c. 50; 1932, c. 60.

HEREAS The Ottawa and New York Railway Company has by its petition prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Com- 5 mons of Canada, enacts as follows:----

1. Subject to the provisions of sections one hundred and fifty-one, one hundred and fifty-two and one hundred and fifty-three of the Railway Act, The Ottawa and New York Railway Company may from time to time, for a period not 10 exceeding in all ninety-nine years from the date of the expiry of the now existing lease made under authority of chapter fifty of the Statutes of Canada, 1915, lease and renew any lease of its railway and undertaking to The New York Central Railroad Company, a company incor- 15 porated under the laws of the states of New York, Pennsylvania, Ohio, Indiana, Michigan and Illinois, in the United States of America, and having its principal office at the city of Albany, in the said state of New York, or to any corporate successor of that company. 20

Powers and obligations under lease.

2. The said The New York Central Railroad Company and any corporate successor thereof shall, during the currency of any such lease or renewal thereof, in respect of the operation, construction, improvement and control of the railway and undertaking, and generally in respect of any-25 thing which it may desire to do as lessee under the said lease, have all the powers and rights and be subject to all the obligations and be entitled to all the immunities provided in any Act respecting The Ottawa and New York Railway Company, in the Railway Act, in any amendment thereto, 30 and in any other Act for the time being in force.

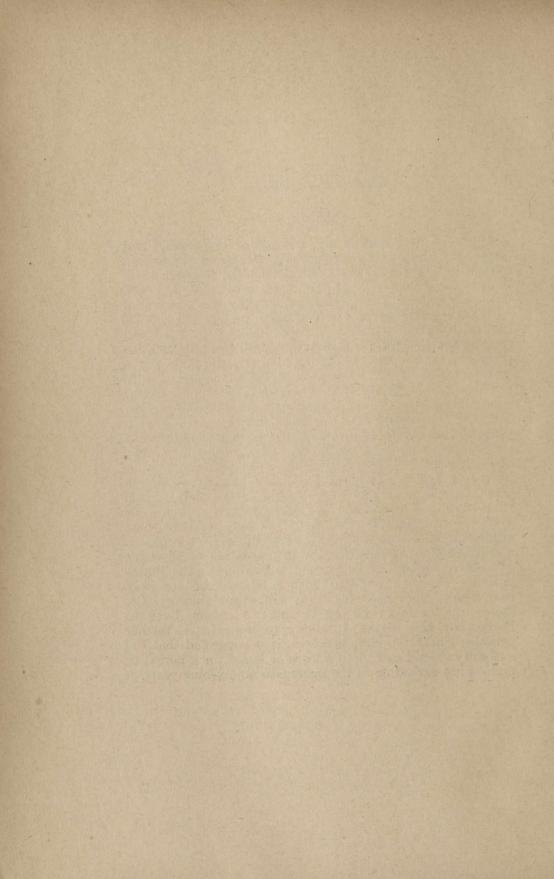
Preamble.

Lease of railway authorized.

EXPLANATORY NOTES.

Section 1

All of the stock and all of the bonds of The Ottawa and New York Railway Company have for many years been owned by The New York Central Railroad Company and in 1915, by Chapter 50 of the Statutes of that year. The Ottawa and New York Railway Company was authorized to lease its railway and undertaking to The New York Central Railroad Company. In the Act of 1915, the lessee company is described as "The New York Central Railroad Company, a company incorporated under the laws of the States of New York, Pennsylvania, Ohio, Indiana, Michigan and Illinois, in the United States, and having its principal office at the City of Albany in the said State of New York." The reason for this long description was that a vear or two before 1915 there had been a consolidation effected by concurrent legislation in the States mentioned amalgamating a number of other railroad companies to form The New York Central Railroad Company. Prior to that consolidation, the New York Central and Hudson River Railroad Company, popularly known as the New York Central, had acquired the stock and bonds of these other railroad companies incorporated in the States named. and hence the necessity for the incorporation of an amalgamated company by concurrent legislation of the States named. The Act of 1915 authorized a lease for only twenty-one years and this lease will expire during 1936. Hence the necessity of the Company's coming back to Parliament and asking authority to lease for a further period. Under the circumstances, it is suggested that the authority should extend to a lease or leases for a period or periods not exceeding in the aggregate ninety-nine years.



THE SENATE OF CANADA

BILL H.

An Act respecting The Trust and Loan Company of Canada.

Read a first time, Tuesday, 24th March, 1936.

Honourable Senator Coté.

OTTAWA J. O. PATENAUDE, I.S.O. PRINTER TO THE KING'S MOST EXCELLENT MAJESTY 1936

THE SENATE OF CANADA

BILL H.

An Act respecting The Trust and Loan Company of Canada.

Preamble.

WHEREAS The Trust and Loan Company of Canada (in this Act called "the Company") has, by its petition praving that this Act be passed, shown that of its share capital of five million pounds sterling authorized by 1920, c. 96, chapter ninety-six of the Statutes of Canada, 1920, one 5 million eight hundred thousand shares of two pounds each have been issued and that of such issued share capital the sum of one pound two shillings and sixpence per share has been called up, it being expedient to grant the praver of the said petition. His Majestv, by and with the advice and 10 consent of the Senate and House of Commons of Canada. enacts as follows:----

Short title.

1910. c. 168.

1920. c. 96.

Substituting section 13changing capital structure.

2. The Trust and Loan Company of Canada Act. 1910. is 15 s. 13 repealed. amended by striking out therefrom section thirteen as substituted by section three of The Trust and Loan Company of

1. This Act may be cited as "The Trust and Loan

Company of Canada Act. 1936."

Canada Act, 1920, and substituting the following instead:-"13. (1) Subject to the provisions of subsection five of this section the capital of the Company shall be five million 20 pounds sterling divided into two million five hundred thousand preference shares of one pound sterling each and two million five hundred thousand ordinary shares of one pound sterling each, and there shall be attached to such preference shares the rights, privileges and conditions in 25 this subsection of this section following, to wit:-

(a) the right to a non-cumulative dividend at the rate of five per centum per annum on the amounts for the time being paid or credited as paid on such preference shares, but not to any further or other participation 30 in the profits of the Company:

EXPLANATORY NOTES.

SECTION 2-

Since its incorporation by Chapter 63 of the Statutes of 1843 of the late Province of Canada, the business of the Company has been the lending of money on mortgage of Real Estate in Canada. In the Company's Balance Sheet as at 31st March, 1935, Mortgages appear at the figure of \$11,735,506.

The money lent on mortgage, apart from the share capital, has been derived from borrowings in Great Britain. While there has been an issue of Debenture Stock redeemable in 1947, of which £735,484 was outstanding at the 31st March, 1935, the bulk of the borrowing has been in the form of short-term Debentures, of which £1,337,396 was outstanding at 31st March, 1935, redeemable at various dates in the years 1935 to 1942.

Normally, in the event of any difficulty in the renewal or replacement on maturity of these short-term Debentures, there is available for their repayment capital sums on mortgage falling due.

Owing to the economic conditions prevailing in Canada during recent years and consequent Provincial legislation, it has not been possible for large sums lent on mortgage to be repaid to the Company when due.

Owing to the same causes, it has not been possible for the Company to collect large amounts of the interest due on its mortgages, and this state of affairs naturally created lack of confidence and led to difficulty in the renewal and replacement of short-term Debentures.

Consequently the time came when the liquid resources of the Company were no longer adequate for the repayment of Debentures as they fell due and it became necessary to call up part of the uncalled capital of the Company for this purpose.

How heavy has been the drain upon the Company's liquid resources can be seen from the fact that the short-term Debentures outstanding were reduced from £1,721,000 at 31st December, 1932, to £1,028,000 at 31st December, 1935.

In 1920 the Company's shares became shares of $\pounds 2$ each 15/- paid. To meet the position described above a further 7/6d. a share has been called, 2/6d. being payable on 6th February, 1935, 1st May, 1935 and 25th February, 1936, respectively.

(b) the right in a winding up to have the capital paid or credited as paid up on such preference shares repaid before any distribution is made amongst the holders of the ordinary shares, but not to any further or other participation in the assets of the Company.

(2) One million eight hundred thousand of the said preference shares and one million eight hundred thousand of the said ordinary shares shall be issued in the manner herein provided to the holders of the one million eight hundred thousand two pound shares which have been 10 already issued.

(3) Every two pound share upon which at the date of the passing of this Act one pound two shillings and sixpence has been paid up shall forthwith be cancelled and the Company shall issue to the holder thereof in lieu thereof 15 one preference share of one pound fully paid and one ordinary share of one pound upon which two shillings and sixpence has been paid up.

(4) Every two pound share upon which at the date of the passing of this Act less than one pound two shillings 20 and sixpence per share has been paid up shall, if and whenever the full one pound two shillings and sixpence per share (with any interest due thereon) has been paid up be cancelled and the Company shall issue to the holder thereof in lieu thereof one preference share of one pound fully 25 paid and one ordinary share of one pound upon which two shillings and sixpence has been paid up.

(5) Every two pound share upon which at the date of the passing of this Act less than one pound two shillings and sixpence has been paid up shall, until the full one pound 30 two shillings and sixpence (with any interest due thereon) has been paid up on it continue to be a valid and subsisting share of the Company and all the rights of the Company with respect to calls thereon (to the extent of rendering it one pound two shillings and sixpence paid up) and in 35 respect of forfeiture for non-payment of calls shall be preserved."

Issue of preference stock by way of conversion of preference shares.

3. (1) Notwithstanding the provisions of the last preceding section the directors may issue preference stock by way of conversion of any preference shares so paid up in 40 full. When any stock has been so issued by way of conversion of fully paid preference shares, the several holders of such stock may thenceforth transfer their respective interests therein or any part of such interests in the same manner and subject to the same regulations as and subject 45 to which fully paid preference shares in the Company's capital may be transferred or as near thereto as circumstances will admit, but so that fractions of a pound shall not be dealt with.

A number of shareholders have found the meeting of these calls involve not merely inconvenience but actual hardship, and it is feared that should further calls be necessary it may be actually impossible for certain of the present shareholders to meet them.

At the same time shareholders have recently been unable to sell their shares, in the absence of purchasers prepared to pay anything for them owing to the heavy uncalled liability attaching to the whole security.

It is believed that if the shares of £2, 22/6d. paid, were divided into Preference shares of £1 fully paid, and Ordinary shares of £1, 2/6d. paid, the market value of the combined security would be improved and that, in any case, shareholders would in case of need be able to sell their Preference Shares (which, being fully paid and the Company having no lien on them in respect of Calls, should have a considerable market value) and thereby obtain the means of paying Calls on their Ordinary shares. The market for the shares would be improved because different investors would be attracted by the different classes of shares.

It is, moreover, customary in the case of Companies having so large a share capital as this Company, and that capital in sterling, to have the share capital divided into Preference and Ordinary.

It is to be noted that the creditors of the Company are in no way adversely affected by the proposals, since the amount of uncalled share capital remains unaltered.

The section to be repealed reads as follows:----

"13. (1) Subject to the provisions of subsection six of this section, the capital of the Company shall be five million pounds sterling, divided into two million, five hundred thousand shares of two pounds sterling.

(2) One million, eight hundred thousand of the said two pound shares shall be issued to the holders of the one hundred and fifty thousand twenty pound shares at present issued, in the manner hereinafter provided.

(3) The sum of six hundred thousand pounds now standing to the credit of the Statutory Reserve Fund accumulated, pursuant to the provisions of section twelve of the said Act, shall form part of the capital.

(4) Every twenty pound share upon which at the date of the passing of this Act five pounds has been paid up shall forthwith be cancelled and the holder thereof shall be entitled to have issued to him in lieu thereof twelve two pound shares upon which fifteen shillings per share has been paid up. Rights of preference stock holders.

(2) The preference stock shall confer on the holders thereof respectively the same privileges and advantages as regards participation in profits and voting at meetings of the Company, and for other purposes, as would have been conferred by preference shares of equal amount in the 5 capital of the Company of the same class as the preference shares from which such stock was converted, but so that none of such privileges or advantages, except the participation in profits of the Company or in the assets of the Company on a winding up, shall be conferred by any such 10 aliquot part of stock as would not, if existing in shares. have conferred such privileges or advantages. No such conversion shall affect or prejudice any preference or other special privilege attached to the shares so converted. Save as aforesaid, all the provisions in chapter one hundred and 15 sixty-eight of the Statutes of Canada, 1910, as amended by chapter ninety-six of the Statutes of Canada, 1920, and herein and in the by-laws of the Company contained shall. so far as circumstances will admit, apply to stock as well 20 as to shares.

1920, c. 96, s. 4 repealed. Substitution. 4. Section four of *The Trust and Loan Company of Canada Act, 1920*, is repealed and the following substituted therefor:—

"4. (1) Except as expressly provided by this Act nothing in this Act contained shall be construed as taking away, 25 limiting or otherwise affecting any of the powers or duties conferred or imposed upon the directors of the Company by section ten or section twelve of the said Act.

(2) Subsection one of this section shall be read and construed for all purposes as if it had been enacted and 30 assented to on the eleventh day of May, 1920, in place and stead of the provisions which are by such subsection one repealed.

(3) Except as expressly provided by this Act nothing in this Act contained shall be construed as taking away, 35 limiting or otherwise affecting any of the powers or duties conferred or imposed upon the directors of the Company by section ten or section twelve of *The Trust and Loan Company of Canada Act, 1910.*"

Retroactive effect of subsection one.

Saving as to effects of this Act. (5) Every twenty pound share upon which at the date of the passing of this Act less than five pounds has been paid up shall, if and whenever the full five pounds per share has been paid up, be cancelled and the holder thereof shall be entitled to have issued to him in lieu thereof twelve two pound shares upon which fifteen shillings per share has been paid up.

(6) Every twenty pound share upon which at the date of the passing of this Act less than five pounds has been paid up shall, until the full five pounds has been paid up on it, continue to be a vaild and subsisting share of the Company, and all rights of the Company with respect to the making of calls thereon (to the extent of rendering it five pounds paid up) and with respect to forfeiture for non-payment of calls shall be preserved."

SECTION 3-

As stated in the preamble of its original Act and in its Royal Charter, the object of the Company's incorporation was to make available capital in Great Britain for the development of Canada, and by Statute the Company's share capital has always been in sterling and its Head Office in England. Moreover, of the share capital less than Seven per cent is to-day in the names of residents of Canada and transactions in its shares are practically confined to the English Stock Exchanges.

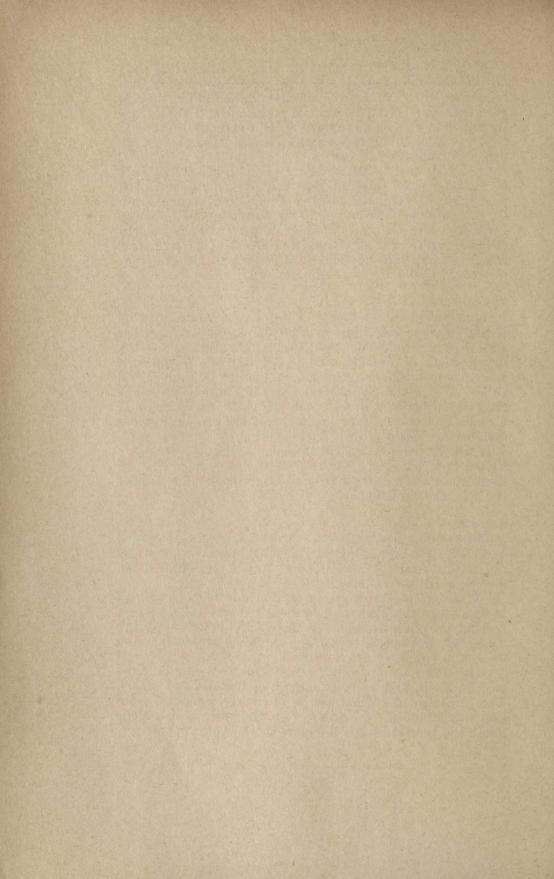
It would therefore appear reasonable that the Company should be granted the facilities as to the arrangement of its share capital which are open to English Companies under the English Company Acts.

SECTION 4-

This Section is intended to correct a clerical error which occurred in the official text of The Trust and Loan Company of Canada Act 1920 (10-11 George V, Chapter 96), Section 4 whereof reads as follows:—

"4. Except as provided in section one hereof, nothing in this Act contained shall be construed as taking away, limiting or otherwise affecting, any of the powers or duties conferred or imposed upon the directors by section ten or section twelve of the said Act."

Section one merely states that "This Act may be cited as The Trust and Loan Company of Canada Act 1920". The reference to section one is obviously a clerical error and was intended for Sections two and three which alone affect the powers of the directors of the Company.



THE SENATE OF CANADA

BILL I.

An Act for the relief of Sonya Shenkman, otherwise known as Sadie Shenkman.

Read a first time, Tuesday, 24th March, 1936.

The Honourable the Chairman of the Committee on Divorce.

OTTAWA J. O. PATENAUDE, I.S.O. PRINTER TO THE KING'S MOST EXCELLENT MAJESTY 1936

THE SENATE OF CANADA

BILL I.

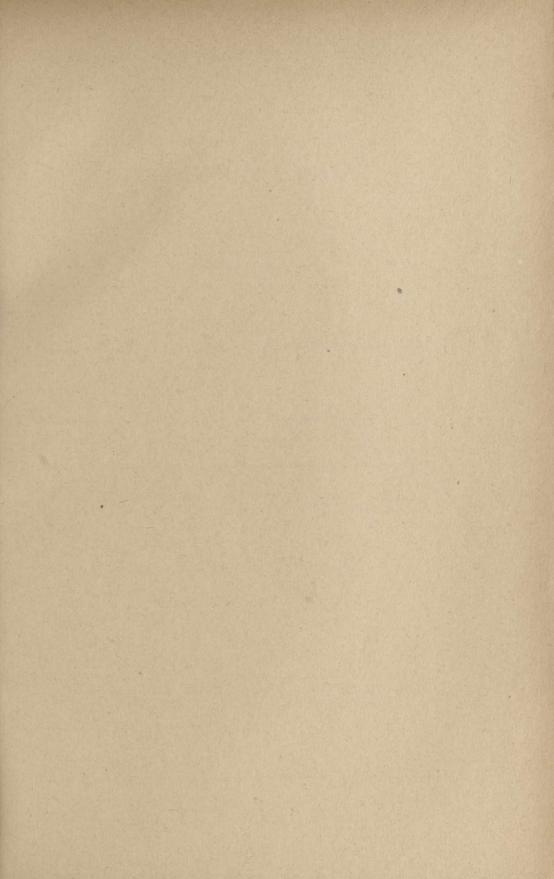
An Act for the relief of Sonya Shenkman, otherwise known as Sadie Shenkman.

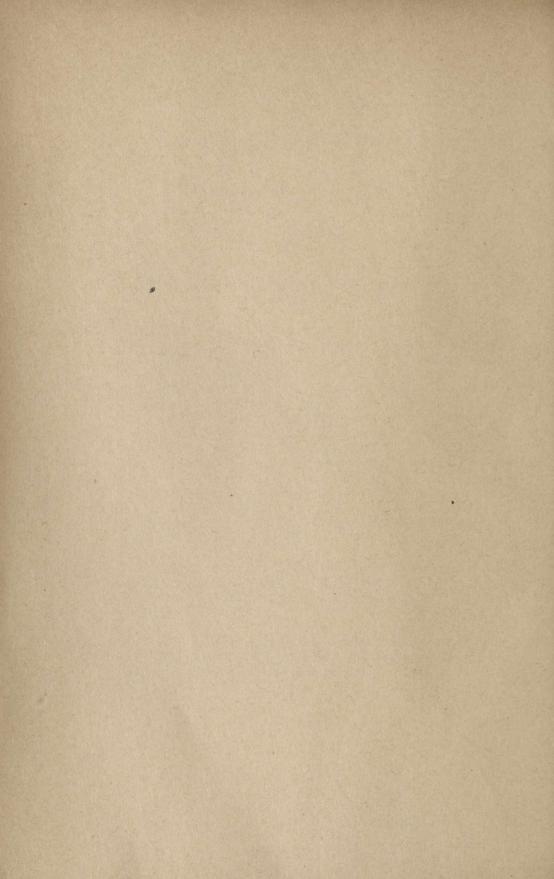
Preamble.

WHEREAS Sonya Shenkman, otherwise known as Sadie W Shenkman, residing at the city of Toronto, in the province of Ontario, wife of Samuel Shenkman, builder, who is domiciled in Canada and residing at the city of Montreal, in the province of Quebec, has by her petition 5 alleged that they were married on the fifteenth day of November, A.D. 1924, at the said city of Toronto, she then being Sadie Ross, a spinster; and whereas by her petition she has prayed that, because of his adultery since then, their marriage be dissolved; and whereas the said 10 marriage and adultery have been proved by evidence adduced and it is expedient that the prayer of her petition be granted: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:----15

Marriage dissolved. 1. The said marriage between Sadie Ross and Samuel Shenkman, her husband, is hereby dissolved, and shall be henceforth null and void to all intents and purposes whatsover.

Right to marry again. 2. The said Sadie Ross may at any time hereafter marry 20 any man whom she might lawfully marry if the said marriage with the said Samuel Shenkman had not been solemnized.





THE SENATE OF CANADA

BILL J.

An Act for the relief of Louisa Markland Molson Blaiklock.

Read a first time, Tuesday, 24th March, 1936.

The Honourable the Chairman of the Committee on Divorce.

OTTAWA J. O. PATENAUDE, I.S.O. PRINTER TO THE KING'S MOST EXCELLENT MAJESTY 1936

THE SENATE OF CANADA

BILL J.

An Act for the relief of Louisa Markland Molson Blaiklock.

Preamble.

WHEREAS Louisa Markland Molson Blaiklock, residing at the city of Montreal, in the province of Quebec, wife of Stansfeld Tunstall Blaiklock, manufacturer, who is domiciled in Canada and residing at the said city, has by her petition alleged that they were married on the eleventh 5 day of October, A.D. 1922, at the said city, she then being Louisa Markland Molson, a spinster; and whereas by her petition she has prayed that, because of his adultery since then, their marriage be dissolved; and whereas the said marriage and adultery have been proved by evidence 10 adduced and it is expedient that the prayer of her petition be granted: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Marriage dissolved. 1. The said marriage between Louisa Markland Molson 15 and Stansfeld Tunstall Blaiklock, her husband, is hereby dissolved, and shall be henceforth null and void to all intents and purposes whatsoever.

Right to marry again. 2. The said Louisa Markland Molson may at any time hereafter marry any man whom she might lawfully marry 20 if the said marriage with the said Stansfeld Tunstall Blaiklock had not been solemnized.

THE SENATE OF CANADA

BILL K.

An Act for the relief of Rita Constance Beatrice Gurd Rykert.

Read a first time, Tuesday, 24th March, 1936.

The Honourable the Chairman of the Committee on Divorce.

OTTAWA J. O. PATENAUDE, I.S.O. PRINTER TO THE KING'S MOST EXCELLENT MAJESTY 1936

THE SENATE OF CANADA

BILL K.

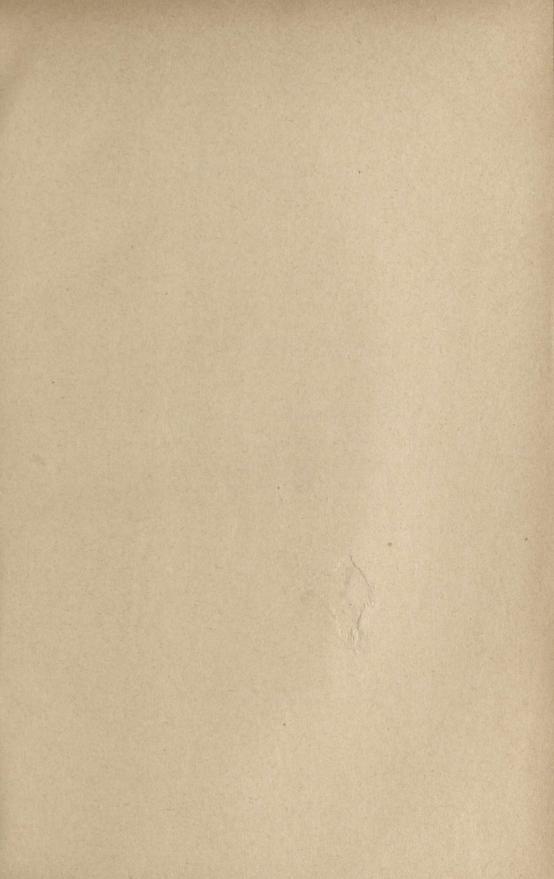
An Act for the relief of Rita Constance Beatrice Gurd Rykert.

Preamble.

WHEREAS Rita Constance Beatrice Gurd Rykert, residing at the city of Montreal, in the province of Quebec, wife of Archibald Mackintosh Rykert, broker, who is domiciled in Canada and residing at the village of Dunham, in the district of Bedford, in the said province. 5 has by her petition alleged that they were married on the fifteenth day of April, A.D. 1931, at the said city, she then being Rita Constance Beatrice Gurd, a spinster; and whereas by her petition she has praved that, because of his adultery since then, their marriage be dissolved; and 10 whereas the said marriage and adultery have been proved by evidence adduced and it is expedient that the prayer of her petition be granted: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:----15

Marriage dissolved. **1.** The said marriage between Rita Constance Beatrice Gurd and Archibald Mackintosh Rykert, her husband, is hereby dissolved, and shall be henceforth null and void to all intents and purposes whatsoever.

Right to marry again. 2. The said Rita Constance Beatrice Gurd may at any 20 time hereafter marry any man whom she might lawfully marry if the said marriage with the said Archibald Mack-intosh Rykert had not been solemnized.





THE SENATE OF CANADA

BILL L.

An Act for the relief of Helen Elizabeth Ham Lilley.

Read a first time, Tuesday, 24th March, 1936.

The Honourable the Chairm of the Committee on Divorce.

OTTAWA J. O. PATENAUDE, I.S.O. PRINTER TO THE KING'S MOST EXCELLENT MAJESTY 1936

THE SENATE OF CANADA

BILL L.

An Act for the relief of Helen Elizabeth Ham Lilley.

Preamble.

WHEREAS Helen Elizabeth Ham Lilley, residing at the village of North Hatley, in the county of Stanstead. in the province of Quebec, school teacher, wife of William Bassett Lilley, electrician, who is domiciled in Canada and residing at the city of Sherbrooke, in the said province, has 5 by her petition alleged that they were married on the twelfth day of November, A.D. 1928, at the said village. she then being Helen Elizabeth Ham, a spinster; and whereas by her petition she has praved that, because of his adultery since then, their marriage be dissolved; and 10 whereas the said marriage and adultery have been proved by evidence adduced and it is expedient that the praver of her petition be granted: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:-15

Marriage dissolved.

Right to marry again. 1. The said marriage between Helen Elizabeth Ham and William Bassett Lilley, her husband, is hereby dissolved, and shall be henceforth null and void to all intents and purposes whatsoever.

2. The said Helen Elizabeth Ham may at any time 20 hereafter marry any man whom she might lawfully marry if the said marriage with the said William Bassett Lilley had not been solemnized.

THE SENATE OF CANADA

BILL M.

An Act for the relief of Mary Kaydouh Massabky.

Read a first time, Tuesday, 24th March, 1936.

The Honourable the Chairman of the Committee on Divorce.

OTTAWA J. O. PATENAUDE, I.S.O. PRINTER TO THE KING'S MOST EXCELLENT MAJESTY 1936

THE SENATE OF CANADA

BILL M.

An Act for the relief of Mary Kaydouh Massabky.

WHEREAS Mary Kaydouh Massabky, residing at the

V city of Outremont, in the province of Quebec, wife of Antoine George Massabky, financier, who is domiciled

Preamble.

in Canada and residing at the said city of Outremont, has by her petition alleged that they were married on the 5 twenty-fifth day of February, A.D. 1933, at the city of Brooklyn, in the state of New York, one of the United States of America, she then being Mary Kaydouh, a spinster; and whereas by her petition she has prayed that, because of his adultery since then, their marriage be dissolved; 10 and whereas the said marriage and adultery have been proved by evidence adduced and it is expedient that the prayer of her petition be granted: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:— 15

Marriage dissolved.

Right to marry again. 1. The said marriage between Mary Kaydouh and Antoine George Massabky, her husband, is hereby dissolved, and shall be henceforth null and void to all intents and purposes whatsoever.

2. The said Mary Kaydouh may at any time hereafter 20 marry any man whom she might lawfully marry if the said marriage with the said Antoine George Massabky had not been solemnized.

THE SENATE OF CANADA

BILL N.

An Act for the relief of Dora Louise Gustiana York.

Read a first time, Tuesday, 24th March, 1936.

The Honourable the Chairman of the Committee on Divorce.

OTTAWA J. O. PATENAUDE, I.S.O. PRINTER TO THE KING'S MOST EXCELLENT MAJESTY 1936

THE SENATE OF CANADA

BILL N.

An Act for the relief of Dora Louise Gustiana York.

Preamble.

WHEREAS Dora Louise Gustiana York, residing at the city of Montreal, in the province of Quebec, wife of Frank Leslie York, agent, who is domiciled in Canada and residing at the said city of Montreal, has by her petition alleged that they were married on the third 5 day of August, A.D. 1934, at the city of Toronto, in the province of Ontario, she then being Dora Louise Gustiana, a spinter; and whereas by her petition she has prayed that, because of his adultery since then, their marriage be dissolved; and whereas the said marriage and adultery 10 have been proved by evidence adduced and it is expedient that the prayer of her petition be granted: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

1. The said marriage between Dora Louise Gustiana 15

Marriage dissolved.

and Frank Leslie York, her husband, is hereby dissolved, and shall be henceforth null and void to all intents and purposes whatsoever.

2. The said Dora Louise Gustiana may at any time hereafter marry any man whom she might lawfully marry 20 if the said marriage with the said Frank Leslie York had not been solemnized.

Right to marry again.

THE SENATE OF CANADA

BILL O.

An Act for the relief of Violet Charlotte Dyke Duiven.

Read a first time, Tuesday, 24th March, 1936.

The Honourable the Chairman of the Committee on Divorce.

OTTAWA J. O. PATENAUDE, I.S.O. PRINTER TO THE KING'S MOST EXCELLENT MAJESTY 1936

THE SENATE OF CANADA

BILL O.

An Act for the relief of Violet Charlotte Dyke Duiven.

WHEREAS Violet Charlotte Dyke Duiven, residing at

W the city of Drummondville, in the province of Quebec, stenographer, wife of Claas Duiven, mining engineer, who is domiciled in Canada and residing at the city of Montreal, in the said province, has by her petition alleged 5 that they were married on the seventeenth day of March, A.D. 1927, at the city of Calgary, in the province of Alberta, she then being Violet Charlotte Dyke, a spinster; and whereas by her petition she has prayed that, because of his adultery since then, their marriage be dissolved; and 10 whereas the said marriage and adultery have been proved by evidence adduced and it is expedient that the prayer of her petition be granted: Therefore His Majesty, by and with the advice and consent of the Senate and House

Preamble.

Marriage dissolved.

Right to marry again. **1.** The said marriage between Violet Charlotte Dyke and Claas Duiven, her husband, is hereby dissolved, and shall be henceforth null and void to all intents and purposes whatsoever.

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of Commons of Canada, enacts as follows:---

2. The said Violet Charlotte Dyke may at any time 20 hereafter marry any man whom she might lawfully marry if the said marriage with the said Claas Duiven had not been solemnized.

THE SENATE OF CANADA

BILL P.

An Act for the relief of Irene Louise Penny McKee.

Read a first time, Tuesday, 24th March, 1936.

The Honourable the Chairman of the Committee on Divorce.

OTTAWA J. O. PATENAUDE, I.S.O. PRINTER TO THE KING'S MOST EXCELLENT MAJESTY 1936

THE SENATE OF CANADA

BILL P.

An Act for the relief of Irene Louise Penny McKee.

Preamble.

WHEREAS Irene Louise Penny McKee, residing at the city of Montreal, in the province of Quebec, wife of Llovd Rankin McKee, merchant, who is domiciled in Canada and residing at the city of Sherbrooke, in the said province, has by her petition alleged that they were married 5 on the seventh day of January, A.D. 1918, at the city of Westmount, in the said province, she then being Irene Louise Penny, a spinster; and whereas by her petition she has praved that, because of his adultery since then, their marriage be dissolved: and whereas the said marriage and 10 adultery have been proved by evidence adduced and it is expedient that the praver of her petition be granted: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:-15

Marriage dissolved. 1. The said marriage between Irene Louise Penny and Lloyd Rankin McKee, her husband, is hereby dissolved, and shall be henceforth null and void to all intents and purposes whatsoever.

Right to marry again. 2. The said Irene Louise Penny may at any time here- 20 after marry any man whom she might lawfully marry if the said marriage with the said Lloyd Rankin McKee had not been solemnized.

THE SENATE OF CANADA

BILL Q.

An Act for the relief of Esther Shapiro.

Read a first time, Tuesday, 24th March, 1936.

The Honourable the Chairman of the Committee on Divorce.

OTTAWA J. O. PATENAUDE, I.S.O. PRINTER TO THE KING'S MOST EXCELLENT MAJESTY 1936

THE SENATE OF CANADA

BILL Q.

An Act for the relief of Esther Shapiro.

Preamble.

WHEREAS Esther Shapiro, residing at the city of Montreal, in the province of Quebec, wife of Max Shapiro, salesman, who is domiciled in Canada and residing at the said city, has by her petition alleged that they were married on the twenty-sixth day of September, 5 A.D. 1929, at the said city, she then being Esther Mendelson, a spinster; and whereas by her petition she has prayed that, because of his adultery since then, their marriage be dissolved; and whereas the said marriage and adultery have been proved by evidence adduced and it is expedient 10 that the prayer of her petition be granted: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Marriage dissolved.

1. The said marriage between Esther Mendelson and Max Shapiro, her husband, is hereby dissolved, and shall 15 be henceforth null and void to all intents and purposes whatsoever.

Right to marry again. 2. The said Esther Mendelson may at any time hereafter marry any man whom she might lawfully marry if the said marriage with the said Max Shapiro had not 20 been solemnized.

THE SENATE OF CANADA

BILL R.

An Act for the relief of Thomas John Howard Fox.

Read a first time, Tuesday, 24th March, 1936.

The Honourable the Chairman of the Committee on Divorce.

OTTAWA J. O. PATENAUDE, I.S.O. PRINTER TO THE KING'S MOST EXCELLENT MAJESTY 1936

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THE SENATE OF CANADA

BILL R.

An Act for the relief of Thomas John Howard Fox.

Preamble.

WHEREAS Thomas John Howard Fox, domiciled in Canada and residing at the city of Montreal, in the province of Quebec, garage manager, has by his petition alleged that on the ninth day of June, A.D. 1926, at the said city, he and Irene Owen, who was then of the said 5 city, a spinster, were married; and whereas by his petition he has prayed that, because of her adultery since then, their marriage be dissolved; and whereas the said marriage and adultery have been proved by evidence adduced and it is expedient that the prayer of his petition be granted: 10 Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Marriage dissolved.

Right to marry again. 1. The said marriage between Thomas John Howard Fox and Irene Owen, his wife, is hereby dissolved, and 15 shall be henceforth null and void to all intents and purposes whatsoever.

2. The said Thomas John Howard Fox may at any time hereafter marry any woman whom he might lawfully marry if the said marriage with the said Irene Owen had 20 not been solemnized.

THE SENATE OF CANADA

BILL S.

An Act to incorporate The Equitable Life Insurance Company of Canada.

Read a first time, Tuesday, 24th March, 1936.

HONOURABLE SENATOR LAIRD

OTTAWA J. O. PATENAUDE, I.S.O. PRINTER TO THE KING'S MOST EXCELLENT MAJESTY 1936

THE SENATE OF CANADA

BILL S.

An Act to incorporate The Equitable Life Insurance Company of Canada.

Preamble.

WHEREAS the persons hereinafter named have by their petition prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of 5 Canada, enacts as follows:—

1. John C. Breithaupt, manufacturer, Mervyn J. Smith, insurance manager, Edward H. McKinney, superintendent, and Franklin B. Relyea, actuary, all of the city of Kitchener in the county of Waterloo, and John A. Martin, manu- 10 facturer, and James C. Haight, barrister, both of the town of Waterloo, in the county of Waterloo, together with such persons as become shareholders of the Company, are hereby incorporated under the name of "The Equitable

Incorporation.

Corporate name.

Provisional directors.

Capital stock.

Prior subscription.

Head office. 5.

"the Company".

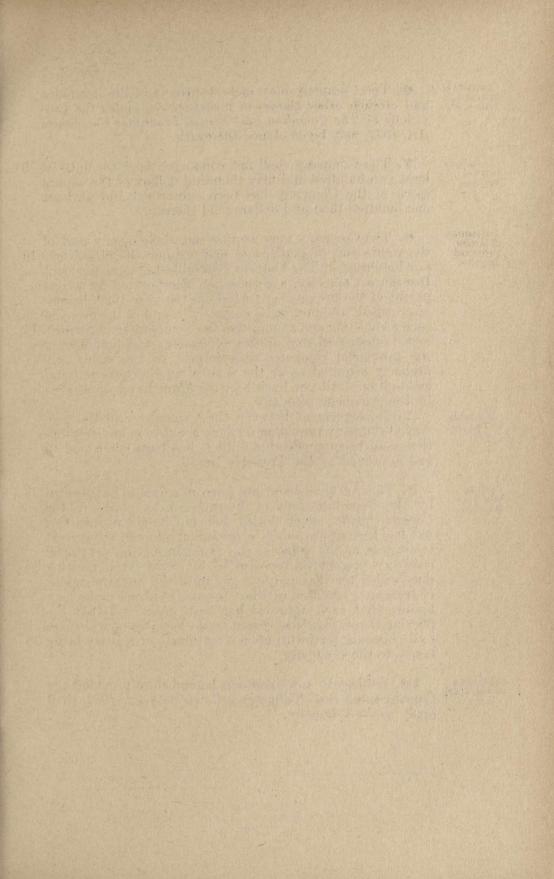
2. The persons named in section one of this Act shall be the provisional directors of the Company.

Life Insurance Company of Canada", hereinafter called 15

3. The capital stock of the Company shall be two million dollars divided into shares of twenty-five dollars each. 20

4. The amount to be subscribed before the general meeting for the election of directors is called shall be one hundred thousand dollars.

5. The head office of the Company shall be in the town of Waterloo, in the province of Ontario. 25



Contracts of insurance. 1932, c. 46.

Commencement of business.

Acquisition of certain rights and property.

Submission to Treasury Board.

Bringing this Act into force. 6. The Company may make contracts of life insurance and of such other classes of insurance as, under the provisions of *The Canadian and British Insurance Companies Act*, 1932, may be combined therewith.

7. The Company shall not commence business until at 5 least two hundred and fifty thousand dollars of the capital stock of the Company has been subscribed and at least one hundred thousand dollars paid thereon.

S. The Company may acquire the whole or any part of the rights and property, and may assume the obligations 10 and liabilities, of The Ontario Equitable Life and Accident Insurance Company, a corporation incorporated by letters patent of the province of Ontario in the year 1920, hereinafter called "the provincial company"; and in the event of such acquisition and assumption the Company shall perform 15 and discharge all such duties, obligations and liabilities of the provincial company with respect to the rights and property acquired as at the time of such acquisition and assumption shall not have been performed and discharged by the provincial company. 20

(2) No agreement between the Company and the provincial company providing for such acquisition and assumption shall become effective until it has been submitted to and approved by the Treasury Board.

9. This Act shall come into force on a date to be specified 25 by the Superintendent of Insurance in a notice in the *Canada Gazette*. Such notice shall not be given until this Act has been approved by a resolution adopted by at least two-thirds of the votes of the members of the provincial company present or represented by proxy at a meeting 30 duly called for that purpose nor until the Superintendent of Insurance has been satisfied by such evidence as he may require that such approval has been given and that the provincial company has ceased to do business or will cease to do business forthwith upon a certificate of registry being 35 issued to the Company.

Application of 1932, c. 46 10. Subject to any exception hereinbefore provided the Canadian and British Insurance Companies Act, 1932, shall apply to the Company.

THE SENATE OF CANADA

BILL T.

An Act respecting The Pension Fund Society of the Bank of Montreal.

Read a first time, Wednesday, 25th March, 1936.

Honourable Senator LEMIEUX.

OTTAWA J. O. PATENAUDE, I.S.O. PRINTER TO THE KING'S MOST EXCELLENT MAJESTY 1936

THE SENATE OF CANADA

BILL T.

An Act respecting The Pension Fund Society of the Bank of Montreal.

Preamble.

WHEREAS The Pension Fund Society of the Bank of Montreal (in this Act called "the Corporation") was incorporated by chapter thirteen of the Statutes of Canada, 1885, for purposes and with capacities, rights and powers in and by that Act provided, and by its petition the Corpor-5 ation prays that its said capacities, rights and powers, in so far as they relate to the investment and safeguarding of the Pension Fund of the Corporation, be more precisely defined, it being expedient that the prayer of the said petition be granted, His Majesty, by and with the advice 10 and consent of the Senate and House of Commons of Canada, enacts as follows:—

Construction of 1885, c. 13, s. 1. 1. Without restricting or limiting the application of any of the terms or provisions of section one of chapter thirteen of the Statutes of Canada, 1885, the capacity, right and 15 power of the Corporation to it by that section granted shall be deemed to include, and always since the passing of that Act to have included, capacity, right and power—

- (a) to acquire and hold real or immovable property for the actual use and occupation and the management of 20 the Corporation and to sell or otherwise dispose of any of such property;
- (b) to invest by way of loan or otherwise the Pension Fund or any part thereof in any security of a kind in which a trustee may now invest under *The Trust* 25 *Companies Act*:
- (c) to acquire, whether by purchase or otherwise, hold, sell or otherwise dispose of any real or immovable property mortgaged, hypothecated or otherwise charged in favour of the Corporation or held by it by way of 30 security.

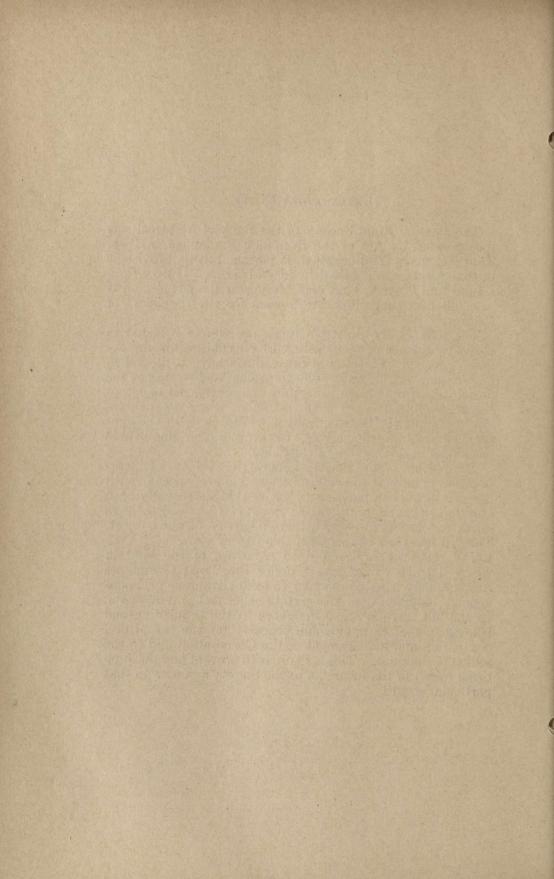
EXPLANATORY NOTES.

The Pension Fund Society of the Bank of Montreal was incorporated by Act of the Dominion Parliament in 1885. That Act gives the Society wide powers, but its provisions in that regard are couched in general terms. It may form a fund and "invest, hold and administer the same" and it has "all necessary corporate powers for the purposes" of the Act.

The bulk of the Society's funds are to-day invested in either mortgages or loans secured by hypothec on immovable property. Foreclosure proceedings have to be taken on occasion whereafter in order to protect its investment the Society itself may have to acquire the mortgaged or hypothecated property. In some instances where its debtors are in default the Society finds it advisable, with the consent of debtors themselves, to acquire the immovable properties in satisfaction of the debts.

The officers of the Society believe that its Act of incorporation permits it to acquire immovable properties in such cases as have been mentioned, but as this has recently been questioned by an outsider the Society is anxious to have set at rest any doubt which there might be on the subject. The bill has been drawn with this end in view.

The reference in the bill to securities of the kind in which a trustee may invest under the Trust Companies Act is merely inserted in order to take advantage of a convenient enumeration of certain specified investments. In the bill there is also a reference to the acquisition and holding of real or immovable property for the actual use, occupation and management of the Corporation and to the selling of the same. This is in order to prevent any question being raised in the future as to the Society's powers in that particular regard.



First Session, Eighteenth Parliament, 1 Edward VIII, 1936

THE SENATE OF CANADA

BILL U.

An Act to amend The Canadian and British Insurance Companies Act, 1932.

Read a first time, Tuesday, 31st March, 1936.

Honourable Senator DANDURAND.

OTTAWA J. O. PATENAUDE, I.S.O. PRINTER TO THE KING'S MOST EXCELLENT MAJESTY 1936

1st Session, 18th Parliament, 1 Edward VIII, 1936

THE SENATE OF CANADA

BILL U.

An Act to amend The Canadian and British Insurance Companies Act, 1932.

1932, c. 46; 1933, c. 32; 1934, cc. 27, 45; HIS Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

1. Subsections one and three of section three of *The Canadian and British Insurance Companies Act, 1932, 5* chapter forty-six of the Statutes of 1932, are repealed and the following are substituted therefor:—

Application to companies incorporated after 4th May, 1910.

"3. (1) Except as hereinafter otherwise provided the provisions of Part II of this Act shall apply to every company incorporated by a special Act of the Parliament of Canada 10 after the fourth day of May, one thousand nine hundred and ten."

"(3) Except as hereinafter otherwise provided the provisions of sections twenty-six, forty-one, forty-two, forty-three, forty-four, and the provisions of Parts III to VII inclusive 15 of this Act shall apply to every company irrespective of the date of incorporation."

Provisions applicable to all companies.

EXPLANATORY NOTES.

SECTION 1.

The only change in section three consists in the addition at the beginning of subsections one and three of the underlined words "Except as hereinafter otherwise provided".

This amendment is to remove conflict between section 3 and section 87 (formerly 90). The latter section provides that fraternal benefit societies, which are by definition included in the term "company" shall be exempt from certain portions of Part II and Part IV of the Act.

"3. The provisions of Part II of this Act shall apply to every company incorporated by a special Act of the Parliament of Canada after the fourth day of May, one thousand nine hundred and ten".

"(3) The provisions of sections twenty-six, forty-one, forty-two, forty-three, forty-four, and the provisions of Parts III to VII inclusive of this Act shall apply to every company irrespective of the date of incorporation".

Section 87 at present reads as follows:-

"87. This Part applies only to fraternal benefit societies registered under this Act.

(2) Every society registered under the provisions of this Act, shall, when so registered, be exempt from the provisions of Part II of this Act with the exception of sections twenty-six, forty-one and forty-four thereof and from the provisions of sections eighty-two, eighty-three and eighty-four." 2. Section forty-one of the said Act is amended by adding thereto the following subsection:—

Annual meeting to be at the head office. "(2) The annual general meeting of every company and the meeting of the periodical representative convention, or other legislative body by whatever name called, of every fraternal benefit society, shall be held at the head office of the company or society in Canada."

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Approval of by-laws by Treasury Board. **3.** Subsection one of section forty-four of the said Act is amended by striking out the word "eighty-one" in the last line of the said subsection and substitutin gtherefor the 10 word "seventy-seven".

Subsection two is new.

The Act contains no provision that the annual meeting of a Canadian company or the convention of a Canadian fraternal benefit society shall be held in Canada and this amendment is suggested for the purpose of meeting this defect. While section 41 occurs in Part II of the Act, which applies mainly only to companies incorporated or licensed for the first time after May 4th, 1910, section 3 of the Act provides that the said section applies to all companies irrespective of the date of incorporation.

Section forty-one at present reads as follows:-

"41. Notwithstanding anything contained in its Act of incorporation, any company may,

- (a) if the company has no members other than shareholders entitled to vote, by by-law passed and approved of by the votes of shareholders, representing at least two-thirds in value of the subscribed capital of the company, present or represented at a special general meeting duly called for considering the by-law; or
- (b) if the company has no shareholders, by by-law passed and approved of by the votes of at least two-thirds of the members present or represented at a special general meeting duly called for considering the by-law; or
- (c) if the company has both shareholders and members entitled to vote, by by-law passed and approved of by at least two-thirds of the votes cast by such shareholders and members at a special general meeting duly called for considering the by-law,
 - (i) change the head office of such company from any place in Canada to any other place in Canada, or
 - (ii) change the date for holding its annual general meeting."

SECTION 3.

The amendments contained in this section and in sections 8, 11, 12 and 13, and in section 10 in part, are clerical corrections and are made necessary by the failure of the Act, chapter 27 of the statutes of 1934, to make the changes, in cross references to sections, corresponding to the changes in the numbering of certain sections made by that amendment.

Subsection one of section forty-four at present reads as follows:—

"44. Any company may upon being authorized by a by-law made by the directors and confirmed at a general meeting of the company duly called for that purpose and upon making such deposit in excess of the amount otherwise required to be made under the provisions of Part III of this Act, and on complying with such terms and conditions as may be fixed and prescribed by the Treasury Board, upon the report of the Superintendent, transact such class or classes of insurance as may be specified in the certificate of registry to be from time to time granted to the company pursuant to the provisions hereinafter in this Act contained: Provided that the company shall maintain such separate and distinct accounts, funds and securities as required by section eighty-one of this Act."

* * * *

4. Paragraph (a) of subsection two of section sixty of the said Act (so renumbered by section eleven of chapter twenty-seven of the statutes of 1934), is amended by striking out the proviso thereof and substituting therefor the following:—

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Lending funds. "Provided, however, that the amount loaned on the security thereof together with the amount invested therein shall not exceed in the aggregate the amount which might be invested therein under the provisions of this section."

SECTION 4.

Subsection (v) of paragraph (b) of subsection one of this section limits the percentage of the stocks of a corporation which may be invested in by any company and subsections (6) and (7) place a limit upon the percentage of the assets of any company which may be invested in common stocks. The amendment now suggested to paragraph (a) of subsection (2) is for the purpose of making it clear that the amount which may be loaned on the security of stocks is not in addition to the amount that may be invested, but that the aggregate amount of the investment and loan shall not exceed the said limitations.

Subsection two of section 60 at present reads as follows:— "60. (2) Any such company may lend its funds or any portion thereof on the security of

(a) any of the bonds, debentures, stocks or other securities in which any company may invest its funds under the provisions of the next preceding subsection: Provided, however, that the amount loaned on the security thereof shall not exceed the amount which might be invested therein under the provisions of the said subsection; or "

Subparagraph (v) of paragraph (b) of subsection one at present reads as follows:—

* * * *

"**60.** * * * * (b) (v) the common stocks of any corporation upon which regular dividends of at least four per cent per annum or, in the case of stocks of no par value, of at least four dollars per share per annum have been paid for the seven years next preceding the purchase of such stocks: Provided that not more than thirty per cent of the common stocks and not more than thirty per cent of the total issue of the stocks of any corporation shall be purchased by any company, and that no company shall be permitted to invest in its own shares nor shall any company registered to transact the business of life insurance be permitted to invest its life insurance funds in the shares of any company which transacts the business of life insurance:"

* * * *

And subsections six and seven of the same section are as follows:—

"(6) Except as hereinafter provided, the total book value of the investments of any such company in common stock shall not exceed fifteen per centum of the book value of the total ledger assets of the company.

(7) If any such company has on hand, at the date of the coming into force of this subsection, investments in common stocks of a total book value in excess of fifteen per centum of the book value of the total ledger assets of such company at the said date, the provisions of the last preceding subsection shall not apply to such company until the first day of January following the year in which the amount of the said investments is first reduced to fifteen per centum or less of the total ledger assets of such company, and on and after the said date the said provisions shall apply, but until the said date no investment in common stocks shall be made by such company." Power to invest in

5. Section sixty-one of the said Act as enacted by section invest in stock of other twelve of chapter twenty-seven of the statutes of 1934, is insurance companies. thereof the words "subsection one of".

SECTION 5.

This amendment is for the purpose of making it clear that while the section overrides subsection (1) of section 60 it does not override subsections (6) and (7) of that section, which have been inserted in section 60 since section 61 was first enacted. The privilege of investing in shares of another insurance company regardless of the dividend record thereof should not be exercisable by a company which has already reached or exceeded the limitation on investment in common stocks imposed by subsections (6) and (7) of section 60.

Section sixty-one at present reads as follows:-

"61. Notwithstanding anything contained in the next preceding section any company, other than a company registered to transact the business of life insurance, may invest its funds in the fully paid shares of any other company transacting the business of insurance or of any corporation incorporated outside of Canada and registered under the laws of the Dominion of Canada to transact such business in Canada, but the sum total of money invested in such shares shall not exceed fifteen per cent of the value of the assets of such company; and except as provided in this section no such company shall invest in shares of any other company or corporation transacting the business of insurance.".

(The relevant portion of subsection one of section sixty and subsections (6) and (7) of that section are shown in the note to section four above.) 6. Section sixty-six of the said Act as enacted by section seventeen of chapter twenty-seven of the statutes of 1934, is amended by adding thereto the following subsection:—

Superintendent to supply the forms. "(4) The Superintendent shall supply the forms of annual statement and the half-yearly statements required to be deposited under the provisions of this Act."

SECTION 6.

This amendment restores the provision of the Act deleted by the amendment of 1934. It is considered necessary in order that the statements deposited with the Department shall be in exactly the same form.

Section sixty-one at present reads as follows:-

"66. In respect of the life insurance business of every company, there shall also be prepared half yearly, as of the last days of June and December in each year, by the same officers, under their oaths, and deposited in the Department within fifteen days after the said last days of June and December in each year respectively, a statement in such form as the Minister may determine for the purposes of this Act, showing in detail all bonds, stocks, debentures and other securities bought and all loans made, except on mortgages and policies, during the half year terminating on the date as of which such statement is made, specifying the amounts, dates of issue and maturity and par value thereof, the rate of interest payable thereon and the price paid therefor, and in the case of loans made, except on mortgages of real estate or insurance policies, particulars in detail of the security therefor, and showing also in detail all such securities sold or disposed of during the said half year, specifying similarly the amounts, dates of issue and maturity and par value thereof, the value in account thereof, the rate of interest payable thereon and the price or consideration received therefor.

(2) The half yearly statement mentioned in the preceding subsection, shall be embodied by the Superintendent by way of appendix or otherwise in the annual report prepared by him for the Minister.

(3) With each annual statement and with each half-yearly statement there shall be deposited in the Department an affidavit of the officers by whom the statement is prepared as aforesaid in such form or forms as the Minister may determine." Ascertainment of profit from participating policies. 7. Subsection one of section eighty of the said Act (so renumbered by section twenty-one of chapter twenty-seven of the statutes of 1934), is amended by striking out the word "ninety" in the fourteenth line thereof and substituting therefor the word "ninety-five".

No power to form other companies. **S.** Section eighty-two of the said Act, as enacted by section twenty-two of chapter twenty-seven of the statutes of 1934, is amended by striking out the word "sixty-three" in the last line thereof and substituting therefor the word "sixty".

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SECTION 7.

Participating policyholders are now entitled to not less than 90 per cent of the profits ascertained as having been derived from participating policies. The amendment will increase this percentage to not less than 95 per cent.

Subsection one of section eighty at present reads as follows:-"SO. In the case of companies which have a capital stock, the directors may, from time to time, set apart such portion of the net profits as they deem safe and proper for distribution as dividends or bonuses to shareholders and holders of participating policies, ascertaining the part thereof which has been derived from participating policies and distinguishing such part from the profits derived from other sources; and the holders of participating policies shall be entitled to share in that portion of the profits so set apart which have been distinguished as having been derived from participating policies (including a share of the profits arising from the sale of securities in the proportion of the mean participating fund to the mean total funds), to the extent of not less than ninety per cent thereof; and before fixing or arriving at the amount of divisible profits, interest on the amount of unimpaired paid-up capital stock, but not including any premiums or bonuses paid thereon or in respect thereof, which have been expended in the establishment, prosecution or extension of the company's business or applied to making good any impairment of capital, and on any other sum or sums from time to time standing at the credit of the shareholders may be allowed or credited to such shareholders at the average net rate of interest earned in the preceding year, or other period under consideration, upon the mean invested funds of the company; such shareholders to be, however, charged with a fair proportion of all losses incurred upon investments or other losses of a similar character in proportion of the mean shareholders' fund to the mean total funds."

* *

SECTION 8.

This is a clerical correction. Section eighty-two at present reads as follows:—

"82. Except for the *bona fide* purpose of protecting investments previously made by it, no such company shall, nor shall its directors or officers or any of them on its behalf, under colour of an investment of the company's funds or otherwise, directly or indirectly be employed, concerned or interested in the formation or promotion of any other corporation: Provided that nothing in this Act shall be deemed to prohibit any company from investing funds in securities of a newly formed corporation under and subject to the provisions of section <u>sixty-three</u> of this Act."

When certificate is not to be granted.

Majority to reside in Canada and be subjects of H.M.

9. Section eighty-eight of the said Act (so renumbered by section twenty-three of chapter twenty-seven of the statutes of 1934), is amended by adding thereto the following new subsection:-

"(2) A majority of the board of directors, executive 5 council, grand council or other governing body, by whatever name called, of every fraternal benefit society shall at all times be persons resident in Canada and subjects of His Majesty by birth or naturalization."

Valuation to be sent to

10. Section ninety-three of the said Act (so renumbered 10 balance sheet by section twenty-five of chapter twenty-seven of the policyholders. statutes of 1934), is amended by striking out the words "in Canada" in the third and last lines thereof, and by striking out the word "ninety-four" in the sixth line thereof and substituting therefor the word "ninety-one." 15

SECTION 9.

This amendment makes applicable to fraternal benefit societies the same provision as is made applicable to other insurance companies by section 6, subsection (2) (b) of the Act.

Section 88 at present reads as follows:-

"SS. No fraternal benefit society shall be registered under this Act if it is in effect the property of its officers or collectors or belongs to any private proprietary, or if it is conducted as a trading or mercantile venture, or for purposes of commercial gain."

Paragraph (b) of subsection two of section 6, above referred to, reads as follows:—

"6. * * * * (2) (b) No person shall be eligible to become, or shall be elected, a shareholders' director of a life company or an ordinary director of a company other than a life company, unless he is a shareholder holding in his own name and for his own use and absolutely in his own right shares in the capital stock or guarantee capital, as the case may be, of the company to the amount of at least two thousand five hundred dollars and has paid in cash all calls due thereon and all liabilities incurred by him to the company; and the majority of directors so elected shall at all times be persons resident in Canada and subjects of His Majesty by birth or naturalization;"

SECTION 10.

This amendment will require fraternal benefit societies to supply policyholders outside of Canada, as well as within Canada, as is now required, with a copy of the annual valuation balance sheet or a copy of the society's official publication containing the same.

Section 93 at present reads as follows:-

"93. Every fraternal benefit society registered under this Act shall, not later than the first day of June in each year, mail to each policyholder in Canada a copy of the valuation balance sheet on the basis used for the purpose of the annual statement mentioned in subsection two of section ninety-four of this Act, and an explanation of the facts concerning the condition of the society thereby disclosed; or in lieu thereof, shall publish in its official paper such balance sheet and explanation and mail a copy of the issue of said paper containing the same to each of the society's policyholders in Canada."

Substituting "ninety-one" for "ninety-four" is but a clerice¹ correction.

Assets, minimum amount of. 11. Subsection one of section ninety-nine of the said Act (so renumbered by section twenty-five of chapter twentyseven of the statutes of 1934), is amended by striking out the word "sixty-four" in the twelfth line thereof and substituting therefor the word "sixty-one".

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To retain assets in Canada. 12. Subsection one of section one hundred of the said Act (so renumbered by section twenty-five of chapter twenty-seven of the statutes of 1934), is amended by striking out the words "one hundred and one" in the eighth and ninth lines thereof and substituting therefor the words 10 "ninety-eight".

"Surplus" defined.

Appropriation of profits for surplus. **13.** Subsection one of section one hundred and one of the said Act (so renumbered by section twenty-seven of chapter twenty-seven of the statutes of 1934), is amended by striking out the words "one hundred and one" in the 15 sixth line thereof and substituting therefor the word "ninety-eight".

(2) The said section is further amended by striking out the words "one hundred and two" in the second and third lines of subsection two thereof and substituting therefor 20 the word "ninety-nine". Subsection one of section 99 at present reads as follows:-

"99. Every company shall at all times maintain assets, allowable as such under the provisions of this Act or which were authorized by law at the time of their acquisition, to a value at least fifteen per cent in excess of the total of the unearned premiums upon all its outstanding unmatured policies, calculated pro rata for the time unexpired, together with the amount of matured claims and all its other liabilities of every kind, and in computing such excess there shall be deducted from the assets of the company the amount of any investment in the shares of any other company transacting the business of insurance made under the authority of section sixty-four of this Act: Provided that in respect of any outstanding unmatured non-cancellable sickness and accident policies, the company shall maintain assets at least equal to the liability therefor included in the annual statement of the company in accordance with the provisions of the last preceding section."

* * * * Section 12.

Subsection one of section 100 at present reads as follows:-"100. Every company shall at all times retain in Canada and under its own control assets of a value at least equal to its total liabilities to its policyholders in Canada including among such liabilities the full unearned premiums computed pro rata in respect of the unexpired periods of the policies except in respect of outstanding unmatured non-cancellable sickness and accident policies, for which policies the liability computed in accordance with section one hundred and one of this Act shall be so included in the said liabilities: Provided, however, that in the event of it being necessary to remove from Canada any portion of the securities held in Canada for the purpose of exchanging the same for other securities authorized under this Act or for any similar purpose, they may be entrusted to a responsible bank, trust corporation or other corporation carrying on business outside of Canada."

* * * * Section 13.

Subsections 1 and 2 of section 101 at present reads as follows:— "**101.** In this section the word 'surplus' means the excess of assets over the paid-up capital of the company and all the liabilities of the company, including the liability in respect of outstanding unmatured policies required to be included in the annual statement in accordance with section one hundred and one of this Act.

(2) Subject to the payment of preferential dividends in accordance with subsection four of section one hundred and two of this Act, until the surplus of the company shall equal or exceed the said liabilities in respect of all outstanding unmatured policies not reinsured, the company shall at the end of each year appropriate towards the surplus of such company at least twentyfive per cent of the profits of the company for the year last past."

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14. Section one hundred and eleven of the said Act, as enacted by section thirty-two of chapter twenty-seven of the statutes of 1934, is repealed and the following substituted therefor:—

Penalty for transacting insurance without registration.

"111. Any company, or any other corporation incor-5 porated under the laws of the Dominion of Canada or of the late Province of Canada, or any fraternal society so incorporated, which, or any person who, acting on behalf of a company or such a corporation or society, transacts any class of insurance business in respect of which the 10 company or such corporation or society is not registered under this Act, or does or performs any one or more of the acts constituting the business of insurance in relation to any such class of insurance, shall be guilty of an offence and liable upon indictment or upon summary conviction, 15 to a penalty for each and every such offence, not exceeding five thousand dollars in the case of a company or such a corporation or society and not exceeding one thousand dollars in the case of a person acting on behalf of any company or any such corporation or society; and, in addi. 20 tion, in the case of a natural person, to imprisonment for any term not exceeding six months."

Classes of hazards covered by certificate. 15. Subsection one of section one hundred and thirtyeight of the said Act (so renumbered by section fifty of chapter twenty-seven of the statutes of 1934), is amended 25 by striking out the proviso at the end thereof and substituting therefor the following:—

"Provided that such class or classes of insurance are authorized by its Act of incorporation or charter."

SECTION 14.

The underlined portions are new and are intended to provide for penalties upon corporations, incorporated under the laws of Canada for purposes other than the transaction of insurance, which are nevertheless actually transacting such business. The word "company" is defined by section (2) (d) of the Act to mean a corporation incorporated for the purpose of carrying on the business of insurance, and section 111 has heretofore applied only to such a corporation. The amendment will apply to all corporations incorporated under the laws of Canada and transacting the business of insurance without registration under the Act whether or not they are incorporated for the purpose of transacting such business.

Section 111 at present reads as follows:-

"**111.** Any company which, or any person who, acting on behalf of a company, transacts any class of insurance business in respect of which the company is not registered under this Act, or does or performs any one or more of the acts constituting the business of insurance in relation to any such class of insurance, shall be guilty of an offence and liable upon indictment or upon summary conviction, to a penalty for each and every such offence, not exceeding five thousand dollars in the case of a company and not exceeding one thousand dollars in the case of a person acting on behalf of any company; and, in addition, in the case of a natural person, to imprisonment for any term not exceeding six months."

Paragraph (d) of section 2 reads as follows:—

"2. * * * * (d) 'company' means any corporation incorporated under the laws of the Dominion of Canada or of the late Province of Canada, for the purpose of carrying on the business of insurance, and includes "fraternal benefit society" as defined by this Act;"

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SECTION 15.

The proviso refers to the case of a British company which is not an association. The term "association" was deleted from the Act by the amendment of 1934 and is not now defined by the Act. The reference to it in this proviso should therefore have been deleted as a consequential amendment in the Act of 1934.

Subsection one of section 138 at present reads as follows:-

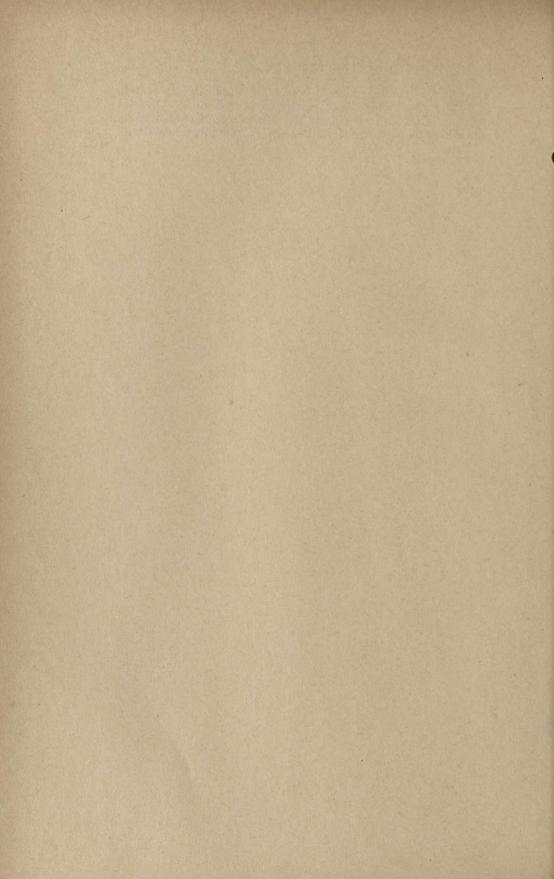
"138. Any British company registered under this Act to transact the business of fire insurance shall, upon compliance with the conditions of this Act other than in respect of an increase in deposit with the Minister, be entitled to receive a certificate of registry for any one or more of the following classes of insurance limited to the insurance of the same property as is insured under a policy of fire insurance of such company, namely,—falling aircraft, earthquake, tornado, hail, sprinkler leakage, limited or inherent explosion and civil commotion: Provided that in the case of a British company which is not an association such class or classes of insurance are authorized by its Act of incorporation or charter."

The words underlined above are struck out.

Application of provisions of Act. "16. Section one hundred and fifty of the said Act, as enacted by section sixty of chapter twenty-seven of the statutes of 1934, is amended by inserting before the word 'eighty-one' in the the sixth line thereof the word 'eighty'".

SECTION 16.

The effect of the amendment is to make applicable to certain provincially incorporated companies registered under the Act the section of the Act relating to the percentage of participating profits which may be transferred to the shareholders' account.



First Session, Eighteenth Parliament, 1 Edward VIII, 1936

THE SENATE OF CANADA

BILL V.

An Act for the relief of Ruth Fitzrandolph McMaster.

Read a first time, Tuesday, 31st March, 1936.

The Honourable the Chairman of the Committee on Divorce.

OTTAWA J. O. PATENAUDE, I.S.O. PRINTER TO THE KING'S MOST EXCELLENT MAJESTY 1936

1st Session, 18th Parliament, 1 Edward VIII, 1936

THE SENATE OF CANADA

BILL V.

An Act for the relief of Ruth Fitzrandolph McMaster.

Preamble.

WHEREAS Ruth Fitzrandolph McMaster, residing at the city of Westmount, in the province of Quebec, wife of Douglas Stuart McMaster, stock broker, who is domiciled in Canada and residing at the city of Montreal, in the said province, has by her petition alleged that they were married 5 on the twenty-sixth day of October, A.D. 1918, at the city of New York, in the state of New York, one of the United States of America, she then being Ruth Fitzrandolph, a spinster; and whereas by her petition she has prayed that, because of his adultery since then, their marriage be dis-10 solved; and whereas the said marriage and adultery has been proved by evidence adduced and it is expedient that the prayer of her petition be granted: Therefore His Majesty, by and with the advice and consent of the Senate 15

Marriage dissolved. 1. The said marriage between Ruth Fitzrandolph and Douglas Stuart McMaster, her husband, is hereby dissolved, and shall be henceforth null and void to all intents and purposes whatsoever.

Right to marry again. 2. The said Ruth Fitzrandolph may at any time here- 20 after marry any man whom she might lawfully marry if the said marriage with the said Douglas Stuart McMaster had not been solemnized.

First Session, Eighteenth Parliament, 1 Edward VIII, 1936

THE SENATE OF CANADA

BILL W.

An Act for the relief of Agnes Mercer Daniels.

Read a first time, Tuesday, 31st March, 1936.

The Honourable the Chairman of the Committee on Divorce.

OTTAWA J. O. PATENAUDE, I.S.O. PRINTER TO THE KING'S MOST EXCELLENT MAJESTY 1936

1st Session, 18th Parliament, 1 Edward VIII, 1936

THE SENATE OF CANADA

BILL W.

An Act for the relief of Agnes Mercer Daniels.

Preamble.

WHEREAS Agnes Mercer Daniels, residing at the city of Verdun, in the province of Quebec, nurse, wife of Douglas Daniels, salesman, who is domiciled in Canada and residing at the city of Montreal, in the said province, has by her petition alleged that they were married on the 5 twenty-sixth day of April, A.D. 1934, at the said city of Verdun, she then being Agnes Mercer, a spinster; and whereas by her petition she has prayed that, because of his adultery since then, their marriage be dissolved; and whereas the said marriage and adultery have been proved 10 by evidence adduced and it is expedient that the prayer of her petition be granted: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Marriage dissolved. 1. The said marriage between Agnes Mercer and Douglas 15 Daniels, her husband, is hereby dissolved, and shall be henceforth null and void to all intents and purposes whatsoever.

Right to marry again. 2. The said Agnes Mercer may at any time hereafter marry any man whom she might lawfully marry if the said 20 marriage with the said Douglas Daniels had not been solemnized.

THE SENATE OF CANADA

BILL X.

An Act for the relief of Gerald Thompson Miltimore.

Read a first time, Tuesday, 31st March, 1936.

The Honourable the Chairman of the Committee on Divorce.

OTTAWA J. O. PATENAUDE, I.S.O. PRINTER TO THE KING'S MOST EXCELLENT MAJESTY 1936 1st Session, 18th Parliament, 1 Edward VIII, 1936

THE SENATE OF CANADA

BILL X.

An Act for the relief of Gerald Thompson Miltimore.

Preamble.

WHEREAS Gerald Thompson Miltimore, domiciled in Canada and residing at the village of Waterville, in the district of St. Francis, in the province of Quebec, branch manager, has by his petition alleged that on the third day of October, A.D. 1925, at the village of Cowansville, in the 5 district of Bedford, in the said province, he and Laura Smith Grimes, who was then of the said village of Cowansville, a spinster, were married; and whereas by his petition he has praved that, because of her adultery since then, their marriage be dissolved; and whereas the said marriage 10 and adultery have been proved by evidence adduced and it is expedient that the praver of his petition be granted : Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:---15

Marriage dissolved.

Right to marry again. 1. The said marriage between Gerald Thompson Miltimore and Laura Smith Grimes, his wife, is hereby dissolved, and shall be henceforth null and void to all intents and purposes whatsoever.

2. The said Gerald Thompson Miltimore may at any 20 time hereafter marry any woman whom he might lawfully marry if the said marriage with the said Laura Smith Grimes had not been solemnized.

First Session, Eighteenth Parliament, 1 Edward VIII, 1936

THE SENATE OF CANADA

BILL Y.

An Act to incorporate Atlantic Loan and Finance Corporation.

Read a first time, Wednesday, 1st April, 1936.

Honourable Senator DUFF.

OTTAWA J. O. PATENAUDE, I.S.O. PRINTER TO THE KING'S MOST EXCELLENT MAJESTY 1936

1st Session, 18th Parliament, 1 Edward VIII, 1936

THE SENATE OF CANADA

BILL Y.

An Act to incorporate Atlantic Loan and Finance Corporation.

Preamble.

WHEREAS the persons hereinafter named have by their petition prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of 5 Canada, enacts as follows:—

1. John Burris Reid, physician, of the town of Truro,

county of Colchester, province of Nova Scotia, Hugh Ambrose Troyte-Bullock, gentleman, of the town of Wolfville, county of Kings, province of Nova Scotia, Charles 10 Stewart Morton, physician, Elmer Locke Sollis, broker, and William Nathan Wickwire, barrister, all of the city of Halifax, county of Halifax and province of Nova Scotia, together with such other persons as become shareholders of the Company, are hereby incorporated under the name 15

Incorporation.

Corporate name.

Provisional directors.

Capital stock. Shares.

onder cost

Head office.

Powers.

2. The persons named in section one of this Act shall be the provisional directors of the Company.

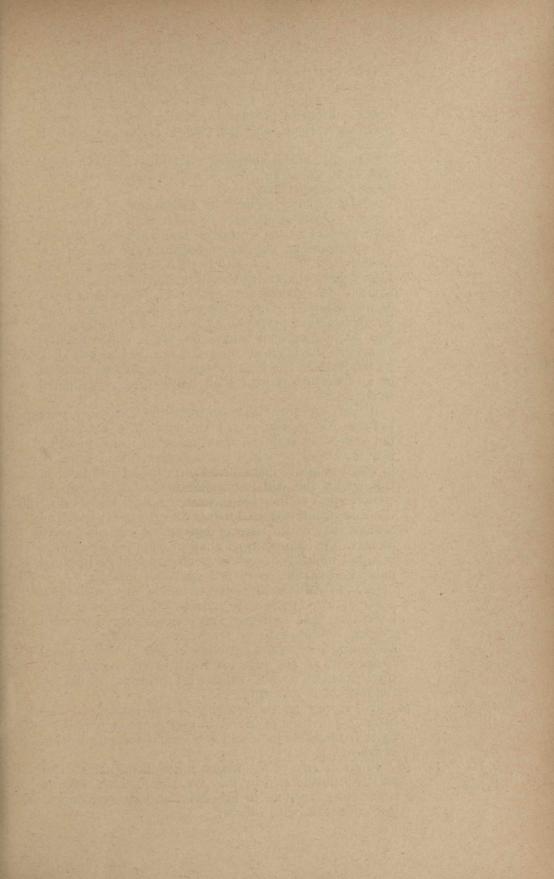
of "Atlantic Loan and Finance Corporation" hereinafter

called "the Company".

3. The capital stock of the Company shall be five 20 hundred thousand dollars divided into fifty thousand shares of ten dollars each.

4. The head office of the Company shall be at the city of Halifax in the province of Nova Scotia.

5. The Company may throughout Canada:— (a) buy, sell, deal in and lend money on the security of conditional sale agreements, lien notes, hire purchase agreements, chattel mortgages, trade paper, bills of



lading, warehouse receipts, bills of exchange and choses-in-action; and may receive and accept from the makers, vendors or transferors thereof guarantees or other security for the performance and payment thereof and may enforce such guarantees and realize on such 5 security.

(b) notwithstanding anything contained in the Interest Act, or in paragraph (c) of section sixty-three of the Loan Companies Act,

(i) lend money secured by assignment of choses-in-10 action, chattel mortgages or such other evidence of indebtedness as the Company may require, and may, notwithstanding anything contained in the *Money Lenders Act*, on loans of less than three hundred and fifty dollars charge interest thereon, including all the 15 charges for commission, expenses, enquiries, fines, bonus, renewals or other charges, except fees disbursed for registration purposes, at a rate of not more than two per centum per month on the monthly balance owing by the borrower and the rate so charged shall 20 be set forth in the loan contract, but no such interest or any portion thereof shall be charged or deducted in advance;

(ii) in any such loan contract the Company may provide for repayment at the end of a fixed term 25 not exceeding eighteen months, or in equal monthly instalments of principal throughout the said term, or in equal monthly instalments of principal and interest throughout the said term, and, in the latter case, the computation of the said instalments shall be based on 30 the rate of interest set forth in the contract; provided always that if the term of repayment exceeds twelve months the loan contract shall provide for repayment in equal monthly instalments of principal or in equal monthly instalments of principal and interest; 35

(iii) notwithstanding the terms of any such loan contract in respect of repayment, the borrower shall have the right to repay the loan at any time with interest to the date of repayment together with an additional payment of interest in lieu of notice equal 40 to interest at the rate set forth in the contract for three months on the balance of principal owing on the date of repayment;

(c) lend money on the security of real estate of leaseholds or purchase or invest in mortgages or hypothecs 45 upon freehold or leasehold estate and for subrogation of taxes:

(d) do all or any of the above mentioned things, and all things authorized by this Act, as principals, agents, contractors, trustees or otherwise and either alone or 50 in conjunction with others;

R.S., c. 102. R.S., c. 28.

R.S., c. 135.

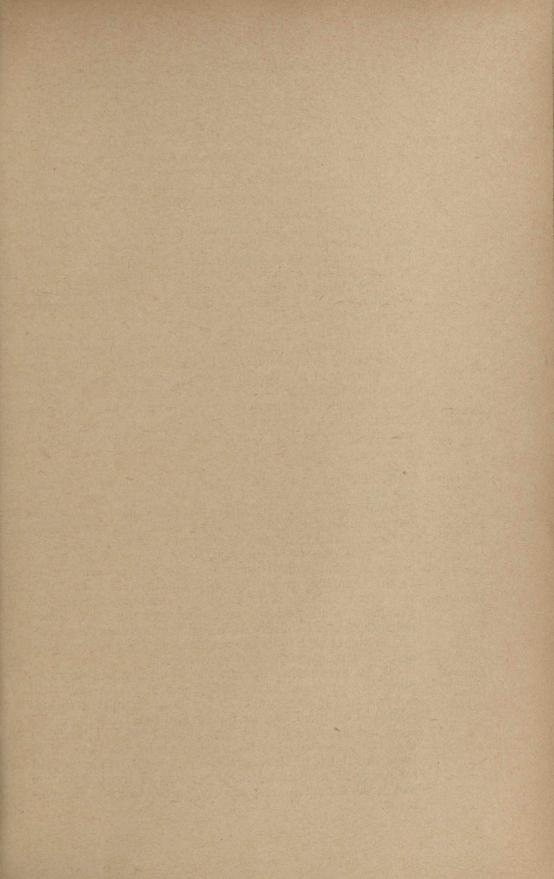
Rate of interest proviso.

Duration of loan.

Right to repay.

Loans on real estate, etc.

Act as principals or agents.



Borrowing powers.

(e) if authorized by by-law sanctioned by a vote of not less than two-thirds in value of the subscribed stock of the Company represented at a general meeting duly called for considering the by-law, the directors may from time to time,—

(i) borrow money upon the credit of the Company,

(ii) limit or increase the amount to be borrowed,

(iii) hypothecate, mortgage or pledge the real or personal property of the Company, or both, to secure the payment of any money borrowed for the purposes 10 of the Company.

(2) Nothing in this section contained shall limit or restrict the power of the Company to borrow money on bills of exchange or promissory notes, made, drawn, accepted or endorsed by or on behalf of the Company. 15

(3) Nothing in the Act contained shall authorize the Company to issue bonds, debentures or other securities for moneys borrowed, or to accept deposits.

(4) Any officer or director of the Company who does, causes or permits to be done anything contrary to the 20 provisions of this section shall be liable for each such offence to a penalty of not less than twenty dollars and not more than five thousand dollars in the discretion of the Court before which such penalty is recoverable; and any such penalty shall be recoverable and disposed of in the manner 25 prescribed by section ninety-eight of the Loan Companies Act.

Acquisition of assets, rights and powers of other corporations.

Penalty.

Recovery

and deposit.

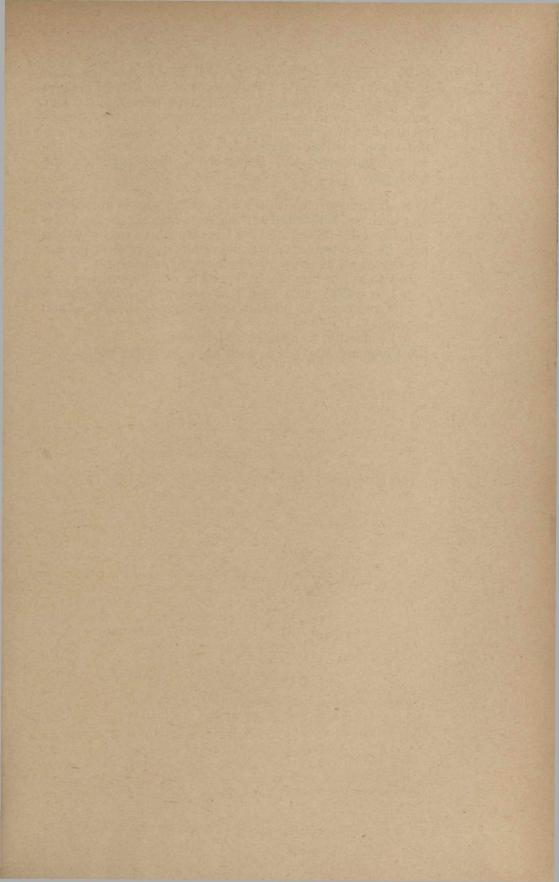
R.S., c. 28.

Limitations.

Approval by Treasury Board.

6. The Company may purchase or otherwise acquire the whole or any part of the assets of, and may assume the obligations and liabilities of, any other corporations 30 having objects altogether or in part similar to those of this Company; and may also acquire and exercise such of the rights and powers of the said corporations as are not in excess of or in conflict with the rights and powers granted to the Company under the provisions of this Act; and in 35 the event of any such acquisition and assumption the Company shall perform and discharge all such duties, obligations and liabilities of the said corporations in respect of the rights and property acquired as are not performed and discharged by the said corporations. 40

(2) An agreement between the Company and any corporation mentioned in subsection one of this section shall not become effective until it has been submitted to and approved by the Treasury Board; and the Treasury Board shall not approve of such agreement until it is satisfied 45 that the agreement has been approved by the votes of at least two-thirds of the shareholders present or represented by proxy at a special general meeting of the corporation and of the Company, respectively, parties to the said agree-50 ment.



Application of Loan Companies Act. 7. Except as otherwise provided in this Act, the Loan Companies Act, chapter twenty-eight of the Revised Statutes of Canada, 1927, excepting therefrom paragraph (f) of subsection one of section sixty-one, paragraph (c) of subsection two of section sixty-one, subsection three of section 5 sixty-two, sections sixty-four, sixty-five, sixty-six, sixty-seven, eighty-two and eighty-eight, shall apply to the Company.

Power to act as agent or attorney in certain cases. **S.** If any person with whom the Company is transacting any business authorized by the Acts relating to the Com-10 pany lawfully constitutes the Company his agent or attorney, in that transaction and on account of that person, for any or all of the purposes following, namely:—

(a) to sell or buy stocks, bonds or other securities; or

(b) to collect rents from real estate, payments whether 15 of principal or interest on mortgages or real estate; or

(c) generally; to manage real estate;

the Company may act as such agent or attorney.

First Session, Eighteenth Parliament, 1 Edward VIII, 1936

THE SENATE OF CANADA

BILL Z.

An Act for the relief of Birdie Louise Coleman Wilson.

Read a first time, Friday, 3rd April, 1936.

The Honourable the Chairman of the Committee on Divorce.

OTTAWA J. O. PATENAUDE, I.S.O. PRINTER TO THE KING'S MOST EXCELLENT MAJESTY 1986 1st Session, 18th Parliament, 1 Edward VIII, 1936

THE SENATE OF CANADA

BILL Z.

An Act for the relief of Birdie Louise Coleman Wilson.

Preamble.

WHEREAS Birdie Louise Coleman Wilson, residing at the city of Verdun, in the province of Quebec, wife of Stewart Harvey Wilson, steamship agent, who is domiciled in Canada and residing at the city of Montreal, in the said province, has by her petition alleged that they were 5 married on the twenty-seventh day of June, A.D. 1931, at the said city of Montreal, she then being Birdie Louise Coleman, a spinster; and whereas by her petition she has prayed that, because of his adultery since then, their marriage be dissolved; and whereas the said marriage and 10 adultery have been proved by evidence adduced and it is expedient that the prayer of her petition be granted: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:-15

Marriage dissolved. 1. The said marriage between Birdie Louise Coleman and Stewart Harvey Wilson, her husband, is hereby dissolved, and shall be henceforth null and void to all intents and purposes whatsoever.

Right to marry again. 2. The said Birdie Louise Coleman may at any time 20 hereafter marry any man whom she might lawfully marry if the said marriage with the said Stewart Harvey Wilson had not been solemnized.

First Session, Eighteenth Parliament, 1 Edward VIII, 1936

THE SENATE OF CANADA

BILL A².

An Act for the relief of Solomon Hyman, otherwise known as Saul or Sam Hyman.

Read a first time, Friday, 3rd April, 1936.

The Honourable the Chairman of the Committee on Divorce.

OTTAWA J. O. PATENAUDE, I.S.O. PRINTER TO THE KING'S MOST EXCELLENT MAJESTY 1936 1st Session, 18th Parliament, 1 Edward VIII, 1936

THE SENATE OF CANADA

BILL A².

An Act for the relief of Solomon Hyman, otherwise known as Saul or Sam Hyman.

Preamble.

WHEREAS Solomon Hyman, otherwise known as Saul or Sam Hyman, domiciled in Canada and residing at the city of Montreal, in the province of Quebec, clerk, has by his petition alleged that on the fourteenth day of October, A.D. 1928, at the said city, he and Pearl Sherman, 5 who was then of the said city, a spinster, were married; and whereas by his petition he has prayed that, because of her adultery since then, their marriage be dissolved; and whereas the said marriage and adultery have been proved by evidence adduced and it is expedient that the 10 prayer of his petition be granted: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Marriage dissolved. 1. The said marriage between Solomon Hyman, otherwise known as Saul or Sam Hyman, and Pearl Sherman, 15 his wife, is hereby dissolved, and shall be henceforth null and void to all intents and purposes whatsoever.

Right to marry again. 2. The said Solomon Hyman, otherwise known as Saul or Sam Hyman, may at any time hereafter marry any woman whom he might lawfully marry if the said marriage 20 with the said Pearl Sherman had not been solemnized. First Session, Eighteenth Parliament, 1 Edward VIII, 1936

THE SENATE OF CANADA

BILL B².

An Act for the relief of Lewis Gould.

Read a first time, Friday, 3rd April, 1936.

The Honourable the Chairman of the Committee on Divorce.

OTTAWA J. O. PATENAUDE, I.S.O. PRINTER TO THE KING'S MOST EXCELLENT MAJESTY 1936

1st Session, 18th Parliament, 1 Edward VIII, 1936

THE SENATE OF CANADA

BILL B².

An Act for the relief of Lewis Gould.

Preamble.

WHEREAS Lewis Gould, domiciled in Canada and residing at the city of Montreal, in the province of Quebec, pattern maker, has by his petition alleged that on the twenty-second day of November, A.D. 1910, at the city of Verdun, in the said province, he and Maria Camp- 5 bell Legassick, who was then of the said city of Verdun, a spinster, were married; and whereas by his petition he has prayed that, because of her adultery since then, their marriage be dissolved; and whereas the said marriage and adultery have been proved by evidence adduced and it is 10 expedient that the prayer of his petition be granted: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Marriage dissolved. 1. The said marriage between Lewis Gould and Maria 15 Campbell Legassick, his wife, is hereby dissolved, and shall be henceforth null and void to all intents and purposes whatsoever.

Right to marry again. 2. The said Lewis Gould may at any time hereafter marry any woman whom he might lawfully marry if the 20 said marriage with the said Maria Campbell Legassick had not been solemnized. First Session, Eighteenth Parliament, 1 Edward VIII, 1936

THE SENATE OF CANADA

BILL C².

An Act respecting Thousand Islands Bridge Company.

Read a first time, Monday, 6th April, 1936.

Honourable Senator WHITE (Pembroke).

OTTAWA J. O. PATENAUDE, I.S.O. PRINTER TO THE KING'S MOST EXCELLENT MAJESTY 1936

1st Session, 18th Parliament, 1 Edward VIII, 1936

THE SENATE OF CANADA

BILL C².

An Act respecting Thousand Islands Bridge Company.

Preamble. 1934, c. 66. WHEREAS Thousand Islands Bridge Company, incorporated by chapter sixty-six of the Statutes of Canada, 1934, has by its petition prayed that for reasons in its said petition disclosed it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said 5 petition, His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

1934, s. 66, s. 17 repealed and substituted. 1. Section seventeen of chapter sixty-six of the Statutes of Canada, 1934, An Act to incorporate Thousand Islands 10 Bridge Company, is repealed and the following substituted in its stead:—

"17. (1) Construction of the said bridges shall be com-

Construction and completion proviso.

menced within two years after the Governor in Council, as regards the Canadian bridge, and the Governor in Council 15 and the Executive of the United States or the state of New York or other competent authority therein, as regards the international and American bridges, have, respectively, approved of such bridging, and such construction shall be completed within three years after such commencement, 20 otherwise the powers granted by this Act shall, as respects so much of such undertakings as may then remain uncompleted, cease and be null and void: Provided, however, that if such approval is not obtained within three years after the passing of this Act the powers granted for the 25 construction of any bridge not so approved shall, as respects that bridge cease and be null and void."

"(2) Construction of the said bridges shall not be commenced until a sum of at least fifty thousand dollars has been paid into the Treasury of the Dominion of Canada. 30

Deposit pending completion.

EXPLANATORY NOTES.

In this Bill the additions and changes to 1934 c. 66 are underlined or ruled.

Preamble.

Under the provisions of 1934, c. 66, Thousand Islands Bridge Company is empowered to construct and maintain across the Thousand Islands from a point near Ivy Lea in the County of Leeds, in the Province of Ontario, to a point near Collins Landing, in the State of New York, three bridges—one over the Canadian Channel, the second over the narrow International section and the third, over the American Channel of the River St. Lawrence.

Under section 15 of the Act, the Company may transfer its privileges and assets to a company constituted under the laws of the State of New York.

No provisions are made in the Act for assignment to a Public Authority constituted by that State.

A corporation was in 1934 constituted by the State of New York for the purpose of constructing the American portion of the undertaking but this corporation called "The Thousand Island Bridge Authority" is not a company within the meaning of 1934, c. 66 with which the Canadian company can become amalgamated or to which under the Act it can transfer its right and property. Amending legislation has been moved for in the State of New York to empower the Thousand Island Bridge Authority to finance and construct the whole undertaking, Canadian as well as American Bridges and the purpose of this Bill is to empower the Canadian company to transfer its privileges and assets to such a public authority, in order to facilitate the financing and construction of the undertaking by giving an assignment to the public authority all the powers with regard to financing, construction and maintenance which the Canadian company and the New York State corporation, if the same became amalgamated, would possess.

The Bill also provides that the said public authority shall exercise its powers subject to similar conditions and restrictions with regard to approval of plans, time of completion, use and rates of Canadian labour, use of Canadian material approval by Governor in Council of by-laws authorizing issue of bonds, deposit during construction and the conveyance of the Canadian part of undertaking upon payment of the bonds, as the Canadian Company would be subject to, if it built the bridge itself.

Provisions are also included excepting the public authority from the effect of certain sections of the Act which obviously cannot be applicable to the public authority; but on the other hand certain requirements are added, to wit: the execution by the public authority of a proper covenant to be assigned to the Crown to render easier and more expeditious the enforcement by the Crown of the observance by the public authority of all the applicable instructions and conditions of the Act. The sum so deposited shall be repaid to the depositor when, but not until when, the said bridges, together with their approaches, have been opened for public use and a certificate of the chief engineer of the depositor to that effect has been filed with the Minister of Finance. If the works 5 and undertakings set forth in section seven of this Act are not completed within the time specified in this section such sum shall be forfeitable to His Majesty."

1934, c. 66, added sections.

Company may assign, etc., to public authority.

Effect of assignment, etc.

Sections of this Act applicable to public authority, etc.

Authority, power and liability of public authority, etc.

Attorney to be appointed. 2. The said Act is amended by adding at the end thereof, as sections twenty-two and twenty-three, the following:- 10

"22. The Company may at any time before the commencement or completion of the works and undertakings set forth in section seven of this Act, assign, transfer, convey or lease to any public authority, body or commission constituted under the laws of the United States of America 15 and/or of the state of New York, such part or parts, if any, of such works and undertakings as may then have been constructed, and all franchises, privileges, powers, rights and property vested in or belonging to the Company, as to the whole on such terms and conditions and subject to 20 such reservations, and for such period or periods of time, as the directors may deem fit and desirable."

"23. If and when the Company assigns, transfers, conveys or leases pursuant to and as empowered by section twenty-two of this Act, then and in such event, but in such 25 event only,

(a) sections seven, eight, nine, ten, thirteen, fourteen, seventeen, nineteen, twenty, twenty-two and twentythree of this Act, but no others, shall be deemed to extend to, apply to and affect the public authority, 30 body or commission to which assignment, transfer, conveyance or lease shall have been made as fully and effectively as if it were the Company and such public authority, body or commission shall have authority and power and be liable, in Canada, pursuant and subject to the 35 provisions of such parts of this Act as shall be applicable to it, to enjoy, exercise and hold such franchises, privileges, rights, powers and property as are by or under this Act conferred upon or acquired by it, to sue and be sued, to contract and be contracted with and to 40 acquire, hold, alienate and convey such real or personal property as may be deemed by it to be necessary or convenient for execution of the purposes of its undertaking: and

(b) the public authority, body or commission concerned 45 shall, within thirty days after such assignment, transfer, conveyance or lease, appoint by by-law, resolution or ordinance a person resident in the county of Leeds Section 17 of 1934, c. 66 is as follows:-

17. (1) Construction of the said bridges shall be commenced within two years after the Governor in Council as regards the Canadian bridge; and the Governor in Council and the Executive of the United States or the State of New York or other competent authority therein, as regards the international and American bridges have, respectively, approved of such bridging, and shall be completed within three years after such commencement, otherwise the powers granted by this Act shall cease and be null and void as respects so much of such undertakings as may then remain uncompleted: Provided, however, that if such approval is not obtained within two years after the passing of this Act, the powers granted for the construction of any bridge not so approved, shall cease and be null and void.

"(2) The Company shall not commence its operations or incur any liability before the sum of at least fifty thousand dollars, has been paid into the treasury of the Dominion of Canada, which sum shall not be withdrawn until the proposed bridges, together with their approaches, buildings and all other assets used in connection therewith are constructed, and such sum shall be forfeited to His Majesty if such project is not completed".

Subsection 17 (1) of the Bill extends the time for approval of plans from two to three years. The other changes, *such construction* and *as respects that bridge* are added for the sake of clarity.

Subsection 17 (2) of the Bill is a redraft of 17 (2) of the Act and a suggested improvement thereof.

The new sections, 22 and 23, empower the Company to transfer its rights and assets to a public authority constituted by the State of New York or/and the United States and if the said rights and assets are so transferred then and in that event the public authority shall be subject to the special provisions mentioned in subsections a, b, c and d of the proposed new section twenty-three.

- 23 (a) New.
- 23 (b) New.
- 23. (c) New.

23. (d) Redraft of section 18 of the Act.

The following sections of the Act are not to apply to the public authority.

1. John Gilbert Mitchell, farmer, and David Arthur Haig, contractor, both of the township of the front of Leeds and Lansdowne, in the county of Leeds, in the province of Ontario, George Berryhill Acheson, warehouseman, Harold MacKinlay Code, barrister-at-law, and Arthur Cyril Boyce, barrister-at-law, all of the city of Ottawa, in the county of Carleton, in the said province of Ontario, together with such persons as become shareholders in the Company, are hereby incorporated under the name of "Thousand Islands Bridge Company," hereinafter called "the Company."

Public authority to covenant with company.

Company to assign covenant to His Majesty.

Issue of bonds, etc., to be approved.

When bonds, etc., paid property in Canada to become that of Ontario. in the province of Ontario as its attorney to receive service of process in all suits and proceedings instituted in Canada against it, and after the adoption thereof shall cause a certified copy of such by-law, resolution or ordinance to be filed in the office of the Secretary of 5 State of Canada; and

(c) such assignment, transfer, conveyance or lease shall be accompanied by a covenant (in form approved in advance by the Governor in Council of Canada and executed in duplicate on the same occasion and as part 10 of the same transaction as that of the execution of the assignment, transfer; conveyance or lease) on the part of the public authority, body or commission concerned, to and with the Company, for complete faithful and punctual observance and of compliance with each and 15 every of the conditions, limitations, restrictions, obligations and procedures to which it is or shall become subject by reason of any of the provisions of this Act, and the Company shall forthwith execute, in duplicate, to His Majesty in His right of the Dominion of Canada, 20 in terms approved in advance by the Governor in Council of Canada, an absolute assignment of such covenant and of the benefit thereof, and the Company. having attached one of the duplicate originals of the instrument of covenant to one of the duplicate originals 25 of the instrument of assignment of covenant, shall forthwith file such attached instruments in the office of the Secretary of State of Canada: and

(d) if such public authority, body or commission requires to issue bonds, debentures or other securities in aid of 30 the construction in section seven of this Act mentioned it shall, before enacting any by-law, resolution or ordinance required, submit it to the Governor in Council for his inspection and approval from the standpoint of the interest of Canada, and when all of such 35 bonds, debentures or other securities as shall have been issued are paid in full or shall have otherwise been discharged, all of the said bridges and approaches thereto and all appurtenant structures, property, property rights and franchises located within the 40 Dominion of Canada, shall be conveyed without cost or expense to the province of Ontario or otherwise as the Lieutenant-Governor in Council thereof may designate, and all rights, title and interest of said public authority, body or commission, its successors 45 and assigns therein, or in any of such works in the Dominion of Canada shall then cease and determine."

2. John Gilbert Mitchell, David Arthur Haig, George Berryhill Acheson, Harold MacKinlay Code and Arthur Cyril Boyce, named in section one, are constituted the provisional directors of the Company.

3. (1) The capital stock of the Company shall consist of fifty thousand shares having a par value of ten dollars each.

(2) The Company, if previously authorized by a resolution passed by the ordinary shareholders at any annual meeting or at any special general meeting duly called for that purpose, at which meeting shareholders representing at least threefourths in value of the subscribed ordinary stock of the company are present or represented by proxy, may issue any portion of its capital stock as preference stock, and preference stock so issued shall have such preference and priority as respects dividends or otherwise, over ordinary stock as is declared by such resolution. Holders of such preference stock shall be deemed to be shareholders within the meaning of this Act, and shall, in all respects in addition to the preference and priority provided by this section, possess the rights and be subject to the liabilities of such shareholders.

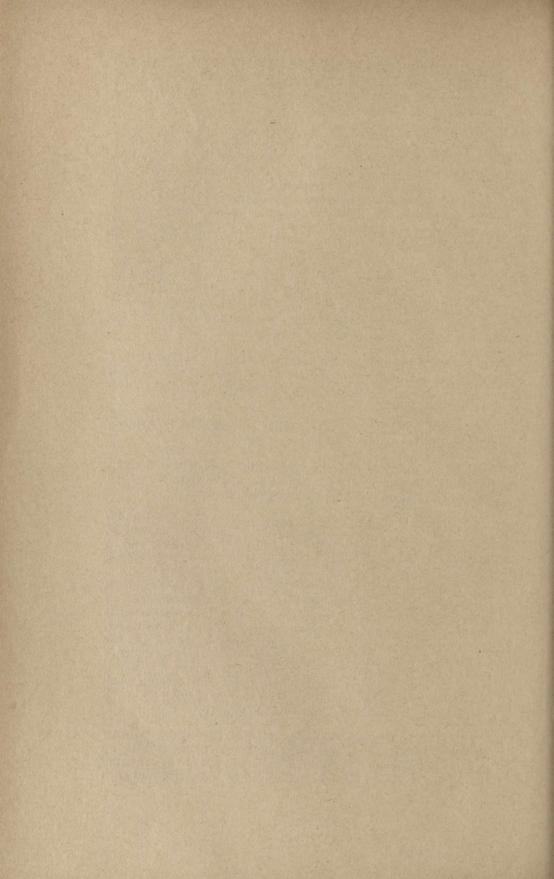
4. The head office of the company shall be at the city of Ottawa in the province of Ontario, and any general meeting of the shareholders may be held elsewhere than at the head office of the company.

5. The annual meeting of the shareholders shall be held on the second Monday in May of each year.

6. The number of directors, the majority of whom shall be Canadian citizens, shall be not less than five nor more than seven, one or more of whom may be paid directors.

10. The said bridges shall be constructed and located under and be subject to, such regulations for the security of navigation of the said river as the Governor in Council prescribes, and to such end the Company shall submit to the Governor in Council for examination and approval, a design and drawing of both the said bridges and a map of the location, giving the soundings accurately, showing the bed of the stream and the location of other bridges, and shall furnish such other information as is required for a full and satisfactory understanding of the subject, and until the said plans and location are approved by the Governor in Council the bridge concerned shall not be built or commenced; and if any change is made in the plans of either of the said bridges during construction, every such change shall be subject to the approval of the Governor in Council and shall not be made or commenced until it is so approved.

11. (1) The Company may issue bonds, debentures or other securities in aid of the construction herein mentioned to an amount not exceeding two million dollars in aid of the construction of the works in Canada authorized by this Act; and such



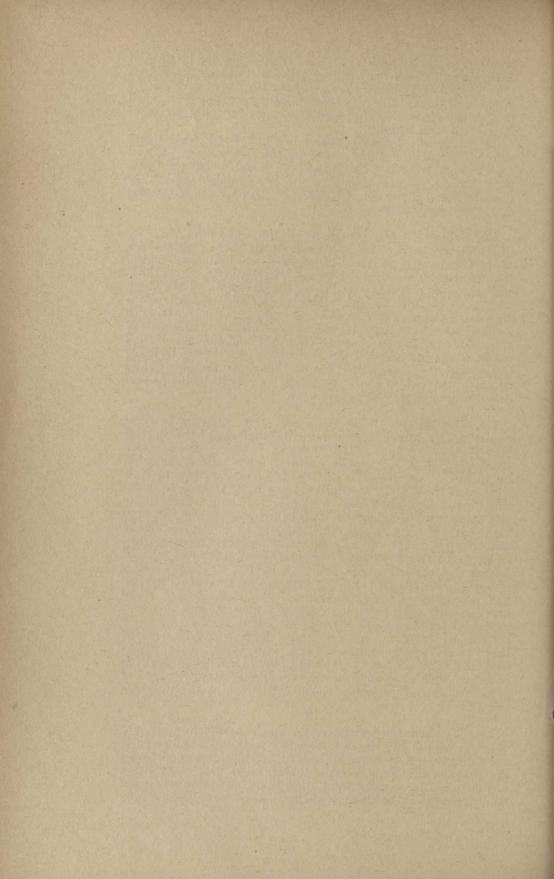
bonds, debentures or other securities shall be secured by deed of mortgage; and such deed of mortgage shall contain provisions that all tolls and revenues derived from the use of said bridges or either of them, subject to the necessary operating costs, shall be specially charged and pledged as security for the payment of interest on such security.

(2) No securities whether shares of stock, bonds, debentures or other securities shall be issued by the Company unless and until the Governor in Council has been satisfied that the Company has, in respect of such securities, complied with "The Security Fraud Prevention Act, 1930" of the province of Ontario and amendments thereto.

12. Subject to the provisions of the *Companies Act*, the directors may issue as paid-up stock shares of the capital stock of the Company in payment of any business, franchises, undertakings, rights, powers, privileges, letters patent, inventions, real estate, stocks, assets and other properties which the Company may lawfully acquire, and may, for such considerations allot and hand over such shares to any person or corporation or its shareholders or directors; and any such issue or allotment of stock shall be binding upon the Company and such stock shall not be assessable for calls; nor shall the holder thereof be liable in any way thereon; or the Company may pay therefor wholly or partly in paid-up shares or wholly or partly in bonds and debentures or as may be agreed upon.

15. The Company may unite with any company or companies incorporated under the laws of Canada or of the State of New York or of the United States of America, or any state thereof, or with any public authority, body or commission constituted under the laws of Canada or of the State of New York or of the said United States or any State thereof, in financing, controlling, building, working, managing, maintaining and using the said bridges, terminals and approaches, and may make agreements with any such company or companies, public authority, body, or commission respecting the financing, control, construction, maintenance, management and use of the said bridges and appurtenances, and may, subject to the provisions of sections one hundred and fifty-one, one hundred and fifty-two and one hundred and fifty-three of the Railway Act, make arrangements with any such company or companies, for conveying or leasing any of the said bridges to such company or companies, in whole or in part, or any rights or powers acquired by it, as also the franchise, surveys, plans, works, plant, mach-inery and other property to it belonging, or for an amalgamation with any such company, on such terms and conditions as are agreed upon and subject to such restrictions as the directors deem fit.

16. (1) Upon the agreement for amalgamation coming into effect as provided in the last preceding section, all and singular the property, real, personal and mixed, and all rights and interest appurtenant thereto, all stock subscriptions and other debts due on whatever account, and other things in action belonging to such companies or either of them, shall be taken and deemed

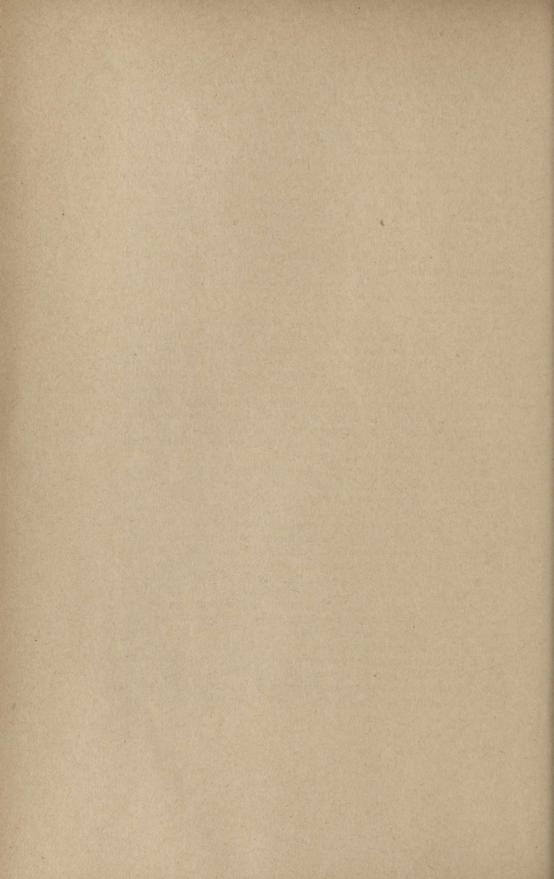


to be transferred to and vested in such new company, without further act or deed: Provided, however, that all rights of creditors and all liens upon the property of either of such companies shall be unimpaired by such amalgamation, and all debts, liabilities and duties of either of the said companies shall thenceforth attach to the new company and may be enforced against it to the same extent as if the said debts, liabilities and duties had been incurred or contracted by it: Provided, also, that no action or proceedings, legal or equitable, by or against the said companies so amalgamated or either of them, shall abate or be affected by such amalgamation, but for all the purposes of such action or proceeding such company may be deemed still to exist, or the new company may be substituted in such action or proceeding in the place thereof.

(2) At all meetings of the shareholders of the amalgamated company hereinbefore provided for, each shareholder shall be entitled to cast one vote for each share of stock held by him, and to vote either in person or by proxy.

18. (1) The Company and all companies or authorities mentioned in sections fifteen and sixteen with which the Company has united or become amalgamated shall enact and prescribe by by-law the manner and periods in which the corporate obligations and stock of the Company, companies or authorities shall be retired, and the Company and each of said companies or authorities shall submit every such by-law so enacted to the Governor in Council for approval; and no issue of bonds of the Company or any such company or authority shall be sold or offered for sale unless and until such by-law or by-laws shall have been so enacted and approved.

(2) When the corporate obligations and stock of the Company and of any of the companies or authorities mentioned in sections fifteen and sixteen of this Act, with which this Company has united, or become amalgamated have been retired in the manner prescribed in their by-laws, then the said bridges and the approaches thereto and all appurtenant structures, property, property rights and franchises, so far as the same are located in the United States of America, shall be conveyed without cost or expense, by the said Company, its successors and assigns, to the State of New York or as the Legislature of the said State may designate; and all of the said bridges and approaches thereto and all appurtenant structures, property, property rights and franchises located within the Dominion of Canada, shall be conveyed without cost or expense to the Province of Ontario or otherwise as the Lieutenant-Governor in Council thereof may designate, and all rights, title and interest of said Company, its successors and assigns therein, or in any of such works in the Dominion of Canada shall then cease and determine.



THE SENATE OF CANADA

BILL D².

An Act for the relief of Hyman Stotland.

Read a first time, Monday, 6th April, 1936.

The Honourable the Chairman of the Committee on Divorce.

OTTAWA J. O. PATENAUDE, I.S.O. PRINTER TO THE KING'S MOST EXCELLENT MAJESTY 1936

1st Session, 18th Parliament, 1 Edward VIII, 1936

THE SENATE OF CANADA

BILL D².

An Act for the relief of Hyman Stotland.

Preamble.

WHEREAS Hyman Stotland, domiciled in Canada and residing at the city of Montreal, in the province of Quebec, sales manager, has by his petition alleged that on the eleventh day of September, A.D. 1927, at the said city, he and Ruth Rudnikoff, who was then of the said city, a 5 spinster, were married; and whereas by his petition he has prayed that, because of her adultery since then, their marriage be dissolved; and whereas the said marriage and adultery have been proved by evidence adduced and it is expedient that the prayer of his petition be granted: There- 10 fore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Marriage dissolved.

Right to marry again. 1. The said marriage between Hyman Stotland and Ruth Rudnikoff, his wife, is hereby dissolved, and shall be 15 henceforth null and void to all intents and purposes whatsoever.

2. The said Hyman Stotland may at any time hereafter marry any woman whom he might lawfully marry if the said marriage with the said Ruth Rudnikoff had not been 20 solemnized. First Session, Eighteenth Parliament, 1 Edward VIII, 1936

THE SENATE OF CANADA

BILL E².

An Act to enable the establishment, operation and maintenance of <u>free foreign trade zones</u> by provinces and municipalities or by public agencies of either thereof.

Read a first time, Wednesday, 29th April, 1936.

Honourable Senator CASGRAIN.

OTTAWA J. O. PATENAUDE, I.S.O. PRINTER TO THE KING'S MOST EXCELLENT MAJESTY 1936

1st Session, 18th Parliament, 1 Edward VIII, 1936

THE SENATE OF CANADA

BILL E².

An Act to enable the establishment, operation and maintenance of free foreign trade zones by provinces and municipalities or by public agencies of either thereof.

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

SHORT TITLE.

Short title.

1. This Act may be cited as the *Free Foreign Trade* Zones Act.

5

APPLICATION.

Application.

2. Every provision of this Act shall operate and apply notwithstanding anything to the contrary provided or done in or under any other Act of Canada.

INTERPRETATION.

3. In this Act, unless the context otherwise requires, the expression 10

"Applicant."

(a) "applicant" means a public authority applying for the right to establish, operate and maintain a free foreign trade zone as provided in this Act;

(b) "frontier port" means the first port in Canada at which a vehicle carrying goods to be entered pursuant 15 to the *Customs Act* can arrive by land after crossing the frontier at any particular point; also, any sea, lake or river port at which a vessel carrying such goods can arrive from a port or place out of Canada;

(c) "goods" means goods, wares and merchandise, or 20 moveable effects of any kind, including horses, cattle and other animals;

"Frontier port."

"Goods."

EXPLANATORY NOTES.

The purpose of this Bill, which is one to facilitate the operations of export trade, is succinctly set out in clause nineteen hereof.

The Bill is purely permissive.

Provinces, municipalities or public agencies organized by either, and these only, may apply for a grant of the right to organize and conduct, wholly at their own expense, free ports, at approved places, whether on the seacoast, on a river, on a lake or inland.

Within these free ports goods as defined by the Bill may be received, unpacked and in all respects dealt with, so far as the customs laws are concerned, as if the territory of the free port were not part of the territory of Canada.

It is imporant that the clauses of the Bill other than clause 3 be read with constant reference to the definitions of clause 2. "Grant."

"Grantee."

"Minister."

"Province." "Public authority."

"Vehicle."

"Vessel."

"Zone."

- (d) "grant" means a grant of the privilege of establishing. operating and maintaining a free foreign trade zone as provided in this Act, in or adjacent to a frontier port;
- (e) "grantee" means a public authority to which a grant of the privilege of establishing, operating and main- 5 taining a free foreign trade zone has been made under this Act:

(f) "Minister" means the Minister of National Revenue:

- (q) "port" means a place, whether or not adjacent to a sea, lake or river, where vessels or vehicles may dis-10 charge or load cargo:
- (h) "province" includes the Yukon Territory;
- (i) "public authority" means a province or a municipality or a lawfully authorized public agency of either of them: 15
- (j) "vehicle" means any railway car, automobile, aeroplane, cart, car, wagon, carriage, barrow, sleigh or other conveyance whatsoever and howsoever drawn or propelled, that is capable of carrying goods, and includes harness, tackle, fittings and furnishings when these are 20 appurtenant to a vehicle:
- (k) "vessel" includes any ship, vessel or boat of any kind whatsoever, and howsoever drawn or propelled, and whether used as a seagoing vessel or on inland waters only: and
- (1) "zone" means a free foreign trade zone as provided in this Act.

ADMINISTRATION.

Administration.

4. This Act shall be administered by the Minister of National Revenue.

APPLICATION FOR GRANT.

Application for grant.

5. (1) The Governor in Council may, upon application 30 made in compliance with this Act by any public authority, grant to it, subject to all conditions, restrictions and limitations provided by or under this Act, for such period not exceeding fifty years as he may determine, the privilege of establishing, operating and maintaining, in or adjacent to 35 any frontier port of customs in Canada a free foreign trade zone as described in this Act.

(2) Not more than one such grant shall be made unless the port is located within the confines of more than one province; in that case one grant may be made for each 40 province part whereof is within the area of the port.

One"graat only in each province. 2

CLAUSE 5.—The public authority applies for a grant.

Contents of application for grant.

6. Every application for a grant shall state in detail— (a) the physical qualifications of the location of the proposed zone, showing—

(i) the land and/or water area;

(ii) the convenience with which segregation from 5 territory continuing subject to the customs laws can be attained;

(iii) the natural fitness of the proposed area for the purposes of a free zone; and

(iv) the possibility of expansion of such area, in the 10 future, if required;

- (b) what, if any, existing facilities and appurtenances the applicant proposes to utilize; also the facilities and appurtenances which it proposes to provide and preliminary plans and estimates of cost;
- (c) the time within which the applicant proposes to commence and complete the work of construction of the zone and of such facilities and appurtenances:
- (d) the methods proposed to finance the undertaking; and 20
- (e) such other information as the Governor in Council may, by regulation or otherwise, require to enable him to determine whether applicants or the particular applicant, should receive such grant.

7. The proposed location of the zone and its land and/or 25 water area shall in all cases be such as make them suitable for the conduct therein of those operations of foreign commerce with which this Act is concerned, and if, in the opinion of the Governor in Council, such location and/or area are not suitable, or if, in his opinion, the proposed 30 plans or facilities or appurtenances are not such as to justify a grant it may be refused, but refusal shall not operate as a bar to subsequent application anew.

OPERATION OF THE ZONE.

S. (1) Into every zone established under this Act vessels and vehicles may come and therein, except as otherwise 35 provided under this Act, land, lade and unlade, free of and exempt from all duties, dues, taxes, surtaxes, charges, surcharges and impositions of customs, and all supervision and control of the customs service, of Canada, any goods, as well those of origin in Canada as those of origin out of 40 Canada, except such as, whether under this Act or otherwise, may be prohibited by law.

(2) All goods brought into or landed in such zone may, with like freedom and exemption, be therein stored, exhibited, broken up, unpacked, repacked, assembled, distri-45 buted, sorted, refined, graded, cleaned, manufactured,

Location of zone.

Entry into zone.

Treatment of goods in zone.

CLAUSE 6.—The application must state required particulars.

CLAUSE 7.—The proposed site must be one suitable for a free zone.

CLAUSE 8.—This clause states the rights of all concerned with a free foreign trade zone and compels payment of customs duties upon any goods, such as those which for some reason fail of export and are necessarily sent out of the zone into customs territory. treated or otherwise manipulated, mixed with any other goods, of whatever origin, and exported from the zone in the original package or otherwise.

(3) Until a vessel or vehicle destined or in transit to a zone actually enters the limits thereof it shall, in every 5 port or place on land or water or in the air to which the laws of Canada extend or apply, be subject to all laws of Canada, and from the time when a vessel or vehicle destined out of a zone actually leaves the limits of such zone it shall be likewise subject to all laws of Canada, but as if such 10 vessel or vehicle leaving such zone were, in so far as customs laws and regulations are concerned, a vessel or vehicle coming from a port or place out of Canada, and all goods on or in such vessel or vehicle, wheresoever in whole or in part may have been their place of origin, shall be deemed to be, 15 and shall be treated in all respects, including liability to pay customs duties, as goods coming from out of Canada.

(4) The burden of proof that goods such as are mentioned in the next preceding subsection are, for any reason, dutiable on any lower or other rate or basis than that claimed 20 by any officer of Customs to be that which is applicable to such goods shall be upon the owner thereof.

9. Every grantee shall provide and maintain in connection with its zone—

- (a) adequate slips, docks, wharves and warehouses and 25 loading, unloading and mooring facilities;
- (b) adequate transportation connections so arranged as to permit of proper guarding and inspection for the protection of the revenue of Canada;
- (c) adequate facilities for coal or other fuel and for light 30 and power;
- (d) adequate water and sewer mains;
- (e) adequate quarters and facilities for the officers and employees of Canada, and of the province and municipality concerned, whose duties may require their 35 presence within the free zone; and
- (f) adequate enclosures to segregate the zone and with suitable provision for ingress and egress of persons, vessels, vehicles and goods.

Buildings and structures in zones. 10. (1) With the approval of the Minister under or by 40 way of uniform regulations made by him for like conditions and circumstances the grantee may permit any person to erect within any zone such buildings and other structures as will meet such person's requirements in carrying on business within the zone as this Act provides; but no such permission 45 shall, as against His Majesty, give rise to or support any vested right, or impair any regulatory power of the grantee, or any right of any other permittee under this or any other section of this Act, or prevent any revocation of the grant

Application of customs laws outside zone.

Burden of proof as to liability to customs dues.

Requirements of zones. CLAUSE 9.—Compels adequate equipment and facilities.

CLAUSE 10.—Provides for building of business premises within a zone by persons doing business therein.

by the Governor in Council, or, in case of such revocation, found in any permittee any right of compensation, or, in case either His Majesty or the grantee shall desire to acquire the property of the permittee, found any right to compensation for goodwill.

5

(2) No such permit shall be granted on terms conflicting with the public uses of the zone as set forth in this Act.

11. Except under permits granted pursuant to regulations prescribed by the Governor in Council no person shall be allowed to reside within the limits of a free zone except 10 those officers and employees of the grantee or of Canada or of the province and/or municipality in which the zone is located whose presence therein is necessary for the safety and policing of the zone or for the protection of the revenue.

(2) No person shall remain within any zone unless he is 15 actually working in connection with the handling of vessels, vehicles or their cargoes, or in connection with goods stored or being handled, manufactured or otherwise treated or manipulated within the zone as by this Act authorized.

(3) The Minister may at any time order and enforce the 20 exclusion from any zone of any goods or process of treatment which, in his judgment, is detrimental to the public interest, health or safety.

(4) No retail trade shall be conducted within any zone except the sale by permittees under a special licence of 25 (a) ship's stores and (b) food to employees and workmen for consumption while employed within the zone, and such permittee shall not sell any ship's stores or food unless they shall have been brought into the zone from a place in Canada whereat the customs laws of Canada are in force 30 and apply.

12. All rates and charges for all services or privileges within every zone shall be fair and reasonable and shall be subject to control, regulation, change and publication by the Board of Railway Commissioners for Canada as nearly 35 as may be according to the provisions of the *Railway Act*, and the Governor in Council may, by regulation, supplement the provisions of that Act to such extent and in such respects as he may deem necessary to give effect to the purpose and provisions of this section. 40

13. (1) Every zone shall be operated as a public utility. The grantee shall afford to all who may apply therefor the use of the zone and its facilities and appurtenances and uniform treatment in respect to all services rendered by the grantee under like conditions and circumstances, subject, 45 however, to such treaties or commercial conventions applicable to Canada as may from time to time have the force of law in Canada.

Limitation.

Residence in zones.

Remaining in zones.

Exclusion from zones.

Retail trading in zones.

Rates and charges . subject to Railway Act.

Regulations.

Zones to be public utilities. CLAUSE 11.—Only necessary guards or revenue officers may reside, and only ship's stores or food may be sold, within a free zone.

The second s

CLAUSE 12.—Rates and charges are put under the control of the Board of Railway Commissioners.

CLAUSE 13.—Zones are to be public utilities and all persons are to have uniform treatment.

Penalty.

Additions or improvements to zones.

Grants not transferable but surrenderable.

Effect of surrender f grant.

War or national emergency. (2) If the grantee refuses, without reasonable cause, to afford equal facilities, privileges and services at equal rates as aforesaid, or permits of or suffers acts by a permittee which are detrimental to the public interest, the Governor in Council may suspend the privilege of the grant for not **5** more than sixty days, and in the event of wilful and repeated or continuous offence by the grantee in refusing, permitting or suffering as aforesaid, the Governor in Council may revoke the grant.

14. If and whenever additions or improvements to a 10 zone established under this Act are proposed or required they shall be subject to the approval of the Governor in Council as in this Act provided for an original application.

15. (1) The grant shall not be, nor shall it be capable of being, sold, conveyed, transferred, set over, assigned or 15 operated otherwise than as a public utility; but, at any time after the expiration of ten years from the completion and opening for business of the zone, and after one year's written notice to the Minister given and expired, the grantee may, in such form and manner as the Governor in Council 20 may by regulation prescribe, surrender such grant.

(2) The surrender of any grant shall not impose upon His Majesty any liability to pay, nor shall the grantee merely because thereof be paid, any compensation or remuneration whatsoever. 25

16. In the event of war or other national emergency His Majesty may take over, occupy and use any part of or all of any zone or its facilities or appurtenances for such period of time as the exigencies of the case may demand, and if any damage suffered by the grantee by reason of such 30 taking, occupation and use is payable by His Majesty the amount shall be determined as prescribed by law.

SUPPLEMENTAL PROVISIONS.

Report by grantee to Minister.

Report to be laid hefore Parliament. 17. (1) Every grantee shall make to the Minister, annually, and at such other times as the Governor in Council may by regulation prescribe, a report or reports 35 containing a full statement of the affairs of its zone, including operations, receipts and expenditures.

(2) If Parliament is sitting when any such report is received a copy thereof shall within fifteen days thereafter be laid before Parliament; if otherwise the report shall be 40 laid before Parliament within fifteen days after the commencement of its next ensuing session. In either event the Minister shall, at the same time make a report to Parliament containing a summary of the operations and the fiscal condition of the zone. 45 CLAUSE 14.—Self explanatory.

CLAUSE 15.—Grantees of free zone privileges cannot assign their grants, but may surrender them, without compensation, after ten years operation of the zone thereunder.

CLAUSE 16.—The zone may be taken over by Canada in case of war or national emergency.

CLAUSE 17.—Every grantee is to report annually or oftener to the Minister of National Revenue and he to Parliament concerning the operations of every zone. Regulations.

18. The Governor in Council, in addition to all other of his powers under this Act, may, as to any or all zones, make such regulations as to him shall seem necessary or convenient to effect the purposes of this Act concerning—(a) applications, grants and permits;

- (b) construction, operation and maintenance of zones, their facilities and appurtenances, and the character of each thereof;
- (c) the times after grant within which construction shall be commenced, completed and the zone opened for 10 business;
- (d) expropriation, in execution of the purposes of this Act, of any land or any rights in or over water; as to the whole, so far only as the legislative jurisdiction of Canada extends;
- (e) the form and manner of keeping the accounts of zones; and
- (f) all other matters relating or conducing to the execution of the purposes, or of any purpose, of this Act, and, generally, for carrying this Act into effect. 20

19. No provision of this Act shall be read as imposing or intending to impose, directly, indirectly or consequentially, upon His Majesty or upon the public revenues of Canada any expenditure or expense whatsoever, it being the intent and primary purpose of this Act to authorize 25 and permit the establishment, in suitable localities, at the sole expense of public authorities, being provinces or public bodies under provincial jurisdiction, of mechanical agencies for executing the re-export and transhipment of goods not intended for sale, distribution, consumption or use in 30 Canada.

OPERATION SUSPENDED.

20. This Act shall not come into force until a day to be fixed by the Governor in Council and proclaimed by him in the *Canada Gazette*.

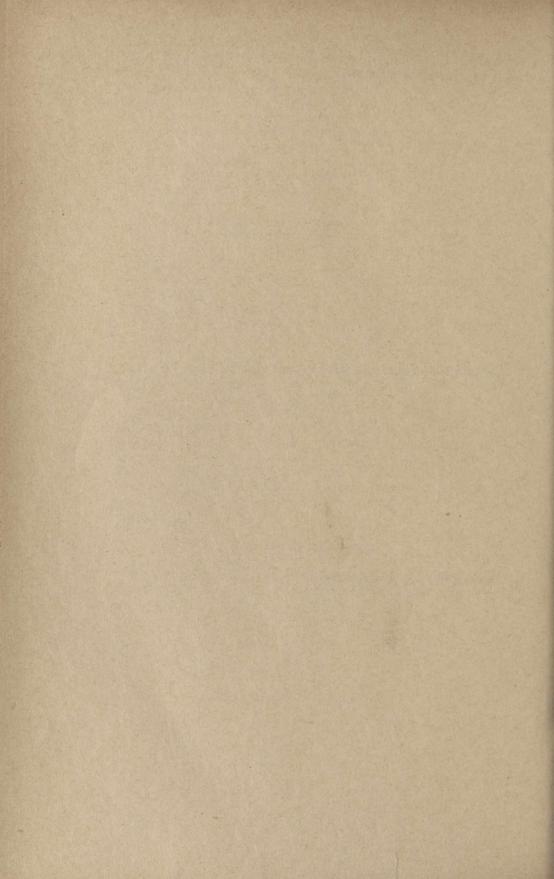
This Act not to entail expenditure of monies of Canada.

When Act to come into force. 5

CLAUSE 18.—The Governor in Council may enact all necessary further legislation.

CLAUSE 19.—Sets forth the purpose of the Bill.

CLAUSE 20.—Self explanatory.



THE SENATE OF CANADA

BILL F².

An Act for the relief of Pedro Alfonso Baptista.

Read a first time, Tuesday, 12th May, 1936.

The Honourable the Chairman of the Committee on Divorce.

OTTAWA J. O. PATENAUDE, I.S.O. PRINTER TO THE KING'S MOST EXCELLENT MAJESTY 1936

THE SENATE OF CANADA

BILL F².

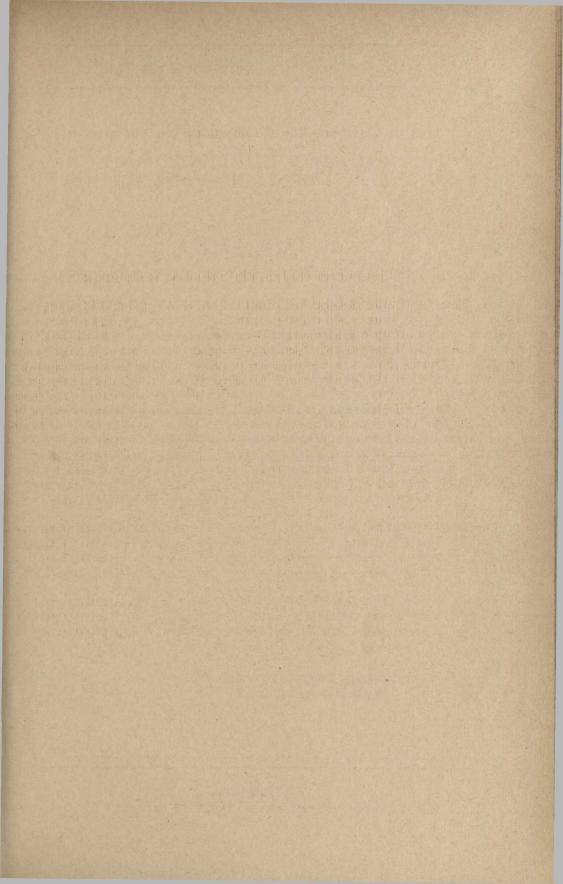
An Act for the relief of Pedro Alfonso Baptista.

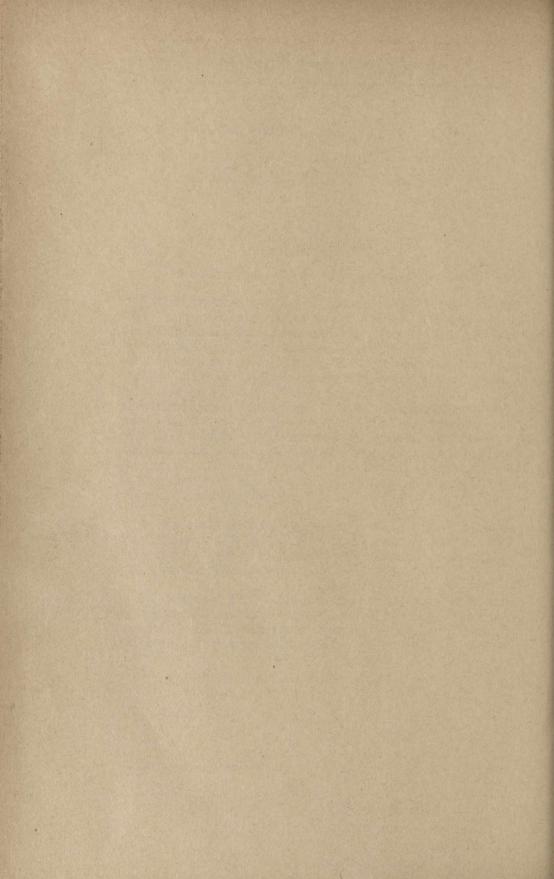
Preamble.

WHEREAS Pedro Alfonso Baptista, domiciled in Canada and residing at the city of Montreal, in the province of Quebec, assistant sales manager, has by his petition alleged that on the seventeenth day of October, A.D. 1928, at the said city of Montreal, he and Catherine Marcella 5 Vickers, who was then of the city of Westmount, in the said province, a spinster, were married; and whereas by his petition he has prayed that, because of her adultery since then, their marriage be dissolved; and whereas the said marriage and adultery have been proved by evidence 10 adduced and it is expedient that the prayer of his petition be granted: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Marriage dissolved. 1. The said marriage between Pedro Alfonso Baptista 15 and Catherine Marcella Vickers, his wife, is hereby dissolved, and shall be henceforth null and void to all intents and purposes whatsoever.

Right to marry again. 2. The said Pedro Alfonso Baptista may at any time hereafter marry any woman whom he might lawfully 20 marry if the said marriage with the said Catherine Marcella Vickers had not been solemnized.





THE SENATE OF CANADA

BILL G².

An Act for the relief of Louise Isabel Sutherland Chaplin.

Read a first time, Tuesday, 12th May, 1936.

The Honourable the Chairman of the Committee on Divorce.

OTTAWA J. O. PATENAUDE, I.S.O. PRINTER TO THE KING'S MOST EXCELLENT MAJESTY 1936

THE SENATE OF CANADA

BILL G².

An Act for the relief of Louise Isabel Sutherland Chaplin.

Preamble.

WHEREAS Louise Isabel Sutherland Chaplin, residing at the city of Montreal, in the province of Quebec, wife of Henry William Chaplin, manager, who is domiciled in Canada and residing at the said city, has by her petition alleged that they were married on the fifth day of October, 5 A.D. 1914, at the said city, she then being Louise Isabel Sutherland, a spinster; and whereas by her petition she has prayed that, because of his adultery since then, their marriage be dissolved; and whereas the said marriage and adultery have been proved by evidence adduced and it is 10 expedient that the prayer of her petition be granted: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:--

Marriage dissolved.

1. The said marriage between Louise Isabel Sutherland 15 and Henry William Chaplin, her husband, is hereby dissolved, and shall be henceforth null and void to all intents and purposes whatsoever.

Right to marry again.

2. The said Louise Isabel Sutherland may at any time hereafter marry any man whom she might lawfully marry 20 if the said marriage with the said Henry William Chaplin had not been solemnized.

THE SENATE OF CANADA

BILL H².

An Act for the relief of Clara Violetta Dodge Connolly.

Read a first time, Tuesday, 12th May, 1936.

The Honourable the Chairman of the Committee on Divorce.

OTTAWA J. O. PATENAUDE, I.S.O. PRINTER TO THE KING'S MOST EXCELLENT MAJESTY 1936

THE SENATE OF CANADA

BILL H².

An Act for the relief of Clara Violetta Dodge Connolly.

Preamble.

WHEREAS Clara Violetta Dodge Connolly, residing at the city of Montreal, in the province of Quebec. waitress, wife of Charles James Connolly, machinist, who is domiciled in Canada and residing at the said city of Montreal, has by her petition alleged that they were married 5 on the twenty-fourth day of December, A.D. 1927, at the city of Saskatoon, in the province of Saskatchewan, she then being Clara Violetta Dodge, a spinster: and whereas by her petition she has prayed that, because of his adultery since then, their marriage be dissolved; and whereas the said 10 marriage and adultery have been proved by evidence adduced and it is expedient that the praver of her petition be granted: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:---15

Marriage dissolved.

Right to ft.

1. The said marriage between Clara Violetta Dodge and Charles James Connolly, her husband, is hereby dissolved, and shall be henceforth null and void to all intents and purposes whatsoever.

2. The said Clara Violetta Dodge may at any time here- 20 after marry any man whom she might lawfully marry if the said marriage with the said Charles James Connolly had not been solemnized.

THE SENATE OF CANADA

BILL I².

An Act for the relief of Marie Consuela Hill Montabone.

Read a first time, Tuesday, 12th May, 1936.

The Honourable the Chairman of the Committee on Divorce.

OTTAWA J. O. PATENAUDE, I.S.O. PRINTER TO THE KING'S MOST EXCELLENT MAJESTY 1936

THE SENATE OF CANADA

BILL I².

An Act for the relief of Marie Consuela Hill Montabone.

Preamble.

WHEREAS Marie Consuela Hill Montabone, residing at the city of Montreal, in the province of Quebec, wife of Adolphe Jalbert Fleming Montabone, consulting engineer, who is domiciled in Canada and residing at the said city, has by her petition alleged that they were married 5 on the first day of January, A.D. 1914, at the said city, she then being Marie Consuela Hill, a spinster; and whereas by her petition she has prayed that, because of his adultery since then, their marriage be dissolved; and whereas the said marriage and adultery have been proved by evidence 10 adduced and it is expedient that the prayer of her petition be granted: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Marriage dissolved.

Right to marry again.

1. The said marriage between Marie Consuela Hill 15 and Adolphe Jalbert Fleming Montabone, her husband, is hereby dissolved, and shall be henceforth null and void to all intents and purposes whatsoever.

2. The said Marie Consuela Hill may at any time hereafter marry any man whom she might lawfully marry 20 if the said marriage with the said Adolphe Jalbert Fleming Montabone had not been solemnized.

THE SENATE OF CANADA

BILL J².

An Act for the relief of Lona Marie Vaughan Burnett Gravina.

Read a first time, Tuesday, 12th May, 1936.

The Honourable the Chairman of the Committee on Divorce.

OTTAWA J. O. PATENAUDE, I.S.O. PRINTER TO THE KING'S MOST EXCELLENT MAJESTY 1936

THE SENATE OF CANADA

BILL J².

An Act for the relief of Lona Marie Vaughan Burnett Gravina.

Preamble.

WHEREAS Lona Marie Vaughan Burnett Gravina, residing at the city of Montreal, in the province of Quebec, wife of Pietro Franco Gravina, financial agent, who is domiciled in Canada and residing at the said city of Montreal, has by her petition alleged that they were 5 married on the fourteenth day of June, A.D. 1928, at the city of Paris, France, she then being Lona Marie Vaughan Burnett, a widow; and whereas by her petition she has prayed that, because of his adultery since then, their marriage be dissolved; and whereas the said marriage and 10 adultery have been proved by evidence adduced and it is expedient that the prayer of her petition be granted: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:-15

Marriage dissolved.

Right to marry again. **1.** The said marriage between Lona Marie Vaughan Burnett and Pietro Franco Gravina, her husband, is hereby dissolved, and shall be henceforth null and void to all intents and purposes whatsoever.

2. The said Lona Marie Vaughan Burnett may at any 20 time herafter marry any man whom she might lawfully marry if the said marriage with the said Pietro Franco Gravina had not been solmenized.

THE SENATE OF CANADA

BILL K².

An Act for the relief of Madeleine St. Clair Peacock Milroy.

Read a first time, Thursday, 14th May, 1936.

The Honourable the Chairman of the Committee on Divorce.

OTTAWA J. O. PATENAUDE, I.S.O. PRINTER TO THE KING'S MOST EXCELLENT MAJESTY 1936

THE SENATE OF CANADA

BILL K².

An Act for the relief of Madeleine St. Clair Peacock Milroy.

Preamble.

WHEREAS Madeleine St. Clair Peacock Milroy, residing at the city of Montreal, in the province of Quebec, wife of Arthur Herbert Milroy, real estate broker, who is domiciled in Canada and formerly resided at the said city, has by her petition alleged that they were married on the 5 fifth day of October, A.D. 1925, at the said city, she then being Madeleine St. Clair Peacock, a spinster; and whereas by her petition she has prayed that, because of his adultery since then, their marriage be dissolved; and whereas the said marriage and adultery have been proved by evidence 10 adduced and it is expedient that the prayer of her petition be granted: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Marriage dissolved.

Right to marry again. **1.** The said marriage between Madeleine St. Clair 15 Peacock and Arthur Herbert Milroy, her husband, is hereby dissolved, and shall be henceforth null and void to all intents and purposes whatsoever.

2. The said Madeleine St. Clair Peacock may at any time hereafter marry any man whom she might lawfully 20 marry if the said marriage with the said Arthur Herbert Milroy had not been solemnized.

THE SENATE OF CANADA

BILL L².

An Act for the relief of Bella or Bessie Laurie Wozik, otherwise known as Bella or Bessie Laurie Rabinovitch.

Read a first time, Thursday, 14th May, 1936.

The Honourable the Chairman of the Committee on Divorce.

OTTAWA J. O. PATENAUDE, I.S.O. PRINTER TO THE KING'S MOST EXCELLENT MAJESTY 1936

THE SENATE OF CANADA

BILL L2.

An Act for the relief of Bella or Bessie Laurie Wozik, otherwise known as Bella or Bessie Laurie Rabinovitch.

Preamble.

WHEREAS Bella or Bessie Laurie Wozik, otherwise known as Bella or Bessie Laurie Rabinovitch, residing at the town of Cornwall, in the province of Ontario, saleswoman, wife of Morris Wozik, otherwise known as Morris Rabinovitch, farmer, who is domiciled in Canada and 5 residing at the town of La Macaza, in the county of Labelle, in the province of Quebec, has by her petition alleged that they were married on the twenty-seventh day of March, A.D. 1908, at the city of Brooklyn, in the state of New York, one of the United States of America, she then being 10 Bessie Laurie, a spinster; and whereas by her petition she has praved that, because of his adultery since then, their marriage be dissolved; and whereas the said marriage and adultery have been proved by evidence adduced and it is expedient that the prayer of her petition be granted: 15 Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:---

Marriage dissolved.

1. The said marriage between Bessie Laurie and Morris Wozik, otherwise known as Morris Rabinovitch, her hus- 20 band, is hereby dissolved, and shall be henceforth null and void to all intents and purposes whatsoever.

Right to marry again. 2. The said Bessie Laurie may at any time hereafter marry any man whom she might lawfully marry if the said marriage with the said Morris Wozik, otherwise known 25 as Morris Rabinovitch, had not been solemnized.

THE SENATE OF CANADA

BILL M².

An Act for the relief of Agnes Hannah Wright.

Read a first time, Thursday, 14th May, 1936.

The Honourable the Chairman of the Committee on Divorce.

OTTAWA J. O. PATENAUDE, I.S.O. PRINTER TO THE KING'S MOST EXCELLENT MAJESTY 1936

THE SENATE OF CANADA

BILL M².

An Act for the relief of Agnes Hannah Wright.

Preamble.

WHEREAS Agnes Hannah Wright, residing at the city of Montreal, in the province of Quebec, waitress, wife of Henry Wright, labourer, who is domiciled in Canada and residing at the said city, has by her petition alleged that they were married on the eighth day of February, A.D. 5 1924, at the village of Coylton, Scotland, she then being Agnes Hannah, a spinster; and whereas by her petition she has prayed that, because of his adultery since then, their marriage be dissolved; and whereas the said marriage and adultery have been proved by evidence adduced and it is 10 expedient that the prayer of her petition be granted: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Marriage dissolved. 1. The said marriage between Agnes Hannah and Henry 15 Wright, her husband, is hereby dissolved, and shall be henceforth null and void to all intents and purposes what-soever.

Right to marry again. 2. The said Agnes Hannah may at any time hereafter marry any man whom she might lawfully marry if the said 20 marriage with the said Henry Wright had not been solemnized.

THE SENATE OF CANADA

BILL N².

An Act to incorporate The Independent Order of the Sons of Italy.

Read a first time, Wednesday, 20th May, 1936.

HONOURABLE SENATOR LACASSE.

THE SENATE OF CANADA

BILL N².

An Act to incorporate The Independent Order of the Sons of Italy.

Preamble.

WHEREAS the persons hereinafter named have by their petition prayed that they be incorporated as a fraternal benefit society under the name of "The Independent Order of the Sons of Italy," and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and **5** with the advice and consent of the Senate and the House of Commons of Canada, enacts as follows:—

Incorpora-

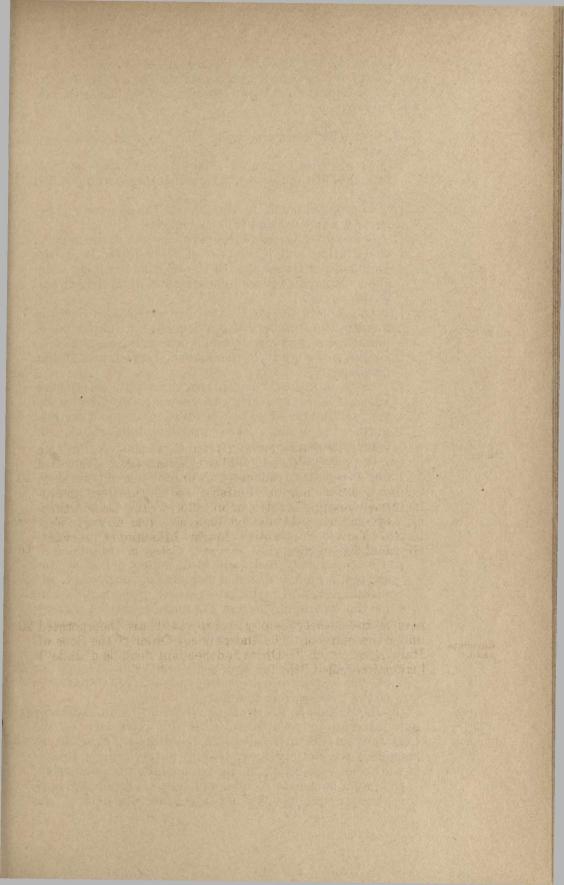
Corporate name.

Head office.

Membership. 1. Antonino Spada, agent, Enrico Perazzo, cook, Raffaele Rossi, carpenter, Vincenzo Martella, labourer, Francesco L'Oddo, typesetter, Salvatore Murano, cement finisher, 10 Sabino Bozzer, mason, Raffaele Lallo, mattress manufacturer, Giuseppe Mastropaolo, tailor, Frank De Martinis, railway employee, Domenico Lapiana, civic servant, Fortunato Talvei, contractor, Mario Marchionni, servant, Giovanni D'Onofrio, civil servant, Celestino Montagano, 15 labourer, Antonio Savetta, physician, all of the city of Montreal, and Nidata Vigilante, cement finisher, of the city of Outremont, in the district of Montreal, in the province of Quebec, together with such other persons as become members of the society hereby incorporated, are incorporated 20 under the name of "The Independent Order of the Sons of Italy" (In French "L'Ordre Independant des Fils d'Italie") hereinafter called "the Society."

2. The head office of the Society shall be at the city of Montreal, in the province of Quebec. 25

3. Membership in the Society shall be limited to persons of Italian origin residing in Canada, together with such other persons residing in Canada as may be admitted to membership in accordance with the by-laws of the Society.



Fraternal benefit society.

Powers.

4. The Society shall be a fraternal benefit society, and shall carry on its benefit and insurance work solely for the benefit of its members, their families and beneficiaries, and not for profit.

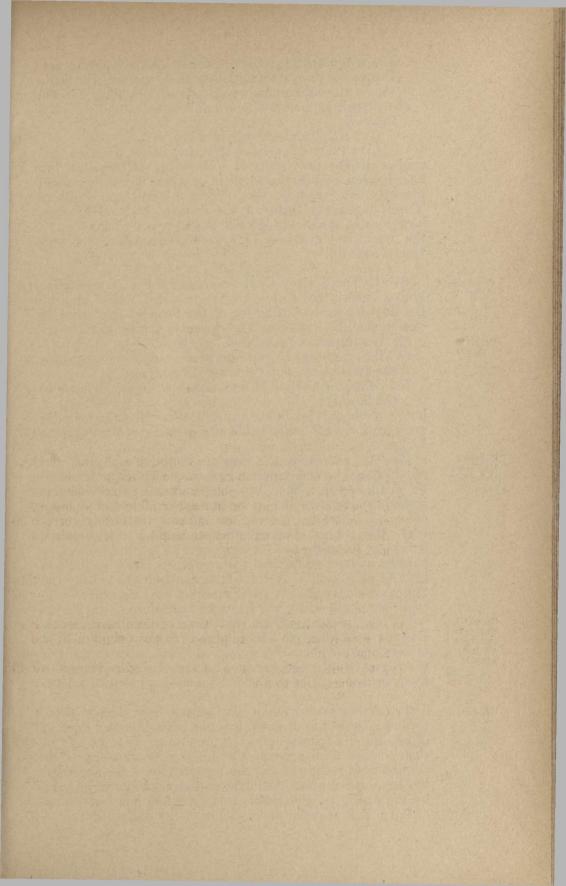
The Society shall have power throughout 5 5. (1) Canada:-

- (a) to institute, organize, establish and carry on local branches of the Society, which branches shall be called lodges:
- (b) to propagate and develop among the members of the Society a mutual and fraternal spirit; 10
- (c) to enlighten the members of the Society in the history. constitution and legislation of their foster land, the Dominion of Canada, with the object of making them good Canadian citizens conscious of their rights and duties as such: 15
- (d) to promote the intellectual instruction and development of the members of the Society, by the reading of newspapers, periodicals and books, and especially to facilitate the study of the French, English and Italian languages; 20
- (e) to facilitate and encourage the study of sciences, music, singing and arts and generally to enhance the instruction and education of its members, and for that purpose to establish, help and maintain schools and teaching institutions: 25
- (f) to preserve and strengthen, through the practice of physical culture and sports, the health of its members;
- (g) to protect, help, support, and assist such members of the Society as may be in need or afflicted by disease, accident or other misfortune, and, in the case of the 30 death of one of its members, to help his widow, children and dependents:
- (h) to establish, maintain and support homes and shelters for old or disabled members of the Society, and to establish and maintain or assist orphanges to care 35 for the orphan children of the members of the Society;
- (i) to borrow and loan from time to time such amounts of money as may be required for the purposes of the Society
- (j) to solicit, receive and accept, by gift, bequest or 40 otherwise, and to hold and dispose of, for the purposes of the Society, any monies;

(2) In addition to the insurance powers which the Society may exercise in accordance with the provisions of the Canadian and British Insurance Companies Act, 1932, as 45 amended, the Society may, if duly authorized by by-law of the Society passed on the recommendation of its actuary,

(a) pay a benefit to members in case of disability, temporary or permanent, not exceeding one-half of the

Further powers under by-laws.



amount of the mortuary benefit under the contract, the amount payable on the death of the member being reduced by the amount paid as such disability benefit;

(b) establish, maintain and administer a fund for payment of:

(i) a sick benefit to any member, and

(ii) a funeral benefit on the death of any member; and subject to the provisions of section ten of this Act, the Society may acquire the whole or any part of the rights and property, and assume the obligations and liabilities, of 10 The Independent Order of the Sons of Italy of Quebec, incorporated under the laws of the province of Quebec, on the fourth day of April, 1927, hereinafter called "the provincial society."

6. (1) The Society shall be governed by The Supreme 15 Lodge, constituted as hereinafter provided, which shall be the final legislative authority of the Society, and when in session shall be known as The Supreme Convention.

(2) The Supreme Lodge shall consist of:-

(a) the members of the Supreme Executive Council for 20 the time being, as hereinafter defined; and

(b) delegates elected in accordance with the by-laws of the Society;

but a member who holds any office in any other similar organization shall be ineligible as a member of the Supreme 25 Lodge.

(3) The affairs of the Society shall be managed and administered by the Supreme Executive Council which shall be composed of: The supreme venerable, the assistant supreme venerable, the ex-supreme venerable last holding 30 office, the supreme orator, the supreme recording secretary, the supreme administrative secretary, a supreme treasurer, five supreme trustees, and such other officers or persons as may from time to time be required by the bylaws of the Society, all of whom shall be elected by the 35 Supreme Convention, and a supreme medical officer who shall be appointed by the Supreme Executive Council.

(4) The present officers and members of the Supreme Executive Council of the provincial Society shall be the officers and members of the Supreme Executive Council of 40 the Society, until their successors are elected pursuant to the provisions of this Act and of the by-laws of the Society.

7. (1) The Society shall have power, from time to time, to make, amend and repeal by-laws governing the election of officers and trustees and the prescribing and defining of 45 their duties and powers, the holding of meetings, the admission of members and the termination of membership, the amounts of premiums, dues and assessments to be paid by the members, and generally all matters relating to any of the activities, business or affairs of the Society. 50

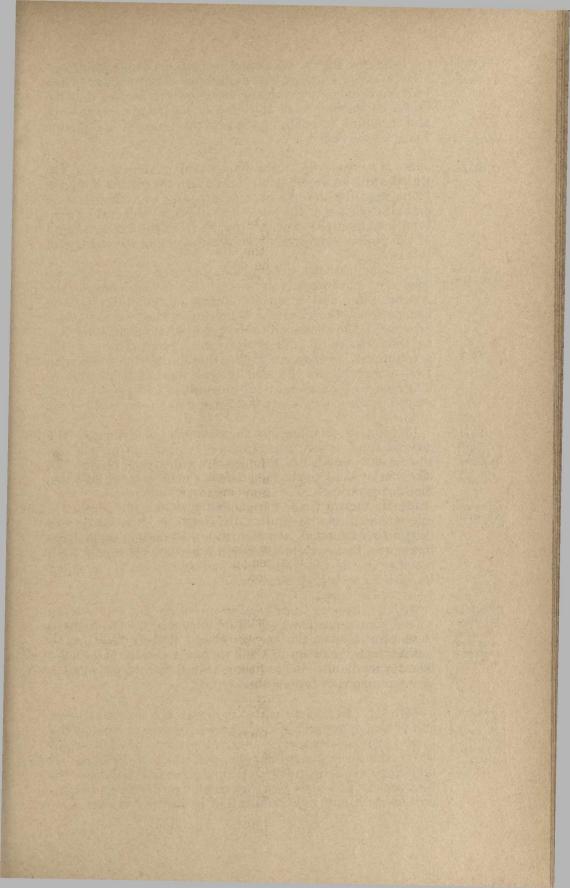
Government of Society.

Supreme Lodge.

Supreme Executive Council.

Present officers and members continue as such.

By-laws.



Continuance of present by-laws. (2) The existing by-laws and regulations of the provincial society, so far as they are applicable shall, subject to the provisions hereof, govern the affairs of the Society and the members thereof, from the date of its incorporation until and including the date of the first meeting of the Supreme Lodge of the Society.

5

General fund.

Deficiency in general fund.

Notice of allocation

to general

Exhaustion of general

fund.

fund.

S. (1) The Society may maintain a general fund, to which shall be credited all dues and other sums intended to be used for the payment of expenses of administration and all expenses of the Society shall be payable out of such 10 fund including the expenses arising from the exercise of all of the powers conferred by subsection one of section five of this Act.

(2) The Society may make provision in its by-laws whereby, in the event of there being a deficiency in the 15 general fund and a surplus above all liabilities in any benefit fund, the Supreme Convention may, in any year, provide for the allocation to the general fund of such portion as the actuary of the Society may recommend, of the premiums or assessments falling due during the succeeding 20 twelve months, in the said benefit fund, the amount so allocated to the general fund during the said period not to exceed, however, two months' premiums in the said benefit fund.

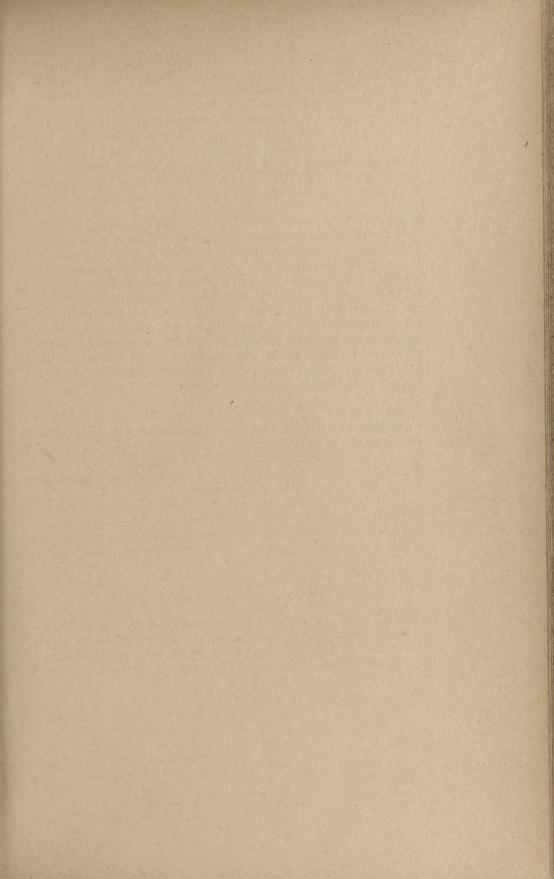
(3) Notice of intention to make an allocation to the 25 general fund of any premiums or assessments or portions thereof, as provided in the next preceding subsection, shall be given by mail, to the members of the Society, at least one month before such allocation is made.

(4) If, at any time, the general fund, or the surplus in 30 any other fund, becomes exhausted, or is in danger of becoming exhausted, the Supreme Convention shall have power to make a proportionate assessment upon each member in the fund and such assessment shall thereupon be paid by each such member. 35

Distribution of surplus. **9.** The Society may make provision in its by-laws whereby such portion as shall be approved by the actuary of the Society, of the surplus above all liabilities in any benefit fund, may be applied to grant new or additional benefits to the members of the Society, or to the remission 40 of premiums, or portions thereof.

10. (1) The Society may acquire all the rights and real and personal property of any kind whatsoever now belonging to the provincial society, and, in the event of such acquisition, the Society shall assume, perform and discharge all 45 unperformed obligations and undischarged liabilities of that society and may give any receipt or discharge in connection with any right, obligation or liability thereof.

Society may acquire rights and property of provincial society.



Agreement to be approved by Treasury Board. (2) No agreement between the Society and the provincial society in connection with the acquisition of the rights and property of the provincial society, and with the assumption of its duties and obligations shall become effective until such agreement has been submitted to and approved by 5 the Treasury Board, and the Treasury Board shall not approve it if it appears to that Board that more than onethird of the members of the provincial society, present and voting at a meeting called for the purpose of considering such agreement, are opposed to it. 10

Coming into force.

11. This Act shall come into force on a date to be specified by the Superintendent of Insurance, in a notice published in the *Canada Gazette*, and such notice shall not be given until this Act has been approved by a resolution adopted by at least two-thirds of the votes of the members 15 of the provincial society, present or represented by proxy at a meeting duly called for the purpose, nor until the Superintendent of Insurance has been satisfied, by such evidence as he may require, that such approval has been given and that the provincial society has ceased to do 20 business, or will cease to do business forthwith upon a licence being issued to the Society.

1932, c. 46.

12. Except as hereinbefore otherwise provided The Canadian and British Insurance Companies Act, 1932, shall apply to the Society. 25

THE SENATE OF CANADA

BILL O².

An Act to incorporate Quebec and Montmorency Railway Company.

Read a first time, Wednesday, 20th May, 1936.

Honourable Senator L'Espérance.

OTTAWA J. O. PATENAUDE, I.S.O. PRINTER TO THE KING'S MOST EXCELLENT MAJESTY 1936

THE SENATE OF CANADA

BILL O².

An Act to incorporate Quebec and Montmorency Railway Company.

Preamble.

WHEREAS a petition has been presented praying that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada enacts as 5 follows:—

Incorporation.

Corporate name.

Declaration.

Provisional directors.

Capital stock.

Head office.

Annual meeting.

1. Howard Murray, investment dealer; William Stephen Hart, treasurer; James Wilson, secretary; Henry Gordon Budden, gentleman; all of the city of Montreal, in the province of Quebec; and Joseph Eugene Tanguay, manager, 10 of the city of Quebec, in the said province of Quebec, together with such persons as become shareholders in the Company are hereby incorporated under the name of "Quebec and Montmorency Railway Company" (hereinafter called "the Company").

2. The undertaking of the Company is hereby declared to be a work for the general advantage of Canada.

3. The persons named in section one of this Act are hereby constituted provisional directors of the Company.

4. The capital stock of the Company shall be two 20 million dollars.

5. The head office of the Company shall be in the city of Quebec in the province of Quebec.

6. The annual meeting of the shareholders shall be held on the second Tuesday in the month of March in each year 25 or on such other day as the directors of the Company may determine.

EXPLANATORY NOTES.

Since 1895 The Quebec Railway, Light & Power Company has operated a tramway system in the City of Quebec and a line of railway extending a distance of some thirty miles from Quebec to Cap Tourmente on the north shore of the St. Lawrence River and passing through Montmorency Falls and Ste. Anne de Beaupre. This line of railway is known as the Montmorency division of the Company and it connects with the Canadian National Railways and the Canadian Pacific Railway Company. The Canadian National Railways run their trains to Murray Bay over this division.

It is desired to incorporate a new company to acquire and operate the Montmorency division of The Quebec Railway, Light & Power Company as a separate undertaking, inasmuch as the tramway division provides transportation services of a different character for the city and district of Quebec.

The terms and conditions of any acquisition by Quebec and Montmorency Railway Company will be subject to the approval of the Board of Railway Commissioners and the Governor in Council in the manner provided by the Railway Act. Notice calling shareholders' meetings.

R.S., c. 170, s. 77 not applicable.

Calling of meetings.

Number of directors.

Issue of securities.

Powers of Company.

Power to enter into certain agreements.

Power to issue bonds, debentures and shares. 7. Shareholders' meetings shall be called by a notice mailed at least ten clear days before the date fixed for the meeting to the address of every shareholder as entered in the books of the Company.

S. Section seventy-seven of the *Railway Act* shall not 5 apply to the Company.

9. At any time after the passing of this Act the provisional directors may call a meeting of the shareholders for the purpose of passing or confirming the by-laws of the Company, electing directors and considering and acting 10 upon any other business specified in the notice calling the meeting.

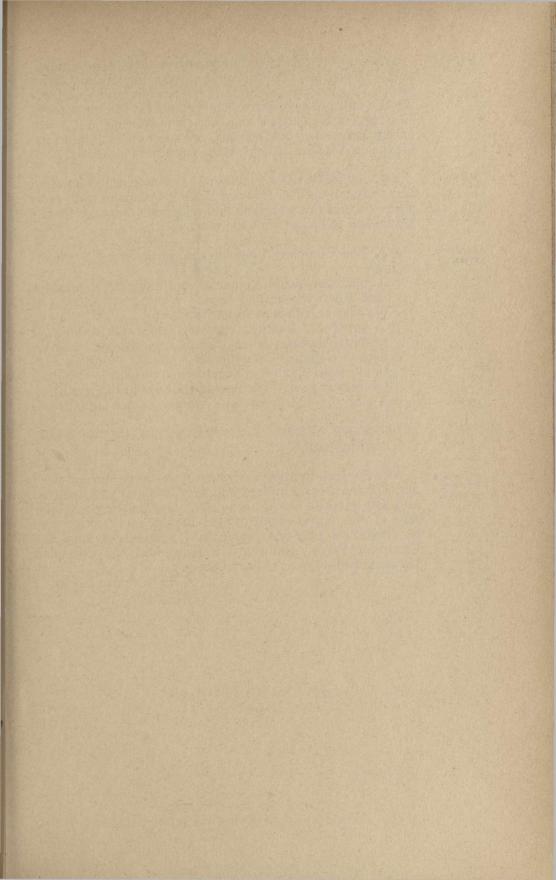
10. The number of directors shall be not less than five nor more than seven.

11. The Company may make and issue bonds, deben- 15 tures or other securities to an amount not exceeding three million dollars.

12. The Company may maintain, manage and operate by means of steam, electricity or other motive power, upon the standard gauge of four feet eight and one-half inches, 20 with single or double track, the Montmorency division of The Quebec Railway, Light & Power Company, consisting of the railway and undertaking now constructed and in operation extending from the terminal station of the said railway in the lower town in the city of Quebec to Cap 25 Tourmente on the north shore of the river St. Lawrence.

13. Subject to the provisions of sections one hundred and fifty-one and one hundred and fifty-three of the *Railway Act*, the Company may enter into an agreement with The Quebec Railway, Light & Power Company for the purchase 30 or lease of its said Montmorency division and, subject to the same provisions, The Quebec Railway, Light & Power Company may enter into any such agreement with the Company.

14. As consideration for any agreements entered into 35 under the provisions of section thirteen of this Act, the Company may issue bonds or debentures and issue and allot shares of the capital stock of the Company as fully paid and The Quebec Railway, Light & Power Company may accept, hold and dispose of any bonds, debentures and 40 shares so issued and allotted in payment.



Electric and other power.

R.S., c. 170.

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R.S., c. 170.

Additional powers.

15. Subject to the provisions of section three hundred and sixty-eight of the *Railway Act*, the Company shall have power to generate, acquire, use, transmit and distribute electric and other power or energy and for the purposes of such generation, acquisition, use, transmission and distribution may construct, acquire, operate and maintain lines for the conveyance of light, heat, power and electricity.

16. Subject to the provisions of section three hundred and sixty-nine of the *Railway Act* the Company shall have power to transmit telegraph and telephone messages for the 10 public and to collect tolls therefor.

17. The Company may for the purposes of its undertaking—

- (a) construct, acquire, charter and navigate steamships and other vessels and ferries, for the conveyance of 15 passengers, goods and merchandise;
- (b) construct, acquire, operate, lease and dispose of terminal stations, hotels, restaurants, depots, wharves, docks, elevators, warehouses, offices, pumping stations, tanks and other structures to be used to facilitate 20 the carrying on of business in connection therewith:
- (c) carry on the business of warehousemen and wharfingers; and
- (d) charge wharfage and other dues for the use of any such property. 25

Agreements with other companies. **18.** Subject to the provisions of sections one hundred and fifty-one, one hundred and fifty-two and one hundred and fifty-three of the *Railway Act*, the Company may, for any of the purposes mentioned in the said section one hundred and fifty-one, enter into agreements with the 30 Canadian Pacific Railway Company and the Canadian National Railways or either of them.

THE SENATE OF CANADA

BILL P².

An Act for the relief of Margery Brunhilde Morphy Dunton,

Read a first time, Thursday, 4th June, 1936.

The Honourable the Chairman of the Committee on Divorce.

OTTAWA J. O. PATENAUDE, I.S.O. PRINTER TO THE KING'S MOST EXCELLENT MAJESTY 1936

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THE SENATE OF CANADA

BILL P².

An Act for the relief of Margery Brunhilde Morphy Dunton.

Preamble.

WHEREAS Margery Brunhilde Morphy Dunton, residing at the city of Westmount, in the province of Quebec. wife of Wilson Ellis Dunton, chartered accountant, who is domiciled in Canada and residing at the city of Montreal, in the said province, has by her petition alleged that they 5 were married on the second day of June, A.D. 1923, at the said city of Montreal, she then being Margery Brunhilde Morphy, a spinster; and whereas by her petition she has prayed that, because of his adultery since then, their marriage be dissolved; and whereas the said marriage and 10 adultery have been proved by evidence adduced and it is expedient that the praver of her petition be granted: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:-15

Marriage dissolved.

Right to marry again. 1. The said marriage between Margery Brunhilde Morphy and Wilson Ellis Dunton, her husband, is hereby dissolved, and shall be henceforth null and void to all intents and purposes whatsoever.

2. The said Margery Brunhilde Morphy may at any time 20 hereafter marry any man whom she might lawfully marry if the said marriage with the said Wilson Ellis Dunton had not been solemnized.

THE SENATE OF CANADA

BILL Q².

An Act for the relief of Mania Leizerson Oberman.

Read a first time, Thursday, 4th June, 1936.

The Honourable the Chairman of the Committee on Divorce.

OTTAWA J. O. PATENAUDE, I.S.O. PRINTER TO THE KING'S MOST EXCELLENT MAJESTY 1936

THE SENATE OF CANADA

BILL Q².

An Act for the relief of Mania Leizerson Oberman.

Preamble.

WHEREAS Mania Leizerson Oberman, residing at the city of Montreal, in the province of Quebec, factory employee, wife of Samuel Oberman, merchant, who is domiciled in Canada and residing at the city of Outremont. in the said province of Quebec, has by her petition alleged 5 that they were married on the nineteenth day of May, A.D. 1920, at the city of Paltava, in the province of Paltava, in the Union of Soviet Socialist Republics, she then being Mania Leizerson; and whereas by her petition she has prayed that, because of his adultery since then, their 10 marriage be dissolved; and whereas the said marriage and adultery have been proved by evidence adduced and it is expedient that the prayer of her petition be granted: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as 15 follows:-

Marriage dissolved.

1. The said marriage between Mania Leizerson and Samuel Oberman, her husband, is hereby dissolved, and shall be henceforth null and void to all intents and purposes whatsoever.

Right to marry again. 2. The said Mania Leizerson may at any time hereafter marry any man whom she might lawfully marry if the said marriage with the said Samuel Oberman had not been solemnized.

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THE SENATE OF CANADA

BILL R².

An Act for the relief of Milton Sandford Enoch Chase.

Read a first time, Thursday, 4th June, 1936.

The Honourable the Chairman of the Committee on Divorce.

OTTAWA J. O. PATENAUDE, I.S.O. PRINTER TO THE KING'S MOST EXCELLENT MAJESTY 1936

THE SENATE OF CANADA

BILL R².

An Act for the relief of Milton Sandford Enoch Chase.

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Preamble.

WHEREAS Milton Sandford Enoch Chase, domiciled in Canada and residing at the city of Montreal, in the province of Quebec, mechanic, has by his petition alleged that on the fifteenth day of March, A.D. 1927, at the said city, he and Ivy Frances Tofts, who was then of the said 5 city, a spinster, were married; and whereas by his petition he has prayed that, because of her adultery since then, their marriage be dissolved; and whereas the said marriage and adultery have been proved by evidence adduced and it is expedient that the prayer of his petition be granted: There- 10 fore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:

Marriage dissolved.

Right to marry again. 1. The said marriage between Milton Sandford Enoch Chase and Ivy Frances Tofts, his wife, is hereby dissolved, and shall be henceforth null and void to all intents and 15 purposes whatsoever.

2. The said Milton Sandford Enoch Chase may at any time hereafter marry any woman whom he might lawfully marry if the said marriage with the said Ivy Frances Tofts had not been solemnized.

THE SENATE OF CANADA

BILL S².

An Act for the relief of Jessie Dansky Glazer, otherwise known as Jobeth Dansky Glazer.

Read a first time, Thursday, 4th June, 1936.

The Honourable the Chairman of the Committee on Divorce.

THE SENATE OF CANADA

BILL S².

An Act for the relief of Jessie Dansky Glazer, otherwise known as Jobeth Dansky Glazer.

Preamble.

WHEREAS Jessie Dansky Glazer, otherwise known as Jobeth Dansky Glazer, residing at the city of Montreal, in the province of Quebec, dressmaker, wife of Phillip Glazer, tailor, who is domiciled in Canada and residing at the said city, has by her petition alleged that they were 5 married on the tenth day of April, A.D. 1906, at the said city, she then being Jobeth Dansky, a spinster; and whereas by her petition she has prayed that, because of his adultery since then, their marriage be dissolved; and whereas the said marriage and adultery have been proved by evidence 10 adduced and it is expedient that the prayer of her petition be granted: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Marriage dissolved.

Right to marry again. Glazer, her husband, is hereby dissolved, and shall be henceforth null and void to all intents and purposes whatsoever.

1. The said marriage between Jobeth Dansky and Phillip 15

2. The said Jobeth Dansky may at any time hereafter marry any man whom she might lawfully marry if the said marriage with the said Phillip Glazer had not been solem- 20 nized.

THE SENATE OF CANADA

BILL T².

An Act for the relief of Mildred Eileen Champion Webster.

Read a first time, Thursday, 4th June, 1936.

The Honourable the Chairman of the Committee on Divorce.

OTTAWA J. O. PATENAUDE, I.S.O. PRINTER TO THE KING'S MOST EXCELLENT MAJESTY 1936

THE SENATE OF CANADA

BILL T².

An Act for the relief of Mildred Eileen Champion Webster.

Preamble.

WHEREAS Mildred Eileen Champion Webster, residing at the city of Verdun, in the province of Quebec, saleswoman, wife of George Edward Webster, telephone lineman, who is domiciled in Canada and residing at the city of Montreal, in the said province, has by her petition 5 alleged that they were married on the fourth day of November, A.D. 1930, at the said city of Montreal, she then being Mildred Eileen Champion, a spinster; and whereas by her petition she has praved that, because of his adultery since then, their marriage be dissolved; and whereas the said 10 marriage and adultery have been proved by evidence adduced and it is expedient that the praver of her petition be granted: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:-15

Marriage dissolved. **1.** The said marriage between Mildred Eileen Champion and George Edward Webster, her husband, is hereby dissolved, and shall be henceforth null and void to all intents and purposes whatsoever.

Right to marry again. 2. The said Mildred Eileen Champion may at any time 20 hereafter marry any man whom she might lawfully marry if the said marriage with the said George Edward Webster had not been solemnized.

THE SENATE OF CANADA

BILL U².

An Act for the relief of Harry Candlish Coughtry.

Read a first time, Friday, 12th June, 1936.

The Honourable the Chairman of the Committee on Divorce.

OTTAWA J. O. PATENAUDE, I.S.O. PRINTER TO THE KING'S MOST EXCELLENT MAJESTY 1936

THE SENATE OF CANADA

BILL U².

An Act for the relief of Harry Candlish Coughtry.

Preamble.

WHEREAS Harry Candlish Coughtry, domiciled in Canada and residing at the city of Montreal, in the province of Quebec, stock broker, has by his petition alleged that on the eighth day of May, A.D. 1912, at the said city, he and Ada May Taylor, who was then of the said city, 5 a spinster, were married; and whereas by his petition he has prayed that, because of her adultery since then, their marriage be dissolved; and whereas the said marriage and adultery have been proved by evidence adduced and it is expedient that the prayer of his petition be granted: There-10 fore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Marriage dissolved.

Right to marry again. 1. The said marriage between Harry Candlish Coughtry and Ada May Taylor, his wife, is hereby dissolved, and shall 15 be henceforth null and void to all intents and purposes whatsoever.

2. The said Harry Candlish Coughtry, may at any time hereafter marry any woman whom he might lawfully marry if the said marriage with the said Ada May Taylor had not 20 been solemnized.

THE SENATE OF CANADA

BILL V².

An Act for the relief of Jean Malkinson Goldenberg.

Read a first time, Friday, 12th June, 1936

The Honourable the Chairman of the Committee on Divorce.

OTTAWA J. O. PATENAUDE, I.S.O. PRINTER TO THE KING'S MOST EXCELLENT MAJESTY 1936

THE SENATE OF CANADA

BILL V².

An Act for the relief of Jean Malkinson Goldenberg.

HEREAS Jean Malkinson Goldenberg, residing at the

at the said city, she then being Jean Malkinson, a spinster; and whereas by her petition she has prayed that, because of his adultery since then, their marriage be dissolved; and whereas the said marriage and adultery have been proved by evidence adduced and it is expedient that the prayer of 10 her petition be granted: Therefore His Majesty, by and with the advice and consent of the Senate and House of

Commons of Canada, enacts as follows:---

V city of Montreal, in the province of Quebec, wife of Max Goldenberg, dentist, who is domiciled in Canada and residing at the said city, has by her petition alleged that they were married on the eight day of August, A.D. 1922,

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Preamble.

Marriage dissolved.

Right to marry again. 1. The said marriage between Jean Malkinson and Max Goldenberg, her husband, is hereby dissolved, and shall be 15 henceforth null and void to all intents and purposes whatsoever.

2. The said Jean Malkinson, may at any time hereafter marry any man whom she might lawfully marry if the said marriage with the said Max Goldenberg had not been 20 solemnized.

THE SENATE OF CANADA

BILL W².

An Act for the relief of Edith Lillian Astroff Nevitt.

Read a first time, Friday, 12th June, 1936.

The Honourable the Chairman of the Committee on Divorce.

OTTAWA J. O. PATENAUDE, I.S.O. PRINTER TO THE KING'S MOST EXCELLENT MAJESTY 1936

THE SENATE OF CANADA

BILL W².

An Act for the relief of Edith Lillian Astroff Nevitt.

Preamble.

WHEREAS Edith Lillian Astroff Nevitt, residing at the city of Montreal, in the province of Quebec, wife of Joseph Nevitt, clerk, who is domiciled in Canada and residing at the said city of Montreal, has by her petition alleged that they were married on the eleventh day of 5 August, A.D. 1925, at the city of Haverhill, in the state of Massachusetts, one of the United States of America, she then being Edith Lillian Astroff, a spinster; and whereas by her petition she has prayed that, because of his adultery 10 since then, their marriage be dissolved; and whereas the said marriage and adultery have been proved by evidence adduced and it is expedient that the prayer of her petition be granted: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, 15 enacts as follows:—

Marriage dissolved.

Right to marry again.

1. The said marriage between Edith Lillian Astroff and Joseph Nevitt, her husband, is hereby dissolved, and shall be henceforth null and void to all intents and purposes whatsoever.

2. The said Edith Lillian Astroff, may at any time hereafter marry any man whom she might lawfully marry if the said marriage with the said Joseph Nevitt had not been solemnized.

THE SENATE OF CANADA

BILL X².

An Act for the relief of Lillian Gladys Cheney Perry.

Read a first time, Friday, 12th June, 1936.

The Honourable the Chairman of the Committee on Divorce.

OTTAWA J. O. PATENAUDE, I.S.O. PRINTER TO THE KING'S MOST EXCELLENT MAJESTY 1936

THE SENATE OF CANADA

BILL X².

An Act for the relief of Lillian Gladys Cheney Perry.

Preamble.

WHEREAS Lillian Gladys Cheney Perry, residing at the city of Ottawa, in the province of Ontario, cosmetician, wife of Kenneth Percival Perry, designer, who is domiciled in Canada and residing at the town of St. Jérôme, in the province of Quebec, has by her petition alleged that they 5 were married on the eleventh day of October, A.D. 1921, at the city of Montreal, in the province of Quebec, she then being Lillian Gladys Cheney, a spinster; and whereas by her petition she has prayed that, because of his adultery since then, their marriage be dissolved; and whereas the 10 said marriage and adultery have been proved by evidence adduced and it is expedient that the prayer of her petition be granted: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of 15

Marriage dissolved.

Right to marry again. and purposes whatsoever.
2. The said Lillian Gladys Cheney may at any time 20 hereafter marry any man whom she might lawfully marry if the said marriage with the said Kenneth Percival Perry had not been solemnized.

1. The said marriage between Lillian Gladys Cheney.

and Kenneth Percival Perry, her husband, is hereby dissolved, and shall be henceforth null and void to all intents

THE SENATE OF CANADA

BILL Y².

An Act for the relief of Albert Leonard Johnson.

Read a first time, Tuesday, 16th June, 1936.

The Honourable the Chairman of the Committee on Divorce.

OTTAWA J. O. PATENAUDE, I.S.O. PRINTER TO THE KING'S MOST EXCELLENT MAJESTY 1936

THE SENATE OF CANADA

BILL Y².

An Act for the relief of Albert Leonard Johnson.

Preamble.

WHEREAS Albert Leonard Johnson, domiciled in Canada and residing at the city of Montreal, in the province of Quebec, cotton classifier, has by his petition alleged that on the twenty-second day of June, A.D. 1917, at the city of Liverpool, England, he and Frieda Fisher, who was then 5 of the said city of Liverpool, a spinster, were married; and whereas by his petition he has prayed that, because of her adultery since then, their marriage be dissolved; and whereas the said marriage and adultery have been proved by evidence adduced and it is expedient that the prayer of 10 his petition be granted: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Marriage dissolved.

Right to marry again. 1. The said marriage between Albert Leonard Johnson and Frieda Fisher, his wife, is hereby dissolved, and shall 15 be henceforth null and void to all intents and purposes whatsoever.

2. The said Albert Leonard Johnson, may at any time hereafter marry any woman whom he might lawfully marry if the said marriage with the said Frieda Fisher had not been 20 solemnized.

THE SENATE OF CANADA

BILL Z².

An Act for the relief of Reva Marcus.

Read a first time, Tuesday, 16th June, 1936.

The Honourable the Chairman of the Committee on Divorce.

OTTAWA J. O. PATENAUDE, I.S.O. PRINTER TO THE KING'S MOST EXCELLENT MAJESTY 1936

THE SENATE OF CANADA

BILL Z².

An Act for the relief of Reva Marcus.

Preamble.

WHEREAS Reva Marcus, residing at the city of Montreal, in the province of Quebec, wife of David Marcus, clerk, who is domiciled in Canada and formerly resided at the said city, has by her petition alleged that they were married on the sixth day of May, A.D. 1932, at the said 5 city, she then being Reva Lewis, a spinster; and whereas by her petition she has prayed that, because of his adultery since then, their marriage be dissolved; and whereas the said marriage and adultery have been proved by evidence adduced and it is expedient that the prayer of her petition 10 be granted: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Marriage dissolved.

1. The said marriage between Reva Lewis and David Marcus, her husband, is hereby dissolved, and shall be 15 henceforth null and void to all intents and purposes what-soever.

Right to marry again. 2. The said Reva Lewis, may at any time hereafter marry any man whom she might lawfully marry if the said marriage with the said David Marcus had not been solem- 20 nized.

THE SENATE OF CANADA

BILL A³.

An Act for the relief of Ethel May Luckie Atkinson.

Read a first time, Tuesday, 16th June, 1936.

The Honourable the Chairman of the Committee on Divorce.

OTTAWA J. O. PATENAUDE, I.S.O. PRINTER TO THE KING'S MOST EXCELLENT MAJESTY 1936

THE SENATE OF CANADA

BILL A³.

An Act for the relief of Ethel May Luckie Atkinson.

Preamble.

WHEREAS Ethel May Luckie Atkinson, residing at the town of Coburg, in the province of Ontario, housemaid, wife of George Atkinson, labourer, who is domiciled in Canada and residing at the city of Montreal, in the province of Quebec, has by her petition alleged that they were 5 married on the fifth day of September, A.D. 1915, in the parish of St. Aldhelm, Upper Edmonton, in the county of Middlesex, England, she then being Ethel May Luckie, a spinster; and whereas by her petition she has prayed that, because of his adultery since then, their marriage be dis- 10 solved; and whereas the said marriage and adultery have been proved by evidence adduced and it is expedient that the prayer of her petition be granted: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:----15

Marriage dissolved. **1.** The said marriage between Ethel May Luckie and George Atkinson, her husband, is hereby dissolved, and shall be henceforth null and void to all intents and purposes whatsoever.

Right to marry again. 2. The said Ethel May Luckie may at any time hereafter 20 marry any man whom she might lawfully marry if the said marriage with the said George Atkinson had not been solemnized.

THE SENATE OF CANADA

BILL B³.

An Act for the relief of Edythe Mary Ross Brown.

Read a first time, Tuesday, 16th June, 1936.

The Honourable the Chairman of the -Committee on Divorce.

OTTAWA J. O. PATENAUDE, I.S.O. PRINTER TO THE KING'S MOST EXCELLENT MAJESTY 1936

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THE SENATE OF CANADA

BILL B³.

An Act for the relief of Edythe Mary Ross Brown.

Preamble.

WHEREAS Edythe Mary Ross Brown, residing at the city of Montreal, in the province of Quebec, wife of Hallowell Macdonald Brown, insurance manager, who is domiciled in Canada and residing at the said city, has by her petition alleged that they were married on the third 5 day of June, A.D. 1915, at the village of Woodlands, in the said province, she then being Edythe Mary Ross, a spinster; and whereas by her petition she has prayed that, because of his adultery since then, their marriage be dissolved; and whereas the said marriage and adultery have been proved 10 by evidence adduced and it is expedient that the prayer of her petition be granted: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Marriage dissolved.

Right to marry again. 1. The said marriage between Edythe Mary Ross, and 15 Hallowell Macdonald Brown, her husband, is hereby dissolved, and shall be henceforth null and void to all intents and purposes whatsoever.

2. The said Edythe Mary Ross, may at any time hereafter marry any man whom she might lawfully marry if 20 the said marriage with the said Hallowell Macdonald Brown had not been solemnized.

THE SENATE OF CANADA

BILL C³.

An Act for the relief of Joseph Paul George Marcoux.

Read a first time, Tuesday, 16th June, 1936.

The Honourable the Chairman of the Committee on Divorce.

OTTAWA J. O. PATENAUDE, I.S.O. PRINTER TO THE KING'S MOST EXCELLENT MAJESTY 1936

THE SENATE OF CANADA

BILL C³.

An Act for the relief of Joseph Paul George Marcoux.

Preamble.

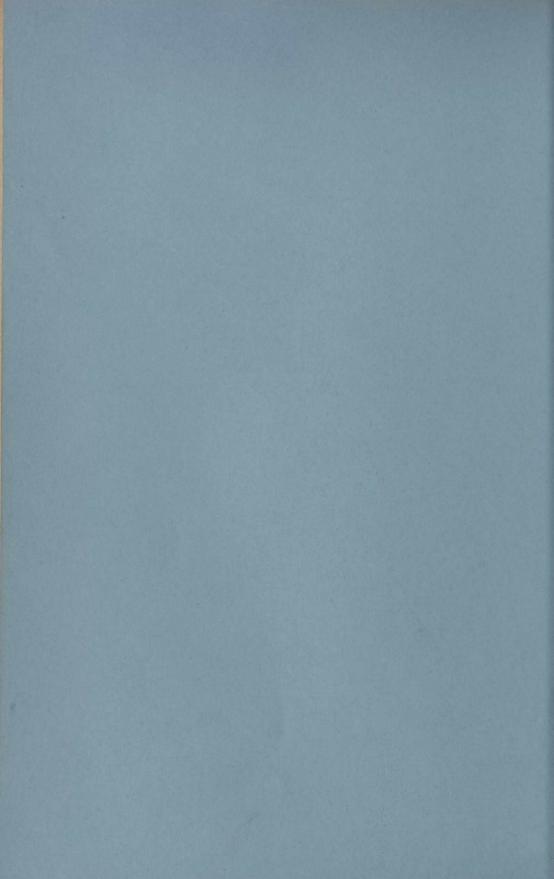
WHEREAS Joseph Paul George Marcoux, domiciled in Canada and residing at the city of Montreal, in the province of Quebec, railway engineer, has by his petition alleged that on the twenty-first day of November, A.D. 1917, at the said city, he and May Enid Aileen Evans, who 5 was then of the said city, a spinster, were married; and whereas by his petition he has prayed that, because of her adultery since then, their marriage be dissolved; and whereas the said marriage and adultery have been proved by evidence adduced and it is expedient that the prayer of 10 his petition be granted: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Marriage dissolved.

Right to marry again. **1.** The said marriage between Joseph Paul George Marcoux and May Enid Aileen Evans, his wife, is hereby 15 dissolved, and shall be henceforth null and void to all intents and purposes whatsoever.

2. The said Joseph Paul George Marcoux, may at any time hereafter marry any woman whom he might lawfully marry if the said marriage with the said May Enid Aileen 20 Evans had not been solemnized.



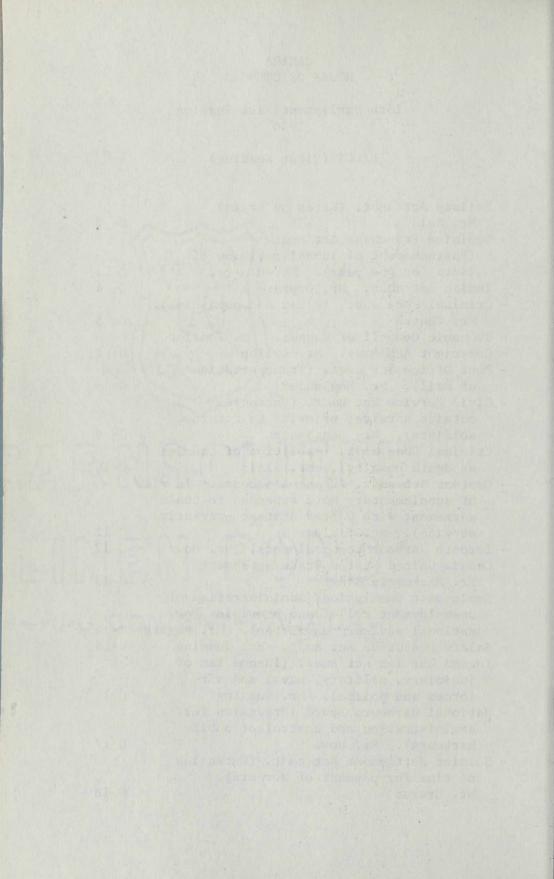


CANADA HOUSE OF COMMONS

18th Parliament, 1st Session 1936

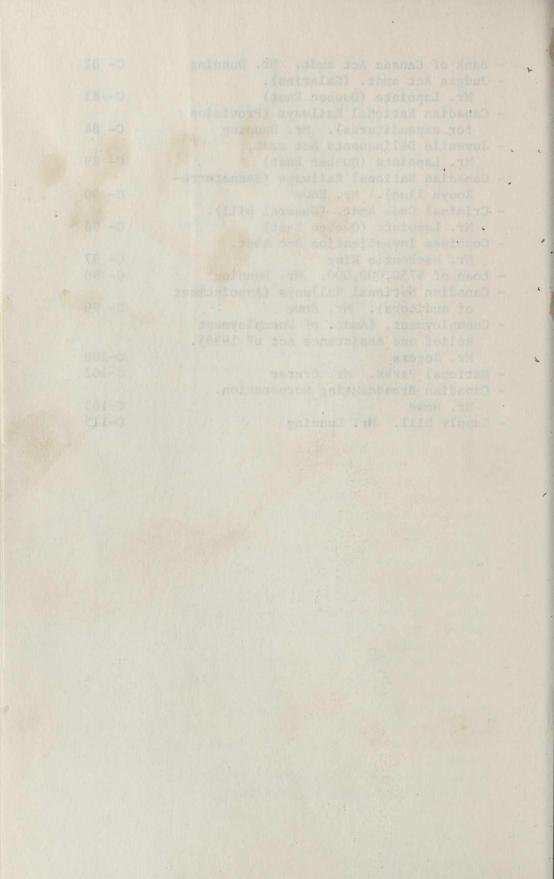
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THE HOUSE OF COMMONS OF CANADA.

BILL 2.

An Act to amend the Railway Act (Rates on grain).

First reading, February 10, 1936.

Mr. REID.

OTTAWA J. O. PATENAUDE, I.S.O. PRINTER TO THE KING'S MOST EXCELLENT MAJESTY 1936

THE HOUSE OF COMMONS OF CANADA.

BILL 2.

An Act to amend the Railway Act (Rates on grain).

R.S., c. 170.

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

Rates on grain and flour moving west. 1. Subsection five of section three hundred and twentyfive of the *Railway Act*, chapter one hundred and seventy 5 of the Revised Statutes of Canada, 1927, is amended by striking out the proviso thereto and substituting the following therefor:—

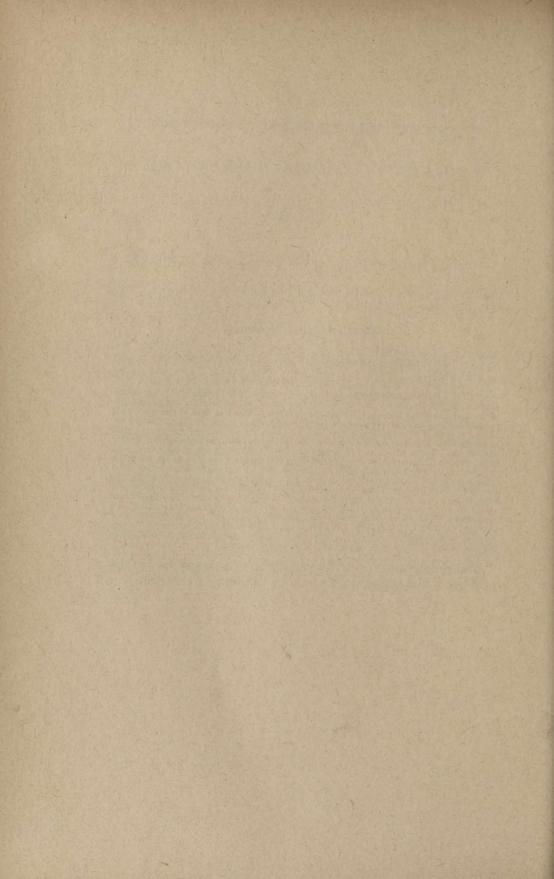
"Provided that, notwithstanding anything in this subsection contained, rates on grain and flour shall be governed 10 by the provisions of the agreement made pursuant to chapter five of the Statutes of Canada, 1897, but such rates shall apply to all such traffic moving from all points on all lines of railway west of Fort William to Fort William or Port Arthur, and to all such traffic moving westwardly 15 from Fort William, and from all points on all lines of railway west of Fort William, to Vancouver, British Columbia and to ports on the Pacific Coast, over all lines now or hereafter constructed by any company subject to the jurisdiction of Parliament." 20

EXPLANATORY NOTES.

1. Subsection 5 of section 325, to be amended, reads as follows:—

"5. Notwithstanding the provisions of section three of this Act the powers given to the Board under this Act to fix, determine and enforce just and reasonable rates, and to change and alter rates as changing conditions or cost of transportation may from time to time require, shall not be limited or in any manner affected by the provisions of any Act of the Parliament of Canada, or by any agreement made or entered into pursuant thereto, whether general in application or special and relating only to any specific railway or railways, and the Board shall not excuse any charge of unjust discrimination, whether practised against shippers, consignees, or localities, or of undue or unreasonable preference, on the ground that such discrimination or preference is justified or required by any agreement made or entered into by the company: Provided that, notwithstanding anything in this subsection contained, rates on grain and flour shall, on and from the twenty-seventh day of June, one thousand nine hundred and twenty-five, be governed, by the provisions of the agreement made pursuant to chapter five of the Statutes of Canada, 1897, but such rates shall apply to all such traffic moving from all points on all lines now or hereafter constructed by any company subject to the jurisdiction of Parliament."

The amendment is to be made by the insertion in the proviso of the underlined words in the text of the Bill.



THE HOUSE OF COMMONS OF CANADA.

BILL 3.

An Act to amend The Dominion Franchise Act.

First reading, February 12, 1936.

THE SECRETARY OF STATE.

OTTAWA J. O. PATENAUDE, I.S.O. PRINTER TO THE KING'S MOST EXCELLENT MAJESTY 1936

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THE HOUSE OF COMMONS OF CANADA.

BILL 3.

An Act to amend The Dominion Franchise Act.

1934, c. 51; 1935, c. 37. HIS Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

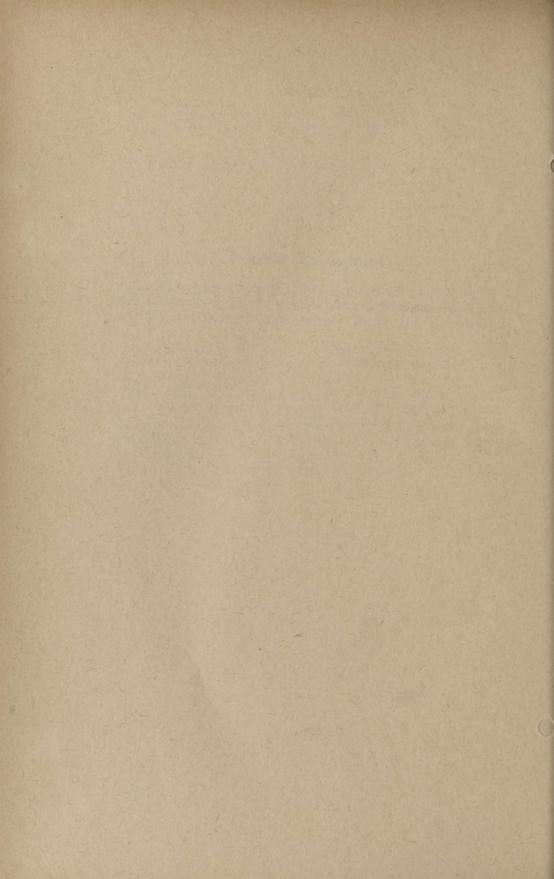
1. Section twenty of *The Dominion Franchise Act*, chapter fifty-one of the statutes of 1934, is repealed, and 5 the following is substituted therefor:—

"20. Annually, beginning with the year one thousand nine hundred and thirty-seven, and not later than the first day of April in any year, the Commissioner shall issue and publish in the *Canada Gazette* a Proclamation in Form 10 No. 24 calling on a revision of the then existing lists of electors in all polling divisions, to commence on the fifteenth day of May next ensuing."

Annual revision of lists.

EXPLANATORY NOTE.

The effect of the amendment is to postpone the revision of the existing lists for one year. The only change is the substitution of the word "thirty-seven" for the word "thirty five".



THE HOUSE OF COMMONS OF CANADA.

BILL 4.

An Act to amend the Indian Act.

First reading, February 13, 1936.

The Superintendent General of Indian Affairs.

OTTAWA J. O. PATENAUDE, I.S.O. PRINTER TO THE KING'S MOST EXCELLENT MAJESTY 1936

THE HOUSE OF COMMONS OF CANADA

BILL 4.

An Act to amend the Indian Act.

R.S., c. 98; 1930, c. 25; 1932-33, c. 42; TIS Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:-

> 1. Subsection three of section twenty-five of the Indian Act, chapter ninety-eight of the Revised Statutes of Canada, 5 1927, is repealed and the following substituted therefor:-"(3) No one who is not entitled to reside on the reserve shall by reason of any devise or bequest or by reason of any intestacy be entitled to hold land in a reserve, but any land in a reserve devised by will or devolving on an 10 intestacy, to some one not entitled to reside on the reserve, shall be sold by the Superintendent General to the band or to some member of the band and the proceeds thereof shall be paid to such devisee or heir."

> 2. Section sixty-nine of the said Act, is amended by 15 adding thereto the following subsections:---

> "(2) The Superintendent General may from time to time by public notice declare that the regulations in force in any province for preventing the spread of any insect, pest, or disease destructive to vegetation, and all that 20 such regulations may prescribe, shall apply to Indians and Indian reserves within such province or such parts thereof as to him seems expedient.

> (3) The Superintendent General may from time to time by public notice declare that the laws in force in any province 25 with respect to the rate of speed of motor vehicles and the character of motor traffic on the highways shall apply to Indian reserves within such province or such parts thereof as to him seems expedient."

Land devised or bequeathed to nonresident, to be sold.

1934, c. 29.

Laws for preventing diseases.

Laws respecting motor vehicles.

EXPLANATORY NOTES

1. Subsection three of section twenty-five of the Act provides that the land on a reserve devised to, or devolving on, any one not entitled to reside on the reserve, shall be sold by the Superintendent General to a member of the band and the proceeds paid to such devisee or heir. As a usual thing there is no member of the band who is in a position to purchase at a reasonable value. The proposed amendment enables the Superintendent General to sell to the band as well as to a member.

This section is being brought into accord with the proposed amendment to subsection three of section ninety-three of the Act.

The only change consists in adding to this subsection the words "to the band or" underlined on the opposite page.

2. Section sixty-nine at present refers only to game laws.

(2) This amendment is to enable the Superintendent General to make applicable to reserves, the provincial regulations with respect to the prevention and spread of insect, pest or disease destructive to vegetation with particular reference to the spraying of Indian orchards. These orchards in some localities have become a menace to commercial orchards in their vicinity.

(3) A question has been raised as to whether the provincial Motor Vehicle Act, and in particular the provisions relating to the speed and character of motor traffic, applies on roads through Indian reserves. In order to remove any doubt it is proposed in this amendment to enable the Superintendent General, to declare such provisions applicable to reserves. **3.** Subsection one of section ninety-three of the said Act is repealed and the following substituted therefor:—

"(1) The Governor in Council, may with the consent of a band, authorize and direct the expenditure of any capital moneys standing at the credit of such band, in the purchase 5 of land as a reserve for the band or as an addition to its reserve, or the possessory rights of a member of the band in respect of any particular parcel of land on the reserve. or in the purchase of cattle, implements or machinery for the band, or in the construction or permanent improve- 10 ments upon the reserve of the band, or such works thereon or in connection therewith as, in his opinion, will be of permanent value to the band, or will, when completed, properly represent capital or in the making of loans to members of the band to promote progress, no such loan, 15 however, to exceed in amount one-half of the appraised value of the interest of the borrower in the lands held by him."

4. Section ninety-six of the said Act is amended by adding thereto the following subsection:— 20 "(5) In any case of an equality of votes at any such election the agent or person presiding thereat shall have the casting vote."

5. The said Act is amended by inserting the following section immediately after section ninety-nine thereof:— 25

"**99**A. (1) At meetings of the council the agent for the reserve, or his deputy appointed for the purpose with the consent of the Superintendent General, shall

- (a) preside, and record the proceedings;
- (b) control and regulate all matters of procedure and 30 form, and adjourn the meeting to a time named or sine die;
- (c) report and certify all by-laws and other acts and proceedings of the council to the Superintendent General; 35
- (d) address the council and explain and advise the members thereof upon their powers and duties.
- (2) No such agent or deputy shall vote on any question to be decided by the council."

6. Paragraph "c" of subsection one of section one 40 hundred and twenty-six of the said Act is repealed and the following substituted therefor:—

"(c) is found in possession of any intoxicant in the house, room, tent, wigwam, or place of abode of any Indian or non-treaty Indian whether on or off a reserve, or of any 45 person on any reserve or special reserve, or on any other part of any reserve or special reserve; or"

Power of Governor in Council over expenditure of capital.

In case of an equality of votes.

Duties of the agent at meetings of the council.

Not to vote.

Having intoxicants in his possession. **3.** In section number one of these amendments it is proposed to enable the Superintendent General to sell the possessory right and title of a deceased Indian under certain circumstances to the band, and the amendment proposed in this section three is to enable a band to which such sale is made to make the purchases from their capital funds.

The only change in the subsection consists in the inserting of the words underlined on the opposite page.

4. Section 96 provides for the election of chiefs.

It occasionally happens in the election of chiefs that there is an equality of votes and in such cases it has been the practice for the agent to give the casting vote. This practice has, however, been questioned and this amendment is to make specific provision for such a situation.

5. This proposed section is identical with section 178 in Part II of the Act, otherwise known as the Indian Advancement part, under which bands elect councillors annually and have more extensive powers with respect to by-laws.

Section 99A comes within part 1 of the Act under which bands elect chiefs once in three years. The duties of the agent in respect of the meetings of the chiefs are not expressly defined and as differences arise as to just what authority the agent has in respect of the meetings of the chiefs, it is considered advisable to define the agent's duties and to bring part 1 in conformity with part II in this respect.

6. It has been held that paragraph (c) of subsection one of section one hundred and twenty-six does not apply to the abode of an Indian or non-treaty Indian off a reserve. Much trouble has resulted in connection with Indian abodes off the reserve especially in towns and cities situated near reserves. This amendment is to make the provisions of said paragraph (c) with respect to Indian abodes apply off, as well as on, the reserve.

The only changes made in the paragraph consist in the addition of the words "room" and "whether on or off a reserve" underlined on the opposite page. Selling intoxicants.

Commander of vessel where intoxicants are sold.

Intoxicants.

Gambling, drinking, etc.

Kegs for intoxicants, etc.

Intoxicants at council « or meeting.

Celebrating festivities, dances or ceremonies at which presents are made, or bodies mutilated.

Search warrants for goods.

Seizure.

7. Subsection two of section one hundred and twentysix of the said Act is repealed.

S. Subsection two of section one hundred and twentyseven of the said Act is repealed.

9. Subsection one of section one hundred and thirty of **5** the said Act is amended by striking out the words "half of which pecuniary penalty shall belong to the informer."

10. Subsection two of section one hundred and thirty of the said Act is amended by striking out the words "half of which pecuniary penalty shall belong of the informer." 10

11. Subsection four of section one hundred and thirtyone of the said Act is repealed.

12. Subsection two of section one hundred and thirty-four of the said Act is repealed.

13. Subsection one of section one hundred and forty of 15 the said Act is repealed and the following substituted therefor:—

"140. (1) Every Indian or other person who engages in, or assists in celebrating or encourages either directly or indirectly another to celebrate any Indian festival, dance or other 20 ceremony of which the giving away or paying or giving back of money, goods or articles of any sort forms a part, or is a feature, whether such gift of money, goods or articles takes place before, at, or after the celebration of the same, or who engages or assists in any celebration or dance of which the 25 wounding or mutilation of the dead or living body of any human being or animal forms a part or is a feature, or who saves, stores up or accumulates, any goods or articles for the purpose of giving away or paying or giving back the same, or any of the same, before, after or at such celebration, is 30 guilty of an offence and is liable on summary conviction to imprisonment for a term not exceeding six months and not less than two months.

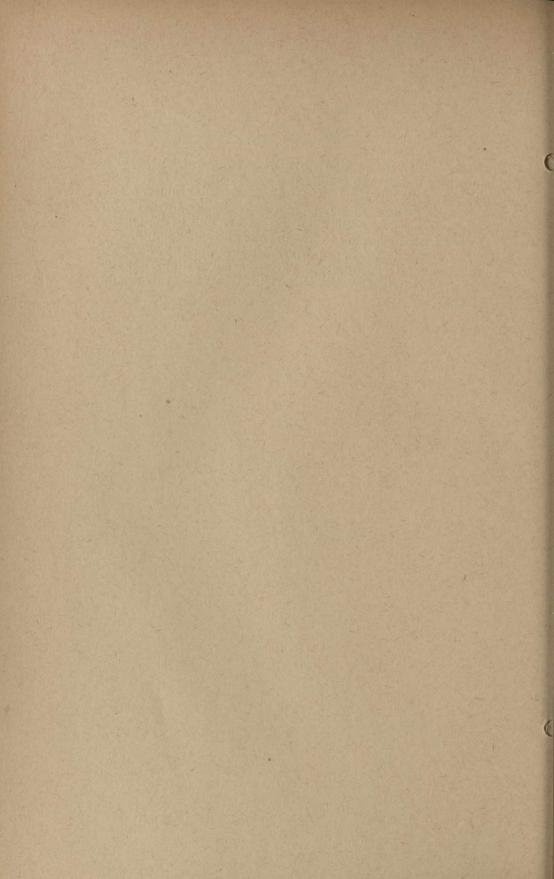
Any goods or articles of any sort suspected of being about to be given away or paid or given back or of being or having been given away or paid or given back in connection with such Indian festival, dance or other ceremony, may be searched for under a search warrant in that behalf granted by any judge, magistrate, justice of the peace or Indian agent, and, if found, seized by any constable, Indian agent 40 or other officer or employee connected with the Department. 7-12. The amendments as contained in these sections, repeal the provisions giving a moiety of the fines imposed to the informer. Various requests have been made to the Department for the repeal of these provisions. It is claimed that informers are likely to be over zealous in undertaking prosections having in view the prospect of some monetary interest, which lessens respect for the impartial administration of the law. It is realized that while such provisions may have been considered necessary to ensure vigilence for the enforcement of the provisions of the Act, such provisions are generally considered objectionable. With the increased police supervision now prevailing, it is not considered that such provisions are longer required.

13. Subsection one of section one hundred and forty of the Act prohibits what is known as the "Potlatch", a cermony peculiar to the Indians of the West Coast of British Columbia This subsection in one form or another has been in the *Indian Act* for over fifty years, and was introduced at the request of the Indians themselves, particularly the more progressive elements. This practice has now been practically abandoned by the Indians except those of the Kwawkwelth agency, Alert Bay, where they persist in celebrating the potlatch in defiance of the statute. The proposed amendment has been suggested as a means of discouraging further attempts to engage in this ceremony. The words underlined on the opposite page are new. **14.** Section one hundred and seventy-four of the said Act is repealed and the following substituted therefor:—

5

Who shall be deemed elected. "174. One or more members to represent each section of the reserve, as provided in such Order in Council, shall be elected by the electors resident in each section, and the 10 Indian or Indians, as the case may be, having the votes of the greatest number of electors for each section, shall be the councillor or councillors, as the case may be therefor, provided he or they are respectively possessed of a house on, and living on, the reserve." 14. Under the section which it is proposed to repeal a councillor in order to qualify has to be possessed of a house on the reserve and has to live in that particular house. The proposed amendment is to enable the councillor to qualify on being possessed of a house on the reserve and living on the reserve without having to live in that particular house.

The words "of a house on, and living on, the reserve", underlined on the opposite page are substituted for the words "and living on, the reserve". Otherwise there is no change.



THE HOUSE OF COMMONS OF CANADA.

BILL 5.

An Act to amend the Criminal Code (Fines and Penalties).

First reading, February 20, 1936.

Mr. CHURCH.

OTTAWA J. O. PATENAUDE, I.S.O. PRINTER TO THE KING'S MOST EXCELLENT MAJESTY 1936

THE HOUSE OF COMMONS OF CANADA.

BILL 5.

An Act to amend the Criminal Code (Fines and Penalties).

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

1. Section one thousand and twenty-nine of the *Criminal Code*, chapter thirty-six of the Revised Statutes of Canada, 5 1927, is repealed, and the following is substituted therefor:—

"1029. Wherever a fine may be awarded or a penalty imposed for any offence, the amount of such fine or penalty shall, within such limits, if any, as are prescribed in that behalf, be in the discretion of the court or person passing 10 sentence or convicting, as the case may be, and it shall also be in the discretion of the said court or person imposing such fine or penalty to allow time for payment of the same or to order that the same may be paid by instalments at the times and in the amounts and under such conditions 15 as the case may require."

2. The said Act is further amended by inserting therein the following sections as sections 1029A, 1029B and 1029c:—

"1029A. (1) A warrant committing a person to prison in respect of non-payment of a sum adjudged to be paid by 20 a conviction of a court of summary jurisdiction shall not be issued forthwith unless the court which passed the sentence is satisfied that he is possessed of sufficient means to enable him to pay the sum forthwith, or unless, upon being asked by the court whether he desires that time 25 should be allowed for payment, he does not express any such desire, or fails to satisfy the court that he has a fixed abode within its jurisdiction, or unless the court for any other special reason expressly desires that no time shall be allowed. 30

R.S., c. 36; 1930, c. 11; 1931, c. 28; 1932, cc. 7, 8, 9, 28; 1932-33, cc. 25, 53; 1934, cc. 11, 47; 1935, cc. 36, 56.

Fine or penalty in discretion of court.

Payment deferred or made by instalments.

Obligation to allow time for payment of fines.

EXPLANATORY NOTE.

The object of this Bill is to provide that fines imposed under the Criminal Code may be paid on time or by instalment, to be laid down by the magistrates or judges after inquiring into the ability of the accused to pay.

Owing to five years of depression many people on relief and out of work, or on part time, cannot pay their fines and have to go to jail, many of them first offenders with families and some returned soldiers, which is another way of imposing imprisonment for debt.

The Bill follows the provisions of the law of England, 1935 (25-26 Geo. V), chapter 46, known as Money Payments (Justices Procedure Act), 1935.

The first section of this Bill is partly new matter; all the other sections are entirely new.

Representations made by defendant.

Offenders between

16 and 21.

(2) Where any such person desires to be allowed time for payment the court in deciding what time shall be allowed shall consider any representation made by him, but the time allowed shall not be less than fourteen clear days: Provided that if before the expiration of the time 5 allowed the person convicted surrenders himself to any court of summary jurisdiction having jurisdiction to issue a warrant of commitment in respect of the non-payment of such sum as aforesaid, and states that he prefers immediate committal to awaiting the expiration of the time 10 allowed, that court may if it thinks fit forthwith issue a warrant committing him to prison.

(3) Where a person so allowed time for payment as aforesaid appears to the court to be not less than sixteen nor more than twenty-one years of age, the court may, 15 if it thinks fit, and subject to any rules made under section five hundred and seventy-six of this Act, order that he be placed under the supervision of such person as may be appointed by the court until the sum adjudged to be paid is paid, and in such case before issuing a warrant com-20 mitting the offender to prison in respect of non-payment of the sum a court of summary jurisdiction shall consider any report as to the conduct and means of the offender, which may be made by the person under whose supervision the offender has been placed. 25

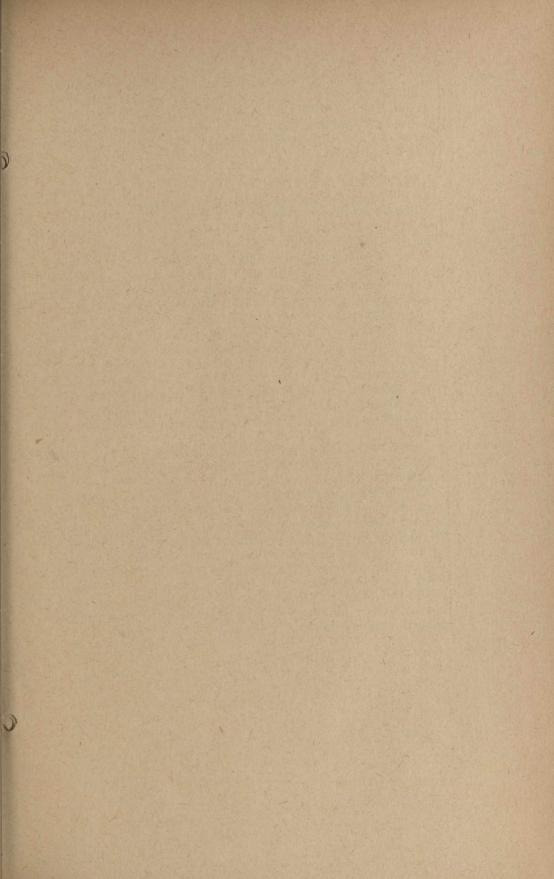
"1029B. Where time has been allowed for payment of a sum adjudged to be paid by a conviction or order of a court of summary jurisdiction, further time may, subject to any rules made under section five hundred and seventy-six of this Act, on an application by or on behalf of the offender, 30 be allowed by a court of summary jurisdiction having jurisdiction to issue a warrant of commitment in respect of the non-payment of such sum as aforesaid, or the court may, subject as aforesaid, direct payment by instalments of the sum so adjudged to be paid. 35

"1029c. (1) Where a term of imprisonment is imposed by a court of summary jurisdiction in respect of the nonpayment of any sum of money adjudged to be paid by a conviction or order of that or any other court of summary jurisdiction, that term shall, on payment of a part of such 40 sum to any person authorized to receive it, be reduced by a number of days bearing as nearly as possible the same proportion to the total number of days in the term as the sum paid bears to the sum adjudged to be paid: Provided that, in reckoning the number of days by which any term 45 of imprisonment would be reduced under this section, the first day of imprisonment shall not be taken into account.

6

Allowance of further time.

Reduction of imprisonment on part payment of sums adjudged to be paid.



Rules of court.

(2) Provision may be made by rules under section five hundred and seventy-six of this Act as to the application of sums paid under this and the two preceding sections, and for determining the persons authorized to receive such payments and the conditions under which such payments 5 may be made."

3. The said Act is further amended by inserting therein the following sections as sections 1057A and 1057B:—

"1057A. Where a court of summary jurisdiction has power to pass a sentence of imprisonment, the court, in 10 lieu of passing a sentence of imprisonment, may order that the offender be detained within the precincts of the court, or at any police station, till such hour, not later than eight in the evening on the day on which he is convicted, as the court may direct: 15

Provided that a court of summary jurisdiction shall, before making an order of detention under this section, take into consideration the distance between the place of detention and the offender's abode (if his abode is known to, or ascertainable by, the court), and shall not make any 20 such order of detention under this section as will deprive the offender of a reasonable opportunity of returning to his abode on the day on which such order of detention is made.

"1057B. (1) No person shall be sentenced to imprison-25 ment by a court of summary jurisdiction for a period of less than five days.

(2) Where a person is liable to be sentenced to imprisonment by a court of summary jurisdiction, the court may, if any suitable places are available for the purpose, order 30 the person to be detained within the precincts of the court or at any police station for such period not exceeding four days as the court thinks fit, and the order shall be delivered with the offender to the person in charge of the place where the offender is to be detained, and shall be a sufficient 35 authority for his detention in that place in accordance with the tenour thereof."

6

Power to order detention for one day in precints of court.

Substitution of police custody for imprisonment in case of short sentence.s

THE HOUSE OF COMMONS OF CANADA.

BILL 6.

An Act to repeal The Economic Council of Canada Act, 1935.

First reading, February 24, 1936.

Mr. POULIOT.

OTTAWA J. O. PATENAUDE, I.S.O. PRINTER TO THE KING'S MOST EXCELLENT MAJESTY 1936

THE HOUSE OF COMMONS OF CANADA.

BILL 6.

An Act to repeal The Economic Council of Canada Act, 1935.

1935, c. 19.

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

Repeal.

1. Chapter nineteen of the statutes of 1935, An Act to establish an Economic Council, is hereby repealed.

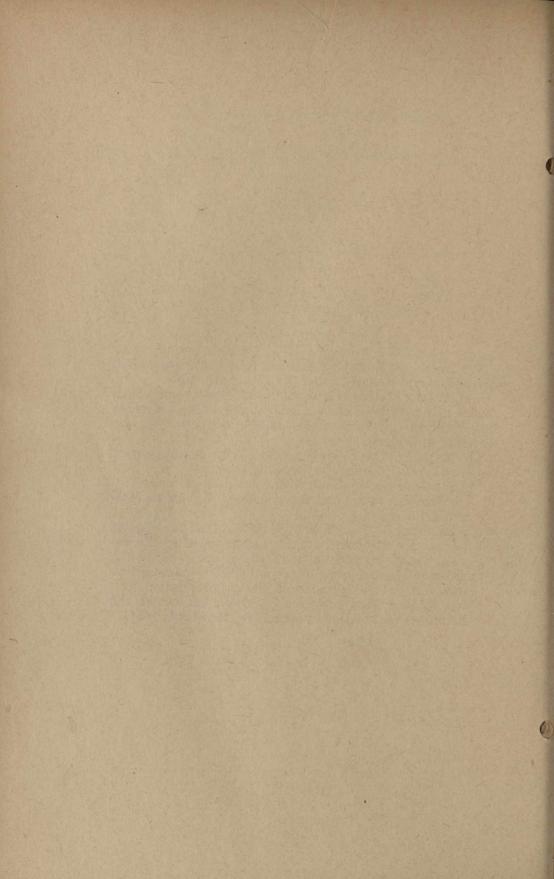
EXPLANATORY NOTES.

The Economic Council of Canada Act, 1935, was passed last session and assented to on the 17th April, 1935.

Section four of the Act provides that the Council shall consist of the Prime Minister, who shall be the Chairman, and of fifteen members who shall be appointed by the Governor in Council.

The purpose of this Bill is to repeal The Economic Council of Canada Act, 1935, for the following reasons:—

- (a) the Governor in Council has not deemed necessary or expedient to appoint any members to form an Economic Council;
- (b) according to section twelve thereof, the said Act is inoperative if moneys are not appropriated by Parliament for the purposes of the Council; and whereas the provision for an expenditure of \$20,000 appeared as item 412 in the schedule of The Appropriation Act, No. 6, 1935, said provision has been left out of the Estimates for the fiscal year ending March 31, 1937.



7.

THE HOUSE OF COMMONS OF CANADA.

BILL 7.

An Act to amend The Copyright Amendment Act, 1931.

First reading, February 27, 1936.

MR. ESLING.

OTTAWA J. O. PATENAUDE, I.S.O. PRINTER TO THE KING'S MOST EXCELLENT MAJESTY 1936

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THE HOUSE OF COMMONS OF CANADA.

BILL 7.

An Act to amend The Copyright Amendment Act, 1931.

R.S., c. 32; 1931, c. 8; 1935, c. 18. HIS Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

1. Subsection one of section ten of *The Copyright* Amendment Act, 1931, chapter eight of the statutes of 1931, 5 is repealed and the following subsections are substituted therefor:—

"10. (1) Each association, society, or company which carries on in Canada the business of acquiring copyrights of dramatico-musical or musical works or of performing 10 rights therein, and which deals with or in the issue or grant of licences for the performance in Canada of dramaticomusical or musical works in which copyright subsists, shall, from time to time, file with the Minister at the Copyright Office:— 15

(a) Lists of all dramatico-musical and musical works, in respect of which such association, society or company claims authority to issue or grant performing licences or to collect fees, charges or royalties for or in respect of the performance of such works in Canada; and

(b) Statements of all fees, charges or royalties which such society, association or company proposes from time to time or at any time to collect in compensation for the issue or grant of licences for or in respect of the performance of such works in Canada:

Provided the annual licence fee for any agricultural, religious, fraternal or community hall shall not exceed the sum of five dollars, and provided also that the annual licence fee for hotel or restaurant radio shall not exceed the sum of five dollars and that no additional licence fee 30 shall be collected for radios in hotel bedrooms.

And provided further that the annual licence fee for any theatre shall not exceed the sum of five cents per seat for the seating capacity of the theatre.

Performing rights.

Lists of works to be filed.

Statement of fees, charges and royalties.

Proviso.

25

EXPLANATORY NOTES.

The proviso to subsection one, and subsection (1A) are new.

The amendment to subsection one provides for a maximum annual licence of five dollars to be charged for any agricultural, religious, fraternal or community hall and for hotels or restaurant radios, by those whose business it is to acquire copyrights of dramatico-musical works or musical works or of performing rights therein, and also that the annual licence fee for theatres shall not exceed five cents per seat.

Subsection (1A) provides that before collecting fees, charges, or royalties such associations will first have to establish their right of so doing by producing a certified copy of the lists and statements they are obliged to file with the Secretary of State. Certified copy of lists and statements to be furnished. (1A) No such association, society or company shall be entitled to sue for or to collect any fees, charges or royalties, for or in respect of licences for the performance of any such works in Canada from the Canadian Radio Broadcasting Commission, or from any broadcasting station, or from any 5 theatre, hotel, restaurant or hall, or from any person or company who is the proprietor, director or manager of said station, theatre, hotel, restaurant or hall, unless such association, society or company shall have previously furnished to the person, society or organization from which it 10 is intended to collect any fees, charges or royalties, a copy, certified by the Secretary of State, of the lists and of the statement, or relevant parts thereof, mentioned in paragraphs (a) and (b) of subsection one of this section.

THE HOUSE OF COMMONS OF CANADA.

BILL 8.

An Act to amend the Post Office Act.

First reading, February 28, 1936.

Mr. BOULANGER,

OTTAWA J. O. PATENAUDE, I.S.O. PRINTER TO THE KING'S MOST EXCELLENT MAJESTY 1936

THE HOUSE OF COMMONS OF CANADA.

BILL 8.

An Act to amend the Post Office Act.

R.S., c. 161; 1931, c. 45; 1932-33, c. 46; 1935, c. 46.

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

1. Sections sixty-six to sixty-nine, both inclusive, together with the heading immediately preceding section sixty-six, 5 of the *Post Office Act*, chapter one hundred and sixty-one of the Revised Statutes of Canada, 1927, are repealed, and the following are substituted therefor:—

"TRANSPORTATION OF MAIL.

Awarding contracts.

Contracts in excess of \$1,000 per year.

Fixed rate per mile per day.

Contracts may be amended.

Present contracts cancelled. "66. The Postmaster General may award to whomsoever he deems proper, contracts for the transportation of 10 mail.

"67. No contract for the transportation of mail which incurs an expenditure of an amount in excess of one thousand dollars per year may be awarded by the Postmaster General without the approval of the Governor in Council. 15

"68. Contractors for the transportation of mail shall be paid according to a fixed rate per mile per day established by the Postmaster General according to conditions and circumstances. This rate must not be lower than thirtyfive cents and not over seventy cents per mile per day, 20 unless so otherwise authorized by the Governor in Council.

"69. (1) Contracts awarded for the transportation of mail may be amended or repealed whenever conditions of the service change.

(2) From the date of the coming into force of this Act, 25 the Postmaster General may make with the present contractors or other persons, contracts for the transportation of mail in accordance with the provisions of this Act, and the contracts now in existence shall be cancelled as from the dates fixed in the new contracts." 30

EXPLANATORY NOTES.

The object of this Bill is to abolish the obsolete and unsatisfactory system of awarding by tender contracts for the transportation of mail. Moreover, every one knows that the principle of awarding mail contracts by tender and to the lowest tenderer has been more often disregarded than observed. It is sought by this Bill to establish a more open and honest practice and at the same time allow the Postmaster General to properly remunerate the mail carriers who perform the important function of transporting the mail of Canada.

New matter is indicated by a vertical line in the margin or by underlining.

Sections 66 to 80 of the Post Office Act at present read as follows:—

"MAIL CONTRACTS AND CONTRACTORS.

"66. The Postmaster General, before entering into any contract for carrying the mail involving an annual cost of more than two hundred dollars, shall give at least six weeks' previous notice by public notices put up in the principal post offices and other public places concerned in the proposed contract and, if he considers it advisable, advertise in such newspaper or newspapers as he selects in each case, specifying the services to be contracted for, and the day on which tenders for the same will be, by him, received.

"67. The contracts, in all cases in which there is more than one tender, shall be awarded to the lowest tenderer who offers sufficient security for the faithful performance of the contract, unless the Postmaster General is satisfied that it is the in public interest not to accept the lowest tender.

"68. The Postmaster General shall not be bound to consider the tender of any person who has wilfully or negligently failed to execute or perform a prior contract; but, in all cases where he does not give the contract to the lowest tenderer. he shall report his reasons therefor to the Governor General for the information of Parliament.

"69. When in the opinion of the Postmaster General, the lowest tender received after public advertisement for the performance of a mail contract is excessive, he shall not be compelled to accept the said tender, but may, in his discretion, either re-advertise the said contract for further competition, or offer to the persons from whom tenders have been received, each in his turn, beginning with the lowest, such sum as he deems a reasonable and sufficient price for the said contract, and may enter into a contract with such of the said persons as will accept such offer.

"70. The Postmaster General may, in his discretion, authorize and allow a postmaster to undertake and pe form a contract for the transportation of main, subject to the regulations applying to all mail contracts, when, in his opinion, the interests of the public service will be thereby promoted.

"71. Every tender for carrying the mail snall be accompanied by an undertaking, signed by one or more responsible persons, to the effect that he or they undertake that the tenderer will, if his tender is accepted, enter into an obligation, within such time as is prescribed by the Postmaster General, with good and sufficient sureties, to perform the service proposed. 2. Section seventy-one of the said Act is repealed and the following is substituted therefor:

"71. Every mail contractor, if so required by the Postmaster, shall furnish an undertaking, signed by one or more responsible persons, to the effect that he or they undertake 5 that the contractor will enter into an obligation, within such time as is prescribed by the Postmaster General, with good and sufficient sureties, to perform the service proposed."

3. Section seventy-two of the said Act is repealed and 10 the following is substituted therefor:—

"72. If the contractor fails to enter into an obligation within the time prescribed by the Postmaster General with good and sufficient sureties for the performance of the service, the contract shall then become null and void and 15 the Postmaster General shall proceed to contract with some other person for the performance of the said service."

4. Sections seventy-three, seventy-four and seventy-six of the said Act are hereby repealed.

Written agreements as guarantee.

Failure to give security. "72. If, after the acceptance of a tender and notification thereof to the tenderer, he fails to enter into an obligation within the time prescribed by the Postmaster General, with good and sufficient surfaces for the performance of the service, the Postmaster General shall proceed to contract with some other person for the performance of the said service, and may forthwith cause the difference between the amount tendered and the amount for which he has contracted for the performance of the said service for the whole period thereof, to be charged up against the said tenderer and his surety or surfaces; and the same may be immediately recovered in an action of debt, in the name of the Postmaster General, against the tenderer and his surfaces, or any of them, and when recovered shall form part of the postal revenue.

"73. The Postmaster General may, in his discretion, submit contracts for mail transportation, involving an annual expense of less than two hundred dollars, to public competition in the manner and form prescribed for contracts of a greater annual charge, or he may direct an agent to receive tenders for and execute such contracts on his behalf, or he may, in special cases, conclude such contracts by private agreement when he conceives the public interest will be promoted by such a course; but he shall not pay under any such contract made by private agreement a higher rate of annual payment for the services to be performed than is ordinarily paid for services of a like nature under contracts made after public advertisement.

"74. No contract for carrying the mail shall knowingly be made by the Postmaster General with any person who has entered into any combination, or proposed to enter into any combination, to prevent the making of any tender for a mail contract by any other person, or who has made any agreement, or has given or performed or promised to give or perform any consideration whatever, or to do or not to do anything whatever, in order to induce any other person not to tender for a mail contract.

"75. The Postmaster General may, with or without previous advertisement, contract with any railway, air transport or steamboat company for conveying the mail; but no contract involving the payment of a larger sum than one thousand dollars per annum shall be entered into without the approval of the Governor in Council.""76. The Postmaster General shall keep recorded a true and faithful abstract

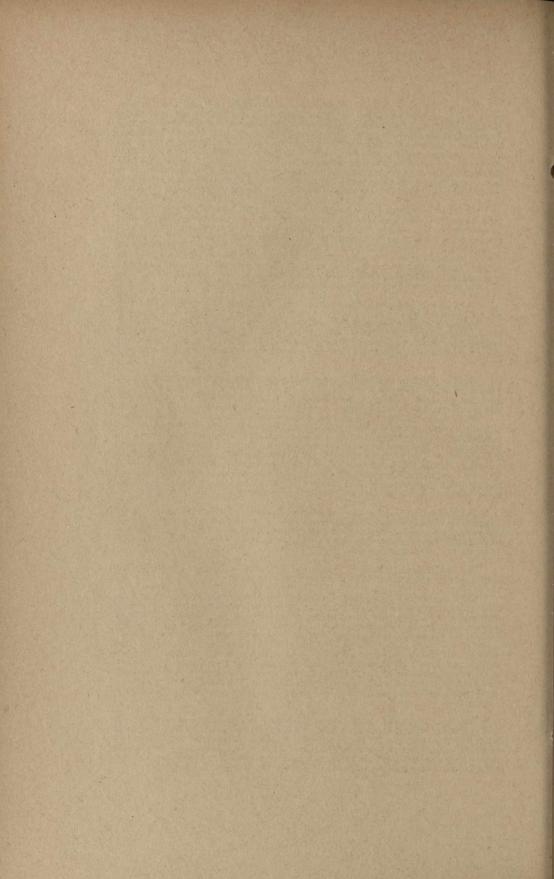
"76. The Postmaster General shall keep recorded a true and faithful abstract of tenders made to him for carrying the mail, embracing as well those which are rejected as those which are accepted; the said abstract shall contain a description of each contract advertised for public competition, the date of the tenders made, the dates at which they were received by the Postmaster General, the names of the persons tendering, the terms on which they propose to carry the mail, the sum for which it is offered to contract, and the length of time the agreement will continue; and the Postmaster General shall also put on file and preserve the originals of the propositions of which abstracts are here directed to be made.

"77. No contract shall be entered into for a longer term than four years; but the Postmaster General may, in special cases, when in his opinion the service has been satisfactorily performed under an expiring contract, and on conditions advantageous to the public interest, renew the contract with the same contractor for a further term or terms, not exceeding four years.

"78. The Postmaster General may make temporary contracts for such services until a regular letting in the form prescribed can take place.

"79. No additional compensation shall be made to any mail contractor so as to make the compensation for additional regular service exceed relatively as to such service the exact proportion which the original compensation bears to the original service stipulated to be performed; and no extra allowance shall be made by the Postmaster General to any contractor for an increase of expedition in the transportation of the mail, unless the employment of additional stock or carriers by the contractor is thereby rendered necessary; and in such case the additional compensation on account of such increase of expedition shall never bear a greater proportion to the additional stock or carriers rendered necessary by such increase of expedition than the sum stipulated in the original contract bears to the stock and carriers necessarily employed in the execution of the original contract without such increase of expedition.

"80. Canada mail and persons travelling therewith on postal service, or any duly accredited official of the Post Office Department of Canada, shall, at all times when thereunto required by the Postmaster General, be carried on any steamship or steamboat navigating the waters of Canada, and on any railway in Canada, and with the whole resources of the railway company if required, on such terms and contions and and under such regulations as are made by the Governor in Council."



First Session, Eighteenth Parliament, 1 Edward VIII, 1936

THE HOUSE OF COMMONS OF CANADA.

BILL 9.

An Act to amend the <u>Civil Service Act</u> (Vacancies, Outside Service, Priority to returned soldiers.)

First reading, February 28, 1936.

Mr. BOULANGER.

1st Session, 18th Parliament, 1 Edward VIII, 1936

THE HOUSE OF COMMONS OF CANADA.

BILL 9.

An Act to amend the Civil Service Act (Vacancies, Outside Service, Priority to returned soldiers).

R.S., c. 22; 1929, c. 38; 1929, c. 52; 1932, c. 40. HIS Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Short title.

1. This Act may be cited as The Civil Service Amendment Act, 1936.

5

2. The *Civil Service Act*, chapter twenty-two of the Revised Statutes of Canada, 1927, is amended by adding thereto the following paragraph:—

"(g) 'outside service' means and includes officers, clerks and employees as defined in paragraph (a) of this 10 section who are not employed in the city of Ottawa or at the Experimental Farm or Dominion Observatory, near Ottawa."

3. Subsection four of section twenty-nine of the said Act is repealed, and the following is substituted therefor:— 15

"(4) In all examinations for entrance into the civil service the persons named on such special list who are found to possess the necessary qualifications shall be named, in the order of merit, on the list of successful candidates above all other candidates; and all other persons who have been on 20 active service overseas on the military forces or who have served in the naval forces of His Majesty during the war, who had their domicile in Canada when they enlisted, and who, at the date of the coming into force of this Act, have left such service with an honourable record or who have 25 been honourably discharged, or when any persons who have served as aforesaid have died owing to such service, the widows of such persons, and who, in either case, obtain sufficient marks to pass such examinations, shall, irrespective of the marks they have obtained, be named in the 30

service."

"Outside

Preference for persons on list of pensioners.

Preference for persons who served in war.

EXPLANATORY NOTES.

The purpose of this Bill is, in accordance with a recommendation made by a special committee of the Senate on the civil service which sat in 1924, that the Civil Service Commission should have the right to fill vacancies in the civil service, only after conferring with the minister or deputy minister in order to choose the appointee.

It is also intended to amend the Act so as to provide that positions of the outside service may be excluded from the operation of the Civil Service Act, and to provide that appointees to professional or technical positions may be chosen by the Minister.

2. Paragraph (a) of section 2 of the Civil Service Act reads as follows:—

"2. In this Act and in all regulations made hereunder, unless the context otherwise requires,

(a) "civil service" means the civil positions and employees in and under the several departments of the Government of Canada, and in the offices of the Auditor General, the Clerk of the Privy Council, the Governor General's Secretary, the Public Archives, the Board of Railway Commissioners for Canada, the Civil Service Commission, and all other civil positions under and persons in the civil employ of His Majesty, but not including the members of any commission or board appointed by the Governor in Council;"

3. The object of this amendment is to grant priority, commonly known as "priority to returned soldiers," to Canadian soldiers only.

The subsection to be repealed reads as follows:-

"4. In all examinations for entrance into the civil service the persons named on such special list who are found to possess the necessary qualifications shall be named, in the order of merit, on the list of successful candidates above all other candidates; and all other persons who have been on active service overseas on the military forces or who have served on the high seas in a seagoing ship of war in the naval forces of His Majesty, or of any of the allies of His Majesty, during the war, who have left such service with an honourable record or who have been honourably discharged, or when any persons who have served as aforesaid have died owing to such service, the widows of such persons, and who, in either case, obtain sufficient marks to pass such examinations, shall, irrespective of the marks they have obtained, be named in the order of merit, on the list of successful candidates next after any candidates who are on the special list mentioned in subsection two of this section and above all other candidates."

order of merit on the list of successful candidates, next after any candidates who are on the special list mentioned in subsection two of this section and above all other candidates.

4. Subsection one of section thirty-three of the said 5 Act, as amended by section six of chapter forty of the statutes of 1932, is repealed, and the following is substituted therefor:—

Five years' residence in Canada required. "**33.** (1) No person shall, without the authority of the Governor in Council given separately for each individual 10 case, be admitted to any examination unless he is a natural born or naturalized British subject, and also has been a resident of Canada for at least five years."

5. Section forty-nine of the said Act is repealed, and the following is substituted therefor:— 15

Definition.

Vacancies.

"**49.** (1) Promotion is a change from one class to another with a higher maximum compensation.

(2) When a vacancy occurs in the public service such vacancy shall not be filled by promotion or otherwise except on the report of the Civil Service Commission after 20 consultation with the Minister or deputy minister. In case of disagreement, the matter shall be submitted to the Governor in Council for decision."

6. Section fifty-two of the said Act is repealed, and the following is substituted therefor:— 25

"52. Subject to the provisions of section three of this

Dismissal.

Act, nothing herein contained shall impair the power of the <u>head of the department</u> to remove or dismiss any deputy head, officer, clerk or employee, but no such deputy head, officer, clerk or employee whose appointment is of a 30 permanent nature, shall be removed from office except by authority of the head of the department.

Positions in the ouside service.

Positions in outside service excluded from the operation of the Act. 7. The said Act is further amended by adding, immediately after section sixty-two thereof, the following headings and sections:— 35

"OUTSIDE SERVICE.

"63. The outside service shall be excluded from the operation of this Act, and the Governor in Council may make regulations for the control and direction, organization, classification and compensation, appointments to and general conditions of the outside service. 40

4. The only change in section 33 consists in the addition of the following words underlined on the opposite page: "given separately for each individual case."

The intention is to repeal the regulations of the Civil Service Commission which seem contrary to the spirit of the Civil Service Act, for instance, No. 11, which reads as follows:—

"11. In cases where, after due publicity, the Commission has been unable to secure an adequately qualified applicant with the necessary five years' residence in Canada, persons may be admitted to examination despite the fact that they have not resided in Canada for five years, provided they are otherwise qualified under the law and regulations."

5. The section to be repealed, at present reads as follows:—

"49. Promotion is a change from one class to another class with a higher maximum compensation, and vacancies shall be filled, as far as is consistent with the best interests of the civil service, by promotion.

2. Promotions shall be made for merit by the Commission upon such examination, reports, tests, records, ratings or recommendations as the Commission may by regulation prescribe.

3. In making promotions, the Commission may, by regulation restrict the competition by merit to all employees or to employees of certain class or classes of a specified seniority, and may prescribe the marks or ratings to be obtained by such employees for efficiency and seniority, such marks or ratings not to exceed one half of the total marks required under any merit system or method adopted by the Commission for promotion purposes."

6. Section 52 is amended by the substitution of the underlined words "head of the department," on the opposite page, for the words "Governor in Council," so that the Minister may have a better and more complete control of his department. There is no other change.

7. These sections are new. They provide for certain exceptions to the Civil Service Act as regards the outside service and the professional and technical positions.

"PROFESSIONAL AND TECHNICAL POSITIONS.

Appointment to professional and technical positions.

Not eligible for transfer. "64. (1) Whenever, in the opinion of the head of a department, or the deputy head, the knowledge and qualifications required for a position in the civil service are, wholly or in part, professional or technical, the Commission, on the request in writing of the head of the depart- 5 ment, may appoint to the said position a person mentioned in the said request; provided the head of the department has stated in his request that the person recommended possesses the required knowledge and qualifications and is duly qualified as regards health, character and habits. 10

(2) Appointment to a professional or technical position, as provided in the preceding subsection, does not render a person eligible to an appointment or transfer to any other position in the civil service open to appointment upon competitive examination." 15

First Session, Eighteenth Parliament, 1 Edward VIII, 1936

THE HOUSE OF COMMONS OF CANADA.

BILL 10.

An Act to amend the Criminal Code (Death Penalty).

First reading, March 4, 1936.

MR. BLAIR.

1st Session, 18th Parliament, 1 Edward VIII, 1936

THE HOUSE OF COMMONS OF CANADA.

BILL 10.

An Act to amend the Criminal Code (Death Penalty).

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

1. Section one thousand and sixty-two of the *Criminal Code*, chapter thirty-six of the Revised Statutes of Canada, 5 1927, is repealed, and the following is substituted therefor:

"1062. In all eases where an offender is sentenced to death, the sentence or judgment to be pronounced against him shall be that he shall be put to death by lethal gas: provided that such method shall be used in all executions 10 following the coming into force of this section, whether the crime for which the sentence is imposed was committed prior thereto or not."

2. Provision may be made by rules under section five hundred and seventy-six of the *Criminal Code* for carrying 15 out the intention of the previous section, and for establishing the conditions and circumstances under which executions by lethal gas may be carried out.

3. This Act shall come into force three months after the date on which it is assented to.

 $\begin{array}{l} {\rm R.S., \ e. \ 36;}\\ 1930, \ c. \ 11;\\ 1931, \ c. \ 28;\\ 1932, \ ce. \ 7, \ 8,\\ 9, \ 28;\\ 1932, \ 33, \ ee, \ 25,\\ 53;\\ 1934, \ ee, \ 11,\\ 47;\\ 1935, \ ee, \ 36,\\ 56. \end{array}$

Form of sentence of death.

Rules.

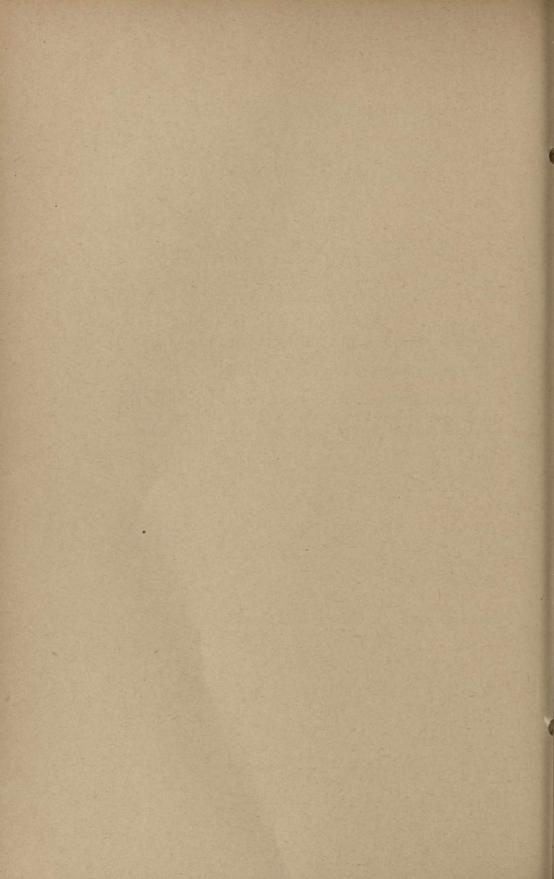
Coming into force.

EXPLANATORY NOTE.

The purpose of this Bill is to abolish hanging by the neck, and to replace it by a more humane way of putting the condemned person to death.

The section to be repealed reads as follows:---

"1062. In all cases where an offender is sentenced to death, the sentence or judgment to be pronounced against him shall be that he *be hanged by the neck until he is dead.*"



11.

THE HOUSE OF COMMONS OF CANADA.

BILL 11.

An Act to amend the Customs Act.

First reading, March 6, 1936.

The MINISTER OF NATIONAL REVENUE.

OTTAWA J. O. PATENAUDE, I.S.O. PRINTER TO THE KING'S MOST EXCELLENT MAJESTY 1936

1st Session, 18th Parliament, 1 Edward VIII, 1936

THE HOUSE OF COMMONS OF CANADA.

BILL 11.

An Act to amend the Customs Act.

R.S., c. 42; 1928, c. 16; 1930 (2nd Session) c. 2; 1931, c. 29; 1932-33, cc. 7, 38: 1934, c. 48.

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

1. Paragraph (g) of subsection one of section two of the Customs Act, chapter forty-two of the Revised Statutes of 5 Canada, 1927, is repealed and the following is substituted therefor:--

"Goods".

"Territorial waters of

Canada"

"(g) 'goods' means goods, wares and merchandise or moveable effects of any kind, including vehicles. horses, cattle and other animals."

2. Subsection one of section two of the said Act is further amended by adding thereto the following paragraph:-

((u)) 'Territorial waters of Canada' shall mean the waters forming part of the territory of the Dominion 15 of Canada and the waters adjacent to the Dominion within three marine miles thereof, in the case of any vessel, and within twelve marine miles thereof, in the case of any vessel registered in Canada, or any other vessel which is owned by any person domiciled in 20 Canada."

Manifest.

3. The said Act is amended by adding thereto immediately after section seven thereof, the following section:-"7A. (1) The Master of every vessel arriving in the territorial waters of Canada from a port or place outside of Canada and of every vessel found within the territorial waters of Canada with intoxicating liquors on board as cargo, shall have on board his vessel a manifest signed by such master under oath as to the truth of the statements therein contained. Such manifest shall contain,-30 (a) the names of the ports and description of the places

at which the goods comprising the cargo of the said

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EXPLANATORY NOTES.

New matter is indicated on the opposite page by underlining, or by vertical lines in the margin, and the corresponding changes, or words deleted, by italics in the explanatory notes.

1. The present paragraph (q) reads as follows:—

"(g) 'goods' means goods, wares and merchandise or moveable effects of any kind, including *carriages*, horses, cattle and other animals."

The only change is substituting the underlined word "vehicles" for the word "carriages," (in italics above), the object being to ensure that automobiles are covered by the term.

2. See proposed amendment of section 151. (Section 19 of this bill.)

3. Section 208 provides penalties where upon search of a vessel goods are found not included or described "in the manifest of the vessel" but hitherto the Act has contained no provision requiring the master of a vessel to have a manifest and prosecutions have failed on that ground.

It is not desired to make this requirement applicable to coasting vessels unless they are carrying intoxicating liquors. vessel were taken on board, and the ports of entry of Canada for which the same are destined, particularly describing the goods destined for each such port;

- (b) the name, description, and build of the vessel, the tonnage and port of registry of the vessel, the domicile 5 of the owners thereof and the name of the master;
- (c) a detailed account of all goods on board such vessel, with the marks and numbers of each package and parcel, and the number and description of the packages and parcels according to their usual name or denomi- 10 nation, such as barrel, keg, hogshead, case or bag;
- (d) the names of the persons to whom such packages or parcels are respectively consigned in accordance with the bills of lading issued therefor, except that when such goods are consigned to order the manifest 15 shall so state;

(e) an account of what surplus stores remain on board.
(2) This section shall not apply to any vessel employed in the transport of duty-paid intoxicating liquor from one port or place to another port or place within the limits of 20 the Dominion of Canada."

4. Subsection one of section twenty-four of the said Act is amended by deleting the words "whereon an *ad valorem* duty is imposed" in the first and second lines thereof. 25

5. Subsection two of section thirty-six of the said Act as enacted by section one of chapter two of the statutes of 1930 (2nd Session), is repealed and the following is substituted therefor as section thirty-six:—

"36. The value for duty of new or unused goods shall 30 in no case be less than the actual cost of production of similar goods at date of shipment direct to Canada plus a reasonable advance for selling cost and profit, such advance not to be greater than that which in the ordinary course of business under normal conditions of trade, is added, in 35 the case of goods similar to the particular goods under consideration, by manufacturers or producers of goods of the same class or kind in the country of export."

Not to apply to certain vessels.

Entries by bill of sight.

Cost plus reasonable profit. 4. Subsection one, section 24, at present reads as follows:—

"24. If the importer of any goods whereon an ad valorem duty is imposed, or the person authorized to make the declaration required with regard to such goods, makes and subscribes a declaration before the collector or other proper officer, that he cannot, for want of full information, make perfect entry thereof, and takes the oath in such cases provided, then the collector or officer may cause such goods to be landed on a bill of sight for the packages and parcels thereof, by the best description that can be given, and to be seen and examined by such person and at his expense, in the presence of the collector or other proper officer, or of such other officer as is appointed by the said collector or other proper officer, and to be delivered to such person, on his depositing in the hands of the collector or officer a sum of money sufficient in the judgment of the collector or officer to pay the duties thereon."

When this section was enacted special or dumping duty, sales tax and special excise tax on importations were not in existence. It is necessary now on entering goods at Customs to declare their value whether the duty is *ad valorem* or specific.

5. Subsection two to be repealed, reads as follows:-

"Provided that the value for duty of new or unused goods shall in no case be less than the actual cost of production of similar goods at date of shipment direct to Canada, plus a reasonable advance for selling cost and profit, and the Minister shall be the sole judge of what shall constitute a reasonable advance in the circumstances and his decision thereon shall be final."

The part underlined in the new section fulfils an undertaking given in connection with the present trade agreement between Canada and the United States.

Subsection one of this section was repealed in 1934 (section one of chapter 48).

Goods of which prices published. 6. Section thirty-seven of the said Act as enacted by section two of chapter two of the statutes of 1930 (2nd Session), is repealed.

Special cases of difficulty. 7. Paragraph (e) of subsection one of section forty-one of the said Act is repealed, and the following is substituted 5 therefor:—

"(e) such goods are sold under conditions or to a class of purchaser under or to which similar goods are not sold by the exporter for home consumption; or such goods are sold or imported in or under any other un- 10 usual or peculiar manner or conditions;"

S. Section forty-three of the said Act as enacted by section four of chapter two of the statutes of 1930 (2nd Session), and as amended by section one of chapter seven of the statutes of 1932-33, is further amended by adding 15 the following subsection thereto as subsection three:—

"(3) In the case of any value for duty established under the provisions of this section after the first day of January. 1936, any interested party may apply to the Tariff Board by way of appeal therefrom. The Tariff Board shall 20 thereupon conduct a public inquiry and issue its declaration as to whether such value or some lower value is required and for what period the same is required to prevent the importation of the goods into Canada from prejudicially or injuriously affecting the interests of Canadian producers 25 or manufacturers. If a lower value is found by the Tariff Board to be appropriate, such lower value will become at once effective. If appeal is made to the Tariff Board such value authorized by the Minister shall in default of any declaration by the Tariff Board in the meantime cease to 30 have force and effect upon the expiration of three months from the date of any such application to the Tariff Board."

Application to Tariff Board. **6.** It was undertaken in connection with the trade agreement between Canada and the United States that no rate of discount established under section 37 will operate to increase the value for duty of any goods beyond the price at which such or similar goods are freely offered for sale to purchasers at the time and place of shipment in the country of export, in the usual quantities and in the ordinary course of trade. This undertaking renders unnecessary section 37 as it stands at present as other provisions of the Act provide for determining the fair market value.(*)

7. The change consists in the addition of the words underlined. As an example of conditions different though not unusual, an exporter may sell in the home market to consumers, dealers or wholesalers only, while for export he may sell to distributors, jobbers or dealers who undertake certain marketing expenses not borne by the purchasers in the home market, but borne by the manufacturer, and in consequence the exporter may sell at a lower price and claim such lower price as a fair market value though it is not a value as actually sold for home consumption.

8. This amendment is rendered necessary to comply with undertakings entered into with the United States and Japan.

(*) Section 37, to be repealed, at present reads as follows:----

"37; In determining the fair market value for duty of goods imported into Canada the prices of which are published or listed by the manufacturers or producers, or persons acting on their behalf, the Governor in Council may from time to time fix and determine a certain rate of discount which may be applied to such published or listed prices, and such published or listed prices, subject to deduction of the amount of discount according to such rate, shall be deemed and taken to be the fair market values of any such manufactures or productions respectively as are specified in such Order in Council."

9. Section one hundred and eleven of the said Act is amended by repealing paragraph (a) thereof and substituting therefor the following paragraph:-

"(a) the importation of any goods, if made by sea, coastwise or by inland navigation, in any vessel, shall 5 be deemed to have been completed from the time such goods were brought within the limits of Canada, meaning when the waters are not international, within the territorial waters of Canada, and if made by land, then from the time such goods were brought within 10 the limits of Canada."

10. Section one hundred and twenty-three of the said Marking of Act is repealed. preparations.

> 11. Subsection four of section one hundred and thirtyfour A of the said Act, as enacted by section four of chapter 15 twenty-nine of the statutes of 1931, is amended by adding thereto the following words:----"and not less than fifty dollars".

Witness failing to attend, etc.

Importation when completed.

medicinal

9. This paragraph at the present reads as follows:-

"(a) The importation of any goods, if made by sea, coastwise or by inland navigation, in any vessel, shall be deemed to have been completed from the time such goods were brought within the limits of Canada, meaning when the waters are not international, within three miles of the coasts or shores of Canada, and if made by land, then from the time such goods were brought within the limits of Canada."

The words underlined in the proposed paragraph are substituted for the words in italics in the present paragraph, the object being to have this section correspond in this respect with other sections of the Act.

10. The section to be repealed, at present reads as follows:—

"123. All medicinal preparations, whether chemical or other, usually imported with the name of the manufacturer, shall have the true name of such manufacturer and the place where they are prepared, and the word Alcoholic, if they contain alcohol, or Non-alcoholic, if they do not contain alcohol, permanently and legibly affixed to each parcel by stamp, label or otherwise."

Since this section was enacted, full provision has been made in the Patent and Proprietary Medicine Act and the Food and Drugs Act for all necessary protective and restrictive requirements with regard to imported medicinal preparations, and the Department of pensions and National Health concurs in the view that this section of the Customs Act should be cancelled to prevent overlapping.

11. Subsection four now reads as follows:—

- "(4) Every person who—
- (a) being required to attend in the manner in this section provided, fails, without valid excuse, to attend accordingly; or
- (b) being commanded to produce any document, book or paper, in his possession or under his control, fails to produce the same; or
- (c) refuses to be sworn or to affirm, or to declare, as the case may be; or
- (d) refuses to answer any proper question put to him by such officer;

shall, on summary conviction before any police or stipendiary magistrate, or judge of a superior or county court, having jurisdiction in the county or district in which such person resides, or in which the place is at which he was so required to attend, be liable to a penalty not exceeding four hundred dollars."

In some localities magistrates have been disposed to impose very small penalties, such as \$10.00. The object of the subsection is to obtain information and not to recover a penalty and witnesses in many cases are ready to pay a small penalty, such as \$10.00, rather than answer proper questions. **12.** Subsection one of section one hundred and fortythree of the said Act is repealed and the following is sub-

Officers and others may search and detain vessels and vehicles. stituted therefor:---

"143. (1) Every such officer or person as mentioned in the last preceding section, and every sheriff justice of 5 the peace or person residing more than ten miles from the residence of any officer and thereunto author.zed by any collector or justice of the peace, may, upon information, or upon reasonable grounds of suspicion, detain open and examine any package suspected to contain prohibited 10 property or smuggled goods, or goods respecting which there has been any violation of any of the requirements of this Act, and may within the territory of the Dominion of Canada and the territorial waters of Canada go on board of and enter into any vessel or vehicle of any descrip-15 tion whatsoever, and may stop and detain the same, whether arriving from places beyond or within the limits of Canada, and may rummage and search all parts thereof for such goods."

Territorial waters defined. **13.** Subsection seven of section one hundred and fifty- 20 one of the said Act, as enacted by section five of chapter twenty-nine of the statutes of 1931, is repealed.

12. The only change is the addition of the words underlined. The Supreme Court of Nova Scotia has ruled that the twelve-mile limit over territorial waters provided by subsection 7 of section 151 of the Customs Act did not apply to a search of a vessel under section 208 of this_Act.

13. This subsection contains the definition of "territorial waters of Canada" for the purposes of section 151 and section 207. The definition should apply to the words wherever they occur in the Customs Act or in any other law relating to the Customs, and consequently is being added to section 2 of this Act—the interpretation section.

Under the subsection as at present the Supreme Court of Nova Scotia ruled that the twelve-mile limit did not apply with regard to a search by an officer under section 208 of the Act. The definition should apply to the whole Act. **14.** Section one hundred and eighty of the said Act is repealed and the following is substituted therefor:—

Upon information of conspiracy or that goods have been unlawfully imported.

All invoices within six years.

Correspondence and papers.

Books.

"180. Whenever information has been given under oath to any officer alleging conspiracy to defraud the revenue or that goods or things have been unlawfully im-5 ported or entered, or whenever any goods have been seized or detained under any of the provisions of this Act or of any law relating to the Customs, the persons alleged to be guilty of such conspiracy, or the importer or exporter of such goods, or the owner or claimant thereof, shall imme- 10 diately, upon being required so to do by a collector or other proper officer, produce and hand over all invoices, bills, accounts and statements of the goods so imported, entered, seized or detained, and of all other goods imported into Canada by him at any time within six years preceding 15 such request, seizure or detention, and also all letters, telegrams, or other correspondence or papers relating thereto or to such conspiracy; and shall also produce for the inspection of such collector or other officer, and allow him to make copies of or extracts from all books of account, 20 ledgers, dav-books, cash-books, letter-books, invoice-books or other books wherein any entry or memorandum appears respecting the purchase, importation, cost, value of or payment for the goods so seized or detained, and of or 25 for all other goods as aforesaid."

15. The first paragraph (b) of section one hundred and eighty-four of the said Act is repealed and the following is substituted therefor:—

"(b) being brought by land or inland navigation into a port or place of entry where a Custom-house is so 30 established, are carried past such Custom-house, or removed from the place appointed for the examination of such goods by the collector or other proper officer at such port or place before the same have been examined by the proper officer, and all duties, if any, thereon 35 paid and a permit given accordingly;"

Or removed before examination and payment of duties, if any. 14. This section at present reads as follows:-

"180. Whenever information has been given under oath to any officer that goods or things have been unlawfully imported or entered, or whenever any goods have been seized or detained under any of the provisions of this Act or of any law relating to the Customs, the importer or exporter thereof, or the owner or claimant thereof, shall immediately, upon being required so to do by a collector or other proper officer, produce and hand over all invoices. bills, accounts and statements of the goods so imported, entered, seized or detained, and of all other goods imported into Canada by him at any time within six years preceding such request, seizure or detention; and shall also produce for the inspection of such collector or other officer, and allow him to make copies of or extracts from all books of account, ledgers, day-books, cash-books, letter-books, invoice-books or other books wherein any entry or memorand um appears respecting the purchase, importation, cost, value of or payment for the goods so seized or detained, and of or for all other goods as aforesaid."

The words underlined in the proposed amendment are being added, and the words in italics in the present section deleted. The offence of conspiracy has been added. The former section was defective in this respect. Letters, telegrams, correspondence and other papers are a necessary addition to documents required to be produced.

15. The only change is that of adding the underlined words "if any" after the word "duties" in the next to the last line thereof. It is desired that the section be made to cover all goods whether dutiable or not.

16. Subsection one of section two hundred and seventeen of the said Act, as amended by section four of chapter sixteen of the statutes of 1928, is repealed and the following is substituted therefor:—

Keeping or selling, etc., goods unlawfully imported.

Forfeiture.

Failure to produce upon demand.

Penalty.

Refusing to stop when required in King's name.

Penalty.

"217. (1) If any person, whether the owner or not, 5 without lawful excuse, the proof of which shall be on the person accused, has in possession, harbours, keeps, conceals, purchases, sells or exchanges any goods unlawfully imported into Canada, whether such goods are dutiable or not, or whereon the duties lawfully payable have not been 10 paid, such goods, if found, shall be seized and forfeited without power of remission, and, if such goods are not found, the person so offending shall forfeit the value thereof without power of remission."

17. Section two hundred and fifty-five of the said Act 15 is repealed and the following is substituted therefor:—

"255. If information has been given under oath to any officer alleging conspiracy to defraud the revenue or that goods or things have been unlawfully imported or entered, or if any goods have been seized or detained under any of 20 the provisions of this Act, or of any law relating to the Customs, and if the person alleged to be guilty of such conspiracy, or the importer or exporter of such goods, or the owner or claimant thereof, upon being required under the provisions of this Act to produce and hand over to the col- 25 lector or other proper officer any invoices, bills, accounts and statements, or letters, telegrams or other correspondence or papers relating thereto or to such conspiracy, or to produce for inspection of such collector or other officer any books of account, ledgers, day-books, cash-books, letter- 30 books, invoice-books or other books, or to allow copies of extracts to be made therefrom, neglects or refuses to do so, he shall incur a penalty not exceeding five thousand dollars."

18. Section two hundred and fifty seven of the said Act is repealed and the following is substituted therefor:— 35

"257. Every master or person in charge of any vessel, and every driver or person conducting or having charge of any vehicle or conveyance, who refuses or neglects to stop such vessel, vehicle or conveyance, when required so to do, in the King's name, by an officer or person employed as 40 such, and every person who is present at any such seizure or stoppage, and who, when called upon in the King's name by such officer or person to aid and assist him in a lawful way, refuses or neglects so to do, shall be liable, on summary conviction before two justices of the peace, 45 to a penalty not exceeding two hundred dollars and not less than fifty dollars, and, in default of payment to imprisonment for a term not exceeding six months."

16. This subsection at present reads as follows:-

"217. If any person, whether the owner or not, without lawful excuse, the proof which shall be on the person accused, harbours, keeps, conceals, purchases, sells or exchanges any goods unlawfully imported into Canada, whether such goods are dutiable or not, or whereon the duties lawfully payable have not been paid, such goods, if found, shall be seized and forfeited without power of remission, and, if such goods are not found, the person so offending shall forfeit the value thereof without power of remission."

The only change is the insertion immediately before the word "harbours" of the underlined words "has in possession." Prosecutions charging harbouring have failed, the magistrate holding that a person might have goods in his possession without being guilty of harbouring.

17. The section at present reads as follows:-

"255. If information has been given under oath to any officer that goods or things have been unlawfully imported or entered, or if any goods have been seized or detained under any of the provisions of this Act, or of any law relating to the Customs, and if the importer or exporter of such goods, or the owner or claimant thereof, upon being required under the provisions of this Act to produce and hand over to the collector or other proper officer any invoices, bills, accounts or statements, or to produce for inspection of such collector or other officer any books of account, ledgers, day-books, cash-books, letter-books, invoice-books or other books, or to allow copies or extracts to be made therefrom, neglects or refuses to do so, he shall incur a penalty not exceeding five thousand dollars."

The only change is the insertion of the words underlined in the proposed section. This conforms with amendment to section 180.

18. The present section reads as follows:—

"257. Every master or person in charge of any vessel, and every driver or person conducting or having charge of any vehicle or conveyance, who refuses or neglects to stop such vessel, vehicle or conveyance, when required so to do, in the King's name, by an officer or person employed as such, and every person who is present at any such seizure or stoppage, and who, when called upon in the King's name by such officer or person to aid and assist him in a lawful way, refuses or neglects so to do, shall be liable, on summary conviction before two justices of the peace, to a penalty of two hundred dollars, and, in default of payment to imprisonment for a term not exceeding six months."

The change provides for a minimum penalty of \$50.00, the reason for this being that in some localities magistrates on summary conviction proceedings have imposed very small penalties not commensurate with the seriousness of offence. 19. The said Act is amended by inserting the following section immediately after section two hundred and sixty-seven A thereof:—

"267B. Any offence against the provisions of this Act which is declared to be an indictable offence and where 5 the penalty or forfeiture does not exceed five thousand dollars and the punishment does not include imprisonment for more than twelve months may at the election of the Crown be heard and determined by way of summary conviction before two justices of the peace." 10

20. Subsection one of section two hundred and seventynine of the said Act is repealed and the following is substituted therefor:—

"279. (1) An appeal shall lie from a conviction or order dismissing an information or complaint made by any magis- 15 trate, judge, justice or justices of the peace under this Act, in the manner provided by Part XV of the Criminal Code, in that province in which the conviction or order was made, on the appellant furnishing security by bond or recognisance with two sureties to the satisfaction of 20 such magistrate, judge, justice or justices of the peace, to abide the event of such appeal."

21. The said Act is amended by adding thereto immediately following section two hundred and eighty-three the following section:— 25

"283A. Whenever a pecuniary penalty is imposed upon anyone convicted upon indictment or on summary conviction, under the provisions of this Act, the court or justice imposing such penalty shall in the conviction order that in default of payment of the said penalty the accused 30 be imprisoned for a term not exceeding twelve months and not less than three months, if such conviction be upon indictment, and not exceeding three months and not less than one month, if such conviction be upon summary conviction, in addition to any other penalty imposed by such 35 conviction."

Indictable offence. Summary conviction.

Appeal from convictions by justices of the peace.

Security.

Imprisonment in default of payment of fine. **19.** There is a similar provision in section 118 of the Excise Act.

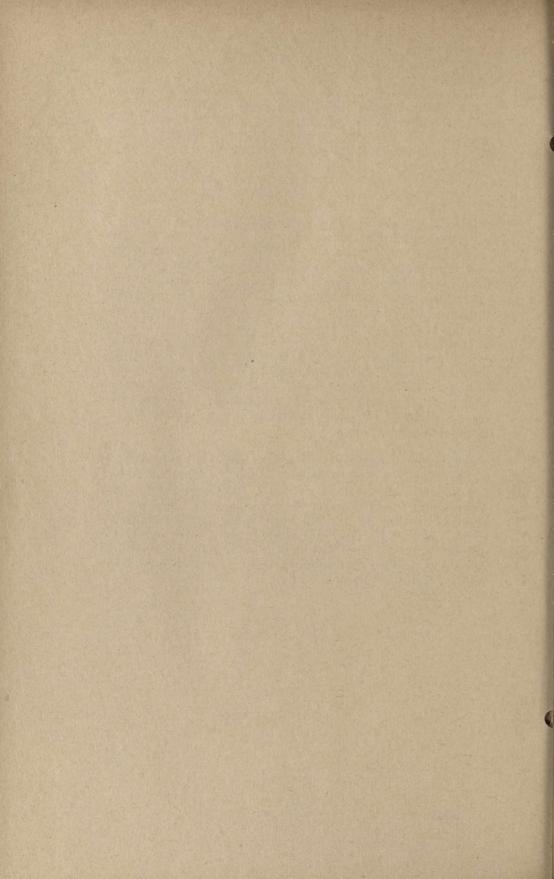
In some localities there are very infrequent sittings of the courts in which otherwise such cases would require to be tried and time and expense may thus be saved. The magistrate or other official would still be at liberty to commit for trial if he did not wish to try the case.

20. The present section reads as follows:-

"279. An appeal shall lie from a conviction by any magistrate, judge, justice or justices of the peace under this Act, in the manner provided by the Criminal Code, from convictions in cases of summary conviction, in that province in which the conviction was had, on the appellant furnishing security by bond or recognisance with two sureties to the satisfaction of such magistrate, judge, justice or justices of the peace, to abide the event of such appeal."

The proposed change will make clear the right to appeal from an order of any magistrate, judge, justice or justices of the peace, dismissing an information or complaint as well as from a conviction. It frequently occurs that the Crown desires to appeal from orders of magistrates, etc., dismissing informations.

21. It has occurred in some localities that magistrates, in imposing a pecuniary penalty under the Customs Act of say \$50.00, order that in default of payment the accused serve a short term of imprisonment, such as ten days, the result being that the accused will take the term of imprisonment rather than pay the fine. Magistrates take this action under section 739 of the Criminal Code, which does not provide a minimum term of imprisonment to follow default in payment of fine.



First Session, Eighteenth Parliament, 1 Edward VIII, 1936

THE HOUSE OF COMMONS OF CANADA.

BILL 12.

An Act respecting the Toronto Harbour Commissioners.

First reading, March 9, 1936.

THE MINISTER OF MARINE.

OTTAWA J. O. PATENAUDE, I.S.O. PRINTER TO THE KING'S MOST EXCELLENT MAJESTY 1936

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1st Session, 18th Parliament, 1 Edward VIII, 1936

THE HOUSE OF COMMONS OF CANADA.

BILL 12.

An Act respecting the Toronto Harbour Commissioners.

1911, c. 26; 1913, c. 11; 1914, c. 54. HIS MAJESTY by and with the advice and consent of the Senate and House of Commons of Canada enacts as follows:

Short title.

1. This Act may be cited as The Toronto Harbour Commissioners' Act, 1936.

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Power to borrow money to pay debentures. 2. It is hereby declared that the powers granted to The Toronto Harbour Commissioners by section twenty of *The Toronto Harbour Commissioners' Act, 1911*, chapter twentysix of the statutes of 1911, have always included and do include the power to borrow money from time to time for the 10 purpose of paying off and redeeming in accordance with the terms thereof debentures from time to time issued by The Toronto Harbour Commissioners pursuant to the provisions of the said Act either at the maturity thereof or at such earlier date as such debentures or any of them may be-15 come or be made payable, in accordance with the provisions thereof; and have always included and do include power to issue debentures for money so borrowed.

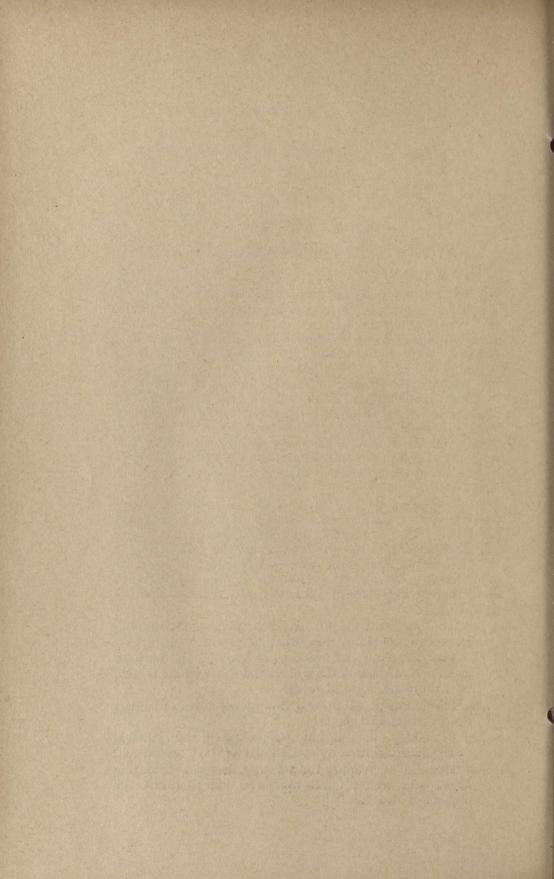
EXPLANATORY NOTE.

Section 20 of The Toronto Harbour Commissioners' Act, 1911, reads as follows:—

"20. For the purpose of defraying the expenses of constructing, extending and improving the wharfs, structures and other accommodations in the harbour of Toronto in such manner as the Corporation deems best calculated to facilitate trade and increase the convenience and utility of the said harbour, the Corporation may borrow money in Canada or elsewhere, and at such rates of interest as it finds expedient, and may for the said purposes issue debentures, for sums not less than one hundred dollars or twenty pounds sterling, payable in not more than forty years, which debentures may be secured upon the real property vested in or controlled by the Corporation, subject to the several exceptions contained in section 15 of this Act.

"2. The principal and interest of the sums of money which may be borrowed under this section shall be a charge on the revenue arising from the rental and income out of the management of all property under the jurisdiction of the Corporation and from rates and penalties imposed by or under this Act for, or on account of, the said harbour; and other lawful charges upon the said revenue shall be as follows:—

- (a) The payment of all expenses incurred in the collection of the same, and other necessary charges;
- (b) The defraying the expenses of keeping the harbour clean and of keeping the wharfs and other works therein in a thorough state of repair;
- (c) The payment of interest due on all sums of money borrowed under this Act;
- (d) Providing a sinking fund for paying off the principal of all sums borrowed by or assumed by the Corporation;
- (e) The cost of keeping the harbour dredged, operating docks and wharfs, and otherwise carrying out the objects of this Act."



First Session, Eighteenth Parliament, 1 Edward VIII, 1936

THE HOUSE OF COMMONS OF CANADA.

BILL 13.

An Act respecting a certain <u>Trade</u> Agreement between Canada and the United States of America.

First reading, March 19, 1936

THE PRIME MINISTER.

OTTAWA J. O. PATENAUDE, I.S.O. PRINTER TO THE KING'S MOST EXCELLENT MAJESTY 1936

1st Session, 18th Parliament, 1 Edward VIII, 1936

THE HOUSE OF COMMONS OF CANADA

BILL 13.

An Act respecting a certain Trade Agreement between Canada and the United States of America.

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

Short title

Trade Agreement approved. **1.** This Act may be cited as The Canada-United States of America Trade Agreement Act, 1936.

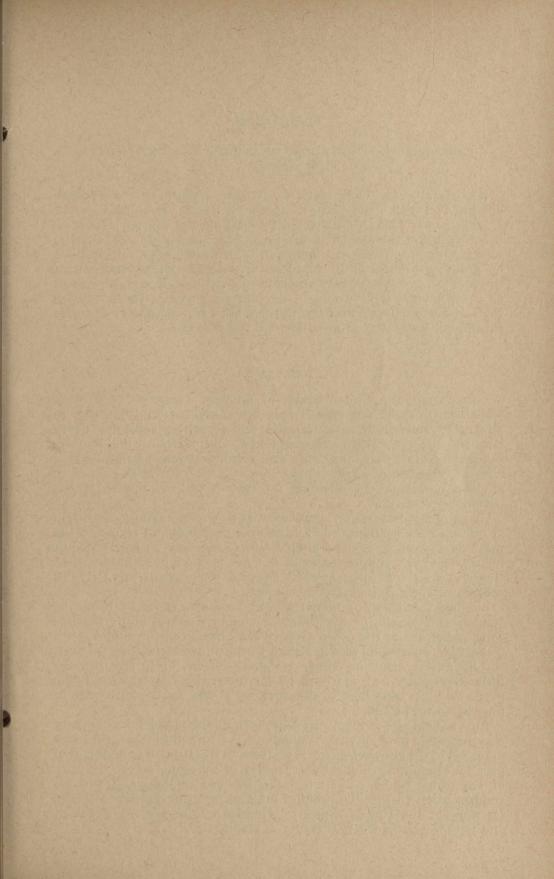
2. The Trade Agreement between Canada and the United States of America set out in the Schedule to this Act is hereby approved and shall have the force of law notwithstanding the provisions of any law in force in Canada.

Orders in Council authorized.

Coming into force. **3.** The Governor in Council may, notwithstanding the provisions of any law in force in Canada, make such orders and regulations and do such acts and things as are deemed necessary to carry out the provisions and intent of the said Trade Agreement.

4. This Act shall come into force on a day to be fixed by Proclamation of the Governor in Council.

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SCHEDULE.

TRADE AGREEMENT BETWEEN CANADA AND THE UNITED STATES OF AMERICA.

His Majesty the King of Great Britain, Ireland and the British dominions beyond the Seas, Emperor of India, in respect of the Dominion of Canada, and the President of the United States of America, being desirous of facilitating and extending the commercial relations existing between Canada and the United States of America by granting mutual and reciprocal concessions and advantages for the promotion of trade, have resolved to conclude a Trade Agreement as a step toward the lowering of the barriers impeding trade between their two countries, and for this purpose have through their respective Plenipotentiaries agreed upon the following Articles:

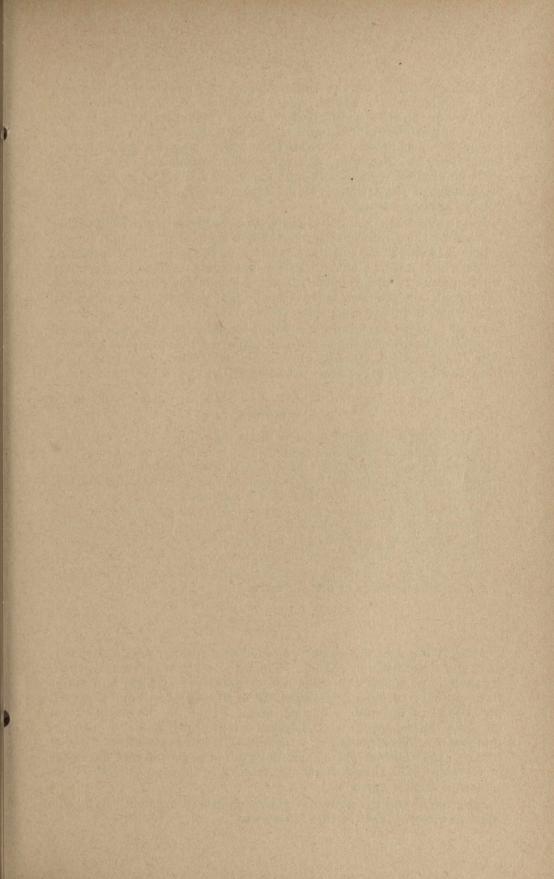
ARTICLE 1.

Canada and the United States of America will grant each other unconditional and unrestricted most-favoured-nation treatment in all matters concerning customs duties and subsidiary charges of every kind and in the method of levying duties, and, further, in all matters concerning the rules, formalities and charges imposed in connection with the clearing of goods through the customs, and with respect to all laws or regulations affecting the sale or use of imported goods within the country.

Accordingly, natural or manufactured products having their origin in either of the countries shall in no case be subject, in regard to the matters referred to above, to any duties, taxes or charges other or higher, or to any rules or formalities other or more burdensome, than those to which the like products having their origin in any third country are or may hereafter be subject.

Similarly, natural or manufactured products exported from the territory of Canada or the United States of America and consigned to the territory of the other country shall in no case be subject with respect to exportation and in regard to the above-mentioned matters, to any duties, taxes or charges other or higher, or to any rules or formalities other or more burdensome, than those to which the like products when consigned to the territory of any third country are or may hereafter be subject.

Any advantage, favour, privilege, or immunity which has been or may hereafter be granted by Canada or the United States of America in regard to the above-mentioned matters, to a natural or manufactured product originating in any third country or consigned to the territory of any third country shall be accorded immediately and without compensation to the like product originating in or consigned to the territory of the United States of America or Canada, respectively, and irrespective of the nationality of the carrier.



ARTICLE 2.

Neither Canada nor the United States of America shall establish any prohibition or maintain any restriction on imports from the territory of the other country which is not applied to the importation of any like article originating in any third country. Any abolition of an import prohibition or restriction which may be granted even temporarily by either country in favour of an article of a third country shall be applied immediately and unconditionally to the like article originating in the territory of the other country. These provisions equally apply to exports.

In the event of quantitative restrictions being established by either Canada or the United States of America for the importation of any article it is agreed that in the allocation of the quantity of restricted goods which may be authorized for importation, the other country will be granted a share equivalent to the proportion of the trade which it enjoyed in a previous representative period prior to the establishment of such quantitative restrictions.

In all matters concerning the rules, formalities or charges imposed in connection with any form of quantitative restriction on the importation of any article, Canada and the United States of America agree to extend to each other every favour granted to a third country.

ARTICLE 3.

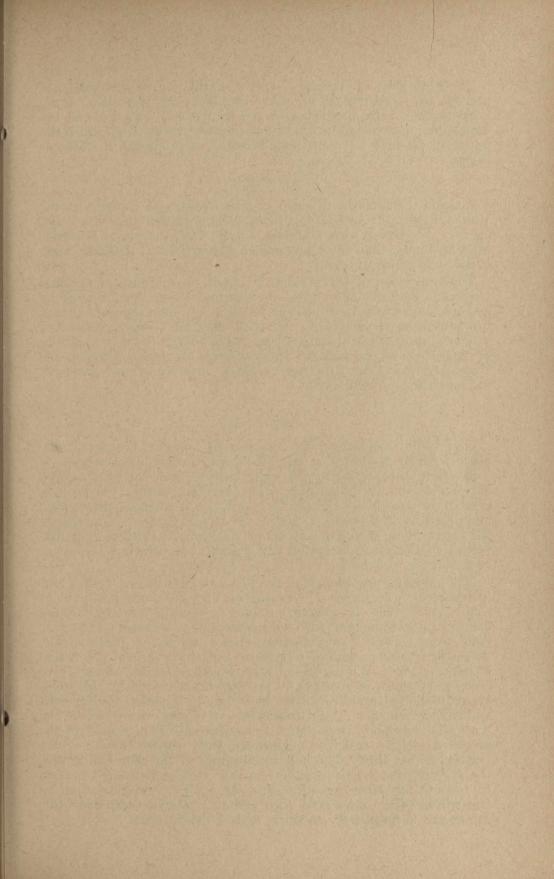
Articles the growth, produce or manufacture of the United States of America, enumerated and described in Schedule I annexed to this Agreement, shall, on their importation into Canada, be exempt from ordinary customs duties in excess of those set forth in the said Schedule. The said articles shall also be exempt from all other duties, taxes, fees, charges, or exactions, imposed on or in connection with importation, in excess of those imposed on the day of the signature of this Agreement or required to be imposed thereafter under laws of Canada in force on the day of the signature of this Agreement.

Schedule I and the notes included therein shall have full force and effect as integral parts of this Agreement.

ARTICLE 4.

Articles the growth, produce or manufacture of Canada, enumerated and described in Schedule II annexed to this Agreement, shall, on their importation into the United States of America, be exempt from ordinary customs duties in excess of those set forth and provided for in the said Schedule. The said articles shall also be exempt from all other duties, taxes, fees, charges, or exactions, imposed on or in connection with importation, in excess of those imposed on the day of the signature of this Agreement or required to be imposed thereafter under laws of the United States of America in force on the day of the signature of this Agreement.

Schedule II and the notes included therein shall have full force and effect as integral parts of this Agreement.



ARTICLE 5.

The provisions of Articles 3 and 4 of this Agreement shall not prevent the Government of either country from imposing on the importation of any product a charge equivalent to an internal tax imposed on a like domestic product or on a commodity from which the imported product has been manufactured or produced in whole or in part.

ARTICLE 6.

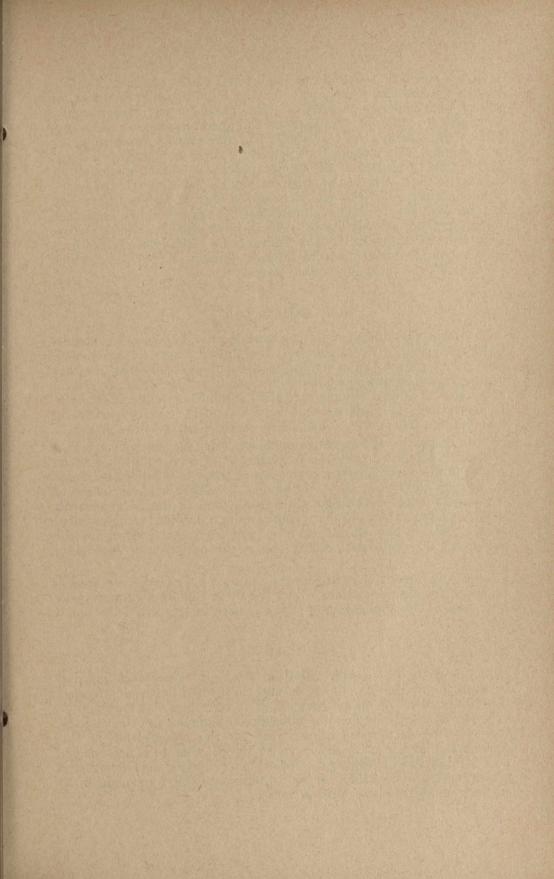
Articles the growth, produce or manufacture of Canada or the United States of America shall, after importation into the other country, be exempt from all internal taxes, fees, charges or exactions other or higher than those payable on like articles of national origin or any other foreign origin.

The provisions of this Article in regard to granting of national treatment shall not affect the laws now in force in Canada whereby leaf tobacco, spirits, beer, malt and malt syrup imported from abroad are subject to special taxes, nor shall they affect the applicability to goods produced or manufactured in the United States of America of special excise taxes imposed under existing provisions of the Special War Revenue Act. In these respects, however, most-favourednation treatment shall apply.

ARTICLE 7.

No prohibitions, import or customs quotas, import licences, or any other form of quantitative regulation, whether or not operated in connection with any agency of centralized control, shall be imposed by Canada on the importation or sale of any article the growth, produce or manufacture of the United States of America enumerated and described in Schedule I, nor by the United States of America on the importation or sale of any article the growth, produce or manufacture of Canada enumerated and described in Schedule II, except as specifically provided for in the said Schedules.

The foregoing provision shall not apply to quantitative restrictions in whatever form imposed by either country on the importation or sale of any article the growth, produce or manufacture of the other country in conjunction with governmental measures operating to regulate or control the production, market supply, or prices of like domestic articles, or tending to increase the labour costs of production of such articles. Whenever the Government of either country proposes to establish or change any restriction authorized by this paragraph, it shall give notice thereof in writing to the other Government and shall afford such other Government an opportunity within thirty days after receipt of such notice to consult with it in respect of the proposed action; and if an agreement with respect thereto is not reached within thirty days following receipt of the aforesaid notice, the Government which proposes to take such action shall be free to do so at any time thereafter, and the other Government shall be free within fifteen days after such action is taken to terminate this Agreement in its entirety on thirty days' written notice.



ARTICLE 8.

In the event that Canada or the United States of America establishes or maintains a monopoly for the importation, production or sale of a particular commodity or grants exclusive privileges, formally or in effect, to one or more agencies to import, produce or sell a particular commodity, the Government of the country establishing or maintaining such monopoly, or granting such monopoly privileges, agrees that in respect of the foreign purchases of such monopoly or agency the commerce of the other country shall receive fair and equitable treatment. To this end it is agreed that in making its foreign purchases of any product such monopoly or agency will be influenced solely by those considerations, such as price, quality, marketability, and terms of sale, which would ordinarily be taken into account by a private commercial enterprise interested solely in purchasing such product on the most favourable terms.

ARTICLE 9.

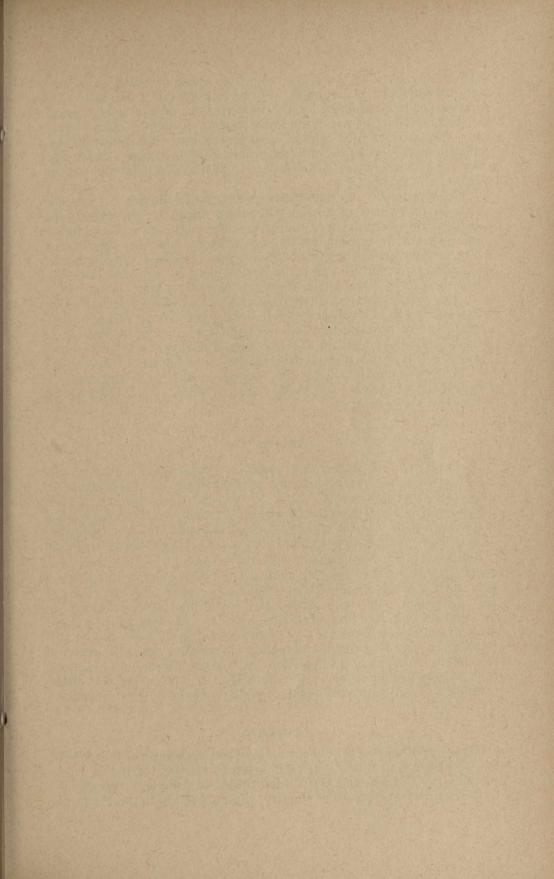
The tariff advantages and other benefits provided for in this Agreement are granted by Canada and the United States of America to each other subject to the condition that if the Government of either country shall establish or maintain, directly or indirectly, any form of control of foreign exchange, it shall administer such control so as to insure that the nationals and commerce of the other country will be granted a fair and equitable share in the allotment of exchange.

With respect to the exchange made available for commercial transactions, it is agreed that the Government of each country shall be guided in the administration of any form of control of foreign exchange by the principle that, as nearly as may be determined, the share of the total available exchange which is allotted to the other country shall not be less than the share employed in a previous representative period prior to the establishment of any exchange control for the settlement of commercial obligations to the nationals of such other country.

The Government of each country shall give sympathetic consideration to any representations which the other Government may make in respect of the application of the provisions of this Article.

ARTICLE 10.

In the event that a wide variation occurs in the rate of exchange between the currencies of Canada and the United States of America, the Government of either country, if it considers the variation so substantial as to prejudice the industries or commerce of the country, shall be free to propose negotiations for the modification of this Agreement; and if an agreement with respect thereto is not reached within thirty days following receipt of such proposal, the Government making such proposal shall be free to terminate this Agreement in its entirety on thirty days' written notice.



ARTICLE 11.

In the event that the Government of either country adopts any measure which, even though it does not conflict with the terms of this Agreement, is considered by the Government of the other country to have the effect of nullifying or impairing any object of the Agreement, the Government which has adopted any such measure shall consider such representations and proposals as the other Government may make with a view to effecting a mutually satisfactory adjustment of the matter.

The Government of each country will accord sympathetic consideration to, and when requested will afford adequate opportunity for consultation regarding, such representations as the other Government may make with respect to the operation of customs regulations, quantitative restrictions or the administration thereof, the observance of customs formalities, and the application of sanitary laws and regulations for the protection of human, animal, or plant life.

In the event that the Government of either country makes representations to the Government of the other country in respect of the application of any sanitary law or regulation for the protection of human, animal, or plant life, and if there is disagreement with respect thereto, a committee of technical experts on which each Government will be represented shall, on the request of either Government, be established to consider the matter and to submit recommendations to the two Governments.

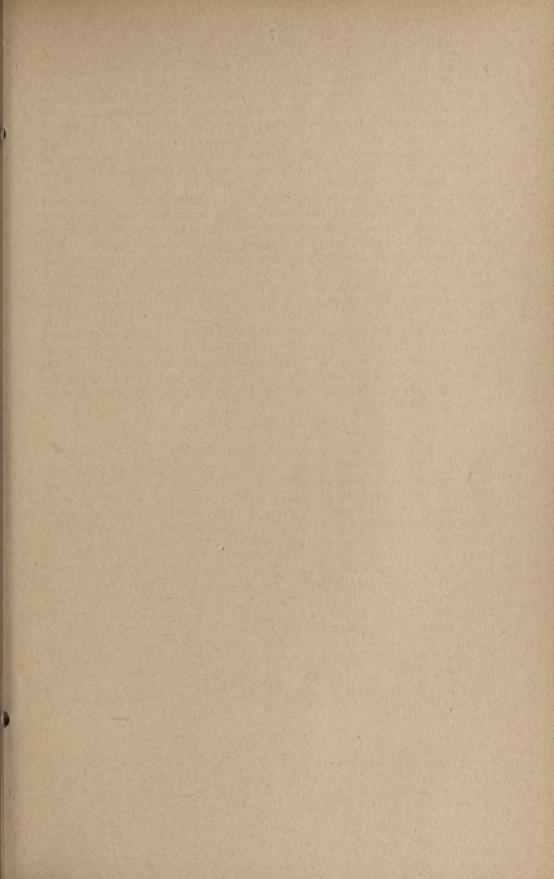
ARTICLE 12.

Nothing in this Agreement shall be construed to prevent the adoption of measures prohibiting or restricting the exportation or importation of gold or silver, or to prevent the adoption of such measures as either Government may see fit with respect to the control of the export or sale for export of arms, ammunition, or implements of war, and, in exceptional circumstances, all other military supplies.

Subject to the requirement that there shall be no arbitrary discrimination by either country against the other country in favour of any third country where similar conditions prevail, the provisions of this Agreement shall not extend to prohibitions or restrictions (1) imposed on moral or humanitarian grounds; (2) designed to protect human, animal or plant life; (3) relating to prison-made goods; (4) relating to the enforcement of police or revenue laws, (5) directed against mis-branding, adulteration, and other fraudulent practices, such as are provided for in the pure food and drug laws of either country; and (6) directed against unfair practices in import trade.

ARTICLE 13.

Except as otherwise provided in the second paragraph of this Article, the provisions of this Agreement relating to the treatment to be accorded by Canada and the United States of America, respectively, to the commerce of the other country, shall not apply to the Philippine



Islands, the Virgin Islands, American Samoa, the Island of Guam or to the Panama Canal Zone.

The provisions of this Agreement regarding most-favoured-nation treatment shall apply to articles the growth, produce or manufacture of any territory under the sovereignty or authority of Canada or the United States of America, imported from or exported to any territory under the sovereignty or authority of the other country. It is understood, however, that the provisions of this paragraph do not apply to the Panama Canal Zone.

The advantages now accorded or which may hereafter be accorded by the United States of America, its territories and possessions and the Panama Canal Zone exclusively to one another or the Republic of Cuba shall be excepted from the operation of this Agreement. The provisions of this paragraph shall continue to apply in respect of any advantages now or hereafter accorded by the United States of America, its territories or possessions or the Panama Canal Zone to the Philippine Islands irrespective of any change in the political status of the Philippine Islands.

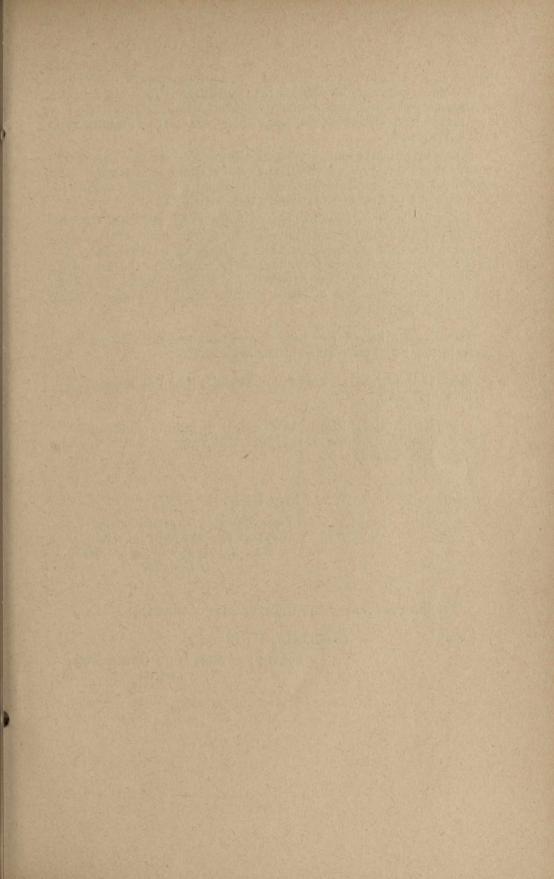
The advantages now accorded or which may hereafter be accorded by Canada exclusively to other territories under the sovereignty of His Majesty the King of Great Britain, Ireland, and the British dominions beyond the Seas, Emperor of India, or under His Majesty's suzerainty or protection, shall be excepted from the operation of this Agreement.

ARTICLE 14.

The Government of each country reserves the right to withdraw or to modify the concession granted on any article under this Agreement, or to impose quantitative restrictions on any such article if, as a result of the extension of such concession to third countries, such countries obtain the major benefit of such concession and in consequence thereof an unduly large increase in importations of such article takes place: Provided, That before the Government of either country shall avail itself of the foregoing reservation, it shall give notice in writing to the other Government of its intention to do so, and shall afford such other Government an opportunity within thirty days after receipt of such notice to consult with it in respect of the proposed action and in respect of such compensatory modifications of the terms of the present Agreement as may be appropriate; and if an Agreement with respect thereto is not reached within thirty days following the receipt of the aforesaid notice, the Government which proposes to take such action shall be free to do so at any time thereafter, and the other Government shall be free within fifteen days after such action is taken to terminate this Agreement in its entirety on thirty days' written notice.

ARTICLE 15.

The present Agreement shall be ratified by His Majesty the King of Great Britain, Ireland and the British dominions beyond the Seas, Emperor of India, in respect of the Dominion of Canada and shall be proclaimed by the President of the United States of America.



The provisions of Article 1 and of Articles 3 and 4, respectively, shall, subject to the reservations and exceptions elsewhere provided for in this Agreement, be applied by Canada and the United States of America, on and after January 1, 1936, pending ratification of the Agreement in respect of Canada as provided in the first paragraph of this Article.

The entire Agreement shall come into force on the day of the exchange of the proclamation and ratification at Ottawa. The Agreement shall remain in force until December 31, 1938, subject to the provisions of Article 7, Article 10 and Article 14.

Unless at least six months before December 31, 1938, the Government of either country shall have given to the other Government notice of intention to terminate the Agreement on that date, the Agreement shall remain in force thereafter, subject to the provisions of Article 7, Article 10 and Article 14, until six months from such time as the Government of either country shall have given notice to the other Government.

In witness whereof the respective Plenipotentiaries have signed this Agreement and have affixed their seals hereto.

Done in duplicate, at the City of Washington, this fifteenth day of November, 1935.

For His Majesty the King of Great Britain, Ireland and the British dominions beyond the Seas, Emperor of India, for the Dominion of Canada:

[Seal]

W. L. MACKENZIE KING

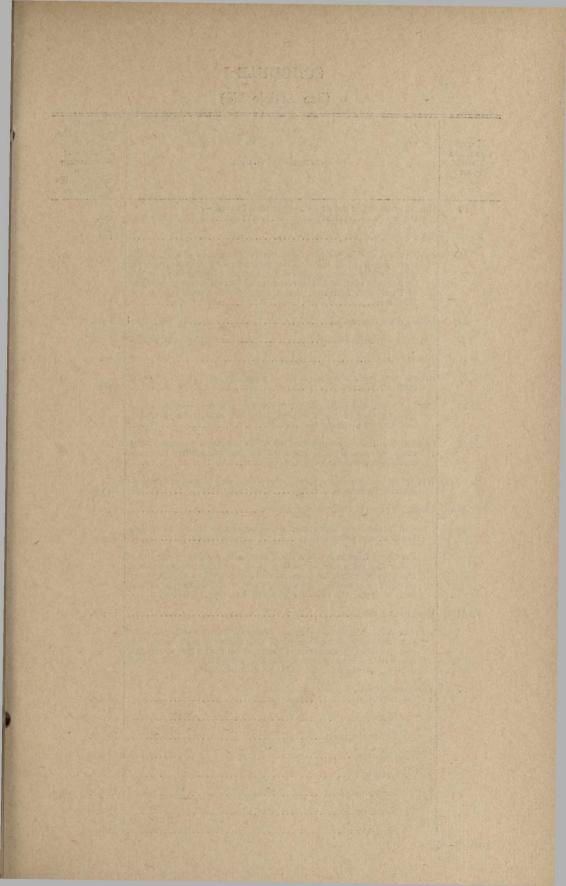
Prime Minister, President of the Privy Council and Secretary of State for External Affairs of the Dominion of Canada.

For the President of the United States of America:

[Seal]

CORDELL HULL

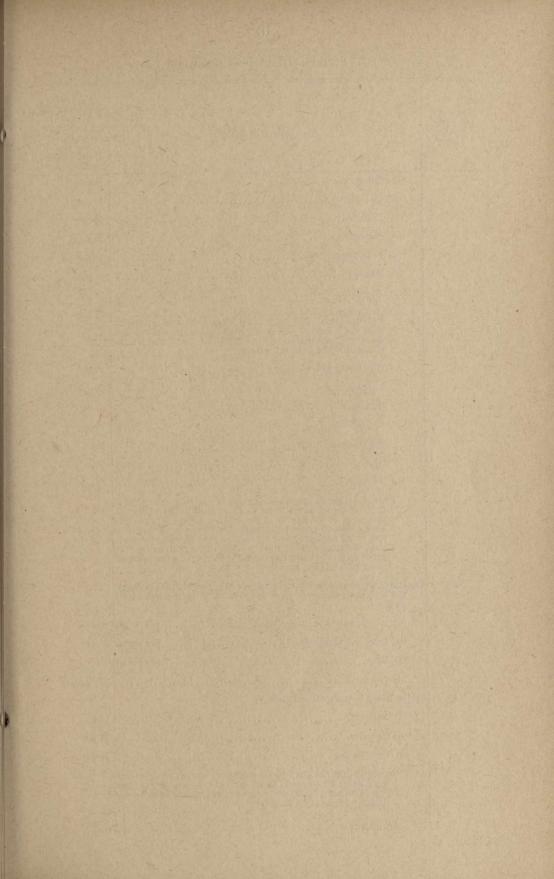
Secretary of State of the United States of America.



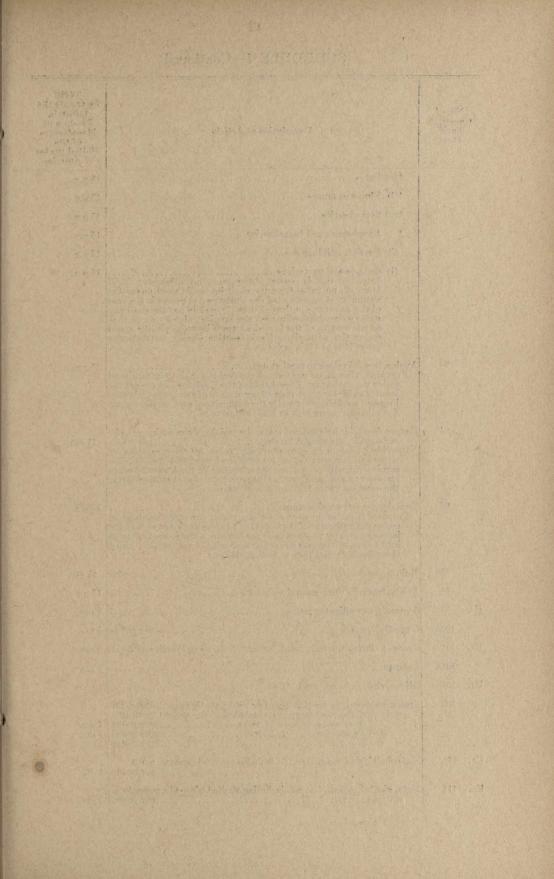
SCHEDULE I

(See Article III)

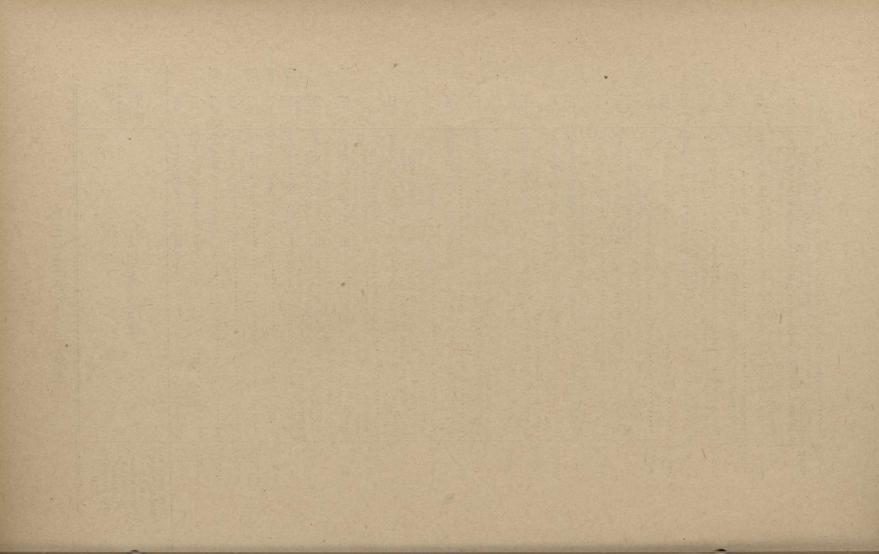
No. of Canadian Tariff Description of Article Item		Tariff on Goods the Growth, Produce or Manufacture of the United States of America
10	Meats, prepared or preserved, other than canned:— (b) n.o.pper pound	3 cts.
Ex 47	Soya beans, n.o.p.	Free
54a	Indian corn, not including Indian corn for purposes of distillation, when imported or taken out of warehouse by manufacturers of starch or of cereal products for human consumption, for use exclusively in the manufacture of starch or such cereal products, in their own factories, under regulations prescribed by the Minister.	
55	Indian corn, n.o.pper bushel	20 cts.
57	Oatmeal and rolled oatsper one hundred pounds	50 cts.
71a	Timothy seedper pound	1 ct.
Ex 73	Broom corn seed, when in packages weighing more than one pound each	Free
Ex 74	Parsley seed, non-germinating, when in packages weighing more than one pound each, imported for use exclusively in manu- facturing or blending operations	a series to the
Ex 75	Lettuce seed, non-germinating, when in packages weighing more than one pound each, imported for use exclusively in manu- facturing or blending operations	10 p.c.
Ex 82 (e)	Nut trees, being seedling stock for grafting, and buds and scions for grafting such trees.	Free
83 (c)	Sweet potatoes in their natural state	Free
84	Onions, in their natural state, including onions grown with tops, shallots, and onion sets	30 p.c.
	Provided that in no case shall any value for duty established under the authority of Section 43 of the Customs Act exceed the invoice value by more than 80 per centum of the lowest advance imposed on such goods under the authority of said section during the calendar years 1933 to 1935, inclusive.	
Ex 85	Mushrooms, fresh	15 p.c.
	Provided that in no case shall any value for duty established under the authority of Section 43 of the Customs Act exceed the invoice value by more than 80 per centum of the lowest advance imposed on such goods under the authority of said section during the calendar years 1933 to 1935, inclusive	
87	Vegetables, fresh, in their natural state:— *(a) Asparagus	15 p.c.
	*(b) Beans, green	15 p.c.
	(c) Brussels sprouts	15 p.c.
	*(d) Cabbage	15 p.c.
	*(e) Carrots	15 p.c.
	* Beets, n.o.p	15 p.c.
	*(f) Cauliflower	15 p.c.
14599—:	Eggplant2	Free



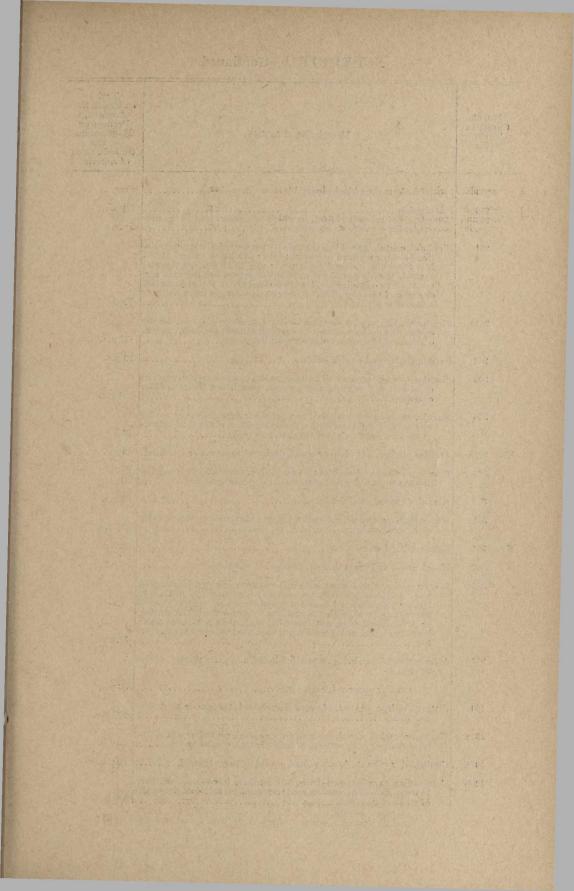
No. of Canadian Tariff a Item	Description of Article	Tariff on Goods the Growth, Produce or Manufacture of the United States of America
	*(g) Celery	15 p.c.
	*(h) Cucumbers	15 p.c.
	*(i) Lettuce	15 p.c.
	(j) Parsley	15 p.c.
	*(k) Peas, green	15 p.c.
	*(1) Rhubarb	15 p.c.
	*(m) Spinach	15 p.c.
	(n) Tomatoes. Provided that the duty under any tariff less favourable than the British Preferential tariff shall at no time be less than two cents per pound, the weight of the packages to be included in the weight for duty.	A Adda to
	(o) Watercress and whitloof or endive	15 p.c.
	* Peppers, green	15 p.c.
	Radishes	15 p.c.
	Artichokes	Free
	Horseradish	Free
	Okra	Free
	(p) N.o.p	15 p.c.
	Provided that in respect of the goods dutiable under Tariff Item 87 no value for duty shall be established under the authority of Section 43 of the Customs Act except in the case of the sub-items indicated thus (*); and in no case shall any value so established exceed the invoice value by more than 80 per centum of the lowest advance imposed on like goods under the authority of said section during the calendar years 1933 to 1935, inclusive.	
89	Vegetables, prepared, in air-tight cans or other air-tight containers, the weight of the containers to be included in the weight for duty:	
	(a) Beans, baked or otherwise preparedper pound	2 cts.
	(b) Corn and tomatoesper pound	2 cts.
	(c) Peasper pound	2 cts.
	(d) N.o.p	27½ p.c.
92	Fruits, fresh, in their natural state:	
	*(a) Apricots	LURAN MONTH STRATTS
	*(b) Cherries	15 p.c.
	(c) Cranberries	15 p.c.
	Provided that the duty under any tariff less favourable than the British Preferential tariff shall at no time be less than two cents per pound, the weight of the packages to be in- cluded in the weight for duty.	
	*(d) Peaches	15 p.c.



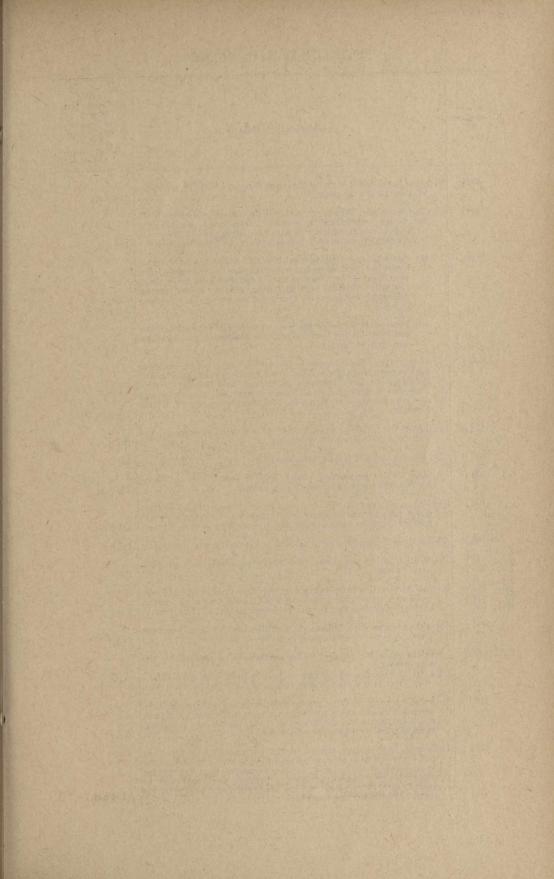
Car	lo. of nadian Cariff Item	Description of Article	Tariff on Goods the Growth, Produce or Manufacture of the United States of America	
		*(e) Pears	15 p.c.	
		*(f) Plums or prunes	15 p.c.	
		*(g) Strawberries	15 p.c.	
		* Raspberries and loganberries	15 p.c.	
		(h) Berries, edible, n.o.p	15 p.c.	
		(i) Quinces and nectarines Provided that in respect of the goods dutiable under Tariff Item 92, no value for duty shall be established under the authority of Section 43 of the Customs Act except in the case of the sub-items indicated thus (*); and in no case shall any value so established exceed the invoice value by more than 80 per centum of the lowest advance imposed on like goods under the authority of said section during the calendar years 1933 to 1935, inclusive.	15 p.c.	
	93	Apples, fresh, in their natural state. Provided that in no case shall any value for duty established under the authority of Section 43 of the Customs Act exceed the invoice value by more than 80 per centum of the lowest advance imposed on such goods under the authority of said section during the calendar years 1933 to 1935, inclusive.	15 p.c.	
	94	Grapes, fresh, in their natural state, the weight of the packages to be included in the weight for dutyper pound Provided that in no case shall any value for duty established under the authority of Section 43 of the Customs Act exceed the invoice value by more than 80 per centum of the lowest advance imposed on such goods under the authority of said section during the calendar years 1933 to 1935, inclusive.	1½ cts.	
	95	Cantaloupes and muskmelons Provided that in no case shall any value for duty established under the authority of Section 43 of the Customs Act exceed the invoice value by more than 80 per centum of the lowest advance imposed on such goods under the authority of said section during the calendar years 1933 to 1935, inclusive.	15 p.c.	
	95a	Melons, n.o.peach	$2\frac{1}{2}$ cts.	
	96	Fruits, fresh, in their natural state, n.o.p	15 p.c.	
Ex.	96	Avocadoes or alligator pears	Free	
	100a	Grapefruit, n.o.pper pound	1/2 ct.	
Ex.	101	Oranges, during the months of January, February, March and April	Free	
	101a	Lemons	Free	
Ex.	105b	Olives, ripe, in brine, not bottled	10 p.c.	
	106	Fruits, prepared, in air-tight cans or other air-tight containers, the weight of the containers to be included in the weight for duty— (a) Apricots, peaches and pearsper pound (b) Pineapplesper pound (c) N.o.pper pound	4 cts. 4 cts. 4 cts.	
Ex.	109	Nuts of all kinds, n.o.p., but not including shelled peanuts, n.o.p per pound	1 ct.	
Ex.	114	Nuts, shelled, n.o.p., but not including shelled almonds, peanuts or walnuts	2 cts.	



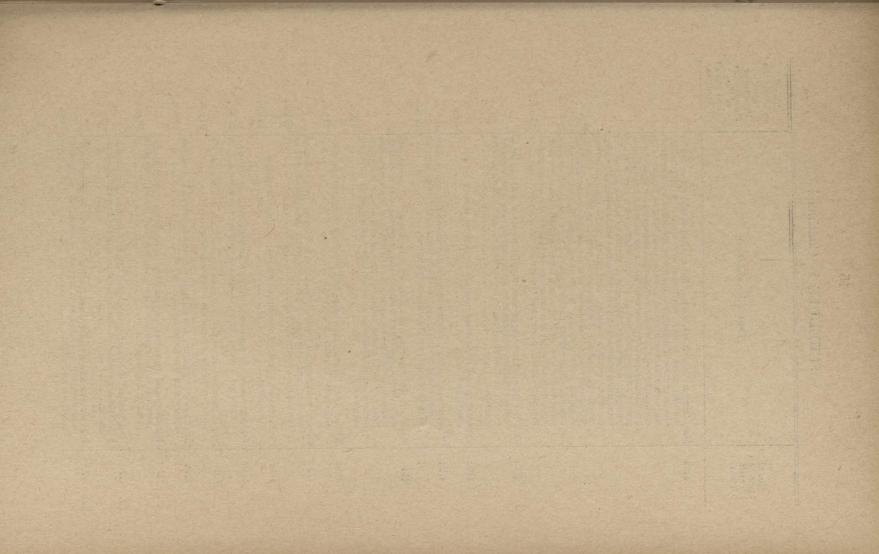
No. of Canadian Tariff Item		Description of Article	Tariff on Goods the Growth, Produce or Manufacture of the United States of America
	116	Halibut, fresh, pickled or saltedper pound	1 ct.
Ex.	123	Lobsters, prepared or preserved	Free
Ex.	123a	Shrimps in sealed containers	27 ¹ / ₂ p.c.
	124	Oysters, shelled, in bulkper gallon	5 cts.
Ex.	133	Lobsters, fresh	Free
Ex.	133	Scallops, fresh but not frozen	Free
Ex.	169 184b 184c 184d	Periodical publications, unbound or paperbound, printed and issued in the United States at regular intervals, not less frequently than four times a year, and bearing dates of issue Provided, that nothing in this Item shall affect in any way the provisions of Item 1201 of Schedule "C" to the Customs Tariff.	Free
Ex.	174	Tourist literature, printed and issued in the United States by Federal or State Governments or departments thereof, boards of trade, chambers of commerce, municipal and automobile associations, and similiar organizations or associations	Marking & Gall (F)
• (Est	178a	Provided, that on the goods specified in Item 178 and imported by mail, duties may be paid by customs revenue stamps, under regulations by the Minister, at the rates specified in said Item, except that on each separate package weighing not more than one ounce, the duty shall beeach	
	181a	Pictorial post cards, greeting cards and similar artistic cards or folders	32½ p.c.
	184	Newspapers, unbound, n.o.p.; tailors', milliners', and mantle-makers' fashion plates, when imported in single copies in sheet form with periodical trade journals; magazines published in other than the English or the French language	Free
	187	Albumenized and other papers and films chemically prepared for photographers' use, n.o.p	25 p.c.
	195	Paper hanging or wallpapers, including borders or bordering	32 ¹ / ₂ p.c.
	196	Newsprinting paper and all printing paper, in sheets and rolls, valued at not more than two and one-quarter cents per pound	Free
	197	Paper of all kinds, n.o.p	22 ¹ / ₂ p.c.
	197a	Super-calendared or machine finish grades of book paper, not coated, when used exclusively in the production of magazines, news- papers and periodicals, printed, published or issued regularly, under regulations prescribed by the Minister	22 ¹ / ₂ p.c.
	199	Papeteries, envelopes, and all manufactures of paper, n.o.p	30 p.c.
	210	Peroxide of soda; silicate of soda in crystals or in solution; bichro- mate of soda; nitrate of soda or cubic nitre, n.o.p; sulphide of sodium; nitrite of soda; arseniate, binarseniate, chlorate, bisul- phite and stannate of soda; prussiate of soda and sulphite of soda	
	213	Acetic acid, containing by weight more than 65 per centum of acetic acidper pound	1 ¹ / ₄ cts.
	236	Surgical dressings, antiseptic or aseptic, including absorbent cotton, lint, lamb's wool, tow, jute, oakum, woven fabric of cotton weighing not more than seven and one-half pounds per one hundred square yards, whether imported singly or in combina- tion one with another, but not stitched or otherwise manu- factured; surgical trusses and suspensory bandages of all kinds; sanitary napkins, spinal braces and abdominal supports	



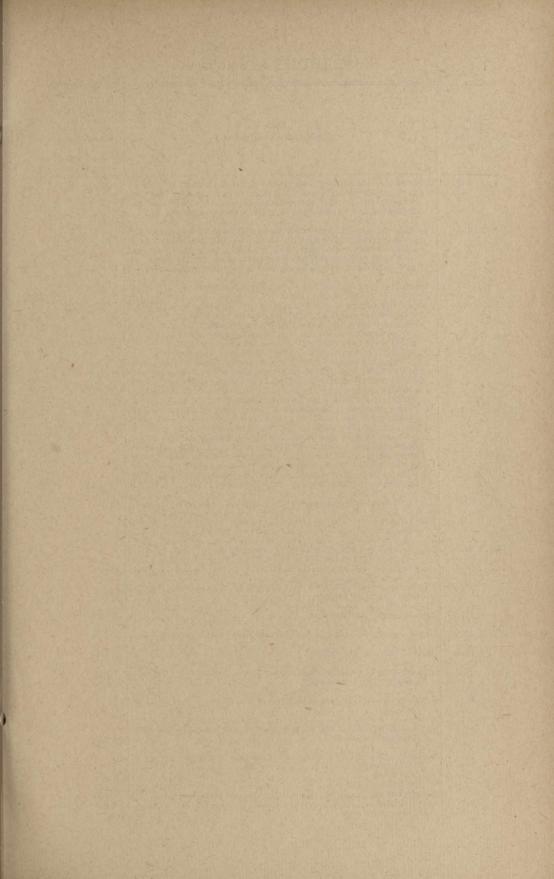
No. of Canadian Tariff Item		Description of Article	Tariff on Goods the Growth, Produce or Manufacture of the United States of America	
	239	Lamp black, carbon black, ivory black and bone black	Free	
1	256 263	Printing ink. Compounds of tetraethyl lead, in which tetraethyl lead is the pre- ponderant constituent by weight.	17 ¹ / ₂ p.c. 5 p.c.	
	281	Fire brick containing not less than ninety per cent of silica; magnesite fire brick or chrome fire brick; other fire brick valued at not less than one hundred dollars per one thousand, rectangular shaped, the dimensions of each not to exceed one hundred and twenty-five cubic inches, for use exclusively in the construction or repair of a furnace, kiln, or other equipment of a manufacturing establishment.	Free	
	281a	Fire brick, n.o.p., of a class or kind not made in Canada, for use exclusively in the construction or repair of a furnace, kiln, or other equipment of a manufacturing establishment	12½ p.c.	
	282	Building brick and paving brick	20 p.c.	
	305	Flagstone, sandstone and all building stone, not hammered, sawn or chiselled, and marble and granite, rough, not hammered or chiselled.	12½ p.c.	
	306	Marble, sawn or sand-rubbed, not polished; granite, sawn; paving blocks of stone; flagstone and building stone, other than marble or granite, sawn on not more than two sides	20 p.c.	
Ex.	326a	Articles of glass, not plate or sheet, designed to be cut or mounted.	10 p.c.	
	345	Zinc dust, strip and sheets; zinc plates for marine boilers; sal am- moniac skimmings and seamless drawn tubing of zinc	Free	
	350	Wire of all metals and kinds, n.o.p	30 p.c.	
	351	Wire, single or several, covered with any material, including cable so covered, n.o.p.	27½ p.c.	
Ex.	362	Electro-plated ware, n.o.p	30 p.c.	
	367	Watch cases, and parts thereof, finished or unfinished	35 p.c.	
	388	Iron or steel angles, beams, channels, columns, girders, joists, tees, zees, and other shapes or sections, not punched, drilled or further manufactured than hot rolled, weighing not less than 35 pounds per lineal yard, n.o.p.; piling of iron or steel, not punched or drilled, weighing not less than 35 pounds per lineal yard, including interlocking sections, if any, used therewith, n.o.p. per ton		
	394	Axles and axle bars, n.o.p., and axle blanks, and parts thereof, of iron or steel:		
		(b) For other vehicles, n.o.p	30 p.c.	
	400	Fittings, of iron or steel, of every description, for iron or steel pipes and tubes		
	402a	Woven or welded wire fencing, of iron or steel, coated or not, n.o.p. wire cloth or wire netting, of iron or steel, coated or not		
	407a	Chains, of iron or steel, n.o.p., and complete parts thereof	30 p.c.	
	409b	Cultivators, harrows, seed-drills, horse-rakes, horse-hoes, scufflers manure spreaders, garden seeders, weeders, and complete parts of all the foregoing.	3	



Car	lo. of nadian `ariff `tem	Description of Article	Tariff on Goods the Growth, Produce or Manufacture of the United States of America
	409c	Ploughs; farm, field, lawn or garden rollers; soil packers; complete parts of all the foregoing	12 ¹ / ₂ p.c.
	409d	Mowing machines, harvesters, either self-binding or without bind- ers, binding attachments, reapers, harvesters in combination with threshing machine separators including the motive power incorporated therein, and complete parts of all the foregoing	12½ p.c.
	409e	(i) Spraying and dusting machines and attachments therefor, including hand sprayers; apparatus specially designed for. sterilizing bulbs; pressure testing apparatus for determining maturity of fruit; pruning hooks; pruning shears; animal dehorning instruments; and complete parts of all the fore-	
		going (ii) Fruit and vegetable grading, washing and wiping machines and combination bagging and weighing machines, and com- plete parts therefor	12½ p.c. 5 p.c.
	409 f	Hay loaders, hay tedders, potato planters, potato diggers, fodder or feed cutters, ensilage cutters, grain crushers and grain or hay grinders, for farm purposes only, post hole diggers, snaths, stumping machines and all other agricultural implements or agricultural machinery, n.o.p., and complete parts of all the foregoing.	
	409 g	Incubators for hatching eggs, brooders for rearing young fowl, and complete parts of all the foregoing	The second second
	409 h	Hay presses and complete parts thereof	12 ¹ / ₂ p.c.
	409 i	Scythes, sickles or reaping hooks, hay or straw knives, edging knives, hoes, pronged forks, rakes, n.o.p	12 ¹ / ₂ p.c.
	409 j	Fanning mills; peaviners; corn husking machines; threshing ma- chine separators, including wind stackers, baggers and self- feeders therefor; complete parts of all foregoing	12½ p.c.
	409 k	Windmills and complete parts thereof, not including shafting	12 ¹ / ₂ p.c.
Ex. Ex.	409 1 427	Traction ditching machines (not being ploughs) and complete parts thereof	Free
Ex. Ex. Ex.	409 m 409 n 428	Internal combustion traction engines; traction attachments designed to be combined with automobiles in Canada for use as traction engines; complete parts of all the foregoing	Free
	409 n	Portable engines with boilers, in combination, for farm purposes; horse powers; complete parts of all the foregoing	15 p.c.
Ex.	409 q	Complete parts for repairs, under regulations prescribed by the Minister:	5 p.c.
	410 1	Ore crushers, rock crushers, stamp mills, grinding mills, rock drills, percussion coal cutters, coal augers, rotary coal drills, n.o.p., and complete parts of all the foregoing, for use exclusively in mining, metallurgical or quarrying operations	20 p.c.
	411a	Machinery, logging cars, cranes, blocks and tackle, wire rope, but not including wire rope to be used for guy ropes or in braking logs going down grade, and complete parts of all the foregoing, for use exclusively in the operation of logging, such operation to include the removal of the log from stump to skidway, log	

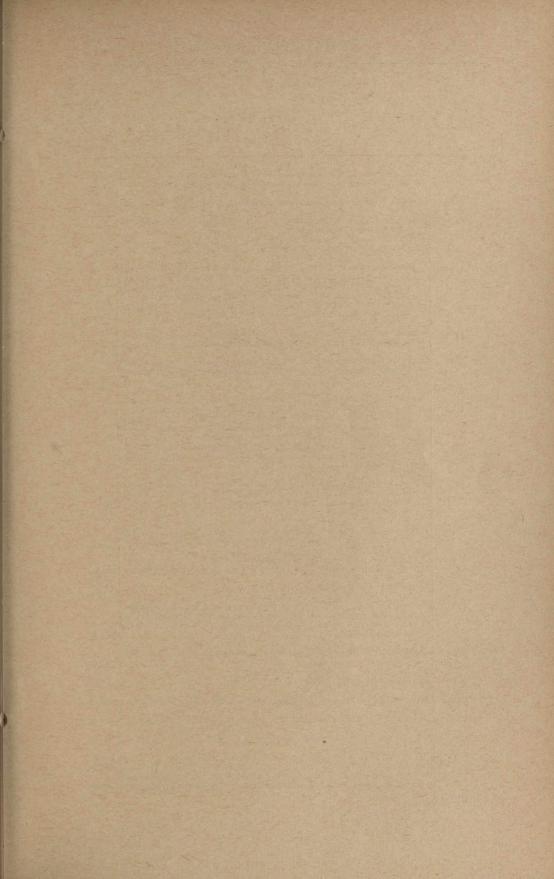


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Can Ta	o. of adian ariff tem	Description of Article	Tariff on Goods the Growth, Produce or Manufacture of the United States of America
	412a	Machinery and apparatus, n.o.p., viz.: gun and mould apparatus for making press rollers; machines and apparatus for making electrotypes and stereotypes, engraving machines, photo-engrav- ing apparatus, machines for graining metal plates, machines for sensitizing metal plates, machines and apparatus for transferring by photographic processes to plates or rolls for use in litho- graphy, rotogravure and printing, machines for addressing and wrapping newspapers, magazines, periodicals, pamphlets and catalogues, and machines for embossing, bookbinding, bronzing, creasing, scoring, cutting, perforating, punching, gathering, gumming, pasting, jogging, numbering, patching, slitting, rewinding, ruling, sheet-piling, stitching, stripping or varishing, when for use exclusively by printers, book-binders, manufac- turers of stereotypes, electrotypes and printing plates or rolls, paper converters, and by manufacturers of articles made from paper or cardboard; and complete parts of all the foregoing not to include saws, knives, and motive power	5 p.c.
	412b	Flat bed cylinder printing presses, to print sheets of a size 25 by 38 inches or larger, and complete parts thereof; machines designed to fold or sheet-feed paper or cardboard, and complete parts thereof.	10 p.c.
	412c Typecasting and typesetting machines and parts thereof for use i printing offices		Free
	412d	Offset presses; lithographic presses; printing presses and type making accessories therefor, n.o.p.; complete parts of the foregoing, not to include saws, knives and motive power	10 p.c.
	413	Machinery and apparatus, of a class or kind not made in Canada, and parts thereof, specially constructed for preparing, manufacturing, testing or finishing yarns, cordage, and fabrics made from textile fibres or from paper, imported for use exclusively by manu- facturers and scholastic or charitable institutions in such pro- cesses only.	5 p.c.
	414c	Adding, bookkeeping, calculating and invoicing machines and com- plete parts thereof, n.o.p.	
	415	Electric vacuum cleaners and attachments therefor; hand vacuum cleaners; and complete parts of all the foregoing, including suction hose, n.o.p.	20 p.c.
	415a	Refrigerators, domestic or store, completely equipped or not:	30 p.c.
	415b	Washing machines, domestic, with or without motive power in- corporated therein; complete parts of washing machines	25 p.c.
	424	Fire engines and other fire extinguishing machines and chassis for same; complete parts of the foregoing, n.o.p	30 p.c.
	424a	Hand fire extinguishers, and sprinkler heads for automatic sprinkler systems for fire protection	30 p.c.
Ex.	427	Machinery and apparatus for operating oil-sands by mining opera- tions and for extracting oil from the sands so mined; complete parts of the foregoing	Free
Ex.	427	Combination fish-preparing machines, designed for heading, finning, splitting, gutting and cleaning fish; complete parts of the fore- going	10 p.c.
Ex.	427	Motor-driven combination units, comprising sprinklers, front and side sweepers and gatherers, for use in sweeping or cleaning streets or highways	

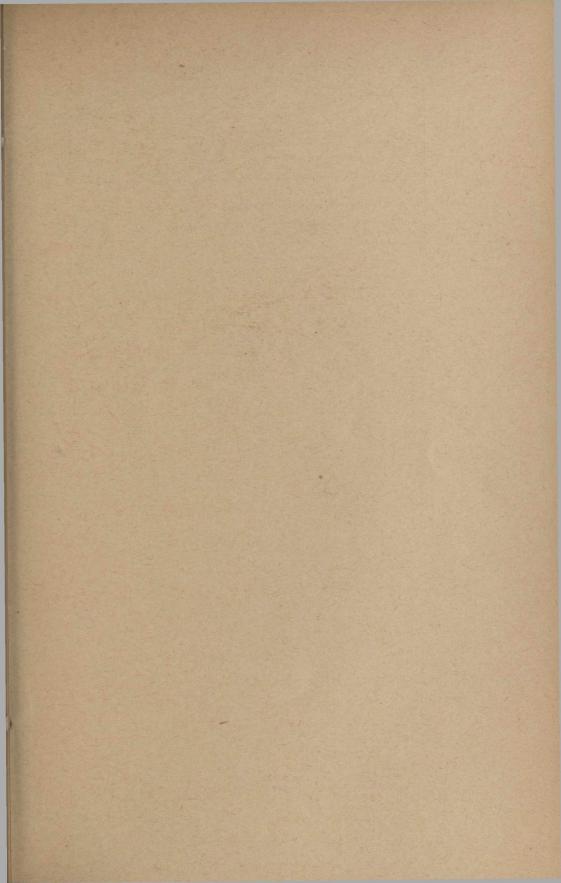


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No. of Canadian Tariff Item		Description of Article	Tariff on Goods the Growth, Produce or Manufacture of the United States of America
Ex.	427	Machinery and apparatus enumerated in Tariff Item 412a, when for use by manufacturers of articles made from regenerated cellulose or cellulose acetate; complete parts of such machinery and apparatus, not to include saws, knives, and motive power	5 p.c.
Ex.	427	Motion picture projectors, arc lamps for motion picture work, motion picture or theatrical spot lights, light effect machines, motion picture screens, portable motion picture projectors complete with sound equipment; complete parts of all the foregoing, not to include electric light bulbs, tubes, or exciter lamps	15 p.c.
Ex.	427	Veneer-drying machines, and complete parts thereof	5 p.c.
Ex,	427	Bakery machinery and apparatus, viz.:-Combined suction-type sack cleaner and dust collector; flow meters with automatic or manual control for measuring of water; dough dividers, five- pocket capacity of 100 pieces per minute to eight-pocket capacity of 160 pieces per minute; combination mechanical eight-pocket roll divider and rounder, when combined with overhead dry bun proofer; adjustable roll moulder, with capacity of 100 rolls per minute; mechanical tray-type final steam proofer; trough elevators; automatic tray-type bread coolers; automatic pan- greasing machines; automatic measuring-knife type cake de- positors; automatic bread-wrapping machines; automatic bread- slicing machines; automatic wafer-making machines; rotary biscuit-moulding machines; automatic steel hand biscuit plant, including combination rotary moulding and cutting machine, automatic tunel-type travelling-band biscuit oven with cooler, and automatic biscuit stacking machine with packing table; steam-tube heated draw-plate ovens of one or two decks; travel- ling tray ovens, single or double lap; travelling tunnel-type ovens, with plate, chain, rod or wire-mesh conveyor; synchronized oven feeders; and complete parts of the foregoing	
Ex.	427	Milk clarifiers and complete parts thereof	Free
Ex.	427	Wire stitchers and staplers, either hand or power type, but not in- cluding motive power; complete parts of the foregoing	5 p.c.
Ex.	427	All machinery composed wholly or in part of iron or steel, n.o.p., of a class or kind not made in Canada; complete parts of the fore- going	20 p.c.
	427	All machinery composed wholly or in part of iron or steel, a.o.p, and complete parts thereof.	25 p.c.
	427b	Ball and roller bearings.	27 ¹ / ₂ p.c.
	428e	Diesel and semi-diesel engines, and complete parts thereof, n.o.p	25 p.c.
	432b	Hollow-ware, of iron or steel, coated with vitreous enamel	30 p.c.
	432d	Manufactures of tinplate, painted, japanned, decorated or not, and manufactures of tin, n.o.p.	27 ¹ / ₂ p.c.
	438g	Motor cycles or side cars therefor, and complete parts of the fore- going	20 p.c.
	439c	Farm wagons, farm sleds, logging wagons, logging sleds, and com- plete parts thereof	15 p.c.
	443	Apparatus designed for cooking or for heating buildings:	25 p.c.

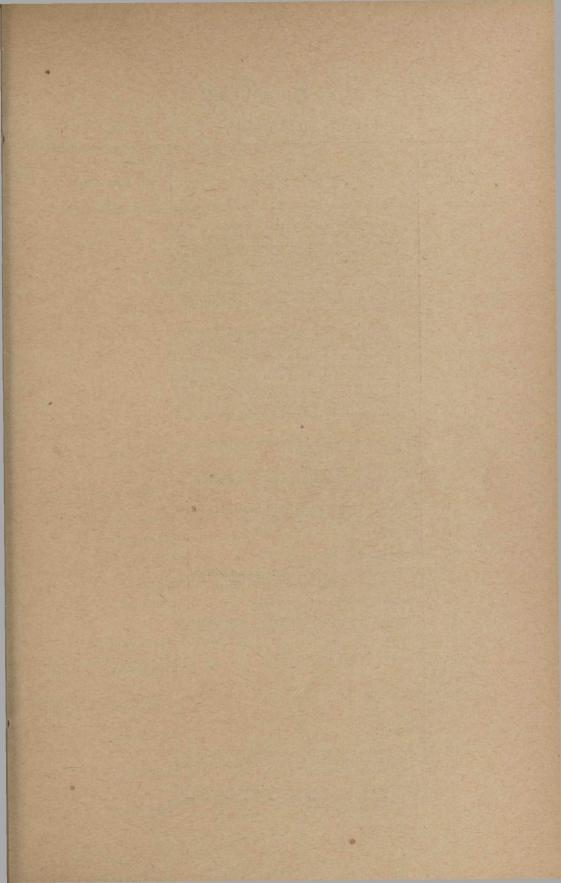


No. of Canadian Tariff Item		Description of Article	Tariff on Goods the Growth, Produce or Manufacture of the United States of America	
	445c	(i) Electric telegraph apparatus and complete parts thereof(ii) Electric telephone apparatus and complete parts thereof	25 p.c. 25 p.c.	
	445d	Electric wireless or radio apparatus and complete parts thereof	25 p.c.	
	445f	Electric dynamos or generators and transformers, n.o.p., and com- plete parts thereof	30 p.c.	
	445g	Electric motors, n.o.p., and complete parts thereof	30 p.c.	
Ex,	446a	Locomotive beds or frames of steel, cast in one piece; tender frames of steel, cast in one piece; cast steel cradles for the rear ends of locomotive frames; cast steel truck frames and bolsters for engines, tenders and passenger coaches; platform castings for passenger coaches; all the foregoing, whether in the rough or semi-manufactured, for use on railway rolling stock	20 p.c.	
	446a	Manufactures, articles or wares, of iron or steel or of which iron or steel or both are the component materials of chief value, n.o.p	25 p.c.	
	500	Logs and round unmanufactured timber, handle, heading, stave and shingle bolts, n.o.p.; firewood, hop poles, fence posts and railway ties	Free	
	502	Mexican saddle trees and stirrups of wood, treenails; hub, last, wagon, oar and gun blocks, and all like blocks or sticks, rough hewn, or sawn only; felloes of hickory or oak, not further manufactured than rough sawn or bent to shape; staves of oak, sawn, split or cut, not further manufactured than listed or jointed; shingles of wood; spokes of hickory or oak, not further manufactured than rough turned, and not tenoned, mitred or sized, and scale board for cheese	Free.	
	503	Planks, boards, clapboards, laths, plain pickets and other timber or lumber of wood, not further manufactured than sawn or split, whether creosoted, vulcanized, or treated by any other pre- serving process, or not	Free	
	504	Planks, boards and other lumber of wood, sawn, split or cut, and dressed on one side only, but not further manufactured	Free	
	505	Sawn boards, planks and deals planed or dressed on one or both sides, when the edges thereof are jointed or tongued and grooved	20 p.c.	
	506	Manufactures of wood, n.o.p	20 p.c.	
	520	Raw cotton and cotton linters not further manufactured than ginned; rags and waste wholly of cotton unfit for use without further manufacture, not to include used garments nor waste portions of unused fabrics.	Free	
	573	Enamelled carriage, floor, shelf and table oilcloth, linoleum, and cork matting or carpets	32½ p.c.	
	578	Regalia, badges and belts of all kinds, n.o.p	30 p.c.	
Cx.	598a	Brass band instruments, of a class or kind not made in Canada	25 p.c.	
	599	Hides and skins, raw, whether dry, salted, or pickled; and raw pelts	Free	
	601	Fur skins of all kinds, not dressed in any manner	Free	
	624a	 (i) Dolls; toys of all kinds, n.o.p	30 p.c.	
14	599—	ings, punched, and connections therefor; parts of the foregoing	50 p.c.	



SCHEDULE I—Concluded

No. of Canadian Tariff Item	Description of Article	Tariff on Goods the Growth, Produce or Manufacture of the United States of America
654 663 Ex. 711	Bristles, broom corn, and hair brush pads Fertilizers, compounded or manufactured, n.o.p Rapeseed oil, blown, when for manufacturing purposes	Free $7\frac{1}{2}$ p.c. Free

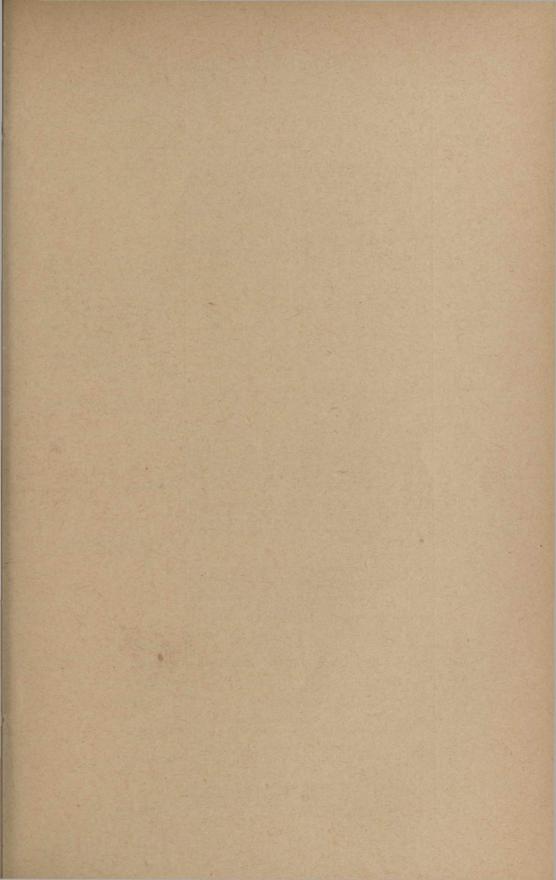


SCHEDULE II

(See Article IV)

United States Tariff Act of 1930 Paragraph	Description of Article	Rate of Duty
	Note: The provisions of this Schedule shall be construed and given the same effect, and the application of collateral provisions of the customs laws of the United States to the provisions of this Schedule shall be determined, in so far as may be practicable, as if each provision of this Schedule appeared respectively in the paragraph of the Tariff Act of 1930 or the section of the Revenue Act of 1932 noted in the column at the left of the respective descriptions of articles.	
	In the case of articles enumerated in this Sche- dule, which are subject on the day of the signature of this Agreement to additional or separate ordi- nary customs duties, whether or not imposed under the statutory provision noted in the column at the left of the respective description of the article, such separate or additional duties shall continue in force, subject to any reduction indi- cated in this Schedule or hereafter provided for, until terminated in accordance with law, but shall not be increased.	
1	Acetic acid containing by weight more than 65 per centum of acetic acid	1 ¹ / ₄ cts. per lb.
2	Vinyl acetate, polymerized or unpolymerized, and synthetic resins made in chief value therefrom, not specially provided for	3 cts. per lb. and 15% ad val.
11	Synthetic resins made in chief value from vinyl acetate, not specially provided for	3 cts. per lb. and 15% ad val.
29	Cobalt oxide	10 cts. per lb.
52	Sperm oil, crude	$2\frac{1}{2}$ cts. per gal.
71	Acetylene black, dry or ground in or mixed with oil or water, and not specially provided for	15% ad val.
201 (a)	Fire brick, not specially provided for	15% ad val.
203	Limestone (not suitable for use as monumental or building stone), crude, or crushed but not pul- verized	$2\frac{1}{2}$ cts. per 100 lbs.
203	Lime, not specially provided for	7 cts. per 100 lbs., including the weight of the container.
203	Hydrated lime	8 cts. per 100 lbs., including the weight of the container.
207	Crude feldspar	35 cts. per ton
209	Talc, steatite or soapstone: Ground, washed, pow- dered, or pulverized (except toilet preparations), valued at not over \$12.50 per ton	25% ad val.
214	Dead-burned basic refractory material containing 6 per centum or more of lime and consisting chiefly of magnesia and lime	A CARLEN AND AND A CARLENA

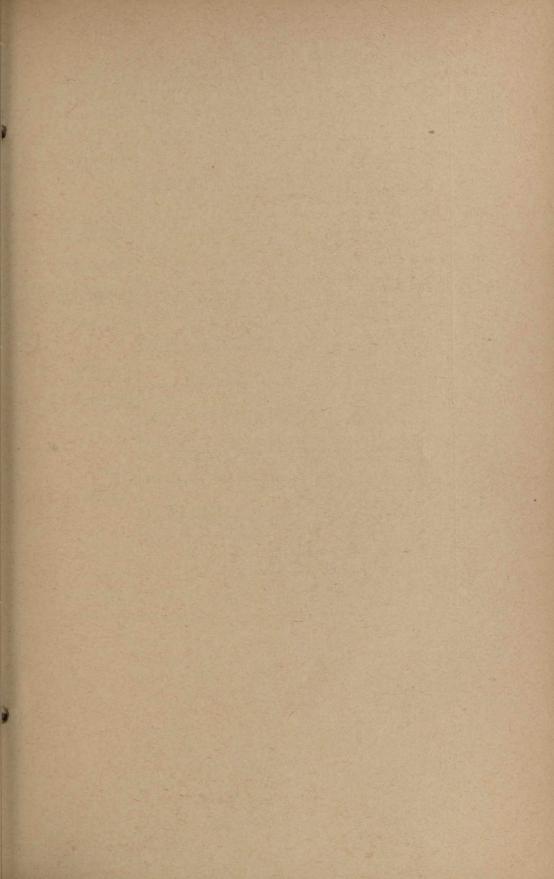
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United States Tariff Act of 1930 Paragraph	Description of Article	Rate of Duty
302 (d)	 NorE: The existing customs classification treatment of the merchandise described in this item as provided for in paragraph 214, Tariff Act of 1930, in accordance with the ruling announced in Treasury Decision 45041 (60 Treasury Decisions 114) shall be continued during the effective period of this Agreement. Ferromanganese containing not less than 4 per centum of carbon, on the metallic magnanese contained therein. 	¹ ct. per lb., plus 1 ¹ times the lowest rate of ordinary customs duty provided for
		manganese ore containing in excess of 10 per centum of metallic manganese the pro- duct of any foreign country except Cuba, at the time such ferromanganese is en- tered or withdrawn from warehouse, for consump- tion; but not more than 1 cents per pound.
302 (i)	Ferro silicon, containing 8 per centum or more of sili- con and less than 30 per centum	$1\frac{1}{2}$ cts. per lb. on the silicon contained therein.
302 (m)	Ferrotitanium, ferrovanadium, and ferrouranium	15% ad val.
353	Cooking stoves and ranges, having as an essential feature an electrical heating element, and parts thereof: any of the foregoing, finished or un- finished, wholly or in chief value of metal, and not specially provided for	
401	Timber hewn, sided, or squared, otherwise than by sawing, and round timber used for spars or in building wharves; sawed lumber and timber not specially provided for, all the foregoing, if of fir, - spruce, pine, hemlock, or larch	50 cts. per thousand feet, board measure.
	Provided, That any of the foregoing sawed timber and lumber of Douglas fir or Western hemlock entered, or withdrawn from warehouse, for con- sumption, in any calendar year after 1935 in excess of an aggregate quantity of 250,000,000 feet, board measure, shall not be subject to this provision.	
402	Maple (except Japanese maple), birch, and beech: Flooring	4% ad val.
412	Ice-hockey sticks, wholly or in chief value of wood	20% ad val.
503	Maple sugar	4 cts. per lb.
701	Cattle, weighing less than 175 pounds each	$1\frac{1}{2}$ cts. per lb.
	Cattle, weighing 700 pounds or more each and not specially provided for	2 cts. per lb.
	Cows, weighing 700 pounds or more each and imported specially for dairy purposes	1 ¹ / ₂ cts. per lb.
	Provided, That none of the foregoing entered, or withdrawn from warehouse, for consumption in excess of the quantities respectively specified below in any calendar year after 1935 shall be subject to the above provisions:	

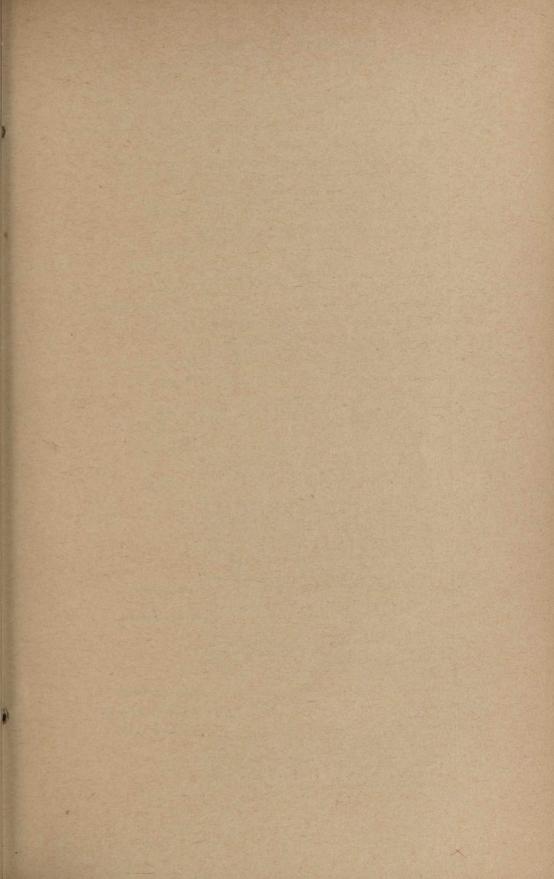


United States Tariff Act of 1930 Paragraph	Description of Article	Rate of Duty
	Cattle, weighing less than 175 pounds each: $\frac{1}{2}$ of 1 per centum of the average annual total num- ber of cattle (including calves) slaughtered in the United States during the calendar years 1928 to 1932, both inclusive, (51,933 head).	
	Cattle, weighing 700 pounds or more each and not specially provided for: $\frac{3}{2}$ of 1 per centum of the average annual total number of cattle (in- cluding calves) slaughtered in the United States during the calendar years 1928 to 1932, both inclusive, (155,799 head).	
	Cows, weighing 700 pounds or more each and im- ported specially for dairy purposes: (20,000 head).	

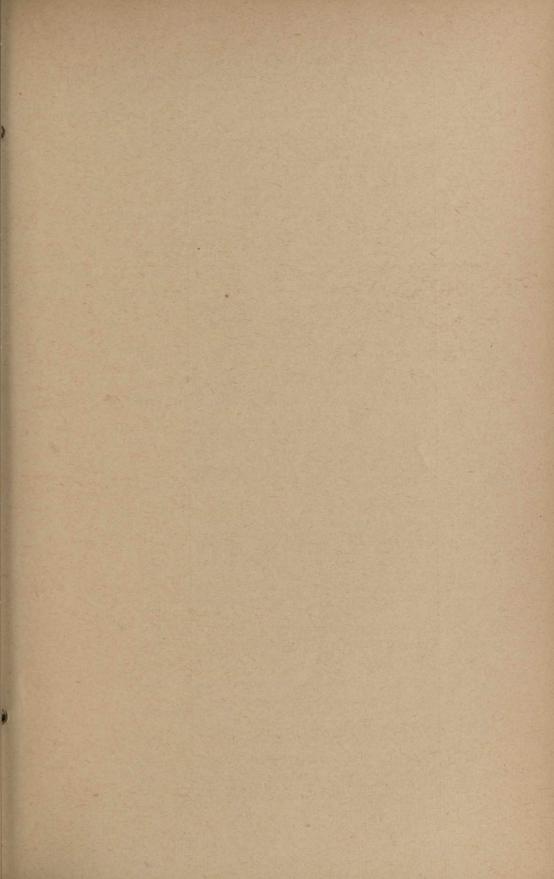


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United States Tariff Act of 1930 Paragraph	Description of Article	Rate of Duty
707	Cream, fresh or sour Provided: That fresh or sour cream entered for consumption in excess of 1,500,000 gallons in any calendar year after 1935 shall not be subject to this provision.	35 cts. per gal.
710	Cheddar cheese in original loaves	5 cts. per lb., but not less than 25% ad val.
711	Birds, live: Chickens, ducks, geese, turkeys, and guineas	4 cts. per lb.
712	Birds, dead, dressed or undressed, fresh, chilled, or frozen: chickens and guineas	6 cts. per lb.
714	Horses, unless imported for immediate slaughter, valued at not more than \$150 per head	\$20 per head.
_717(a)	 Fish, fresh or frozen (whether or not packed in ice), whole, or beheaded or eviscerated or both, but not further advanced (except that the fins may be removed): Halibut	1 cent per lb. 1 ¹ / ₂ cts. per lb. 1 ¹ / ₂ cts. per lb. ¹ / ₂ ct. per lb. ³ / ₄ ct. per lb.
719	Fish, pickled or salted (except fish packed in oil or in oil and other substances and except fish packed in air-tight containers weigh- ing with their contents not more than 15 pounds each): Salmon Alewives in bulk or in immediate containers weighing with their contents more than 15 pounds each	$\frac{3}{4}$ ct. per lb.
720(a)	Smoked herring (except herring packed in oil or in oil and other sub- stances and except herring packed in air-tight containers weigh- ing with their contents not more than 15 pounds each): Hard dry-smoked, when whole or beheaded, but not further advanced. Boned, whether or not skinned.	net weight. [§] ct. per lb. 1 ¹ / ₂ cts. per lb.
721(b)	Razor clams (siliqua patula), packed in air-tight containers	15% ad val.
726	Hulled oats, unfit for human consumption	8 cts. per bu. of 32 lbs.

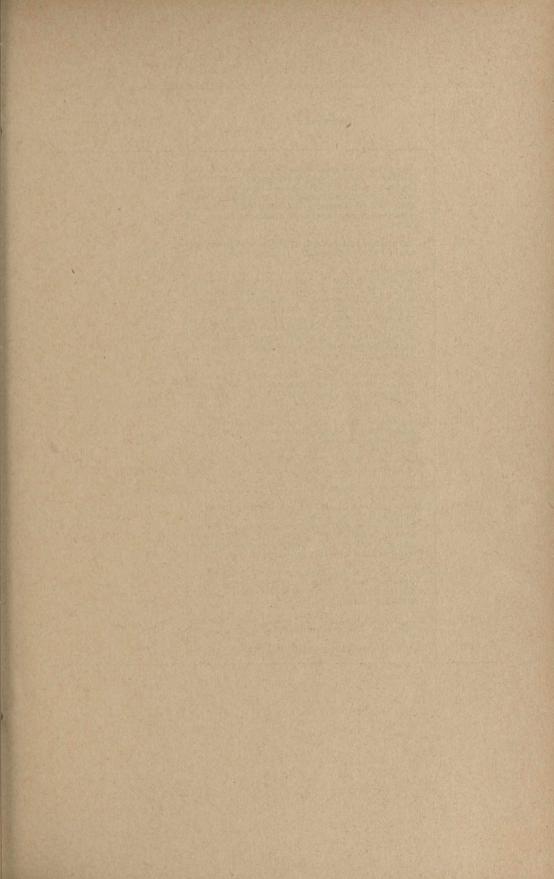


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United States Tariff Act of 1930 Paragraph	Description of Article	Rate of Duty
729	Wheat, unfit for human consumption	10% ad val.
730	Bran, shorts, by products feeds obtained in milling wheat or other cereals	10% ad val.
730	Mixed feeds, consisting of an admixture of grains or grain products with oil cake, oil-cake meal, molasses, or other feedstuffs	
731	Screenings, scalpings, chaff, or scourings of wheat, flaxseed, or other grains or seeds: Unground, or ground	
732	Cereal breakfast foods, and similar cereal prepara- tions, by whatever name known, processed further than milling, and not specially provided for	
734	Apples, green or ripe	15 cts. per bu. of 50 lbs.
736	Strawberries in their natural condition or in brine	³ / ₄ ct. per lb.
736	Blueberries, prepared or preserved, or frozen, but not in brine and not dried, desiccated, or evaporated, and not specially provided for	the star after that the start and
737(1)	Cherries in their natural state	
763	Grass seeds and other forage crop seeds: Alfalfa. Alsike clover. Sweet clover. Timothy. Bluegrass.	4 cts. per lb. 2 cts. per lb.
769	Peas, green or unripe, when imported and entered for consumption during the period from July 1 to September 30, inclusive, in any year	and the state of the state
771	White or Irish seed potatoes, certified by a responsible officer or agency of a foreign Government in ac- cordance with the official rules and regulations of that Government to have been grown and approved especially for use as seed, in containers marked with the foreign Government's official certified seed potato tags, when entered for con- sumption during the period From December 1 to the last day of the following February, inclusive, in any year	
	From March 1 to November 30, inclusive, in any year	
	Provided, That such potatoes entered for consump- tion in excess of an aggregate quantity of 750,000 bushels of 60 pounds each in the twelve-month period beginning on December 1 in any year shall not be subject to this provision.	
773	Turnips and rutabagas	$12\frac{1}{2}$ cts. per 100 lbs.
779	Hay	\$3 per ton of 2,000 lbs.
802	Whiskey of all types and classes Provided, That this provision shall not apply to any whiskey consisting in whole or in any part of dis- tilled spirits which have not been aged in wooden containers at least four years prior to the date the whiskey is entered, or withdrawn from ware- house, for consumption.	

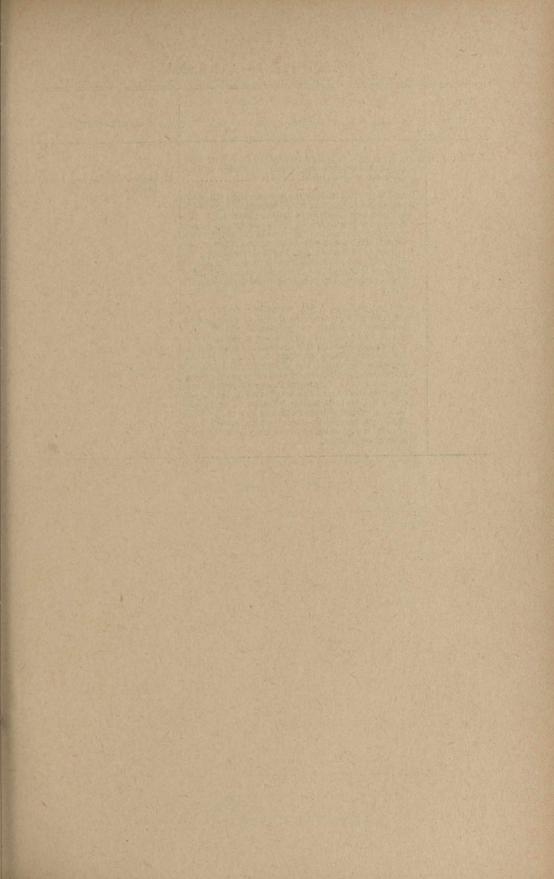


United States Tariff Act of 1930 Paragraph	Description of Article	Rate of Duty
1402	Pulpboard in rolls for use in the manufacture of wall- board, not plate finished, supercalendared or friction calendared, laminated by means of an adhesive substance, coated, surface stained or dyed, lined or vat-lined, embossed, printed, decorated or ornamented in any manner, nor cut into shapes for boxes or other articles and not specially provided for	5% ad val.
1413	Pulpboard in rolls for use in the manufacture of wall- board, surface stained or dyed, lined or vat-lined, embossed, or printed	15% ad val.
1502	Lacross sticks	15% ad val.
1502	Ice skates and parts thereof	15% ad val.
1530(b)	Leather (except leather provided for in sub-paragraph (d) of paragraph 1530), made from hides or skins of cattle of the bovine species:	
	(3) Leather to be used in the manufacture of harness or saddlery	10% ad val.
	(4) Patent leather, rough, partly finished, or finished, or cut or wholly or partly manufactured into uppers, vamps, or any forms or shapes suit- able for conversion into boots, shoes, or footwear.	
1541(a)	Pipe organs or pipe organ player actions and parts thereof especially designed and constructed for installation and use in a particular church, or in a particular public auditorium at which it is not customary to charge an admission fee, which are imported for that specific use, and which are so installed and used within one year from the date of importation.	
1601	Sulphuric acid or oil of vitriol	Free
1604	Agricultural implements: Plough, tooth or disc har- rows, headers, harvesters, reapers, combination harvesting and threshing machines, agricultural drills and planters, mowers, horse-rakes, and cul- tivators, whether in whole or in parts, including repair parts.	
1616	Asbestos, unmanufactured, asbestos crudes, fibres, stucco, and sand and refuse containing not more than 15 per centum of foreign matter	
1641	Calcium: Cyanamid or lime nitrogen	Free
1652	Cobalt and cobalt ore	Free
1667	Sodium cyanide	Free
1672	Crude artificial abrasives, not specially provided for.	Free
1681	Furs and fur skins, not specially provided for, undres- sed: Mink, beaver, muskrat, and wolf	Free
1716	Wood pulp: Mechanically ground and soda, unbleached or bleached; and sulphite, bleached	Free
1734	Nickel ore, nickel matte, and nickel oxide	Free
1743	Plaster rock (including anhydrite) and gypsum, crude Nore: The existing customs classification treat- ment of gypsum which has been broken merely for	

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United States Tariff Act of 1930 Paragraph	Description of Article	Rate of Duty
	the purpose of facilitating its shipment to the United States, as "crude" in accordance with the decision of the United States Court of Customs and Patent Appeals, published as Treasury Deci- sion 45725 (61 Treasury Decisions 1215), shall be continued during the effective period of this agree- ment.	
1756	Sea herring and smelts, fresh or frozen, whether or not packed in ice, and whether or not whole	Free
1760	Shingles of wood Provided, That the United States reserves the right to limit the total quantity of red cedar shingles which may be entered, or withdrawn from ware- house, for consumption, during any given half of any calendar year to a quantity not exceeding 25 per centum of the combined total of the shipments of red cedar shingles by producers in the United States and the imports of such shingles during the preceding half year.	Free
1761	Lobsters, fresh or frozen (whether or not packed in ice), or prepared or preserved in any manner (including pastes and sauces), and not specially provided for	Free
1761	Clams, quahaugs, oysters (except seed oysters), and crabs, fresh or frozen (whether or not packed in ice), and not specially provided for	Free
1761	Scallops, fresh but not frozen (whether or not packed in ice)	Free
1772	Standard newsprint paper	Free
1803 (1)	Timber hewn, sided, or squared, otherwise than by sawing, and round timber used for spars or in building wharves; sawed lumber and timber, not further manufactured than planed, and itongued and grooved; all the foregoing, if not of balsa or teak, and not specially provided for	Free
1803 (2)	Logs; timber, round, unmanufactured; pulp woods; firewood, handle bolts, shingle bolts; and laths; all the foregoing, not cabinet woods, and not specially provided for	
1804	Posts, railroad ties, and telephone, trolley, electric- light, and telegraph poles of cedar or other woods.	Free
1805	Pickets, palings, hoops, and staves of wood of all kinds	Free



SCHEDULE II—Concluded

Revenue Act of 1932 Section		Rate of Import Tax
601 (c) (6)	 Lumber, rough, or planed or dressed on one or more sides, except flooring made of maple (except Japanese maple), birch, and beech Provided, That from and after the time when the aggregate quantity of sawed Douglas fir and Western hemlock timber and lumber entered, or withdrawn from warehouse, for consumption, in any calendar year after 1935 exceeds 250,000,000 feet, board measure (determined in the manner described in paragraph 401, Tariff Act of 1930), the foregoing provision shall not be in effect in respect of sawed timber and lumber of Douglas fir and Western hemlock during the remainder of such year. Provided further, That no article described in paragraph 401, Tariff Act of 1930, of a kind which is being classified under section 601 (c) (d), Revenue Act of 1932, on the day of the signature of this Agreement but is thereafter excluded from such classification pursuant to a final judicial decision in which the Treasury Department acquiesces, shall be subject to the provisions of Article 4 of this Agreement or any provision of this Schedule; but the total duties, taxes, and other exactions hereafter imposed on or in connection with the importation of any such article shall not exceed the total which would have accrued if such article had not been excluded from such classification. 	\$1.50 per thousand feet, board measure

First Session, Eighteenth Parliament, 1 Edward VIII, 1936

THE HOUSE OF COMMONS OF CANADA.

BILL 14.

An Act respecting the establishment of a National Employment Commission.

First reading, March 19, 1936.

THE MINISTER OF LABOUR.

OTTAWA J. O. PATENAUDE, I.S.O. PRINTER TO THE KING'S MOST EXCELLENT MAJESTY 1936

14786

1st Session, 18th Parliament, 1 Edward VIII, 1936

THE HOUSE OF COMMONS OF CANADA.

BILL 14.

An Act respecting the establishment of a National Employment Commission.

Preamble.

WHEREAS unemployment has been for several years Canada's most urgent national problem, and until such time as the normal revival of trade and industry will absorb a large percentage of unemployed workers, it is essential that steps be taken to find ways and means of 5 providing remunerative employment, thus reducing the numbers at present on relief, and lessening the burden of taxation; and whereas, to achieve a nation-wide cooperative effort in reducing the numbers on relief and in providing employment, it is necessary to have the effective 10 co-operation of the provinces and municipalities, and to enlist the co-operation of employers' and employees' associations throughout the Dominion, as well as of such other public and private agencies as may be in a position to provide employment or to suggest what is practicable 15 in the way of re-employment projects; and whereas, it would appear that such nation-wide co-operative effort can best be effected through the appointment of a representative national commission, with power to co-operate with the provinces, municipalities and other agencies in the 20 administration of unemployment relief, and in an endeavour to provide work for the unemployed; Therefore, His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:

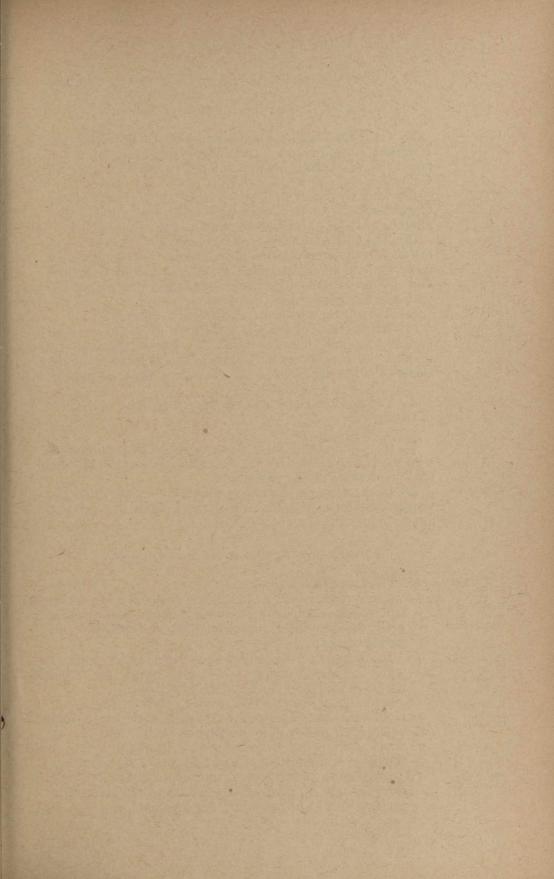
SHORT TITLE.

Short title.

1. This Act may be cited as The National Employment 25 Commission Act, 1936.

INTERPRETATION.

Definitions. "Commission". 2. In this Act, unless the context otherwise requires:— (a) "Commission" means the National Employment Commission.



"Commissioner".

"Minister".

Commission constituted.

Chairman and Vice-Chairman.

Fees.

Quorum.

Chairman to preside.

Head Office.

Secretary.

Employees.

Powers and duties.

Registration and classification.

Conditions to be complied with.

Mobilizing agencies for relief.

Proposals investigated.

(b) "Commissioner" means a member of the Commission.

(c) "Minister" means the Minister of Labour.

3. (1) There shall be a Commission to be called the National Employment Commission, consisting of seven 5 members who shall be appointed by the Governor in Council.

(2) The Governor in Council may appoint one of the Commissioners to be Chairman of the Commission and another of them to be Vice-Chairman of the Commission. 10

(3) The Commissioners may be paid such fees or compensation for their services as the Governor in Council may from time to time determine as well as actual travelling and living expenses necessarily incurred in connection with the business of the Commission. 15

(4) Three Commissioners shall form a quorum.

(5) At meetings of the Commission the Chairman shall preside, and in his absence, the Vice-Chairman. A majority of the votes cast at any meeting of the Commissioners shall be regarded as the decision of the Commission. 20

4. The head office of the Commission shall be in the city of Ottawa.

5. (1) There shall be a Secretary of the Commission who shall be appointed by the Governor in Council and who shall hold office during pleasure. 25

(2) Such other employees as may be necessary for the proper conduct of the business of the Commission may be appointed by the Governor in Council

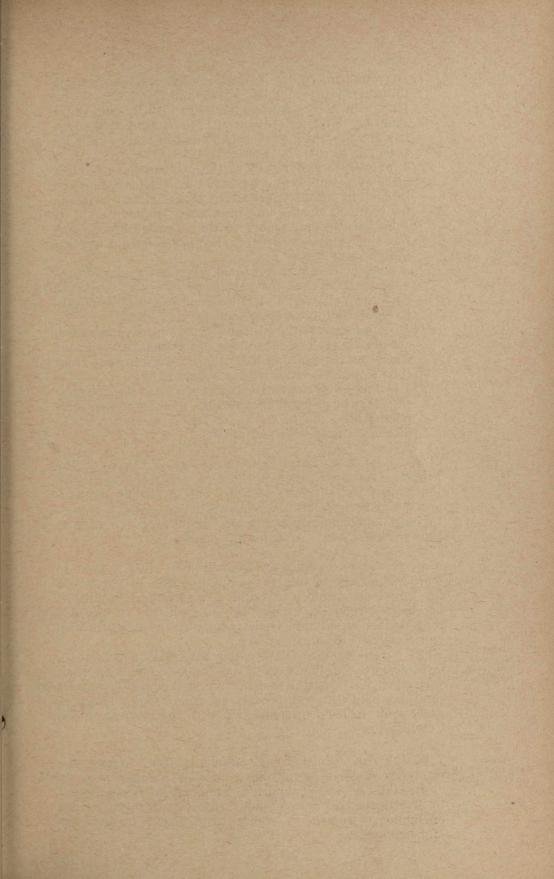
POWERS AND DUTIES OF THE COMMISSION.

6. The Commission shall,

public bodies:

(a) carry out as soon as possible a national registration 30 and classification of persons on relief in co-operation with the provinces, municipalities and private and

- (b) recommend to the Minister conditions to be complied with by any province obtaining grants for relief 35 purposes from the Government of Canada;
- (c) recommend to the Minister effective means of mobilizing the agencies for relief both state and voluntary, and so co-ordinating their work as to avoid overlapping and abuses, and to secure a proper 40 provision and auditing of expenditures of all moneys;
- (d) investigate and report upon proposals for the carrying out of programs of public works and other projects to aid in providing employment;



Programs of public works.

Co-operation with groups.

Apprenticeship.

National development plan.

Publicity.

Administrative duties.

National Advisory Committee.

Travelling expenses and living allowances.

Women's Employment Committee.

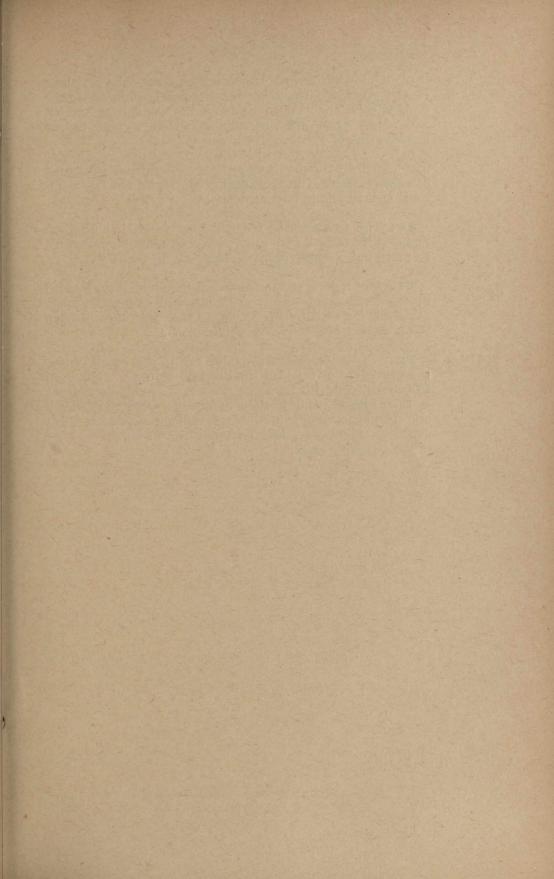
- (e) recommend to the Minister measures with respect to programs of public works and projects of the Dominion, the provinces, the municipalities, and other agencies, intended to aid in providing employment in a manner which will serve to mobilize and co-ordinate 5 their activities;
- (f) investigate and report to the Minister on measures of co-operation with commercial and industrial groups in devising means under which provision may be made for the maintenance and increase of employment; 10
- (g) investigate and report to the Minister upon plans for the establishment of an apprenticeship system in industry;
- (h) investigate and report upon ways and means of providing employment for disabled persons, and co-operate 15 with the Veterans' Assistance Commission in its efforts to secure suitable employment for ex-soldiers';
- (i) recommend to the Minister comprehensive measures constituting a long-range plan of national development which may be proceeded with or discontinued from 20 time to time as conditions may determine;
- (j) to take such steps with the approval of the Minister to ensure such publicity as in the opinion of the Commission may be necessary to enable it effectively to discharge its powers and duties. 25

7. The Commission shall, under the direction of the Minister supervise the expenditure of funds voted by Parliament for purposes of relief and providing employment, and perform such administrative duties with respect to relief and employment as may be assigned to it from 30 time to time by the Governor in Council.

S. (1) The Governor in Council may with a view to more effectively enabling the Commission to carry out its functions name a "National Advisory Committee" hereinafter referred to as "the Committee" to include 35 representatives of industrial, occupational, philanthropic, and social service organizations.

(2) No fees or emoluments of any kind shall be payable to, or received by, any member of the Committee in connection with services rendered as such member, but the said members 40 shall be paid travelling expenses and living allowances necessarily incurred in connection with the business of the Commission.

9. (1) The Minister may appoint, from among the members of the Committee, a special Committee to be 45 designated as the "Women's Employment Committee" to investigate and report upon measures and means to aid unemployed women to secure employment in industry and commerce.



Youth Employment Committee.

Honorary local advisory committees.

Orders and regulations.

Reports, etc. to be made available.

Laid before Parliament. (2) The Minister may appoint from among the members of the Advisory Committee a special committee to be designated as the "Youth Employment Committee" which will report upon measures and means in respect to the employment of youth.

5

(3) The Commission with the approval of the Minister may appoint honorary local advisory committees composed of persons resident in any locality willing to aid the Commission in carrying out its duties.

10. The Governor in Council may from time to time 10 make such orders and regulations as may be necessary to carry out the provisions of this Act.

11. Any report, recommendation or submission required by the Commission or any of its committees may be made available for distribution in such quantities and on such 15 terms as the Minister may determine.

12. All Orders-in-Council and regulations made under the provisions of this Act shall be laid before the House of Commons forthwith after the making thereof if Parliament is then sitting, and if not, then such Orders-in-Council 20 and regulations, or an abstract thereof, disclosing their essential provisions, shall be published in the next issue of the *Canada Gazette*. First Session, Eighteenth Parliament, 1 Edward VIII, 1936

THE HOUSE OF COMMONS OF CANADA.

BILL 15.

An Act to provide for the deduction from compensation in the Public Service.

First reading, March 19, 1936.

THE MINISTER OF FINANCE.

OTTAWA J. O. PATENAUDE, I.S.O. PRINTER TO THE KING'S MOST EXCELLENT MAJESTY 1936

14632

1st Session, 18th Parliament, 1 Edward VIII, 1936

THE HOUSE OF COMMONS OF CANADA.

BILL 15.

An Act to provide for the deduction from compensation in the Public Service.

1932, c. 52; 1932-33, c. 19; 1934, c. 22; 1935, c. 26. HIS Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Short title.

1. This Act may be cited as The Salary Deduction (Continuance) Act, 1936.

5

Definitions. "Compen-

sation.

"Member of the public service of Canada." 2. In this Act, unless the context otherwise requires,— (a) "compensation" means the salaries, wages, commissions, fees, or other remuneration, authorized to be paid by statute, or regulation, or other authority, and includes sessional indemnities, and allowances, in cash 10 or in kind, forming part of the remuneration attached to an office;

(b) "member of the public service of Canada" means every officer, clerk and employee in any branch or portion of the public service of Canada, to whom any 15 compensation is paid, either directly or indirectly, out of the revenue of His Majesty in respect of his Government of Canada, other than the Governor General of Canada, the Lieutenant-Governors of the several Provinces of Canada, the members of the Judiciary, 20 and the members of the military, naval and air forces of Canada, and the Royal Canadian Mounted Police, and includes members of the Senate and House of Commons of Canada, and members, officers, clerks and employees of every commission, board or corporate 25 body, being an agent or trustee of His Majesty in respect of his Government of Canada, created or established under the authority of an Act of the Parliament of Canada, other than the Canadian National Railway Company. 30

EXPLANATORY NOTE.

This Bill follows the provisions of the Act of 1935 with this exception that the provision for payment of sums not exceeding three million dollars which was contained in the Act of last year, at the end of section three, has been deleted.

The 1935 Act provided for a change of rate from 10 per cent to 5 per cent and increased the exemption from \$1,000 to \$1,200.

The provision of \$3,000,000 was to cover these changes, as the Estimates for 1935-36 had been compiled on the former basis. The Estimates for 1936-37 provide salaries in accordance with the terms of this Bill. Five per cent deduction.

Proviso.

Apportionment of deduction.

Indemnities.

No duplication of deductions.

Basis of superannuation benefits not reduced.

R.S., 1927, c. 24; R.S., 1906, c. 17.

Penitentiary employees. R.S., c. 154.

Regulations by Treasury Board. **3.** (1) Notwithstanding the provisions of any statute or law, there shall, during the fiscal year ending the thirtyfirst day of March, 1937, be deducted from the compensation of every member of the public service of Canada five per centum of the amount thereof: Provided that no 5 provision of this Act shall operate to reduce the compensation of any member of the public service of Canada below one thousand two hundred dollars per annum. Provided further that such deduction shall not apply to any member of the public service of Canada whose com-10 pensation during such fiscal year is not more than one thousand two hundred dollars.

(2) The deduction at the rate aforesaid shall be made from the instalments of compensation as the same become payable. 15

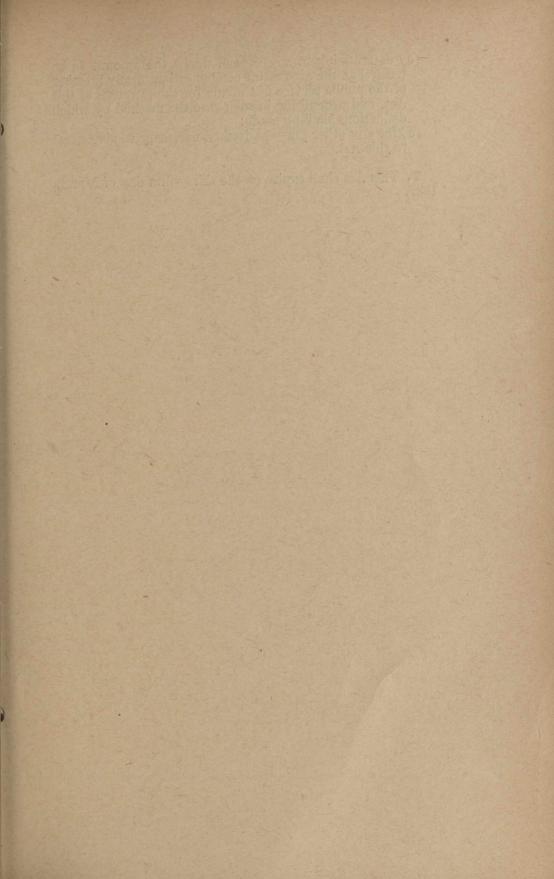
(3) Notwithstanding the provisions of subsections one and two of this section the said deduction shall apply to the indemnities of the members of the Senate and House of Commons only for the Session of Parliament which commenced on the sixth day of February, 1936. 20

4. Where specific provision has been made by any Appropriation Act for the fiscal year ending the thirtyfirst day of March, 1937, for the reduced amount of the compensation of any member of the public service of Canada, after taking into account the deduction herein 25 provided for, such reduction shall not operate to impose a deduction greater than provided for by the terms of this Act.

5. Deductions made under the provisions of this Act from the compensation of a contributor under the provisions 30 of the *Civil Service Superannuation Act*, or Part I of the *Civil Service Superannuation and Retirement Act*, or from the compensation of any officer, clerk or employee employed in a penitentiary who may be eligible on retirement to receive a gratuity or retiring allowance under the provisions 35 of the *Penitentiary Act*, shall not be taken to have reduced the amount of compensation on which the superannuation or retirement benefits of any such contributor would, but for the said deduction, have been based under any of the said Acts. 40

6. The Treasury Board may make regulations,—

 (a) prescribing and determining, in any case of doubt respecting the application of the definition of "member of the public service of Canada," to what persons or class of persons the provisions of this Act do or do not apply;



- (b) determining in any case of doubt the amount to be treated as the amount of compensation of any member of the public service of Canada for the purposes of this Act, and prescribing in such case the method by which deductions shall be made;
- (c) for any other purpose deemed necessary to give effect to this Act.

5

Duration of Act. 7. This Act shall expire on the thirty-first day of March, 1937.

First Session, Eighteenth Parliament, 1 Edward VIII, 1936

THE HOUSE OF COMMONS OF CANADA.

BILL 16.

An Act to amend the Income War Tax Act (Special Tax).

First reading, March 19, 1936.

The MINISTER OF FINANCE.

OTTAWA J. O. PATENAUDE, I.S.O. PRINTER TO THE KING'S MOST EXCELLENT MAJESTY 1936

1st Session, 18th Parliament, 1 Edward VIII, 1936

THE HOUSE OF COMMONS OF CANADA.

BILL 16.

An Act to amend the Income War Tax Act (Special Tax).

R.S., c. 97; 1932, c. 44; 1932–33, c. 15; 1934, c. 19; 1935, c. 22;

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

1. The Income War Tax Act, chapter ninety-seven of the Revised Statutes of Canada, 1927, is amended by inserting immediately after section nine thereof the following section:—

"9A. (1) Notwithstanding anything contained in this Act or in any other statute or law, the members of the judiciary and Commissioned Officers of the Military, Naval and Air 10 Forces of Canada and of the Royal Canadian Mounted Police shall be liable to pay a special income tax of five per centum upon the salaries or pay paid to them by the Dominion of Canada.

(2) The Special tax imposed hereby shall apply only to 15 the said salaries or pay received during or in respect of the fiscal year commencing the first day of April, 1936, and ending the thirty-first day of March, 1937, and shall be payable by the taxpayer in twelve equal monthly instalments on the last day of each month commencing in April, 20 1936: provided that in the case of persons appointed during the fiscal year, the tax shall be payable in equal monthly instalments on the last day of each month.

(3) In case default is made in the payment of any instalment, the taxpayer shall thereafter be liable to pay interest 25 at the rate of six per centum per annum upon such instalment to the time payment is made.

(4) The special tax imposed hereby shall be in addition to any other tax payable under this Act.

(5) Every payment made on account of the said special 30 tax shall be deductible from the income of the year in which payment is made for the purpose of determining income liable to income tax other than the special tax imposed by this section."

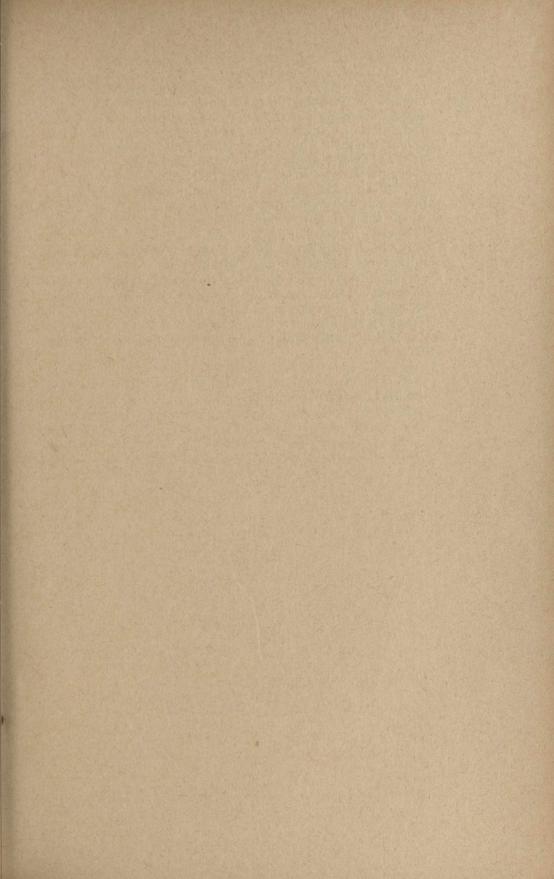
Special Income Tax on certain salaries.

Payable on salaries for 1936–1937.

Interest on default.

Special tax additional.

Deductions.



Taxpayer may elect to be subject to Salary Deduction Act.

Manner and time of election.

When Act comes into

force.

2. (1) Every person liable to pay the special tax imposed by this Act may, in lieu of paying such tax, elect in the manner and within the time hereinafter prescribed, to be subject in respect of the salary or pay paid to him by the Dominion of Canada during or in respect of the fiscal year 5 ending the thirty-first day of March, 1937, to the provisions of *The Salary Deduction (Continuance) Act, 1936;* and every person who so elects shall thereupon cease to be liable to pay the said special tax and shall become subject to the provisions of *The Salary Deduction (Continuance) Act, 1936,* 10 which shall apply, *mutatis mutandis,* to him in respect of the salary or pay so paid to him.

(2) Such election shall be made in writing and transmitted by registered post within thirty days after the coming into force of this Act to the Comptroller of the 15 Treasury, Department of Finance, Ottawa; and upon receipt of every election so made, the Comptroller of the Treasury shall cause a true copy thereof to be transmitted forthwith by registered post to the Commissioner of Income Tax. 20

3. The provisions of this Act shall come into force on the first day of April, 1936.

17.

THE HOUSE OF COMMONS OF CANADA.

BILL 17.

An Act respecting the National Harbours Board.

First reading, March 19, 1936.

The MINISTER OF MARINE.

OTTAWA J. O. PATENAUDE, I.S.O. PRINTER TO THE KING'S MOST EXCELLENT MAJESTY 1936

1st Session, 18th Parliament, 1 Edward VIII, 1936

THE HOUSE OF COMMONS OF CANADA.

BILL 17.

An Act respecting the National Harbours Board.

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

Short title.

1. This Act may be cited as The National Harbours Board Act, 1936.

Definitions. "Minister." "Board."

"Member."

- 2. In this Act, unless the context otherwise requires:-
- (a) "Minister" means the Minister of Transport;
- (b) "Board" means the National Harbours Board incorporated under this Act;
- (c) "Member" means any member of the Board appointed 10 by the Governor in Council under this Act;

(d) "Corporations" means and includes the Corporations constituted under the various Acts the titles of which are set out in the Schedule to this Act;

- (e) "goods" includes all personal property and movables 15 other than vessels;
- (f) "vessel" includes any ship, boat, barge, raft, dredge, floating elevator, scow or other floating craft.

3. (1) There shall be, under the Minister, a Board to be known as the "National Harbours Board" consisting 20 of three Members, namely, a Chairman, a Vice-Chairman and a third Member, who shall be appointed by the Governor in Council and who shall hold office during good behaviour for ten years; provided, however, that the Members first appointed shall be appointed for periods of ten, 25 nine and eight years respectively.

(2) The Board shall be a body corporate and politic and be and be deemed to be, for all the purposes of this Act, the agent of His Majesty the King in His right of the Dominion of Canada.

Body corporate.

Agent of His Majesty.

"Corporations."

"Goods."

"Vessel."

Board constituted

30

EXPLANATORY NOTES.

The objects generally of this Bill are to create a National Harbours Board consisting of three Members to be appointed by the Governor in Council for periods of ten years; to give such Board jurisdiction over the Harbours of Halifax, Saint John, Chicoutimi, Quebec, Three Rivers, Montreal and Vancouver, in the place and stead of the respective Harbour Commissions now in charge of such Harbours; to give the Board administration, management and control of any other harbours, works and property of the Dominion of Canada which the Governor in Council may transfer to the Board for such purpose; and to provide for the amalgamation of the several Harbour Commissions above mentioned with the Board under the name of the "National Harbours Board." Board sued.

Whole time to be devoted.

Salaries.

Quorum.

Presiding officer.

Majority to govern.

When two members only are present.

In case of vacancy.

In case of incapacity.

In case of permanent incapacity. Age limit.

Re-appointment.

office.

(3) The Board shall have the capacity to contract and may contract, to sue and be sued in the name of the Board.

> (4) Each Member shall devote his whole time to the business of the Board.

5 ((5) Each Member shall be paid such sum for his services as the Governor in Council may from time to time determine.

(6) Two Members shall constitute a quorum.

(7) The Chairman, and in his absence the Vice-Chairman, shall preside at the meetings of the Board.

(8) In all proceedings of the Board the votes of the 10 majority of the Members shall govern.

(9) In any meetings of the Board, where only two of the Members are present, all questions upon which an agreement cannot be reached shall be referred for decision to a 15 full meeting of the Board.

(10) In case there should be a vacancy on the Board, the presiding Member may, notwithstanding the provisions of the next preceding subsection, cast an additional vote.

(11) If any of the Members, by reason of any temporary incapacity, is unable at any time to perform the duties of 20 his office, the Governor in Council may appoint a temporary substitute Member, upon such terms and conditions as the Governor in Council may prescribe.

(12) A Member shall cease to hold office on becoming permanently incapacitated, in the opinion of the Governor 25 in Council, or on reaching the age of seventy years.

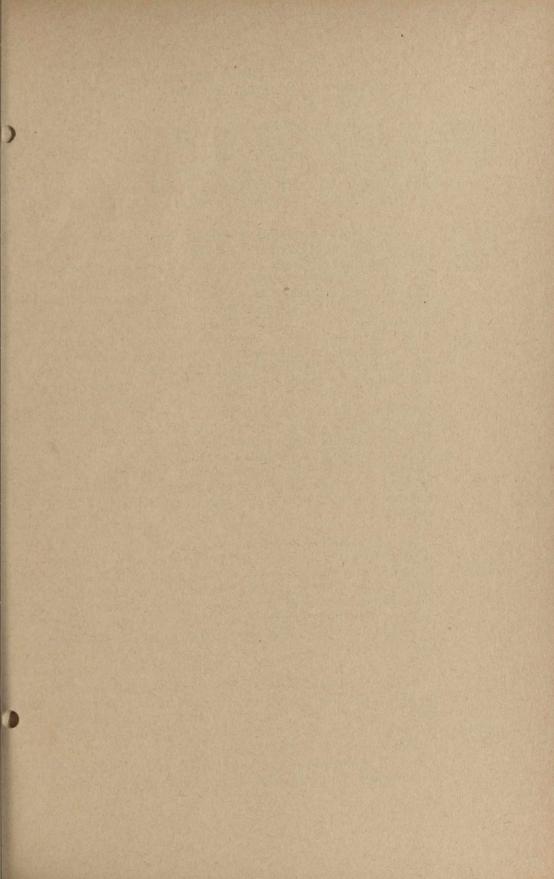
(13) A Member, on the expiration of his term of office, and if not disgualified by age, shall be eligible for re-appointment.

(14) Before any Member enters upon the execution of 30 his duties, he shall take and subscribe, before the Clerk of the Privy Council, an oath, which shall be filed in the office of the said Clerk, in the following form:-

.....solemnly and sincerely swear that I will faithfully and honestly fulfil the duties 35 which devolve upon me as a Member of the National Harbours Board. So help me God".

(15) The head office of the Board shall be in the city of Ottawa, in the province of Ontario, but meetings of the Board may be held at such other places as the Board may 40 decide.

Head Office.



Officers, clerks and employees.

Government Employees Compensation Act to apply.

R.S., c. 30.

Civil Service Superannuation rights preserved.

R.S., c. 24.

Civil Service Act benefits preserved.

R.S., c. 22, s. 2.

to the provisions of this Act, holds a position in the "civil service", or is an "employee" within the meaning of the Civil Service Act, shall continue to retain and be eligible 35 to receive all the benefits, except salary as a civil servant, he would have been eligible to receive had he remained under that Act. **6.** (1) The Board shall, for the purpose of and as provided

for in this Act, have jurisdiction over the following harbours: 40

Halifax, Saint John, Chicoutimi, Quebec, Three Rivers,

Montreal and Vancouver, and shall likewise have adminis-

tration, management and control of,-

(2) Any Member or employee of the Board, who at the

time of his appointment or employment under or pursuant

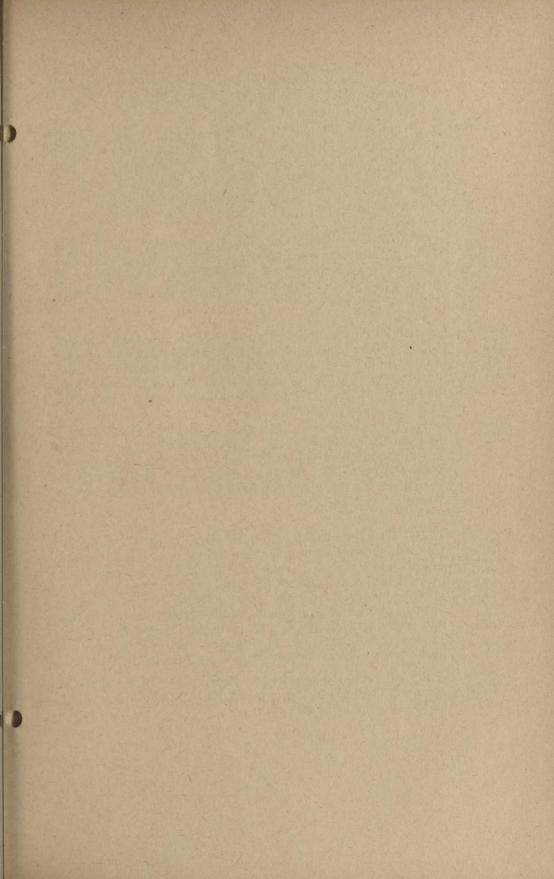
Board to have jurisdiction over certain harbours, works and property.

4. (1) The Board may employ such professional, technical and other officers, clerks and employees as it may deem necessary for the proper conduct of its business and fix their remuneration.

(2) The Government Employees Compensation Act, chapter 5 (thirty of the Revised Statutes of Canada, 1927, shall apply to the Members and to the officers, clerks and employees of the Board and for the purposes of the said Act the Members and such officers, clerks and employees shall be deemed to be "employees" as defined by the said Act. 10

5. (1) Notwithstanding anything in the Civil Service Act, chapter twenty-two of the Revised Statutes of Canada. 1927, the Civil Service Superannuation Act, chapter twentyfour of the Revised Statutes of Canada, 1927, or any other Act of the Parliament of Canada, a civil servant who, 15 at the time of his appointment or employment under or pursuant to the provisions of this Act, is a contributor under the provisions of the Civil Service Superannuation Act. shall continue to be a contributor under the said Act: his service under this Act shall be counted as service in 20 the civil service for the purposes of the Civil Service Superannuation Act, and he, his widow and children or other dependents, if any, shall be eligible to receive the respective allowances or gratuities provided by the said Act; and in the event of his being retired from his office or position 25 under this Act for any reason other than that of misconduct, he shall be eligible for re-appointment in the civil service or to receive the same benefits under the Civil Service Superannuation Act as if his office or position had been abolished. 30

(a) all works and property which are now administered, managed and controlled by any of the Corporations;



(b) all other harbours and works and property of the Dominion of Canada which the Governor in Council may transfer to the Board for administration, management and control.

(2) The boundaries of the harbours of Halifax, Saint 5 John, Chicoutimi, Quebec, Three Rivers, Montreal and Vancouver shall be as described in the several Acts constituting the Corporations or as may be determined from time to time by order of the Governor in Council and any such order shall be published in the *Canada Gazette*. 10

7. Unless otherwise specifically provided for in this Act, nothing in section six hereof contained shall be deemed to give the Board jurisdiction over or control of private property or rights within any of the harbours under the jurisdiction of the Board. 15

Transfer to the Board of other harbours, works and property.

As to jurisdiction

over or control of

private

properties.

Boundaries.

Harbour headline.

Acquisition of real estate or personal property.

Construction and operation of roads, railways, vessels, etc.

General powers.

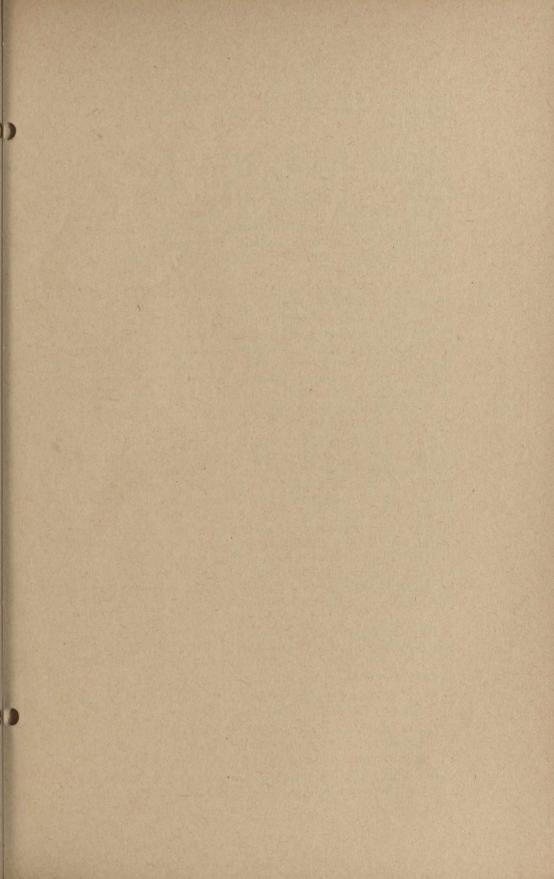
Property to be vested in His Majesty. to the Board for administration, management and control any harbour, work or property of the Dominion of Canada, and from and after the date of such transfer the provisions of this Act shall apply to such harbour, work or property. 20

8. The Governor in Council may at any time transfer

9. The Board may, with the approval of the Governor in Council, establish at any time a limit in the waters of any harbour under its jurisdiction beyond which construction from the shore may not be extended and shall designate such limit as the "harbour headline" for any part or the 25 whole of such harbour.

10. (1) When previously authorized by the Governor in Council, the Board may acquire, hold, possess, sell, dispose of, or lease real and personal, movable and immovable property; and may either by itself or in co-operation with 30 others construct, maintain and operate roads, railways, vessels, plant and equipment; and generally do such things and exercise such powers as it deems necessary for the efficient administration, management and control of the harbours, works and other property under its jurisdiction. 35

(2) All property acquired or held by the Board shall be acquired and held in the name of His Majesty in His right of the Dominion of Canada.



Property now vested in corporations to continue to be so vested until transferred.

Acquisition of lands, etc.

R.S., c. 64.

Signature to plan and description.

Property vested in His Majesty.

Ascertainment of compensation. (3) Notwithstanding anything in this Act, any property now held by any of the Corporations in the name of such Corporation may continue so to be held until the same shall be transferred by such Corporation or the Board to His Majesty.

5

11. (1) The Board may acquire and take lands or a limited estate or interest in lands without the consent of the owner under the provisions of the *Expropriation Act*, chapter sixty-four of the Revised Statutes of Canada, 1927, and the provisions of the said Act, including the provisions 10 thereof relating to the abandonment of lands, shall, *mutatis mutandis*, apply to the acquisition or taking of lands or limited estate or interest in lands or the abandonment of lands by the Board.

(2) Any plan and description deposited under the prov-15 visions of the *Expropriation Act* shall be signed by one of the Members on behalf of the Board and the land so shown and described shall thereupon be and become vested in His Majesty unless the plan and description indicate that the land taken is required for a limited time only or 20 that a limited estate or interest therein is taken; and by the deposit in such latter case, the right of possession for such limited time or such limited estate or interest shall be and become vested in His Majesty.

(3) The compensation payable in respect to the taking 25 of any lands so vested in His Majesty, or of any interest therein, shall be ascertained in accordance with the provisions of the *Expropriation Act*, and for that purpose the Attorney-General of Canada may file an information in the Exchequer Court on behalf of the Board to all 30 intents and purposes as if such lands, or a limited estate or interest therein, had been expropriated by and vested in His Majesty under the provisions of the said Act. The amount of any judgment upon each such proceeding shall be payable out of any unappropriated moneys forming 35 part of the Consolidated Revenue Fund of Canada.

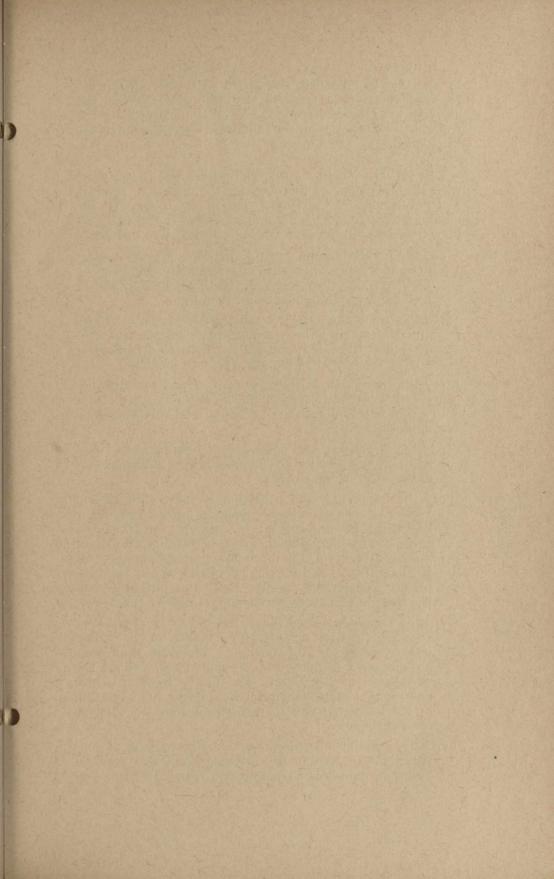
Tenders.

12. (1) Whenever any works are to be executed under the direction of the Board, the Board shall call tenders by public advertisement for the execution of such works, except in cases 40

(a) of pressing emergency in which delay would be injurious to the public interest; or

(b) in which from the nature of the work it can be more expeditiously or economically executed by the officers and servants of the Board or of His Majesty; or 45

(c) where the estimated cost of the work is less than ten thousand dollars.



To be submitted to Government.

(2) Whenever, in case of any works, tenders are required by this Act to be called, the Board shall refer all tenders received therefor to the Minister who shall submit the same to the Governor in Council and the contract for the work shall be awarded under the authority of the Governor 5 in Council.

By-laws.

Matters in connection with mooring, etc., of vessels and aircraft.

Use of harbours and facilities.

Construction and maintenance of wharves, etc.

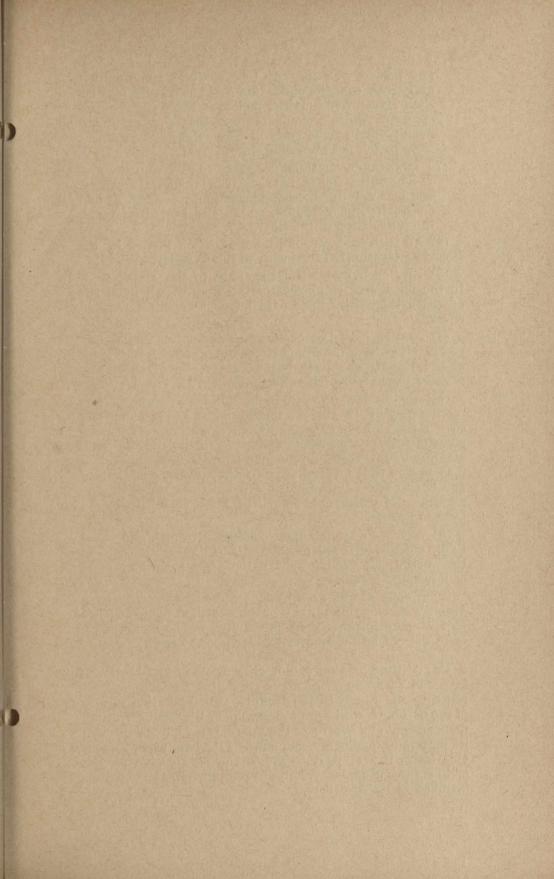
Tolls on bridges.

Rates and tolls on vessels and aircraft and their cargoes, passengers, etc.

Regulation of loading and unloading plant.

Pension and insurance funds and annuities. **13.** (1) The Board may make by-laws, not inconsistent with the provisions of this Act, for the direction, conduct and government of the Board and its employees, and the administration, management and control of the several har-10 bours, works and property under its jurisdiction including:

- (a) the regulation and control of each and every matter in connection with vessels and aircraft navigating the harbours and their mooring, berthing, discharging or loading or anything incidental thereto;
- (b) the use of the harbours and their facilities by vessels and aircraft and the agents, owners, masters or consignees of the same; and for the lease or allotment of any of the harbour property, plant or facilities;
- (c) the regulation of the construction and maintenance 20 of wharves, piers, buildings or any other structures within the limits of the harbours, and anything incidental thereto;
- (d) the imposition and collection of tolls for any use of any bridge under the administration, management 25 and control of the Board;
- (e) the imposition and collection of rates and tolls on vessels or aircraft entering, using or leaving any of the harbours; on passengers; on cargoes; on goods or cargo of any kind landed, shipped, transhipped and/or 30 stored in any of the harbours and/or moved over harbour tracks, and for the use of any wharf, building, plant, property or facility under the jurisdiction of the Board and for any service performed by the Board:
- (f) the regulation of all plant, machinery or appliances, 35 whether floating or not, for loading or unloading vessels, including the power to prescribe that none shall enter any harbour or remain in it without the permission of the Board, and power to levy a rate or sum of money thereon for the privilege of operating 40 in the harbours, and to regulate and control charges for such services:
- (g) the granting of pensions and/or the making of contributions to pension or insurance funds and the providing of annuities for employees of the Board; 45



Penalties.

Generally.

By-laws to be transmitted to Minister.

Domestic by-laws effective forthwith.

When other by-laws effective.

Minister may disallow domestic by-laws.

Governor in Council may disallow other by-laws.

Notice.

Force and effect.

Proof of by-law.

Board may use reasonable force to enforce observance of by-laws. (h) the prescribing of penalties that may be imposed on any person violating any by-law which the Board is authorized to make under this Act, but no such penalty shall exceed five hundred dollars or sixty days' imprisonment, or in default of payment of a pecuniary 5 penalty and of the costs of conviction, imprisonment for a period not exceeding thirty days;

(i) the doing of anything necessary to carry out the provisions of this Act within their true intent and meaning, and generally for the administration, management and 10 control of the harbours, works and properties under the jurisdiction of the Board.

(2) All such by-laws shall upon adoption thereof by the Board be transmitted forthwith to the Minister.

(3) Any such by-law relating only to the Members or 15 to the officers or employees of the Board shall upon the adoption thereof by the Board have immediate force and effect.

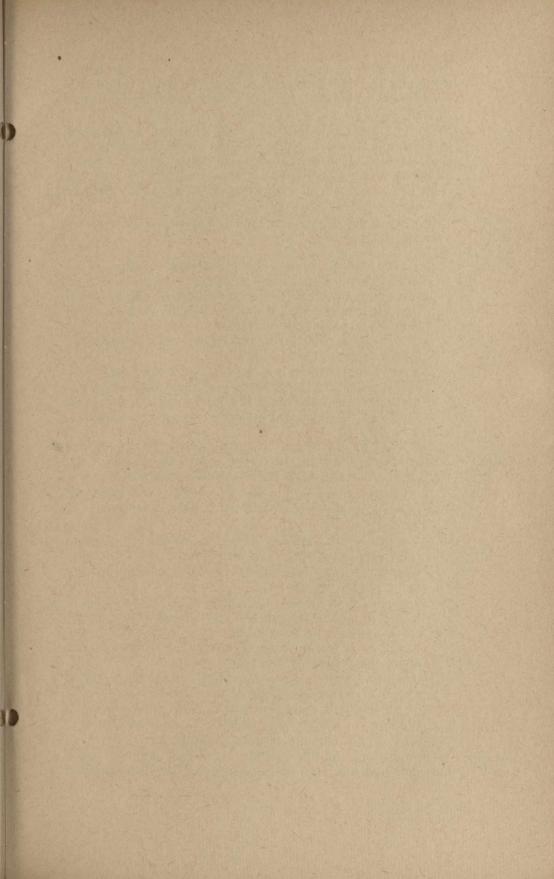
(4) Any such by-law or so much thereof as affects any person other than the Members or the officers or employees 20 of the Board shall have immediate force and effect and shall be published in the *Canada Gazette*.

(5) Any by-law referred to in subsection three of this section may at any time be disallowed by the Minister and shall cease to have effect as from the date of its disallow- 25 ance, of which notice shall be given forthwith to the Board, and any by-law referred to in subsection four of this section may at any time be disallowed by the Governor in Council and shall cease to have effect as from the date of its disallowance of which notice shall be given forthwith in the 30 Canada Gazette.

(6) Any such by-law upon coming into force and effect shall, unless and until disallowed as in subsection five of this section provided for, have the same force and effect as if enacted herein.

(7) A copy of any such by-law, certified as correct by a Member and bearing the seal of the Board, shall be evidence thereof, and no proof shall be required of the handwriting or of the official position of the Member so certifying.

14. If the violation or non-observance of any by-law is 40 attended with danger or annoyance to the public or hindrance to the Board in the lawful use or operation of any of the harbours, works or property under the administration, management and control of the Board, it may, by or through its officers or employees, summarily interfere, using reason-45 able force, if necessary, to prevent or stop such violation or to enforce observance, without prejudice to any penalties incurred in respect thereof.



Rates paid by consignee, etc.

Clearance not to be granted before payment of tolls, etc.

When vessels may be seized. **15.** (1) The Board may levy such rates and tolls as are fixed by by-law and may, with the approval of the Minister, commute any rates or tolls so fixed on such terms and conditions and for such sums of money as the Board deems expedient.

(2) The rates and tolls on goods landed or transhipped in or shipped from any harbour under the jurisdiction of the Board shall be paid by the consignee, shipper, owner or agent of such goods, and goods shall not be removed from the harbour until such rates or tolls are fully paid or 10 security for payment accepted by the Board.

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(3) No officer of customs shall grant a clearance to any vessel to leave,—

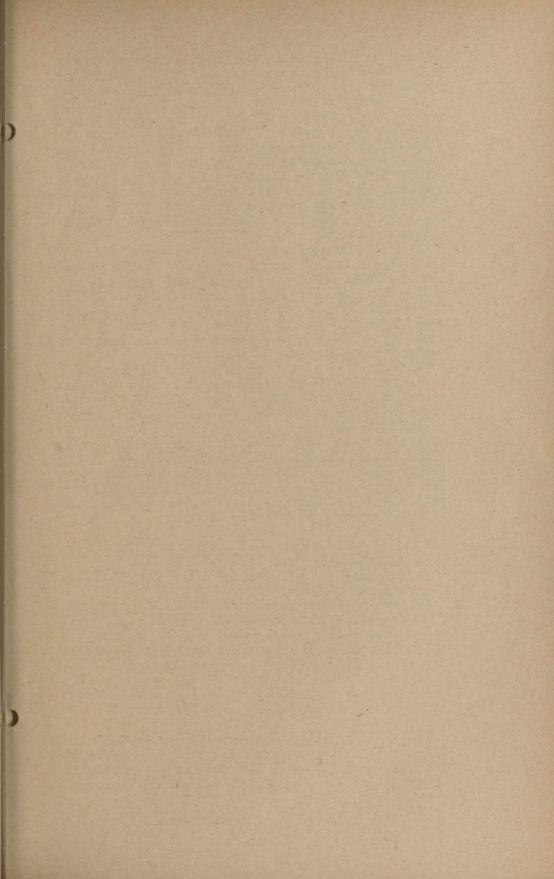
- (a) any harbour under the jurisdiction of the Board until the master thereof produces to such officer of 15 customs a certificate from an authorized officer of the Board certifying that the rates or tolls on such vessel have been paid or that none are payable thereon or that in so far as the Board is concerned a clearance may be granted; or 20
- (b) any other harbour or port in Canada if he shall have been notified by the Board to withhold such clearance until further notified by the Board that in so far as the Board is concerned a clearance may be granted.

16. (1) The Board may, in the manner hereinafter set 25 forth, seize and detain any vessel within the limits of the territorial waters of Canada in the following cases:

- (a) whenever any sum is due in respect of the vessel for rates or tolls or for commuted rates or tolls and is unpaid;
 3
- (b) whenever the master, owner or person in charge of the vessel has violated any provision of this Act, or any by-law in force under this Act, and has rendered himself liable to any penalty;
- (c) whenever any damage has been done by the vessel or 35 by default or neglect of the crew, while acting as the crew or under order of their superior officers, to any works or property under the administration, management and control of the Board;
- (d) whenever any obstruction whatever has been offered 40 or made to the operations of the Board by any vessel or by the fault or neglect of the crew, while acting as the crew or under order of their superior officers.

(2) In a case coming within paragraphs (c) or (d) of subsection one of this section, the vessel may be seized 45 and detained until the damage so done has been repaired

Cases coming under paragraphs (c) or (d).



and until all damages thereby directly or indirectly caused to the Board (including the expense of following, searching for, discovery and seizing of such vessel) have been paid to or security for such payment accepted by the Board; and for the amount of all such damages, expenses and **5** costs, the Board shall have a preferential lien upon the vessel and upon the proceeds thereof until payment has been made or adequate security has been given for such damages, whether direct or indirect, and for all such damages, expenses and costs as may be awarded in any suit resulting therefrom, **10** and the owner, charterer, master or agent of such vessel shall also be liable to the Board for all such damages, expenses and costs.

(3) The Board shall have a lien upon any vessel and upon the proceeds thereof in preference to all other claims 15 and demands whatsoever (saving and excepting the claims for wages of seamen, under the provisions of the *Canada Shipping Act*) for the payment of any rates, tolls or penalties due and payable with respect to such vessel or in respect of the acts of the master, owner or 20 person in charge thereof.

(4) Such vessel may be seized and sold under any writ or warrant of execution or of distress issued by any court of record upon the judgment or conviction at the suit of the Board against the vessel, the master, owner or person 25 in charge thereof.

(5) Such vessel may be so seized and detained, or so seized and sold, while in the possession or charge of any person whatever, whether in charge or possession of or the property of the person who was owner when such 30 rates, tolls or penalties accrued, or in charge or possession of or the property of any other person.

17. The Board may in the manner hereinafter set forth seize and detain any goods in case,—

- (a) any sum is due for rates or tolls in respect of such 35 goods and is unpaid; or
- (b) such goods are, in the opinion of the Board, perishable goods, or are goods in respect of which the amount of rates or tolls accruing thereon is, in the opinion of the Board, likely to become greater than the amount 40 which could be realized by the sale of such goods; or (c) any provision of this Act or any by-law in force under this Act has been violated in respect of such goods and a penalty has thereby been incurred.

18. (1) Every seizure and detention made under this 45 Act shall be at the risk, cost and charges of the owner of the vessel or goods seized until all sums due or penalties incurred, together with all costs and charges incurred in

Lien.

Board to have a lien.

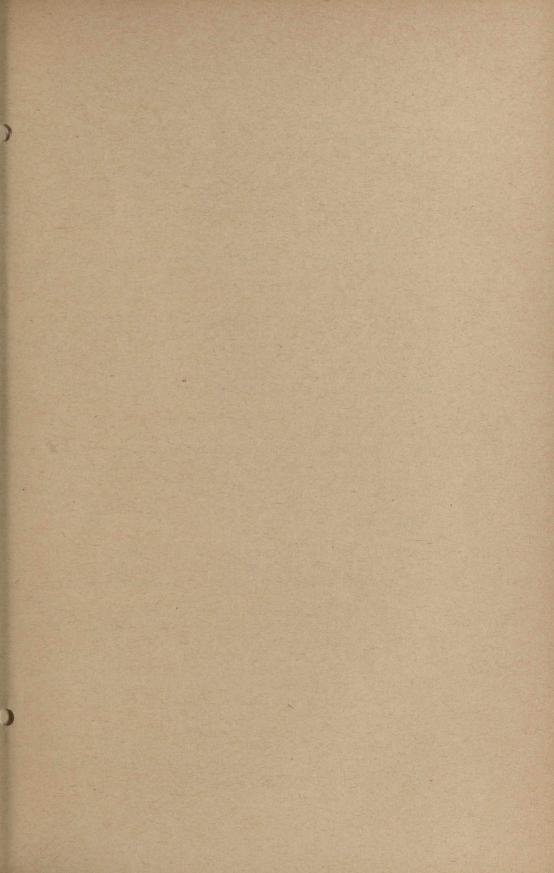
Vessel may be sold.

Right to seize or sell not affected if vessel property of any other person.

Seizure and detention of goods.

At the risk, cost and charges of owner.

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the seizure and detention and the costs of any conviction obtained for the violation of any of the provisions of this Act, or of any by-law in force under this Act, have been paid in full.

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(2) The seizure and detention may take place either at the commencement of any action or proceeding for the recovery of any sums of money due, penalties or damages, or pending such suit or proceeding, or as incident thereto, or without the institution of any suit or proceeding whatsoever.

(3) The seizure and detention may be effected upon the order of,—

(a) any judge;

- (b) any magistrate having the power of two justices of the peace; 15
- (c) the chief officer of customs at any port in the Dominion of Canada.

(4) Such order may be made on the application of the Board or any officer thereof, or the Attorney-General of Canada, and may be executed by any constable or bailiff, 20 or officer of the Board, and such constable, bailiff or officer is hereby empowered to take all necessary means and demand all necessary aid to enable him to execute the said order.

19. Service of any warrant, summons, writ, order, notice or other document, when personal service cannot 25 be effected, may be made upon the owner or upon the master or other person in charge of any vessel by showing the original to and leaving a copy with any person found on board the vessel and appearing to be one of her crew, or by affixing a copy thereof to some conspicuous part 30 of the vessel.

20. (1) The Board may sell at public auction or by private tender the whole or any part of the goods seized and detained under the provisions of section seventeen hereof,—35

(a) at any time after the date of the seizure thereof in respect of goods of the nature or kind referred to in paragraph (b) of section seventeen of this Act;

(b) at any time after the expiration of one month from

the date of such seizure in respect of any other goods; 40 and out of the proceeds arising from such sale retain the sums due in respect of such goods and the charges and expenses of such seizure, detention and sale.

(2) The Board shall pay or deliver the surplus, if any, or such of the goods as remain unsold, to the person entitled 45 thereto and recover the deficiency, if any, by action in any court of competent jurisdiction.

Time of seizure or detention.

On whose order seizure may be effected.

On application of the Board, etc.

Service of warrant, etc.

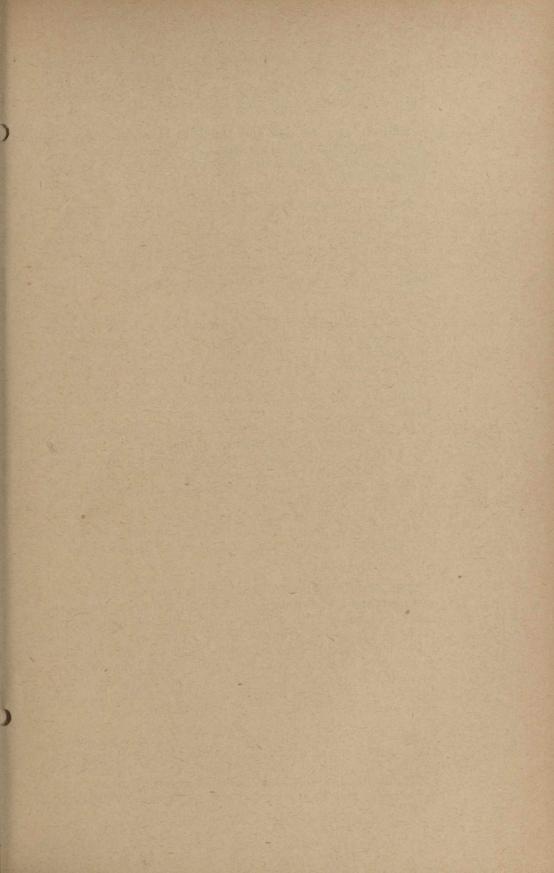
Sale of goods at public auction.

Perishable goods, etc.

Other goods.

Surplus.

Deficiency.



Penalties to be paid over to Board.

Recovery of penalties.

R.S., c. 36.

Revenues to be paid into chartered banks.

Trust Account.

Expenditure of moneys.

1931, c. 27.

Administra-

tion, management and control expenses.

Investments for reserve fund.

Capital expenditures.

Interest and principal of debentures, etc.

Allocation of portion of revenues to reserve fund for replacement of fixed assets, etc.

Annual budget. **21.** Every pecuniary penalty recovered for any violation of this Act or of any by-law in force under this Act shall be paid over to the Board by the Court or magistrate before whom the penalty has been recovered.

22. All moneys due and penalties incurred under this 5 Act, or under any by-law made in pursuance thereof, may be recovered in a summary manner under Part XV of the *Criminal Code*.

23. All moneys received by the Board from whatever source derived shall be paid to the credit of the Receiver 10 General through such banks as the Minister of Finance from time to time directs. Such moneys shall be credited to a trust account designated the "National Harbours Board Trust Account" hereinafter called the "Trust Account".

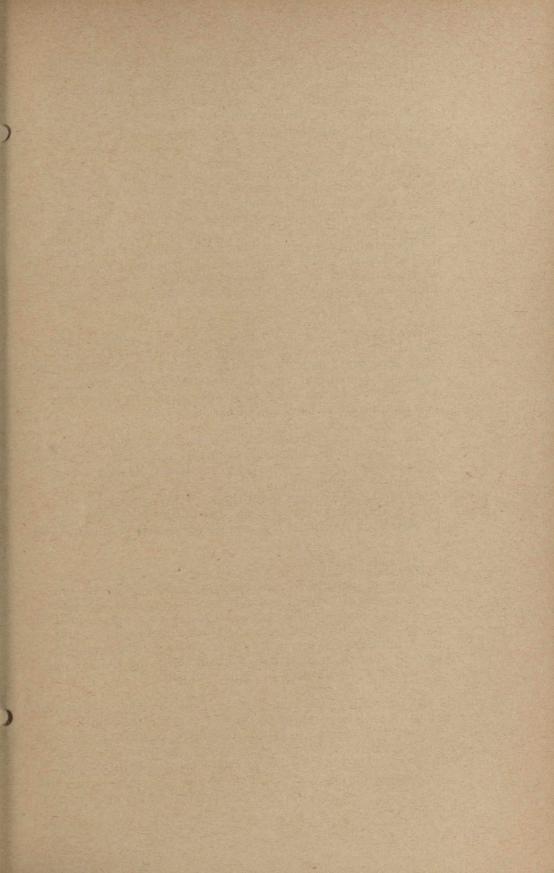
24. Notwithstanding the provisions of *The Consoli*dated Revenue and Audit Act, 1931, chapter twenty-seven of the statutes of 1931, the Minister of Finance may, subject to the provisions of this Act, make disbursements from the Trust Account on the requisition of the Board or its 20 authorized officers, for the following purposes, or any of them:

- (a) the payment of all necessary expenses incurred in the administration, management and control of the harbours, works, and properties under the jurisdiction 25 of the Board;
 - (b) the purchase of investments for a reserve fund hereinafter referred to;
 - (c) the payment of capital expenditures;

(d) the payment of the interest on and the principal of 30 any debentures or other indebtedness of the Board.

25. The Board may allocate any portion of its revenues, after payment of the expenses of administration, management and control, to a reserve fund for the replacement of fixed assets or of plant or of equipment or for the 35 retirement of debt or for any other purpose. The amounts so allocated may remain at the credit of the Trust Account at such rate of interest as the Governor in Council may approve or the Board may invest such amounts in bonds of or guaranteed by the Government of Canada. 40

26. The Board shall submit to the Minister an annual budget showing, for each harbour under its jurisdiction and for each work or property transferred to it for administration, management and control, the estimated revenue, by sources, and the estimated expenditures for operation, 45



management and control, for interest on outstanding debentures and other indebtedness, for capital expenditures and for the retirement of maturing indebtedness, and showing also the amounts to be added to the reserve fund and expenditures to be made therefrom. Such budget shall be 5 submitted by the Minister to the Governor in Council for approval.

Deficiency in revenues from each harbour, work or property to be included in separate items in estimates.

Advances for working capital.

Not exceeding at any time \$1,000,000.00.

Certificates of indebtedness.

Rates of interest.

Governor in Council may authorize cancellation of certain debentures and interest.

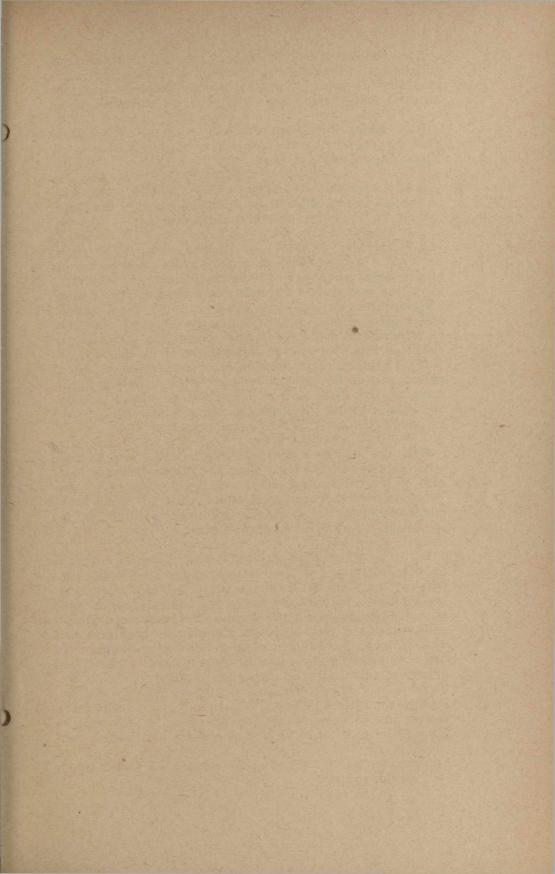
Separate accounts for each harbour, work or property. 27. In the event of the estimated revenues, together with any available balance in the Trust Account, with respect to each such harbour or work or property being 10 insufficient to meet the estimated expenditures therefor, respectively, the amount of the deficiency in each case shall be included in separate items in the estimates submitted to Parliament. The Minister of Finance may from time to time transfer to the credit of the Trust Account such 15 moneys as are appropriated by Parliament for the purposes of this Act.

28. The Minister of Finance may make advances to the Board out of any unappropriated moneys in the Consolidated Revenue Fund for working capital purposes of an 20 aggregate amount at any time outstanding not exceeding one million dollars. Such advances shall be repaid within two months after the close of each fiscal year.

29. The Board shall deposit with the Minister of Finance certificates of indebtedness in such form as he may prescribe 25 representing payments from the Consolidated Revenue Fund for capital expenditures or retirement of debt. The Governor in Council may from time to time determine the rates of interest which shall be paid by the Board into the Consolidated Revenue Fund on such certificates of indebted- 30 ness.

30. The Governor in Counc'l may authorize the cancellation of debentures representing indebtedness to the Government of Canada assumed by the Board at the date of coming into force of this Act and any accrued and unpaid **35** interest on such debentures or any other indebtedness, and the Minister of Finance may accept, in lieu of the principal amount thereof, certificates of indebtedness of the Board as provided in the next preceding section.

31. Separate accounts shall be kept for each harbour 40 under the jurisdiction of the Board and for each work or property transferred to it for administration, management and control and the revenues derived therefrom shall be assigned exclusively for the purposes of each such harbour or work or property. 45



Annual report.

Act to apply. 1931, c. 27.

Audit of revenues and expenditures.

Accounting officers, etc.

Classification and compensation.

R.S., c. 22.

Expenses of the Board.

Amalgamation. **32.** The Board shall, as soon as possible after the termination of each calendar year, submit an annual report to the Minister in such form as he may prescribe and the Minister shall lay the said report before Parliament.

33. Subject to the provisions of this Act, the Board 5 shall be subject to the provisions of *The Consolidated Revenue and Audit Act*, 1931.

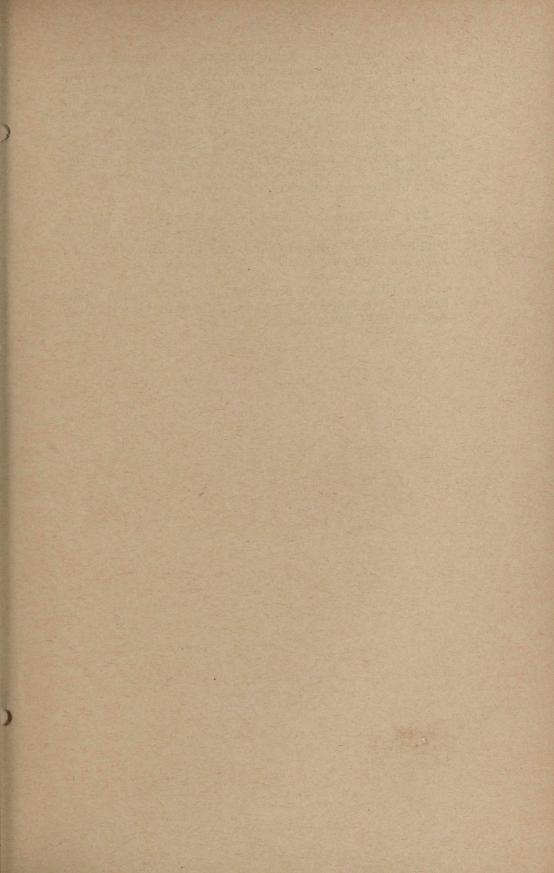
34. All revenues of and expenditures by the Board shall be subject to the audit of the Auditor General in the same manner as public revenues and expenditures. 10

35. (1) The Minister of Finance may select such accounting officers, clerks or employees from the personnel of the Board as he may consider necessary for the accounting of the receipts and expenditures of the Board, and such officers, clerks or employees shall be under the direction 15 and control of the Comptroller of the Treasury, and the Governor in Council may transfer any of the said officers, clerks or employees to the Department of Finance.

(2) The classification and rate of compensation of a person so transferred shall be established under the auth-20 ority of the *Civil Service Act:* Provided that, pending such person being classified, the Minister of Finance shall determine the monthly rate of compensation.

36. The salaries and expenses of the Members and all other expenses of the head office at Ottawa, including the 25 cost of the accounting service, shall be paid out of the Trust Account and charged to each harbour or public work administered by the Board in such equitable proportions, respectively, as the Board may determine.

37. The Corporations and the Board are hereby declared 30 to be amalgamated and to form one corporation under the name of the "National Harbours Board" which shall possess and be vested with all the works and undertakings and all other the powers, rights, privileges, franchises, assets, effects and properties, real, personal and mixed, belonging to, 35 possessed by, or vested in each of the Corporations at or before the coming into force of this Act, or to which they, or any of them, may be or become entitled; and shall be liable for all claims, demands, rights, securities, causes of action, complaints, debts, obligations, works, contracts, 40 agreements or duties to as full an extent as any of the Corporations was at or before the coming into force of this Act.



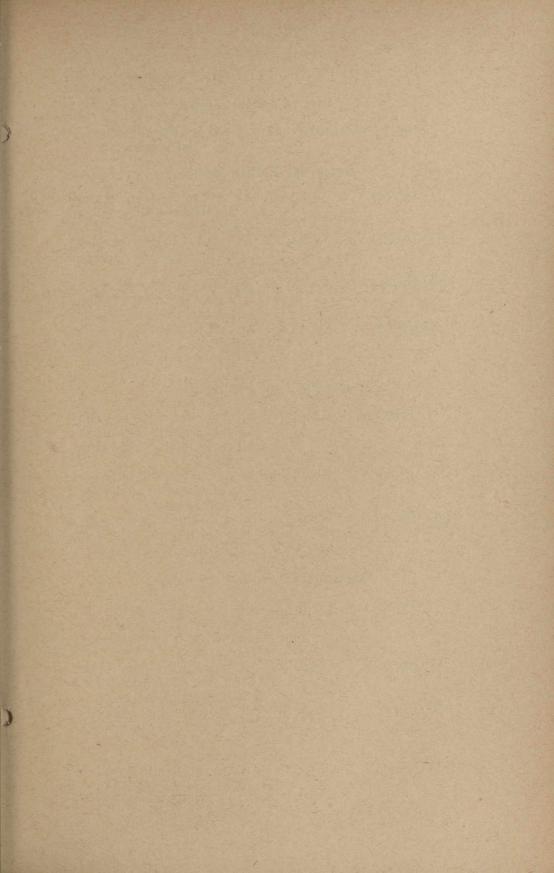
Proceedings relative to construction of works in navigable waters under jurisdiction of Board. **38.** Notwithstanding anything to the contrary in the Navigable Waters Protection Act, chapter one hundred and forty of the Revised Statutes of Canada, 1927, in respect to any work as defined in the said Act in any navigable water under the jurisdiction of the Board, the application 5 shall be made to and the plans and descriptions deposited with the Minister of Transport and the Minister of Public Works and any approval of the Governor in Council as required by the said Act shall be on the joint recommendation of the said Ministers.

Acts repealed.

R.S., c. 169.

Commencement of Act. **39.** The Acts mentioned in the Schedule to this Act and the *Quebec Harbour and River Police Act*, chapter one hundred and sixty-nine of the Revised Statutes of Canada, 1927, are hereby repealed.

40. This Act shall come into force on a date to be 15 fixed by proclamation of the Governor in Council published in the *Canada Gazette*.



SCHEDULE.

ACTS TO BE REPEALED.

Year and Chapter.

Acts	of	the	Dom	inion
	Pa	rlian	ment.	

Respecting Halifax Harbour.

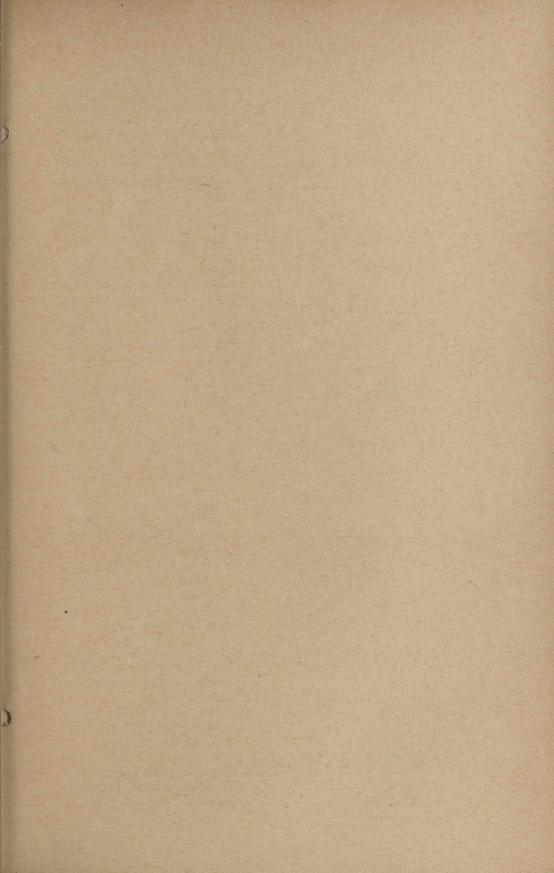
17 George V,	Chap. 58.	An Act respecting the Hali- fax Harbour Commission-
18-19 George V,	Chap. 28.	ers. An Act to provide for a loan to the Halifax Harbour
19-20 George V,	Chap. 44.	Commissioners. An Act to provide for a further loan to the Halifax
21-22 George V,	Chap. 34.	Harbour Commissioners. An Act to provide for a fur- ther loan to the Halifax
		Harbour Commissioners.

Respecting Saint John Harbour.

17 George V,	Chap. 67.	An Act relating to the Har- bour of Saint John in the Province of New Bruns- wick.
18-19 George V,	Chap. 46.	An Act to provide for a loan to the Saint John Harbour Commissioners.
21-22 George V,	Chap. 50.	An Act to provide for a fur- ther loan to the Saint John Harbour Commissioners.

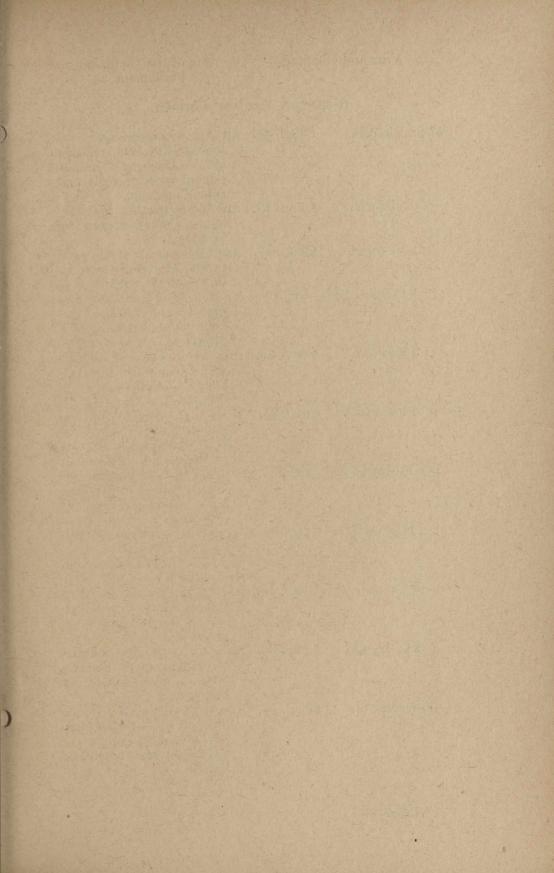
Respecting Chicoutimi Harbour.

16-17 George V,	Chap. 6.	An Act respecting the Chi- coutimi Harbour Com- missioners; and amending Acts.
17 George V,	Chap. 46.	An Act to provide for a loan to the Chicoutimi Har- bour Commissioners.
19-20 George V,	Chap. 37.	An Act to provide for a fur- ther loan to the Chicou- timi Harbour Commis- sioners.
21-22 George V,	Chap. 25.	An Act to provide for a fur- ther loan to the Chicou- timi Harbour Commis- sioners.



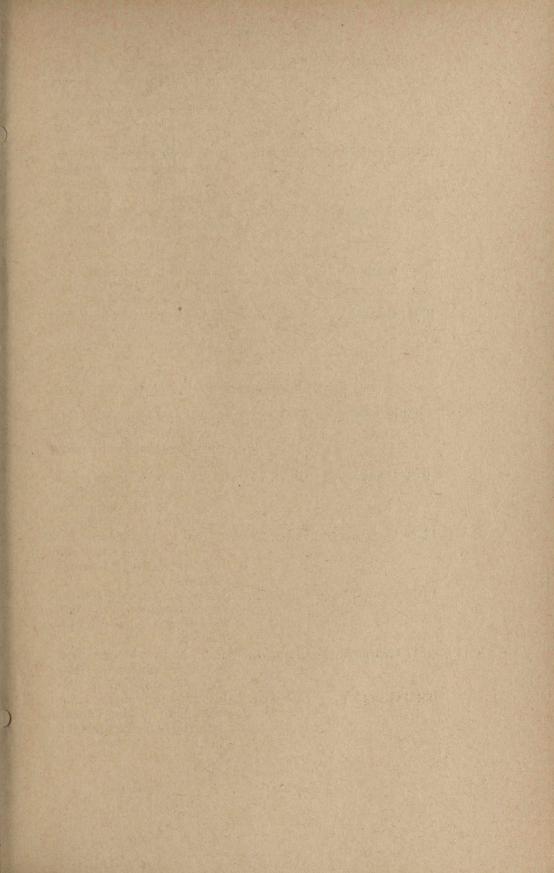
Respecting Quebec Harbour.

62-63 Victoria,	Chap. 34.	An Act to amend and con- solidate the Acts relating to the Quebec Harbour Commissioners; and
6 Edward VII,	Chap. 41.	amending Acts. An Act respecting the Que- bec Harbour Commission- ers.
6-7 Edward VII,	Chap. 36.	
3-4 George V,	Chap. 41.	An Act to provide for fur- ther advances to the Que- bec Harbour Commis- sioners.
4-5 George V,	Chap. 47.	An Act to provide for fur- ther advances to the Que- bec Harbour Commis- sioners.
7-8 George V,	Chap. 4.	An Act to provide for fur- ther advances to the Que- bec Harbour Commis- sioners.
12-13 George V,	Chap. 40.	
15-16 George V,	Chap. 51.	An Act to provide for fur- ther advances to the Que- bec Harbour Commis- sioners.
18-19 George V,	Chap. 42.	An Act to provide for a loan to the Quebec Harbour Commissioners.
Respec	ting Three	Rivers Harbour.
13-14 George V,	Chap. 71.	An Act respecting the Three Rivers Harbour Commis- sioners; and amending Acts.
19-20 George V,	Chap. 59.	An Act to provide for a loan to the Three Rivers Har- bour Commissioners.
21-22 George V,	Chap. 56.	An Act to provide for a fur- ther loan to the Three Rivers Harbour Commis- sioners.



Year and Chaj	pter.	Acts of the Dominion Parliament.
Respe	cting Mon	treal Harbour.
57-58 Victoria, (Chap. 48.	An Act to amend and con- solidate the Acts, relating to the Harbour Commis- sioners of Montreal; and amending Acts.
59 Victoria, O	Chap. 10.	
61 Victoria, (Chap. 47.	An Act to grant further aid to the Harbour Commis- soners of Montreal.
1 Edward VII,	Chap.9.	An Act to provide for fur- ther advances to the Har- bour Commissioners of Montreal.
3 Edward VII (Chap. 36.	An Act to provide for fur- ther advances to the Har- bour Commissioners of Montreal.
6 Edward VII C	Chap. 35.	An Act to provide for fur- ther advances to the Har- bour Commissioners of Montreal.
6-7 Edward VII, C	Chap. 30.	An Act to provide for fur- ther advances to the Har- bour Commissioners of Montreal.
8-9 Edward VII, C	Chap. 25.	An Act to provide for fur- ther advances to the Har- bour Commissioners of Montreal.
9-10 Edward VII, 9	Chap. 40.	An Act to provide for fur- ther advances to the Har- bour Commissioners of Montreal.
2 George V,	Chap. 36.	An Act to provide for fur- ther advances to the Har- bour Commissioners of Montreal.
4-5 George V,	Chap. 41.	An Act to provide for fur- ther advances to the Har- bour Commissioners of Montreal; and amending Act.

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9-10 George V,	Chap. 53.	An Act respecting the Rate of Interest to be paid on Loans by His Majesty to the Harbour Commission- ers of Montreal and Que- bec.
12-13 George V,	Chap. 33.	An Act to provide for fur- ther advances to the Har- bour Commissioners of Montreal.
13-14 George V,	Chap. 59.	An Act to provide for fur- ther advances to the Har- bour Commissioners of Montreal.
17 George V,	Chap. 8.	An Act to provide for a loan to the Harbour Commis- sioners of Montreal.
19-20 George V,	Chap. 47.	An Act to provide for a fur- ther loan to the Harbour Commissioners of Mont- real.

Respecting Vancouver Harbour.

3-4 George V,	Chap. 54.	An Act to incorporate the Vancouver Harbour Com- missioners; and amending Acts.
9-10 George V,	Chap. 74.	An Act to provide for a loan not exceeding five million dollars to the Vancouver Harbour Commissioners.
13-14 George V,	Chap. 29.	An Act to provide for fur- ther advances to the Van- couver Harbour Commis- sioners.
14-15 George V,	Chap. 72.	An Act to provide for fur- ther advances to the Van- couver Harbour Commis- sioners.
17 George V,	Chap. 73.	An Act to provide for a loan to the Vancouver Har- bour Commissioners.
19-20 George V,	Chap. 60.	An Act to provide for a fur- ther loan to the Vancou- ver Harbour Commission- ers.

First Session, Eighteenth Parliament, 1 Edward VIII, 1936

THE HOUSE OF COMMONS OF CANADA.

BILL 17.

An Act respecting the National Harbours Board.

Reprinted as proposed to be amended in Committee of the Whole.

The MINISTER OF MARINE.

OTTAWA J. O. PATENAUDE, I.S.O. PRINTER TO THE KING'S MOST EXCELLENT MAJESTY 1936

1st Session, 18th Parliament, 1 Edward VIII, 1936

THE HOUSE OF COMMONS OF CANADA.

BILL 17.

An Act respecting the National Harbours Board.

IS 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 National Harbours Board Act, 1936. Short title.

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finitions.	2. In this Act, unless the context otherwise requires:-
inister."	(a) "Minister" means the Minister of Transport;
oard."	(b) "Board" means the National Harbours Board incor- porated under this Act;
ember."	(c) "Member" means any member of the Board appointed 10 by the Governor in Council under this Act;
orpora- is.''	(d) "Corporations" means and includes the Corporations constituted under the various Acts the titles of which are set out in Schedule "A" to this Act;
oods."	(e) "goods" includes all personal property and movables 15 other than vessels;
essel."	(f) "vessel" includes any ship, boat, barge, raft, dredge, floating elevator, scow or other floating craft.
	(g) "raft" includes any raft, crib, dram or bag boom of
	logs, lumber or lumber of any kind, and logs, timber or 20
	lumber in boom or being towed.
rd stituted.	3. (1) There shall be, under the Minister, a Board to be known as the "National Harbours Board" consisting

of three Members, namely, a Chairman, a Vice-Chairman and a third Member, who shall be appointed by the Gov- 25 ernor in Council and who shall hold office during good

Body corporate.

Agent of His Majesty.

nine and eight years respectively. (2) The Board shall be a body corporate and politic and 30 be and be deemed to be, for all the purposes of this Act, the agent of His Majesty the King in His right of the Dominion of Canada.

behaviour for ten years; provided, however, that the Members first appointed shall be appointed for periods of ten,

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EXPLANATORY NOTE FOR THE REPRINT.

In this Reprint the proposed amendments are indicated by underlining. Schedule "B" is also added at the end of the Bill.

EXPLANATORY NOTES.

The objects generally of this Bill are to create a National Harbours Board consisting of three Members to be appointed by the Governor in Council for periods of ten years; to give such Board jurisdiction over the Harbours of Halifax, Saint John, Chicoutimi, Quebec, Three Rivers, Montreal and Vancouver, in the place and stead of the respective Harbour Commissions now in charge of such Harbours; to give the Board administration, management and control of any other harbours, works and property of the Dominion of Canada which the Governor in Council may transfer to the Board for such purpose; and to provide for the amalgamation of the several Harbour Commissions above mentioned with the Board under the name of the "National Harbours Board." Board may contract, sue and be sued. Whole time to be devoted. Salaries.

Quorum.

Presiding officer.

Majority to govern.

When two members only are present.

In case of vacancy.

In case of incapacity.

In case of permanent incapacity. Age limit.

Re-appointment.

Oath of office.

Head Office.

Officers, clerks and employees.

Preference.

(3) The Board shall have the capacity to contract and to sue and be sued in the name of the Board.

(4) Each Member shall devote his whole time to the business of the Board.

(5) Each Member shall be paid such sum for his services **5** as the Governor in Council may from time to time determine.

(6) Two Members shall constitute a quorum.

(7) The Chairman, and in his absence the Vice-Chairman, shall preside at the meetings of the Board.

(8) In all proceedings of the Board the votes of the 10 majority of the Members shall govern.

(9) In any meetings of the Board, where only two of the Members are present, all questions upon which an agreement cannot be reached shall be referred for decision to a full meeting of the Board. 15

(10) In case of a vacancy on the Board, the presiding Member may, notwithstanding the provisions of the next preceding subsection, cast an additional vote.

(11) If any of the Members, by reason of any temporary incapacity, is unable at any time to perform the duties of 20 his office, the Governor in Council may appoint a temporary substitute Member, upon such terms and conditions as the Governor in Council may prescribe.

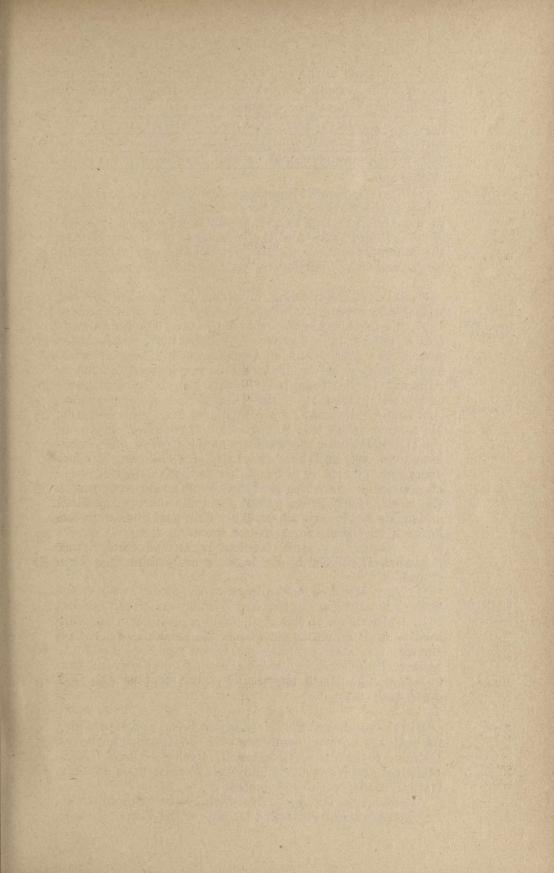
(12) A Member shall cease to hold office on becoming permanently incapacitated, in the opinion of the Governor 25 in Council, or on reaching the age of seventy years.

(13) A Member, on the expiration of his term of office, and if not disqualified by age, shall be eligible for re-appointment.

(14) Before any Member enters upon the execution of 30 his duties, he shall take and subscribe, before the Clerk of the Privy Council, an oath, which shall be filed in the office of the said Clerk, in the following form:—

(15) The head office of the Board shall be in the city of Ottawa, in the province of Ontario, but meetings of the Board may be held at such other places as the Board may decide. 40

4. (1) The Board may employ such professional, technical and other officers, clerks and employees as it may deem necessary for the proper conduct of its business and fix their remuneration. Provided that in the employment of such officers, clerks and employees under the provisions 45 of this subsection, other qualifications being equal, preference shall be given to persons who have been on active



service overseas in the military forces, or being residen	t or
domiciled in Canada at the outbreak of the war serve	d in
His Majesty's forces, or who have served on the high	seas
in a seagoing ship of war in the naval forces of His Maj	esty
during the war, and who have left any of such serv	vices
with an honourable record or who have been honoura	ably
discharged.	

Government Employees' Compensation Act to apply.

R.S., c. 30.

Civil Service Superannuation rights preserved.

R.S., c. 24.

Civil Service Act benefits preserved.

R.S., c. 22, s. 2.

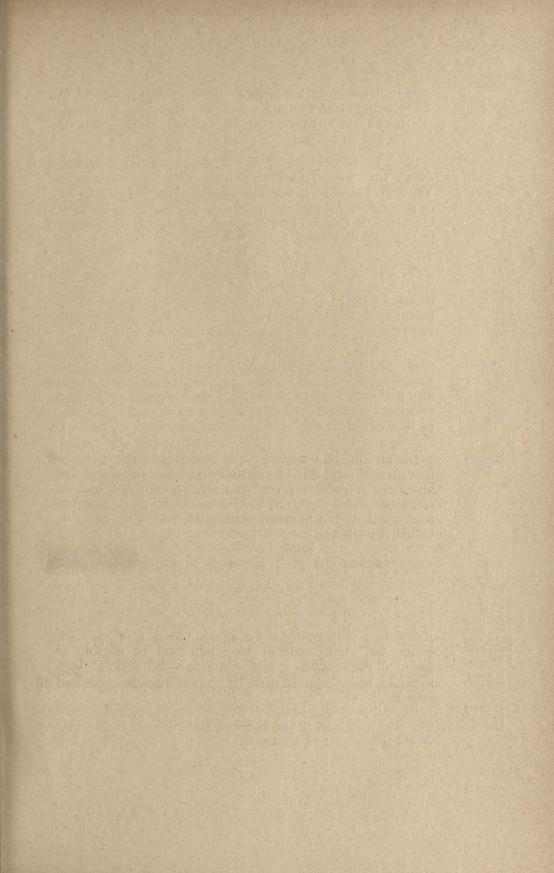
Board to have jurisdiction over certain harbours, works and property. (2) The Government Employees Compensation Act, chapter thirty of the Revised Statutes of Canada, 1927, shall apply to the Members and to the officers, clerks and employees 10 of the Board and for the purposes of the said Act the Members and such officers, clerks and employees shall be deemed to be "employees" as defined by the said Act.

5. (1) Notwithstanding anything in the Civil Service Act, chapter twenty-two of the Revised Statutes of Canada, 15 1927, the Civil Service Superannuation Act, chapter twentyfour of the Revised Statutes of Canada, 1927, or any other Act of the Parliament of Canada, a civil servant who, at the time of his appointment or employment under or pursuant to the provisions of this Act, is a contributor 20 under the provisions of the Civil Service Superannuation Act, shall continue to be a contributor under the said Act; his service under this Act shall be counted as service in the civil service for the purposes of the Civil Service Superannuation Act, and he, his widow and children or other 25 dependents, if any, shall be eligible to receive the respective allowances or gratuities provided by the said Act; and in the event of his being retired from his office or position under this Act for any reason other than that of misconduct, he shall be eligible for re-appointment in the civil service 30 or to receive the same benefits under the Civil Service Superannuation Act as if his office or position had been abolished.

(2) Any Member or employee of the Board, who at the time of his appointment or employment under or pursuant **35** to the provisions of this Act, holds a position in the civil service, or is an employee within the meaning of the *Civil Service Act*, shall continue to retain and be eligible to receive all the benefits, except salary as a civil servant, that he would have been eligible to receive had he remained **40** under that Act.

6. (1) The Board shall, for the purpose of and as provided for in this Act, have jurisdiction over the following harbours: Halifax, Saint John, Chicoutimi, Quebec, Three Rivers, Montreal and Vancouver, and shall likewise have adminis- 50 tration, management and control of,—

(a) all works and property which are now administered, managed and controlled by any of the Corporations;



(b) all other harbours and works and property of the Dominion of Canada which the Governor in Council may transfer to the Board for administration, management and control.

Boundaries.

(2) The boundaries of the harbours of Halifax, Saint 5 John, Chicoutimi, Quebec, Three Rivers, Montreal and Vancouver shall be as described in Schedule "B" to this Act, or as may be determined from time to time by order of the Governor in Council and any such order shall be published in the Canada Gazette. 10

As to jurisdiction over or control of private properties.

Transfer to the Board of other harbours, works and property.

Harbour headline.

Acquisition of real estate or personal property.

Construction and operation of roads, railways, vessels, etc.

General powers.

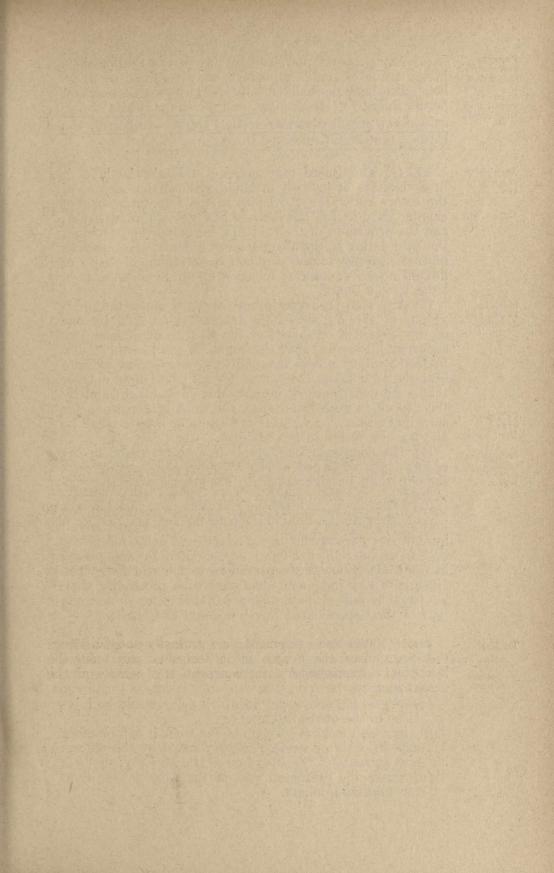
Property to be vested in His Majesty. 7. Unless otherwise specifically provided for in this Act, nothing in section six hereof contained shall be deemed to give the Board jurisdiction over or control of private property or rights within any of the harbours under the jurisdiction of the Board. 15

S. The Governor in Council may at any time transfer to the Board for administration, management and control any harbour, work or property of the Dominion of Canada, and from and after the date of such transfer the provisions of this Act shall apply to such harbour, work or property. 20

9. The Board may, with the approval of the Governor in Council, establish at any time a limit in the waters of any harbour under its jurisdiction beyond which construction from the shore may not be extended and shall designate such limit as the "harbour headline" for any part or the 25 whole of such harbour.

10. (1) When previously authorized by the Governor in Council, the Board may acquire, hold, possess, sell, dispose of, or lease real and personal, movable and immovable property; and may either by itself or in co-operation with 30 others construct, maintain and operate roads, railways, vessels, plant and equipment; and generally do such things and exercise such powers as it deems necessary for the efficient administration, management and control of the harbours, works and other property under its jurisdiction. 35

(2) All property acquired or held by the Board shall be acquired and held in the name of His Majesty in His right of the Dominion of Canada.



Property now vested in corporations to continue to be so vested until transferred. (3) Any property now held by any of the Corporations in the name of such Corporation may continue so to be held until the same shall be transferred by such Corporation or the Board to His Majesty, and for the purposes of this subsection, notwithstanding section thirty-nine hereof, the Corporation shall be deemed to continue to exist.

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Acquisition of lands, etc.

R.S.; c. 64.

Signature to plan and description.

Property vested in His Majesty.

Ascertainment of compensation. 11. (1) The Board may acquire and take lands or a limited estate or interest in lands without the consent of the owner under the provisions of the *Expropriation Act*, 10 chapter sixty-four of the Revised Statutes of Canada, 1927, and the provisions of the said Act, including the provisions thereof relating to the abandonment of lands, shall, *mutatis mutandis*, apply to the acquisition or taking of lands or limited estate or interest in lands or the abandonment of lands, by the Board.

(2) Any plan and description deposited under the provvisions of the *Expropriation Act* shall be signed by one of the Members on behalf of the Board and the land so shown and described shall thereupon be and become vested in His Majesty unless the plan and description indicate 20 that the land taken is required for a limited time only or that a limited estate or interest therein is taken; and by the deposit in such latter case, the right of possession for such limited time or such limited estate or interest shall be and become vested in His Majesty. 25

(3) The compensation payable in respect to the taking of any lands so vested in His Majesty, or of any interest therein, shall be ascertained in accordance with the provisions of the *Expropriation Act*, and for that purpose the Attorney-General of Canada may file an information **30** in the Exchequer Court on behalf of the Board to all intents and purposes as if such lands, or a limited estate or interest therein, had been expropriated by and vested in His Majesty under the provisions of the said Act. The amount of any judgment upon each such proceeding shall **35** be payable out of any unappropriated moneys forming part of the Consolidated Revenue Fund of Canada.

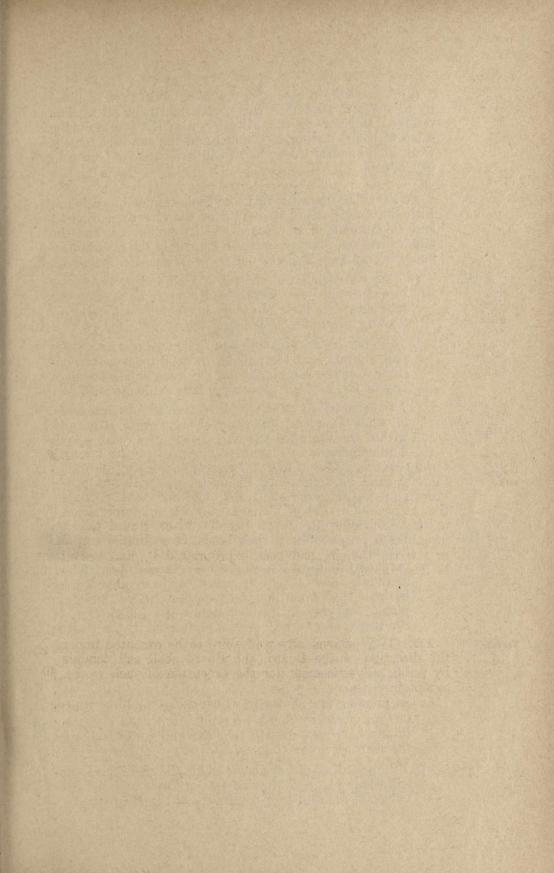
Tenders.

12. (1) Whenever any works are to be executed under the direction of the Board, the Board shall call tenders by public advertisement for the execution of such works, 40 except in cases

(a) of pressing emergency in which delay would be injurious to the public interest; or

(b) in which from the nature of the work it can be more expeditiously or economically executed by the officers 45 and servants of the Board or of His Majesty; or

(c) where the estimated cost of the work is less than ten thousand dollars.



To be submitted to Government. (2) Whenever, in case of any works, tenders are required by this Act to be called, the Board shall refer all tenders received therefor to the Minister who shall submit the same to the Governor in Council and the contract for the work shall be awarded under the authority of the Governor **5** in Council.

By-laws.

Matters in connection with mooring, etc., of vessels and aircraft.

Use of harbours and facilities.

Construction and maintenance of wharves, etc.

Tolls on bridges.

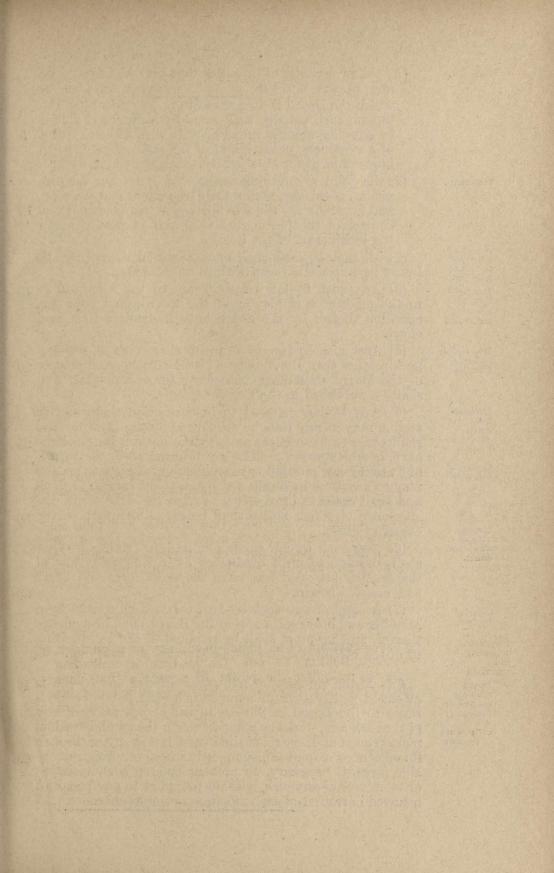
Rates and tolls on vessels and aircraft and their cargoes, passengers, etc.

Regulation of loading and unloading plant.

Pension and insurance funds and annuities. **13.** (1) The Board may make by-laws, not inconsistent with the provisions of this Act, for the direction, conduct and government of the Board and its employees, and the administration, management and control of the several har-10 bours, works and property under its jurisdiction including:

 (a) the regulation and control of each and every matter in connection with vessels and aircraft navigating the harbours and their mooring, berthing, discharging or loading or anything incidental thereto;

- (b) the use of the harbours and their facilities by vessels and aircraft and the agents, owners, masters or consignees of the same; and for the lease or allotment of any of the harbour property, plant or facilities;
- (c) the regulation of the construction and maintenance 20 of wharves, piers, buildings or any other structures within the limits of the harbours, and anything incidental thereto;
- (d) the imposition and collection of tolls for any use of any bridge under the administration, management 25 and control of the Board;
- (e) the imposition and collection of rates and tolls on vessels or aircraft entering, using or leaving any of the harbours; on passengers; on cargoes; on goods or cargo of any kind landed, shipped, transhipped and/or 30 stored in any of the harbours and/or moved over harbour tracks, and for the use of any wharf, building, plant, property or facility under the jurisdiction of the Board and for any service performed by the Board;
- (f) the regulation of all plant, machinery or appliances, 35 whether floating or not, for loading or unloading vessels, including the power to prescribe that none shall enter any harbour or remain in it without the permission of the Board, and power to levy a rate or sum of money thereon for the privilege of operating 40 in the harbours, and to regulate and control charges for such services;
- (g) the granting of pensions and/or the making of contributions to pension or insurance funds and the providing of annuities for employees of the Board; 45



Penalties.

Generally.

By-laws to be transmitted to Minister.

Domestic by-laws effective forthwith.

When other by-laws effective.

Minister may disallow domestic by-laws.

Governor in Council may disallow other by-laws.

Notice.

Force and effect.

Proof of by-law.

Board may use reasonable force to enforce observance of by-laws.

- (h) the prescribing of penalties that may be imposed on any person violating or not observing any by-law which the Board is authorized to make under this Act, but no such penalty shall exceed five hundred dollars or sixty days' imprisonment, or in default of payment 5 of a pecuniary penalty and of the costs of conviction, imprisonment for a period not exceeding thirty days;
- (i) the doing of anything necessary to carry out the provisions of this Act within their true intent and meaning, and generally for the administration, management and 10 control of the harbours, works and properties under the jurisdiction of the Board.

(2) All such by-laws shall upon adoption thereof by the Board be transmitted forthwith to the Minister.

(3) Any such by-law relating only to the Members or 15 to the officers or employees of the Board shall upon the adoption thereof by the Board have immediate force and effect.

(4) Any such by-law or so much thereof as affects any person other than the Members or the officers or employees 20 of the Board shall have immediate force and effect and shall be published in the *Canada Gazette*.

(5) Any by-law referred to in subsection three of this section may at any time be disallowed by the Minister and shall cease to have effect as from the date of its disallow- 25 ance, of which notice shall be given forthwith to the Board, and any by-law referred to in subsection four of this section may at any time be disallowed by the Governor in Council and shall cease to have effect as from the date of its disallowance of which notice shall be given forthwith in the 30 Canada Gazette.

(6) Any such by-law upon coming into force and effect shall, unless and until disallowed as in subsection five of this section provided for, have the same force and effect as if enacted herein. 35

(7) A copy of any such by-law, certified as correct by a Member and bearing the seal of the Board, shall be evidence thereof, and no proof shall be required of the handwriting or of the official position of the Member so certifying.

14. If the violation or non-observance of any by-law is 40 attended with danger or annoyance to the public or hindrance to the Board in the lawful use or operation of any of the harbours, works or property under the administration, management and control of the Board, it may, by or through its officers or employees, summarily interfere, using reason-45 able force, if necessary, to prevent or stop such violation or to enforce observance, without prejudice to any penalties incurred in respect of such violation or non-observance.



Rates and tolls.

Rates paid by consignee, etc.

Clearance not to be granted before payment of tolls, etc.

When vessels may be seized.

Cases coming under paragraphs (c) or (d). 15. (1) The Board may levy such rates and tolls as are fixed by by-law and may, with the approval of the Minister, commute any rates or tolls so fixed on such terms and conditions and for such sums of money as the Board deems expedient.

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(2) The rates and tolls on goods landed or transhipped in or shipped from any harbour under the jurisdiction of the Board shall be paid by the consignee, shipper, owner or agent of such goods, and goods shall not be removed from the harbour until such rates or tolls are fully paid or 10 security for payment accepted by the Board.

(3) No officer of customs shall grant a clearance to any vessel to leave,—

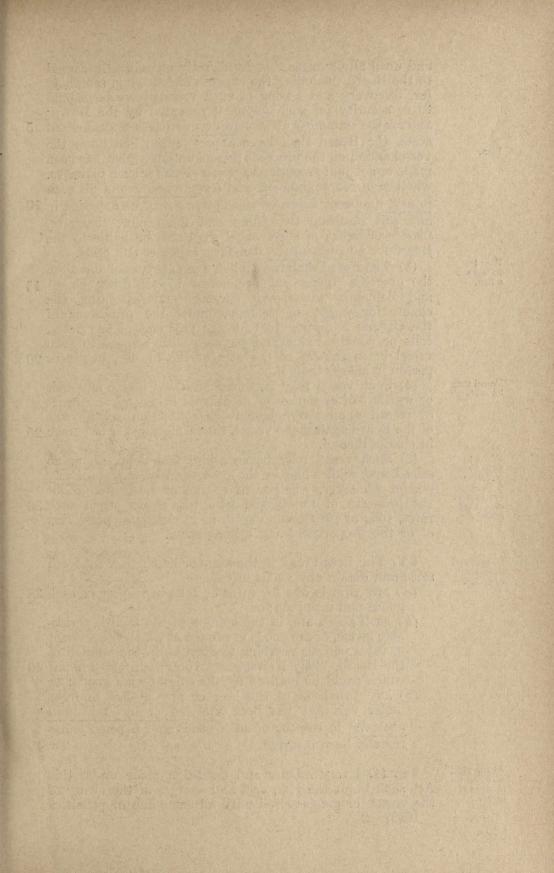
- (a) any harbour under the jurisdiction of the Board until the master thereof produces to such officer of 15 customs a certificate from an authorized officer of the Board certifying that the rates or tolls on such vessel have been paid or that none are payable thereon or that in so far as the Board is concerned a clearance may be granted; or 20
- (b) any other harbour or port in Canada if he shall have been notified by the Board to withhold such clearance until further notified by the Board that in so far as the Board is concerned a clearance may be granted.

16. (1) The Board may, in the manner hereinafter set 25 forth, seize and detain any vessel within the limits of the territorial waters of Canada in the following cases:

- (a) whenever any sum is due in respect of the vessel for rates or tolls or for commuted rates or tolls and is unpaid;
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- (b) whenever the master, owner or person in charge of the vessel has violated or has failed to observe any provision of this Act, or any by-law in force under this Act, and has rendered himself liable to any penalty;
- (c) whenever any <u>injury</u> has been done by the vessel or 35 by default or neglect of the crew, while acting as the crew or under order of their superior officers, to any works or property under the administration, management and control of the Board;
- (d) whenever any obstruction whatever has been offered 40 or made to the operations of the Board by any vessel or by the fault or neglect of the crew, while acting as the crew or under order of their superior officers.

(2) In a case coming within paragraphs (c) or (d) of subsection one of this section, the vessel may be seized 45 and detained until the injury so done has been repaired

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and until all damages thereby directly or indirectly caused to the Board (including the expense of following, searching for, discovery and seizing of such vessel) have been paid to or security for such payment accepted by the Board; and for the amount of all such injury, damages, expenses and 5 costs, the Board shall have a preferential lien upon the vessel and upon the proceeds thereof until payment has been made or adequate security has been given for such damages. whether direct or indirect, and for the amount of all such injury, damages, expenses and costs as may be awarded in 10 any suit resulting therefrom, and the owner, charterer, master or agent of such vessel shall also be liable to the Board for all such injury, damages, expenses and costs.

(3) The Board shall have a lien upon any vessel and upon the proceeds thereof in preference to all other claims 15 and demands whatsoever (saving and excepting the claims for wages of seamen, under the provisions of the Canada Shipping Act) for the payment of any rates, tolls or penalties due and payable with respect to such vessel or in respect of the acts of the master, owner or 20 person in charge thereof.

(4) Such vessel may be seized and sold under any writ or warrant of execution or of distress issued by any court of record upon the judgment or conviction at the suit of the Board against the vessel, the master, owner or person 25 in charge thereof.

(5) Such vessel may be so seized and detained, or so seized and sold, while in the possession or charge of any person whatever, whether in charge or possession of or the property of the person who was owner when such 30 rates, tolls or penalties accrued, or in charge or possession of or the property of any other person.

17. The Board may in the manner hereinafter set forth seize and detain any goods in case,—

- (a) any sum is due for rates or tolls in respect of such 35 goods and is unpaid; or
- (b) such goods are, in the opinion of the Board, perishable goods, or are goods in respect of which the amount of rates or tolls accruing thereon is, in the opinion of the Board, likely to become greater than the amount 40 which could be realized by the sale of such goods; or
- (c) any provision of this Act or any by-law in force under this Act has been violated or has not been observed in respect of such goods and a penalty has thereby been incurred.

At the risk. cost and charges of owner.

18. (1) Every seizure and detention made under this Act shall be at the risk, cost and charges of the owner of the vessel or goods seized until all sums due or penalties 16957 - 2

Lien.

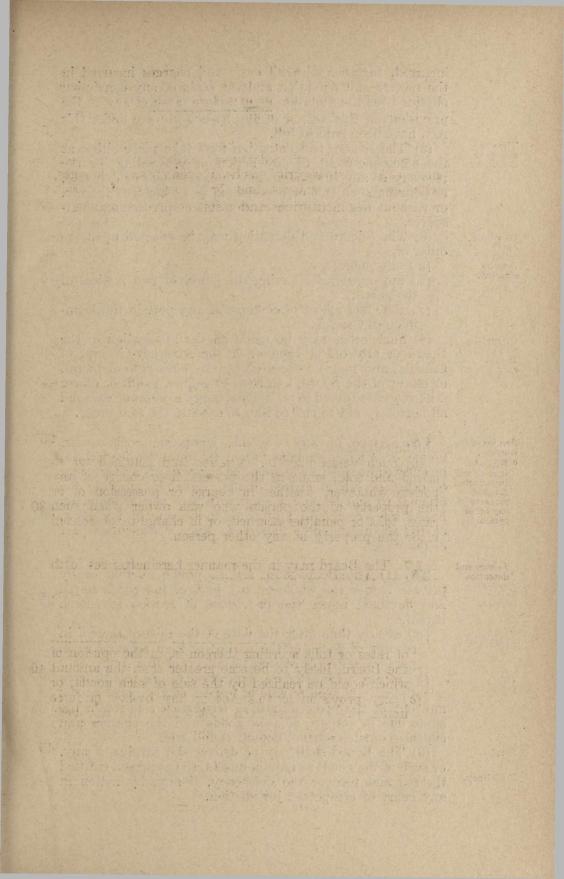
Board to have a lien.

Vessel may be sold.

Right to seize or sell not affected if vessel property of any other person.

Seizure and detention of goods.

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incurred, together with all costs and charges incurred in the seizure and detention and the costs of any conviction obtained for the violation or non-observance of any of the provisions of this Act, or of any by-law in force under this Act, have been paid in full.

(2) The seizure and detention may take place either at the commencement of any action or proceeding for the recovery of any sums of money due, penalties or damages, or pending such suit or proceeding, or as incident thereto, or without the institution of any suit or proceeding what-10 soever.

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(3) The seizure and detention may be effected upon the order of,—

(a) any judge;

(b) any magistrate having the power of two justices of 15 the peace;

(c) the chief officer of customs at any port in the Dominion of Canada.

(4) Such order may be made on the application of the Board or any officer thereof, or the Attorney-General of 20 Canada, and may be executed by any constable or bailiff, or officer of the Board, and such constable, bailiff or officer is hereby empowered to take all necessary means and demand all necessary aid to enable him to execute the said order.

19. Service of any warrant, summons, writ, order, 25 notice or other document, when personal service cannot be effected, may be made upon the owner or upon the master or other person in charge of any vessel by showing the original to and leaving a copy with any person found on board the vessel and appearing to be one of her crew, 30 or by affixing a copy thereof to some conspicuous part of the vessel.

20. (1) The Board may sell at public auction or by private tender the whole or any part of the goods seized and detained under the provisions of section seventeen 35 hereof,—

(a) at any time after the date of the seizure thereof in respect of goods of the nature or kind referred to in paragraph (b) of section seventeen of this Act;

(b) at any time after the expiration of one month from 40 the date of such seizure in respect of any other goods; and out of the proceeds arising from such sale retain the sums due in respect of such goods and the charges and expenses of such seizure, detention and sale.

(2) The Board shall pay or deliver the surplus, if any, 45 or such of the goods as remain unsold, to the person entitled thereto and recover the deficiency, if any, by action in any court of competent jurisdiction.

Time of seizure or detention.

On whose order seizure may be effected.

On application of the Board, etc.

Service of warrant, etc.

Sale of goods at public auction.

Perishable goods, etc.

Other goods.

Surplus.

Deficiency.

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Penalties to be paid over to Board.

Recovery of penalties.

R.S., c. 36.

Revenues to be paid into chartered banks.

Trust Account.

Expenditure of moneys.

1931, c. 27.

Administration, management and control expenses.

Investments for reserve fund.

Capital expenditures.

Interest and principal of debentures, etc.

Allocation of portion of revenues to reserve fund for replacement of fixed assets, etc.

Annual budget.

21. Every pecuniary penalty recovered for any violation or non-observance of this Act or of any by-law in force under this Act shall be paid over to the Board by the Court or magistrate before whom the penalty has been recovered.

22. All moneys due and penalties incurred under this 5 Act, or under any by-law made in pursuance thereof, may be recovered in a summary manner under Part XV of the *Criminal Code*.

23. All moneys received by the Board from whatever source derived shall be paid to the credit of the Receiver 10 General through such banks as the Minister of Finance from time to time directs. Such moneys shall be credited to a trust account designated the "National Harbours Board Trust Account" hereinafter called the "Trust Account".

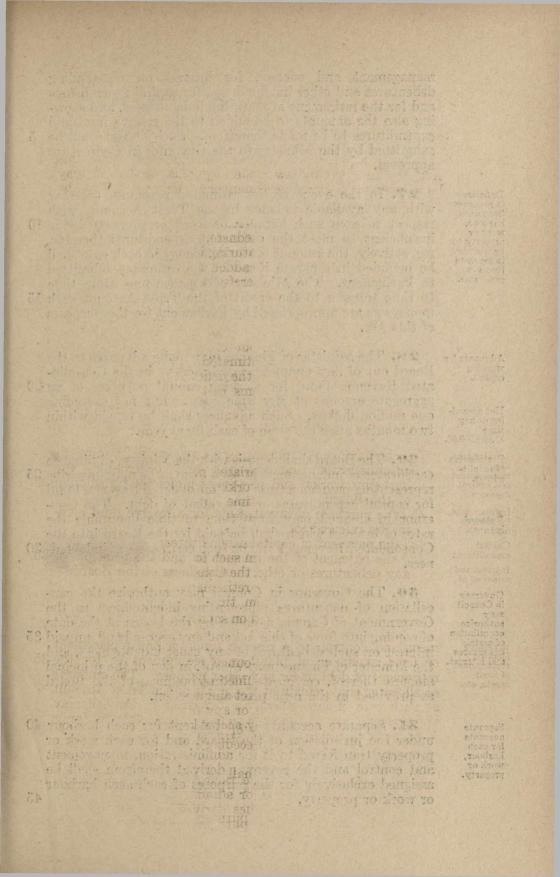
24. Notwithstanding the provisions of *The Consoli*dated Revenue and Audit Act, 1931, chapter twenty-seven of the statutes of 1931, the Minister of Finance may, subject to the provisions of this Act, make disbursements from the Trust Account on the requisition of the Board or its 20 authorized officers, for the following purposes, or any of them:

- (a) the payment of all necessary expenses incurred in the administration, management and control of the harbours, works, and properties under the jurisdiction 25 of the Board;
- (b) the purchase of investments for a reserve fund hereinafter referred to;
- (c) the payment of capital expenditures;

(d) the payment of the interest on and the principal of 30 any debentures or other indebtedness of the Board.

25. The Board may allocate any portion of its revenues, after payment of the expenses of administration, management and control, to a reserve fund for the replacement of fixed assets or of plant or of equipment or for the 35 retirement of debt or for any other purpose. The amounts so allocated may remain at the credit of the Trust Account at such rate of interest as the Governor in Council may approve or the Board may invest such amounts in bonds of or guaranteed by the Government of Canada. 40

26. The Board shall submit to the Minister an annual budget showing, for each harbour under its jurisdiction and for each work or property transferred to it for administration, management and control, the estimated revenue, by sources, and the estimated expenditures for operation, 45



management and control, for interest on outstanding debentures and other indebtedness, for capital expenditures and for the retirement of maturing indebtedness, and showing also the amounts to be added to the reserve fund and expenditures to be made therefrom. Such budget shall be 5 submitted by the Minister to the Governor in Council for approval.

27. In the event of the estimated revenues, together

respect to each such harbour or work or property being 10

with any available balance in the Trust Account, with

insufficient to meet the estimated expenditures therefor.

respectively, the amount of the deficiency in each case shall

be included in separate items in the estimates submitted

to Parliament. The Minister of Finance may from time to time transfer to the credit of the Trust Account such 15 moneys as are appropriated by Parliament for the purposes

Deficiency in revenues from each harbour, work or property to be included in separate items in estimates.

Advances for working capital. of this Act.

Not exceeding at any time \$1,000,000.00.

Certificates of indebtedness.

Rates of interest.

Governor in Council may authorize cancellation of certain debentures and interest.

Separate accounts for each harbour, work or property. 28. The Minister of Finance may make advances to the Board out of any unappropriated moneys in the Consolidated Revenue Fund for working capital purposes of an 20 aggregate amount at any time outstanding not exceeding one million dollars. Such advances shall be repaid within two months after the close of each fiscal year.

29. The Board shall deposit with the Minister of Finance certificates of indebtedness in such form as he may prescribe 25 representing payments from the Consolidated Revenue Fund for capital expenditures or retirement of debt. The Governor in Council may from time to time determine the rates of interest which shall be paid by the Board into the Consolidated Revenue Fund on such certificates of indebted-30 ness.

30. The Governor in Council may authorize the cancellation of debentures representing indebtedness to the Government of Canada assumed by the Board at the date of coming into force of this Act and any accrued and unpaid 35 interest on such debentures or any other indebtedness, and the Minister of Finance may accept, in lieu of the principal amount thereof, certificates of indebtedness of the Board as provided in the next preceding section.

31. Separate accounts shall be kept for each harbour 40 under the jurisdiction of the Board and for each work or property transferred to it for administration, management and control and the revenues derived therefrom shall be assigned exclusively for the purposes of each such harbour or work or property. 45

29. The Board shall deposit with the Manater of Finance for capital expanditures or retirement of debt. The Garerner in Council may from time to time determine the rates of interest which shall be paid by the Board into the Consolidated Revenue Fund on such certificates of indebted- 30

interest on such debentures or any other indebtedness, and the Minister of Finance may accept, in lieu of the principal anount thereof, certificates of indebtedness of the Board as provided in the next preceding section. Annual report.

Act to apply. 1931, c. 27.

Audit of revenues and expenditures.

Accounting officers, etc.

Classification and compensation. R.S., c. 22.

Expenses of the Board.

Amalgamation. **32.** The Board shall, as soon as possible after the termination of each calendar year, submit an annual report to the Minister in such form as he may prescribe and the Minister shall lay the said report before Parliament.

33. Subject to the provisions of this Act, the Board 5 shall be subject to the provisions of *The Consolidated Revenue and Audit Act*, 1931.

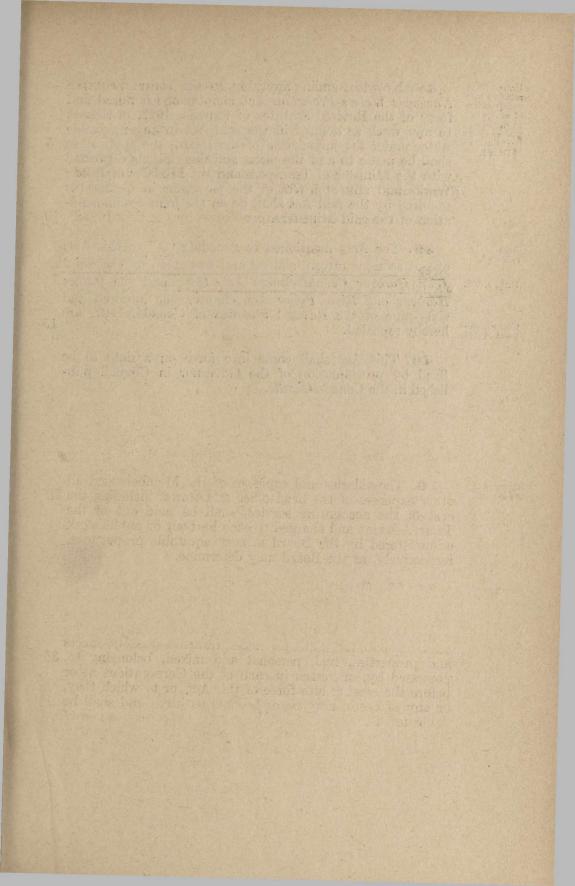
34. All revenues of and expenditures by the Board shall be subject to the audit of the Auditor General in the same manner as public revenues and expenditures. 10

35. (1) The Minister of Finance may select such accounting officers, clerks or employees from the personnel of the Board as he may consider necessary for the accounting of the receipts and expenditures of the Board, and such officers, clerks or employees shall be under the direction 15 and control of the Comptroller of the Treasury, and the Governor in Council may transfer any of the said officers, clerks or employees to the Department of Finance.

(2) The classification and rate of compensation of a person so transferred shall be established under the auth-20 ority of the *Civil Service Act:* Provided that, pending such person being classified, the Minister of Finance shall determine the monthly rate of compensation.

36. The salaries and expenses of the Members and all other expenses of the head office at Ottawa, including the 25 cost of the accounting service, shall be paid out of the Trust Account and charged to each harbour or public work administered by the Board in such equitable proportions, respectively, as the Board may determine.

37. The Corporations and the Board are hereby declared 30 to be amalgamated and to form one corporation under the name of the "National Harbours Board" which shall possess and be vested with all the works and undertakings and all other the powers, rights, privileges, franchises, assets, effects and properties, real, personal and mixed, belonging to, 35 possessed by, or vested in each of the Corporations at or before the coming into force of this Act, or to which they, or any of them, may be or become entitled; and shall be liable for all claims, demands, rights, securities, causes of action, complaints, debts, obligations, works, contracts, 40 agreements or duties to as full an extent as any of the Corporations was at or before the coming into force of this Act.



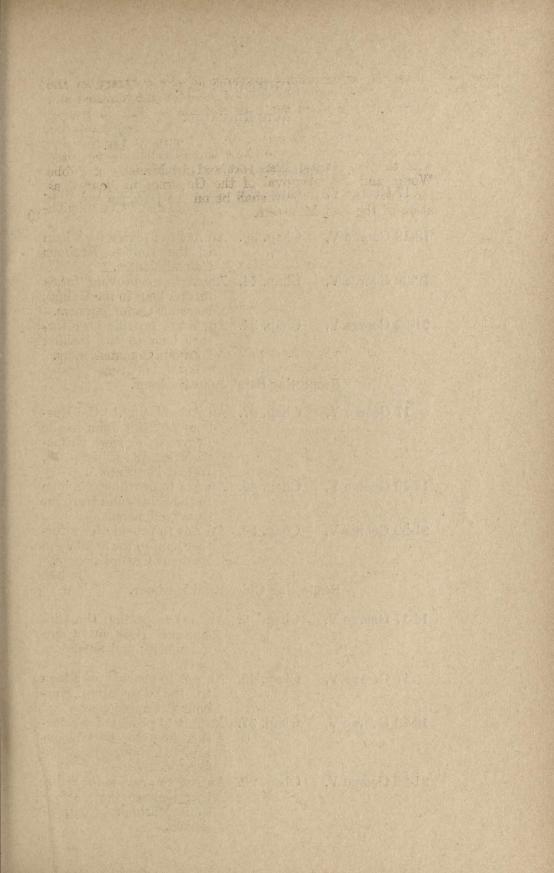
Proceedings relative to construction of works in navigable waters under jurisdiction of Board. **38.** Notwithstanding anything to the contrary in the Navigable Waters Protection Act, chapter one hundred and forty of the Revised Statutes of Canada, 1927, in respect to any work as defined in the said Act in any navigable water under the jurisdiction of the Board, the application 5 shall be made to and the plans and descriptions deposited with the Minister of Transport and the Minister of Public Works and any approval of the Governor in Council as required by the said Act shall be on the joint recommendation of the said Ministers.

Acts repealed.

R.S., c. 169.

Commencement of Act. **39.** The Acts mentioned in Schedule "A" to this Act, except sections fifteen, sixteen and seventeen of *The Saint John Harbour Commissioners Act, 1927*, and the *Quebec Harbour and River Police Act*, chapter one hundred and sixty-nine of the Revised Statutes of Canada, 1927, are hereby repealed. 15

40. This Act shall come into force on a date to be fixed by proclamation of the Governor in Council published in the Canada Gazette.



SCHEDULE "A".

ACTS REPEALED.

Title of Act.

Respecting Halifax Harbour.

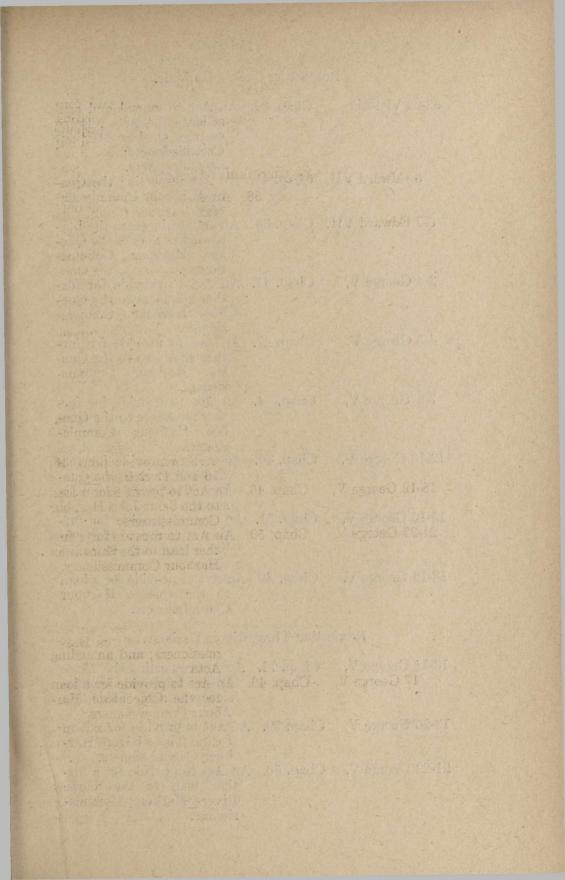
17 George V,	Chap. 58.	An Act respecting the Hali- fax Harbour Commission-
18-19 George V,	Chap. 28.	ers. An Act to provide for a loan to the Halifax Harbour
19-20 George V,	Chap. 44.	Commissioners. An Act to provide for a further loan to the Halifax
21-22 George V,	Chap. 34.	Harbour Commissioners. An Act to provide for a fur- ther loan to the Halifax
		Harbour Commissioners.

Respecting Saint John Harbour.

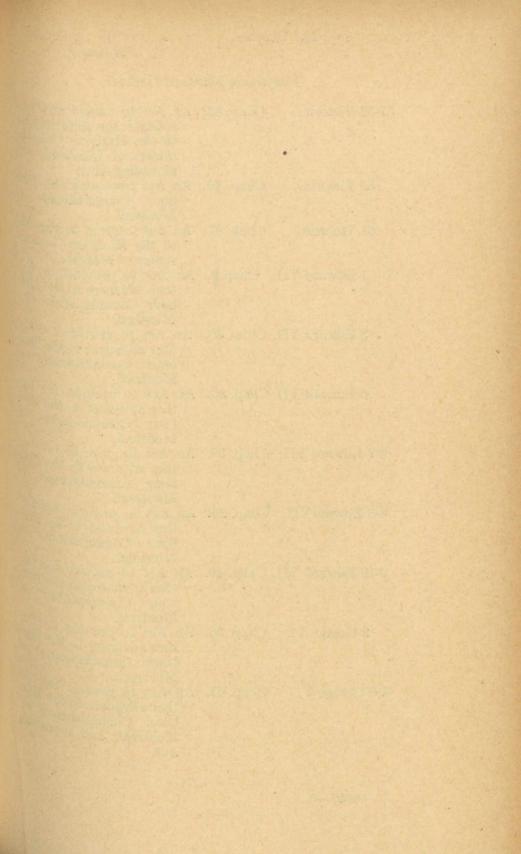
Chap. 67.	An Act relating to the Har- bour of Saint John in the
	Province of New Bruns-
	wick except sections 15,
	16 and 17 thereof.
Chap. 46.	An Act to provide for a loan
	to the Saint John Harbour
	Commissioners.
Chap. 50.	An Act to provide for a fur-
stands and	ther loan to the Saint John
	Harbour Commissioners.
	Chap. 46.

Respecting Chicoutimi Harbour.

16-17 George V,	Chap. 6.	An Act respecting the Chi- coutimi Harbour Com- missioners; and amending Acts.
17 George V,	Chap. 46.	An Act to provide for a loan to the Chicoutimi Har- bour Commissioners.
19-20 George V,	Chap. 37.	An Act to provide for a fur- ther loan to the Chicou- timi Harbour Commis- sioners.
21-22 George V,	Chap. 25.	An Act to provide for a fur- ther loan to the Chicou- timi Harbour Commis- sioners.



16
Respecting Quebec Harbour.
solidate the Acts relating to the Quebec Harbour
6 Edward VII Chan is amending Acts
hee Hauther and the gut
6-7 Edward VII, Chap. 36. An Act to increase the bor- rowing power of the Oue-
3-4 George V, Chap. 41. An Act to provide for fur- ther advantage
4-5 George V
An Act to provide for fur-
7-8 George V, Chap. 4. An Act to provide for fur-
ther advances to the Que
12-13 George V, Chap. 40. An Act to provide for fur-
15-16 George V, Chap. 51. An Act to provide for fur-
18-19 George V, Chap. 42 An Act to provide for a loan to the Ouches Harbour
Commissioners
Respecting Three Director
Bivers Hackey Commis-
19-20 George V, Chap. 59. An Acts.
21-22 George V, Chap. 56. An Act to provide for a far- bour Commissioners. An Act to provide for a far- ther loan to the Three Rivers Harbour Commis- sioners.
AND NO.

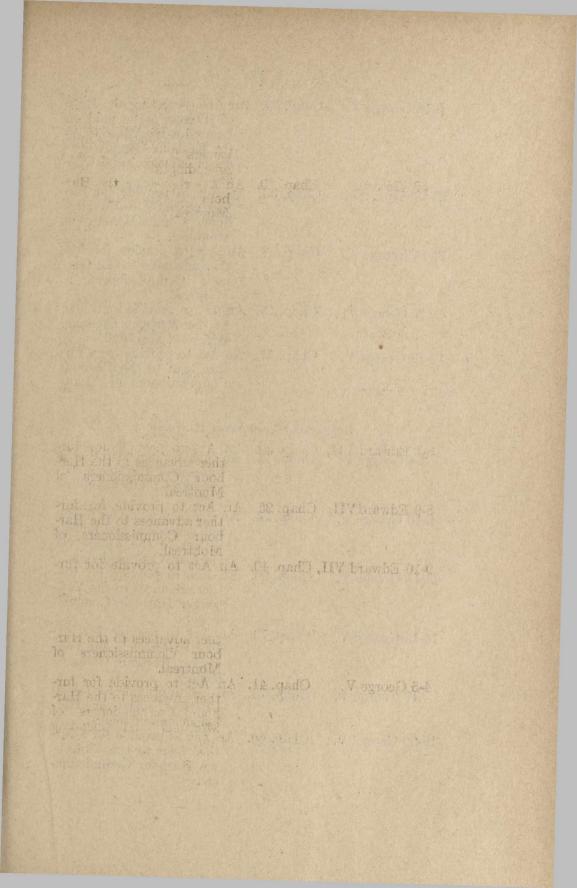


Parliament Respecting Montreal Harbour. 57-58 Victoria. Chap. 48. An Act to amend and consolidate the Acts relating to the Harbour Commissioners of Montreal: and amending Acts. 59 Victoria. Chap. 10. An Act respecting the Harbour Commissioners of Montreal. 61 Victoria. Chap. 47. An Act to grant further aid to the Harbour Commissoners of Montreal. 1 Edward VII, Chap.9. An Act to provide for further advances to the Harbour Commissioners of Montreal. 3 Edward VII Chap. 36. An Act to provide for further advances to the Harbour Commissioners of Montreal. An Act to provide for fur-6 Edward VII Chap. 35. ther advances to the Harbour Commissioners of Montreal. 6-7 Edward VII, Chap. 30. An Act to provide for further advances to the Harbour Commissioners of Montreal. An Act to provide for fur-8-9 Edward VII, Chap. 25. ther advances to the Harbour Commissioners of Montreal. An Act to provide for fur-ther advances to the Har-9-10 Edward VII, Chap. 40. bour Commissioners of Montreal. An Act to provide for fur-ther advances to the Har-2 George V. Chap. 36. bour Commissioners of Montreal. 4-5 George V, Chap. 41. An Act to provide for further advances to the Harbour Commissioners of Montreal; and amending Act.

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Year and Chapter.

Acts of the Dominion

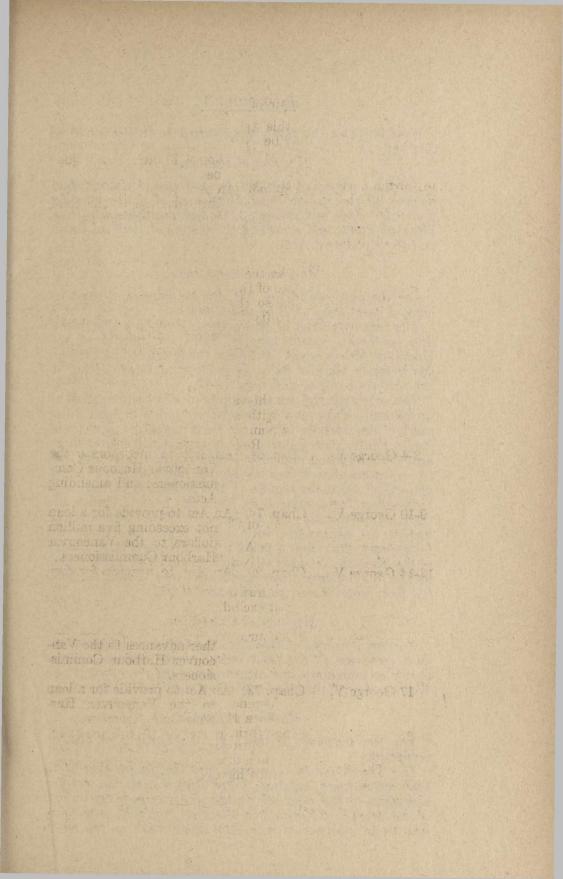


9-10 George V,	Chap. 53.	An Act respecting the Rate of Interest to be paid on Loans by His Majesty to the Harbour Commission- ers of Montreal and Que- bec.		
12-13 George V,	Chap. 33.	An Act to provide for fur- ther advances to the Har- bour Commissioners of Montreal.		
13-14 George V,	Chap. 59.	An Act to provide for fur- ther advances to the Har- bour Commissioners of Montreal.		
17 George V,	Chap. 8.	An Act to provide for a loan to the Harbour Commis- sioners of Montreal.		
19-20 George V,	Chap. 47.			
Respecting Vancouver Harbour.				
3-4 George V,	Chap. 54.	An Act to incorporate the Vancouver Harbour Com- missioners; and amending Acts.		
9-10 George V,	Chap. 74.	An Act to provide for a loan not exceeding five million dollars to the Vancouver Harbour Commissioners.		

13-14 George V, Chap. 29. An Act to provide for further advances to the Vancouver Harbour Commissioners.

- 14-15 George V, Chap. 72. An Act to provide for further advances to the Vancouver Harbour Commissioners.
- 17 George V, Chap. 73. An Act to provide for a loan to the Vancouver Harbour Commissioners.
 19-20 George V, Chap. 60. An Act to provide for a fur-

ther loan to the Vancouver Harbour Commissioners.



SCHEDULE "B"

Boundaries of the Harbours referred to in Section 6 of this Act.

Harbour of Halifax.

For the purposes of this Act, the harbour of Halifax shall include all the waters lying Northwest of a line running North 56° East and distant 3,500 feet Southeasterly from Pleasant Point, and including the waters of Bedford Basin and the Northwest Arm.

Harbour of Saint John.

For the purposes of this Act, the boundaries of the harbour of Saint John shall be as follows:—

The northerly limit of said harbour shall be a line drawn due northeast (astronomically) from the middle of the Dominion Government lighthouse tower erected in 1896 on the westerly bank of Saint John river, at Green Head, to the easterly bank of said river.

The southerly and westerly limits of said harbour shall be as follows:—Beginning at the intersection with high water mark of the westerly face of the Government breakwater at Negro Point; thence due south (astronomically) four thousand four hundred and fifty (4,450 ft.) feet, more or less, to an intersection with a line drawn due southwest (astronomically) from the middle of the Dominion Government Lighthouse Tower erected on Partridge Island; thence due east (astronomically) six thousand (6,000 ft.) feet, more or less, to an intersection with a line drawn due southwest (astronomically) from a point where the easterly boundary of the Military Grounds at Red Head cuts high water mark; thence due northeast (astronomically) nine thousand (9,000 ft.) feet, more or less, to high water mark.

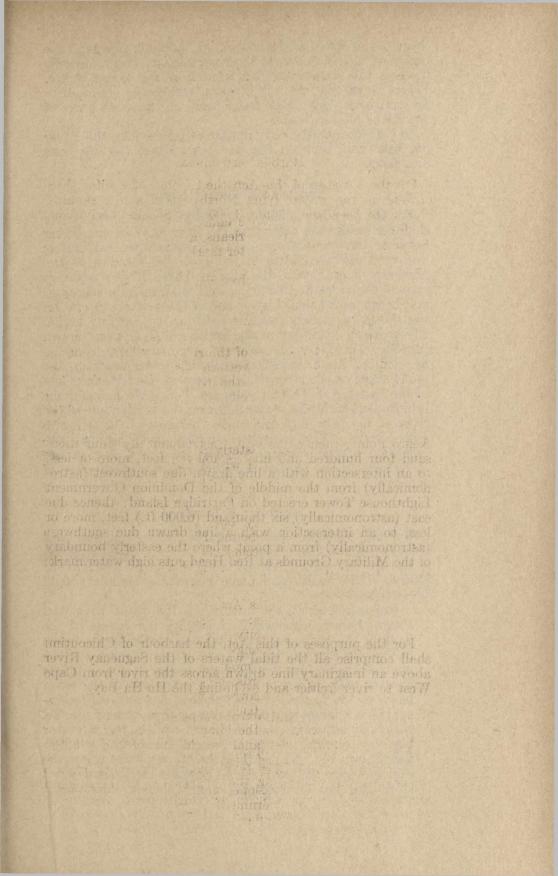
Harbour of Chicoutimi.

For the purposes of this Act, the harbour of Chicoutimi shall comprise all the tidal waters of the Saguenay River above an imaginary line drawn across the river from Cape West to river Peltier and excluding the Ha Ha Bay.

Harbour of Quebec.

For the purposes of this Act, the harbour of Quebec comprises:—

(a) The River St. Lawrence and the shores thereof to high water mark, between a line drawn from the western abutment of the roadway bridge which crosses the mouth of the River Cap Rouge, in a direction S. 15° E. astronomical, to an intersection with high water mark on the south



shore of the River St. Lawrence, and a line drawn from the east side of the mouth of the river Montmorency, directly towards the Roman Catholic church of the parish of Ste. Petronille on the Island of Orleans, and thence produced to an intersection with high water mark on the south shore of the River St. Lawrence.

(b) Those parts of all tributaries falling into the River St. Lawrence, between the said lines, where the tide ebbs and flows.

Harbour of Three Rivers.

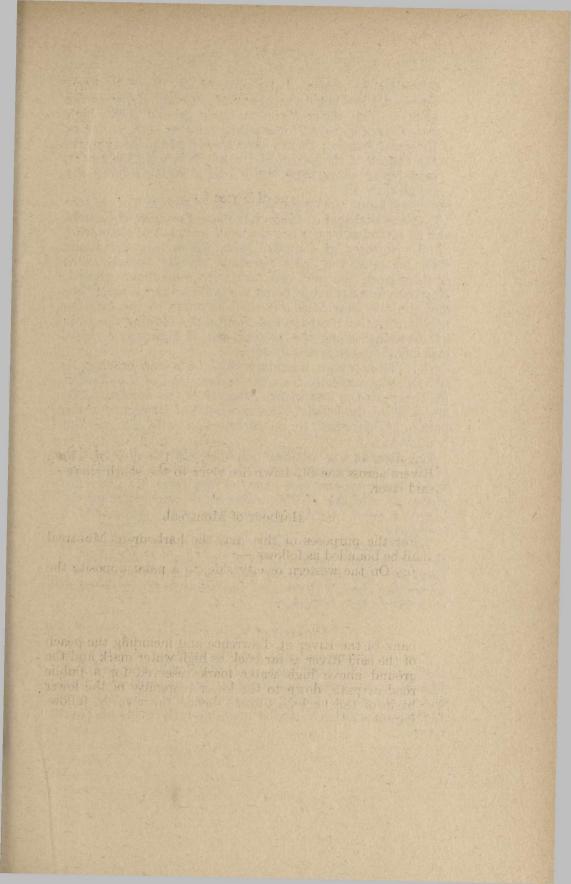
For the purposes of this Act, the harbour of Three Rivers shall comprise that portion of the river St. Lawrence lying between the eastern and western boundaries hereinafter described and extending in the river St. Maurice to the northerly boundary of the city of Three Rivers where it crosses the river St. Maurice, and shall include all water and beach up to tidal high water of the said rivers and on the shores of islands contained within the harbour limits. The westerly boundary of the harbour shall be a line drawn parallel to and one mile easterly perpendicularly from the line joining the intersection with high water mark on the north shore of the river St. Lawrence of the boundary line of the parishes of Three Rivers and Pointe du Lac and the intersection with high water mark on the south shore of the river of the boundary line of the parishes of St. Gregoire and Nicolet. The easterly boundary shall be the prolongation of the eastern boundary of the city of Three Rivers across the St. Lawrence river to the south shore of said river.

Harbour of Montreal.

For the purposes of this Act, the harbour of Montreal shall be bounded as follows:—

(a) On the western or city side, to a point opposite the church of the parish of Longue Pointe the boundary shall be as follows:—

Commencing at the mouth of the little River St. Pierre; thence, downwards, following the course of the bank of the River St. Lawrence and including the beach of the said River as far back as high water mark and the ground above high water mark reserved for a public road or path, down to the lower extremity of the lower basin of the Lachine Canal; thence, downwards, following the northwest side of the water course running parallel with and adjoining the revetment wall in the street or highway running along the whole line of the wharves now known as Commissioners street, to a point where the said wall joins the Government works at the Commissariat store and the Government wharf; thence, downwards,



following the course of the bank of the River St. Lawrence and including the beach of the said River as far back as high water mark, and any ground above high water mark reserved for a public road or path, as far as Ruisseau Migeon; thence, downwards, to a point opposite the church of the parish of Longue Pointe, following the said River along high water mark, and including the beach thereof:

the whole as set out by the provisions of section 5 of chapter 143 of the Statutes of 1855 of the late Province of Canada and as extended by the provisions of section 5 of chapter 61 of the Statutes of Canada, 1873, which said provisions shall be construed with reference to the circumstances existing when the said two Acts were respectively passed. Northerly from the said point the said harbour is extended, and the said boundary line shall continue to the extreme northern end of the Island of Montreal, following the river St. Lawrence along the present line of high water mark, and including the beach thereof.

(b) The southern boundary shall be a line bearing N. 65° E. astronomically from the easterly end of the division line between the lots known respectively as numbers 3266 and 3267 of the Official Plan and Book of Reference of the parish of Montreal to an intersection with the eastern boundary.

(c) The eastern boundary shall be from the intersection of the southern boundary with the present line of high water mark on the east shore of the river St. Lawrence along the said line of high water mark, and including the beach thereof, to the intersection with the northern boundary.

(d) The northern boundary shall be a line running from the said extreme northern end of the Island of Montreal at Bout de l'Isle and bearing due east astronomically and continuing across the river St. Lawrence to the intersection with the eastern boundary.

Harbour of Vancouver.

For the purposes of this Act, the harbour of Vancouver shall include Burrard Inlet, with the North Arm and Port Moody, False Creek and English Bay and all other tidal waters lying east of a line drawn from the Point Atkinson Lighthouse southerly to the most westerly point of Point Grey. First Session, Eighteenth Parliament, 1 Edward VIII, 1936

THE HOUSE OF COMMONS OF CANADA.

BILL 17.

An Act respecting the National Harbours Board.

Reprinted as Proposed to be Further Amended in Committee of the Whole.

The MINISTER OF MARINE.

OTTAWA J. O. PATENAUDE, I.S.O. PRINTER TO THE KING'S MOST EXCELLENT MAJESTY 1936

1st Session, 18th Parliament, 1 Edward VIII, 1936

THE HOUSE OF COMMONS OF CANADA.

BILL 17.

An Act respecting the National Harbours Board.

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

Short title.

1. This Act may be cited as *The National Harbours* Board Act, 1936.

5

Definitions. "Minister."

"Board."

"Member."

"Corporations."

"Goods."

"Vessel."

Board constituted.

- 2. In this Act, unless the context otherwise requires:—
 (a) "Minister" means the Minister of the Crown named by the Governor in Council to administer the Act;
- (b) "Board" means the National Harbours Board incorporated under this Act; 10
- (c) "Member" means any member of the Board appointed by the Governor in Council under this Act;
- (d) "Corporations" means and includes the Corporations constituted to administer the harbours of Halifax, Saint John, Chicoutimi, Quebec, Three Rivers, Mont- 15
 real and Vancouver by the Act, the titles of which are set out in Schedule "A" to this Act;
- (e) "goods" includes all personal property and movables other than vessels;
- (f) "vessel" includes any ship, boat, barge, raft, dredge, 20 floating elevator, scow or other floating craft.
- (g) "raft" includes any raft, crib, dram or bag boom of logs, timber or lumber of any kind, and logs, timber or lumber in boom or being towed.

3. (1) There shall be, under the direction of the Minister, **25** a Board to be known as the "National Harbours Board" consisting of three Members, namely, a Chairman, a Vice-Chairman and a third Member, who shall be appointed by the Governor in Council and who shall hold office during good behaviour for ten years; provided, however, that the **30** Members first appointed shall be appointed for periods of ten, nine and eight years respectively.

EXPLANATORY NOTE FOR THE REPRINT.

In this Reprint the proposed amendments are indicated by underlining. In section 22 the words "moneys due and" in the first line are struck out. Schedule "B" is also added at the end of the Bill.

EXPLANATORY NOTES.

The objects generally of this Bill are to create a National Harbours Board consisting of three Members to be appointed by the Governor in Council for periods of ten years; to give such Board jurisdiction over the Harbours of Halifax, Saint John, Chicoutimi, Quebec, Three Rivers, Montreal and Vancouver, in the place and stead of the respective Harbour Commissions now in charge of such Harbours; to give the Board administration, management and control of any other harbours, works and property of the Dominion of Canada which the Governor in Council may transfer to the Board for such purpose; and to provide for the amalgamation of the several Harbour Commissions above mentioned with the Board under the name of the "National Harbours Board." Body corporate.

Agent of His Majesty.

Board may contract, sue and be sued. Whole time to be devoted. Salaries.

Quorum. Presiding officer.

Majority to govern.

When two members only are present.

In case of vacancy.

In case of incapacity.

In case of permanent incapacity. Age limit.

Re-appointment.

Oath of office.

Head Office.

Officers, clerks and employees.

Preference.

(2) The Board shall be a body corporate and politic and be and be deemed to be, for all the purposes of this Act, the agent of His Majesty the King in His right of the Dominion of Canada.

(3) The Board shall have the capacity to contract and 5 to sue and be sued in the name of the Board.

(4) Each Member shall devote his whole time to the business of the Board.

(5) Each Member shall be paid such sum for his services as the Governor in Council may from time to time determine. 10

(6) Two Members shall constitute a quorum.

(7) The Chairman, and in his absence the Vice-Chairman, shall preside at the meetings of the Board.

(8) In all proceedings of the Board the votes of the majority of the Members shall govern. 15

(9) In any meetings of the Board, where only two of the Members are present, all questions upon which an agreement cannot be reached shall be referred for decision to a full meeting of the Board.

(10) In case of a vacancy on the Board, the presiding 20 Member may, notwithstanding the provisions of the next preceding subsection, cast an additional vote.

(11) If any of the Members, by reason of any temporary incapacity, is unable at any time to perform the duties of his office, the Governor in Council may appoint a temporary 25 substitute Member, upon such terms and conditions as the Governor in Council may prescribe.

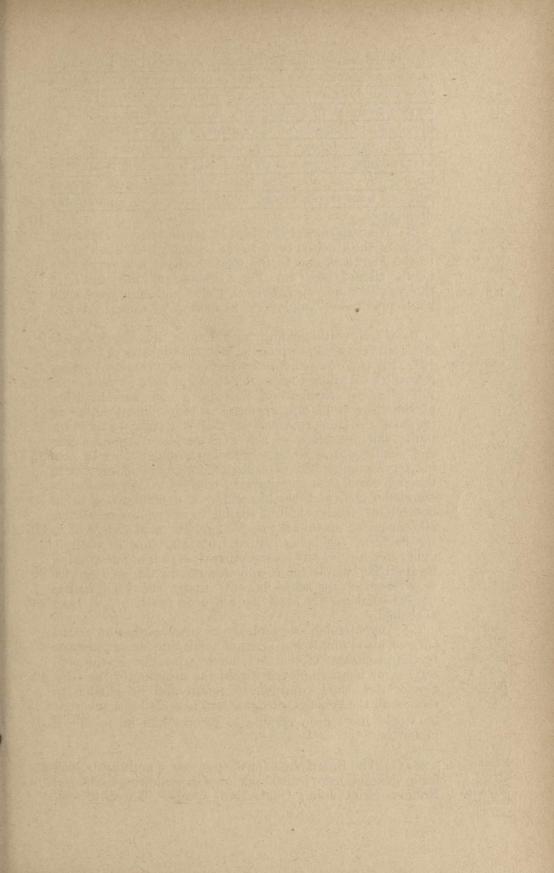
(12) A Member shall cease to hold office on becoming permanently incapacitated, in the opinion of the Governor in Council, or on reaching the age of seventy years. 30

(13) A Member, on the expiration of his term of office, and if not disqualified by age, shall be eligible for re-appointment.

(14) Before any Member enters upon the execution of his duties, he shall take and subscribe, before the Clerk 35 of the Privy Council, an oath, which shall be filed in the office of the said Clerk, in the following form:—

(15) The head office of the Board shall be in the city of Ottawa, in the province of Ontario, but meetings of the Board may be held at such other places as the Board may decide. 45

4. (1) The Board may employ such professional, technical and other officers, clerks and employees as it may deem necessary for the proper conduct of its business and fix their remuneration. Provided that in the employment



of such officers, clerks and employees under the provisions of this subsection, other qualifications being equal, preference shall be given to persons who have been on active service overseas in the military forces, or being resident or domiciled in Canada at the outbreak of the war served in His Majesty's forces, or who have served on the high seas in a seagoing ship of war in the naval forces of His Majesty during the war, and who have left any of such services with an honourable record or who have been honourably discharged. 10

5

Government Employees Compensation Act to apply.

R.S., c. 30.

Civil Service Superannuation rights preserved.

R.S., c. 24.

Civil Service Act benefits preserved.

R.S., c. 22, 8. 2.

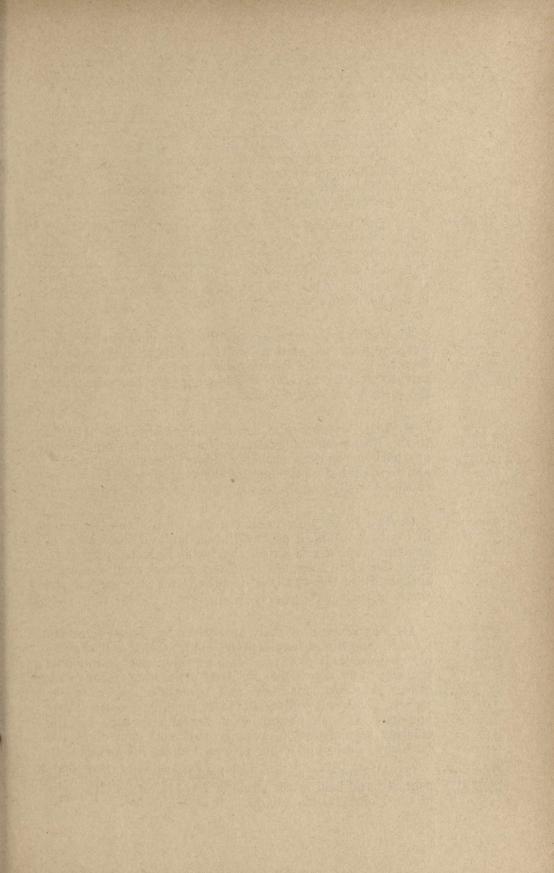
Board to have jurisdiction over certain harbours.

(2) The Government Employees Compensation Act. chapter thirty of the Revised Statutes of Canada, 1927, shall apply to the Members and to the officers, clerks and employees of the Board and for the purposes of the said Act the Members and such officers, clerks and employees shall 15 be deemed to be "employees" as defined by the said Act.

5. (1) Notwithstanding anything in the Civil Service Act, chapter twenty-two of the Revised Statutes of Canada, 1927, the Civil Service Superannuation Act, chapter twentyfour of the Revised Statutes of Canada, 1927, or any other 20 Act of the Parliament of Canada, a civil servant who, at the time of his appointment or employment under or pursuant to the provisions of this Act, is a contributor under the provisions of the Civil Service Superannuation Act. shall continue to be a contributor under the said Act; 25 his service under this Act shall be counted as service in the civil service for the purposes of the Civil Service Superannuation Act, and he, his widow and children or other dependents, if any, shall be eligible to receive the respective allowances or gratuities provided by the said Act; and in 30 the event of his being retired from his office or position under this Act for any reason other than that of misconduct, he shall be eligible for re-appointment in the civil service or to receive the same benefits under the Civil Service Superannuation Act as if his office or position had been 35 abolished.

(2) Any Member or employee of the Board, who at the time of his appointment or employment under or pursuant to the provisions of this Act, holds a position in the civil service, or is an employee within the meaning of the Civil 40 Service Act, shall continue to retain and be eligible to receive all the benefits, except salary as a civil servant, that he would have been eligible to receive had he remained under that Act.

6. (1) The Board shall, for the purpose of and as provided 45 for in this Act, have jurisdiction over the following harbours: Halifax, Saint John, Chicoutimi, Quebec, Three Rivers,



works and property.

Montreal and Vancouver, and shall likewise have administration, management and control of.-

- (a) all works and property which at the date of the coming into force of this Act were administered. managed and controlled by any of the Corporations;
- (b) all other harbours and works and property of the Dominion of Canada which the Governor in Council may transfer to the Board for administration, management and control.

(2) The boundaries of the harbours of Halifax, Saint 10 John, Chicoutimi, Quebec, Three Rivers, Montreal and Vancouver shall be as described in Schedule "B" to this Act, or as may be determined from time to time by order of the Governor in Council and any such order shall be published in the Canada Gazette.

As to jurisdiction over or control of private properties.

Boundaries.

Transfer to the Board of other harbours, works and property.

Harbour headline.

Acquisition of real estate or personal property.

Construction and operation of roads. railways vessels, etc.

General powers.

Property to be vested in His Majesty.

7. Unless otherwise specifically provided for in this Act, nothing in section six hereof contained shall be deemed to give the Board jurisdiction over or control of private property or rights within any of the harbours under the jurisdiction of the Board. 20

8. The Governor in Council may at any time transfer to the Board for administration, management and control any harbour, work or property of the Dominion of Canada, and from and after the date of such transfer the provisions of this Act shall apply to such harbour, work or property.

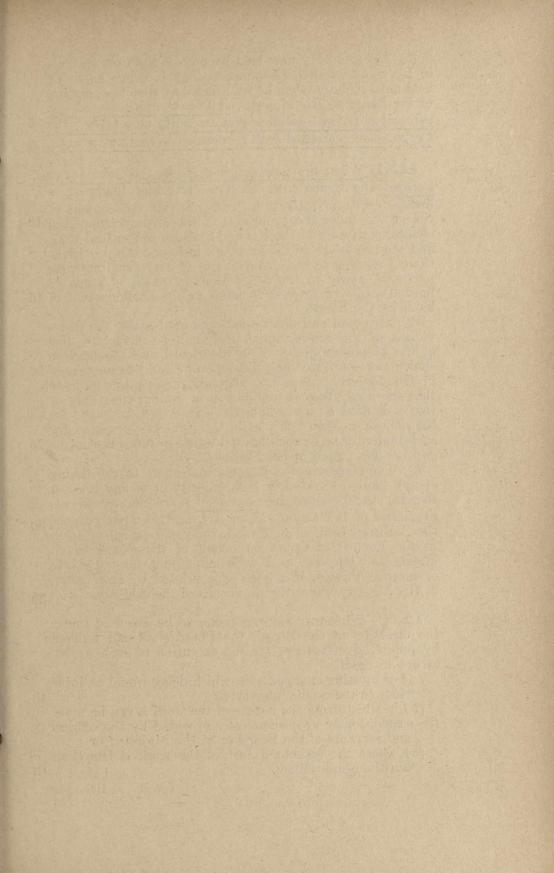
9. The Board may, with the approval of the Governor in Council, establish at any time a limit in the waters of any harbour under its jurisdiction beyond which construction from the shore may not be extended and shall designate such limit as the "harbour headline" for any part or the whole of such harbour. 30

10. (1) When previously authorized by the Governor in Council, the Board may acquire, hold, possess, sell, dispose of, or lease real and personal, movable and immovable property; and may either by itself or in co-operation with others construct, maintain and operate roads, railways, vessels, plant and equipment; and generally do such things and exercise such powers as it deems necessary for the efficient administration, management and control of the harbours, works and other property under its jurisdiction.

(2) All property acquired or held by the Board shall be acquired and held in the name of His Majesty in His right of the Dominion of Canada.

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Property now vested in corporations to continue to be so vested until transferred.

(3) Any property now held by any of the Corporations in the name of such Corporation may continue so to be held until the same shall be transferred by such Corporation or the Board to His Majesty, and for the purposes of this subsection, notwithstanding section thirty-nine hereof, the Corporation concerned shall be deemed to continue to exist.

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Acquisition of lands, etc.

R.S., c. 64.

Signature to plan and description.

Property vested in His Majesty.

Ascertainment of compensation.

Tenders.

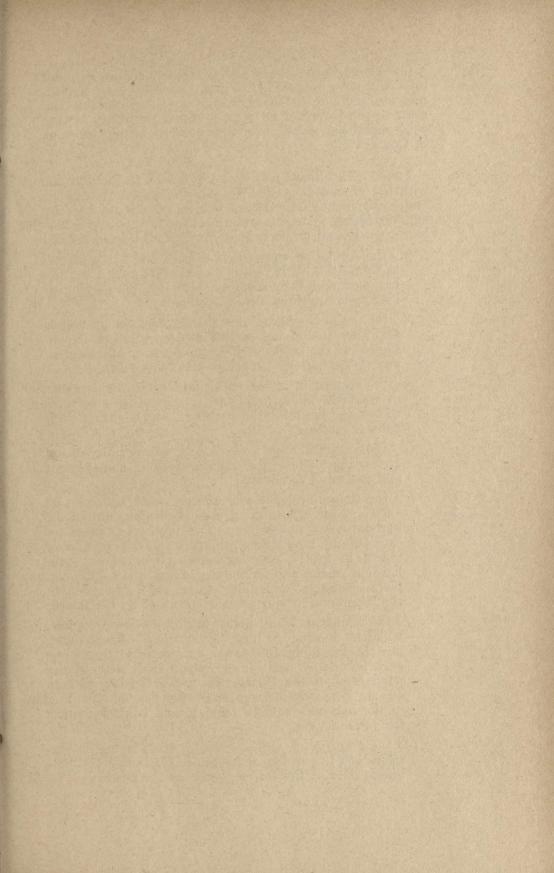
11. (1) When previously authorized by the Governor in Council the Board may acquire and take lands or a limited estate or interest in lands without the consent of the owner under the provisions of the Expropriation Act, 10 chapter sixty-four of the Revised Statutes of Canada, 1927, and the provisions of the said Act, including the provisions thereof relating to the abandonment of lands, shall, mutatis mutandis, apply to the acquisition or taking of lands or limited estate or interest in lands or the abandonment of 15 lands by the Board.

(2) Any plan and description deposited under the provvisions of the *Expropriation Act* shall be signed by one of the Members on behalf of the Board and the land so shown and described shall thereupon be and become vested 20 in His Majesty unless the plan and description indicate that the land taken is required for a limited time only or that a limited estate or interest therein is taken; and by the deposit in such latter case, the right of possession for such limited time or such limited estate or interest shall be 25 and become vested in His Majesty.

(3) The compensation payable in respect to the taking of any lands so vested in His Majesty, or of any interest therein, shall be ascertained and paid in accordance with the provisions of the *Expropriation Act*, and for that purpose **30** the Attorney-General of Canada may file an information in the Exchequer Court on behalf of the Board to all intents and purposes as if such lands, or a limited estate or interest therein, had been expropriated by and vested in His Majesty under the provisions of the said Act. **35**

12. (1) Whenever any works are to be executed under the direction of the Board, the Board shall call tenders by public advertisement for the execution of such works, except in cases

- (a) of pressing emergency in which delay would be injurious to the public interest; or 40
- (b) in which from the nature of the work it can be more expeditiously or economically executed by the officers and servants of the Board or of His Majesty; or
- (c) where the estimated cost of the work is less than ten thousand dollars. 45



To be submitted to Government. (2) Whenever, in case of any works, tenders are required by this Act to be called, the Board shall refer all tenders received therefor to the Minister who shall submit the same to the Governor in Council and the contract for the work shall be awarded under the authority of the Governor **5** in Council.

By-laws.

Matters in connection with mooring, etc., of vessels and aircraft.

Use of harbours and facilities.

Construction and maintenance of wharves, etc.

Tolls on bridges.

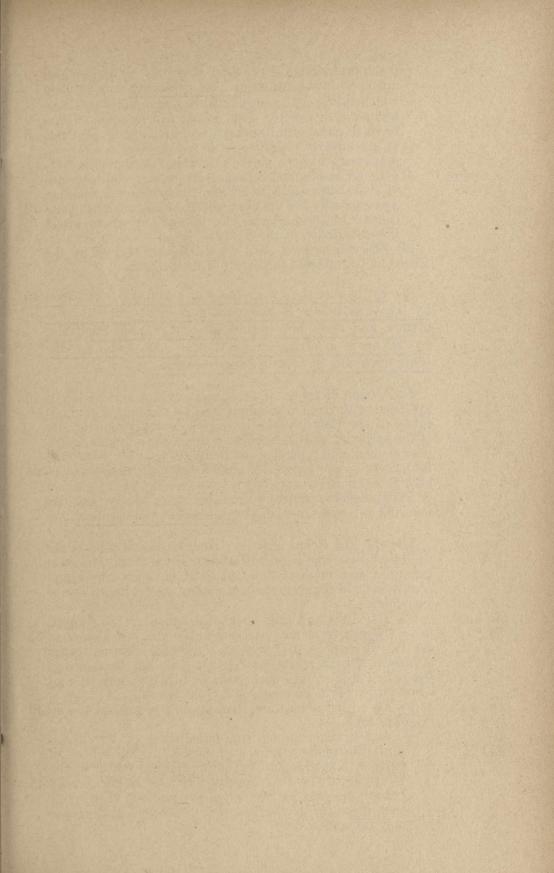
Rates and tolls on vessels and aircraft and their cargoes, passengers, etc.

Regulation of loading and unloading plant.

Pension and insurance funds and annuities. **13.** (1) The Board may make by-laws, not inconsistent with the provisions of this Act, for the direction, conduct and government of the Board and its employees, and the administration, management and control of the several har-10 bours, works and property under its jurisdiction including:

- (a) the regulation and control of each and every matter in connection with vessels and aircraft navigating the harbours and their mooring, berthing, discharging or loading or anything incidental thereto;
- (b) the use of the harbours and their facilities by vessels and aircraft and the agents, owners, masters or consignees of the same; and for the lease or allotment of any of the harbour property, plant or facilities;
- (c) the regulation of the construction and maintenance 20 of wharves, piers, buildings or any other structures within the limits of the harbours, and anything incidental thereto;
- (d) the imposition and collection of tolls for any use of any bridge under the administration, management 25 and control of the Board;
- (e) the imposition and collection of rates and tolls on vessels or aircraft entering, using or leaving any of the harbours; on passengers; on cargoes; on goods or cargo of any kind landed, shipped, transhipped and/or 30 stored in any of the harbours and/or moved over harbour tracks, and for the use of any wharf, building, plant, property or facility under the jurisdiction of the Board and for any service performed by the Board;
- (f) the regulation of all plant, machinery or appliances, 35 whether floating or not, for loading or unloading vessels, including the power to prescribe that none shall enter any harbour or remain in it without the permission of the Board, and power to levy a rate or sum of money thereon for the privilege of operating 40 in the harbours, and to regulate and control charges for such services;

(g) the granting of pensions and/or the making of contributions to pension or insurance funds and the providing of annuities for employees of the Board; 45



Penalties.

Generally.

By-laws to be transmitted to Minister.

Coming into force.

Board may use reasonable force to enforce observance of by-laws.

Rates and tolls.

Rates paid by consignee, etc.

Clearance not to be granted before payment of tolls, etc. (h) the prescribing of penalties that may be imposed on any person violating or not observing any by-law which the Board is authorized to make under this Act, but no such penalty shall exceed five hundred dollars or sixty days' imprisonment, or in default of payment 5 of a pecuniary penalty and of the costs of conviction, imprisonment for a period not exceeding thirty days;

(i) the doing of anything necessary to carry out the provisions of this Act within their true intent and meaning, and generally for the administration, management and 10 control of the harbours, works and properties under the jurisdiction of the Board.

(2) All such by-laws shall upon adoption thereof by the Board be transmitted forthwith to the Minister.

(3) No by-law shall have force or effect until confirmed 15 by the Governor in Council and published in the *Canada Gazette*, and upon such confirmation and publication any by-law made in accordance with this Act shall have the same force and effect as if enacted herein.

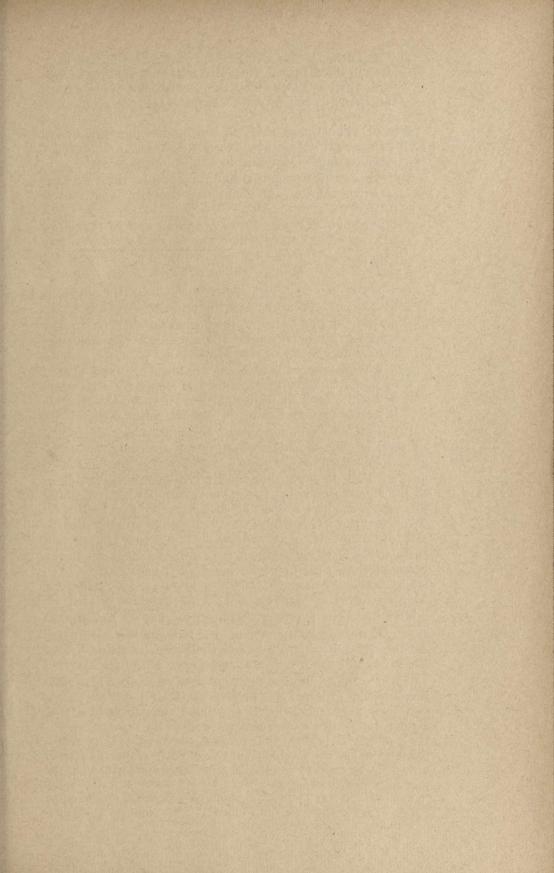
14. If the violation or non-observance of any by-law is 20 attended with danger or annoyance to the public or hindrance to the Board in the lawful use or operation of any of the harbours, works or property under the administration, management and control of the Board, it may, by or through its officers or employees, summarily interfere, using reason-25 able force, if necessary, to prevent or stop such violation or to enforce observance, without prejudice to any penalties incurred in respect of such violation or non-observance.

15. (1) The Board may levy such rates and tolls as are fixed by by-law and may, with the approval of the Minister, **30** commute any rates or tolls so fixed on such terms and conditions and for such sums of money as the Board deems expedient.

(2) The rates and tolls on goods landed or transhipped in or shipped from any harbour under the jurisdiction of 35 the Board shall be paid by the consignee, shipper, owner or agent of such goods, and goods shall not be removed from the harbour until such rates or tolls are fully paid or security for payment accepted by the Board.

(3) No officer of customs shall grant a clearance to any 40 vessel to leave,—

(a) any harbour under the jurisdiction of the Board until the master thereof produces to such officer of customs a certificate from an authorized officer of the Board certifying that the rates or tolls on such vessel 45 have been paid or that none are payable thereon or that in so far as the Board is concerned a clearance may be granted; or



(b) any other harbour or port in Canada if he shall have been notified by the Board to withhold such clearance until further notified by the Board that in so far as the Board is concerned a clearance may be granted.

When vessels may be seized. **16.** (1) The Board may, in the manner hereinafter set 5 forth, seize and detain any vessel within the limits of the territorial waters of Canada in the following cases:

- (a) whenever any sum is due in respect of the vessel for rates or tolls or for commuted rates or tolls and is unpaid; 10
- (b) whenever the master, owner or person in charge of the vessel has violated or has failed to observe any provision of this Act, or any by-law in force under this Act, and has rendered himself liable to any penalty;
- (c) whenever any injury has been done by the vessel or 15 by the fault or neglect of the crew, while acting as the crew or under order of their superior officers, to any works or property under the administration, management and control of the Board;
- (d) whenever any obstruction whatever has been offered 20 or made to the operations of the Board by any vessel or by the fault or neglect of the crew, while acting as the crew or under order of their superior officers.

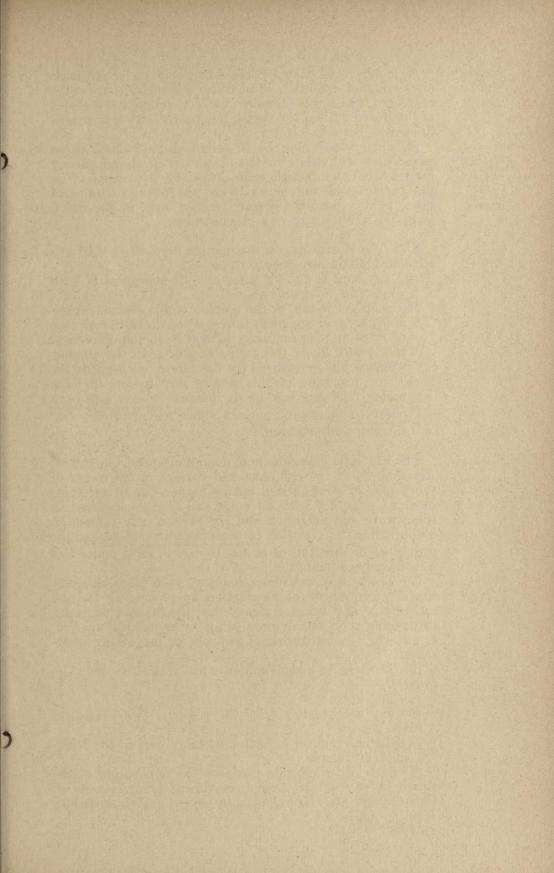
(2) In a case coming within paragraphs (c) or (d) of subsection one of this section, the vessel may be seized 25 and detained until the injury so done has been repaired and until all damages thereby directly or indirectly caused to the Board (including the expense of following, searching for, discovery and seizing of such vessel) have been paid to or security for such payment accepted by the Board; 30 and for the amount of all such injury, damages, expenses and costs, the Board shall have a preferential lien upon the vessel and upon the proceeds thereof until payment has been made or adequate security has been given for such damages. whether direct or indirect, and for the amount of all such 35 injury, damages, expenses and costs as may be awarded in any suit resulting therefrom, and the owner, charterer, master or agent of such vessel shall also be liable to the Board for all such injury, damages, expenses and costs.

(3) The Board shall have a lien upon any vessel and upon 40 the proceeds thereof in preference to all other claims and demands whatsoever (saving and excepting the claims for wages of seamen, under the provisions of the *Canada Shipping Act*) for the payment of any rates, tolls or penalties due and payable with respect to such 45 vessel or in respect of the acts of the master, owner or person in charge thereof.

Cases' coming under paragraphs (c) or (d).

Lien.

Board to have a lien.



Vessel may be sold.

Right to seize or sell not affected if vessel property of any other person.

Seizure and detention of goods.

At the risk, cost and charges of owner.

Time of seizure or detention.

On whose order seizure may be effected.

On application of the Board, etc. (4) Such vessel may be seized and sold under any writ or warrant of execution or of distress issued by any court of record upon the judgment or conviction at the suit of the Board against the vessel, the master, owner or person in charge thereof.

(5) Such vessel may be so seized and detained, or so seized and sold, while in the possession or charge of any person whatever, whether in charge or possession of or the property of the person who was owner when such rates, tolls or penalties accrued, or in charge or possession 10 of or the property of any other person.

17. The Board may in the manner hereinafter set forth seize and detain any goods in case,—

- (a) any sum is due for rates or tolls in respect of such goods and is unpaid; or 15
- (b) such goods are, in the opinion of the Board, perishable goods, or are goods in respect of which the amount of rates or tolls accruing thereon is, in the opinion of the Board, likely to become greater than the amount which could be realized by the sale of such goods; or 20
- (c) any provision of this Act or any by-law in force under this Act has been violated or has not been observed in respect of such goods and a penalty has thereby been incurred.

18. (1) Every seizure and detention made under this 25 Act shall be at the risk, cost and charges of the owner of the vessel or goods seized until all sums due or penalties incurred, together with all costs and charges incurred in the seizure and detention and the costs of any conviction obtained for the violation or non-observance of any of the 30 provisions of this Act, or of any by-law in force under this Act, have been paid in full.

(2) The seizure and detention may take place either at the commencement of any action or proceeding for the recovery of any sums of money due, penalties or damages, 35 or pending such suit or proceeding, or as incident thereto, or without the institution of any suit or proceeding whatsoever.

(3) The seizure and detention may be effected upon the order of,—40

(a) any judge;

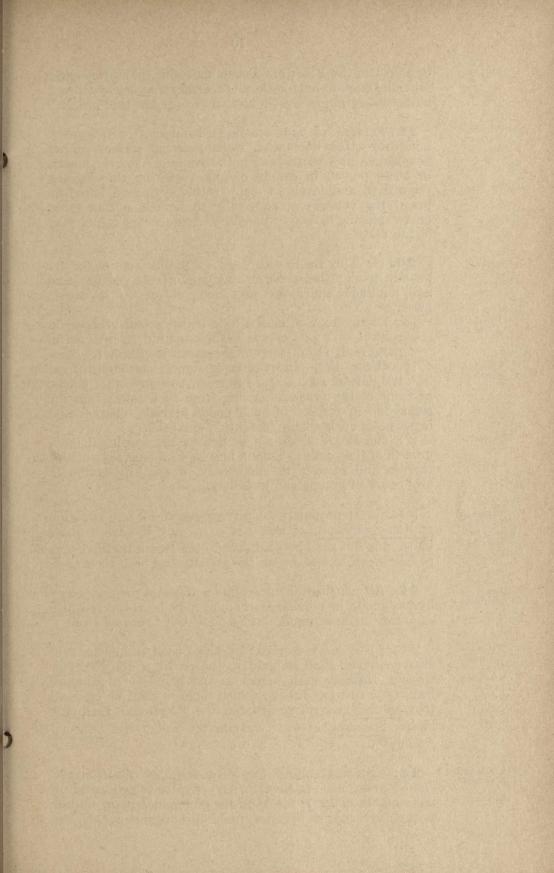
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- (b) any magistrate having the power of two justices of the peace;
- (c) the chief officer of customs at any port in the Dominion of Canada.

(4) Such order may be made on the application of the Board or any officer thereof, or the Attorney-General of Canada, and may be executed by any constable or bailiff.

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or officer of the Board, and such constable, bailiff or officer is hereby empowered to take all necessary means and demand all necessary aid to enable him to execute the said order.

Service of warrant, etc. 19. Service of any warrant, summons, writ, order, notice or other document, when personal service cannot 5 be effected, may be made upon the owner or upon the master or other person in charge of any vessel by showing the original to and leaving a copy with any person found on board the vessel and appearing to be one of her crew, or by affixing a copy thereof to some conspicuous part 10 of the vessel.

20. (1) The Board may sell at public auction or by private tender the whole or any part of the goods seized and detained under the provisions of section seventeen hereof,—15

(a) at any time after the date of the seizure thereof in respect of goods of the nature or kind referred to in paragraph (b) of section seventeen of this Act:

(b) at any time after the expiration of one month from

the date of such seizure in respect of any other goods; 20 and out of the proceeds arising from such sale retain the sums due in respect of such goods and the charges and expenses of such seizure, detention and sale.

(2) The Board shall pay or deliver the surplus, if any, or such of the goods as remain unsold, to the person entitled 25 thereto and recover the deficiency, if any, by action in any court of competent jurisdiction.

21. Every pecuniary penalty recovered for any violation or non-observance of this Act or of any by-law in force under this Act shall be paid over to the Board by the Court 30 or magistrate before whom the penalty has been recovered.

22. All penalties incurred under this Act, or under any by-law made in pursuance thereof, may be recovered in a summary manner under Part XV of the *Criminal Code*.

23. All moneys received by the Board from whatever 35 source derived shall be paid to the credit of the Receiver General through such banks as the Minister of Finance from time to time directs. Such moneys shall be credited to a special account designated the "National Harbours Board Special Account" hereinafter called the "Special 40 Account".

24. Notwithstanding the provisions of *The Consoli*dated Revenue and Audit Act, 1931, chapter twenty-seven of the statutes of 1931, the Minister of Finance may, subject to the provisions of this Act, make disbursements from the 45

Sale of goods at public auction.

Perishable goods, etc.

Other goods.

Surplus.

Deficiency.

Penalties to be paid over to Board.

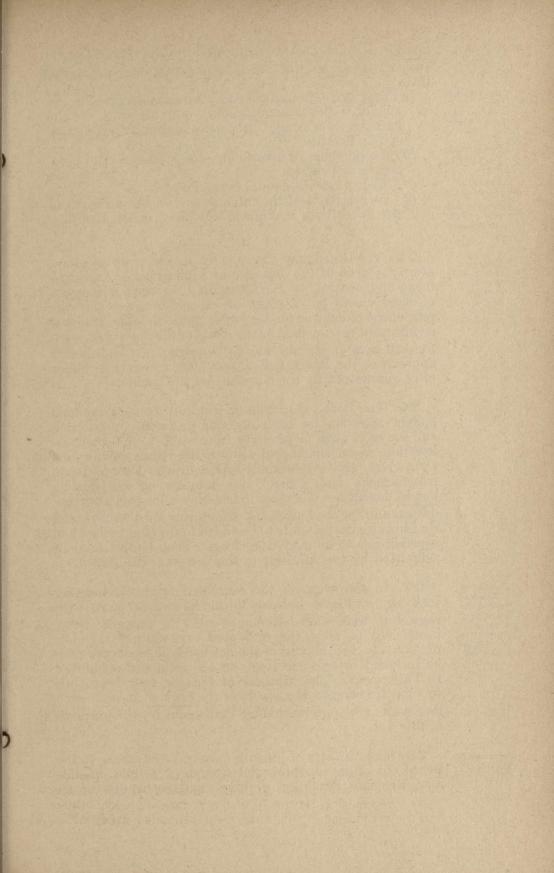
Recovery of penalties.

R.S., c. 36.

Revenues to be paid into chartered banks.

Special Account.

Expenditure of moneys. 1931, c. 27.



Special Account on the requisition of the Board or its authorized officers, for the following purposes, or any of them:

- (a) the payment of all necessary expenses incurred in the administration, management and control of the 5 harbours, works, and properties under the jurisdiction of the Board;
- (b) the purchase of investments for a reserve fund hereinafter referred to;
- (c) the payment of capital expenditures;
- (d) the payment of the interest on and the principal of any debentures or other indebtedness of the Board.

25. The Board may allocate any portion of its revenues, after payment of the expenses of administration, management and control, to a reserve fund for the replacement 15 of fixed assets or of plant or of equipment or for the retirement of debt or for any other purpose. The amounts so allocated may remain at the credit of the Special Account at such rate of interest as the Governor in Council may approve or the Board may invest such amounts in bonds 20 of or guaranteed by the Government of Canada.

26. The Board shall submit to the Minister an annual budget showing, for each harbour under its jurisdiction and for each work or property transferred to it for administration, management and control, the estimated revenue, 25 by sources, and the estimated expenditures for operation, management and control, for interest on outstanding bonds, debentures and other indebtedness, for capital expenditures and for the retirement of maturing indebtedness, and showing also the amounts to be added to the reserve fund and 30 expenditures to be made therefrom. Such budget shall be submitted by the Minister to the Governor in Council.

27. In the event of the estimated revenues, together with any available balance in the Special Account, with respect to each such harbour or work or property being 35 insufficient to meet the estimated expenditures therefor, respectively, the amount of the deficiency in each case shall be included in separate items in the estimates submitted to Parliament. The Minister of Finance may from time to time transfer to the credit of the Special Account such moneys as are appropriated by Parliament for the purposes 40 of this Act.

28. The Minister of Finance may make advances to the Board out of any unappropriated moneys in the Consolidated Revenue Fund for working capital purposes of an

Administration, management and control expenses.

Investments for reserve fund.

Capital expenditures.

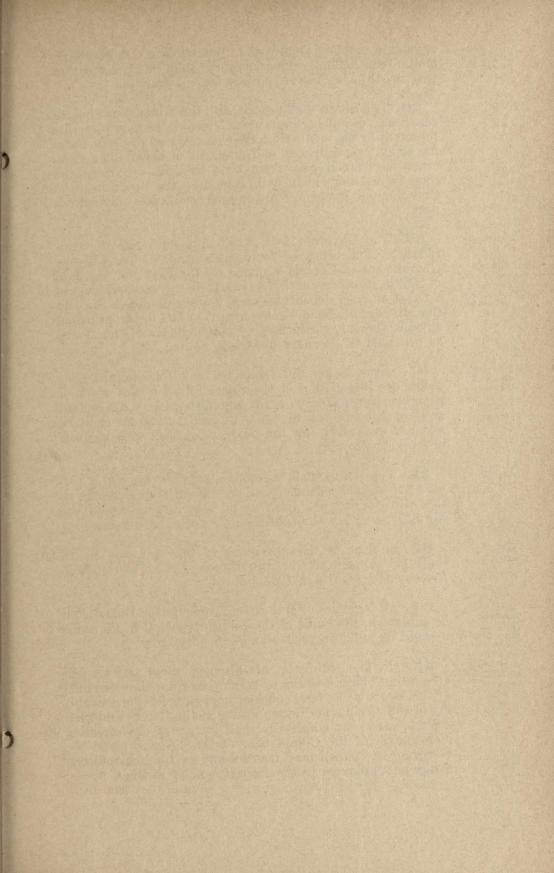
Interest and principal of debentures, etc.

Allocation of portion of revenues to reserve fund for replacement of fixed assets, etc.

Annual budget.

Deficiency in revenues from each harbour, work or property to be included in separate items in estimates.

Advances for working capital.



Not exceeding at any time \$1,000,000.00.

Certificates of indebtedness.

Rates of interest.

Governor in Council may authorize cancellation of certain debentures and interest.

Separate accounts for each harbour, work or property.

Annual report.

Act^{*}to apply. 1931, c. 27.

Audit of revenues and expenditures.

Accounting officers, etc. aggregate amount at any time outstanding not exceeding one million dollars. Such advances shall be repaid within two months after the close of each fiscal year.

29. The Board shall deposit with the Minister of Finance certificates of indebtedness in such form as he may prescribe 5 representing payments from the Consolidated Revenue Fund for capital expenditures or retirement of debt. The Governor in Council may from time to time determine the rates of interest which shall be paid by the Board into the Consolidated Revenue Fund on such certificates of indebted-10 ness.

30. The Governor in Council may authorize the cancellation of debentures representing indebtedness to the Government of Canada assumed by the Board at the date of coming into force of this Act and any accrued and unpaid 15 interest on such debentures or any other indebtedness, and the Minister of Finance may accept, in lieu of the principal amount thereof, certificates of indebtedness of the Board as provided in the next preceding section.

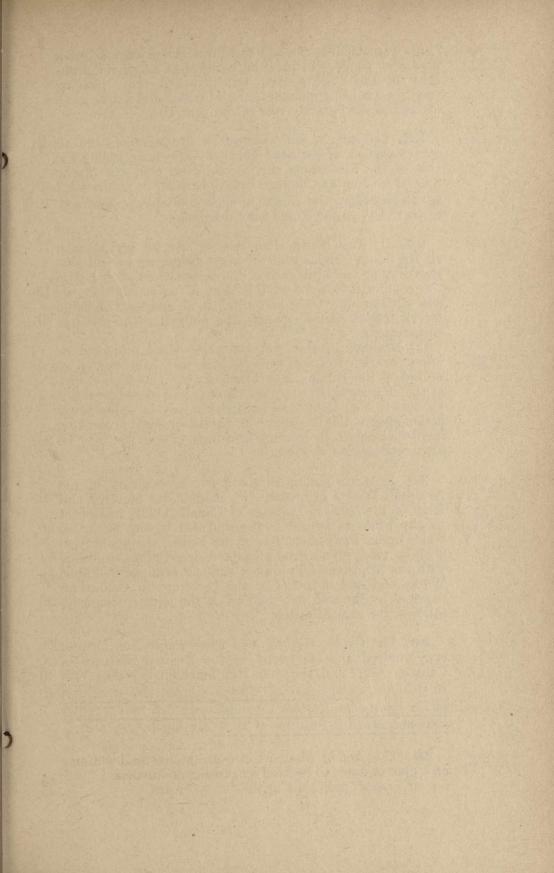
31. Separate accounts shall be kept for each harbour 20 under the jurisdiction of the Board and for each work or property transferred to it for administration, management and control and the revenues derived therefrom shall be assigned exclusively for the purposes of each such harbour or work or property. 25

32. The Board shall, as soon as possible after the termination of each calendar year, submit an annual report to the Minister in such form as he may prescribe and the Minister shall lay the said report before Parliament.

33. Subject to the provisions of this Act, the Board 30 shall be subject to the provisions of *The Consolidated Revenue and Audit Act*, 1931.

34. All revenues of and expenditures by the Board shall be subject to the audit of the Auditor General in the same manner as public revenues and expenditures. 35

35. (1) The Minister of Finance may select such accounting officers, clerks or employees from the personnel of the Board as he may consider necessary for the accounting of the receipts and expenditures of the Board, and such officers, clerks or employees shall be under the direction 40 and control of the Comptroller of the Treasury, and the Governor in Council may transfer any of the said officers, clerks or employees to the Department of Finance.



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Classification and compensation.

R.S., c. 22.

Expenses of the Board.

(2) The classification and rate of compensation of a person so transferred shall be established under the authority of the *Civil Service Act*: Provided that, pending such person being classified, the Minister of Finance shall determine the monthly rate of compensation.

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36. The salaries and expenses of the Members and all other expenses of the head office at Ottawa, including the cost of the accounting service, shall be paid out of the <u>Special Account and charged to each harbour or public work</u> administered by the Board in such equitable proportions, 10 respectively, as the Board may determine.

37. (1) The Board shall possess and be vested with all the powers, rights and privileges belonging to and possessed by or vested in each of the corporations at or before the coming into force of this Act, or to which they, or 15 any of them, may be or become entitled, and shall be liable for all lawful claims against, and obligations of the said corporations.

(2) Nothing in this Act contained shall prejudice or affect the rights of any person which may have existed at 20 or before the coming into force of this Act against any of the corporations or any action or legal proceeding taken to enforce such rights and such rights may be enforced by action against the Board and any action or legal proceeding instituted before the coming into force of this Act may be 25 continued against the Board.

38. Notwithstanding anything to the contrary in the Navigable Waters Protection Ac', chapter one hundred and forty of the Revised Statutes of Canada, 1927, in respect to any work as defined in the said Act in any navigable 30 water under the jurisdiction of the Board, the application shall be made to and the plans and descriptions deposited with the Minister of Transport and the Minister of Public Works and any approval of the Governor in Council as required by the said Act shall be on the joint recommend-35 ation of the said Ministers.

Acts repealed. 1927, c. 67. R.S., c. 169.

one hundred and sixty-nine of the Revised Statutes of Canada, 1927, and the Acts mentioned in Schedule "A" to this Act, except sections fifteen, sixteen and seventeen 40 of *The Saint John Harbour Commissioners Act*, 1927, chapter sixty-seven of the Statutes of 1927, are hereby repealed.

39. The Quebec Harbour and River Police Act. chapter

Commencement of Act. 40. This Act in whole or in part shall come into force on a date or dates to be fixed by proclamation of the Governor in Council published in the *Canada Gazette*. 45

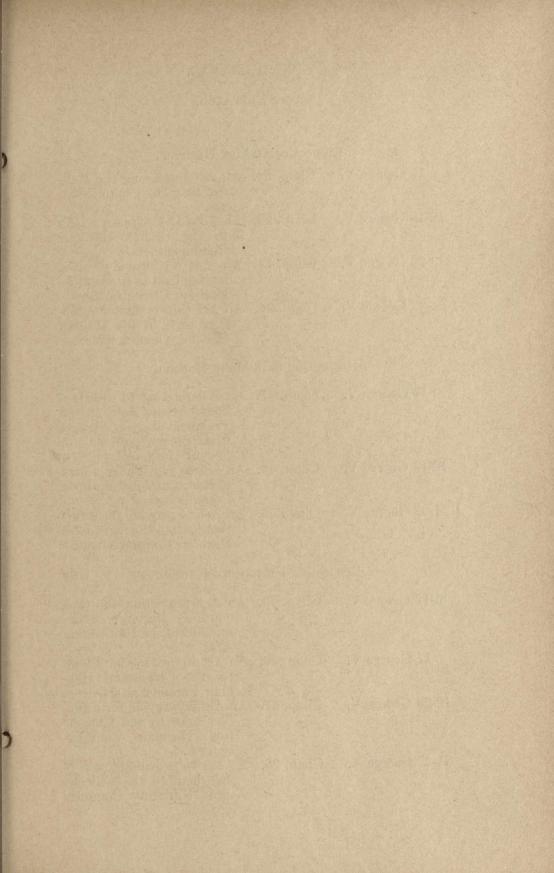
Powers of Board.

Liabilities.

Prior rights of persons not affected.

Pending actions.

Proceedings relative to construction of works in navigable waters under jurisdiction of Board.



SCHEDULE "A".

ACTS REPEALED.

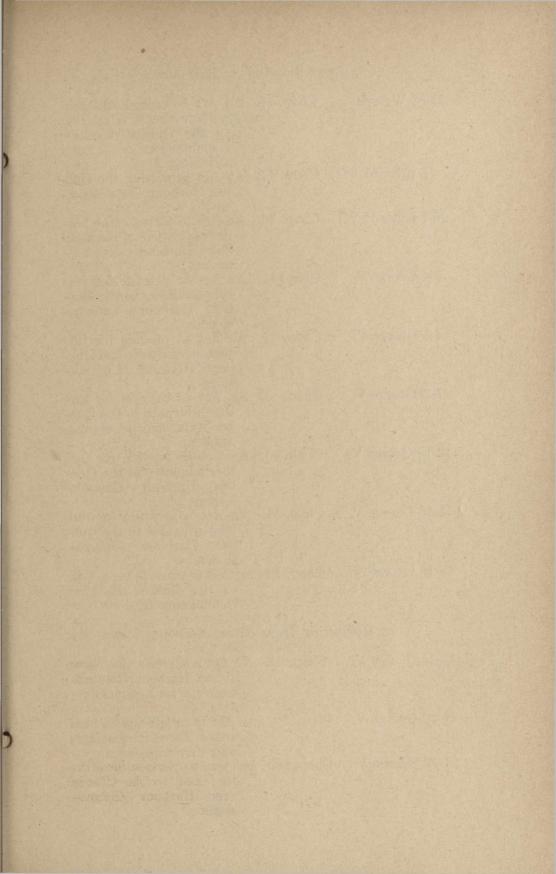
Title of Act.

Respecting Halifax Harbour.

17 George V,	Chap. 58.	An Act respecting the Hali- fax Harbour Commission- ers.	
18-19 George V,	Chap. 28.		
19-20 George V,	Chap. 44.	An Act to provide for a further loan to the Halifax Harbour Commissioners.	
21-22 George V,	Chap. 34.		
Respecting Saint John Harbour.			
Resp	ecting Saint	John Harbour.	
Resp 17 George V,		An Act relating to the Har- bour of Saint John in the Province of New Bruns- wick except sections 15,	
		An Act relating to the Har- bour of Saint John in the Province of New Bruns-	

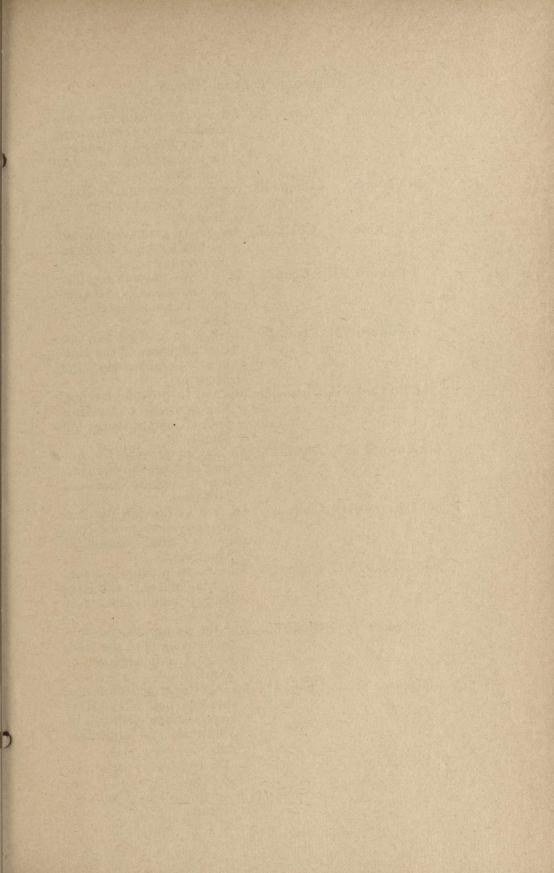
Respecting Chicoutimi Harbour.

16-17 George V,	Chap. 6.	An Act respecting the Chi- coutimi Harbour Com- missioners; and amending Acts.
17 George V,	Chap. 46.	An Act to provide for a loan to the Chicoutimi Har- bour Commissioners.
19-20 George V,	Chap. 37.	An Act to provide for a fur- ther loan to the Chicou- timi Harbour Commis- sioners.
21-22 George V,	Chap. 25.	An Act to provide for a fur- ther loan to the Chicou- timi Harbour Commis- sioners.



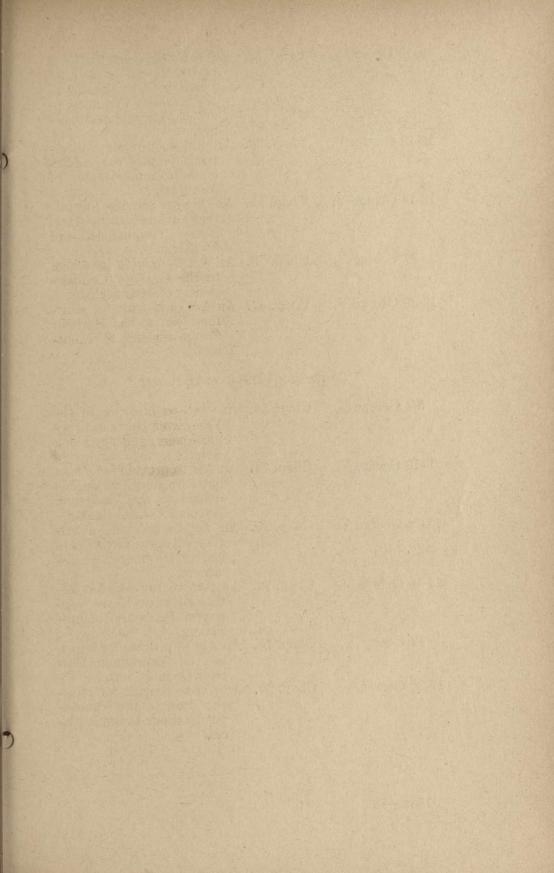
62-63 Victoria,	Chap. 34.	An Act to amend and con- solidate the Acts relating to the Quebec Harbour Commissioners; a n d amending Acts.
6 Edward VII,	Chap. 41.	An Act respecting the Que- bec Harbour Commission- ers
6-7 Edward VII,	Chap. 36.	An Act to increase the bor- rowing powers of the Que- bec Harbour Commis- sioners.
3-4 George V,	Chap. 41.	An Act to provide for fur- ther advances to the Que- bec Harbour Commis- sioners.
4-5 George V,	Chap. 47.	An Act to provide for fur- ther advances to the Que- bec Harbour Commis- sioners.
7-8 George V,	Chap. 4.	An Act to provide for fur- ther advances to the Que- bec Harbour Commis- sioners.
12-13 George V,	Chap. 40.	
15-16 George V,	Chap. 51.	An Act to provide for fur- ther advances to the Que- bec Harbour Commis- sioners.
18-19 George V,	Chap. 42	
Respecting Three Rivers Harbour.		
13-14 George V,	Chap. 71.	An Act respecting the Three Rivers Harbour Commis- sioners; and amending Acts.
19-20 George V,	Chap. 59.	An Act to provide for a loan to the Three Rivers Har- bour Commissioners.
21-22 George V,	Chap. 56.	An Act to provide for a fur- ther loan to the Three Rivers Harbour Commis-

sioners.



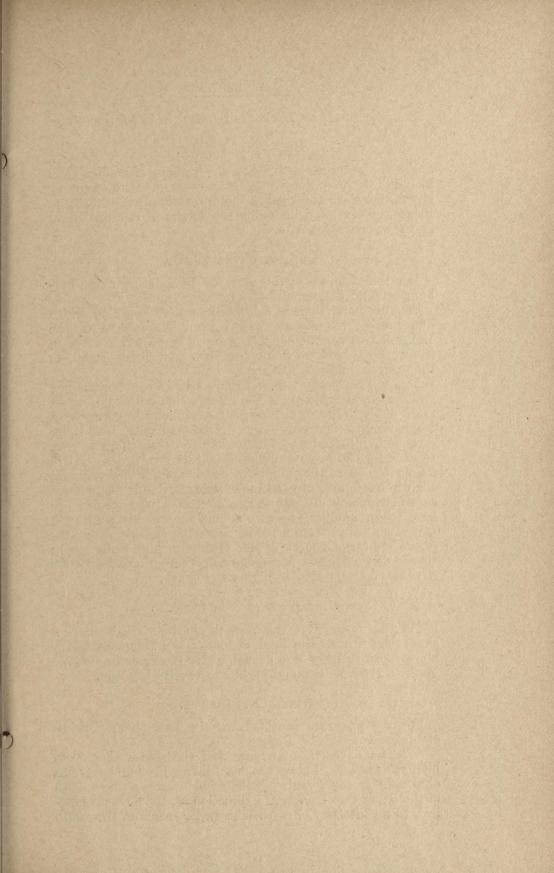
Respecting Montreal Harbour.

57-58 Victoria,	Chap. 48.	An Act to amend and con- solidate the Acts relating to the Harbour Commis- sioners of Montreal; and amending Acts.
59 Victoria,	Chap. 10.	An Act respecting the Har- bour Commissioners of Montreal.
61 Victoria,	Chap. 47.	An Act to grant further aid to the Harbour Commis- soners of Montreal.
1 Edward VII,	Chap.9.	An Act to provide for fur- ther advances to the Har- bour Commissioners of Montreal.
3 Edward VII	Chap. 36.	An Act to provide for fur- ther advances to the Har- bour Commissioners of Montreal.
6 Edward VII	Chap. 35.	An Act to provide for fur- ther advances to the Har- bour Commissioners of Montreal.
6-7 Edward VII,	Chap. 30.	An Act to provide for fur- ther advances to the Har- bour Commissioners of Montreal.
8-9 Edward VII,	Chap. 25.	An Act to provide for fur- ther advances to the Har- bour Commissioners of Montreal.
9-10 Edward VII,	Chap. 40.	An Act to provide for fur- ther advances to the Har- bour Commissioners of Montreal.
2 George V,	Chap. 36.	An Act to provide for fur- ther advances to the Har- bour Commissioners of Montreal.
4-5 George V,	Chap. 41.	An Act to provide for fur- ther advances to the Har- bour Commissioners of Montreal; and amending Act.



9-10 George V,	Chap. 53.	An Act respecting the Rate of Interest to be paid on Loans by His Majesty to the Harbour Commission- ers of Montreal and Que- bec.		
12-13 George V,	Chap. 33.	An Act to provide for fur- ther advances to the Har- bour Commissioners of Montreal.		
13-14 George V,	Chap. 59.	An Act to provide for fur- ther advances to the Har- bour Commissioners of Montreal.		
17 George V,	Chap. 8.	An Act to provide for a loan to the Harbour Commis- sioners of Montreal.		
19-20 George V,	Chap. 47.	An Act to provide for a fur- ther loan to the Harbour Commissioners of Mont- real.		
Respecting Vancouver Harbour.				
3-4 George V,	Chap. 54.	An Act to incorporate the Vancouver Harbour Com- missioners; and amending Acts.		
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- 9-10 George V, Chap. 74. An Act to provide for a loan not exceeding five million dollars to the Vancouver Harbour Commissioners.
- 13-14 George V, Chap. 29. An Act to provide for further advances to the Vancouver Harbour Commissioners.
 14-15 George V, Chap. 72. An Act to provide for further advances to the Vancouver Harbour Commissioners.
 17 George V, Chap. 73. An Act to provide for a loan to the Vancouver Harbour Commissioners.
- 19-20 George V, Chap. 60. An Act to provide for a further loan to the Vancouver Harbour Commissioners.



SCHEDULE "B"

Boundaries of the Harbours referred to in Section six of this Act.

Harbour of Halifax.

For the purposes of this Act, the harbour of Halifax shall include all the waters lying Northwest of a line running North 56° East and distant 3,500 feet Southeasterly from Pleasant Point, and including the waters of Bedford Basin and the Northwest Arm.

Harbour of Saint John.

For the purposes of this Act, the boundaries of the harbour of Saint John shall be as follows:—

The northerly limit of said harbour shall be a line drawn due northeast (astronomically) from the middle of the Dominion Government lighthouse tower erected in 1896 on the westerly bank of Saint John river, at Green Head, to the easterly bank of said river.

The southerly and westerly limits of said harbour shall be as follows:—Beginning at the intersection with high water mark of the westerly face of the Government breakwater at Negro Point; thence due south (astronomically) four thousand four hundred and fifty (4,450 ft.) feet, more or less, to an intersection with a line drawn due southwest (astronomically) from the middle of the Dominion Government Lighthouse Tower erected on Partridge Island; thence due east (astronomically) six thousand (6,000 ft.) feet, more or less, to an intersection with a line drawn due southwest (astronomically) from a point where the easterly boundary of the Military Grounds at Red Head cuts high water mark; thence due northeast (astronomically) nine thousand (9,000 ft.) feet, more or less, to high water mark.

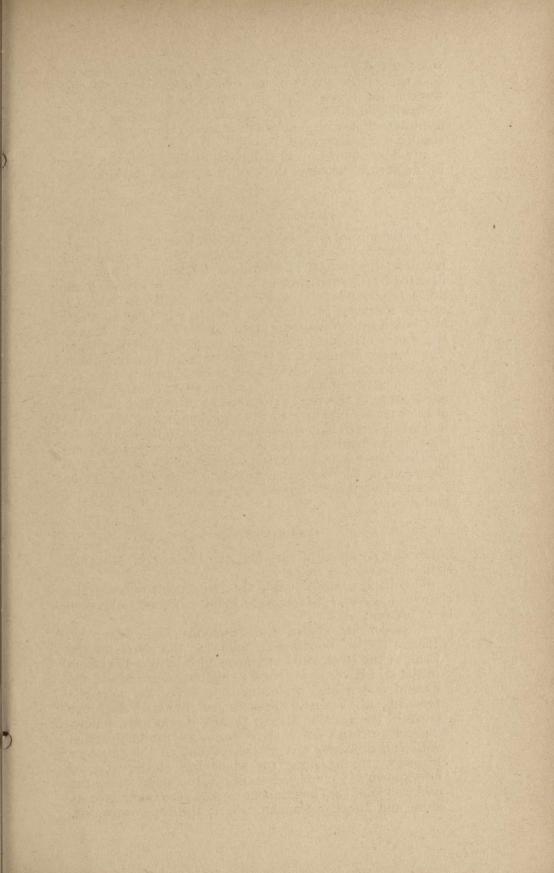
Harbour of Chicoutimi.

For the purposes of this Act, the harbour of Chicoutimi shall comprise all the tidal waters of the Saguenay River above an imaginary line drawn across the river from Cape West to river Peltier and excluding the Ha Ha Bay.

Harbour of Quebec.

For the purposes of this Act, the harbour of Quebec comprises:—

(a) The River St. Lawrence and the shores thereof to high water mark, between a line drawn from the western abutment of the roadway bridge which crosses the mouth of the River Cap Rouge, in a direction S. 15° E. astronomical, to an intersection with high water mark on the south



shore of the River St. Lawrence, and a line drawn from the east side of the mouth of the river Montmorency, directly towards the Roman Catholic church of the parish of Ste. Petronille on the Island of Orleans, and thence produced to an intersection with high water mark on the south shore of the River St. Lawrence.

(b) Those parts of all tributaries falling into the River St. Lawrence, between the said lines, where the tide ebbs and flows.

Harbour of Three Rivers.

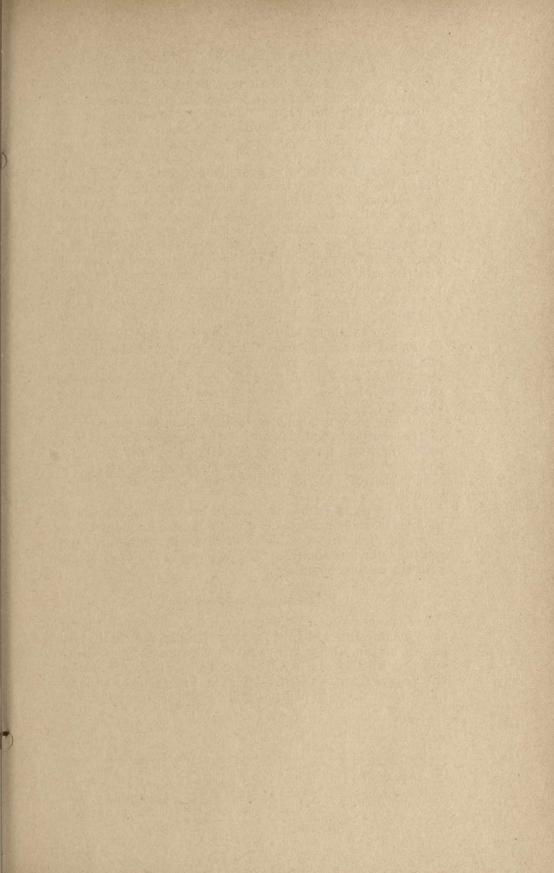
For the purposes of this Act, the harbour of Three Rivers shall comprise that portion of the river St. Lawrence lying between the eastern and western boundaries hereinafter described and extending in the river St. Maurice to the northerly boundary of the city of Three Rivers where it crosses the river St. Maurice, and shall include all water and beach up to tidal high water of the said rivers and on the shores of islands contained within the harbour limits. The westerly boundary of the harbour shall be a line drawn parallel to and one mile easterly perpendicularly from the line joining the intersection with high water mark on the north shore of the river St. Lawrence of the boundary line of the parishes of Three Rivers and Pointe du Lac and the intersection with high water mark on the south shore of the river of the boundary line of the parishes of St. Gregoire and Nicolet. The easterly boundary shall be the prolongation of the eastern boundary of the city of Three Rivers across the St. Lawrence river to the south shore of said river.

Harbour of Montreal.

For the purposes of this Act, the harbour of Montreal shall be bounded as follows:—

(a) On the western or city side, to a point opposite the church of the parish of Longue Pointe the boundary shall be as follows:—

Commencing at the mouth of the little River St. Pierre; thence, downwards, following the course of the bank of the River St. Lawrence and including the beach of the said River as far back as high water mark and the ground above high water mark reserved for a public road or path, down to the lower extremity of the lower basin of the Lachine Canal; thence, downwards, following the northwest side of the water course running parallel with and adjoining the revetment wall in the street or highway running along the whole line of the wharves now known as Commissioners street, to a point where the said wall joins the Government works at the Commissariat store and the Government wharf; thence, downwards,



following the course of the bank of the River St. Lawrence and including the beach of the said River as far back as high water mark, and any ground above high water mark reserved for a public road or path, as far as Ruisseau Migeon; thence, downwards, to a point opposite the church of the parish of Longue Pointe, following the said River along high water mark, and including the beach thereof;

the whole as set out by the provisions of section 5 of chapter 143 of the Statutes of 1855 of the late Province of Canada and as extended by the provisions of section 5 of chapter 61 of the Statutes of Canada, 1873, which said provisions shall be construed with reference to the circumstances existing when the said two Acts were respectively passed. Northerly from the said point the said harbour is extended, and the said boundary line shall continue to the extreme northern end of the Island of Montreal, following the river St. Lawrence along the present line of high water mark, and including the beach thereof.

(b) The southern boundary shall be a line bearing N. 65° E. astronomically from the easterly end of the division line between the lots known respectively as numbers 3266 and 3267 of the Official Plan and Book of Reference of the parish of Montreal to an intersection with the eastern boundary.

(c) The eastern boundary shall be from the intersection of the southern boundary with the present line of high water mark on the east shore of the river St. Lawrence along the said line of high water mark, and including the beach thereof, to the intersection with the northern boundary.

(d) The northern boundary shall be a line running from the said extreme northern end of the Island of Montreal at Bout de l'Isle and bearing due east astronomically and continuing across the river St. Lawrence to the intersection with the eastern boundary.

Harbour of Vancouver.

For the purposes of this Act, the harbour of Vancouver shall include Burrard Inlet, with the Indian Arm (formerly known as the North Arm) and Port Moody, False Creek and English Bay and all other tidal waters lying east of a line drawn from the Point Atkinson Lighthouse southerly to the most westerly point of Point Grey.

THE HOUSE OF COMMONS OF CANADA.

BILL 17.

An Act respecting the National Harbours Board.

Reprinted as Proposed to be again Further Amended in Committee of the Whole.

The MINISTER OF MARINE.

OTTAWA J. O. PATENAUDE, I.S.O. PRINTER TO THE KING'S MOST EXCELLENT MAJESTY 1936

1st Session, 18th Parliament, 1 Edward VIII, 1936

THE HOUSE OF COMMONS OF CANADA.

BILL 17.

An Act respecting the National Harbours Board.

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

Short title.

1. This Act may be cited as The National Harbours Board Act, 1936.

Definitions. "Minister."

"Board."

"Member."

"Corporations."

- 2. In this Act, unless the context otherwise requires:—
 (a) "Minister" means the Minister of the Crown named by the Governor in Council to administer this Act;
- (b) "Board" means the National Harbours Board incorporated under this Act; 10
 - (c) "Member" means any member of the Board appointed by the Governor in Council under this Act;
- (d) "Corporations" means and includes the Corporations constituted to administer the harbours of Halifax, Saint John, Chicoutimi, Quebec, Three Rivers, Mont- 15 real and Vancouver by the Acts, the titles of which are set out in Schedule "A" to this Act;
- (e) "goods" includes all personal property and movables other than vessels;
- (f) "vessel" includes any ship, boat, barge, raft, dredge, 20 floating elevator, scow or other floating craft.
- (g) "raft" includes any raft, crib, dram or bag boom of logs, timber or lumber of any kind, and logs, timber or lumber in boom or being towed.

3. (1) There shall be, under the direction of the Minister, **25** a Board to be known as the "National Harbours Board" consisting of three Members, namely, a Chairman, a Vice-Chairman and a third Member, who shall be appointed by the Governor in Council and who shall hold office during good behaviour for ten years; provided, however, that the **30** Members first appointed shall be appointed for periods of ten, nine and eight years respectively.

"Goods."

"Vessel."

Board constituted.

EXPLANATORY NOTE FOR THE REPRINT.

In this Reprint the proposed amendments are indicated by underlining. In section 22 the words "moneys due and" in the first line are struck out. Schedule "B" is also added at the end of the Bill.

EXPLANATORY NOTES.

The objects generally of this Bill are to create a National Harbours Board consisting of three Members to be appointed by the Governor in Council for periods of ten years; to give such Board jurisdiction over the Harbours of Halifax, Saint John, Chicoutimi, Quebec, Three Rivers, Montreal and Vancouver, in the place and stead of the respective Harbour Commissions now in charge of such Harbours; to give the Board administration, management and control of any other harbours, works and property of the Dominion of Canada which the Governor in Council may transfer to the Board for such purpose; and to provide for the amalgamation of the several Harbour Commissions above mentioned with the Board under the name of the "National Harbours Board." Body corporate.

Agent of His Majesty.

Board may contract, sue and be sued. Whole time to be devoted. Salaries.

Quorum.

Presiding officer.

Majority to govern.

When two members only are present.

In case of vacancy.

In case of incapacity.

In case of permanent incapacity. Age limit.

Re-appointment.

Oath of office.

Head Office.

Officers, clerks and employees.

Preference.

(2) The Board shall be a body corporate and politic and be and be deemed to be, for all the purposes of this Act, the agent of His Majesty the King in His right of the Dominion of Canada.

(3) The Board shall have the capacity to contract and 5 to sue and be sued in the name of the Board.

(4) Each Member shall devote his whole time to the business of the Board.

(5) Each Member shall be paid such sum for his services as the Governor in Council may from time to time determine. 10

(6) Two Members shall constitute a quorum.

(7) The Chairman, and in his absence the Vice-Chairman, shall preside at the meetings of the Board.

(8) In all proceedings of the Board the votes of the majority of the Members shall govern. 15

(9) In any meetings of the Board, where only two of the Members are present, all questions upon which an agreement cannot be reached shall be referred for decision to a full meeting of the Board.

(10) In case of a vacancy on the Board, the presiding 20 Member may, notwithstanding the provisions of the next preceding subsection, cast an additional vote.

(11) If any of the Members, by reason of any temporary incapacity, is unable at any time to perform the duties of his office, the Governor in Council may appoint a temporary 25 substitute Member, upon such terms and conditions as the Governor in Council may prescribe.

(12) A Member shall cease to hold office on becoming permanently incapacitated, in the opinion of the Governor in Council, or on reaching the age of seventy years. 30

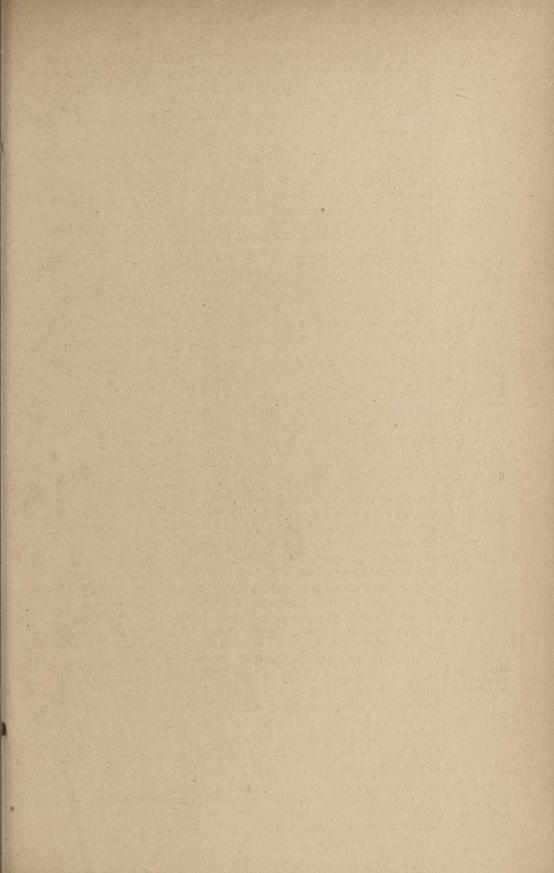
(13) A Member, on the expiration of his term of office, and if not disqualified by age, shall be eligible for re-appointment.

(14) Before any Member enters upon the execution of his duties, he shall take and subscribe, before the Clerk 35 of the Privy Council, an oath, which shall be filed in the office of the said Clerk, in the following form:—

"I,.....solemnly and sincerely swear that I will faithfully and honestly fulfil the duties which devolve upon me as a Member of the National 40 Harbours Board. So help me God".

(15) The head office of the Board shall be in the city of Ottawa, in the province of Ontario, but meetings of the Board may be held at such other places as the Board may decide. 45

4. (1) The Board may employ such professional, technical and other officers, clerks and employees as it may deem necessary for the proper conduct of its business and fix their remuneration. Provided that in the employment



of such officers, clerks and employees under the provisions of this subsection, other qualifications being equal, preference shall be given to persons who have been on active service overseas in the military forces, or being resident or domiciled in Canada at the outbreak of the war served in His Majesty's forces, or who have served on the high seas in a seagoing ship of war in the naval forces of His Majesty during the war, and who have left any of such services with an honourable record or who have been honourably discharged. 10

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(2) The Government Employees Compensation Act, chapter thirty of the Revised Statutes of Canada, 1927, shall apply to the Members and to the officers, clerks and employees of the Board and for the purposes of the said Act the Members and such officers, clerks and employees shall 15 be deemed to be "employees" as defined by the said Act.

5. (1) Notwithstanding anything in the Civil Service Act. chapter twenty-two of the Revised Statutes of Canada. 1927, the Civil Service Superannuation Act, chapter twentyfour of the Revised Statutes of Canada, 1927, or any other 20 Act of the Parliament of Canada, a civil servant who, at the time of his appointment or employment under or pursuant to the provisions of this Act, is a contributor under the provisions of the Civil Service Superannuation Act, shall continue to be a contributor under the said Act; 25 his service under this Act shall be counted as service in the civil service for the purposes of the Civil Service Superannuation Act, and he, his widow and children or other dependents, if any, shall be eligible to receive the respective allowances or gratuities provided by the said Act; and in 30 the event of his being retired from his office or position under this Act for any reason other than that of misconduct, he shall be eligible for re-appointment in the civil service or to receive the same benefits under the Civil Service Superannuation Act as if his office or position had been 35 abolished.

(2) Any Member or employee of the Board, who at the time of his appointment or employment under or pursuant to the provisions of this Act, holds a position in the civil service, or is an employee within the meaning of the Civil 40 Service Act, shall continue to retain and be eligible to receive all the benefits, except salary as a civil servant, that he would have been eligible to receive had he remained under that Act.

6. (1) The Board shall, for the purpose of and as provided 45 for in this Act, have jurisdiction over the following harbours: Halifax, Saint John, Chicoutimi, Quebec, Three Rivers,

Government Employees Compensation Act to apply.

R.S., c. 30.

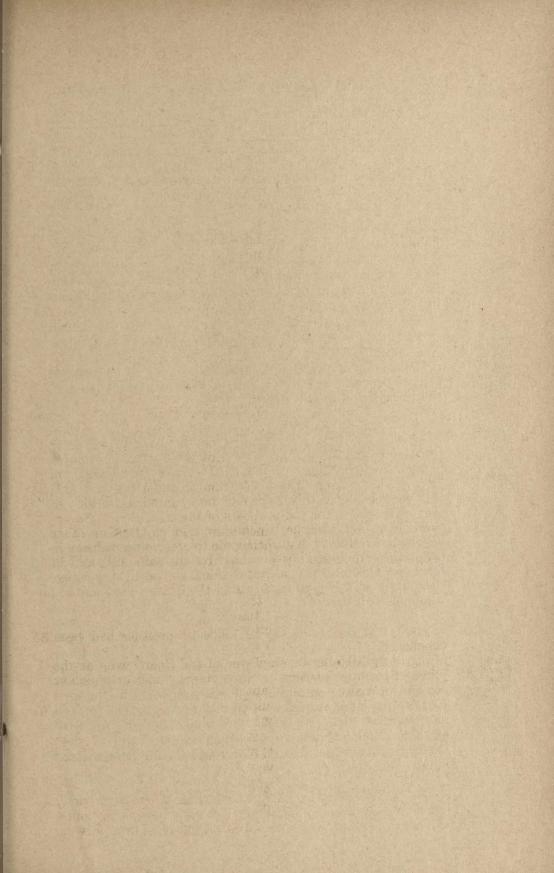
Civill Service Superannuation rights preserved.

R.S., c. 24.

Civil Service Act benefits preserved.

R.S., c. 22, B. 2.

Board to have jurisdiction over certain harbours,



works and property. Montreal and Vancouver, and shall likewise have administration, management and control of,—

(a) all works and property which at the date of the coming into force of this Act were administered, managed and controlled by any of the Corporations;

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(b) all other harbours and works and property of the Dominion of Canada which the Governor in Council may transfer to the Board for administration, management and control.

Boundaries.

(2) The boundaries of the harbours of Halifax, Saint 10 John, Chicoutimi, Quebec, Three Rivers, Montreal and Vancouver shall be as described in Schedule "B" to this Act, or as may be determined from time to time by order of the Governor in Council and any such order shall be published in the Canada Gazette.

As to jurisdiction over or control of private properties.

Transfer to the Board of other harbours, works and property.

Harbour headline.

Acquisition of real estate or personal property.

Construction and operation of roads, railways, vessels, etc.

General powers.

Property to be vested in His Majesty. Act, nothing in section six hereof contained shall be deemed to give the Board jurisdiction over or control of private property or rights within any of the harbours under the jurisdiction of the Board. 20

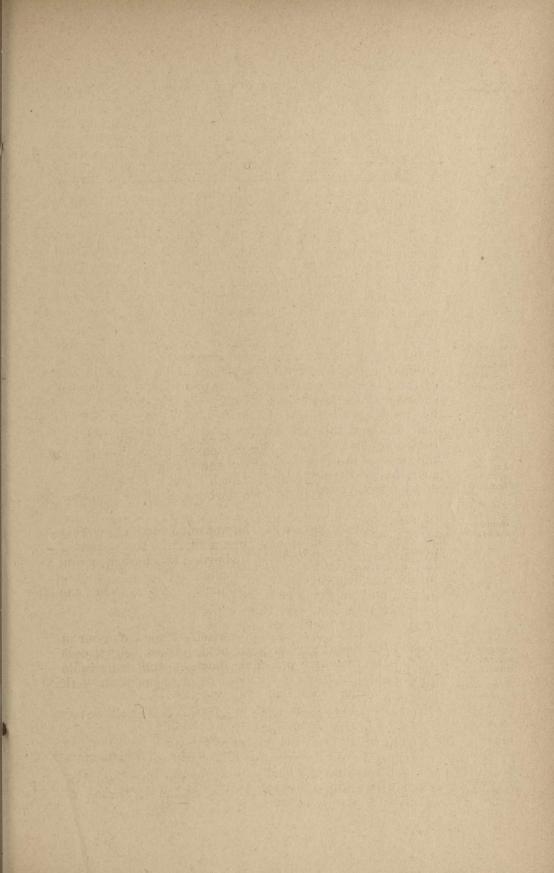
7. Unless otherwise specifically provided for in this

S. The Governor in Council may at any time transfer to the Board for administration, management and control any harbour, work or property of the Dominion of Canada, and from and after the date of such transfer the provisions of this Act shall apply to such harbour, work or property. 25

9. The Board may, with the approval of the Governor in Council, establish at any time a limit in the waters of any harbour under its jurisdiction beyond which construction from the shore may not be extended and shall designate such limit as the "harbour headline" for any part or the 30 whole of such harbour.

10. (1) When previously authorized by the Governor in Council, the Board may acquire, hold, possess, sell, dispose of, or lease real and personal, movable and immovable property; and may either by itself or in co-operation with 35 others construct, maintain and operate roads, railways, vessels, plant and equipment; and generally do such things and exercise such powers as it deems necessary for the efficient administration, management and control of the harbours, works and other property under its jurisdiction. 40

(2) All property acquired or held by the Board shall be vested in His Majesty in His right of the Dominion of Canada.



Property now vested in corporations to continue to be so vested until transferred. (3) Any property now held by any of the Corporations in the name of such Corporation may continue so to be held until the same shall be transferred by such Corporation or the Board to His Majesty, and for the purposes of this subsection, notwithstanding section thirty-nine hereof, the Corporation concerned shall be deemed to continue to exist.

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Acquisition of lands, etc.

R.S., c. 64.

Signature to plan and description.

Property vested in His Majesty.

Ascertainment of compensation. 11. (1) When previously authorized by the Governor in Council the Board may acquire and take lands or a limited estate or interest in lands without the consent of the owner under the provisions of the Expropriation Act, 10 chapter sixty-four of the Revised Statutes of Canada, 1927, and the provisions of the said Act, including the provisions thereof relating to the abandonment of lands, shall, mutatis mutandis, apply to the acquisition or taking of lands or limited estate or interest in lands or the abandonment of 15

lands by the Board. (2) Any plan and description deposited under the provvisions of the *Expropriation Act* shall be signed by one of the Members on behalf of the Board and the land so shown and described shall thereupon be and become vested 20 in His Majesty unless the plan and description indicate that the land taken is required for a limited time only or that a limited estate or interest therein is taken; and by the deposit in such latter case, the right of possession for such limited time or such limited estate or interest shall be 25 and become vested in His Majesty.

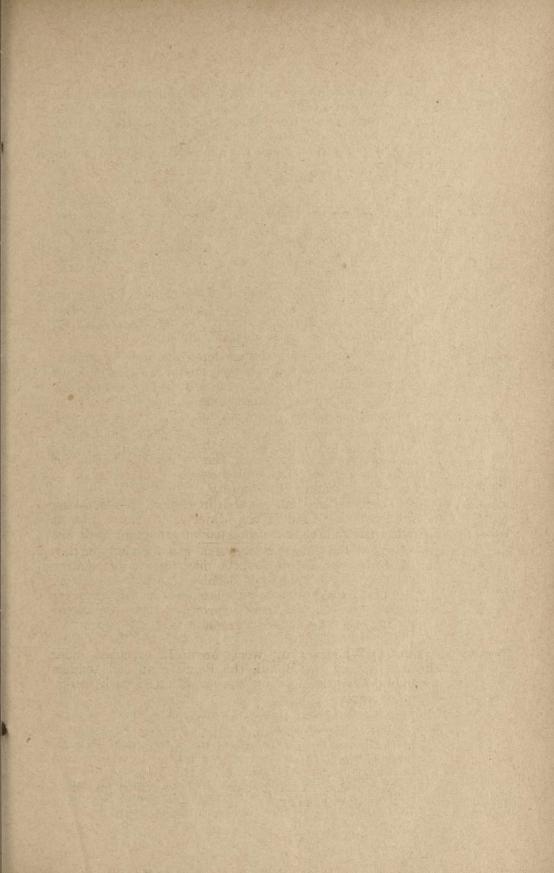
(3) The compensation payable in respect to the taking of any lands so vested in His Majesty, or of any interest therein, shall be ascertained and paid in accordance with the provisions of the *Expropriation Act*, and for that purpose **30** the Attorney-General of Canada may file an information in the Exchequer Court on behalf of the Board to all intents and purposes as if such lands, or a limited estate or interest therein, had been expropriated by and vested in His Majesty under the provisions of the said Act. **35**

Tenders.

12. (1) Whenever any works are to be executed under the direction of the Board, the Board shall call tenders by public advertisement for the execution of such works, except in cases

(a) of pressing emergency in which delay would be injurious to the public interest; or 40

- (b) in which from the nature of the work it can be more expeditiously or economically executed by the officers and servants of the Board or of His Majesty; or
- (c) where the estimated cost of the work is less than ten thousand dollars. 45



To be submitted to Government.

(2) Whenever, in case of any works, tenders are required by this Act to be called, the Board shall refer all tenders received therefor to the Minister who shall submit the same to the Governor in Council and the contract for the work shall be awarded under the authority of the Governor **5** in Council.

By-laws.

Matters in connection with mooring, etc., of vessels and aircraft.

Use of harbours and facilities.

Construction and maintenance of wharves, etc.

Tolls on bridges.

Rates and tolls on vessels and aircraft and their cargoes, passengers, etc.

Regulation of loading and unloading plant.

Pension and insurance funds and annuities. **13.** (1) The Governor in Council may make by-laws, not inconsistent with the provisions of this Act, for the direction, conduct and government of the Board and its employees, and the administration, management and control 10 of the several harbours, works and property under its jurisdiction including:

(a) the regulation and control of each and every matter in connection with vessels and aircraft navigating the harbours and their mooring, berthing, discharging or 15 loading or anything incidental thereto;

(b) the use of the harbours and their facilities by vessels and aircraft and the agents, owners, masters or consignees of the same; and for the lease or allotment of any of the harbour property, plant or facilities; 20

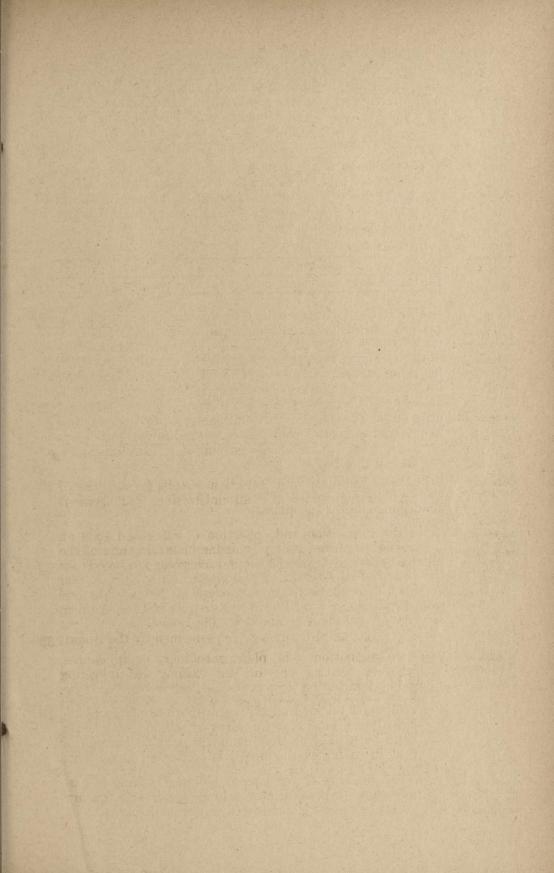
(c) the regulation of the construction and maintenance of wharves, piers, buildings or any other structures within the limits of the harbours, and anything incidental thereto;

(d) the imposition and collection of tolls for any use of 25 any bridge under the administration, management and control of the Board;

(e) the imposition and collection of rates and tolls on vessels or aircraft entering, using or leaving any of the harbours; on passengers; on cargoes; on goods or 30 cargo of any kind landed, shipped, transhipped and/or stored in any of the harbours and/or moved over harbour tracks, and for the use of any wharf, building, plant, property or facility under the jurisdiction of the Board and for any service performed by the Board; 35

(f) the regulation of all plant, machinery or appliances, whether floating or not, for loading or unloading vessels, including the power to prescribe that none shall enter any harbour or remain in it without the permission of the Board, and power to levy a rate 40 or sum of money thereon for the privilege of operating in the harbours, and to regulate and control charges for such services;

(g) the granting of pensions and/or the making of contributions to pension or insurance funds and the providing of annuities for employees of the Board;



Coming into force.

Generally.

Board may use reasonable force to enforce observance of by-laws.

Rates and tolls.

Rates paid by consignee, etc.

Clearance not to be granted before payment of tolls, etc. (i) the doing of anything necessary to carry out the provisions of this Act within their true intent and meaning, and generally for the administration, management and 10 control of the harbours, works and properties under the jurisdiction of the Board.

"(2) By-laws made in accordance with the provisions of this Act shall, when published in the *Canada Gazette*, have the same force and effect as if enacted herein." 15

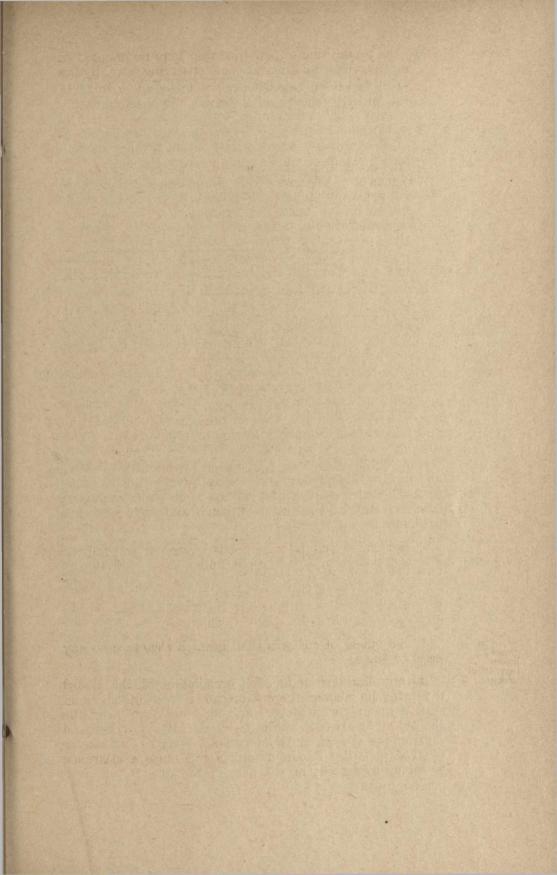
14. If the violation or non-observance of any by-law is attended with danger or annoyance to the public or hindrance to the Board in the lawful use or operation of any of the harbours, works or property under the administration, management and control of the Board, it may, by or through 20 its officers or employees, summarily interfere, using reasonable force, if necessary, to prevent or stop such violation or to enforce observance, without prejudice to any penalties incurred in respect of such violation or non-observance.

15. (1) The Board may levy such rates and tolls as are **25** fixed by by-law and may, with the approval of the Minister, commute any rates or tolls so fixed on such terms and conditions and for such sums of money as the Board deems expedient.

(2) The rates and tolls on goods landed or transhipped 30 in or shipped from any harbour under the jurisdiction of the Board shall be paid by the consignee, shipper, owner or agent of such goods, and goods shall not be removed from the harbour until such rates or tolls are fully paid or security for payment accepted by the Board. 35

(3) No officer of customs shall grant a clearance to any vessel to leave,—

(a) any harbour under the jurisdiction of the Board until the master thereof produces to such officer of customs a certificate from an authorized officer of the 40Board certifying that the rates or tolls on such vessel have been paid or that none are payable thereon or that in so far as the Board is concerned a clearance may be granted; or



(b) any other harbour or port in Canada if he shall have been notified by the Board to withhold such clearance until further notified by the Board that in so far as the Board is concerned a clearance may be granted.

16. (1) The Board may, in the manner hereinafter set forth, seize and detain any vessel within the limits of the territorial waters of Canada in the following cases:

(a) whenever any sum is due in respect of the vessel for rates or tolls or for commuted rates or tolls and is unpaid; 10

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- (b) whenever the master, owner or person in charge of the vessel has violated or has failed to observe any provision of this Act, or any by-law in force under this Act, and has rendered himself liable to any penalty;
- (c) whenever any injury has been done by the vessel or 15 by the fault or neglect of the crew, while acting as the crew or under order of their superior officers, to any works or property under the administration, management and control of the Board;
- (d) whenever any obstruction whatever has been offered 20 or made to the operations of the Board by any vessel or by the fault or neglect of the crew, while acting as the crew or under order of their superior officers.

(2) In a case coming within paragraphs (c) or (d) of subsection one of this section, the vessel may be seized 25 and detained until the injury so done has been repaired and until all damages thereby directly or indirectly caused to the Board (including the expense of following, searching for, discovery and seizing of such vessel) have been paid to or security for such payment accepted by the Board; 30 and for the amount of all such injury, damages, expenses and costs, the Board shall have a preferential lien upon the vessel and upon the proceeds thereof until payment has been made or adequate security has been given for such damages, whether direct or indirect, and for the amount of all such 35 injury, damages, expenses and costs as may be awarded in any suit resulting therefrom, and the owner, charterer, master or agent of such vessel shall also be liable to the Board for all such injury, damages, expenses and costs.

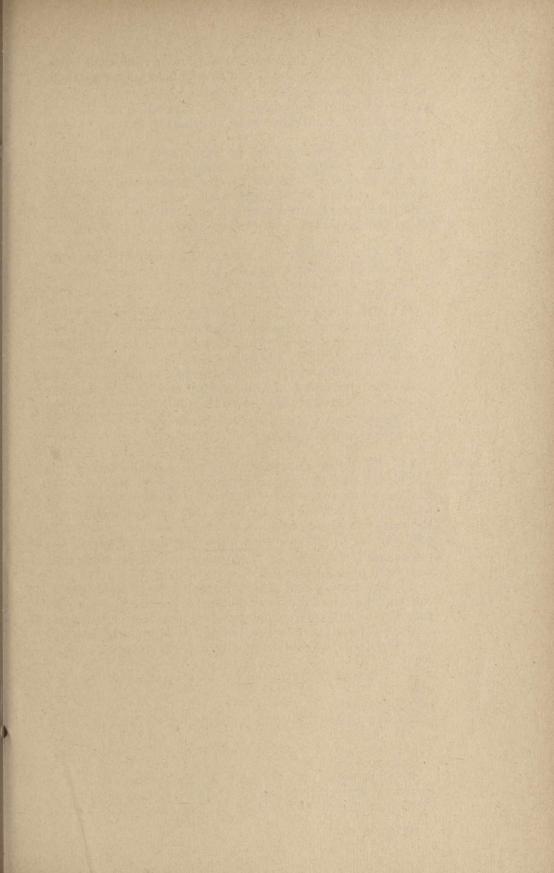
(3) The Board shall have a lien upon any vessel and upon 40 the proceeds thereof in preference to all other claims and demands whatsoever (saving and excepting the claims for wages of seamen, under the provisions of the *Canada Shipping Act*) for the payment of any rates, tolls or penalties due and payable with respect to such 45 vessel or in respect of the acts of the master, owner or person in charge thereof.

When vessels may be seized.

Cases coming under paragraphs (c) or (d).

Lien.

Board to have a lien.



Vessel may be sold.

Right to seize or sell not affected if vessel property of any other person.

Seizure and detention of goods.

At the risk, cost and charges of owner.

Time of seizure or detention.

On whose order seizure may be effected.

On application of the Board, etc. (4) Such vessel may be seized and sold under any writ or warrant of execution or of distress issued by any court of record upon the judgment or conviction at the suit of the Board against the vessel, the master, owner or person in charge thereof.

(5) Such vessel may be so seized and detained, or so seized and sold, while in the possession or charge of any person whatever, whether in charge or possession of or the property of the person who was owner when such rates, tolls or penalties accrued, or in charge or possession 10 of or the property of any other person.

17. The Board may in the manner hereinafter set forth seize and detain any goods in case,—

- (a) any sum is due for rates or tolls in respect of such goods and is unpaid; or 15
- (b) such goods are, in the opinion of the Board, perishable goods, or are goods in respect of which the amount of rates or tolls accruing thereon is, in the opinion of the Board, likely to become greater than the amount which could be realized by the sole of such ready or 20
- which could be realized by the sale of such goods; or 20 (c) any provision of this Act or any by-law in force under this Act has been violated or has not been observed in respect of such goods and a penalty has thereby been incurred.

18. (1) Every seizure and detention made under this 25 Act shall be at the risk, cost and charges of the owner of the vessel or goods seized until all sums due or penalties incurred, together with all costs and charges incurred in the seizure and detention and the costs of any conviction obtained for the violation or non-observance of any of the 30 provisions of this Act, or of any by-law in force under this Act, have been paid in full.

(2) The seizure and detention may take place either at the commencement of any action or proceeding for the recovery of any sums of money due, penalties or damages, 35 or pending such suit or proceeding, or as incident thereto, or without the institution of any suit or proceeding whatsoever.

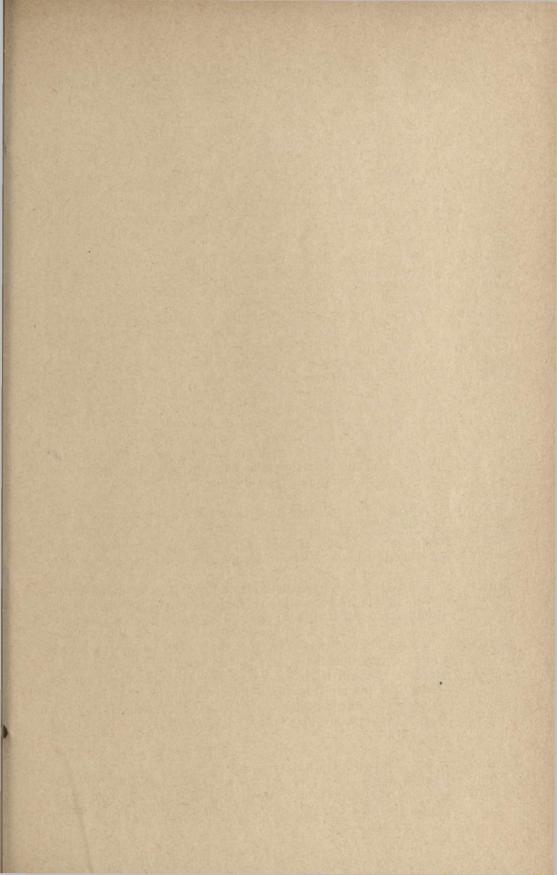
(3) The seizure and detention may be effected upon the order of,—40

(a) any judge;

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- (b) any magistrate having the power of two justices of the peace;
- (c) the chief officer of customs at any port in the Dominion of Canada. 45

(4) Such order may be made on the application of the Board or any officer thereof, or the Attorney-General of Canada, and may be executed by any constable or bailiff,



or officer of the Board, and such constable, bailiff or officer is hereby empowered to take all necessary means and demand all necessary aid to enable him to execute the said order.

19. Service of any warrant, summons, writ, order, notice or other document, when personal service cannot 5 be effected, may be made upon the owner or upon the master or other person in charge of any vessel by showing the original to and leaving a copy with any person found on board the vessel and appearing to be one of her crew, or by affixing a copy thereof to some conspicuous part 10 of the vessel.

20. (1) The Board may sell at public auction or by private tender the whole or any part of the goods seized and detained under the provisions of section seventeen hereof,—15

(a) at any time after the date of the seizure thereof in respect of goods of the nature or kind referred to in paragraph (b) of section seventeen of this Act;

(b) at any time after the expiration of one month from the date of such seizure in respect of any other goods; 20 and out of the proceeds arising from such sale retain the sums due in respect of such goods and the charges and expenses of such seizure, detention and sale.

(2) The Board shall pay or deliver the surplus, if any, or such of the goods as remain unsold, to the person entitled 25 thereto and recover the deficiency, if any, by action in any court of competent jurisdiction.

21. Every pecuniary penalty recovered for any violation or non-observance of this Act or of any by-law in force under this Act shall be paid over to the Board by the Court 30 or magistrate before whom the penalty has been recovered.

22. All penalties incurred under this Act, or under any by-law made in pursuance thereof, may be recovered in a summary manner under Part XV of the *Criminal Code*.

23. All moneys received by the Board from whatever 35 source derived shall be paid to the credit of the Receiver General through such banks as the Minister of Finance from time to time directs. Such moneys shall be credited to a special account designated the "National Harbours Board Special Account" hereinafter called the "Special 40 Account".

24. Notwithstanding the provisions of *The Consoli*dated Revenue and Audit Act, 1931, chapter twenty-seven of the statutes of 1931, the Minister of Finance may, subject to the provisions of this Act, make disbursements from the 45

Service of warrant, etc.

Sale of goods at public auction.

Perishable goods, etc.

Other goods.

Surplus.

Deficiency.

Penalties to be paid over to Board.

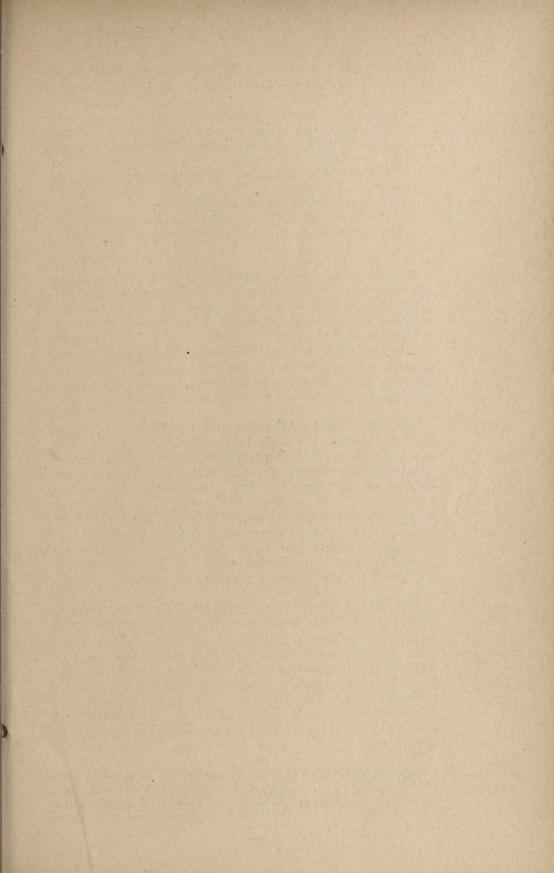
Recovery of penalties.

R.S., c. 36.

Revenues to be paid into chartered banks.

Special Account.

Expenditure of moneys. 1931, c. 27.



Special Account on the requisition of the Board or its authorized officers, for the following purposes, or any of them:

(a) the payment of all necessary expenses incurred in the administration, management and control of the 5 harbours, works, and properties under the jurisdiction of the Board;

- (b) the purchase of investments for a reserve fund hereinafter referred to;
- (c) the payment of capital expenditures;
- (d) the payment of the interest on and the principal of any debentures or other indebtedness of the Board.

10

25. The Board may allocate any portion of its revenues, after payment of the expenses of administration, management and control, to a reserve fund for the replacement 15 of fixed assets or of plant or of equipment or for the retirement of debt or for any other purpose. The amounts so allocated may remain at the credit of the <u>Special Account</u> at such rate of interest as the Governor in Council may approve or the Board may invest such amounts in bonds 20 of or guaranteed by the Government of Canada.

26. The Board shall submit to the Minister an annual budget showing, for each harbour under its jurisdiction and for each work or property transferred to it for administration, management and control, the estimated revenue, 25 by sources, and the estimated expenditures for operation, management and control, for interest on outstanding bonds, debentures and other indebtedness, for capital expenditures and for the retirement of maturing indebtedness, and showing also the amounts to be added to the reserve fund and 30 expenditures to be made therefrom. Such budget shall be submitted by the Minister to the Governor in Council.

27. In the event of the estimated revenues, together with any available balance in the Special Account, with respect to each such harbour or work or property being 35 insufficient to meet the estimated expenditures therefor, respectively, the amount of the deficiency in each case shall be included in separate items in the estimates submitted to Parliament. The Minister of Finance may from time to time transfer to the credit of the Special Account such moneys as are appropriated by Parliament for the purposes 40 of this Act.

Advances for working capital. **28.** The Minister of Finance may make advances to the Board out of any unappropriated moneys in the Consolidated Revenue Fund for working capital purposes of an

Administration, management and control expenses.

Investments for reserve fund.

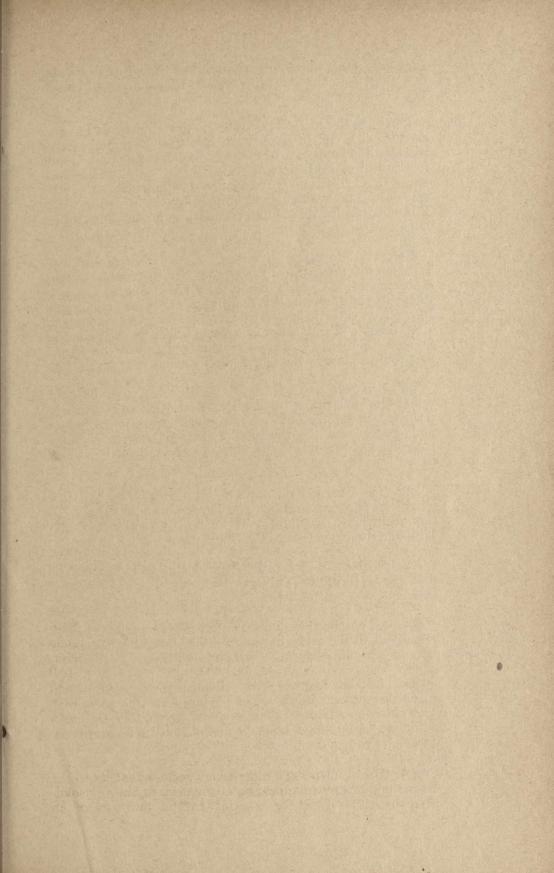
Capital expenditures.

Interest and principal of debentures, etc.

Allocation of portion of revenues to reserve fund for replacement of fixed assets, etc.

Annual budget.

Deficiency in revenues from each harbour, work or property to be included in separate items in estimates.



Not exceeding at any time \$1,000,000.00.

Certificates of indebtedness.

Rates of interest.

Governor in Council may # 1 authorize cancellation of certain debentures and interest.

Separate accounts for each harbour, work or property.

Annual report.

Act to apply. 1931, c. 27.

Audit of revenues and expenditures.

Accounting officers, etc. aggregate amount at any time outstanding not exceeding one million dollars. Such advances shall be repaid within two months after the close of each fiscal year.

29. The Board shall deposit with the Minister of Finance certificates of indebtedness in such form as he may prescribe 5 representing payments from the Consolidated Revenue Fund for capital expenditures or retirement of debt. The Governor in Council may from time to time determine the rates of interest which shall be paid by the Board into the Consolidated Revenue Fund on such certificates of indebted- 10 ness.

30. The Governor in Council may authorize the cancellation of debentures representing indebtedness to the Government of Canada assumed by the Board at the date of coming into force of this Act and any accrued and unpaid 15 interest on such debentures or any other indebtedness, and the Minister of Finance may accept, in lieu of the principal amount thereof, certificates of indebtedness of the Board as provided in the next preceding section.

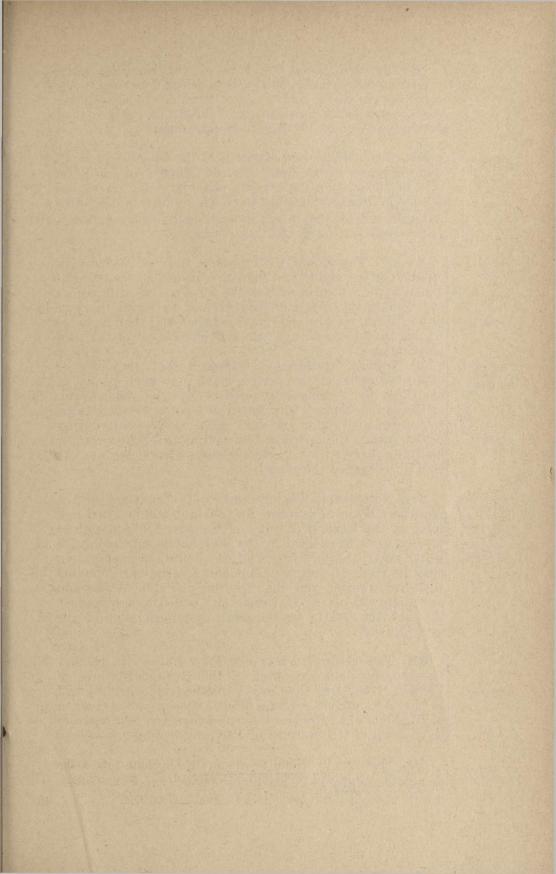
31. Separate accounts shall be kept for each harbour 20 under the jurisdiction of the Board and for each work or property transferred to it for administration, management and control and the revenues derived therefrom shall be assigned exclusively for the purposes of each such harbour or work or property. 25

32. The Board shall, as soon as possible after the termination of each calendar year, submit an annual report to the Minister in such form as he may prescribe and the Minister shall lay the said report before Parliament.

33. Subject to the provisions of this Act, the Board 30 shall be subject to the provisions of *The Consolidated* Revenue and Audit Act, 1931.

34. All revenues of and expenditures by the Board shall be subject to the audit of the Auditor General in the same manner as public revenues and expenditures. 35

35. (1) The Minister of Finance may select such accounting officers, clerks or employees from the personnel of the Board as he may consider necessary for the accounting of the receipts and expenditures of the Board, and such officers, clerks or employees shall be under the direction 40 and control of the Comptroller of the Treasury, and the Governor in Council may transfer any of the said officers, clerks or employees to the Department of Finance.



Classification and compensation.

R.S., c. 22.

Expenses of the Board.

Powers of Board.

Liabilities.

Prior rights of persons

not affected.

Pending actions.

Proceedings relative to

construction

waters under jurisdiction

of works in navigable

of Board.

(2) The classification and rate of compensation of a person so transferred shall be established under the authority of the *Civil Service Act:* Provided that, pending such person being classified, the Minister of Finance shall determine the monthly rate of compensation.

5

36. The salaries and expenses of the Members and all other expenses of the head office at Ottawa, including the cost of the accounting service, shall be paid out of the <u>Special Account and charged to each harbour or public work</u> administered by the Board in such equitable proportions, 10 respectively, as the Board may determine.

37. (1) The Board shall possess and be vested with all the powers, rights and privileges belonging to and possessed by or vested in each of the corporations at or before the coming into force of this Act, or to which they, or 15 any of them, may be or become entitled, and shall be liable for all lawful claims against, and obligations of the said corporations.

(2) Nothing in this Act contained shall prejudice or affect the rights of any person which may have existed at 20 or before the coming into force of this Act against any of the corporations or any action or legal proceeding taken to enforce such rights and such rights may be enforced by action against the Board and any action or legal proceeding instituted before the coming into force of this Act may be 25 continued against the Board.

38. Notwithstanding anything to the contrary in the Navigable Waters Protection Ac', chapter one hundred and forty of the Revised Statutes of Canada, 1927, in respect to any work as defined in the said Act in any navigable 30 water under the jurisdiction of the Board, the application shall be made to and the plans and descriptions deposited with the Minister and the Minister of Public Works and any approval of the Governor in Council as required by the said Act shall be on the joint recommendation of the 35 said Ministers.

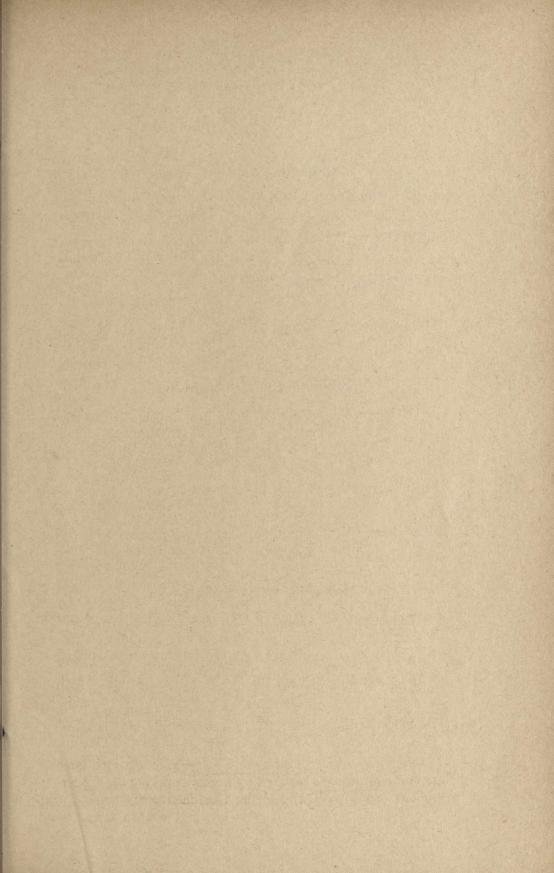
Acts repealed. 1927, c. 67.

R.S., c. 169.

Commencement of Act. one hundred and sixty-nine of the Revised Statutes of Canada, 1927, and the Acts mentioned in Schedule "A" to this Act, except sections fifteen, sixteen and seventeen 40 of *The Saint John Harbour Commissioners Act*, 1927, chapter sixty-seven of the Statutes of 1927, are hereby repealed.

39. The Quebec Harbour and River Police Act, chapter

40. This Act in whole or in part shall come into force on a date or dates to be fixed by proclamation of the Governor in Council published in the *Canada Gazette*. 45



SCHEDULE "A".

ACTS REPEALED.

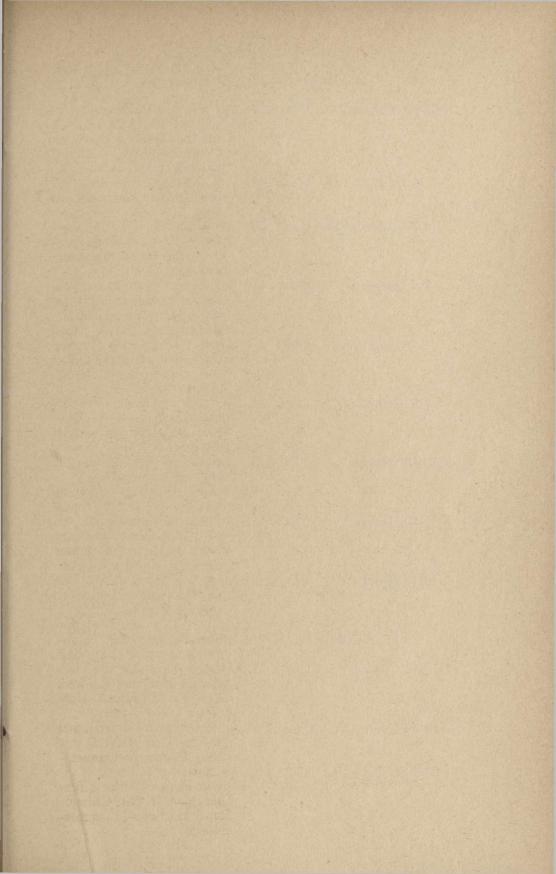
Title of Act.

Respecting Halifax Harbour.

	-			
17 George V,	Chap. 58.	An Act respecting the Hali- fax Harbour Commission- ers.		
18-19 George V,	Chap. 28.	An Act to provide for a loan to the Halifax Harbour Commissioners.		
19-20 George V,	Chap. 44.	An Act to provide for a further loan to the Halifax Harbour Commissioners.		
21-22 George V,	Chap. 34.	An Act to provide for a fur- ther loan to the Halifax Harbour Commissioners.		
Respecting Saint John Harbour.				
17 Carmon T				
17 George V,	Chap. 67.	An Act relating to the Har- bour of Saint John in the Province of New Bruns- wick except sections 15, 16 and 17 thereof.		
17 George V, 18-19 George V,	Chap. 67. Chap. 46.	bour of Saint John in the Province of New Bruns-		

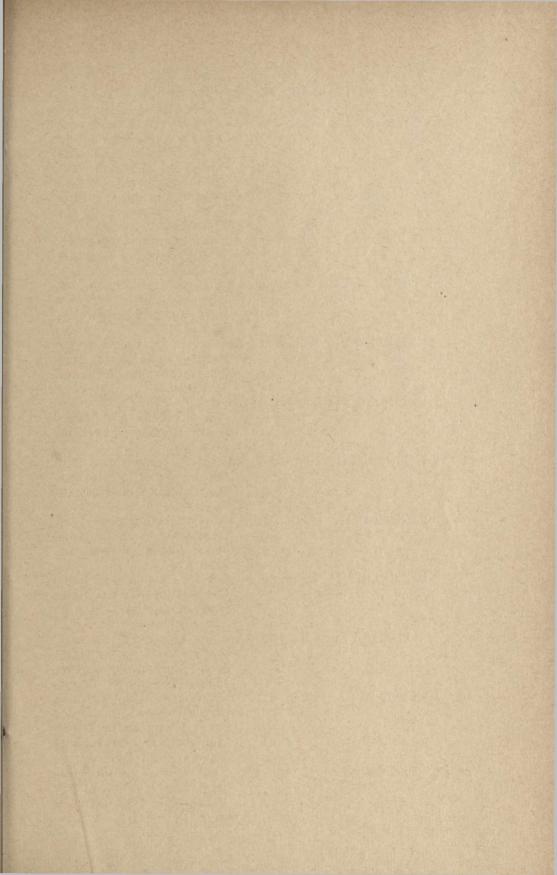
Respecting Chicoutimi Harbour.

16-17 George V,	Chap. 6.	An Act respecting the Chi- coutimi Harbour Com- missioners; and amending Acts.
17 George V,	Chap. 46.	An Act to provide for a loan to the Chicoutimi Har- bour Commissioners.
19-20 George V,	Chap. 37.	An Act to provide for a fur- ther loan to the Chicou- timi Harbour Commis- sioners.
21-22 George V,	Chap. 25.	An Act to provide for a fur- ther loan to the Chicou- timi Harbour Commis- sioners.



Respecting Quebec Harbour.				
2-63 Victoria,	Chap. 34.	An Act to amend and con- solidate the Acts relating to the Quebec Harbour Commissioners; and amending Acts.		
6 Edward VII,	Chap. 41.	An Act respecting the Que- bec Harbour Commission- ers		
6-7 Edward VII,	Chap. 36.	An Act to increase the bor- rowing powers of the Que- bec Harbour Commis- sioners.		
3-4 George V,	Chap. 41.			
4-5 George V,	Chap. 47.			
7-8 George V,	Chap. 4.	An Act to provide for fur- ther advances to the Que- bec Harbour Commis- sioners.		
2-13 George V,	Chap. 40.	An Act to provide for fur- ther advances to the Que- bec Harbour Commis- sioners.		
5-16 George V,	Chap. 51.	An Act to provide for fur- ther advances to the Que- bec Harbour Commis-		
8-19 George V,	Chap. 42	sioners. An Act to provide for a loan to the Quebec Harbour Commissioners.		
Respecting Three Rivers Harbour.				
3-14 George V,	Chap. 71.	An Act respecting the Three Rivers Harbour Commis- sioners; and amending Acts.		
9-20 George V,	Chap. 59.	An Act to provide for a loan to the Three Rivers Har- bour Commissioners.		

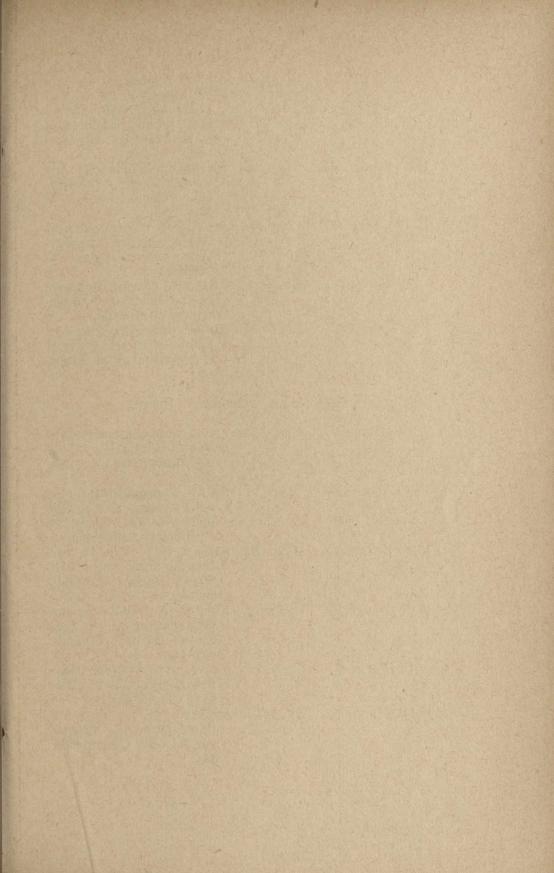
21-22 George V, Chap. 56. An Act to provide for a further loan to the Three Rivers Harbour Commissioners.



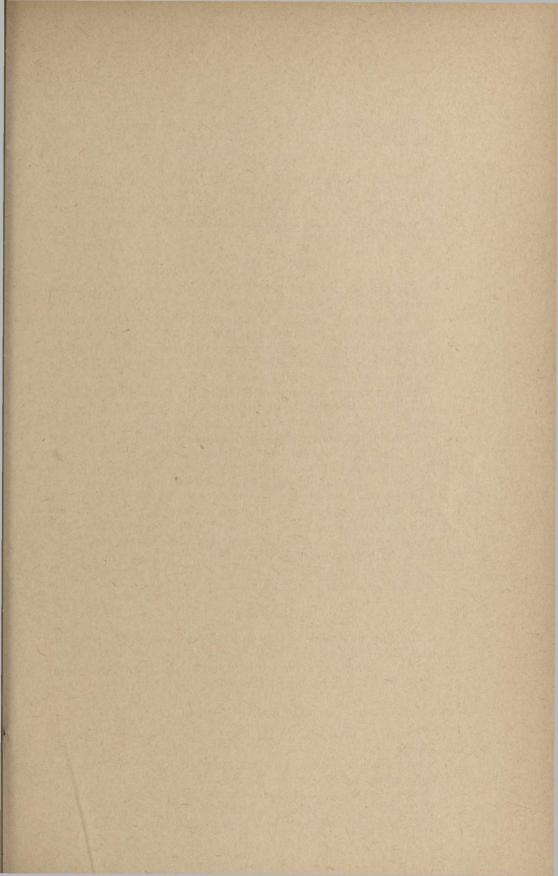
Respecting Montreal Harbour.

57-58 Victoria,	Chap. 48.	An Act to amend and con- solidate the Acts relating to the Harbour Commis-
		sioners of Montreal; and amending Acts.
59 Victoria,	Chap. 10.	
61 Victoria,	Chap. 47.	An Act to grant further aid to the Harbour Commis- soners of Montreal.
1 Edward VII,	Chap.9.	An Act to provide for fur- ther advances to the Har- bour Commissioners of Montreal.
3 Edward VII	Chap. 36.	An Act to provide for fur- ther advances to the Har- bour Commissioners of Montreal.
6 Edward VII	Chap. 35.	
6-7 Edward VII,	Chap. 30.	An Act to provide for fur- ther advances to the Har- bour Commissioners of Montreal.
8-9 Edward VII,	Chap. 25.	An Act to provide for fur- ther advances to the Har- bour Commissioners of Montreal.
9-10 Edward VII,	Chap. 40.	An Act to provide for fur- ther advances to the Har- bour Commissioners of Montreal.
2 George V,	Chap. 36.	An Act to provide for fur-
		ther advances to the Har- bour Commissioners of Montreal.
4-5 George V,	Chap. 41.	An Act to provide for fur- ther advances to the Har- bour Commissioners of Montreal: and amending

Act.



9-10 George V,	Chap. 53.	An Act respecting the Rate of Interest to be paid on Loans by His Majesty to the Harbour Commission- ers of Montreal and Que- bec.
12-13 George V,	Chap. 33.	
13-14 George V,	Chap. 59.	An Act to provide for fur- ther advances to the Har- bour Commissioners of Montreal.
17 George V,	Chap. 8.	An Act to provide for a loan to the Harbour Commis- sioners of Montreal.
19-20 George V,	Chap. 47.	An Act to provide for a fur- ther loan to the Harbour Commissioners of Mont- real.
Respecting Vancouver Harbour.		
3-4 George V,	Chap. 54.	An Act to incorporate the Vancouver Harbour Com- missioners; and amending Acts.
9-10 George V,	Chap. 74.	An Act to provide for a loan not exceeding five million dollars to the Vancouver Harbour Commissioners.
13-14 George V,	Chap. 29.	An Act to provide for fur- ther advances to the Van- couver Harbour Commis- sioners.
14-15 George V,	Chap. 72.	An Act to provide for fur- ther advances to the Van- couver Harbour Commis- sioners.
17 George V,	Chap. 73.	An Act to provide for a loan to the Vancouver Har- bour Commissioners.
19-20 George V,	Chap. 60.	An Act to provide for a fur- ther loan to the Vancou- ver Harbour Commission- ers.



SCHEDULE "B"

Boundaries of the Harbours referred to in Section six of this Act.

Harbour of Halifax.

For the purposes of this Act, the harbour of Halifax shall include all the waters lying Northwest of a line running North 56° East and distant 3,500 feet Southeasterly from Pleasant Point, and including the waters of Bedford Basin and the Northwest Arm.

Harbour of Saint John.

For the purposes of this Act, the boundaries of the harbour of Saint John shall be as follows:—

The northerly limit of said harbour shall be a line drawn due northeast (astronomically) from the middle of the Dominion Government lighthouse tower erected in 1896 on the westerly bank of Saint John river, at Green Head, to the easterly bank of said river.

The southerly and westerly limits of said harbour shall be as follows:—Beginning at the intersection with high water mark of the westerly face of the Government breakwater at Negro Point; thence due south (astronomically) four thousand four hundred and fifty (4,450 ft.) feet, more or less, to an intersection with a line drawn due southwest (astronomically) from the middle of the Dominion Government Lighthouse Tower erected on Partridge Island; thence due east (astronomically) six thousand (6,000 ft.) feet, more or less, to an intersection with a line drawn due southwest (astronomically) from a point where the easterly boundary of the Military Grounds at Red Head cuts high water mark; thence due northeast (astronomically) nine thousand (9,000 ft.) feet, more or less, to high water mark.

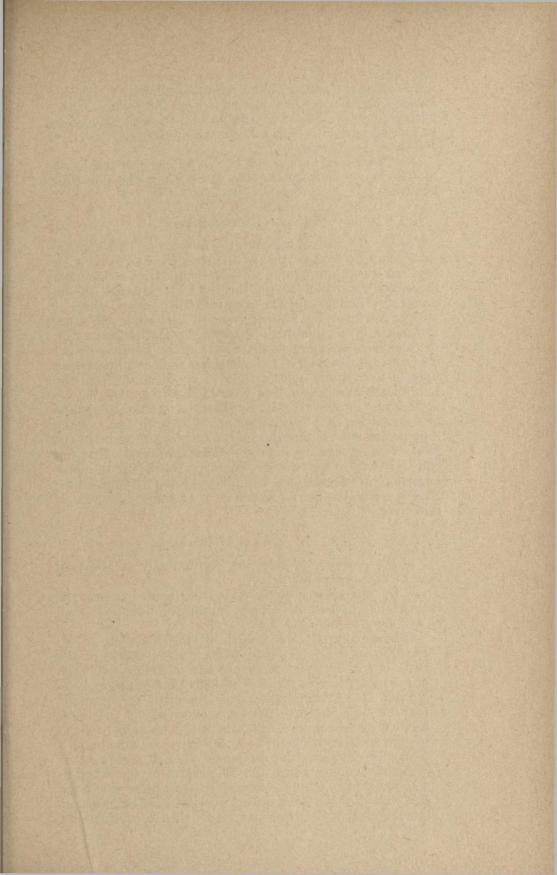
Harbour of Chicoutimi.

For the purposes of this Act, the harbour of Chicoutimi shall comprise all the tidal waters of the Saguenay River above an imaginary line drawn across the river from Cape West to river Peltier and excluding the Ha Ha Bay.

Harbour of Quebec.

For the purposes of this Act, the harbour of Quebec comprises:—

(a) The River St. Lawrence and the shores thereof to high water mark, between a line drawn from the western abutment of the roadway bridge which crosses the mouth of the River Cap Rouge, in a direction S. 15° E. astronomical, to an intersection with high water mark on the south



shore of the River St. Lawrence, and a line drawn from the east side of the mouth of the river Montmorency, directly towards the Roman Catholic church of the parish of Ste. Petronille on the Island of Orleans, and thence produced to an intersection with high water mark on the south shore of the River St. Lawrence.

(b) Those parts of all tributaries falling into the River St. Lawrence, between the said lines, where the tide ebbs and flows.

Harbour of Three Rivers.

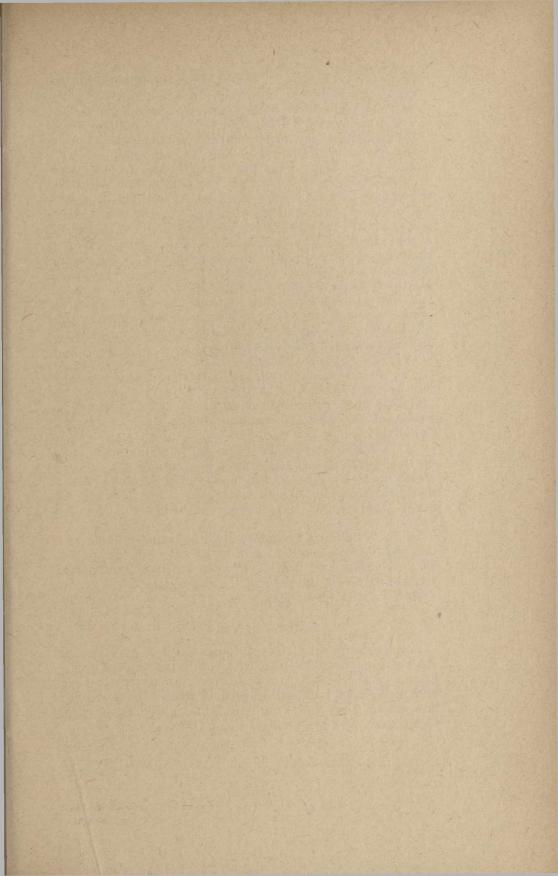
For the purposes of this Act, the harbour of Three Rivers shall comprise that portion of the river St. Lawrence lying between the eastern and western boundaries hereinafter described and extending in the river St. Maurice to the northerly boundary of the city of Three Rivers where it crosses the river St. Maurice, and shall include all water and beach up to tidal high water of the said rivers and on the shores of islands contained within the harbour limits. The westerly boundary of the harbour shall be a line drawn parallel to and one mile easterly perpendicularly from the line joining the intersection with high water mark on the north shore of the river St. Lawrence of the boundary line of the parishes of Three Rivers and Pointe du Lac and the intersection with high water mark on the south shore of the river of the boundary line of the parishes of St. Gregoire and Nicolet. The easterly boundary shall be the prolongation of the eastern boundary of the city of Three Rivers across the St. Lawrence river to the south shore of said river.

Harbour of Montreal.

For the purposes of this Act, the harbour of Montreal shall be bounded as follows:—

(a) On the western or city side, to a point opposite the church of the parish of Longue Pointe the boundary shall be as follows:—

Commencing at the mouth of the little River St. Pierre; thence, downwards, following the course of the bank of the River St. Lawrence and including the beach of the said River as far back as high water mark and the ground above high water mark reserved for a public road or path, down to the lower extremity of the lower basin of the Lachine Canal; thence, downwards, following the northwest side of the water course running parallel with and adjoining the revetment wall in the street or highway running along the whole line of the wharves now known as Commissioners street, to a point where the said wall joins the Government works at the Commissariat store and the Government wharf; thence, downwards,



following the course of the bank of the River St. Lawrence and including the beach of the said River as far back as high water mark, and any ground above high water mark reserved for a public road or path, as far as Ruisseau Migeon; thence, downwards, to a point opposite the church of the parish of Longue Pointe, following the said River along high water mark, and including the beach thereof;

the whole as set out by the provisions of section 5 of chapter 143 of the Statutes of 1855 of the late Province of Canada and as extended by the provisions of section 5 of chapter 61 of the Statutes of Canada, 1873, which said provisions shall be construed with reference to the circumstances existing when the said two Acts were respectively passed. Northerly from the said point the said harbour is extended, and the said boundary line shall continue to the extreme northern end of the Island of Montreal, following the river St. Lawrence along the present line of high water mark, and including the beach thereof.

(b) The southern boundary shall be a line bearing N. 65° E. astronomically from the easterly end of the division line between the lots known respectively as numbers 3266 and 3267 of the Official Plan and Book of Reference of the parish of Montreal to an intersection with the eastern boundary.

(c) The eastern boundary shall be from the intersection of the southern boundary with the present line of high water mark on the east shore of the river St. Lawrence along the said line of high water mark, and including the beach thereof, to the intersection with the northern boundary.

(d) The northern boundary shall be a line running from the said extreme northern end of the Island of Montreal at Bout de l'Isle and bearing due east astronomically and continuing across the river St. Lawrence to the intersection with the eastern boundary.

Harbour of Vancouver.

For the purposes of this Act, the harbour of Vancouver shall include Burrard Inlet, with the Indian Arm (formerly known as the North Arm) and Port Moody, False Creek and English Bay and all other tidal waters lying east of a line drawn from the Point Atkinson Lighthouse southerly to the most westerly point of Point Grey. First Session, Eighteenth Parliament, 1 Edward VIII, 1936

THE HOUSE OF COMMONS OF CANADA.

BILL 18.

An Act to amend the Soldier Settlement Act.

First reading, March 20, 1936.

The MINISTER OF IMMIGRATION AND COLONIZATION.

OTTAWA J. O. PATENAUDE, I.S.O. PRINTER TO THE KING'S MOST EXCELLENT MAJESTY 1936

15082

1st Session, 18th Parliament, 1 Edward VIII, 1936

THE HOUSE OF COMMONS OF CANADA.

BILL 18.

An Act to amend the Soldier Settlement Act.

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

1. Subsection one of section seventy-three of the Soldier Settlement Act, chapter one hundred and eighty-eight of the 5 Revised Statutes of Canada, 1927, as enacted by section one of chapter forty-nine of the Statutes of 1932-33, is repealed and the following is substituted therefor:—

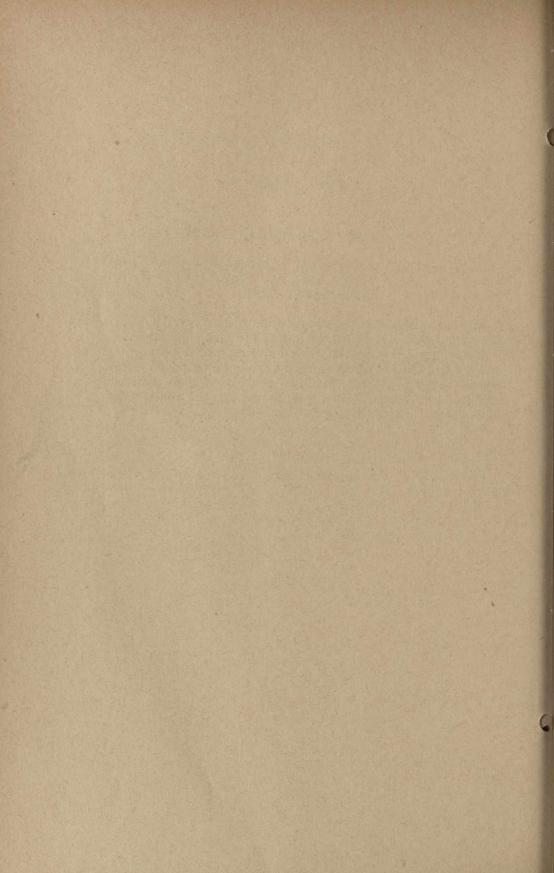
"73. (1) Any settler or person indebted in respect of any contract or agreement made prior to the first day of 10 January, 1933, under the provisions of this Act, who after the thirty-first day of March, 1933, and up to and including the thirty-first day of March, 1938, makes payment in respect of any arrears or of any instalment due and payable within the said period or within one year thereafter shall, subject 15 to the provisions of this section, receive credit toward payment of arrears or on the balance of such instalment or on any other such instalment for a further sum equal to the payment made."

Time extended for additional credit on payments of arrears or instalments.

EXPLANATORY NOTE.

The only change is the substitution of the year 1938 for the year 1936 as it presently appears in this subsection.

It is intended that the period during which payments subject to bonus privileges may be made be extended from the 31st day of March, 1936, to the 31st day of March, 1938, the privilege of one year's prepayment under the bonus plan being still permissible.



First Session, Eighteenth Parliament, 1 Edward VIII, 1936

THE HOUSE OF COMMONS OF CANADA.

BILL 19.

An Act to assist in the relief of Unemployment, the promoting of Agricultural Settlement and Rehabilitation, and in the Development, Conservation and Improvement of certain natural and other resources.

First reading, March 24, 1936.

The MINISTER OF LABOUR.

OTTAWA J. O. PATENAUDE, I.S.O. PRINTER TO THE KING'S MOST EXCELLENT MAJESTY 1936

1st Session, 18th Parliament, 1 Edward VIII, 1936

THE HOUSE OF COMMONS OF CANADA.

BILL 19.

An Act to assist in the relief of Unemployment, the promoting of Agricultural Settlement and Rehabilitation, and in the Development, Conservation and Improvement of certain natural and other resources.

Preamble.

WHEREAS it is in the national interest that the Dominion should co-operate with the provinces of the Dominion and other organizations and individuals in their endeavours to expand industrial employment, to foster agricultural settlement and re-settlement, to conserve and 5 develop natural resources and to construct and to assist in the construction of public works, for the purposes, amongst other things, of further accelerating the recovery of trade, industry and employment and thereby lessening the present governmental burdens consequent upon unem-10 ployment; Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Short title.

Administration. **1.** This Act may be cited as The Unemployment Relief and Assistance Act, 1936.

2. This Act shall be administered by the Minister of Labour.

3. (1) The Governor in Council may out of moneys

appropriated by Parliament authorize the execution of such works and undertakings as the Governor in Council may 20 determine to be in the general interest of Canada and requisite for the purposes of this Act, and for such purposes may authorize the performance of such acts and the execution of such agreements and contracts as he may deem

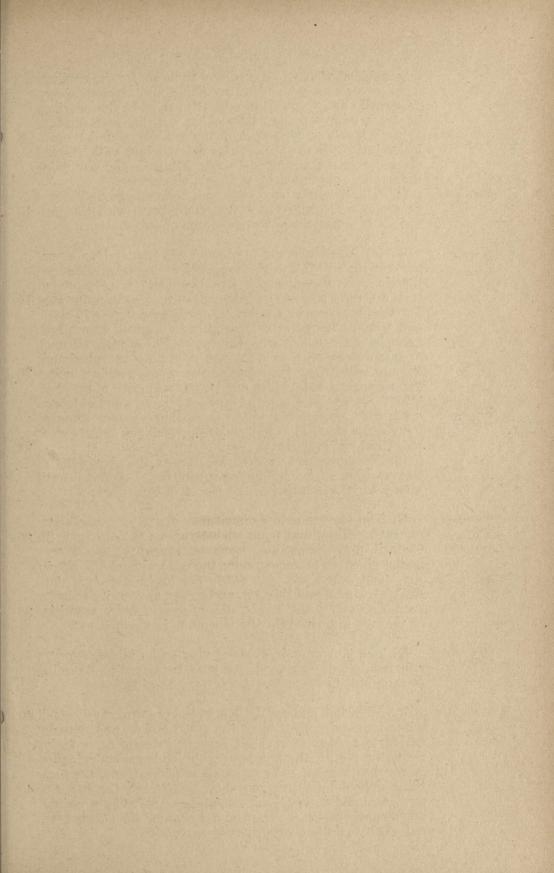
Works and undertakings.

Employment of persons on relief. (2) In the execution of any such work or undertaking provision shall be made, so far as it may be in the opinion of the Governor in Council practicable and consistent with

necessary and expedient.

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1st Session, 18th Parliament, 1 Edward VIII, 1936

THE HOUSE OF COMMONS OF CANADA.

BILL 19.

An Act to assist in the relief of Unemployment, the promoting of Agricultural Settlement and Rehabilitation, and in the Development, Conservation and Improvement of certain natural and other resources.

Preamble.

WHEREAS it is in the national interest that the Dominion should co-operate with the provinces of the Dominion and other organizations and individuals in their endeavours to expand industrial employment, to foster agricultural settlement and re-settlement, to conserve and 5 develop natural resources and to construct and to assist in the construction of public works, for the purposes, amongst other things, of further accelerating the recovery of trade, industry and employment and thereby lessening the present governmental burdens consequent upon unem-10 ployment; Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

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Administration. 2. This Act shall be administered by the Minister of Labour.

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3. (1) The Governor in Council may out of moneys

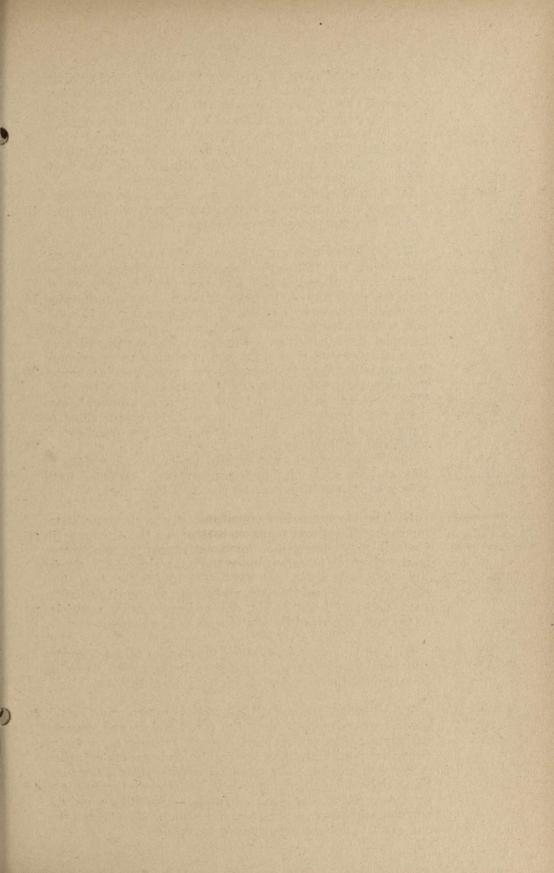
Works and undertakings.

Employment of persons on relief. (2) In the execution of any such work or undertaking provision shall be made, so far as it may be in the opinion of the Governor in Council practicable and consistent with

necessary and expedient.

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reasonable efficiency and economy to do so, for the employment of persons who being available and competent are necessarily and properly in receipt of relief in the province in which such work or undertaking is to be performed.

Contracts to be approved.

Minister may take action.

Agreements with provinces.

Agreements with corporations, etc.

To be approved by resolution of the House.

Renewals of loans, advances or guarantees.

1932, c. 36. 1932-33, c. 18. 1934, c. 15. 1935, c. 13.

Orders and regulations.

Orders and regulations to have the force of law. (3) Where any such work or undertaking is to be performed. (3) Where any such work or undertaking is under provincial jurisdiction, all contracts entered into with respect thereto shall be approved by the Minister and the work thereunder supervised by a Dominion engineer.

(4) The Minister may take such action as he may deem necessary and proper to ensure compliance with the pro- 10 visions of subsections two and three of this section.

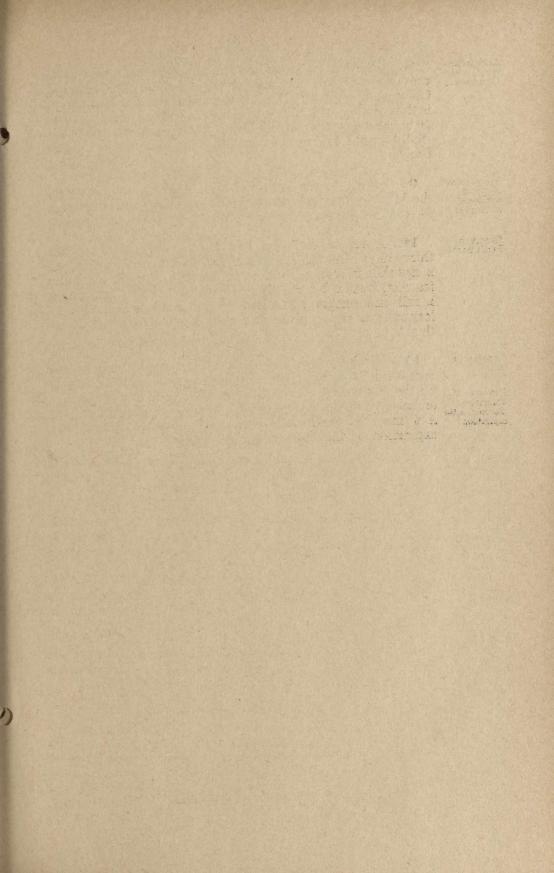
4. (1) The Governor in Council may enter into agreements with any of the provinces respecting relief measures therein and providing for any payments on account of such relief measures to be made out of moneys appropriated 15 for relief purposes by Parliament for the fiscal year 1936-37, and where necessary the Governor in Council may grant financial assistance to any province by way of loan, advance or guarantee to an amount not exceeding the maximum amount which may be payable to any such province under 20 any agreement entered into under the authority of this Act. The Governor in Council may, subject as aforesaid, also enter into agreements with corporations, partnerships or individuals engaged in industry respecting the expansion of industrial employment.

(2) No agreement entered into under the provisions of this section shall be binding upon the Dominion until approved by resolution of the House of Commons.

5. The Governor in Council may renew or consolidate, for such periods and upon such terms as the Governor in 30 Council may determine, loans, advances or guarantees made, given or renewed under the authority of *The Relief Act, 1932, The Relief Act, 1933, The Relief Act, 1934, The Relief Act, 1935* and this Act, and accept as security therefor such Treasury bills, bonds, debentures or other securities 35 as may be approved by the Governor in Council.

6. The Governor in Council may make all such orders and regulations as may be deemed necessary or desirable to carry out the purposes and intentions of this Act.

7. All orders and regulations of the Governor in Council 40 made hereunder shall have the force of law and may be varied, extended or revoked by any subsequent order or regulation; but if any order or regulation is varied, extended or revoked, neither the previous operation thereof nor any-thing duly done thereunder shall be affected thereby, nor 45 shall any right, privilege, obligation or liability acquired, accrued, accruing or incurred thereunder be affected by any such variation, extension or revocation.



Laid before the House of Commons. **8.** All orders in council and regulations made under the provisions of this Act shall be laid before the House of Commons forthwith after the making thereof if Parliament is then sitting, or if not, said orders in council or regulations or an abstract thereof disclosing their essential provisions 5 shall be published in the next following issue of the *Canada Gazette*.

Appointment of officers, clerks and employees.

Report to Parliament. **9.** Subject to the approval of the Governor in Council the Minister may appoint such officers, clerks and employees as may be necessary to carry out the purposes of this Act. 10

10. A report shall be laid before Parliament within thirty days after the expiration of this Act, or if Parliament is not then in session shall be published and made available for distribution by the Department of Labour, containing a full and correct statement of the moneys expended or 15 loaned, guarantees given and obligations contracted under this Act.

Duration of Act.

Payment of obligations incurred after, expiration. 11. All the provisions of this Act, except such as are contained in section five and in this section, shall expire on the thirty-first day of March, 1937, but any obligation 20 or liability incurred or created under the authority of this Act may be paid and discharged notwithstanding the expiration of this Act on the said date. First Session, Eighteenth Parliament, 1 Edward VIII, 1936

20.

THE HOUSE OF COMMONS OF CANADA.

BILL 20.

An Act to amend The Fisheries Act, 1932.

First reading, March 26, 1936.

Mr. REID.

OTTAWA J. O. PATENAUDE, I.S.O. PRINTER TO THE KING'S MOST EXCELLENT MAJESTY 1936

14822

1st Session, 18th Parliament, 1 Edward VIII, 1936

THE HOUSE OF COMMONS OF CANADA.

BILL 20.

An Act to amend The Fisheries Act, 1932.

1932, c. 42.

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

1. The Fisheries Act, 1932, chapter forty-two of the statutes of 1932, is amended by inserting the following 5 section therein immediately after section twenty-two thereof:—

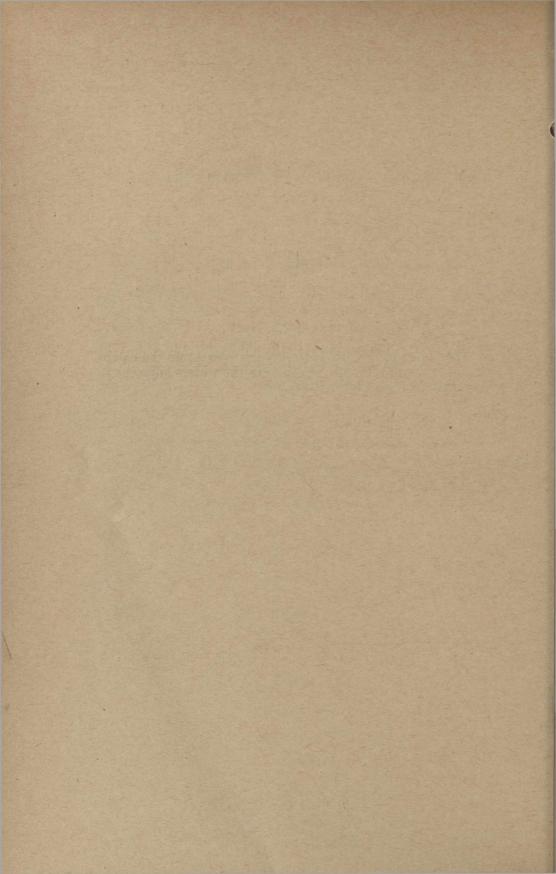
Seine fishing for salmon prohibited in waters adjacent to the mouth of the Fraser River.

"22A. No seine fishing for salmon shall be allowed within the boundaries of a line drawn from the extreme westerly point of Point Grey to the most northerly point 10 of Galiano Island; thence in a straight line to and following the international boundary line to the outer range light on said boundary; thence in a line drawn in a westerly and northerly direction to the point of commencement."

EXPLANATORY NOTE.

The object of this Bill is to prohibit by statute the catching of salmon by the use of seines in the waters adjacent to the mouth of the Fraser River.

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21.

THE HOUSE OF COMMONS OF CANADA.

BILL 21.

Act to amend The Canadian National-Canadian Pacific Act, 1933.

First reading, March 26, 1936.

The MINISTER OF RAILWAYS AND CANALS.

13593

1st Session, 18th Parliament, 1 Edward VIII, 1936

THE HOUSE OF COMMONS OF CANADA.

BILL 21.

An Act to amend The Canadian National-Canadian Pacific Act, 1933.

1933, c. 33.

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

Short title.

1. This Act may be cited as The Canadian National-Canadian Pacific Act, 1936.

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Definition of Trustees. 1933, c. 33. **2.** Paragraph (i) of section three of *The Canadian* National-Canadian Pacific Act, 1933, chapter thirty-three of the statutes of 1933, is repealed.

Part I.

3. Part I of the said Act is repealed and the following substituted therefor:— 10

EXPLANATORY NOTES.

1. The objects generally of the amendments contained in this Bill are to substitute a Board of Directors consisting of seven members in place of three Trustees; to provide that one of the directors shall be the Chairman of the Board of Directors and devote his whole time to the performance of his duties; to provide for the appointment by the directors of a President; to require the approval of the Governor in Council where, by law, the approval of the shareholders of a company is required, instead of dispensing with any such approval by either the Governor in Council or shareholders as was done in the case of the Trustees; and to provide that a majority of the directors shall decide all matters instead of requiring a unanimous vote or a majority which included the Chairman as was provided for in the case of the Trustees.

The changes in the Bill from those in the present Act are either underlined or the clause marked with a line on the side indicating that such changes are such as cannot be satisfactorily specifically underlined. When possible, the changes are also indicated by words in italics in the sections reproduced in the explanatory notes.

2. Paragraph (i) of section three, to be repealed, at present reads as follows:—

"(i) 'Trustees' means the Trustees appointed under Part I of this Act and includes their successors."

The definition of "Trustees" is to be repealed as the three Trustees are to be replaced by a Board of Directors.

3. Part I of *The Canadian National-Canadian Pacific* Act, 1933, at present reads as follows:—

"PART I.

NATIONAL RAILWAYS.

Board of Directors. Appointment of Directors.

One of Directors to be Chairman of Board of Directors.

Pension rights preserved.

Remuneration of Directors.

Only one remuneration to each director. "4. (1) The Board of Directors of the National Company shall consist of seven directors.

(2) The Governor in Council may appoint in the place and stead of and in succession to the incorporators of the National Company and their successors seven directors 5 whose powers, rights, privileges, immunities, duties, responsibilities and restrictions shall be as in and by this Act provided.

(3) The Governor in Council may appoint one of the directors of the National Company Chairman of the Board 10 of Directors of the National Company. He shall devote his whole time to the performance of his duties and shall not be an officer nor after his appointment as Chairman of the Board of Directors become, otherwise than by reelection, a director of any company other than a company 15 which is comprised in National Railways, or a company owned or controlled directly or indirectly, by stock ownership or otherwise, by His Majesty.

(4) Subject to the provisions of the next following section, the appointment of any officer or employee of any of the 20 National Railways as a director and Chairman of the Board of Directors of the National Company shall not affect any rights, privileges or benefits to which he is now or may become entitled under the provisions of any pension Act or regulations relating to any of the National Railways 25 and for all pension purposes he shall be deemed to be an officer or employee within the meaning of such pension Act and regulations.

"5. (1) The <u>directors</u> shall be paid by the National Company such <u>sums</u> as may from time to time be fixed by 30 the Governor in Council, and if any <u>director</u> is in receipt of a pension from any railway company he shall not be entitled to receive or to be paid such pension during his term of office.

(2) Each director, as such, shall be paid only such sum 35 as may be fixed pursuant to the provisions of subsection one of this section, and saving and excepting that and his right to prepayment or repayment of his proper expenditures made while engaged in and upon the affairs of National Railways, he shall not be entitled upon any ground to any 40 recompense or emolument from any company or element of which National Railways is composed, provided, however,

"PART I.

NATIONAL RAILWAYS.

"4. (1) The Governor in Council may vacate all nominations heretofore made to the Board of Directors of the National Company pursuant to section three of the National Act, and may appoint in the place and stead of and in succession to the incorporators of that Company three Trustees, whose powers, rights, privileges, immunities, duties, responsibilities and restrictions shall be as in and by this Act provided.

(2) One of such Trustees shall be their Chairman. He shall devote his whole time to performance of the duties of his office and shall not be an officer nor after his appointment as trustee become, otherwise than by reelection, a director of any company other than a company which is comprised in National Railways.

(3) The Trustees, other than the chairman, first appointed under the provisions of this Act, shall from time to time during the terms of their first appointments devote to performance of the duties of their office their whole or part time as may be determined from time to time by the Governor in Council, and the salaries to be paid to such trustees for whole and/or part time service shall be fixed at the time of their appointments.

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"5. (1) The *Trustees* shall be paid by the National Company such salaries as may from time to time be fixed by the Governor in Council, and if any *Trustee* is in receipt of a pension from any railway company he shall not be entitled to receive or to be paid such pension during his term of office.

(2) Each Trustee shall be paid but one salary, and saving and excepting that and his right to prepayment or repayment of his proper expenditures made while engaged in and upon the affairs of National Railways, he shall not be entitled upon any ground to any recompense or emolument. Tenure.

"6. (1) Three of the original directors, including the 5 Chairman of the Board of Directors, shall be appointed for terms of three years each from appointment.

(2) Two of the original directors shall be appointed for terms of two years each from appointment.

(3) Two of the original directors shall be appointed for 10 terms of one year each from appointment.

(4) The Governor in Council may from time to time appoint or re-appoint a director to fill any vacancy that may occur among the directors, and may from time to time appoint a Chairman of the Board of Directors to fill 15 any vacancy in the office of the Chairman of the Board of directors.

(5) Appointments to fill casual vacancies among the directors or in the office of the Chairman of the Board of Directors shall be for the unexpired portion of the term 20 of the vacating director or the vacating Chairman of the Board of Directors, as the case may be.

(6) Appointments to fill vacancies among the directors or in the office of the Chairman of the Board of Directors occurring by efflux of time shall be for terms to expire three 25 years after the occurrence of the vacancy.

(7) Every director whose term has expired shall continue to act as such until his successor is appointed.

(8) A vacancy or vacancies or a continuance thereof among the directors shall not impair the powers of the 30 directors.

(9) Four directors shall constitute a quorum.

(10) In the event of the Chairman of the Board of Directors being temporarily unable to perform the duties of his office by reason of his absence out of Canada or other cause of 35 incapacity, or in the event of there being a vacancy in the office of the Chairman of the Board of Directors, then the remaining directors may elect one of their number to act as Chairman of the Board of Directors during such incapacity or vacancy and thereupon he shall also act, during the same 40 period, as Chairman of the Board of Directors of every other company in Canada under the direction and control of the directors and comprised in National Railways. Any director so temporarily elected may be paid by the National Company such additional remuneration, if any, as the 45 Governor in Council may approve.

Appointments to fill casual vacancies.

Vacancies.

Vacancies.

To act until successor appointed.

Powers of directors not impaired.

Quorum.

Incapacity of Chairman. "6. (1) The Governor in Council may from time to time appoint or reappoint a Trustee to fill any vacancy among the Trustees from any cause occurring.

(2) The Chairman of the Trustees shall be appointed as such for a term of five years from appointment and each of the other original Trustees for such term of less than five years and different duration from that of his cotrustee as the Governor in Council when appointing shall specify.

(3) Appointments to fill casual vacancies among the Trustees shall be for the unexpired portion of the vacating Trustee's term.

(4) Appointments to fill vacancies occurring by efflux of time shall be for terms to expire five years after the occurrence of the vacancy.

(5) Every Trustee whose term has expired shall continue to act as such until his successor is appointed.

(6) Upon the occurrence of a vacancy the two remaining Trustees shall and may during its continuance act as and be deemed to be for all the purposes of this Act the Trustees. If the vacancy shall be in the office of Chairman then during its continuance that one of the two remaining Trustees who has longest served as a Trustee, or if both remaining Trustees have served for the same period of time that one of them whose then current term of office will last expire, shall and may act as, be known as, and for all the purposes of this Act be deemed to be, the Chairman of the Trustees.

(7) Whenever upon application of any Trustee or Trustees and reasonable notice in writing to the Attorney-General of Canada it shall be made to appear to the President of the Exchequer Court of Canada—

(a) by a Trustee applying, that by reason of his imminent absence out of Canada, or

(b) by any two Trustees, that by reason of absence out of Canada or other cause of incapacity—

a Trustee is to be or is temporarily unable to perform the duties of his office and, in either case, that for the operation of the provisions of this Act while such incapacity shall continue it is necessary that the office of the Trustee shall be assumed to be vacant, such President may by order or decree of his court declare that pursuant to this subsection of this Act the office of such Trustee shall for all the purposes of this Act except those of sections five and six which relate to payment of salaries and appointments to vacancies, be assumed to stand vacant until the further order or decree of such President or the occurrence of an actual vacancy in the office of the Trustee concerned.

(8) Such order or decree shall have effect according to its terms. It may be vacated by such President, at any time upon application of the Trustee concerned, his co-Trustees or the Attorney-General of Canada, and upon such prior notice in writing, if any, to such persons, if any, as such President may approve or direct. Provincial Companies reincorporated.

Other Companies. "7. (1) The works of every incorporated company in Canada which is comprised in National Railways but is not incorporated by or under the law of the Dominion of Canada and which have not heretofore been declared to be works for the general advantage of Canada, are hereby declared to be works for the general advantage of Canada.

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(2) By force of this Act, and without more, the now shareholders of every company in Canada comprised in National Railways, the works of which have been or are hereby declared to be works for the general advantage of Canada, 10 are hereby incorporated, and such incorporated company shall have the same name, directors and undertaking as the first mentioned company, and may and shall act in succession thereto and continuity thereof as respects all its affairs by, under and subject to the provisions of this Act. 15

On appointment of Directors direction and control vested in Board of Directors.

Board to have powers, etc., of former Board of Directors.

R.S., 1927, c. 172.

Directors and Chairman of Board of Directors substituted for directors and Chairman of Board of Directors of all Canadian companies comprised in National Railways.

"S. (1) When the Governor in Council has appointed the directors, as by section four of this Act provided, the direction and control of the National Company and its undertaking shall, by force of this Act and without more, be vested, subject to the provisions of this Act, in the 20 Board of Directors.

(2) The Board of Directors shall and may thereafter, subject to the provisions of this Act, have and exercise all the powers, rights, privileges and immunities, and perform and be subject to all the duties, responsibilities and restrictions which would appertain to a Board of Directors of the National Company appointed under the provisions of the National Act.

(3) At the same time, by the same force and without more, the directors and the Chairman of the Board of 30 Directors shall become and be respectively the directors and the Chairman of the Board of Directors in the place and stead of and in succession to the directors or Trustees and the Chairman of the Board of Directors or of the Trustees of every other company in Canada comprised 35 in National Railways and they may and shall, thereafter, subject to the provisions of this Act, have and exercise with relation to such companies, respectively, the like powers, rights, privileges and immunities and perform and be subject to the like duties, respon- 40 "7. No Trustee shall be removed from office, nor suffer any reduction in salary, during the term for which he is appointed, unless for assigned cause and on address of the Senate and House of Commons of Canada.

(The above section is left out entirely and the former section eight is re-numbered seven and is not otherwise amended.)

"S. (1) The works of every incorporated company in Canada which is comprised in National Railways but is not incorporated by or under the law of the Dominion of Canada and which have not heretofore been declared to be works for the general advantage of Canada, are hereby declared to be works for the general advantage of Canada.

(2) By force of this Act, and without more, the now shareholders of every company in Canada comprised in National Railways, the works of which have been or are hereby declared to be works for the general advantage of Canada, are hereby incorporated, and such incorporated company shall have the same name, directors and undertaking as the first mentioned company, and may and shall act in succession thereto and continuity thereof as respects all its affairs by, under and subject to the provisions of this Act.

"9. (1) When the Governor in Council shall proclaim in the Canada Gazette that he has vacated all nominations to the Board of Directors of the National Company and has appointed Trustees as by section four of this Act provided the said Board shall cease to exist and, by force of this Act and without more, the direction and control of the National Company and its undertaking shall be vested, subject to the provisions of this Act, in the Trustees.

(2) The *Trustees* shall and may thereafter, subject to the provisions of this Act, have and exercise all the powers, rights, privileges and immunities, and perform and be subject to all the duties, responsibilities and restrictions, which *now* appertain to the Board of Directors of the National Company.

(3) At the same time, by the same force and without more, the *Trustees* shall become and be *Trustees* in the place and stead of and in succession to every Board of *Directors* of every other company in Canada which is comprised in National Railways and they may and shall, thereafter, subject to the provisions of this Act, have and exercise with relation to such other companies, respectively, the like powers, rights, privileges and immunities, and perform and be subject to the like duties, responsibilities, and restrictions as those already in this section provided for with relation to the National Company. Provided that Proviso.

sibilities and restrictions as those already in this section provided for with relation to the National Company: Provided that in any case where the ownership, interest or right to operate or control of the National Company or of any element of which National Railways as defined by 5 this Act is composed is, as respects any of such companies in Canada, partial only, because whereof after the passing of this Act part of the Board of Directors of such Company will be or continue to be appointable otherwise than by the directors of the National Company, such directors 10 shall elect from among themselves the number of directors which they are entitled to elect to the Board of Directors of such Company, and if the number of directors appointable by them be more than seven, they may appoint such additional directors of such company in Canada as may be 15 authorized and necessary and may remove and replace them at any time without notice and without assigning cause.

Inconsistent Acts, etc., to be construed so as to conform. (4) The National Act and all statutes, charters, letters patent and orders in council of Canada which relate to 20 any of such companies in Canada shall, in so far as they may be inconsistent with the provisions of this section, be read in the light hereof and be construed so as to conform herewith.

Approval of Governor in Council instead of shareholders. "9. Whenever under the provisions of the Railway Act 25 or any other statute or law the approval, sanction or confirmation by shareholders is required with respect to any company to which the next preceding section applies, such approval, sanction or confirmation may be given by the Governor in Council. 30

Appointment of President.

President if not director to be Chief Executive Officer. "10. (1) The directors shall appoint, subject to the approval of the Governor in Council, a President of the National Company who may be the Chairman of the Board of Directors, or a person, other than one of the directors. The President, as such, shall hold office during the pleasure 35 of the directors and, notwithstanding anything in this Act, shall be paid by the National Company such sum, salary or remuneration as the Governor in Council may approve.

(2) In the event of the directors appointing a person, other than one of themselves, President of the National 40 Company, such person shall be during his tenure of office as President the Chief Executive Officer of the National

in any case where the ownership, interest or right to operate or control of the National Company or of any element of which National Railways as defined by this Act is composed is, as respects any of such companies in Canada, partial only, because whereof after the passing of this Act part of the Board of Directors of such company will be or continue be be appointed otherwise than by the Trustees, they shall at the same time, by the same force and without more become and be directors in the place and stead of that part of such Board of Directors of such company, which before the passing of this Act was appointable by or for the National Company or by or for any element of which National Railways is composed; and if the number of directors appointable by them be more than three the Trustees may appoint such additional directors of such company in Canada as may be authorized and necessary and may remove and replace them at any time without notice and without assigning cause.

(4) The National Act and all statutes, charters, letters patent and orders in council of Canada which relate to any of such companies in Canada shall, in so far as they may be inconsistent with the provisions of this section, be read in the light hereof and be construed so as to conform herewith.

(5) Subject to the terms of this Act, and until otherwise provided or directed under its authority, every operation and service of National Railways shall continue and be continued by all persons now concerned therewith as if this Act had not been passed.

(6) No order, regulation, by-law, act, decision or proceeding of the Trustees shall require the approval of the shareholders of any company to which this section applies.

(Section 9 on the opposite page is new.)

"10. (1) The Trustees shall appoint, on terms to be fixed by them, and with the titular rank of President, a person other than one of themselves to execute and perform, under and in consultation with them the powers, authorities and duties of chief operating officer of National Railways, as such powers, authorities and duties shall be from time to time defined by by-law or resolution of the Trustees and committed for execution and performance. The President shall report and be responsible to the Trustees and to them alone.

(2) Until the Trustees shall have appointed, defined and committed as in this section provided the person who Powers of Chief Executive Officer.

President of National Company to be President of all Canadian companies comprised in National Railways.

Only one remuneration as President.

Chief Operating Officer of National Railways to act until President appointed.

Meetings.

Act of Quorum to be deemed act of board.

Annual Budget. Railways with such powers, authorities and duties as may be defined by by-law or resolution of the directors, approved of by the Governor in Council, and such person as the Chief Executive Officer of the National Railways shall be paid by the National Company such salary as the Governor 5 in Council may approve.

(3) When the directors shall have appointed the President of the National Company, as in this section provided, at the same time, by the same force and without more, the President of the National Company shall become and be 10 the President, in the place and stead of, and in succession to, the President of every other company in Canada comrised in the National Railways and which has pursuant to the provisions of this Act the same Board of Directors as the National Company. 15

(4) The President, as such, shall be paid only such sum, salary or remuneration as may be approved, pursuant to the provisions of subsection one of this section, and saving and excepting that and his right to prepayment or repayment of his proper expenditures while engaged on the 20 affairs of the National Railways he shall not be entitled, as President, upon any ground, to any recompense or emolument from any company mentioned or referred to in this section.

(5) Until the directors shall have appointed a President 25 pursuant to the provisions of this section the person, who is now charged with the powers, authorities and duties of Chief Operating Officer of National Railways, shall, not-withstanding anything in this Act or any other Act contained, continue to execute and perform such powers, 30 authorities and duties on behalf of National Railways.

"11. Meetings of the Board of Directors may be held at such times and places as may be fixed by by-law or as their Chairman may from time to time determine. At any meeting regularly called at which all the directors are not present but at which there is at least a quorum, the directors present shall be competent to exercise all the powers vested in the Board of Directors and the act of a majority of these directors shall be deemed the act of the Board of Directors. The Board of Directors or a majority thereof may without 40 meeting decide or act by way of a written minute or concurrence signed by the directors or a majority of them.

"12. The annual budget of the National Railways shall be under the control of the Board of Directors. Estimates of the amounts required for income deficits, for interest on 45 obligations outstanding in the hands of the public, for capital expenditures and for refunding or retirement of maturing securities shall be submitted by the Board of is now charged, whether or not exclusively, with the powers authorities and duties of chief operating officer of the National Company and its undertaking shall and may continue to execute and perform such powers, authorities and duties on behalf of National Railways as if they had been committed to him for execution and performance under this Act.

"11. (1) Meetings of the *Trustees* may be held at such times and places as their Chairman may from time to time determine.

(2) The Trustees may decide or act at meetings only by unanimous vote or by majority which includes the Chairman. They or a majority so formed may without meeting decide or act by way of minute or concurrence written and signed by them or by such majority. When by reason of any vacancy among them (actual or assumed), there are only two Trustees, their decision, vote, minute or concurrence shall, for the purposes of this section, be deemed to be the unanimous decision, vote, minute or concurrence of the Trustees, and if the two divide in opinion the decision, vote or minute of the Chairman shall, for the same purposes, be deemed to be that of a majority of the Trustees.

"12. The annual budget of National Railways shall be under the control of the *Trustees*. Estimates of the amounts required for income deficits, for interest on obligations outstanding in the hands of the public, for capital Submission to the Minister of Transport prior to Parliament.

Income deficits not to be funded.

Funds not to be diverted.

Continuous audit by independent auditors.

Report to Parliament.

Payment.

Existing Auditors shall continue.

Annual Report to Parliament.

Routing export freight through Canadian seaports.

Reports to Parliament. Directors to the Minister of Transport for the consideration and approval or disapproval in whole or in part of the Governor in Council and thereafter presented to Parliament. Income deficits shall not be funded. Amounts provided by Parliament to meet capital expenditures shall 5 not be diverted to cover deficits in operation unless with the express authority of Parliament.

"13. (1) A continuous audit of the accounts of National Railways shall be made by independent auditors appointed annually by a resolution of the House of Commons and 10 annually reporting to Parliament in respect of their audit. Their annual report shall call attention to any matters which in their opinion require consideration or remedial action. They shall be paid by the National Company such amounts as the Governor in Council shall from time to 15 time approve.

(2) Notwithstanding anything in this Act contained the now existing auditors of the National Railways shall continue in office and perform their duties as such until their successors have been appointed under this Act and have 20 commenced to perform their duties.

"14. (1) The Board of Directors shall make a report annually to Parliament setting forth in a summary manner the results of their operations, any co-operative measures, plans or arrangements effected pursuant to this Act, any 25 economies or more remunerative operation thereby produced, the amounts expended on capital account in respect of National Railways and such other information as appears to them to be of public interest or necessary for the information of Parliament with relation to any situation existing at 30 the time of such report, or as may be required from time to time by the Governor in Council.

(2) The <u>Board of Directors</u> shall so direct, provide and procure that all freight destined for export by sea which is consigned within Canada for carriage to National Railways 35 either at point of origin or between that and the sea shall, unless it has been by its shippers specifically routed otherwise, be exported through Canadian seaports.

"15. The annual reports of the Board of Directors and the auditors, respectively, shall be submitted to Parliament 40 through the Minister of Transport." expenditures and for refunding or retirement of maturing securities shall be submitted by the *Trustees* to the Minister of *Finance* for the consideration and approval or disapproval in whole or in part of the Governor in Council and thereafter presented to Parliament. Income deficits shall not be funded. Amounts provided by Parliament to meet capital expenditures shall not be diverted to cover deficits in operation unless with the express authority of Parliament.

"13. (1) A continuous audit of the accounts of National Railways shall be made by independent auditors appointed annually by a resolution of *Parliament* and annually reporting to Parliament in respect of their audit. Their annual report shall call attention to any matters which in their opinion require consideration or remedial action. They shall be paid by the National Company such amounts as the Governor in Council shall from time to time approve.

(2) Notwithstanding anything in this Act contained the now existing auditors of the Canadian National Railways shall continue in office and perform their duties as such until their successors have been appointed under this Act and have commenced to perform their duties.

"14. (1) The *Trustees* shall make a report annually to Parliament setting forth in a summary manner the results of their operations, any co-operative measures, plans or arrangements effected pursuant to this Act, any economies or more remunerative operation thereby produced, the amounts expended on capital account in respect of National Railways and such other information as appears to them to be of public interest or necessary for the information of Parliament with relation to any situation existing at the time of such report, or as may be required from time to time by the Governor in Council.

(2) The *Trustees* shall so direct, provide and procure that all freight destined for export by sea which is consigned within Canada for carriage to National Railways either at point of origin or between that and the sea shall, unless it has been by its shippers specifically routed otherwise, be exported through Canadian seaports.

"15. The annual reports of the *Trustees* and the auditors, respectively, shall be submitted to Parliament through the Minister of *Railways and Canals.*"

4. Subsection six of section sixteen of the said Act is repealed and the following substituted therefor:—

"(6) It shall be the duty of the National Company and the Pacific Company, for and on behalf of themselves, respectively, and otherwise as by this Part of this Act 5 authorized, and they are hereby required to meet by their proper officers forthwith and from time to time as they may agree, to discuss and to effect by agreement, if possible, the purposes set forth in this Part of this Act. The proper officers of the National Company for the purposes of this 10 subsection shall be the directors by themselves and/or such of the National Company's or National Railways' officers as the directors may name for the purpose, and the proper officers of the Pacific Company shall be the directors and/or such of the Pacific Company's or Pacific Railways' officers 15 as the said directors may name for the purpose."

Act to come into force on proclamation.

Duty of C.N.R. and C.P.R. to

meet by

proper officers

arrange for co-operation.

their

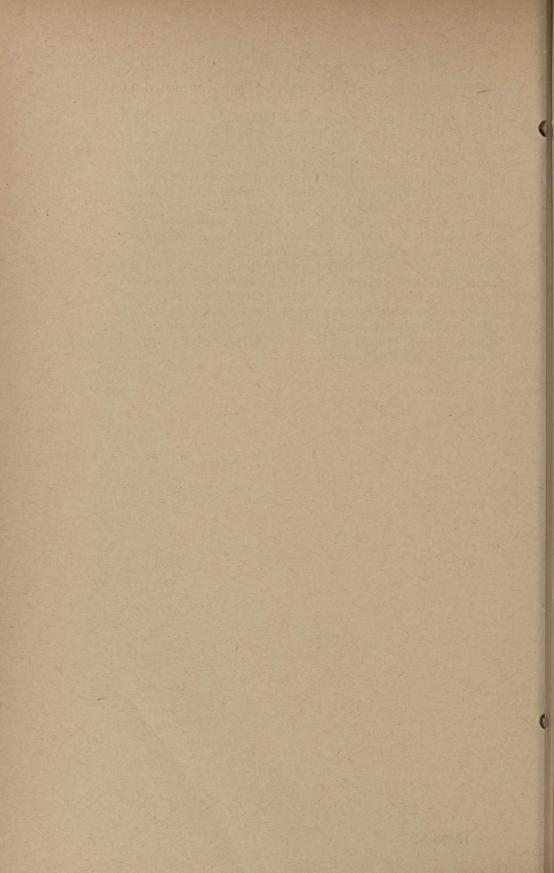
and endeavour to

> 5. This Act shall come into force on a date to be fixed by proclamation of the Governor in Council published in the Canada Gazette.

4. The subsection to be repealed and re-enacted at present reads as follows:---

"(6) It shall be the duty of the National Company and the Pacific Company, for and on behalf of themselves, respectively, and otherwise as by this Part of this Act authorized, and they are hereby required, to meet by their proper officers forthwith and from time to time as they may agree, to discuss and to effect by agreement, if possible, the purposes set forth in this Part of this Act. The proper officers of the National Company for the purposes of this subsection shall be the *Trustees* by themselves and/or such of the National Company's or National Railways' officers as the *Trustees* may name for the purpose, and the proper officers of the Pacific Company shall be the directors and/or such of the Pacific Company's or Pacific Railways' officers as the said directors may name for the purpose."

The only change consists in substituting the word "directors", underlined on the opposite page, for the word "Trustees", in italics above.



First Session, Eighteenth Parliament, 1 Edward VIII, 1936

THE HOUSE OF COMMONS OF CANADA.

BILL 22.

An Act to provide for the Payment of certain sums of Money to primary producers of Wheat with respect to Wheat of the 1930 crop delivered to provincial pool organizations.

First reading, March 26, 1936.

THE MINISTER OF AGRICULTURE.

OTTAWA J. O. PATENAUDE, I.S.O. PRINTER TO THE KING'S MOST EXCELLENT MAJESTY 1936

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1st Session, 18th Parliament, 1 Edward VIII, 1936

THE HOUSE OF COMMONS OF CANADA.

BILL 22.

An Act to provide for the Payment of certain sums of Money to primary producers of Wheat with respect to Wheat of the 1930 crop delivered to provincial pool organizations.

Preamble.

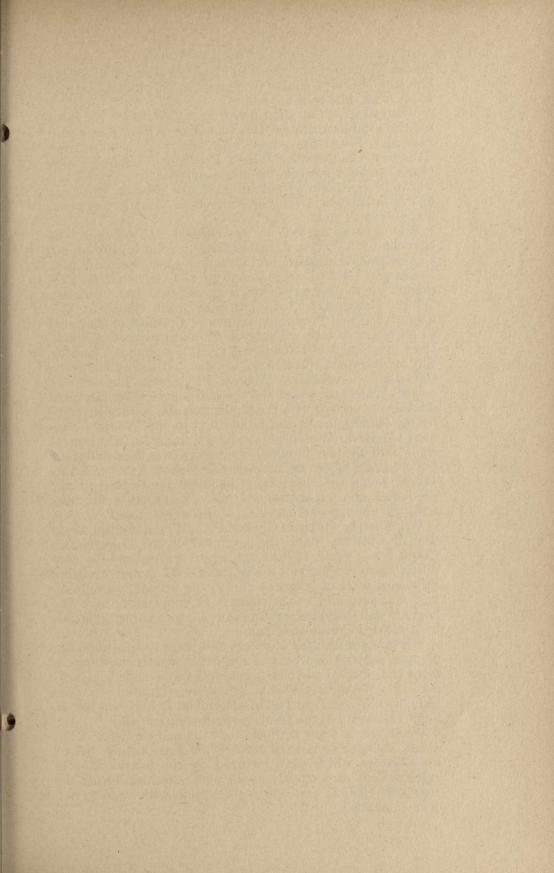
WHEREAS on January 20, 1931, an undertaking was given on behalf of the Government of Canada to guarantee advances made or to be made by a group of chartered banks, hereinafter called "the lending banks," to Canadian Co-operative Wheat Producers, Limited, in connection with the 5 marketing of wheat and coarse grains grown in the provinces of Manitoba, Saskatchewan and Alberta, and delivered during the crop year 1930-31 to pool organizations in the said provinces: and

WHEREAS during the summer of 1931 Canadian Co-oper- 10 ative Wheat Producers, Limited, with the approval of the Government of Canada changed its policy in regard to the marketing of the 1930 wheat crop and, instead of actively selling, undertook to hold substantially the unsold balance of the 1930 crop off the market and to purchase contracts 15 to purchase or take delivery of wheat with the intention of assisting in stabilizing the price of wheat and thereby improving business conditions throughout Canada; and

WHEREAS the undertaking given on behalf of the Govern-20 ment to guarantee advances made by the lending banks to Canadian Co-operative Wheat Producers, Limited was confirmed by Order in Council P.C. 2238, dated September 12, 1931, and extended to include advances made on account of the price stabilization operations mentioned above; and 25

WHEREAS Canadian Co-operative Wheat Producers, Limited continued to hold substantially the unsold balance of the 1930 crop and to conduct stabilizing operations until late in 1935: and

WHEREAS these operations of Canadian Co-operative 30 Wheat Producers, Limited were carried on with the knowledge and consent of the Government of Canada and by



means of advances by the lending banks guaranteed by the Government of Canada in pursuance of Relief Acts in effect from time to time; and

1935, c. 53.

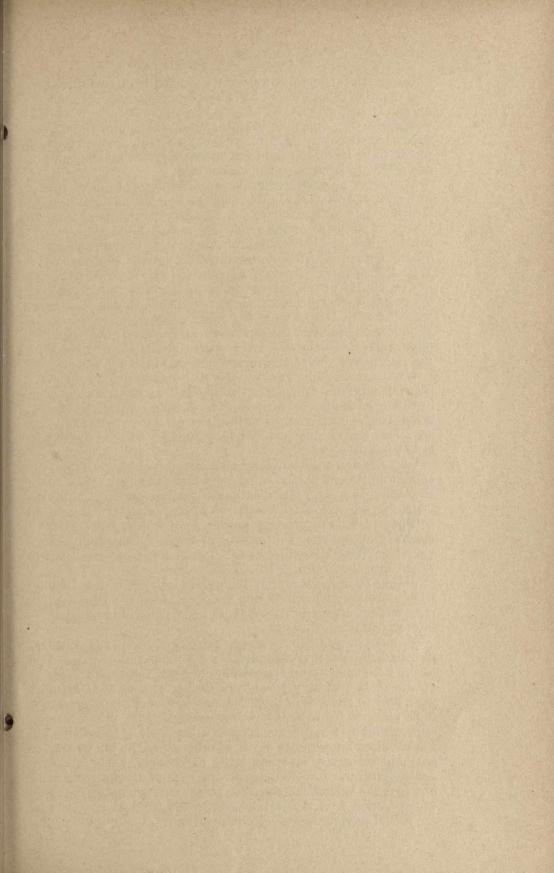
WHEREAS The Canadian Wheat Board Act, 1935, provided for the establishment of The Canadian Wheat Board and 5 gave said Board the power, *inter alia*, "to acquire from Canadian Co-operative Wheat Producers, Limited, upon terms to be approved by the Governor in Council, all wheat or contracts to purchase or take delivery of wheat in respect of which the Government of Canada has given 10 a guarantee"; and

WHEREAS an agreement was entered into between The Canadian Wheat Board, represented by John I. McFarland, Chairman of the Board, and Canadian Co-operative Wheat Producers, Limited, represented by L. C. Brouillette, Pre-15 sident, by the terms of which agreement, The Canadian Wheat Board agreed to purchase from Canadian Co-operative Wheat Producers, Limited, "all wheat or contracts to purchase or take delivery of wheat in respect of which the Government of Canada has given a guarantee" and by 20 way of payment therefor to assume "all liabilities of the Canadian Co-operative Wheat Producers, Limited, in respect of the said wheat and the said contracts for advances made in connection with the acquisition and holding thereof" by the lending banks and in addition to pay "to the Cana- 25 dian Co-operative Wheat Producers, Limited, the sum of eight million two hundred and sixty-two thousand four hundred and fifteen dollars and thirty-seven cents (\$8,262,-415.37) being the sum total of balances due to the primary producers and expenses and other charges in connection 30 with the holding and handling of the wheat"; and

WHEREAS by Order in Council P.C. 3199, dated the tenth day of October, 1935, the approval of the Governor in Council was given to this agreement subject to the condition that the amount of \$8,262,415.37 stated as being 35 "the sum total of balances due to the primary producers, and expenses and other charges in connection with the holding and handling of the wheat" was to be "verified by Auditor's Certificates"; and

WHEREAS a transfer of wheat and contracts to purchase 40 or take delivery of wheat in respect of which the Government of Canada had given a guarantee was made by Canadian Co-operative Wheat Producers, Limited to The Canadian Wheat Board as of December 2, 1935, subject to final settlement of the terms of such transfer; and 45

WHEREAS an audit discloses that the said sum of \$8,262,-415.37 includes an item of \$862,487.50 representing various expenditures which were incurred by the provincial pool organizations in connection with pool activities during the crop year 1930-31 and not in connection with stabilization 50 operations; and



WHEREAS no justification exists for the inclusion of the said sum of \$862,487.50 for expenses of provincial pool organizations; and

WHEREAS an audit discloses that the said sum of \$8,262,-415.37 includes an item of \$890,658.44 representing pay- 5 ments to be made to producers of coarse grains on the basis of certain theoretical calculations; and

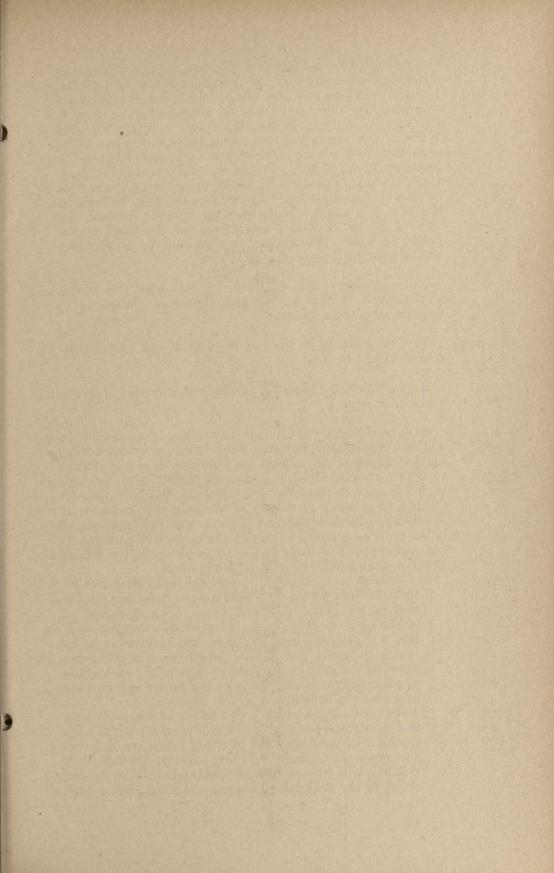
WHEREAS no justification exists for the inclusion of the said sum of \$890,658.44, inasmuch as The Canadian Wheat Board is not authorized to purchase coarse grains or con- 10 tracts to purchase or take delivery of coarse grains, as no mention was made of coarse grains in the agreement between The Canadian Wheat Board and the Canadian Co-operative Wheat Producers, Limited, summarized above or in Order in Council P.C. 3199, dated the tenth day of October, 1935, 15 approving such agreement under certain conditions, and as an audit of the operations of Canadian Co-operative Wheat Producers, Limited discloses no information that said operations in connection with coarse grains were effected for stabilization purposes in the national interest; but 20

WHEREAS an audit discloses that the operations in respect of coarse grains which were conducted as separate pools resulted in credit balances in the case of certain coarse grains and consequently the primary producers who delivered said grains are justified in expecting to receive said 25 credit balances; and

WHEREAS an audit discloses that the sum of \$8,262,415.37 cannot be taken as the amount which, having regard to the marketing and stabilization operations conducted by Canadian Co-operative Wheat Producers, Limited in regard 30 to wheat, is due to primary producers of wheat, but on the contrary shows that the said operations of Canadian Cooperative Wheat Producers, Limited in regard to the 1930 wheat crop have resulted in a loss; but

WHEREAS it appears that the unsold balance of the 1930 35 wheat crop was held off the market for the purpose of carrying out a general policy conceived to be in the national interest; and

WHEREAS Canadian Co-operative Wheat Producers, Limited had, by February 29, 1932, made transactions related 40 to the 1930 wheat crop approximately equal to the deliveries of wheat by primary producers during the 1930-31 crop year, and an analysis of the prices at which such transactions took place indicates that the average of such prices was approximately sixty cents a bushel, basis No. 1 Northern, 45 Fort William, in the case of wheat other than Durum wheat, and approximately sixty-six cents per bushel, basis No. 1 Amber Durum, Fort William, in the case of Durum wheat, but that the spreads between the prices for various grades of wheat varied from the arbitrary spreads fixed at the time 50 the initial payments were determined; and



WHEREAS, notwithstanding the loss arising out of the operations of Canadian Co-operative Wheat Producers, Limited in respect to wheat, the primary producers of wheat who accepted initial payments on a basis of sixty or fiftyfive or fifty cents a bushel, basis No. 1 Northern, Fort 5 William, are justified in expecting those payments to be equalized on the basis of sixty cents a bushel, basis No. 1 Northern, Fort William in the case of wheat other than Durum wheat, and on the basis of approximately sixty-six cents a bushel, basis No. 1 Amber Durum, Fort William, in 10 the case of Durum wheat, with the spreads between the various grades of wheat determined on the basis of the prices at which the transactions referred to in the preceding paragraph were effected:

Now, therefore, His Majesty, by and with the advice 15 and consent of the Senate and House of Commons of Canada, enacts as follows:—

Short title.

1. This Act may be cited as The 1930 Wheat Crop Equalization Payments Act.

"Minister" defined.

Payment not exceeding \$6,600,000 to The Canadian Wheat Board.

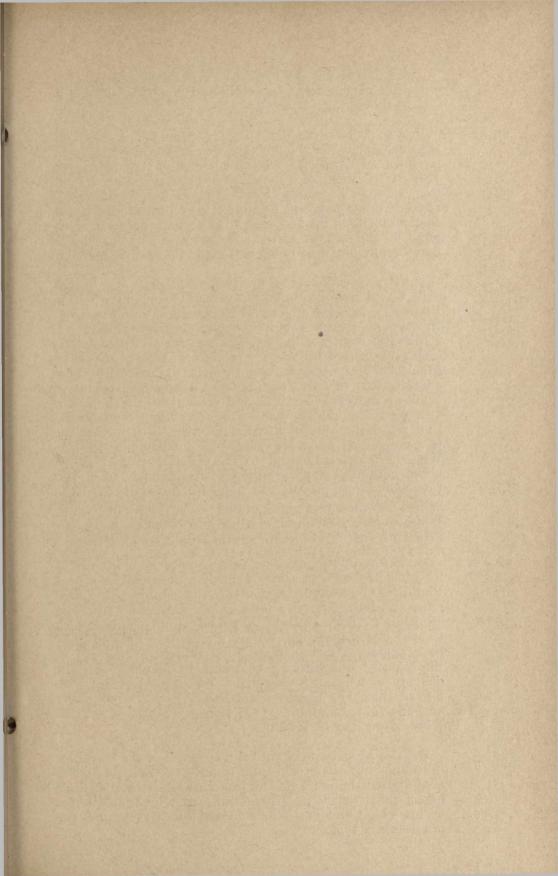
Basis of payment per bushel for wheat other than Durum.

Basis of payment per bushel for Durum wheat. 2. In this Act "Minister" means the Minister of Trade 20 and Commerce.

3. The Governor in Council may authorize payment out of the Consolidated Revenue Fund of sums not exceeding in the aggregate six million six hundred thousand dollars to The Canadian Wheat Board for distribution through 25 such agencies as may be approved by the Governor in Council to primary producers of wheat in the provinces of Manitoba, Saskatchewan and Alberta, who delivered wheat in the crop year 1930-31 through the respective pool organizations in said provinces to Canadian Co-operative Wheat 30 Producers, Limited, in order to provide that,

(a) such primary producers who delivered wheat other than Durum wheat and who received for any grade thereof an initial payment based upon the rate of either sixty or fifty-five or fifty cents a bushel, basis 35 No. 1 Northern, Fort William, will receive an additional payment per bushel equal to the difference between the initial price paid per bushel for each grade of grain delivered and the price per bushel set opposite said grade in Schedule A to this Act; and
40

(b) such primary producers who delivered Durum wheat and who received for any grade thereof an initial payment based upon the rate of either fifty-four or fortynine cents per bushel, basis No. 1 Amber Durum, Fort William, will receive an additional payment per bushel 45 equal to the difference between the initial price paid



per bushel for each grade of grain delivered and the price per bushel set opposite said grade in Schedule B to this Act.

5

Proviso.

Payment of net credit

in respect of barley, flax

balance

and rye.

Provided, however, that if any primary producer of wheat shall have assigned his right to receive any additional 5 payment in respect of wheat delivered in the crop year 1930-31 to Canadian Co-operative Wheat Producers, Limited, through a provincial pool organization as aforesaid, any additional payment hereunder in respect of said wheat shall be made to the assignee of the primary producer upon 10 proof by the assignee of the assignment in such manner as may be provided for by regulations to be made hereunder.

4. The Governor in Council may authorize The Canadian Wheat Board to pay to Canadian Co-operative Wheat 15 Producers, Limited any net credit balances resulting from transactions by Canadian Co-operative Wheat Producers, Limited in respect of barley, flax and rye delivered in the crop year 1930-31 by primary producers in the provinces of Manitoba and Saskatchewan through the respective pool organizations in said provinces to Canadian Co-operative 20 Wheat Producers, Limited and shown on the books of Canadian Co-operative Wheat Producers, Limited on the day as of which the transfer of wheat or contracts to purchase or take delivery of wheat was made by Canadian Co-operative Wheat Producers, Limited to The Canadian Wheat Board 25 under authority of paragraph (f) of section seven of The Canadian Wheat Board Act, 1935, for distribution to the primary producers of said grains or their assignees, pursuant to the terms of the contracts under which the said grains were delivered to the respective pool organizations. 30

5. Before any moneys are paid to primary producers of wheat or their assignees, or to Canadian Co-operative Wheat Producers, Limited under the authority of this Act, a final release and discharge in a form to be approved by the Governor in Council shall be obtained of all claims which 35 Canadian Co-operative Wheat Producers, Limited may have against The Canadian Wheat Board arising out of the transfer of wheat or contracts to purchase or take delivery of wheat by Canadian Co-operative Wheat Producers, Limited, to the Canadian Wheat Board under authority of paragraph (f) of section seven of The Canadian 40 Wheat Board Act, 1935.

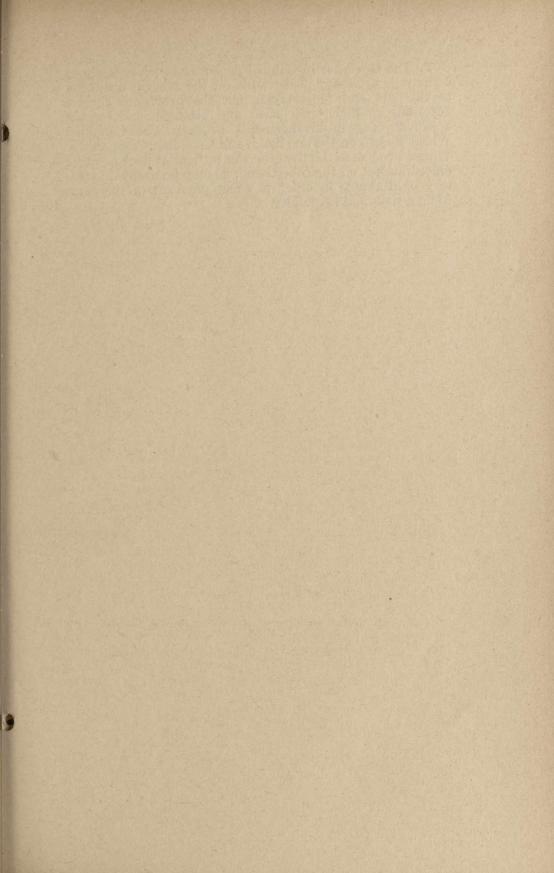
Expenses for the carrying out of this Act.

1935, c. 53.

6. The Minister may with the approval of the Governor in Council out of the said sums of not exceeding six million six hundred thousand dollars provided for in section three 45 hereof pay reasonable expenses incurred by the Minister or by The Canadian Wheat Board in carrying out the provisions of this Act.

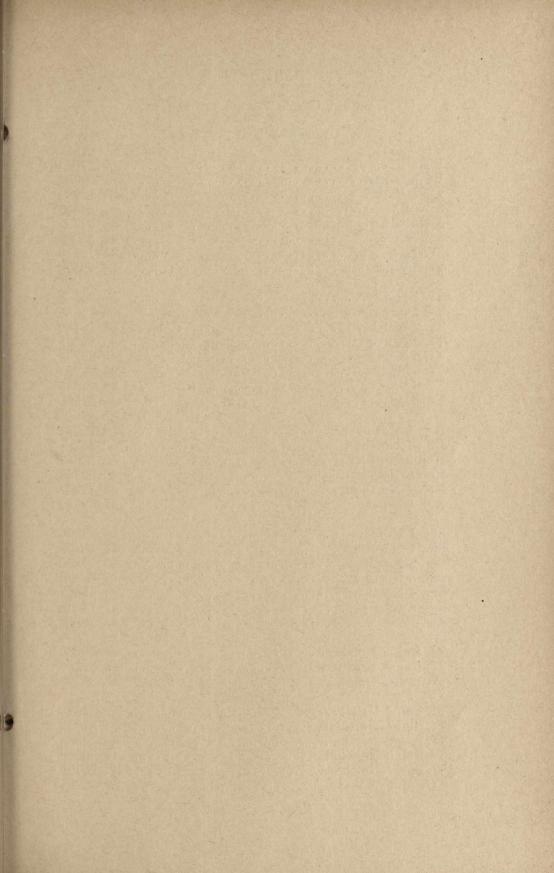
1935, c. 53.

Release and discharge of claims against the Board to be obtained.



Regulations.

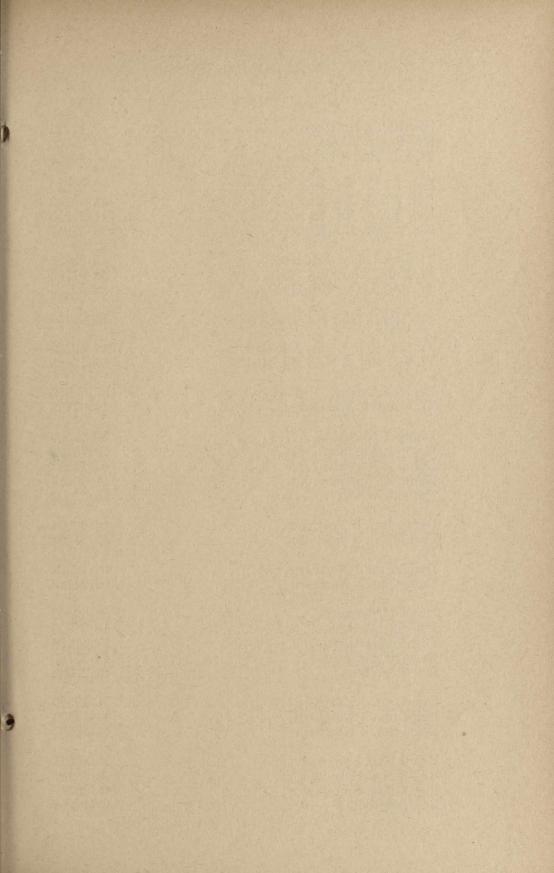
7. The Governor in Council may make such regulations as may be necessary or desirable for the efficient operation of this Act and for carrying out the provisions thereof according to their true intent and meaning, and for the approval of such arrangements between The Canadian 5 Wheat Board, on the one hand, and Canadian Co-operative Wheat Producers, Limited, or the provincial pool or other organizations, on the other hand, as may be deemed necessary or desirable in order to effect payment of the sums to be distributed hereunder. 10



SCHEDULE A

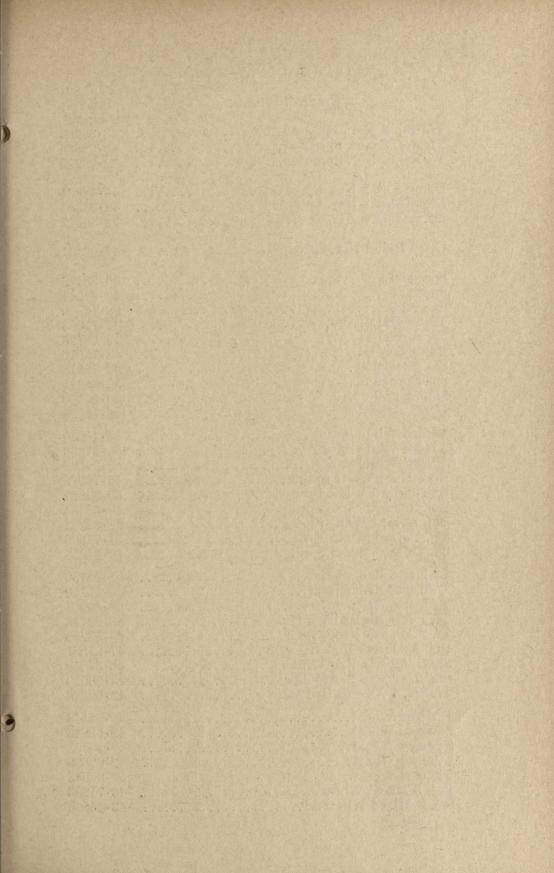
WHEAT OTHER THAN DURUM WHEAT

Grade of Wheat	Price
	per bushel
1 Hard	
1 Northern	
2 Northern	
3 Northern	
4 Northern	
5 Wheat	
6 Wheat	
Feed Wheat	38.12500
Tf. 1 Hard	57.30585
Tf. 1 Northern	56.43085
Tf. 2 Northern	$53 \cdot 18485$
Tf. 3 Northern	$49 \cdot 80585$
Tf. 4 Northern	
Tf. 5 Wheat	$43 \cdot 43285$
Tf. 6 Wheat	38.41685
Tf. Feed	
Rej. 1 Hard	56.13281
Rej. 1 Northern	55.25781
Rej. 2 Northern	52.38681
Rej. 3 Northern	
Rej. 4 Northern	
Rej. 6 Wheat	
Sm. 1 Hard	54.88900
Sm. 1 Northern	
Sm. 2 Northern	
Sm. 3 Northern	
Sm. 4 Northern	
Sm. 5 Wheat	
Sm. Feed	
Tf. Rej. 2 Northern	49.50266
Tf. Rej. 3 Northern	46.37366
Tf. Rej. 4 Northern	
	10 00102
Tf. Sm. 1 Hard	52.37985
Tf. Sm. 1 Northern	
Tf. Sm. 2 Northern	
Tf. Sm. 3 Northern	
Tf. Sm. 4 Northern	
Tf. Sm. 5 Wheat	
11. DIII. 0 WIICAU	00 00000



SCHEDULE A—Continued

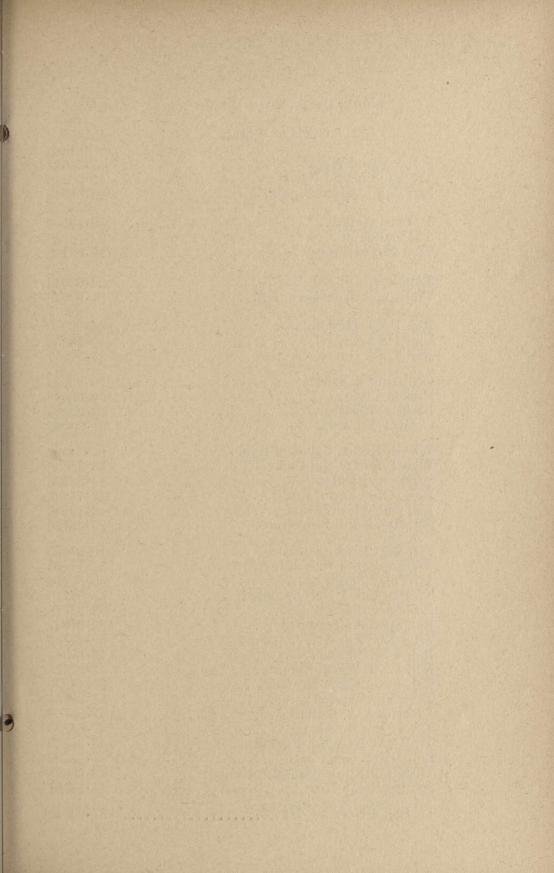
Grade of Wheat	Price
	per bushel
Sm. Rej. 2 Northern	47.77581
Sm. Rej. 5 Wheat.	$38 \cdot 26500$
Tf. Sm. Rej. 2 Northern	$45 \cdot 96066$
Rej. 1 Nor. Xd. Htd.	$47 \cdot 83250$
Rej. 2 Nor. Xd. Htd	$44 \cdot 96150$
Rej. 3 Nor. Xd. Htd	41.33250
Rej. 4 Nor. Xd. Htd	39.37957
Tf. Rej. 1 Nor. Xd. Htd	$45 \cdot 32335$
Tf. Rej. 2 Nor. Xd. Htd	42.07735
Tf. Rej. 3 Nor. Xd. Htd—	38.69835
Sm. Rej. 1 Nor. Xd. Htd	$43 \cdot 20150$
Sm. Kej. 1 Nor. Ad. Htd	10.20100
Tf. Sm. Rej. 1 Nor. Xd. Htd	41.69235
Tf. Sm. Rej. 2 Nor. Xd. Htd	37.75885
	97 00070
Rej. 5 Xd. Htd.	37.08250
Tf. Cond. 2 Xd. Htd	$19 \cdot 97728$
Damp 1 Northern	52.72196
Damp 2 Northern	49.75123
Damp 3 Northern	$46 \cdot 12223$
Damp 4 Northern	$41 \cdot 80317$
Damp 6 Wheat	$35 \cdot 52000$
Damp Rej. 2 Northern	46.98904
Damp Rej. 3 Northern	43.61004
Damp Sm. 2 Northern	$46 \cdot 12023$
Damp Sm. 3 Northern	$42 \cdot 24123$
Dried 1 Northern	$52 \cdot 89500$
Dried 2 Northern	$51 \cdot 28650$
Dried 3 Northern	50.31170
Dried 4 Northern	$49 \cdot 56707$
Dried 5 Wheat	46.27000
Dried Sm. 1 Northern	51.39500
Dried Sm. 3 Northern	46.13900
Dried Sm. 4 Northern	
	E1 00001
Rej. 2 Nor. Sprouted	
Rej. 3 Nor. Sprouted	$\frac{48 \cdot 63281}{45 \cdot 06707}$
Rej. 4 Nor. Sprouted	
100, 0 NPI00000	



SCHEDULE A—Continued

Grade of Wheat	Price
TO DIAN CONTRACTOR	per bushel
Tf. Rej. 2 Nor. Sprouted	48.30266
Tf. Rej. 3 Nor. Sprouted Tf. Rej. 4 Nor. Sprouted	$45 \cdot 99866$ $42 \cdot 93292$
11. Rej. 4 Nor. sprouteu	42.95292
Damp Rej. 2 Nor. Sprouted	45.48904
Damp Rej. 3 Nor. Sprouted	$42 \cdot 23504$
Damp Rej. 4 Nor. Sprouted	38.30317
Dried Rej. 2 Nor. Sprouted	47.02431
9- 114	
Special 4	
Special 5	$42 \cdot 44211$ $\cdot 38 \cdot 14500$
Tf. Special 4	43.73003
Tf. Special 5	40.68496
Rej. Special 4.	42.73918
Sm. Special 4	42.48318
Sm. Special 5	39.31211
Sm. Special 6	36.39500
Damp Special 4	40.10028
1 Hard White Spring	57.40600
2 Hard White Spring	55.27353
3 Hard White Spring	53.39500
Tf. 3 Hard White Spring	49.76085
Rej. 1 Hard White Spring	$52 \cdot 64381$
Rej. 2 Hard White Spring	50.51134
Rej. 3 Hard White Spring	$48 \cdot 88281$
Sm. 1 Hard White Spring	51.77500
Sm. 2 Hard White Spring	$49 \cdot 64253$
1 Alberta Red Winter	51.95750
2 Alberta Red Winter	$49 \cdot 51150$
3 Alberta Red Winter	$48 \cdot 49961$
Tf. 1 Alberta Red Winter	48.62448
Tf. 2 Alberta Red Winter	45.62735
Rej. 1 Alberta Red Winter	47.21531
Sm. 1 Alberta Red Winter Sm. 2 Alberta Red Winter	$46 \cdot 34650 \\ 43 \cdot 90050$
Tf. Sm. 1 Alberta Red Winter	$43 \cdot 90030$ $43 \cdot 99348$
1 Mixed Wheat	49.62543
2 Mixed Wheat	$42 \cdot 62543$
3 Mixed Wheat	$47 \cdot 83703$ $42 \cdot 02000$
4 Mixed Wheat 5 Mixed Wheat	42.02000 53.00043
Rej. 3 Mixed Wheat	33.00043 43.71203
Sm. 3 Mixed Wheat	$43 \cdot 45603$
15000 0	1 10000

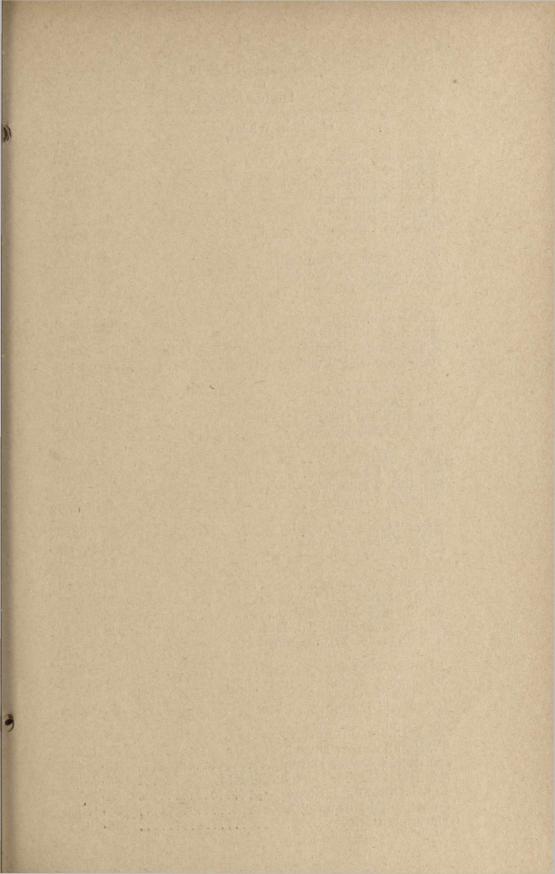
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SCHEDULE A—Concluded.

WHEAT OTHER THAN DURUM WHEAT-Concluded.

Grade of Wheat.	Price
Sm. 5 Mixed Wheat Tf. Sm. 3 Mixed Wheat Sm. Rej. 5 Mixed Wheat	. 40.32188
1 Mixed Grain 3 Mixed Grain Tf. 1 Mixed Grain	$35 \cdot 14500$ $22 \cdot 75783$
Sample Wheat Xd. Htd Tf. Sample Wheat Xd. Htd	$\begin{array}{ccc} . & 24 \cdot 00043 \\ . & 21 \cdot 97728 \end{array}$
Rej. 1 Xd. Fireburnt.Rej. 1 Xd. Gravel.Rej. 4 Xd. Gravel.	$. 45 \cdot 93250$
Coal Dust & Wheat Broken Grain Broken Wheat Cond. 1 Xd. Htd.	$\begin{array}{ccc} & 30 \cdot 00043 \\ & 30 \cdot 00043 \end{array}$
Wheat, Hulled Oats and Rye.Wheat, Barley and Oats.Spring and Durum.Rej. 1 Nor. and Durum.Red and White Spring.Sm. Rej. 3 Xd. Fireburnt.	$\begin{array}{cccccccccccccccccccccccccccccccccccc$
Sm. Rej. 2 Nor. Xd. Htd.Tf. Sm. Rej. 3 Nor. Xd. Htd.Tf. Rej. 5 Sprouted.Tf. Rej. 5 Sprouted.Tf. Sm. Rej. 2 Nor. Sprouted.Rej. Special 4 Sprouted.Rej. Special 5 Sprouted.Tf. 5 Xd. Wheat.Rej. 1 Xd. WheatRej. 1 Xd. Wheat Sprouted.Rej. 1 Xd. Grain Heated.Tf. 1 Nor. Musty.1 Nor. Xd. A. Durum.2 Nor. Xd. A. Durum.Tf. Rej. 1 Nor. Xd. Fireburnt.Rej. 1 Nor. Xd. Rej. 1 Nor. Xd. Coal.Tf. Rej. 2 Xd. Rotten Kernels.	$\begin{array}{c} 40\cdot 35050\\ 34\cdot 12985\\ 40\cdot 37310\\ 45\cdot 58710\\ 42\cdot 36418\\ 39\cdot 27921\\ 50\cdot 47728\\ 48\cdot 80043\\ 45\cdot 37543\\ 31\cdot 14500\\ 52\cdot 39681\\ 47\cdot 83703\\ 47\cdot 83703\\ 47\cdot 83703\\ 43\cdot 32335\\ 47\cdot 93250\\ 42\cdot 93835\end{array}$
Smutty Rej. 3 Nor.Tf. Rej. 4 Nor. Xd. Htd.	



SCHEDULE B

DURUM WHEAT

Prico

Grade of Wheat

Citado or mileat	per bushel
1 Amber Durum	
2 Amber Durum	$60 \cdot 27000$ $62 \cdot 27000$
2 Amber Durum	57.64500
3 Amber Durum	57.04500 52.46445
4 Amber Durum	
5 Amber Durum	$45 \cdot 25612$
6 Amber Durum	39.14500
The O Araban Draman	
Tf. 2 Amber Durum	59.74685
Tf. 3 Amber Durum	55.12185
Tf. 4 Amber Durum	49.94130
D'141 D	01001 00
Rej. 1 Amber Durum	60.19310
Rej. 2 Amber Durum	56.69969
Rej. 3 Amber Durum	52.34500
Rej. 4 Amber Durum	$48 \cdot 26445$
Sm. 1 Amber Durum	60.18210
	$56 \cdot 27000$
Sm. 2 Amber Durum	
Sm. 3 Amber Durum	52.16680
Sm. 4 Amber Durum	$48 \cdot 21445$
Tf. Sm. 1 Durum	58.65895
Sm. Rej. 1 Durum	$55 \cdot 10520$
Sill, $\mathbf{Me}_{\mathbf{j}}$, \mathbf{I} Durwing	51.69969
Sm. Rej. 2 Durum	47.86680
Sm. Rej. 3 Durum	41.00000
Rej. 2 Durum Xd. Htd	50.08250
Rej. 2 Durum Sprouted	55.69969
Tf. Rej. 2 Durum Sprouted	54.17654
11. 10.j. 2 Durum oproutou	01 11001
1 Durum & Spring	53.00043
Rej. 1 Durum & Spring	$48 \cdot 80043$
Rej. 3 Durum Xd. Htd	$45 \cdot 45750$
Rej. 1 Durum Rej. Xd. Htd	48.00560
Rej. 3 Durum Xd. Fireburnt	44.45750
2 Durum & Spring	
3 Durum & Spring	53.00043
Rej. 2 Red Durum	38.14500
Tf. 1 Amber Durum	63.74685
Tf. Rej. 2 Amber Durum	
Sm. Rej. 4 Amber Durum	
Sm. Rej. 2 Amber Durum Xd. Htd	
Rej. 1 Durum Xd. Stones	54.08250
Smutty Red Durum	38.14500
Durum & Barley	35.14500

First Session, Eighteenth Parliament, 1 Edward VIII, 1936

23.

THE HOUSE OF COMMONS OF CANADA.

BILL 23.

An Act to assist the Province of Saskatchewan in financing the cost of seed and seeding operations for the crop year 1936.

First reading, March 26, 1936.

THE MINISTER OF FINANCE.

0

Total loans guaranteed not to exceed \$4,000,000.

Dominion and provincial guarantees to be separate and successive.

Primary liability on province.

Province to cover Dominion payments of loans with Treasury bills or other securities.

Orders and regulations.

Orders in Council and regulations to be laid before House of Commons. **3.** The aggregate principal amount of loans guaranteed by the Government of Canada under the authority of this Act shall not exceed four million dollars (\$4,000,000).

4. (1) No guarantee shall be given under the authority of this Act, unless provision is made that the liability of the 5 province of Saskatchewan and the Government of Canada in respect of any such loan guaranteed by them shall be separate and successive and not joint and that the Government of Canada shall only be liable to implement its guarantee in respect of any loan to the amount that the 10 province of Saskatchewan is unable to implement its guarantee in respect of the same loan.

(2) No guarantee shall be made under the authority of this Act unless provision is made that if, at the end of the period of not exceeding three years for which any such 15 guarantee is given, the Government of Canada is required to pay any amount in respect of any such guarantee, the province of Saskatchewan will deliver to the Minister of Finance treasury bills or other obligations of the province of Saskatchewan in such form and subject to such terms 20 and conditions as the Minister of Finance may approve, equal in principal amount to the amount which the Government of Canada is so required to pay.

5. The Governor in Council shall have full power to make all such orders and regulations as may be deemed 25 necessary or desirable to carry out the purposes and intention of this Act.

6. All Orders in Council and regulations made under the provisions of this Act shall be laid before the House of Commons forthwith after the making thereof, if Parliament 30 is then sitting or if not such Orders in Council or regulations or any abstract thereof disclosing their essential provisions shall be published in the next following issue of the *Canada Gazette*. 24.

THE HOUSE OF COMMONS OF CANADA.

BILL 24.

An Act for granting to His Majesty certain sums of money for the public service of the financial year ending the 31st March, 1937.

AS PASSED BY THE HOUSE OF COMMONS, 27th MARCH, 1936.

1st Session, 18th Parliament, 1 Edward VIII, 1936

THE HOUSE OF COMMONS OF CANADA.

BILL 24.

An Act for granting to His Majesty certain sums of money for the public service of the financial year ending the 31st March, 1937.

MOST GRACIOUS SOVEREIGN,

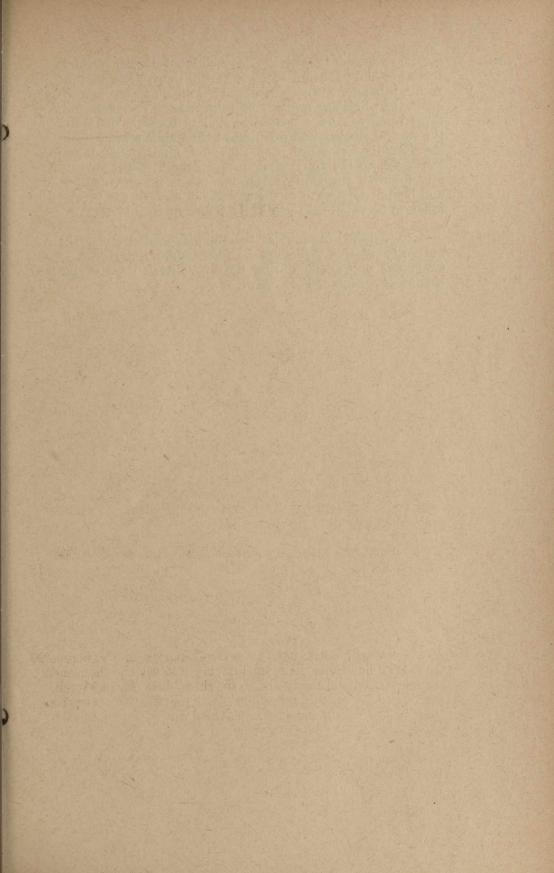
Preamble.

WHEREAS it appears by message from His Excellency the Right Honourable Baron Tweedsmuir of Elsfield, etc., etc., Governor General of Canada, and the estimates accompanying the said message that the sums hereinafter mentioned are required to defray certain expenses of the 5 public service of Canada, not otherwise provided for, for the financial year ending the thirty-first day of March, one thousand nine hundred and thirty-seven, and for other purposes connected with the public service: May it therefore please Your Majesty, that it may be enacted and be it 10 enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, that:—

Short title.

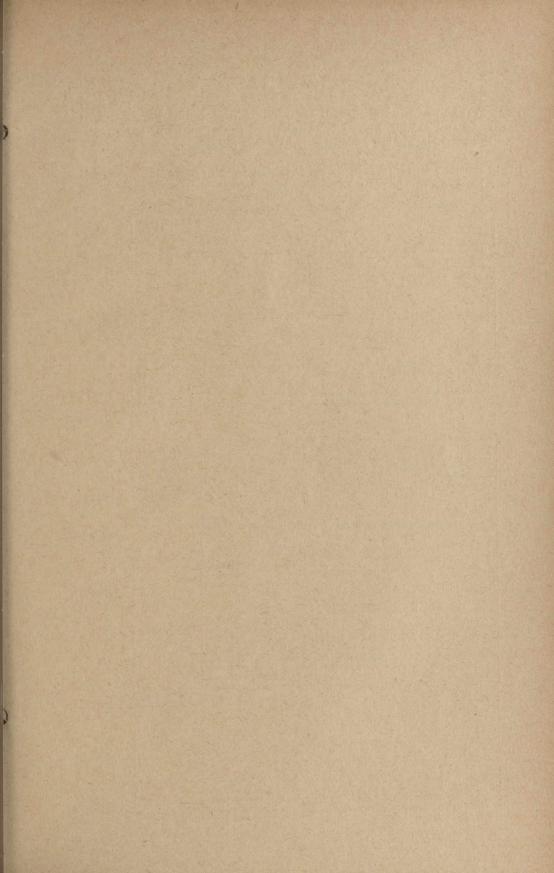
\$33,862,485.15 granted for 1936-37. **1.** This Act may be cited as The Appropriation Act, No. 1, 1936.

2. From and out of the Consolidated Revenue Fund there may be paid and applied a sum not exceeding in the whole thirty-three million, eight hundred and sixty-two thousand, four hundred and eighty-five dollars and fifteen cents towards defraying the several charges and expenses 20 of the public service, from the first day of April, one thousand nine hundred and thirty-six, to the thirty-first day of March, one thousand nine hundred and thirty-seven, not otherwise provided for, and being one-sixth of the amount of each of the several items to be voted, set forth in the Estimates 25 for the fiscal year ending the thirty-first day of March, one thousand nine hundred and thirty-seven, as laid before the House of Commons at the present session of Parliament.



Additional interim vote of \$2,102,371 granted for 1936-37 on certain items. **3.** From and out of the Consolidated Revenue Fund there may be paid and applied, in addition to the amount granted therefor in the preceding section, a sum not exceeding in the whole two million, one hundred and two thousand, three hundred and seventy-one dollars towards defraying 5 the several charges and expenses of the public service, from the first day of April, one thousand nine hundred and thirty-six, to the thirty-first day of March, one thousand nine hundred and thirty-seven, not otherwise provided for, and being one-twelfth of the amount of each of the several 10 items to be voted set forth in the Schedule to this Act.

Account to be rendered in detail. 4. A detailed account of the sums expended under the authority of this Act shall be laid before the House of Commons of Canada during the first fifteen days of the then next session of Parliament. 15

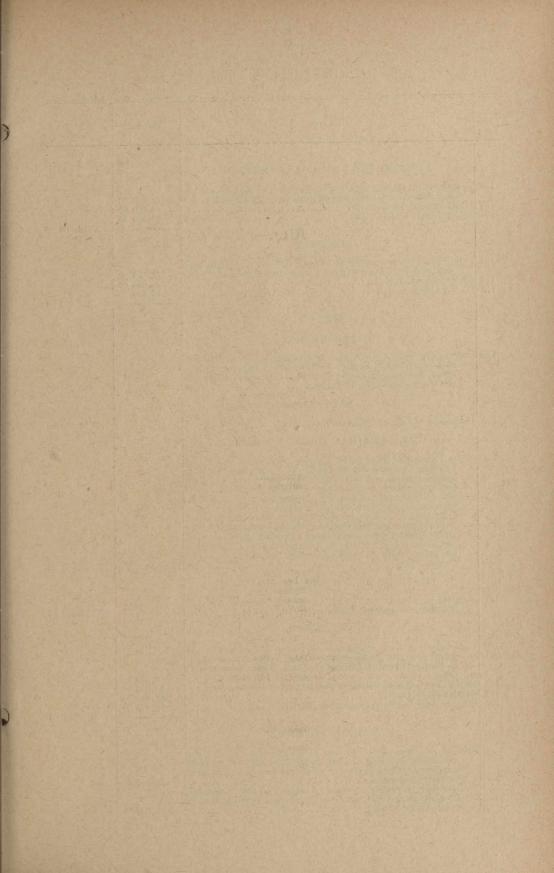


SCHEDULE

Based on the Main Estimates, 1936-37. The amount hereby granted is \$2,102,371.00, being one-twelfth of the amount of each item in the said Estimates as contained in this Schedule.

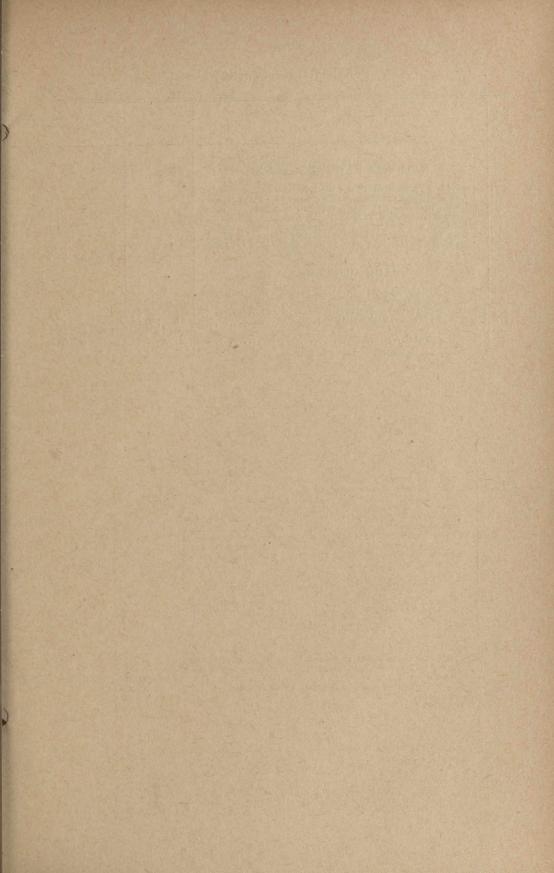
SUMS granted to His Majesty by this Act for the financial year ending 31st March, 1937, and the purposes for which they are granted.

No. of Vote	Service	Amount	Total
	LEGISLATION	\$ cts.	\$ cts.
	Senate		
34	Salaries and contingent expenses		184,309 75
	House of Commons		
35{	Salaries. Expenses of Committees, etc. Clerical Assistance, etc. Contingencies. Publishing debates, including salaries of amanuenses, etc. Estimates of the Sergeant-at-Arms.	$\begin{array}{c} 130,816 & 25 \\ 15,000 & 00 \\ 124,146 & 87 \\ 47,409 & 00 \\ 63,000 & 00 \\ 206,091 & 13 \end{array}$	
	LIBRARY OF PARLIAMENT	1997	586,463 25
36	Salaries, and to authorize payment of M. C. MacCormac from April 1, 1936 to September 30, 1936. Books for the General Library, including binding. Books for the Library of American History. Contingencies. To provide for the cost of printing reports.	$\begin{array}{c} 45,429 & 00 \\ 17,000 & 00 \\ 1,000 & 00 \\ 12,500 & 00 \\ 1,000 & 00 \end{array}$	
		1,000 00	76,929 00
	GENERAL		
37	Printing, printing paper and binding, including salaries of staff in joint distribution office		75,000 00
	NATIONAL DEFENCE		
	MILITIA SERVICES		
67	Engineer Services and Works		676,100 0
	OCEAN AND RIVER SERVICE		
117 123	Maintenance and repairs to Dominion Steamers and Icebreakers	1,327,900 00	
123	Hydrographic and Tidal and Current Surveys, and to provide for the maintenance and repair of Hydrographic Steamers. Radio Service—To provide for the maintenance and construc- tion of Radio Direction Finding Stations, Radio Beacons and Radiotelegraph Stations and general administration of the provisions of the Radio Act and Regulations throughout	ACCUMENTS OF THE	
	the Dominion	563,000 00	0 000 700 0
			2,297,600 0
	PUBLIC WORKS	1. 1. 1. 1.	
	(Chargeable to Capital)	1. 20 M. 2 11	
	MARINE DEPARTMENT .		
127	River St. Lawrence Ship Channel Dredging— (b) To provide for the maintenance and operation of the Government Ship Channel Fleet and the Government Shipyard, including all necessary repairs and reconditioning	C. Branning P. R.	1,138,400 0



SCHEDULE—Continued

No. of Vote	Service	Amount	Total
	LIGHTHOUSE AND COAST SERVICE	\$ cts.	\$ cts.
130 133 . 134	Construction, maintenance and supervision of aids to naviga- tion, including salaries and allowances to light-keepers Marine Signal Service Administration of Pilotage	1,731,700 00 96,000 00 90,600 00	1,918,300 00
	FISHERIES		2,020,000 00
145 148	Salaries and disbursements of Fishery Officers and Guardians, Fisheries Patrol and Fisheries Protection Services Fish Culture.	878,600 00 240,000 00	
149	Oyster Culture	16,000 00	1,134,600 00
	MINES		
	GEOLOGICAL SURVEY		
154	For explorations, surveys, and investigations; for compilation and publication of English and French editions of reports, maps, illustrations, etc.; and for salaries and wages of ex- plorers, topographers and others	Contraction of the	350,000 00
	LABOUR		
159	International Labour Conference		15,000 00
	ROYAL CANADIAN MOUNTED POLICE	E. A. P. C.	
167	Pay of Force and allowances, arms and ammunition, barrack buildings, repairs and renewals and furnishings, clothing and equipment, communication services, court and legal expenses, criminal investigation branch, enforcement of federal statutes, fuel and light, transport horse and dogs, transport mechanical, dental, medical and hospital, mis- cellaneous (including grants to Royal Canadian Mounted Police messes and publication of Royal Canadian Mounted Police Quarterly for instructional purposes), special services Opium and Narcotic Drug Act, printing and stationery, transport, railway, rations, rents, travelling expenses, transport water.		5,583,800 00
	PENSIONS AND NATIONAL HEALTH		0,000,000 00
181	Pensions payable to men on active service, Northwest Rebel- lion 1885, and general pensions		20,000 00
	MISCELLANEOUS		
120	Unforeseen expenses, expenditure thereof to be subject to the approval of the Treasury Board, and a detailed statement to be laid before Parliament within fifteen days of next Session		
224 229 252	Session. Expenses of litigated matters, Department of Justice Battlefields Memorials Employment and Social Insurance Act	25,000 00 84,950 00 20,000 00	
	NATIONAL REVENUE		209,950 00
257	Salaries and contingent expenses of the several ports of the Dominion, including pay for overtime of officers, notwith- standing anything in the Civil Service Act, and temporary buildings and rentals.		
	Salaries and travelling expenses of officers of the Inspection, Investigation, Audit, and the Preventive Service Under- valuation Services.		



SCHEDULE—Concluded

No. of Vote	Service	Amount	Total
	NATIONAL REVENUE-Concluded	\$ cts.	\$ cts.
257	To provide for administration of the Income War Tax Act, 1917, and amendments thereto, and authority for this purpose to create positions and make appointments notwithstanding anything contained in the Civil Service Act and the said positions and staff so appointed are hereby wholly excluded from the operation of the said Act, and salary of \$9,000 (less		
ļ	statutory deduction) for the Commissioner of Income Tax	2,135,000 00	9,625,000 00
	TRADE AND COMMERCE		
266	Commercial Intelligence Service, including miscellaneous expenditure in connection with Canada's trade	733,400 00	
$270 \\ 277$	Electricity and Gas Inspection Service	220,300 00 383,300 00	
	Total		$\begin{array}{c}1,337,000 \ 00\\25,228,452 \ 00\end{array}$

First Session, Eighteenth Parliament, 1 Edward VIII, 1936

THE HOUSE OF COMMONS OF CANADA.

BILL 26.

An Act to amend the Pension Act.

First reading, March 31, 1936.

THE MINISTER OF PENSIONS AND NATIONAL HEALTH.

15106

1st Session, 18th Parliament, 1 Edward VIII, 1936

THE HOUSE OF COMMONS OF CANADA."

BILL 26.

An Act to amend the Pension Act.

R.S., c. 157; 1928, c. 38; 1930, c. 35;-1931, c. 44; 1932-33, c. 45; 1934, c. 58; 1935, cc. 8, 45.

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

Definitions.

1. (1) Section two of the *Pension Act*, chapter one hundred and fifty-seven of the Revised Statutes of Canada, 5 1927, as amended by sections two and three of chapter thirty-eight of the statutes of 1928, by section one of chapter thirty-five of the statutes of 1930 and by section one of chapter forty-five of the statutes of 1932-33, is further amended by adding thereto immediately after 10 paragraph (a) the following paragraph:—

"Appeal Division."

"Court."

"(*aa*) 'Appeal Division' means the Appeal Division of the Commission."

(2) The said section is further amended by repealing paragraph (d), as enacted by subsection three of section 15 one of chapter forty-five of the statutes of 1932-33, and substituting the following therefor:—

((d) 'Court' means the Pension Appeal Court, <u>heretofore</u> existing under that name."

(3) The said section is further amended by repealing 20 paragraph (h) thereof and substituting the following therefor:—

"Improper conduct." "(h) 'improper conduct' includes wilful disobedience of orders, wilful self-inflicted wounding and vicious or criminal conduct." 25

2. Section three of the said Act, as enacted by section two of chapter forty-five of the statutes of 1932-33, and as amended by section one of chapter fifty-eight of the statutes of 1934 and by section one of chapter eight and by section one of chapter forty-five of the statutes of 1935, is repealed 30 and the following is substituted therefor:

EXPLANATORY NOTES.

This Bill provides for the merging of the Pension Appeal Court with the Pension Commission, the setting up of an Appeal Division of the Commission and the appointment of new commissioners to facilitate the hearing of applications; limits the time for making application for pension in certain cases; limits the payment of retroactive pensions; further provides in the case of the death of an eighty per cent pensioner, for the removal, for the benefit of his dependents, of the ten year limitation; and generally clarifies the procedure and jurisdiction of the Commission and of the Appeal Division thereof.

1. (1) Paragraph *(aa)* is the definition of the proposed new Appeal Division of the Commission set up by section 7 of the Bill.

(2) The definition of "Court" in the Act reads:-

(d) "Court" means the Pension Appeal Court."

The proposed definition is required to distinguish the Court under the present Act from the proposed Appeal Division (Court) under section 7 of the Bill.

(3) The definition of "improper conduct" in the Act reads:—

(h) "improper conduct" includes wilful disobedience of orders, self-inflicted wounding and vicious or criminal conduct.

The proposed amendment restricts self-inflicted wounding to such wounding, "wilfully" inflicted.

2. Section 3 (1) continues the Canadian Pension Commission, subject to the provisions of the Act as proposed to be amended by the Bill;

Subsection (2) provides the number of commissioners shall be not less than eight, as heretofore, <u>but not limited</u> to twelve.

(3) A Vice-Chairman is proposed. (New).

Subsections (3A), (4), (5), and (6) of the Act become subsections (4), (5), (6) and (7) respectively, without any change in wording.

"3. (1) There shall continue to be a Commission to be known as the Canadian Pension Commission which, subject to the provisions of this Act shall have and exercise all powers, authorities and functions which immediately prior to the first day of October, one thousand nine hundred and thirty-three, were vested in and exercisable by the Board of Pension Commissioners for Canada.

(2) The persons holding office as members of the Pension Appeal Court at the coming into force of the amending Act of 1936 shall be and are hereby appointed Commis- 10 sioners under this Act, and such persons, together with the persons holding the office of Commissioners at the date above mentioned, shall continue to hold office for the unexpired portion of their respective terms of office; provided that all such persons or Commissioners shall be 15 removable for cause by the Governor in Council.

5

(3) One of the Commissioners shall be appointed by the Governor in Council to be Chairman of the Commission and one other Commissioner shall be similarly appointed to be Vice-Chairman of the Commission. 20

(4) In the event of a vacancy occurring in the chairmanship of the Commission for any cause, the Governor in Council may appoint a judge of the Superior Court of any province to be acting chairman of the Commission for a period not exceeding one year. Such acting chairman shall 25 have, possess, enjoy and exercise all the rights, privileges, powers and functions which by law the chairman of the Commission might have, possess, enjoy or exercise, and he shall, notwithstanding any statute to the contrary, be paid his salary as a judge and a per diem allowance of fifteen 30 dollars.

(5) Except as provided for in subsection two of this section, the Commissioners shall be appointed by the Governor in Council and shall hold office during good behaviour for a period of seven years from the date of 35 their appointment, or for such lesser period as may be specified by the Governor in Council in the instrument of their appointment or re-appointment, and shall be removable at any time for cause by the Governor in Council.

Provided, the Governor in Council may appoint addi-40 tional *ad hoc* Commissioners if and as required for the purpose of considering and adjudicating upon applications, and such Commissioners shall be appointed for a period not in excess of one year.

Age limit.

Eligibility for reappointment. (6) A Commissioner shall cease to hold office upon reach- 45 ing the age of seventy years.

(7) A Commissioner, on the expiry of his term of office, shall, if not disqualified by age, be eligible for re-appointment.

Canadian Pension Commission continued.

Members of the Court to be Commissioners.

Chairman and Vice-Chairman.

Acting chairman may be appointed.

Tenure of office of Commissioners. Subsections (1) to (6) inclusive of section 3 of the Act are hereinafter set out with proposed changes shown in italics; namely,

"3. (1) There shall be a Commission to be known as the Canadian Pension Commission which, subject to the provisions of the amending Act of 1933, shall have and exercise all powers, authorities and functions which immediately prior to the coming into force of the amending Act of 1933, were vested in and exercisable by the Board of Pension Commissioners for Canada.

(2) The Commission shall consist of not less than eight Commissioners who shall be appointed by the Governor in Council, but in his discretion the number of Commissioners may be increased to twelve.

(3) One of the Commissioners shall be appointed by the Governor in Council to be Chairman of the Commission.

(3A) In the event of a vacancy occurring in the chairmanship of the Commission for any cause, the Governor in Council may appoint a judge of the Superior Court of any province to be acting chairman of the Commission for a period not exceeding one year. Such acting chairman shall have, possess, enjoy and exercise all the rights, privileges, powers and functions which by law the chairman of the Commission might have, possess, enjoy or exercise, and he shall, notwithstanding any statute to the contrary, be paid his salary as a judge and a per diem allowance of fifteen dollars.

(4) Each Commissioner shall hold office during good behaviour for a period of seven years from the date of his appointment or for such lesser period as may be specified by the Governor in Council in the instrument of his appointment or reappointment, and shall be removable at any time for cause by the Governor in Council.

(5) A Commissioner shall cease to hold office upon reaching the age of seventy years.

(6) A Commissioner, on the expiry of his term of office, shall, if not disqualified by age, be eligible for re-appointment."

Subsection (8) (a) of the Bill is a new provision that the Chairman shall be a judge or barrister.

Subsection 8 (b) of the Bill provides a salary for the proposed Vice-Chairman; otherwise is the same as subsection (7) of section 3 as it now stands.

Subsection (9) of the Bill is the same as subsection (8) of the Act.

Subsection (10) of the Bill confers certain administrative powers on the Chairman in lieu of the powers conferred by repealed subsection (9) and subsection (3) of section 4 of the Act which are as follows:—

3. (9) The Chairman of the Commission shall have power to decide when and where each of the meetings of the Com-

Chairman.

Salaries.

(8) (a) A person appointed Chairman of the Commission shall be a person who is or has been a judge of a Superior Court, or of a County or District Court of any of the provinces of Canada, or a barrister or advocate of at least ten years' standing at the Bar of any of the said provinces.

(b) The Chairman shall be paid a salary of eight thousand dollars per annum, and the Vice-Chairman shall be paid a salary of seven thousand dollars per annum, and each of the Commissioners shall be paid a salary of six thousand dollars per annum; such salaries shall be paid monthly out 10 of any unappropriated moneys forming part of the Consolidated Revenue Fund of Canada.

5

(9) Each Commissioner shall devote the whole of his time to the performance of his duties under this Act, and shall not accept or hold any office or employment which 15 the Governor in Council may declare to be inconsistent with the performance of his duties under this Act.

(10) The Chairman of the Commission shall have control and direction over the disposition and duties to be performed by the Vice-Chairman and the other Commissioners 20 appointed under this Act and shall have control over the duties to be performed by such staff as may be assigned to the Commission by the Department for the carrying out of the provisions of this Act.

(11) Subject to the provisions of the amending Act of 25 1933, and without prejudice to anything which may be done by the Commission in the exercise of the powers and authority conferred upon it by this Act, all acts, proceedings, or decisions of the Board of Pension Commissioners for Canada shall continue to have force and effect according 30 to their tenor.

(12) All applications for pension or additional pension and other matters pending before the Board of Pension Commissioners for Canada immediately prior to the first day of October, one thousand nine hundred and thirty-three shall be taken up and continued by and before the Commission under and in conformity with the provisions of this Act.

(13) Any funds held in trust or administered by the Board of Pension Commissioners for Canada shall be continued 40 and held in trust or administered by the Commission.

(14) All duties which, having been imposed upon the Board of Pension Commissioners for Canada, by the Governor in Council, were vested in and exercisable by the said Board immediately prior to the first day of October, one 45 thousand nine hundred and thirty-three, shall be vested in

and exercisable by the Commission.

(15) All officers, clerks and employees on the staff of the Canadian Pension Commission, immediately prior to the

No other occupation.

Authority of Chairman.

Proceedings to continue in force.

Applications to be continued.

Funds in trust.

Duties to be vested in Commission.

Officers and employees. mission shall be held and to determine which, if any, members of the Commission may be permitted to absent themselves from any meeting."

"4. (3) The Chairman of the Commission shall have the powers and duties of a deputy head of a department for the purpose of the Civil Service Act."

Subsection (11) corresponds with subsection (10) in the Act.

Subsection (12) changes the date for the continuing of applications pending prior to May 23rd, 1933 as provided by subsection (11) of the Act, to October first, 1933.

Subsection (13) corresponds to subsection (12) in the Act.

Subsection (14) changes the date for vesting the duties of the Board in the Commission from May 23rd, 1933 as provided by subsection (13) of the Act, to October first, 1933.

Subsection (15) transfers the officers and staff of the Commission to the Department.

The repealed subsection (14) of the Act is hereinafter set out with the changes indicated by italics:—

(14) All officers, clerks and employees on the staff of the Board of Pension Commissioners for Canada and of the Pension Tribunal, immediately prior to the coming into force of the amending Act of 1933 other than the Commission Counsel, shall be and become during pleasure, officers, clerks and employees on the staff of the Commission, and the Commission Counsel shall become during pleasure officers or employees on the staff of the Department. coming into force of the amending Act of 1936, shall be and become during pleasure, officers, clerks and employees on the staff of the Department, and the Department shall provide the Commission with such officers, clerks and employees as, to the Minister, appears necessary for the efficient carrying out of the provisions of this Act.

5

Residence.

President of court to be chairman of commission.

Commission attached to Department. (16) The Chairman and the Vice-Chairman of the Commission shall reside at Ottawa, or within ten miles thereof, and each of the Commissioners shall reside at such place as may be directed by the Chairman. 10

(17) Notwithstanding anything contained in subsection eight of this section the person now holding the office of President of the Pension Appeal Court shall, on the coming into force of the amending Act of 1936, be and is hereby appointed, Chairman of the Commission on the same terms 15 and conditions as to salary as he heretofore enjoyed in his capacity of President of the Pension Appeal Court and shall continue to hold office for the unexpired term of his office.

3. Subsection one of section four of the said Act, as 20 enacted by section five of chapter thirty-eight of the statutes of 1928, and amended by section three of chapter forty-five of the statutes of 1932-33, is repealed and the following is substituted therefor:—

"4. (1) The Commission shall be attached to the Depart-25 ment and the expenses required to be incurred for the discharge of its duties, other than the salaries of its officers, clerks and employees, shall be paid out of moneys provided by Parliament as the Minister may direct, and the Department shall provide suitable offices for the Commission and 30 the officers, clerks and employees who are assigned from time to time to the Commission and all necessary furnishings, stationery and equipment for the conduct, maintenance and performance of the duties of the Commission."

4. Section five of the said Act, as enacted by section four 35 of chapter forty-five of the statutes of 1932-33, is repealed and the following is substituted therefor:—

"5. Subject to the provisions of this Act and of any regulations made thereunder, the Commission shall be charged with the duty of considering and adjudicating upon 40 all questions relating to the award, increase, decrease, suspension or cancellation of any pension under this Act and to the recovering of any overpayment which may have been made; and effect shall be given by the Department and the Comptroller of the Treasury to the adjudication of the 45 Commission: Provided that the power vested in the Commission to cancel any award of entitlement shall not extend to an award of entitlement granted by the Federal Appeal

Jurisdiction of Commission. Subsections (16) and (17) are new.

3. Section 4, subsection (1) of the Bill provides for the expenses and accommodation of the Commission, except the salaries of its officers and staff.

Subsection one of section four at present reads as follows:---

"4. (1) The Commission shall be attached to the Department and the expenses required to be incurred for the discharge of its duties, *including* the salaries of its officers, clerks and other employees shall on approval by the Commission be paid out of the moneys provided by Parliament."

4. The changes in section 5 are consequential to the establishment of the Appeal Division and are underlined on page 5.

Section five at present reads as follows:—

"5. Subject to the provisions of this Act and of any regulations made thereunder, the Commission shall be charged with the duty of considering and adjudicating upon all questions relating to the award, increase, decrease, suspension or cancellation of any pension under this Act and to the recovering of any overpayment which may have been made; and effect shall be given by the Department and the Comptroller of the Treasury to the adjudication of the Commission: Provided that the power vested in the Commission to cancel any award of entitlement shall not extend to an award of entitlement granted by the Federal Appeal Board, the Pension Tribunal or the Court: Provided also that before any pension is cancelled or reduced, due to a change in the basis of entitlement, the pensioner shall be afforded an opportunity of appearing before a quorum of the Commission."

Provisos.

Procedure.

Board, the Pension Tribunal, a quorum of the Commission or the Appeal Division or the Court: Provided also that before any pension is cancelled or reduced, due to a change in the basis of entitlement, the pensioner shall be afforded an opportunity of appearing before and of having the 5 question of cancellation or the change in the basis of entitlement heard and determined by a quorum of the Commission in the same manner and subject to the same rules of procedure as apply in a hearing on entitlement before a quorum."

5. Section seven of the said Act, as enacted by section five of chapter forty-five of the statutes of 1932-33, is repealed and the following is substituted therefor:

"7. (1) The Commission, or subject to the direction of the Commission, any quorum thereof, shall have all the 15 powers and authority of a Commissioner appointed under Part I of the *Inquiries Act*, and may exercise any discretion conferred by this Act upon the Commission.

(2) The Chairman of the Commission. or such member or members of the Commission as shall be designated by him, 20 shall have power to appoint a person or persons to hear and receive evidence in respect of any matter pertaining to pensions, and such person or persons shall have the authority to administer oaths and to hear and receive evidence under oath, and to take affidavits in any part of Canada. 25

(3) The Commission, represented by one or more Commissioners designated by the Chairman, may in its discretion hold sittings in any part of Canada for the purpose of hearing evidence or complaints in respect of pensions or any question of assessment, and if directed by the Chair- 30 man, different sittings of the Commission may be held at the same time.

(4) Except as herein otherwise expressly provided, for the purpose of exercising and performing the powers, authorities and functions vested in the Commission, as 35 distinct from a quorum thereof, under this Act, the Commission shall consist of two or more Commissioners; and whenever under this Act a quorum of the Commission is referred to, it shall mean a quorum as constituted under the provisions of section fifty-five of this Act." 40

6. Section eight of the said Act, as enacted by section five of chapter forty-five of the statutes of 1932-33, is repealed and the following is substituted therefor:

"S. The Commission may, with the approval of the Governor in Council, make regulations not inconsistent 45

Powers under Inquiries Act, R.S., c. 99.

Power to take evidence on oath.

Where sittings may be

Commission two or more commissioners. Quorum.

Regulations.

10

5. Section 7 subsection (1) corresponds without change with subsection (1) in the Act.

Subsection (2) empowers the Chairman or designated Commissioners to appoint persons to take evidence; a power by subsection (2) of the Act given exclusively to the Commission. Subsection two at present reads as follows.

"7. (2) The Commission shall have power to appoint a person or persons to hear and receive evidence with respect to any matter pertaining to pensions, and such person or persons shall have authority to administer oaths and to hear and receive evidence under oath and to take affidavits in any part of Canada."

Subsection (3) requires the Chairman to designate the Commissioners who may hold sittings, and in different parts of Canada at the same time.

"7. (3) The Commission, represented by one or more Commissioners, may in its discretion hold sittings in any part of Canada for the purpose of hearing evidence, or complaints in respect of pensions or any question of assessment."

Subsection (4) corresponds without change with subsection (4) in the Act.

6. Section 8 makes the consequential change due to the establishment of the Appeal Division. Section 8 at present reads as follows:—

"S. With the approval of the Governor in Council, the Commission shall have power to make regulations not inconsistent with this Act in respect of the procedure to be followed in matters coming before the Commission or any quorum thereof for adjudication." with this Act in respect of the procedure to be followed in matters coming before the Commission or any quorum thereof, or before the Appeal Division for adjudication."

7. Section nine of the said Act, as enacted by section six of chapter forty-five of the statutes of 1932-33, is repealed 5 and the following is substituted therefor:

"9. (1) There shall be an Appeal Division of the Com-

mission which shall be composed of two or more Commis-

sioners to be selected from time to time by the Chairman, which shall hear appeals as provided in section sixty-one 10 of this Act and shall have all the powers and jurisdiction

conferred on it by this Act.

Appeal Division of the Commission.

Composed of members of the Commission.

Chairman to preside. (2) The Appeal Division shall be composed of members of the Commission, other than those who originally passed upon or sat as members of the quorum in any case which is 15 appealed.

(3) The Chairman, or such other Commissioner as he shall designate from time to time, shall preside over the Appeal Division."

Sections repealed.

S. Sections 10 and 10A of the said Act, as enacted by 20 section six of chapter forty-five of the statutes of 1932-33, are repealed.

7. Section 9 of the Bill abolishes the Pension Appeal Court and establishes an Appeal Division of the Commission.

"9. (1) The Court now existing under the name of the Pension Appeal Court is hereby continued under such name and shall continue to be a Court of Appeal and shall have all the powers and jurisdiction conferred on it by this Act.

(2) Subject as hereinafter provided the Court shall consist of three persons who shall be appointed by the Governor in Council.

(3) A person appointed a member of the Court shall be a person who is or has been a judge of a Superior Court or of a County or District Court of any of the provinces of Canada, or a barrister or advocate of at least ten years standing at the bar of any of the said provinces.

(4) One of such members shall be appointed President of the Court.

(5) Each member of the Court shall hold office during good behaviour for a period of ten years from the date of his appointment, but shall be removable at any time for cause by the Governor in Council.

(6) The persons now holding the office of President and and member of the Court shall continue to hold office for the unexpired portion of their respective terms of office.

(7) The salary of the President of the Court shall be eight thousand dollars a year and the salary of each of the other members thereof shall be seven thousand dollars a year."

S. Sections 10 and 10A are repealed and read as follows:—

"10. (1)_At the request of the President of the Court, the Governor in Council may require a judge of a provincial superior court to attend as an *ad hoc* member of the court for such period as may be necessary, and such judge shall, while acting as such *ad hoc* member, possess the powers and privileges and shall discharge the duties of a member of the Court.

(2) An *ad hoc* member who attends the sittings of the Court, or any conference of the members thereof called for the consideration of decisions in cases in which he sat, shall be paid the cost of his transportation and shall receive a per diem allowance for living and other incidental expenses of twenty-five dollars during the period that he is necessarily in attendance as aforesaid.

"10A. (1) Each member of the Court shall devote his whole time to the performance of the duties of his office and shall not accept or hold any office or employment which the Governor in Council may declare to be inconsistent with the performance of his duties under this Act. **9.** Sections 10B, 10c and 10D of the said Act, as enacted by section six of chapter forty-five of the statutes of 1932-33, are repealed and the following are substituted therefor:

"10b. The Governor in Council may, upon the retirement of any Commissioner who has reached the age of seventy years, or who is physically or mentally incapacitated, and is not entitled to superannuation under the *Civil Service Superannuation Act*, grant to such Commissioner a pension for his life not exceeding one-third of the 10 salary to which he was entitled as such Commissioner.

(2) For the purpose of this section, service as a judge appointed by the Governor in Council prior to appointment as a member of the Commission shall count as service as a Commissioner, provided that if any such Commis-15 sioner would have become entitled to a greater pension or retiring allowance under any other statute if he had continued as such judge during his service on the court and the Commission, he may be granted such greater pension or retiring allowance in lieu of the pension by this 20 section provided.

"10c. A civil servant who, prior to or at the time of his appointment as a member of the Commission, was or is a contributor under the provisions of the Civil Service Superannuation Act may elect, within three months of his appoint- 25 ment or three months from the date of the coming into force of this section, whichever shall be the later date, and shall be eligible, notwithstanding the provisions of the Civil Service Superannuation Act, to continue to be a contributor under the said Act; in which event his tenure of office 30 as a member of the Board of Pension Commissioners for Canada or of the Pension Tribunal or of the Commission or of the Court shall be counted as service in the Civil Service for the purposes of the said Act and he, his widow and children, or other dependents, if any, shall be eligible to receive the 35 respective allowances or gratuities provided by the said Act, instead of the grant referred to in the preceding section; and, in the event of his being retired from the said office as a member of the Commission for any reason other than that of misconduct, he shall be eligible to receive the same 40 benefits under the said Act as if his office as a member of the Commission had been abolished.

When pension may be granted.

R.S., c. 24.

Service of a judge to be counted.

Appointment of civil servants. R.S., c. 24. (2) All members of the Court other than an *ad hoc* member shall reside at Ottawa or within ten miles thereof.

(3) Notwithstanding anything in this Act contained, no member of the Court shall continue in office after he has attained the age of seventy years, unless it is declared by the Governor in Council, either before or within one month after attaining such age that it is in the public interest that he should remain in office for an additional period of twelve months only."

9. Section 10B of the Bill re-arranges the wording of the corresponding section of the Act and leaves out the references to the Court.

"10B. (1) The Governor in Council upon the retirement of any member of the Commission, or the Court, who has served upon one or other of such bodies or as a member of the Board of Pension Commissioners for Canada or of the Pension Tribunal, during at least twenty years, or who has so served during at least ten years and has reached the age of seventy years, or is physically or mentally incapacitated, and is not entitled to superannuation under the *Civil Service Superannuation Act*, may grant to him a pension for his life not exceeding one-third of the salary to which he was entitled as such member.

(2) For the purpose of this section, service as a judge appointed by the Governor in Council prior to appointment as a member of the *Court* shall count as service as a *member* of such court, provided that if any such *member* would have become entitled to a greater pension or retiring allowance under any other statute if he had continued as such judge during his service on the court, he may be granted such greater pension or retiring allowance in lieu of the pension by this section provided."

Section 10c of the Bill re-enacts section 10c of the Act, without change, except leaving out words "or the Court."

Section 10p of the Bill transfers the Registrar of the Pension Appeal Court to the staff of the Department.

"**10**D. (1) Notwithstanding anything in the Civil Service Act or any other statute, the Governor in Council may appoint a registrar of the Court who shall have his office at Ottawa and shall hold office during pleasure.

(2) Such registrar shall be entitled to receive such salary as may be fixed by the Governor in Council.

(3) The person now holding the office of Registrar of the Court shall continue to hold office during pleasure."

Registrar to be an employee of the Department.

Sections repealed.

"10D. The person now holding the office of Registrar of the Pension Appeal Court shall be and become during pleasure an employee on the staff of the Department and shall be appointed to a permanent position in the Department classified not lower than that of Chief Clerk."

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10. Sections 10E and 10F of the said Act, as enacted by section six of chapter forty-five of the statutes of 1932-33, are repealed.

11. The said Act is further amended by inserting the following section after section twelve thereof as section 10 12_A :--

"12A. A pension for disability of a member of the forces shall not be awarded unless application therefor has been made,

(a) before the coming into force of this Act with respect 15 to a member of the forces who did not serve in a theatre of actual war; or

(b) before the first day of January, 1938, with respect to a member of the forces who saw service in a theatre of actual war, provided always that the Appeal Division 20 may, in its discretion, with respect to this class, grant leave to have the application entertained after the first day of January, 1938."

12. Section nineteen of the said Act, as enacted by section eight of chapter forty-five of the statutes of 1932-33, 25 is repealed and the following is substituted therefor:—

"19. No person shall make any claim against any person for any services performed in connection with the preparation or prosecution of any application to the Commission, the Board of Pension Commissioners for Canada, the Pen- 30 sion Tribunal or the Court unless the Commission has certified that the amount claimed is a fair and reasonable charge for the services rendered and properly payable by the person against whom the claim is made."

13. Section twenty of the said Act, as amended by 35 section nine of chapter forty-five of the statutes of 1932-33, is further amended by adding thereto the following subsection:—

"(9) If any person who is or has been in receipt of relief or unemployment assistance from the Department is or 40 has been awarded a retroactive increase of pension, the difference between the amount actually paid by the Department and the amount which would have been paid if the increased retroactive pension had been payable when such relief or unemployment assistance was issued 45 shall be a first charge upon the accumulated unpaid instalments of such pension and shall be withheld accordingly."

not to be awarded.

When disability

pension

Fees and charges to be approved.

In case of relief or retroactive increase. **10.** Section 10 of the Bill repeals sections 10E and 10F of the Act which are as follows:—

"10E. (1) The Department shall provide, in the manner authorized by law, such medical and clerical assistants as may be necessary for the conduct of the business of the Court.

(2) The clerical staff of the Court shall be under the control of the registrar thereof, subject to the direction of the president.

"**10**F. All sums payable pursuant to this Act to any member of or of the staff of the Court shall be payable by the Comptroller of the Treasury."

11. Section 12A is new. The effect of this amendment will be to limit the time for making application for pension in the cases mentioned in paragraphs (a) and (b).

12. The underlined words "the Commission" are substituted for the words "the Commission or the Court". This is a consequential amendment on account of the merging of the Pension Appeal Court with the Pension Commission.

13. Subsection nine of section 20 is new and provides for an adjustment when a person who receives a retroactive increase of pension is or has been in receipt of relief or unemployment assistance.

14. Section twenty-one of the said Act, as enacted by section eight of chapter thirty-five of the statutes of 1930, and as amended by section ten of chapter forty-five of the statutes of 1932-33, is repealed and the following is substituted therefor:—

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Compassionate pension or allowance.

Amount of pension or

allowance.

"21. (1) The Appeal Division may, on special application in that behalf, grant a compassionate pension or allowance in any case which it considers to be specially meritorious.

(2) The amount of any compassionate pension or allow-10 ance under this section shall be such sum as the <u>Appeal</u> <u>Division</u> shall fix, not exceeding the amount to which the applicant would have been entitled if his right to payment had been upheld."

Subsection repealed.

15. Subsection eight of section twenty-five of the said 15 Act is repealed.

14. Section 21 provides that a compassionate pension or allowance may be granted in specially meritorious cases. The amendment to this section substitutes the "Appeal Division" for the "Commission" and does away with the renewal of applications that have been refused.

Section 21 at present reads as follows:-

"21. (1) The Commission may, on special application in that behalf, grant a compassionate pension or allowance in any case which it considers to be specially meritorious, but in which the Commission, or, on an appeal, the Court has decided that the applicant is not entitled to an award under this Act.

(2) The amount of any compassionate pension or allowance under this section shall be such sum as the *Commission* shall fix, not exceeding the amount to which the applicant would have been entitled if his right to payment had been upheld.

(3) Any application for compassionate pension or allowance which has been refused by the Commission, may be renewed before the Pension Appeal Court by its leave and on any such renewed application the Court shall have the same powers as the Commission has under this section."

15. The subsection to be repealed at present reads as follows:—

"(8) If subsequent to the award of a final payment it is found that the disability of the member of the forces has increased he shall be restored to pension, and the additional pension for the increased disability shall be paid from such date as may be determined by the Commission; and there shall be deducted from the arrears of pension so created and from future payments of pension, the amount of the said final payment: Provided that the deductions from future payments of pension shall not exceed fifty per centof the pension payable." 16. Subsection nine of section twenty-five of the said Act, as enacted by section ten of chapter thirty-five of the statutes of 1930, is repealed and the following is substituted therefor:—

Restoration_ to pension. "(9) Any pensioner who has accepted a final payment 5 may, if it be found on examination that his pensionable disability has persisted or increased, be restored to pension in respect thereof as from the date upon which the amount of the final payment received by him is or was equal to the sum of the instalments of pension which he would have 10 received if, instead of accepting a final payment, he had continued to receive pension at the rate in force immediately before such final payment was made, or as from six months prior to the date of examination, whichever is the later date."

17. Section twenty-seven of the said Act, as amended by section eighteen of chapter thirty-eight of the statutes of 1928, is repealed, and the following is substituted therefor:—

"27. Pensions awarded for disabilities shall be paid 20 from the date upon which application to the Commission was made or, in the discretion of the Commission, six months prior thereto, provided however that in no case shall any pension be paid for any period in excess of twelve months prior to the date upon which entitlement to pension 25 was granted."

Date from which disability pension is payable.

Retroactive limitation. **16.** Subsection 9 of section 25 at present reads as follows:—

"(9) Any pensioner who has accepted a final payment may, if his pensionable disability has persisted but has not increased, be restored to pension in respect thereof as from the date upon which the amount of the final payment received by him is or was equal to the sum of the instalments of pension which he would have received if, instead of accepting a final payment, he had continued to receive pension at the rate in force immediately before such final payment was made: Provided that no pensioner so restored to pension shall be entitled to any additions to pension on account of marriage, children or dependent parents, for any period prior to the first day of October, 1930."

The word "or" underlined on the opposite page is substituted for the words "but has not" (in italics above) so that a pensioner who has accepted a final payment may be restored to pension if his disability has increased.

17. Section 27 on the opposite page is new and is intended to limit the payment of retroactive pension.

18. Subsection two of section thirty-two of the said Act. as enacted by section thirteen of chapter forty-five of the statutes of 1932-33, is repealed and the following is substituted therefor:-

Widow of a pensioner.

"(2) Subject as in this Act otherwise provided, the widow 5 of a member of the forces who had at the time of his death been in receipt of a pension for a disability of or exceeding eighty per cent or would have been in receipt of such pension if he had not been in receipt of hospital allowance from the Department while under treatment, shall, irrespective of 10 the cause of the death of her husband, be entitled to a pension as if his death had resulted from an injury or disease or aggravation thereof attributable to or incurred during military service, provided that she was married to him prior to the first day of January, one thousand nine hundred 15 and thirty.

Limitation.

Provided, no payments shall be made under this section from a date prior to that from which pension is pavable section thirtyunder the provisions of paragraph (c) of seven of this Act." 20

19. Section 32A of the said Act. as enacted by section twelve of chapter thirty-five of the statutes of 1930, is repealed and the following is substituted therefor:

"32A. (1) The widow of a member of the forces whose death results from an injury or disease or aggravation thereof 25 which was attributable to or was incurred during his military service shall be entitled to pension if she was married to such member of the forces either before he was granted a pension in respect of such injury or disease or before the first day of January, one thousand nine hundred and thirty. 30

(2) No payments shall be made under this section from a date prior to that from which pension is payable under the provisions of paragraph (c) of section thirty-seven of this Act."

20. Section thirty-seven of the said Act, as amended by 35 section twenty-seven of chapter thirty-eight of the statutes of 1928, is repealed and the following is substituted therefor:

Pension pavable from day after death.

Where parents not wholly or substantially dependent, date to be fixed.

"37. (1) Pension awarded with respect to the death of a member of the forces shall be paid from the day following the day of the death except 40

(a) in the case in which a pension is awarded to a parent or person in place of a parent who was not wholly or to a substantial extent maintained by the member of the forces at the time of his death, in which case the pension shall be paid from a day to be fixed in each case by the Commission;

widow married before grant of pension or before 1st of January, 1930.

Pension to

Limitation.

18. Subsection 2 of section thirty-two is amended by striking out the words "for not more than ten years" after the words "who had at the time of his death been" at the beginning of the section. The effect of the amendment will be in the case of the death of an eighty per cent pensioner, to remove, for the benefit of his dependents, the ten-year limitation. The proviso is new.

Subsection two at present reads as follows:---

"(2) Subject as in this Act otherwise provided, the widow of a member of the forces who had at the time of his death been, for not more than ten years, in receipt of a pension for a disability of or exceeding eighty per cent or would have been in receipt of such pension if he had not been in receipt of hospital allowance from the Department while under treatment, shall, irrespective of the cause of the death of her husband, be entitled to a pension as if his death had resulted from an injury or disease or aggravation thereof attributable to or incurred during military service, provided that she was married to him prior to the first day of January, 1930."

19. Subsection two of section 32A which is to be repealed and re-enacted at present reads as follows:—(Subsection one is not changed).

"(2) Nothing in this section shall be deemed to authorize the payment of any pension in respect of any period prior to the first day of January, 1930."

20. Section 37 is amended by adding thereto paragraph (c) and also subsection two indicated on the opposite page by a vertical line in the margin.

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Posthumous child, from date of birth.

If pension awarded to widow or child on application.

Limitation.

Notification of refusal of pension.

Applicant may have assistance of Chief Pensions Advocate. (b) in the case of a posthumous child of a member of the forces, in which case the pension for such child shall be paid from the date of its birth;

(c) in the case in which a pension is awarded to a widow or child of a member of the forces on application, in 5 which case the pension shall be paid from the date upon which the first decision granting entitlement was rendered or, in the discretion of the Commission, six months prior thereto, provided always, if a decision of the Appeal Division is in favour of an applicant, 10 pension may, in the discretion of the Commission, be paid from a date six months prior to the date on which the application for pension was refused after the coming into force of this Act by a quorum of the Commission.
(2) Nothing in this section shall be deemed to authorize 15 the payment of any pension in respect of any period prior to the date of death."

21. Section fifty-two of the said Act, as enacted by section fifteen of chapter forty-five of the statutes of 1932-33, is repealed and the following is substituted therefor: 20

"52. (1) Whenever any application for pension is not granted, the Commission shall promptly notify the applicant, in writing, of its decision, stating fully the grounds therefor; and shall inform such applicant that he may within the period of ninety days after the date of such 25 notification, inform the Commission of his intention to renew his application with or without additional evidence, in person or by or with a representative, before a quorum of the Commission sitting at Ottawa or elsewhere in Canada, and further, that he will be entitled in either case, to the 30 assistance of the Veterans' Bureau in preparing his claim.

(2) If the applicant signifies his intention within the period aforesaid of renewing his application with or without additional evidence before a quorum of the Commission, the Chief Pensions Advocate shall assist him in preparing **35** such additional evidence and arrange for the presentation of the application before such quorum sitting at Ottawa or elsewhere in Canada, either by himself or by a pensions advocate; if the applicant so elects he may also have the same presented by some other person at his own expense. **40**

When application will stand "not granted." (3) If within the period of ninety days aforementioned the applicant does not signify his intention of renewing his application before a quorum of the Commission, his application shall stand 'not granted,' and may thereafter be renewed only upon special application to the Commission.'' 45 **21.** Section 52, to be repealed and re-enacted at present reads as follows:—(The only change consists in deleting the words in italics below.)

"52. (1) Whenever any application for pension is not granted, the Commission shall promptly notify the applicant, in writing, of its decision, stating fully the grounds therefor; and shall inform such applicant that he may within the period of ninety days after the date of such notification, inform the Commission of his intention to submit additional evidence with a view to the reconsideration of his application by the Commission or to renew his application with or without additional evidence, in person or by or with a representative, before a quorum of the Commission sitting at Ottawa or elsewhere in Canada, and further, that he will be entitled in either case, to the assistance of the Veterans' Bureau in preparing his claim.

(2) If the applicant signifies his intention within the period aforesaid of submitting additional evidence with a view to the reconsideration of his application by the Commission, or of renewing his application with or without additional evidence before a quorum of the Commission, the Chief Pensions Advocate shall assist him in preparing such additional evidence and arrange for the presentation of the application before the Commission or such quorum sitting in Ottawa or elsewhere in Canada, either by himself or by a pensions advocate; if the applicant so elects he may also have the same presented by some other person at his own expense.

(3) If within the period of ninety days aforementioned the applicant does not signify his intention of submitting to the Commission additional evidence or of renewing his application before a quorum of the Commission, his application shall extend "not granted," and may thereafter be renewed only upon special application to the Commission."

22. Subsection four of section fifty-four of the said Act, as enacted by section fifteen of chapter forty-five of the statutes of 1932-33, is repealed and the following is substituted therefor:

Renewal of application.

Witnesses.

"(4) An application heretofore disposed of by the Federal 5 Appeal Board adversely to the applicant may, notwithstanding such disposition, be renewed subject to the provisions of this Act."

23. Section fifty-six of the said Act. as enacted by section fifteen of chapter forty-five of the statutes of 1932-33, 10 is repealed and the following is substituted therefor:

"56. Subject to the rules of procedure made under this Act, an applicant may attend and witnesses may be called on his behalf, or on behalf of the Crown, to give evidence before a quorum of the Commission, and such applicant 15 and witnesses may be paid by the Comptroller of the Treasury the cost of transportation and the fees and allowance as therein fixed: Provided, however, that the quorum hearing the case may certify that such costs and fees should not be paid with regard to any applicant or witness whose 20 presence, in the quorum's opinion, was unnecessary."

24. Section fifty-eight of the said Act, as enacted by section fifteen of chapter forty-five of the statutes of 1932-23, is repealed and the following is substituted therefor:

"58. (1) The decision upon an application shall be 25 pronounced by the quorum of the Commission which heard the application and when no appeal from the decision has been taken by the Crown, the applicants shall forthwith be notified in writing of such decision, stating the grounds 30 therefor.

(2) If the members of the Commission constituting the quorum which heard an application are not in agreement as to the decision which should be pronounced, the Chairman shall delegate a member of the Commission to confer with them and the decision shall be that of a majority of 35 the members of the quorum and such member of the Commission."

Pronouncement of decision by a quorum of the Commission.

If members not in agreement.

22. Subsection four of section 54 at present reads as follows:—

"(4) An application heretofore disposed of by the Federal Appeal Board may, notwithstanding such disposition, be renewed *at any time under* this Act.

28. The only change in section 56 is the addition thereto of the proviso underlined on the opposite page.

24. The section to be repealed, at present reads as follows:—(The only change consists in striking out the words in italics below.)

"58. (1) The decision upon an application shall be pronounced by the quorum of the Commission which heard the application but only after the records relating to the member of the forces by or in respect of whom such application was made together with the report of the evidence submitted at the hearing have been examined and considered; and when no appeal from the decision has been taken by the Crown, the applicants shall forthwith be notified in writing of such decision, stating the grounds therefor.

(2) If, after the records together with the report of the evidence submitted at the hearing have been examined and considered, the members of the Commission constituting the quorum which heard an application are not in agreement as to the decision which should be pronounced, the Chairman shall delegate a member of the Commission to confer with them and the decision shall be that of a majority of the members of the quorum and such member of the Commission." 25. Subsection two of section fifty-nine of the said Act, as enacted by section fifteen of chapter forty-five of the statutes of 1932-33, is repealed and the following is substituted therefor:

"(2) If the reviewing officer concurs in the decision upon 5 any such application, entitlement shall be conceded by the Commission forthwith; but if the reviewing officer does not concur in such decision, he shall direct that an appeal be taken to the <u>Appeal Division</u> and the Commission shall notify the applicant of such appeal with full reasons 10 therefor and that pending the hearing of the same the decision is ineffective."

26. Sections sixty-one to seventy-two, both inclusive, of the said Act, as enacted by section fifteen of chapter forty-five of the statutes of 1932-33, are repealed and the 15 following is substituted therefor:

"61. (1) From any decision of the Board of Pension Commissioners for Canada or of the Pension Tribunal or of the Commission or of a quorum thereof refusing an application for entitlement under any of the provisions of section 20 eleven of this Act, an appeal shall lie to the Appeal Division at the instance of the applicant; and from any decision of a quorum of the Commission granting an application for entitlement, under any of the provisions of section eleven of this Act, an appeal shall lie to the Appeal Division 25 at the instance of the Crown: Provided that the notice of intention to appeal be filed with the Commission by the applicant within ninety days and by the Crown within thirty-five days of the date of such decision.

Leave to appeal.

Notices to be given by the Commission.

Chief Pensions Advocate to assist applicant on appeal. (2) The Appeal Division shall have power, in its dis- 30 cretion, to grant leave to appeal notwithstanding the expiry of the time limit.

(3) The <u>Commission</u> shall notify the Department, the Chief Pensions Advocate, the Pension Counsel and the Comptroller of the Treasury of the receipt of every notice 35 of appeal and of the time the appeal will come on to be heard.

"62. Upon request in writing by the applicant, the Chief Pensions Advocate shall assist an applicant, who has filed notice of intention to appeal as aforesaid, in the pre-40 paration of his appeal and arrange for its presentation before the Appeal Division either by himself or a Pensions Advocate; if the applicant so elects he may also have the same presented by some other person at his own expense.

Action on finding of reviewing officer.

Appeals.

25. The only change in this subsection is substituting the underlined words "Appeal Division" for the word "Court".

26. The sections to be repealed (61 to 72) at present read as follows:—(The amendments are mostly consequential. In all these sections "Appeal Division" is substituted for the word "Court", meaning the Pension Appeal Court, which is to be replaced by the Appeal Division of the Commission. All changes are indicated by underlining or a vertical line on the opposite page and italics in the explanatory notes.)

"61. (1) From any decision of the Board of Pension Commissioners for Canada or of the Pension Tribunal or of the Commission or of a quorum thereof refusing an application for entitlement, an appeal shall lie to the *Court* at the instance of the applicant; and from any decision of the Pension Tribunal or of a quorum of the Commission granting an application for entitlement, an appeal shall lie to the *Court* at the instance of the Crown: Provided that the notice of intention to appeal be filed with the *Registrar* by the applicant within ninety days and by the Crown within thirty-five days of the date of such decision.

(2) A member of the Court shall have the power, in his discretion, to grant leave to appeal notwithstanding the expiry of the time limit.

(3) The Registrar of the Court shall notify the Department, the Chief Pensions Advocate, the Pension Counsel and the Comptroller of the Treasury of the receipt of every notice of appeal and of the time the appeal will come on to be heard.

"62. The Chief Pensions Advocate shall assist an applicant, who has filed notice of intention to appeal as aforesaid, in the preparation of his appeal and arrange for its presentation before the *Court* either by himself or a Pensions Advocate; if the applicant so elects he may also have the same presented by some other person at his own expense.

Pension counsel to represent Crown on appeals.

Disposal of appeals.

Appealable questions.

Cancellation of pensions.

Public and private sittings. "63. Upon receipt of notification of an appeal by any applicant as aforesaid, or upon any reference or submission to the Appeal Division the Pension Counsel shall arrange for the presentation and conduct of the case on behalf of the Crown before the Appeal Division.

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"64. The <u>Appeal Division</u> shall hear and dispose of all appeals from decisions of the Board of Pension Commissioners for Canada, the Pension Tribunal and of the Commission or of a quorum thereof and other matters which may properly be brought before it. 10

"65. The Appeal Division shall have jurisdiction in respect to the following matters:----

- (a) Any appeal by an applicant from any decision of the Board of Pension Commissioners for Canada, or of the Pension Tribunal or of the Commission or of a quorum 15 thereof, on an application respecting entitlement under any of the provisions of section eleven of this Act;
- (b) Any appeal by the Crown from any decision of the Pension Tribunal or of a quorum of the Commission on an application respecting entitlement under any of the 20 provisions of section eleven of this Act;
- (c) Any question of interpretation of this Act, or of law arising out of any application which may be referred by the Crown or, by leave of the <u>Appeal Division</u>, submitted by any applicant; the procedure on such 25 reference or submission shall be as prescribed by the Appeal Division.

(2) Should the Commission consider that an award of entitlement granted by the Federal Appeal Board, the Pension Tribunal, a quorum of the Commission, the Court or the 30 Appeal Division should on the ground of fraud or misrepresentation or the concealment of material facts be cancelled, it shall refer the case, with all relevant information to the Appeal Division and the Appeal Division may thereupon direct an investigation by a quorum of the 35 Commission after notification to the pensioner, and if the Appeal Division is satisfied that the award should be cancelled, it may order cancellation and the recovery of any overpayment which may have been made.

"66. The sittings of the <u>Appeal Division</u> shall be public 40 except in cases in which the <u>Appeal Division</u> considers that a public hearing might be disadvantageous to the applicant and that a hearing in private would not be contrary to the public interest. "63. Upon receipt of notification of an appeal by any applicant, as aforesaid, or upon any reference or submission to the *Court*, the Pension Counsel shall arrange for the presentation and conduct of the case on behalf of the Crown before the *Court*.

"64. The *Court* shall hear and dispose of all appeals from decisions of the Board of Pension Commissioners for Canada, the Pension Tribunal, and of the Commission or of a quorum thereof and other matters which may properly be brought before it.

"65. (1) The *Court* shall have jurisdiction in respect to the following matters:—

- (a) Any appeal by an applicant from any decision of the Board of Pension Commissioners for Canada, or of the Pension Tribunal or of the Commission or of a quorum thereof on an application respecting entitlement under section eleven of this Act;
- (b) Any appeal by the Crown from any decision of the Pension Tribunal or of a quorum of the Commission on an application respecting entitlement under section eleven of this Act.
- (c) Any question of interpretation of this Act which may be referred by the Crown or, by leave of the *Court*, submitted by any applicant; and the procedure on such reference or submission shall be as prescribed by the *Court*.

(2) Should the Commission consider that an award of entitlement granted by the Federal Appeal Board, the Pension Tribunal or the Court should on the ground of fraud or misrepresentation or the concealment of material facts be cancelled, it shall refer the case, with all relevant information to the *Court*, and the *Court* may thereupon direct an investigation by a quorum of the Commission after notification to the pensioner, and if the *Court* is satisfied that the award should be cancelled, it may order cancellation and the recovery of any overpayment which may have been made.

"**66.** The sittings of the *Court* shall be public except in cases in which the *Court* considers that a public hearing might be disadvantageous to the applicant and that a hearing in private would not be contrary to the public interest.

Quorum of the Appeal Division.

Procedure on disagreement.

Review of decision on question of law. "67. (1) Any two members of the Commission who have been designated by the Chairman in accordance with section nine of this Act, shall constitute a quorum of the Appeal Division and may lawfully hear and dispose of any appeal brought before the Appeal Division.

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(2) If upon any appeal, the members of any such quorum are divided in their opinion as to the decision that ought to be rendered thereon, the appeal shall be re-heard and determined by three members of the Appeal Division.

(3) If a decision of a quorum of the Appeal Division 10 upon any appeal determines any point of law inconsistently with any previous decision of the Court, or of the Appeal Division, such appeal may, at the instance of the applicant, or the Crown, be re-heard and determined before three members of the Appeal Division which shall be presided 15 over by the Chairman.

Powers as to amendment and further evidence.

Notice.

Remission of case for amendment or re-hearing.

Decision to be final.

Leave to renew application. "68. (1) The Appeal Division shall have all the powers and duties as to amendment and otherwise of the Commission, together with full discretionary power to receive further medical opinion and further evidence upon questions 20 of fact, such medical opinion and evidence to be either by oral examination in court, by affidavit, or by deposition taken before such other person as may be designated by the Appeal Division.

(2) Such notice of the time and place of examination as 25 is prescribed in the order shall be given to the <u>Counsel and</u> Advocate appearing on the appeal.

"69. The Appeal Division, or a quorum thereof, if it considers the evidence or record in any appeal to be incomplete or unsatisfactory, may remit the case to the 30 Commission for amendment or for re-hearing by a quorum of the Commission sitting at Ottawa or elsewhere in Canada.

"**70.** (1) Except as hereinafter otherwise provided, every decision of the <u>Appeal Division</u> in favour of an applicant or dismissing an application shall be final.

(2) No application based upon any error in such decision, by reason of evidence not having been presented or otherwise, shall be entertained by the Commission except with the leave of the <u>Appeal Division</u> and subject to the rules of procedure prescribed by the <u>Appeal Division</u>, and the 40 <u>Appeal Division</u> shall have jurisdiction to grant such leave in any case in which it appears proper to grant it. "67. (1) Any two members of the *Court* shall constitute a quorum and may lawfully hear and dispose of any appeal brought before the *Court*.

(2) If upon any appeal, the members of any such quorum are divided in their opinion as to the decision that ought to be rendered thereon, the appeal shall be re-heard and determined by three members of the *Court*.

(3) If a decision of a quorum of the *Court* upon any appeal determines any point of law inconsistently with any previous decision of the Court, or a quorum thereof, such appeal may, at the instance of the applicant or the Crown, be re-heard and determined before the full Court.

"68. (1) The Court, or a member thereof, may, if it is considered for the ends of justice expedient to do so, order any further examination before either the Court, or a member thereof, or other person, of any witness; and if the party on whose behalf the evidence is tendered neglects or refuses to obtain such further examination or evidence, the Court, or a member thereof, in its or his discretion, may decline to act on the evidence.

(2) Such notice of the time and place of examination as is prescribed in the order shall be given to the *adverse party*.

"69. The *Court*, or a quorum thereof, if it considers the evidence or record in any appeal to be incomplete or unsatisfactory, may remit the case to the Commission for amendment or for re-hearing by a quorum of the Commission sitting at Ottawa or elsewhere in Canada.

"**70.** (1) Except as hereinafter otherwise provided, every decision of the *Court* in favour of an applicant or dismissing an application shall be final.

(2) No application based upon any error in such decision, by reason of evidence not having been presented or otherwise, shall be entertained by the Commission except with the leave of the *Court* and subject to the rules of procedure prescribed by the *Court*, and the *Court* shall have jurisdiction to grant such leave in any case in which it appears proper to grant it.

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Notification of decision.

(3) Any decision of the Appeal Division in favour of an applicant shall be forthwith notified by the Commission to the Department, and the Comptroller of the Treasury who shall thereupon take the necessary steps to give effect to the same.

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(4) In every case the Commission shall notify each party to an appeal of the decision of the Appeal Division.

(5) A copy of the formal judgment of the Appeal Division the Appeal Division. on any appeal and a copy of the reasons therefor, if any, shall be filed with the Commission.

Access to records.

"72. For the purpose only of ensuring the proper preparation and presentation of any application, the Department may from time to time make regulations designating the individuals who may be permitted to have access to all records of the Department and to all matters considered 15 by the Board of Pension Commissioners for Canada, by the Pension Tribunal or the Commission or a quorum thereof, in disposing of any application.

Decision of the Appeal Division.

Judgment of

(3) Any decision of the *Court* in favour of an applicant shall be forthwith notified by the *Registrar of the Court* to the Department, and the Comptroller of the Treasury who shall thereupon take the necessary steps to give effect to the same.

(4) In every case the *Registrar* shall notify each party to an appeal of the decision of the *Court*.

(5) A copy of the formal judgment of the *Court* on any appeal and a copy of the reasons therefor, if any, shall be *furnished to* the Commission."

The provisions of section 71 of the Act respecting conferences are dropped.

"71. Conferences, as required, may be held between the Commission and the Court for the discussion of any matters which concern both the Commission and the Court; such conferences may be convened by the President of the Court, after consultation with the Chairman of the Commission.

"72. (1) The Chief Pensions Advocate, pensions advocates and Pension Counsel shall have free access to all records of the Department and to all material considered by the Board of Pension Commissioners for Canada, by the Pension Tribunal or the Commission or a quorum thereof in disposing of any application.

(2) No such records or material relating to any member of the forces, pensioner or applicant for pension, shall be inspected by nor shall their contents be communicated by anyone in the public service to, any person other than

- (a) the member of the forces, pensioner or applicant for pension concerned;
- (b) such public servants as may require to inspect them or have their contents communicated to them in order that they may properly discharge their duties;
- (c) such medical advisers and other persons, including representatives of soldiers' service organizations, as may be consulted by or on behalf of a Pension counsel or by or on behalf of the person whom the records or material directly concerns; and
- (d) such person as may be employed by such last mentioned person to present a claim on his behalf before the Commission or a quorum thereof or the Court."

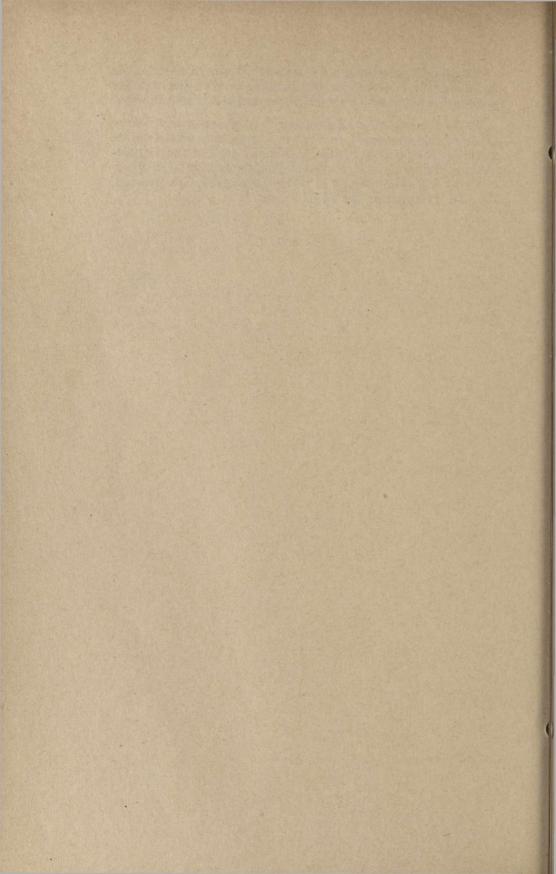
27. Section seventy-five of the said Act, as enacted by section fourteen of chapter thirty-five of the statutes of 1930, is repealed and the following is substituted therefor:

No action for contents of judgment or for reports of examinations. "**75.** No action shall lie against any person by reason of anything contained or said in any judgment or other 5 proceeding in the Commission or the Appeal Division, or in any report of any examination made for the purpose of this Act or of Part One of the *Department of Pensions and National Health Act*, by any officer of, or by any other person at the request of the Commission, a quorum of the 10 Commission, the Appeal Division, the Pension Tribunal or the Department."

28. Upon the proclamation of this Act, all records of the Court shall be taken over by the Department and all appeals then pending before the Court shall be heard and 15 determined by the Appeal Division.

Records of Court and appeals pending. 27. The amendments to section 75 are consequential and consist in inserting the words underlined on the opposite page in the said section which at present reads as follows:—

"75. No action shall lie against any person by reason of anything contained in any report of any examination made for the purpose of this Act or of Part I of the Department of Pensions and National Health Act by any officer of, or by any other person at the request of the Commission, Pension Tribunal or the Department."



First Session, Eighteenth Parliament, 1 Edward VIII, 1936

27.

THE HOUSE OF COMMONS OF CANADA.

BILL 27.

An Act to amend the War Veterans' Allowance Act.

First reading, March 31, 1936.

The Minister of Pensions and National Health.

OTTAWA J. O. PATENAUDE, I.S.O. PRINTER TO THE KING'S MOST EXCELLENT MAJESTY 1936

1st Session, 18th Parliament, 1 Edward VIII, 1936

THE HOUSE OF COMMONS OF CANADA.

BILL 27.

An Act to amend the War Veterans' Allowance Act.

1930, c. 48.

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

1. Section three of *The War Veterans' Allowance Act*, chapter forty-eight of the statutes of 1930, is repealed and 5 the following is substituted therefor:—

"3. (1) There shall be a Board to be known as the War Veterans' Allowance Board, hereinafter called the "Board", which shall consist of three members to be appointed by the Governor in Council, one of whom shall 10 be appointed chairman and shall receive a salary of seven thousand dollars a year, and the other two of whom each shall receive a salary of six thousand dollars a year; provided that the Governor in Council may appoint, to be additional members of the Board, the Deputy Minister and, 15 as his alternate, the Assistant Deputy Minister, and one other person who is not on the staff of the Department.

(2) Wherever in *The War Veterans' Allowance Act* or in any order or regulation made thereunder the "War Veterans' Allowance Committee" or the "Committee" is mentioned 20 or referred to, in each and every such case the words "War Veterans' Allowance Board" or "the Board" shall be substituted for the words the "War Veterans' Allowance Committee" or "the Committee".

(3) Two members of the Board shall constitute a quorum. 25 (4) The persons now holding the office of chairman of the War Veterans' Allowance Committee and members of the War Veterans' Allowance Committee shall continue to hold office as chairman and members of the War Veterans' Allowance Board established by this section during pleasure. 30

(5) Any member of the Board who, at the time of his appointment, was or is employed in the public service, shall be eligible upon application within three months from the date of the coming into force of this subsection, to become a contributor under the *Civil Service Super-* 35

War Veterans' Allowance Board.

Board to be substituted for Committee.

Quorum.

Chairman and members of Committee to continue to hold office.

Members eligible to become contributors under R.S., 1927, c. 24.

EXPLANATORY NOTES.

1. Section three, to be repealed, reads as follows:-

"3. (1) The War Veterans' Allowance Committee shall consist of three members to be appointed by the Governor in Council, one of whom shall be appointed chairman and shall receive a salary of six thousand dollars a year and the other two of whom shall receive each a salary of five thousand dollars a year; provided that the Governor in Council may appoint, to be additional members of the Committee, the Deputy Minister and, as his alternate, the Assistant Deputy Minister, and one other person who is not on the staff of the Department.

(2) Two members of the Committee shall constitute a quorum."

The words underlined on the opposite page are new. Subsections two, four, five and six are new. R.S., 1927, c. 24.

R.S., 1927, c. 24.

Governor in Council may grant a pension in certain cases.

Powers of the Board.

To whom allowances paid.

Proviso.

annuation Act; his former service in the public service and/or as a member of the War Veterans' Allowance Committee shall be counted as service in the civil service for the purposes of the *Civil Service Superannuation Act* and his wife and children or other dependents, if any, shall be 5 eligible to receive the respective allowances or gratuities provided by the said Act, and in the event of his being retired from his office or position for any reason other than that of misconduct, he shall be eligible to receive the same benefits under the *Civil Service Superannuation Act* 10 as if his office or position had been abolished.

(6) The Governor in Council, upon the retirement of any member of the Board who has served upon the Board or as a member of the War Veterans' Allowance Committee at least twenty years or who has so served for at 15 least ten years and who has reached the age of sixty-five years or is physically or mentally incapaciated or is not entitled to superannuation under the *Civil Service Superannuation Act*, may grant to him a pension for his life not exceeding one-third of the salary to which he was entitled 20 as such member."

2. The said Act is amended by adding thereto the following section immediately after section three thereof:—

"3A. Subject to the provisions of this Act the Board shall consider and abjudicate upon all questions relating 25 to the award, increase, decrease, suspension or cancellation of any allowance under this Act or for the recovery of any overpayment which may have been made and effect shall be given by the Department and the Comptroller of the Treasury to any such decision of the Board." 30

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

"4. Subject as hereinafter provided, allowances under this Act shall be payable with the approval of the Board to any veteran who, at the date of the proposed commence- 35 ment of the allowance, has attained the age of sixty years or is, in the opinion of the Board, permanently unemployable by reason of physical or mental disability, and in either case is, and has for the one year immediately preceding been domiciled in Canada: Provided, however, that the Board may, in its discretion in any specially meritorious case, classify as permanently unemployable, any veteran who has attained the age of fifty-five years and is so incapaciated by reason of permanent disabilities, pre-ageing and general unfitness, as to be, in the opinion of the Board, 45 incapable of maintaining himself". 2. Section 3A is new, and is intended to define more clearly the powers of the Board and to permit the recovery of any overpayment.

3. The only change in this section consists in the addition, at the end thereof, of the proviso underlined on the opposite page.

The purpose of the amendment is to provide that in specially meritorious cases, such as pre-ageing and general unfitness, a veteran may be classified as permanently unemployable on reaching the age of fifty-five instead of sixty, which is the age mentioned in the first part of section four. Certain deductions not to be made. 4. Section seven of the said Act is repealed and the following is substituted therefor:—

"7. No deduction shall be made from any allowance by reason of (a) any sum payable to the veteran on account of clothing allowance pursuant to the *Pension Act*, (b) any 5 additional allowance payable to him under the said Act on account of his children, (c) any sum payable to the veteran as helplessness allowance under the provisions of section twenty-six of the said Act or (d) any casual earnings received by him not exceeding one hundred and twenty-10 five dollars in any year; and when a veteran is the owner of an interest in premises on which he resides, the allowance payable to him shall not be subject to any reduction in respect of the annual value of such interest, provided its capital value does not exceed two thousand dollars". 15

5. The said Act is amended by adding the following subsection to section thirteen thereof:—

"(2) Where a recipient is maintained at the expense of the Department as an inmate of any institution, the Board may continue part of the allowance of such recipient to 20 his dependents."

6. The said Act is amended by adding immediately after section fifteen the following section:—

"15A. The Board shall have the right, for the purpose of ascertaining the age of any veteran, to obtain any infor-25 mation from the Dominion Bureau of Statistics on the subject of the age of such veteran which may be contained in the returns of any census taken more than thirty years before the date of the application for such information".

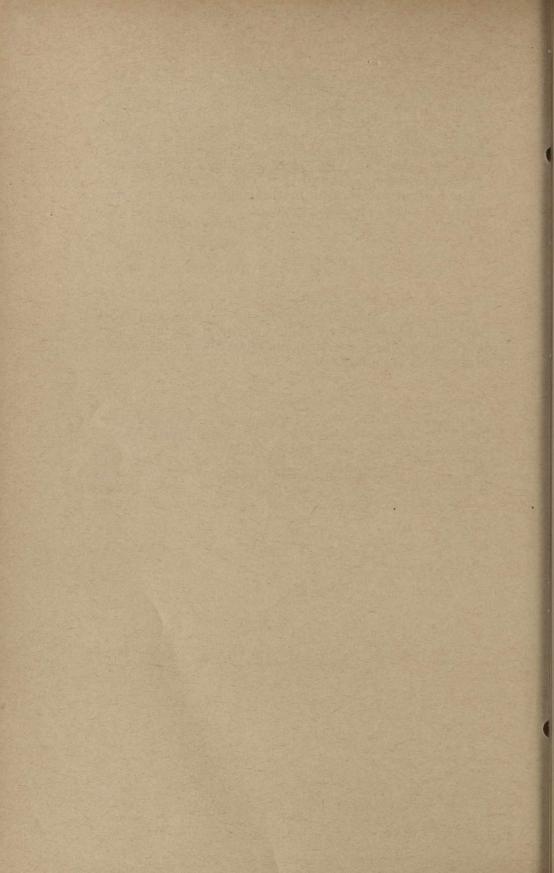
Part of the allowance continued to dependents.

Information from the Bureau of Statistics 4. The amendment made to section 7 provides that no deduction shall be made from any allowance by reason of any sum payable to the veteran as helplessness allowance under the provisions of section 26 of the Pension Act, which provides for extra allowance for cases of total disability requiring attendance, and also for extra allowance in certain amputation cases or cases which necessitate the use of a prosthetic appliance.

The amendment consists in the addition of the words underlined on the opposite page.

5. Subsection two of section thirteen is new, and provides that the Board may continue part of the allowance of a recipient to his dependents when he is maintained as an inmate of an institution.

6. Section 15A is new. Its purpose is to assist the Board in obtaining information as to the age of veterans.



First Session, Eighteenth Parliament, 1 Edward VIII, 1936

THE HOUSE OF COMMONS OF CANADA.

BILL 27.

An Act to amend the War Veterans' Allowance Act.

Reprinted as Amended and Reported by the Special Committee.

The Minister of Pensions and National Health.

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OTTAWA J. O. PATENAUDE, I.S.O. PRINTER TO THE KING'S MOST EXCELLENT MAJESTY 1936

1st Session, 18th Parliament, 1 Edward VIII, 1936

THE HOUSE OF COMMONS OF CANADA.

BILL 27.

An Act to amend the War Veterans' Allowance Act.

1930 ,c. 48.

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

1. Section three of *The War Veterans' Allowance Act*, chapter forty-eight of the statutes of 1930, is repealed and 5 the following is substituted therefor:—

"3. (1) There shall be a Board to be known as the War Veterans' Allowance Board, hereinafter called the "Board", which shall consist of three members to be appointed by the Governor in Council, one of whom shall 10 be appointed chairman and shall receive a salary of seven thousand dollars a year, and the other two of whom each shall receive a salary of six thousand dollars a year; provided that the Governor in Council may appoint, to be additional members of the Board, the Deputy Minister and, 15 as his alternate, the Assistant Deputy Minister, and one other person who is not on the staff of the Department.

(2) Wherever in *The War Veterans' Allowance Act* or in any order or regulation made thereunder the "War Veterans' Allowance Committee" or the "Committee" is mentioned 20 or referred to, in each and every such case the words "War Veterans' Allowance Board" or "the Board" shall be substituted for the words the "War Veterans' Allowance Committee" or "the Committee".

(3) Two members of the Board shall constitute a quorum. 25 (4) The persons now holding the office of chairman of the War Veterans' Allowance Committee and members of the War Veterans' Allowance Committee shall continue to hold office as chairman and members of the War Veterans' Allowance Board established by this section during pleasure. 30

(5) Any member of the Board who, prior to or at the time of his appointment, was or is employed in the public service of Canada, shall be eligible upon application within three months from the date of the coming into force of this subsection, to become a contributor under the *Civil Service* 35

War Veterans' Allowance Board.

Board to be substituted for Committee.

Quorum.

Chairman and members of Committee to continue to hold office.

Members eligible to become contributors under R.S., 1927, c. 24.

EXPLANATORY NOTES.

1. Section three, to be repealed, reads as follows:---

"3. (1) The War Veterans' Allowance Committee shall consist of three members to be appointed by the Governor in Council, one of whom shall be appointed chairman and shall receive a salary of six thousand dollars a year and the other two of whom shall receive each a salary of five thousand dollars a year; provided that the Governor in Council may appoint, to be additional members of the Committee, the Deputy Minister and, as his alternate, the Assistant Deputy Minister, and one other person who is not on the staff of the Department.

(2) 'I wo members of the Committee shall constitute a quorum."

The words underlined on the opposite page are new. Subsections two, four, five and six are new. R.S., 1927, c. 24.

R.S., 1927, c. 24.

Governor in Council may grant a pension in certain cases.

Powers of the Board.

To whom allowances paid. Superannuation Act; his former service in the public service and/or as a member of the War Veterans' Allowance Committee shall be counted as service in the civil service for the purposes of the *Civil Service Superannuation Act* and his wife and children or other dependents, if any, shall be 5 eligible to receive the respective allowances or gratuities provided by the said Act, and in the event of his being retired from his office or position for any reason other than that of misconduct, he shall be eligible to receive the same benefits under the *Civil Service Superannuation Act* 10 as if his office or position had been abolished.

(6) The Governor in Council, upon the retirement of any member of the Board who has served upon the Board or as a member of the War Veterans' Allowance Committee at least twenty years or who has so served for at 15 least ten years and who has reached the age of sixty-five years or is physically or mentally incapaciated or is not entitled to superannuation under the *Civil Service Superannuation Act*, may grant to him a pension for his life not exceeding one-third of the salary to which he was entitled 20 as such member."

2. The said Act is amended by adding thereto the following section immediately after section three thereof:—

"3A. Subject to the provisions of this Act the Board shall consider and adjudicate upon all questions relating 25 to the award, increase, decrease, suspension or cancellation of any allowance under this Act or for the recovery of any overpayment which may have been made and effect shall be given by the Department and the Comptroller of the Treasury to any such decision of the Board." 30

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

"4. Subject as hereinafter provided, allowances under this Act shall be payable with the approval of the Board to any veteran who, at the date of the proposed commence-35 ment of the allowance, has attained the age of sixty years or is, in the opinion of the Board, permanently unemployable by reason of physical or mental disability, or having served in a theatre of actual war, has attained the age of fifty-five years and is, in the opinion of the Board, incapable 40 of maintaining himself because of disability, pre-ageing and general unfitness, and in either case is, and has for the six months immediately preceding been domiciled in Canada." 2. Section 3A is new, and is intended to define more clearly the powers of the Board and to permit the recovery of any overpayment.

3. The only change in this section consists in the addition, at the end thereof, of the proviso underlined on the opposite page.

The purpose of the amendment is to provide that in specially meritorious cases, such as pre-ageing and general unfitness, a veteran may be classified as permanently unemployable on reaching the age of fifty-five instead of sixty, which is the age mentioned in the first part of section four. Certain deductions not to be made.

following is substituted therefor:-"7. No deduction shall be made from any allowance

- by reason of.— (a) Any sum payable to the veteran under the provisions 5 of Section 26 of the Pension Act.
 - (b) Any additional allowance payable to him under the said Act on account of his children, or
 - (c) Any casual earnings received by him not exceeding one hundred and twenty-five dollars in any year; and 10 when a veteran is the owner of an interest in premises on which he resides, the allowance payable to him shall not be subject to any reduction in respect of the annual value of such interest, provided its capital value does not exceed two thousand dollars." 15

5. Section thirteen of the said Act is repealed, and the following substituted therefor:-

"13. (1) Subject to the provisions of subsection two of this section, payment of any allowance authorized under this Act shall be suspended while the recipient (a) is a 20 prisoner undergoing punishment for an offence; or (b) is resident out of Canada: or (c) is maintained at the expense of the Department as an inmate of any institution.

(2) The Board may, in its discretion, continue payment of any part of any such allowance to the dependents of any 25 recipient (a) for a period not exceeding twelve months, when such recipient is a prisoner undergoing punishment, or (b) during such time as any recipient is maintained at the expense of the Department as an inmate of any institution." 30

6. The said Act is amended by adding immediately after section fifteen the following section:-

"15A. The Board shall have the right, for the purpose of ascertaining the age of any veteran, to obtain any information from the Dominion Bureau of Statistics on the 35 subject of the age of such veteran which may be contained in the returns of any census taken more than thirty years before the date of the application for such information".

7. Section seventeen of the said Act is repealed and the following is substituted therefor:---

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"17. The amount of any payments of allowance made by reason of wilful non-disclosure of facts or of fraudulent misrepresentations shall be recoverable from the recipient as a debt due to the Crown."

Supension of allowance.

Part of allowance continued to dependents.

Information from the Bureau of Statistics.

4. Section seven of the said Act is repealed and the

4. At present under Section 7 provision is made that a sum payable to the veteran as clothing allowance under Section 26 of the Pension Act is disregarded in computing Veterans Allowance. The amendment provides that helplessness or attendants' allowance in cases of total disability and in certain amputation cases should similarly be disregarded. Both of these come under Section 26 of the Pension Act, therefore, direct reference in Section 7 to clothing allowance has been deleted.

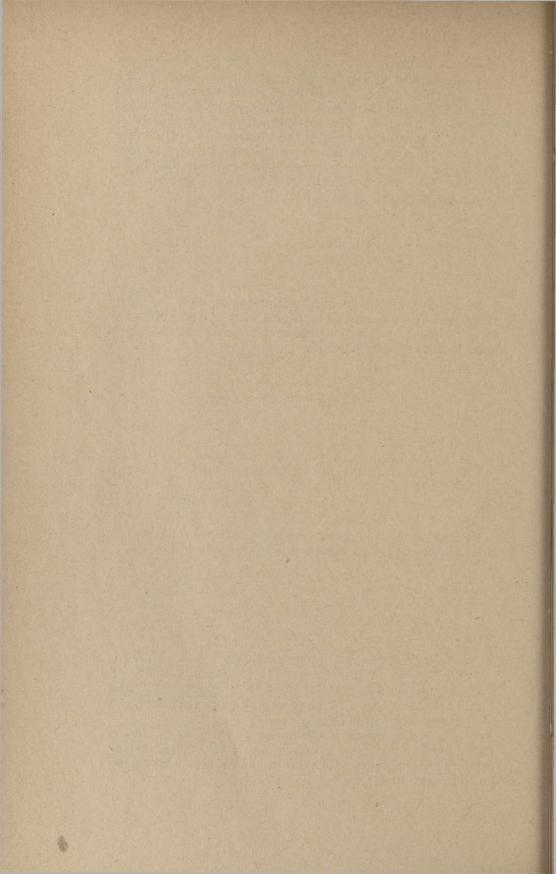
5. Subsection two of section thirteen is new, and provides that the Board may continue part of the allowance of a recipient to his dependents when he is maintained as an inmate of an institution.

6. Section 15A is new. Its purpose is to assist the Board in obtaining information as to the age of veterans.

7. Section 17 of the Act reads as follows:---

"The amount of any payments of allowance made by reason of non-disclosure of facts or of innocent or false misrepresentations shall be recoverable from the recipient as a debt due to the Crown."

The only change made is the deletion of the words underlined above, and the addition of those underlined in the text. This is necessary in view of the authority conferred on the Board under Section 2 of this Bill.



First Session, Eighteenth Parliament, 1 Edward VIII, 1936

THE HOUSE OF COMMONS OF CANADA.

BILL 28.

An Act to assist towards the Employment of former Members of the Forces.

First reading, March 31, 1936.

The Minister of Pensions and National Health.

OTTAWA J. O. PATENAUDE, I.S.O. PRINTER TO THE KING'S MOST EXCELLENT MAJESTY 1936

1st Session, 18th Parliament, 1 Edward VIII, 1936

THE HOUSE OF COMMONS OF CANADA.

BILL 28.

An Act to assist towards the Employment of former Members of the Forces.

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

Short title.

1. This Act may be cited as The Veterans' Assistance Commission Act, 1936.

2. In this Act and in any regulations made under the

means the Veterans' Assistance

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Definitions.

"Commission."

"Department."

"Minister."

"Veteran."

ter." (c) "Minister" means the Minister of the Department of Pensions and National Health.

provisions of this Act, (a) "Commission"

Commission:

and National Health:

(d) "veteran" means any person who served in the naval, military or air forces of Canada in the Great 15 War.

(b) "Department" means the Department of Pensions 10

Commission.

3. (1) There shall be a Commission to be called the "Veterans' Assistance Commission," consisting of three Commissioners who shall be appointed by the Governor in Council, and shall hold office for one year; provided that 20 the Governor in Council may, on the recommendation of the Minister, extend the tenure of office of the commissioners for a period of six months.

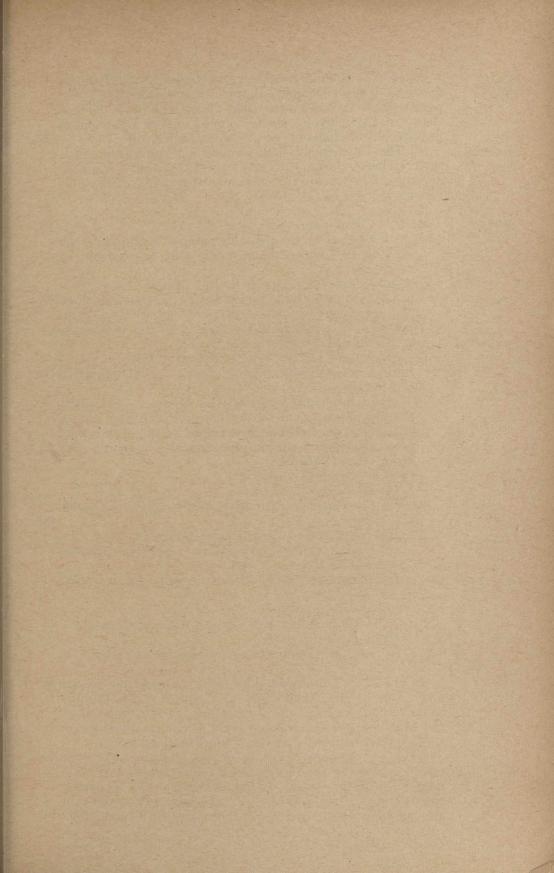
(2) The Governor in Council may appoint one of the Commissioners to be Chairman of the Commission.

(3) The Commissioners may be paid such fees or compensation for their services as the Governor in Council may from time to time determine, as well as actual and reasonable travelling and living expenses necessarily incurred in connection with the business of the Commission. 30

Chairman.

Remuneration.

Head Office at Ottawa. **4.** The head office of the Commission shall be in the city of Ottawa.



Cost of administration.

Department to provide staff.

Duties of Commission.

5. (1) The Commission shall be attached to the Department, and the expenses required to be incurred for the discharge of its duties other than the salaries of its officers, clerks and employees, shall be paid out of the moneys provided by Parliament, as the Minister may direct.

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(2) The Department shall provide the Commission with such officers, clerks and employees as to the Minister appears necessary for the efficient carrying out of the provisions of this Act.

6. The Commission shall,

- (a) carry out as soon as possible an investigation into the existing facilities in connection with employment of veterans;
- (b) investigate and report to the Minister upon proposals leading to the establishment of effective agencies 15 to supplement the assistance now granted so as to provide for a speedy absorption of as many veterans as possible into some form of work;
- (c) recommend to the Minister effective means of establishing social and community centres for rehabilitation 20 of veterans;
- (d) investigate and report to the Minister, and make recommendations as to the effective carrying out of schemes to provide employment for veterans and more particularly, but without limiting the foregoing pro-25 visions, the following:—
 - (i) hobby employment,

(ii) repair employment,

(iii) allotment gardening in the outskirts of towns and cities, 30

(iv) farming on small community farms;

(v) land settlement on small land holdings adjacent to towns and cities,

(vi) clearing of land and surface stripping in mining areas, 35

(vii) reforestation,

(viii) the founding of a Corps of Commissionaires,

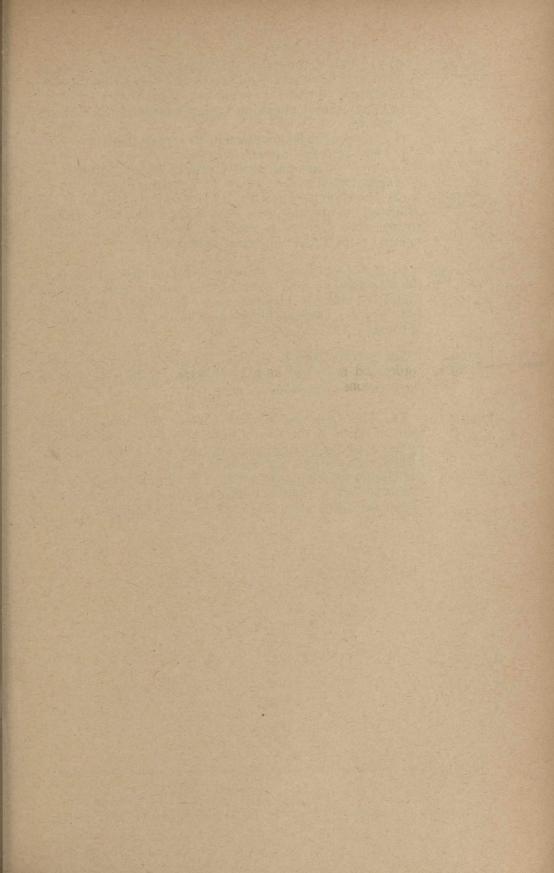
(ix) temporary work,

(x) such other projects as may be deemed advisable.

Supervision of projects.

Minister to replace Commission. 7. (1) The Commission shall from time to time recom- 40 mend the manner or method of putting into effect any project or projects of helpful assistance, and if approved by the Minister, the Commission shall, under the direction of the Minister, supervise and carry out such projects.

(2) After the term of office of the Commissioners will 45 have expired the power granted by this Act to the Commission shall be vested in the Minister, who is hereby empowered to continue or to carry out any project or scheme commenced or recommended by the Commission.



Means of co-operation.

8. (1) The Commission shall investigate and report to the Minister upon ways and means of co-operation between the Commission and

(a) any other commission or department of the Government,

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(b) any provincial government or agency thereof.

(c) any veterans' association,

(d) any commercial, agricultural or industrial group or organization.

Commission to co-operate.

(2) The Commission shall, subject to the approval of the 10 Minister, co-operate with any commission, department, government agency, association, group or organization referred to in subsection one of this section.

9. For the purposes of sections six and eight of this Act. Powers under Inquiries Act. the Commission shall have all the powers and authority 15 conferred upon a Commissioner appointed under the Inquiries Act, chapter ninety-nine of the Revised Statutes of Canada, 1927.

Orders and regulations.

R.S., c. 99.

Report of Commissioners.

10. The Governor in Council may from time to time make such orders and regulations as may be necessary to 20 carry out the provisions of this Act.

11. The Commission shall, before the expiry of the term of office of the Commissioners, submit a final report to the Minister in such form and with such details as the Minister may direct, and the said report shall be laid before 25 the House of Commons forthwith after the making thereof if Parliament is then sitting, and if not, during the first fifteen days of the then next session of Parliament.

First Session, Eighteenth Parliament, 1 Edward VIII, 1936

THE HOUSE OF COMMONS OF CANADA.

BILL 47.

An Act for granting to His Majesty certain sums of money for the public service of the financial year ending the 31st March, 1936.

AS PASSED BY THE HOUSE OF COMMONS, 8th APRIL, 1936.

OTTAWA J. O. PATENAUDE, I.S.O. PRINTER TO THE KING'S MOST EXCELLENT MAJESTY 1936

1st Session, 18th Parliament, 1 Edward VIII, 1936

THE HOUSE OF COMMONS OF CANADA.

BILL 47.

An Act for granting to His Majesty certain sums of money for the public service of the financial year ending the 31st March, 1936.

MOST GRACIOUS SOVEREIGN,

Preamble.

WHEREAS it appears by message from His Excellency the Right Honourable Baron Tweedsmuir of Elsfield, etc., etc., Governor General of Canda, and the estimates accompanying the said message that the sums hereinafter mentioned are required to defray certain expenses of the 5 public service of Canada, not otherwise provided for, for the financial year ending the thirty-first day of March, one thousand nine hundred and thirty-six, and for other purposes connected with the public service: May it therefore please Your Majesty, that it may be enacted and be it 10 enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, that:—

Short title.

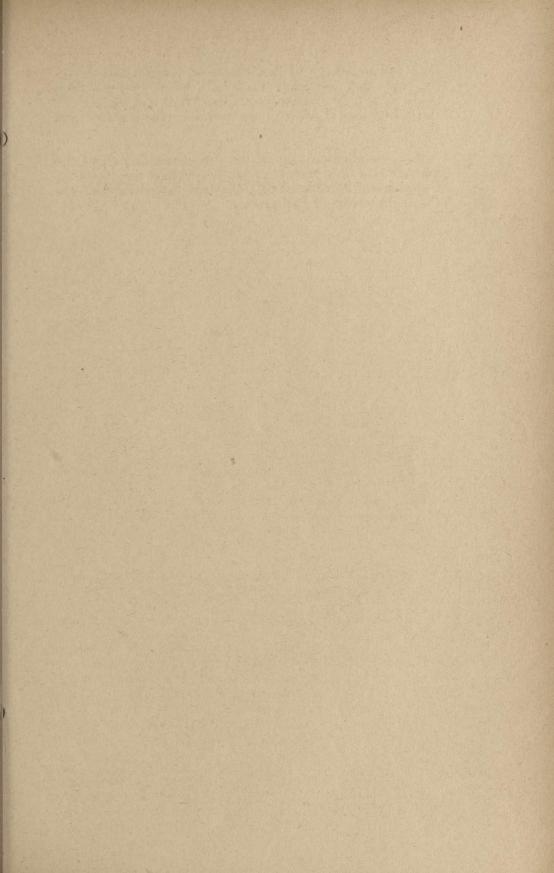
No. 2, 1936.

\$51,167,229.11 granted for 1935-36. 2. From and out of the Consolidated Revenue Fund there may be paid and applied a sum not exceeding in the whole fifty-one million, one hundred and sixty-seven thousand, two hundred and twenty-nine dollars and eleven cents towards defraying the several charges and expenses 20 of the public service, from the first day of April, one thousand nine hundred and thirty-five, to the thirty-first day of March, one thousand nine hundred and thirty-six, not otherwise provided for, set forth in the Schedule to this Act. 25

1. This Act may be cited as The Appropriation Act,

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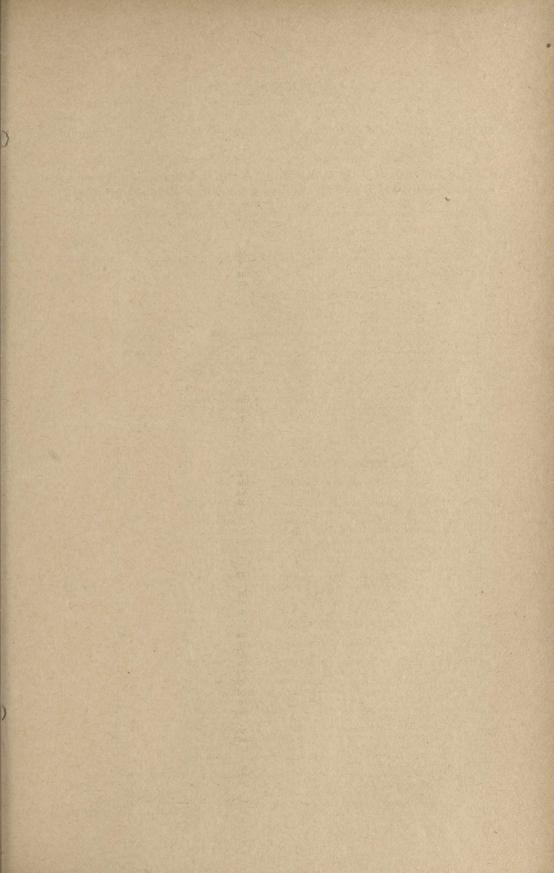
Amounts chargeable to year ending 31st March, 1936. **3.** Notwithstanding the provisions of the *Consolidated Revenue and Audit Act, 1931*, the amounts appropriated by this Act may be paid at any time on or before the thir-



tieth day of April, one thousand nine hundred and thirtysix, and such payments shall be deemed to have been made in and be chargeable to the fiscal year ending the thirty-first day of March, one thousand nine hundred and thirty-six

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Account to be rendered in detail. 4. A detailed account of the sums expended under the authority of this Act shall be laid before the House of Commons of Canada during the first fifteen days of the then next session of Parliament.

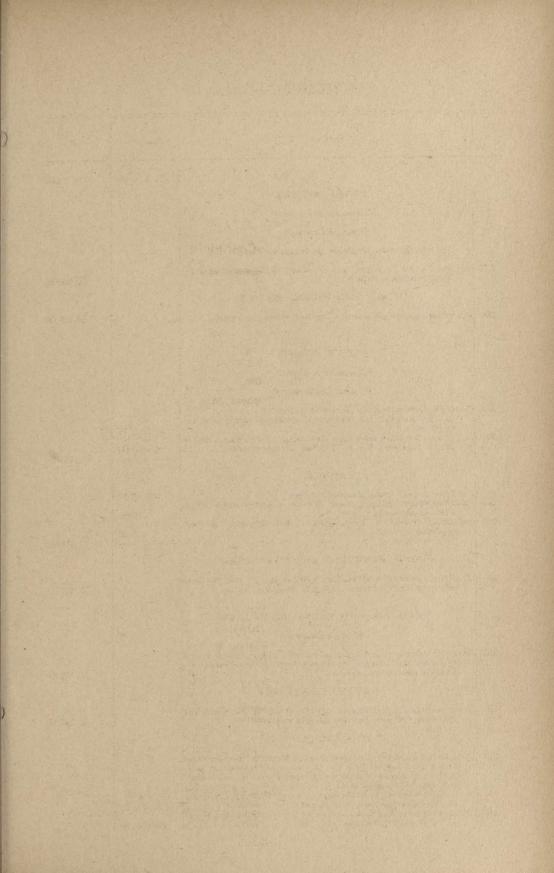


SCHEDULE

Based on Further Supplementary Estimates, 1935-36. The amount hereby granted is \$51,167,229.11.

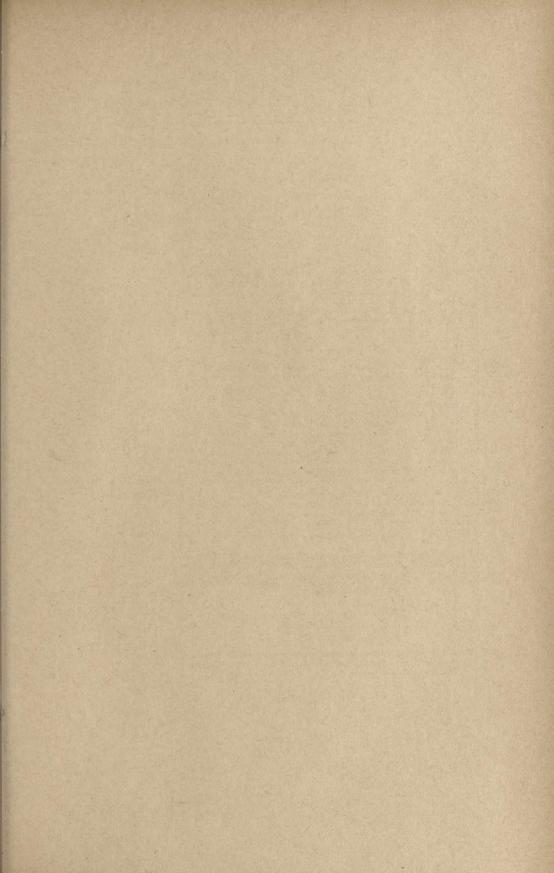
SUMS granted to His Majesty by this Act for the financial year ending 31st March, 1936, and the purposes for which they are granted.

No. of Vote	Service	Amount	Total
284	LEGISLATION House of Commons Clerical Assistance, etc.—Further amount required. Contingencies—Further amount required Sergeant-at-Arms—Further amount required To provide for the transfer of G. Champagne, Doorkeeper of the Prime Minister's Office, Department of External Affairs, to the staff of the Sergeant-at-Arms, House of Commons, as a Confidential Messenger to the Leader of the Opposition, from the 23rd October, 1935, at \$1,440 with annual increases of \$60 on October 1st of each year to a maximum salary of \$1,620	\$ ets. 33,343 62 5,507 17 9,250 00 603 10	\$ cts.
285	RAILWAYS AND CANALS (Chargeable to Capital) Welland Ship Canal—To provide for a grant, upon the authority of the Governor in Council, to P. Lyall and Sons Construc- tion Company, Limited, in Liquidation, in full settlement of all claims against His Majesty relating to the payment of wages to persons employed in the execution of the work covered by Contract No. 24660, dated June 27th, 1922, entered into between P. Lyall and Sons Construction Com- pany, Limited, and His Majesty for the completion of the construction of Sections Nos. 3 and 4 of the Welland Ship Canal, including Locks Nos. 4, 5, 6 and 7 and Guard Gate		48,703 89 173,521 24
286	RAILWAYS AND CANALS DEFICIT OF CANADIAN NATIONAL RAILWAYS Amount required to provide for payment to the Canadian National Railway Company of the net income deficit including profit and loss, incurred by the system during the year 1935 as certified to by the Auditors in the annual report of the Company for the year 1935, but exclusive of all non- cash items, including interest on Dominion Government advances, as further certified to by the Auditors and approved by the Minister of Railways and Canals; this payment to be applied in reduction of accountable advances made to the Company from the Consolidated Revenue Fund under authority of the Canadian National Railways Financing Act, 1935: Canadian National Railways, excluding Eastern Lines. Eastern Lines, excluding Prince Edward Island Car Ferry and Terminals. Prince Edward Island Car Ferry and Terminals.	41,795,757 24	47,421,464 80



SCHEDULE—Continued

· Y Mark			
No. of Vote	Service	Amount	Total
		\$ cts.	\$ cts.
	PUBLIC WORKS		
	(Chargeable to Income)		
	Public Buildings		
	RENTS, REPAIRS, FURNITURE, HEATING, ETC.		
287	Ottawa Public Buildings and Grounds—Telephone Service— Further amount required		2,000 00
	OCEAN AND RIVER SERVICE		
288	Miscellaneous and unforeseen—Further amount required		13,500 00
	PUBLIC WORKS		
	(Chargeable to Capital)		
	MARINE DEPARTMENT		
289 290	River St. Lawrence Ship Channel Dredging— (a) To provide for contract dredging—Further amount required To provide for the maintenance and repair of retaining dams in the St. Lawrence River—Further amount required	511,401 76	
	LABOUR		572,761 76
291 292 293	Annuities Act—Further amount required Administration, Employment Offices Co-ordination Act— Further amount required Industrial Disputes Investigation Act—Further amount required	40,000 00 300 00 1,600 00	41,000,00
	PUBLIC PRINTING AND STATIONERY		41,900 00
294	Codifying, printing and binding 1,000 copies of the Revised edition of the Criminal Code 1927, French		3,915 13
	PENSIONS AND NATIONAL HEALTH		
	HEALTH BRANCH		
295	Marine Hospitals, including burial expenses of destitute deceased mariners and grants to institutions assisting sailors— Further amount required.		20,000 00
	EXTERNAL AFFAIRS		20,000 00
296	Geneva—Salaries and expenses of the Office of the Canadian Advisory Officer—Further amount required		2,200 00
	MISCELLANEOUS		
297	Loan to the Harbour Commissioners of Montreal with interest at a rate to be fixed by the Governor in Council, for such period and upon such terms and conditions as the Governor in Council may determine, and to be applied in payment of deficits resulting from the operations of the Jacques Cartier		
298	Bridge—Further amount required. Amount required to provide for grant to be made to the Prov- ince of British Columbia	52,000 00	



SCHEDULE—Concluded

No. of Vote	Service	Amount	Total
	MISCELLANEOUS—Concluded	\$ cts.	\$ cts.
299		1.18.18	
299	To provide for the expenses in connection with the departure of the Governor General, and the reception and installation of		
-	his successor, including allowance for extra work and over- time—Further amount required	3.066 76	
300	To provide for the expenses in connection with the death of His Late Majesty, King George the Fifth	4,195 53	
301	Loan to Three Rivers Harbour Commissioners with interest at a rate to be fixed by the Governor in Council for such period and upon such terms and conditions as the Governor in Council may determine, and to be applied in liquidation of bank loans obtained by the said Commissioners for capital	4,190 00	
302	expenditures. Loans to Halifax Harbour Commissioners with interest at a rate to be fixed by the Governor in Council for such periods and upon such terms and conditions as the Governor in Council may determine, and to be applied in liquidation of bank loans obtained by the said Commissioners for capital	444,000 00	
303	expenditures. Amount required for payment to Halifax Harbour Commis- sioners to be applied in liquidation of bank loans obtained by the said Commissioners in respect of operations in the	455,000 00	
	calendar years 1928 to 1935, inclusive, including interest on said loans	580,000 00	and the second
304	Amount required for payment to Quebec Harbour Commis- sioners to be applied in liquidation of bank loans obtained by the said Commissioners in respect of operations in the	000,000 00	
305	calendar years 1934 and 1935, including interest on said loans Amount required for payment to Chicoutimi Harbour Commis- sioners to be applied in liquidation of bank loans outstanding	515,000 00	
	at December 31, 1935, together with interest thereon, and to provide for payment of certain overdue accounts	44,000 00	2,847,262 29
	RAILWAYS AND CANALS	Parallel I	
	(Chargeable to Collection of Revenue)		
306	Hudson Bay Railway—Additional amount in excess of the sum of \$226,000 already appropriated, required to provide for difference between expenditures for operation and mainten-		
	ance and the revenues accruing from operation during the year ending March 31, 1936	and the state of the	20,000 00
	Total		51, 167, 229 11

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First Session, Eighteenth Parliament, 1 Edward VIII, 1936

THE HOUSE OF COMMONS OF CANADA.

BILL 53.

An Act to amend the Canada Shipping Act, 1934.

First reading, April 22, 1936.

The MINISTER OF MARINE.

OTTAWA J. O. PATENAUDE, I.S.O. PRINTER TO THE KING'S MOST EXCELLENT MAJESTY 1936

16359

0

1st Session, 18th Parliament, 1 Edward VIII, 1936

THE HOUSE OF COMMONS OF CANADA.

BILL 53.

An Act to amend the Canada Shipping Act, 1934.

1934, c. 44.

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

1. Paragraph fifty-five of section two of the Canada

Shipping Act, 1934, chapter forty-four of the statutes of

1934, is repealed and the following substituted therefor:-"(55) "Minor waters of Canada" means all inland

waters of Canada other than Lakes Ontario, Erie, Huron

(including Georgian Bay), Superior and Winnipeg, and includes all bays, inlets and harbours of or on the said 10 lakes and said Georgian Bay, and such sheltered waters on the sea coasts of Canada as the Minister may specify."

2. Subparagraph eleven of section fifty-nine of the said

Definitions.

"Minor waters of Canada".

Rules as to certificates of sale.

Grades of

competency.

Act is repealed and the following substituted therefor:-"(xi) If, on a sale being made to a person not 15 qualified to be the owner of a British ship, default is made in the production of such certificates as are mentioned in the last rule, that person shall be considered not to have acquired any title to or interest in the ship; and further, the person upon whose 20 application the certificate of sale was granted, and the person exercising the power, shall each be liable to a fine not exceeding five hundred dollars;"

3. Subsection four of section one hundred and fifteen of the said Act is repealed and the following substituted 25 therefor:-

"(4) In the other grades certificates may be granted for certificates the following classes:—

(a) Steamship; (b) Cargo steamship; (c) Tug;

30

5

EXPLANATORY NOTES.

1. The object of this amendment is to give power to the Minister to include under the expression "Minor waters of Canada" as defined in the Canada Shipping Act, 1934, such waters on the coasts of Canada as he may consider comparable with the minor waters described in the said Act. This will allow the masters of ships working in such waters to be men holding certificates for minor waters and in some cases temporary certificates. The only change in the paragraph is the addition of the words underlined.

2. The object of this amendment is to correct a typographical error by inserting the word "acquired" (underlined) in place of the word "required".

3. The object of this amendment is to allow the issue of a certificate as master to a person found qualified to take charge of a ferry. The only change in this subsection is the addition of the underlined paragraph (f).

(d) Sailing ship;

(e) Fore-and-aft rigged sailing ship;

(f) Steamship licensed as a ferry.'

4. The first seven lines of section one hundred and eighteen of the said Act are repealed and the following are 5 substituted therefor:—

"118. Every British subject who—

(1) served as a master or mate of a foreign-going or home trade sailing ship of over seventy-five tons, gross tonnage, before the first day of January, one thousand 10 nine hundred and thirty-six, for a full period of twelve months within ten years immediately preceding the date of his application for a certificate of service;"

5. The said Act is further amended by inserting after section one hundred and eighteen the following section:— 15 "118A. Every British subject who—

(a) served as a master of a home-trade sailing ship of over seventy-five tons, gross tonnage, or steamship of over ten tons, gross tonnage, or served as a master of an inland waters or minor waters sailing ship of 20 over twenty tons, gross tonnage, or steamship of over ten tons, gross tonnage, before the first day of January, one thousand nine hundred and thirty-six, for a full period of twelve months within the ten years immediately preceding the date of his application for a 25 certificate of service;

(b) produces satisfactory evidence of his sobriety, experience, ability and general good conduct on board ship; and

(c) passes the prescribed examination; 30 shall be entitled, on payment of the prescribed fee, and according to the waters served in, to either a home-trade, inland waters or minor waters certificate of service as master of a steamship of over ten tons, gross tonnage, and not exceeding one hundred and fifty tons, gross tonnage, 35 and not carrying passengers. Such certificate shall not be valid on tugs."

6. Subsections one and two of section four hundred and twenty-three of the said Act are repealed and the following are substituted therefor:—

"423. (1) For the purposes of this part of this Act relating to load lines, ships of one hundred and fifty tons, gross tonnage, and upwards, which carry cargo or passengers between any place in Canada and any place not in Canada, or between any places not in Canada, which are not by 45 subsections two or three of this section exempted from the provisions of this Part of this Act relating to load lines,

Requirements for certificates of service as masters and mates.

Requirements for certificates of service as masters of certain nonpassenger steamships.

Load line ships. 4. The object of this amendment is to change the effective date from 1931 to 1936.

5. The object of this amendment is to allow a person who has actually acted as master in a certain type of ship to obtain a Certificate of Service as master allowing him to act as such in a non-passenger steamship of more than ten tons, gross tonnage, and not more than one hundred and fifty tons, gross tonnage, which is not a tug instead of requiring him to have a Certificate of Competency. This section is new.

6. The object of the amendment to subsection (1) is to eliminate an ambiguity and to clearly show that the provisions of the subsection apply to ships coming to Canada as well as those going from Canada. The present subsection reads as follows:—

"423.(1) For the purposes of this Part of this Act relating to load lines, ships of one hundred and fifty tons, gross tonnage and upwards, which carry cargo or passengers from any place in Canada to any place not in Canada, or between any places not in Canada, which are not by subsections two or three of this section exempted from the shall hereafter be referred to as Load Line Ships, and Load Line Ships belonging to countries to which the Load Line Convention applies shall hereafter be referred to as Load Line Convention Ships.

(2) The provisions of this Part of this Act relating to 5 load lines shall not apply to ships engaged solely in fishing or subject to the provisions of section four hundred and twenty-three A of this Act to ships making voyages between Canada and the United States of America on any lakes or rivers. 10

7. The said Act is further amended by inserting after section four hundred and twenty-three a new section as section four hundred and twenty-three A, as follows:—

423A. (1) Subject to the provisions of this section the provisions of sections four hundred and twenty-three to 15 four hundred and forty-three, both inclusive, of this Act, in so far as they are applicable, shall have effect in respect of ships of one hundred and fifty tons, gross tonnage, and upwards, which carry cargo or passengers on voyages from any place in Canada to any other place in Canada or 20 between Canada and the United States of America on any lakes or rivers: Provided that the provisions of subsections one and two of section four hundred and twenty-five of this Act shall apply to a ship constructed after the thirtieth day of June nineteen hundred and thirty-six and a ship 25 constructed before the first day of July nineteen hundred and thirty-six, respectively; and provided that the Governor in Council may on such conditions as he thinks fit exempt from the provisions of this section ships plying on such voyages if he is satisfied that the sheltered nature 30 and conditions of the voyages make it unreasonable or impracticable to apply the provisions of this section to ships so plving.

(2) The Governor in Council may, in respect of ships employed in making such voyages on lakes or rivers, by 35 regulation.—

(a) make applicable to such ships in lieu of the load line rules such rules as in his opinion may be safe having due regard to all the circumstances;

(b) make special provision for ships not registered in 40 Canada and which are not marked with load lines.

(3) For the purposes of this section the expressions, "salt water" and "proceed to sea", shall, in respect of ships employed solely in making voyages on lakes or rivers, have the following meanings:— 45

Application of load line provisions.

Proviso.

Proviso.

Regulations

Definitions.

"salt water".

(a) "salt water" where used in this Part of this Act shall mean the water in which the ship is actually floating. provisions of this Part of this Act relating to load lines, shall hereafter be referred to as Load Line Ships, and Load Line Ships belonging to countries to which the Load Line Convention applies shall hereafter be referred to as Load Line Convention Ships."

The object of the amendment to subsection (2) is consequential to the addition of section four hundred and twentythree A. The present subsection (2) reads as follows:—

"(2) The provisions of this Part of this Act relating to load lines shall not apply to ships engaged solely in fishing, or to ships making voyages between Canada and the United States of America on any lakes or rivers."

7. The object of this amendment is to make load line provisions applicable to ships making voyages between places in Canada or making international voyages between Canada and the United States of America on any lakes or rivers. This section is new. "proceed to sea".

Local load line certificate to be issued.

Certain ships exempted.

If propelled by steam power.

If not propelled by steam power. (b) "proceed to sea" where used in this Part of this Act, shall mean proceeding from one place to another place.

(4) A local load line certificate in lieu of a Load Line Convention certificate provided for in subsection one of 5 section four hundred and twenty-eight of this Act shall be issued for the purposes of ships coming within the provisions of this section. Such local load line certificates shall be issued under like conditions as Load Line Convention certificates are issued.

8. Subsections one and two of section four hundred and seventy-six of the said Act are repealed and the following are substituted therefor:—

476. (1) Subject to the provisions of subsection two of this section steamships in excess of five tons, gross 15 tonnage, and not in excess of one hundred and fifty tons, gross tonnage, which are not passenger steamships, shall be exempt from the provisions of this Part of this Act relating to annual inspection, and in lieu thereof shall be inspected every fourth year: Provided that such steamships, if propelled by steam, shall, in addition to such inspection every fourth year, be subject to inspection of their boilers and life saving equipment annually in like manner and as if they were steamships in excess of one hundred and fifty tons gross tonnage. 25

(2) Steamships not in excess of fifteen tons, gross tonnage, which are not passenger steamships, shall be exempt from inspection, except that such steamships, if propelled by steam, shall be subject to inspection of their boilers and life saving equipment as provided for in subsection one of this 30 section.

9. Subsection four of section four hundred and seventysix of the said Act is repealed and the following substituted therefor:—

"(4) In respect of steamships not propelled by steam 35 the provisions of this section shall not have effect, in the case of steamships in excess of forty tons, gross tonnage, until two years after the date of the coming into force of this Part of this Act, in the case of steamships in excess of twenty-five and not in excess of forty tons, gross tonnage, 40 until three years after such date, and, in the case of steamships not in excess of twenty-five tons, gross tonnage, until four years after such date." **S.** The object of this amendment is to eliminate an ambiguity existing in the present subsections (1) and (2) and making it clear that certain steamships of over five tons, gross tonnage, propelled by steam shall require certain inspections. Subsection (2) is new. The present subsections (1) and (2) read as follows:—

"476. (1) Steamships not in excess of one hundred and fifty tons gross tonnage, which are not passenger steamships and are not propelled by steam shall be exempt from the provisions of this Part of this Act relating to annual inspection, and in lieu thereof shall be inspected every fourth year.

(2) Such steamships, if propelled by steam, shall, in addition to such inspection every fourth year, be subject to inspection of their boilers and life saving equipment annually in like manner and as if they were steamships in excess of one hundred and fifty tons gross tonnage."

9. The object of this amendment is to provide a workable date for carrying out the provisions of this section. The present subsection reads as follows:—

"(4) In respect of steamships not propelled by steam the provisions of this section shall have effect as to ships constructed on or before the first day of June, 1926, not later that the first day of June, 1935, and as to ships constructed after the first day of June, 1926, not later than the first day of June, 1936."

10. Subsection one of section seven hundred and ten of the said Act is repealed and the following is substituted therefor:-

Duties of courts, etc., re British ships not registered in Canada.

"710. (1) Where by any enactment, before or after the coming into force of this Act, the Parliament of any 5 part of His Majesty's dominions other than Canada shall have provided or shall provide, in terms which extend to ships registered in that part whilst they are in Canada or before or after they have been in Canada, or whilst they are at sea, with relation to any matter touching or con-10 cerning such ships, their owners, masters or crews, or any thereof, that any Court, officer of a ship belonging to His Majesty, registrar of British ships, officer of Customs. shipping master or other officer or functionary in or of Canada may or shall execute any request, exercise any 15 right or authority or perform any duty or act with relation to such ships, their owners, masters or crews, or any thereof, such Court, officer of a ship belonging to His Majesty, registrar of British ships, officer of Customs, shipping master or other officer or functionary in or of Canada may 20 and shall so execute, have such right or authority and so perform as if such enactment were by this act enacted."

Repeal.

11. The Thirteenth Schedule of the said Act is amended by adding thereto the following:-

"R.S. c. 195	Radiotelegraph Act	Section 4 (b) (e) (g) and (l)
		Sections 6, 7, 9 (2) and 11
		in so far as they concern the establishing, installing or working of radiotelegraph equipment in ship stations"

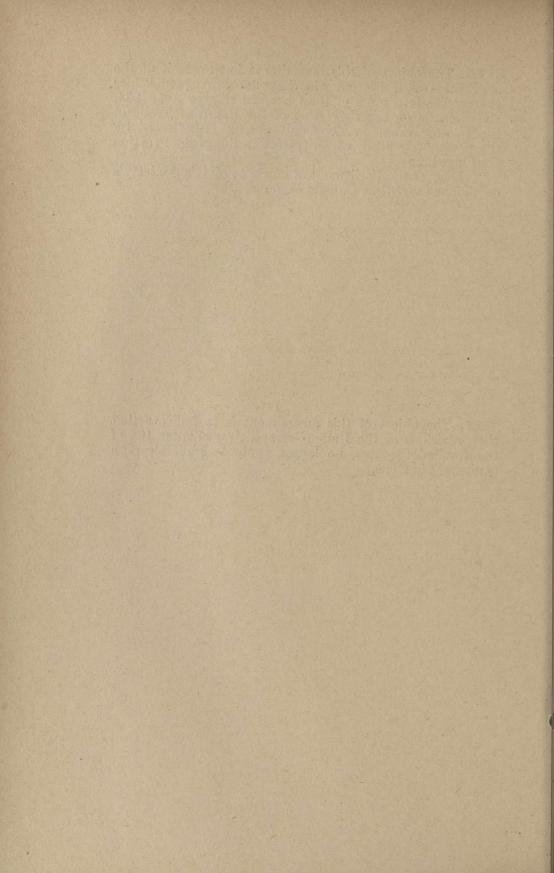
Coming into force.

12. This Act, except section seven thereof, shall come 25 into force on a date to be fixed by proclamation of the Governor in Council published in the Canada Gazette, and the said section seven shall not come into force until a date to be fixed by proclamation of the Governor in Council published in the Canada Gazette. 30

10. The object of this amendment is to permit of the application of legislation where applicable enacted before the coming into force of the Canada Shipping Act, 1934, and is made on the suggestion of the Board of Trade of the United Kingdom. The only change is indicated by the words underlined, which replace in the present section the following:—

"Whenever the Parliament of any part of His Majesty's dominions other than Canada shall enact"

11. The object of this amendment is to indicate that the provisions of the Radiotelegraph Act, chapter 195 of the Revised Statutes, no longer apply to radiotelegraph equipment in ships.



First Session, Eighteenth Parliament, 1 Edward VIII, 1936

54.

THE HOUSE OF COMMONS OF CANADA.

BILL 54.

An Act to authorize an agreement between <u>His Majesty the</u> King and the Corporation of the City of Ottawa.

AS PASSED BY THE HOUSE OF COMMONS, 23rd APRIL, 1936.

15883

1st Session, 18th Parliament, 1 Edward VIII, 1936

THE HOUSE OF COMMONS OF CANADA

BILL 54.

An Act to authorize an agreement between His Majesty the King and the Corporation of the City of Ottawa.

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

Agreement with City of Ottawa extended for one year.

1920, c. 15;

1934, c. 7; 1935, c. 7.

1924, c. 59; 1925, c. 21; 1931, c. 43; 1932, c. 11; 1932-33, c. 17;

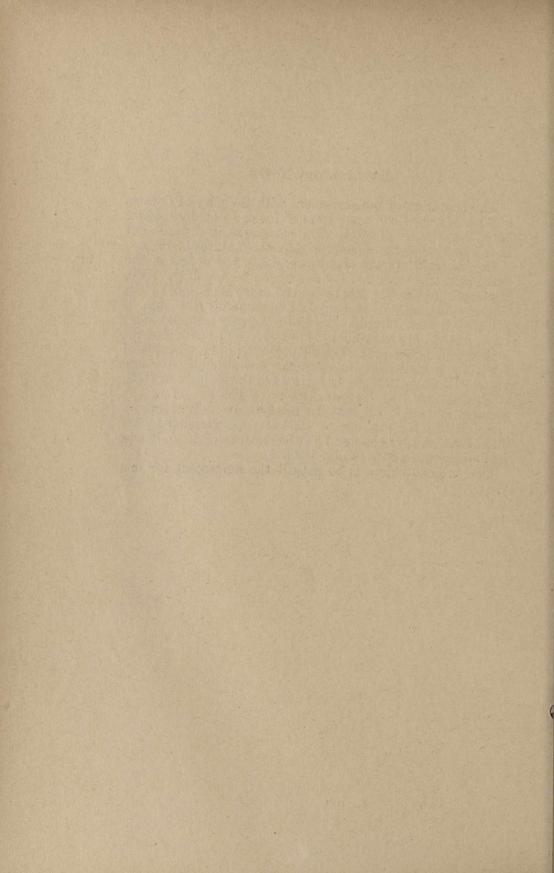
> 1. The Minister of Public Works may on behalf of His Majesty the King enter into an agreement with the Corporation of the City of Ottawa hereinafter called "the Corporation", extending for a period of one year from the first day of July 1935, the provisions of the existing agreement between His Majesty the King and the Corporation, dated the thirtieth day of March, 1920, which last mentioned 10 agreement as amended was extended to the first day of July, 1935, under the authority of chapter seven of the statutes of 1935.

EXPLANATORY NOTES

The operation of the agreement with the City of Ottawa of 30th March, 1920, was extended for one year by chapter 59 of the statutes of 1924. The agreement itself is set out in full as a schedule to chapter 15 of the statutes of 1920.

In chapter 21 of the statutes of 1925, the period of the agreement was extended for five years, to 1st July, 1930, and the Minister was empowered to agree on behalf of His Majesty to pay to the Corporation annually the sum of \$100,000 during the said period of five years from 1st July, 1925, instead of the annual sum of \$75,000 as provided for in the said agreement. By chapter 43 of the statutes of 1931, the period of the agreement was extended for one year to 1st July, 1931; by chapter 11 of the statutes of 1932, it was extended to 1st July, 1932; by chapter 17 of the statutes of 1932-33, it was extended to 1st July, 1933, by chapter 7 of the statutes of 1934 it was extended to 1st July, 1934, and by chapter 7 of the statutes of 1935, it was further extended to 1st July, 1935.

The present object is to extend the agreement for one year.



55.

THE HOUSE OF COMMONS OF CANADA.

BILL 55.

An Act to amend The Copyright Amendment Act, 1931.

First reading, April 23, 1936.

The SECRETARY OF STATE.

OTTAWA J. O. PATENAUDE, I.S.O. PRINTER TO THE KING'S MOST EXCELLENT MAJESTY 1936

15797

1st Session, 18th Parliament, 1 Edward VIII, 1936

THE HOUSE OF COMMONS OF CANADA.

BILL 55.

An Act to amend The Copyright Amendment Act, 1931.

R.S., c. 32. 1931, c. 8; 1935, c. 18. HIS Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

1. Section six of *The Copyright Amendment Act*, 1931, chapter eight of the statutes of 1931, is hereby repealed 5 and the following section substituted therefor:—

Infringement of copyright. "6. Subsection one of section substituted therefor:— "6. Subsection one of section seventeen of the *Copyright Act*, chapter thirty-two of the Revised Statutes of Canada, 1927, is hereby amended by adding thereto the following subparagraphs:—

"(vii) The performance of any musical work by any church, college or school, or by any religious, charitable or fraternal organization, provided such performance is given without private profit for religious, educational or charitable purposes; provided, further, that such performance shall be deemed to be given without private profit if the only fees which are paid are paid to individual performers and that no fees or commissions are paid to any promoter, producer or contractor for services in promoting or producing the performance. 20

10

(viii) The performance without private profit of any musical work at any agricultural exhibition or fair which is held under Dominion, Provincial or Municipal authority, provided that such performance shall be deemed to be given without private profit if the only fees which 25 are paid are paid to individual performers and that no fees or commissions are paid to any promoter, producer or contractor for services in promoting or producing the performance."

Performance without private profit.

At agricultural exhibitions or fairs.

EXPLANATORY NOTES.

1. This re-enacts section 6 of The Copyright Amendment Act, 1931, but provides that a performance for the purposes stated may be described as "without private profit" if the only fees paid are paid to individual performers. The only change is the addition of the provisions underlined on the opposite page. 2. Section ten of the said Act, as amended by section one of chapter eighteen of the statutes of 1935, is hereby repealed and the following sections are substituted therefor:—

Performing rights.

"10. (1) Each society, association or company which 5 carries on in Canada the business of acquiring copyrights or dramatico-musical or musical works or of performing rights therein, and which deals with or in the issue or grant of licences for the performance in Canada of dramaticomusical or musical works in which copyright subsists, shall, 10 from time to time, file with the Minister at the Copyright Office lists of all dramatico-musical and musical works, in respect of which such society, association or company claims authority to issue or grant performing licences or to collect fees, charges or royalties for or in respect of the 15 performance of such works in Canada.

(2) Each such society, association or company shall, on or before the first day of November, one thousand nine hundred and thirty-six, and, thereafter, on or before the first day of November in each and every year, file, with the 20 Minister at the Copyright Office statements of all fees, charges or royalties which such society, association or company proposes during the next ensuing calendar year to collect in compensation for the issue or grant of licences for or in respect of the performance of such works in Canada. 25

(3) If any such society, association or company shall refuse or neglect to file with the Minister at the Copyright Office the statement or statements prescribed by the last preceding subsection hereof, no action or other proceeding to enforce any civil or summary remedy for infringement 30 of the performing right in any dramatico-musical or musical work claimed by any such association, society or company shall be commenced or continued, unless the consent of the Minister is given in writing.

Statements to be published.

Objections to be lodged with the Minister.

Statements to be referred to the Board. "10A. (1) As soon as practicable after the receipt of the 35 statements prescribed by subsection two of the last preceding section, the Minister shall publish them in the *Canada Gazette* and shall notify that any person having any objection to the proposals contained in the statements must lodge particulars in writing of his objection with the Minister 45 at the Copyright Office on or before a day to be fixed in the notice, not being earlier than twenty-one days after the date of publication in the *Canada Gazette* of such notice. (2) As soon as practicable after the date fixed in said notice as aforesaid the Minister shall refer the statements 50 and any objection received in response to the notice to a Board to be known as the "Copyright Appeal Board".

Tariffs of fees, charges or royalties to be filed annually.

No action or proceeding to be commenced or continued if noncompliance. 2. This repeals section 10 of The Copyright Amendment Act, 1931, as amended by chapter eighteen of the statutes of 1935. The repealed section, with amendments of 1935, is as follows:—

"10. (1) Each association, society or company which carries on in Canada the business of acquiring copyrights of dramatico-musical or musical works or of performing rights therein, and which deals with or in the issue or grant of licences for the performance in Canada of dramatico-musical or musical works in which copyright subsists, shall, from time to time, file with the Minister at the Copyright Office:-

- (a) Lists of all dramatico-musical and musical works, in respect of which such association, society or company claims authority to issue or grant performing licences or to collect fees, charges or royalties for or in respect of the performance of such works in Canada; and
- (b) Statements of all fees, charges or royalties which such society, association or company proposes from time to time or at any time to collect in compensation for the issue or grant of licences for or in respect of the performance of such works in Canada.

(2) Whenever in the opinion of the Minister, after an investigation and report by a Commissioner appointed under the Inquiries Act, any such society, association, or company which exercises in Canada a substantial control of the performing rights in dramatico-musical works in which copyright subsasts, unduly withholds the issue or grant of licences for or in respect of the performance of such works in Canada, or proposes to collect excessive fees, charges or royalties in compensation for the issue or grant of such licences, or otherwise conducts its operations in Canada in a manner which is deemed detrimental to the interests of the public, then and in any such case the Governor in Council on the recommendation of the Minister is authorized from time to time to revise, or otherwise prescribe the fees, charges or royalties which any such society, association or company may landfully sue for or collect in respect of the issue or grant by it of licences for the performance of all or of any such works in Canada.

(3) No such society, association or company shall be entitled to sue for or to collect any fees, charges or royalties for or in respect of licences for the performance of all or of any such works in Canada which are not specified in the lists from time to time filed by it at the Copyright Office as herein provided, nor to sue for or collect any fees, charges or royalties in excess of those specified in the statements so filed by it, nor of those revised or otherwise prescribed by Order of the Governor in Council.
(4) No action or other proceeding to enforce any civil or summary remedy for infringement of the performing right in any dramatico-musical or musical work of the statement of the performing right in any dramatico or musical or musical work of the performing right in any dramatico or musical or musical work of the statement of the performing right in any dramatico or musical or musical or the performance of the performing right in the statement of the performing right in any dramatico or musical performance of the performing right in any dramatico or performing right in any dram

(4) No action or other proceeding to enforce any civil or summary remedy for infringement of the performing right in any dramatico-musical or musical work claimed by any association, society or company referred to in subsection one of this section, shall be commenced or continued, and no judgment or sentence shall be rendered in any court against any person who has tendered or paid the fees, charges or royalties which are specified, revised or otherwise prescribed pursuant to the provisions of this section.

(5) Unless the consent of the Secretary of State of Canada is given in writing, no action or other proceeding to enforce any civil or summary remedy for infringement of the performing right in any dramatico-musical or musical work claimed by any association, society or company referred to in subsection one of this section, shall be commenced or continued, and no judgment or sentence shall be rendered in any court after notice has been published in the Canada Gazette that a Commissioner has been appointed under the Inquiries Act to make an investigation and report as provided in subsection two of this section. Provided, however, that the stay of proceedings herein provided shall not be effective for more than six months, unless the Secretary of State in writing extends the time."

"10. (1) This re-enacts 10 (1) (a) of The Copyright Amendment Act, 1931.

10. (2) This subsection is designed to require that tariffs of proposed fees shall be filed annually.

10. (3) This subsection is intended to ensure compliance with the requirement of filing of tariffs, by prohibiting legal proceedings by a society which has refused or neglected to file its tariffs.

"10A. This section provides for reference, by the Minister, of the tariffs filed, to the Copyright Appeal Board. Board constituted.

Chairman and members.

Travelling and living expenses.

Rules and provisions.

Aid in advisory capacity.

Board to consider statements and objections.

Board may make alterations.

Fees, charges and royalties which may be collected. "10B. (1) The Copyright Appeal Board shall consist of three members, who shall be appointed by the Governor in Council.

(2) One of the members of the Copyright Appeal Board shall be a person who holds or has held high judical office 5 and he shall be the Chairman of the Board. The other two members of the Board shall be selected from officers of the public service of Canada.

(3) No fees or emoluments of any kind shall be payable to, or received by, any member of the Board in connection 10 with services rendered as such member, but the said members shall be paid actual travelling and living expenses necessarily incurred in connection with the business of the Board.

(4) Subject to the provisions of this Act, the Copyright 15 Appeal Board may make rules and provisions respecting

- (a) the sittings of the Board;
- (b) the manner of dealing with matters and business before the Board; and
- (c) generally, the carrying on of the work of the Board 20 and the management of its internal affairs.

(5) The Copyright Appeal Board may call to its aid in an advisory capacity the services of any person having technical or special knowledge of the matters in question before it and may pay such person such fees or other remu- 25 neration and actual travelling and living expenses as may be approved by the Minister.

(6) As soon as practicable after the Minister shall have referred to the Copyright Appeal Board the statements of proposed fees, charges or royalties as herein provided 30 and the objections, if any, received in respect thereto, the Board shall proceed to consider the statements and the objections, if any, and may itself, notwithstanding that no objection has been lodged, take notice of any matter which in its opinion is one for objection. The Board shall, in 35 respect of every objection, advise the society, association or company concerned of the nature of the objection and shall afford it an opportunity of replying thereto.

(7) Upon the conclusion of its consideration, the Copyright Appeal Board shall make such alterations in the 40 statements as it may think fit and shall transmit the statements thus altered or revised or unchanged to the Minister certified as the approved statements. The Minister shall thereupon as soon as practicable after the receipt of such statements so certified publish them in the *Canada Gazette* 45 and furnish the society, association or company concerned with a copy of them.

(8) The statements of fees, charges or royalties so certified as approved by the Copyright Appeal Board shall be the fees, charges or royalties which the society, associa- 50 tion or company concerned may respectively lawfully sue for or collect in respect of the issue or grant by it of licences "10B. Subsections one to six of section 10B give authority for the creation of the Copyright Appeal Board, the appointment of its members and the regulation of its business.

Subsections seven, eight and nine provide that the tariffs certified by the Board shall be the approved tariffs for the ensuing calendar year and that the society, association or company which filed them cannot recover in excess of the approved tariff or against those who have tendered the fees according to the approved tariff. for the performance of all or any of its works in Canada during the ensuing calendar year in respect of which the statements were filed as aforesaid.

(9) No such society, association or company shall have any right of action or any right to enforce any civil or 5 summary remedy for infringement of the performing right in any dramatico-musical or musical work claimed by any such society, association or company against any person who has tendered or paid to such society, association or company the fees, charges or royalties which have been 10 approved as aforesaid.

'10c. (1) The Governor in Council on the recommendation of the Minister is authorized to prescribe the fees. charges or rovalties which any such society, association or company may lawfully sue for or collect in respect of the 15 issue or grant by it of licences for the performance of all or any of such works in Canada until the first day of January, one thousand nine hundred and thirty-seven. The Governor in Council may also direct and specify the date from which such fees, charges or royalties shall be deemed 20 to have been so prescribed: Provided that the date so directed and specified shall not be earlier than the date upon which, as appears from the Statements which have been heretofore filed with the Minister at the Copyright Office, such society, association or company proposed to 25 collect the fees, charges or royalties which shall be superseded by the fees, charges or royalties prescribed by the Governor in Council: Provided further that the Governor in Council may exercise the power hereby conferred by more than one Order bearing the same or different dates 30 and prescribing the fees, charges or royalties in respect of different classes of performance, and that any Order or Orders made as aforesaid by the Governor in Council shall be published as soon as practicable in the Canada Gazette.

(2) No action or other proceeding to enforce any civil or 35 summary remedy for infringement of the performing right in any dramatico-musical or musical work claimed by any such society, association or company shall be commenced or continued, and no judgment or sentence shall be rendered in any court against any person who shall have tendered or 40 who shall have paid to such society, association or company fees, charges or royalties prescribed by the Governor in Council as aforesaid: Provided that any stay of proceedings or extension of stay of proceedings lawfully prescribed by the Minister before the coming into force of the amending 45 Act of 1936 shall continue to be effective until the Governor in Council has prescribed the fees, charges or royalties as aforesaid."

Right of of action barred if approved fees, charges or royalties have been tendered or paid.

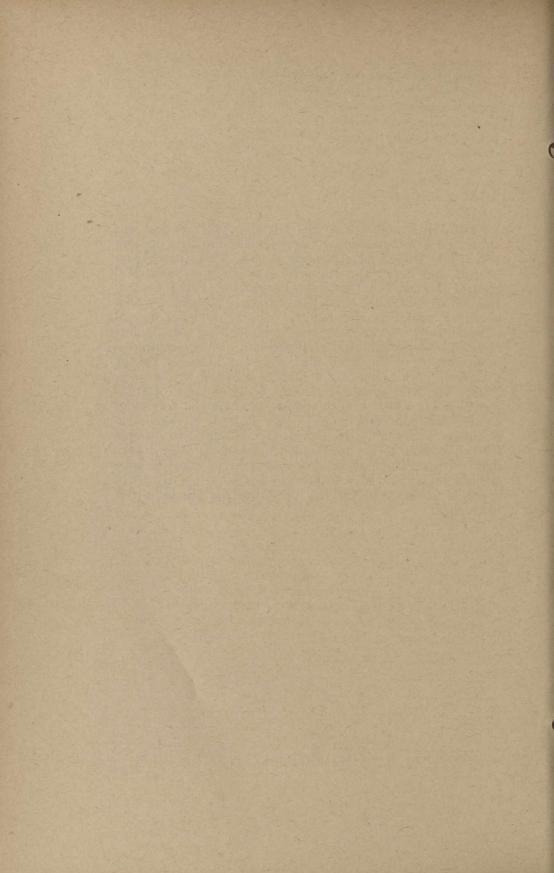
Governor in Council may prescribe the fees, etc.

Proviso.

Proviso.

Right of action barred when fees paid or tendered.

"10c. In March, 1935, His Honour Judge Parker was appointed a Commissioner under subsection 2 of section 10 of The Copyright Amendment Act, 1931 (hereby repealed) and under the Inquiries Act, to investigate and report whether the Canadian Performing Right Society Limited or any other societ, association or company proposed to collect excessive fees. The Commissioner submitted a report which, inter alia, recommended the appointment of a Copyright Appeal Board and also recommended modifications of the tariff filed with the Minister by the Canadian Performing Right Society Limited in January, 1935. The Act. chapter eighteen of the statutes of 1935. provided for a stay of proceedings pending the receipt of and action upon the Commissioner's Report. This section is designed to enable the Governor in Council to provide for the revision of the tariffs filed in January, 1935, in the light of the recommendations contained in the Commissioner's report and also to prevent the recovery of fees or damages in excess of the fees prescribed by the Governor in Council.



First Session, Eighteenth Parliament, 1 Edward VIII, 1936

THE HOUSE OF COMMONS OF CANADA.

BILL 56.

An Act to amend the Dairy Industry Act.

First reading, April 29, 1936.

THE MINISTER OF AGRICULTURE.

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OTTAWA J. O. PATENAUDE, I.S.O. PRINTER TO THE KING'S MOST EXCELLENT MAJESTY 1936

17166

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1st Session, 18th Parliament, 1 Edward VIII, 1936

THE HOUSE OF COMMONS OF CANADA.

BILL 56.

An Act to amend the Dairy Industry Act.

R.S., c. 45; 1928, c. 19; 1931, c. 31; 1934, c. 12.

Sale of butter.

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

1. Paragraph (a) of subsection three of section six of the Dairy Industry Act, chapter forty-five of the Revised 5 Statutes of Canada, 1927, is repealed and the following is substituted therefor:—

"(a) any butter moulded or cut into prints, blocks, squares or pats, unless such prints, blocks, squares or pats are of the full net weight of one-quarter pound, 10 one-half pound, one pound or multiples thereof, but nothing in this paragraph shall be held to apply to butter in rolls or lumps, of indiscriminate weight, <u>manufactured by individual farmers and sold by</u> them."

2. Section seven of the said Act is amended by adding thereto the following subsection:—

Cheese.

"(2) On and after the first of January 1937, no person shall manufacture, import into Canada, sell, offer or have in possession for sale, any package cheese unless such package 20 contains cheese of the full net weight of one-quarter pound, one half-pound, one pound or multiples thereof, but nothing in this subsection shall be held to apply to cheese of indiscriminate weight manufactured by individual farmers and sold by them." 25

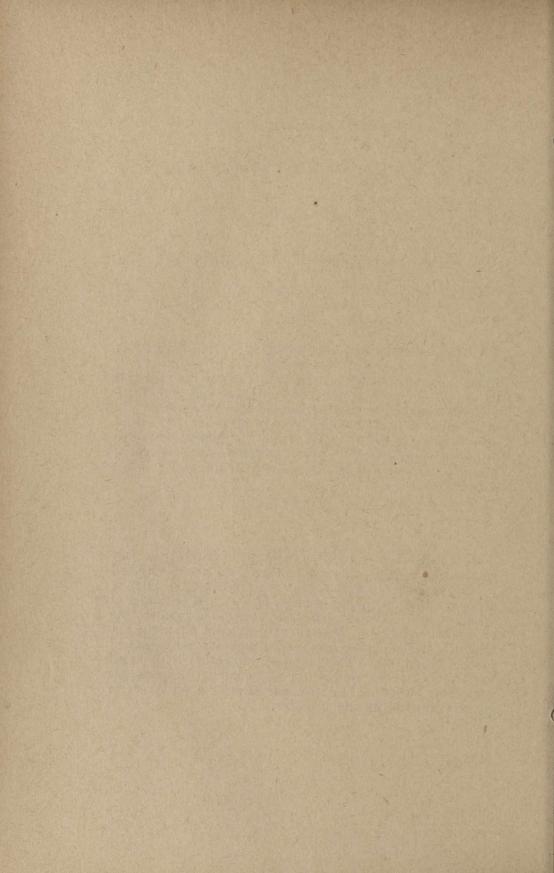
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EXPLANATORY NOTES.

1. This paragraph formerly read "..... one-quarter pound, one-half pound, one pound or two pounds....". In some parts of Canada three pound prints are sold and the proposed change is designed to legalize this practice.

In the proposed amendment quoted above the words "... manufactured by individual farmers and sold by them" have been substituted for the words "as sold by farmers" in the paragraph which is being repealed. The change in wording clarifies the meaning of the paragraph and makes it more definite.

2. This is a new subsection designed to prevent the sale of package cheese in weights other than those specified in the proposed subsection. At the present time, there is great variation in the net weights of cheese in packages of various sizes. The packages bear notations or statements of the net weights of the contents but very often the net weight is slightly under one-quarter pound, one-half pound or one pound, etc. The proposed subsection is designed to standardize the weights of the contents of packages containing cheese as has been the case for many years in connection with the sale of butter.



First Session, Eighteenth Parliament, 1 Edward VIII, 1936

THE HOUSE OF COMMONS OF CANADA.

BILL 57.

An Act to amend the Criminal Code.

First reading, April 30, 1936.

Mr. CHURCH.

OTTAWA J. O. PATENAUDE, I.S.O. PRINTER TO THE KING'S MOST EXCELLENT MAJESTY 1936

17252

1st Session 18th Parliament, 1 Edward VIII, 1936

THE HOUSE OF COMMONS OF CANADA.

BILL 57.

An Act to amend the Criminal Code.

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

1. The Criminal Code, chapter thirty-six of the Revised Statutes of Canada, 1927, is amended by inserting after 5 section two hundred and eighty-three the following section:—

"283A. Every person who, driving an automobile or motor vehicle towards a level crossing over the tracks of any railway, does not bring it to a stop near such 10 crossing and then start it in low gear, before attempting to go over such level crossing, shall on summary conviction be liable to a fine of not less than twenty dollars and costs or to imprisonment for not less than thirty days.

Provided, this section shall not apply in the case of 15 tramway tracks, nor in the case of a level crossing while it is in charge of a signalman or when it is equipped with gates or signals automatically indicating the approach of a train."

2. The first five lines of subsection four of section two 20 hundred and eighty-five of the said Act, as enacted by section six of chapter eleven of the statutes of 1930, and as amended by section four of chapter fifty-six of the statutes of 1935, are repealed, and the following are substituted therefor:— 25

"(4) Everyone who, while under the influence of alcohol or of any narcotic, drives any motor vehicle or automobile shall be guilty of an offence, and shall be liable,"

R.S., c. 36; 1930, c. 11; 1931, c. 28; 1932, ce. 7, 8, 9, 28; 1932-33, ce. 25, 59; 1934, cc. 11, 47; 1935, cc. 36, 56.

Level crossing stop.

Tramways and protected stops.

Driving while under influence of alcohol or narcotic.

EXPLANATORY NOTES.

The awful toll of life on Canada's highways in deaths and injuries is increasing so rapidly that more practical legislation is being demanded in Canada.

1. The Motor Vehicles Act of the province of Quebec provides (1929, chapter 21, section 2) that motor vehicles should be brought to a stop near level crossings.

So many people are killed every year at level crossings that the obligation to stop before attempting to go over them should apply throughout Canada, and the purpose of this section is to make it an offence under the Criminal Code to neglect doing so.

It is also necessary to provide that this section shall not apply in the case of tramway tracks as the word "railway" is defined under the Railway Act (R.S., 1927, c. 170) to include "street railway and tramway".

2. Subsection four at present reads as follows:-

"(4) Every one who, while intoxicated or under the influence of any narcotic, drives any motor vehicle or automobile, or has the care or control of a motor vehicle or automobile, whether it is in motion or not, shall be guilty of an offence, and shall be liable,

- (a) upon indictment, for a first offence to imprisonment for a term not exceeding three months and not less than thirty days, and for each subsequent offence to any term not exceeding one year and not less than three months; or
- (b) upon summary conviction, for a first offence to a term of imprisonment not exceeding thirty days and not less than seven days, for a second offence to a term of imprisonment not exceeding three months and not less than one month, and for each subsequent offence to a term of imprisonment not exceeding one year and not less than three months.

and the provisions of section ten hundred and thirty-five, in so far as it authorizes the imposition of a fine in lieu of any punishment otherwise authorized, and of section ten hundred and eighty-one of this Act shall not apply in the case of a conviction for an offence under this subsection." **3.** Section two hundred and eighty-five of the said Act, as amended by section six of chapter eleven of the statutes of 1930, by section eight of chapter forty-seven of the statutes of 1934 and by section four of chapter fifty-six of the statutes of 1935, is further amended by adding 5 thereto the following subsections:—

"(6) Everyone is guilty of an indictable offence and

liable to one year's imprisonment or a fine of two hundred dollars, or to both fine and imprisonment, who drives any

Racing and cutting in.

automobile or motor vehicle upon a street, road, highway 10 or any other public place in a race, whether prearranged or not, or for a bet or wager, or incites another to a dangerous or furious speed by striving to pass him, or by endeavouring to cut in ahead of another car causes an accident or injury to any other car or person, or engages in racing 15 one car against another on the spur of the moment or drives or races wantonly or furiously or with reckless disregard of human life and safety, having regard to all the circumstances of the case. "(7) Any person who, by the operation or use of any 20

"(7) Any person who, by the operation or use of any 20 vehicle in a culpably negligent manner, but not wilfully or wantonly, occasions the death of another person, shall, upon conviction, be liable to imprisonment for a term not exceeding three months or to a fine of not more than one hundred dollars, or to both. The term "vehicle" shall be 25 held to include every conveyance in, on or about which persons or property may be transported upon or under the land, upon, under or through water or in or through the air.

In any prosecution under this subsection, whether or 30 not the defendant was driving in a culpably negligent manner shall be a question of fact for the jury, and shall not depend upon the rate of speed fixed by law for operating such vehicle.

"(8) Everyone is guilty of an indictable offence and 35 liable to six months' imprisonment and a fine not exceeding one hundred dollars who, having caused the death of any person while driving an automobile or motor vehicle, thereafter drives an automobile or motor vehicle at any time during the ensuing two years, whether such death 40 was caused entirely or partially by fault of such driver."

4. The said Act is further amended by inserting immediately after section nine hundred and twenty-two the following as section 922A:—

"922A. On the trial of any female person by a jury 45 under any provision of this Act, one-third of the jurors chosen to try the issue shall be female persons duly qualified on the same basis as male jurors."

death in a culpably negligent manner.

Causing

Person having caused death not to drive for two years.

Trial of female person. **3.** (6) Subsection six provides a penalty for racing or inciting another to a dangerous speed, whether an accident happens or not, for driving recklessly or furiously, and for causing an accident by cutting in.

(7) The purpose of subsection seven is to provide that if a person is responsible for the death of another on account of the operation of a vehicle in a culpably negligent manner such person, although not guilty of wilfully or wantonly driving, should be punished for this minor offence.

(8) This subsection is for the purpose of preventing a person who has caused the death of another while driving an automobile from driving during the ensuing two years.

4. It seems only fair that in the trial of any female person by a jury a certain proportion of the jurors should be female persons.

5. Subsection three of section nine hundred and fifty-one of the said Act, as enacted by section twenty-five of chapter eleven of the statutes of 1930, is repealed, and the following is substituted therefor:—

"(3) Upon the charge of manslaughter arising out of 5 the operation of a motor vehicle the jury may find the accused not guilty of manslaughter but guilty of criminal negligence under section two hundred and eighty-four, or guilty of culpable negligence under subsection seven of section two hundred and eighty-five, and such conviction 10 shall be a bar to further prosecution for any offence arising out of the same facts,"

6. The said Act is further amended by inserting immediately after section nine hundred and fifty-one the following as section 951A:—

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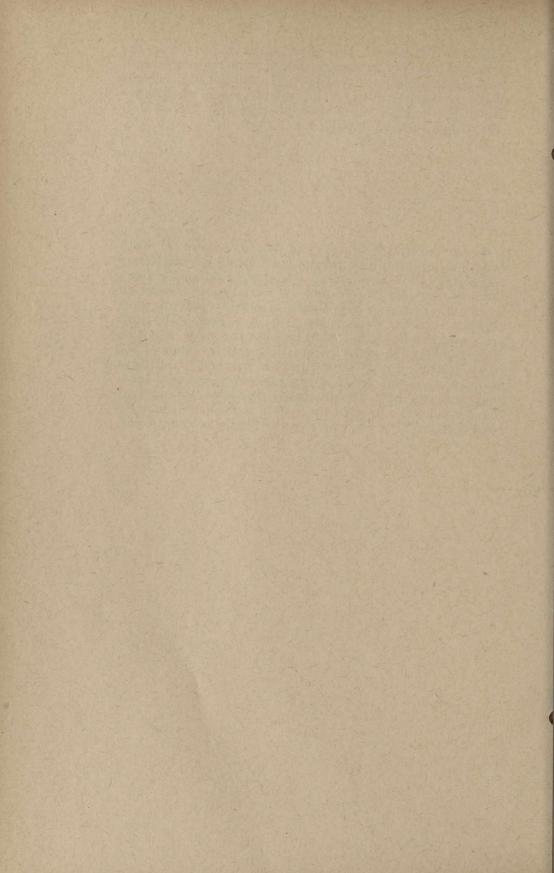
"951A. Notwithstanding any law, statute, usage, custom or doctrine of law as to the function of the judge or of the jury, on the trial by jury of any person for an accident causing death or injury to any one the judge shall, in every case where a true bill has been found, leave the case 20 to the jury to decide the question of fact as to whether the accused is guilty or not guilty on the evidence adduced."

arising out of operation of motor vehicle, criminal or culpable negligence proved.

Charge of manslaughter

Jury to decide whether guilty or not guilty. 5. The purpose of this amendment is to define the powers of the jury in cases of manslaughter arising out of the operation of motor vehicles. The only change consists of the words underlined on the opposite page, and is necessitated by the insertion of subsection seven in section 285. (See section three of this Bill.).

6. On the trial with a jury of persons who cause death or serious injury, after a regular committal by a magistrate and a true bill being so found, it is desirable that the functions of the jury should not be curtailed or abolished. There has been much criticism of many cases of gross negligence having been taken from the jury. The jury are required to take the law to be what the judge says it is, and, owing to the many cases withdrawn by order of the judge, trial by jury in those cases are negatived, and there are so many loopholes that many persons guilty of gross negligence get off. The increased accidents require that the law should be brought up to date to meet the changing conditions, while preserving also the liberty of the subject.



First Session, Eighteenth Parliament, 1 Edward VIII, 1936

THE HOUSE OF COMMONS OF CANADA.

BILL 58.

An Act for granting to His Majesty certain sums of money for the public service of the financial year ending the 31st March, 1937.

AS PASSED BY THE HOUSE OF COMMONS, 4th MAY, 1936.

17504

1st Session, 18th Parliament, 1 Edward VIII, 1936

THE HOUSE OF COMMONS OF CANADA.

BILL 58.

An Act for granting to His Majesty certain sums of money for the public service of the financial year ending the 31st March, 1937.

MOST GRACIOUS SOVEREIGN,

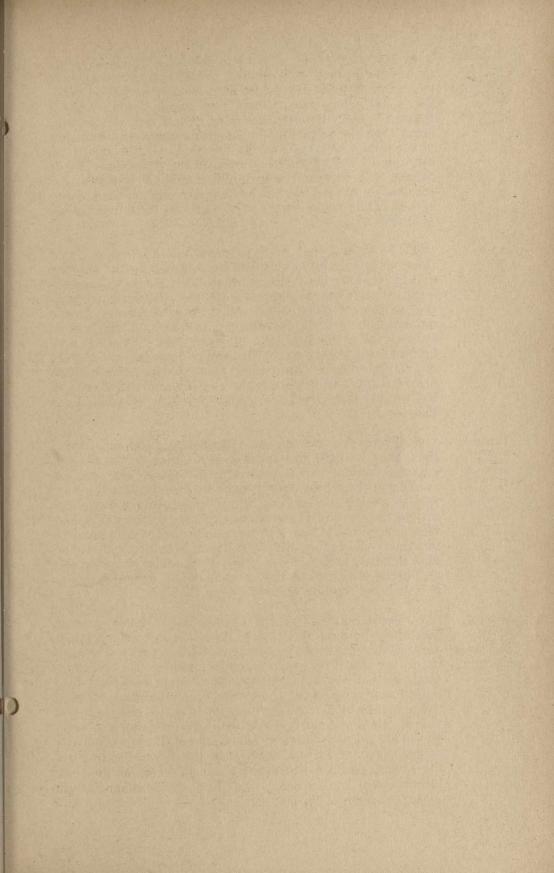
Preamble.

WHEREAS it appears by message from His Excellency the Right Honourable Baron Tweedsmuir of Elsfield, etc., etc., Governor General of Canada, and the estimates accompanying the said message that the sums hereinafter mentioned are required to defray certain expenses of the 5 public service of Canada, not otherwise provided for, for the financial year ending the thirty-first day of March, one thousand nine hundred and thirty-seven, and for other purposes connected with the public service: May it therefore please Your Majesty, that it may be enacted and be it 10 enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, that:—

Short title.

\$21,860,190.57 granted for 1936-37 **1.** This Act may be cited as The Appropriation Act, No. 3, 1936.

2. From and out of the Consolidated Revenue Fund there may be paid and applied a sum not exceeding in the whole twenty-one million, eight hundred and sixty thousand one hundred and ninety dollars and fifty-seven cents towards defraying the several charges and expenses of the 20 public service, from the first day of April, one thousand nine hundred and thirty-six, to the thirty-first day of March, one thousand nine hundred and thirty-seven, not otherwise provided for, and being one-sixth of the amount of each of the several items to be voted, set forth in the Special 25 Supplementary Estimates for the fiscal year ending the thirty-first day of March, one thousand nine hundred and thirty-seven, as laid before the House of Commons at the present session of Parliament.



Additional interim vote of \$2,418,809.33 granted for 1936-37. on certain items.

Additional interim vote of \$315,683.33 granted for 1936-37 on certain items.

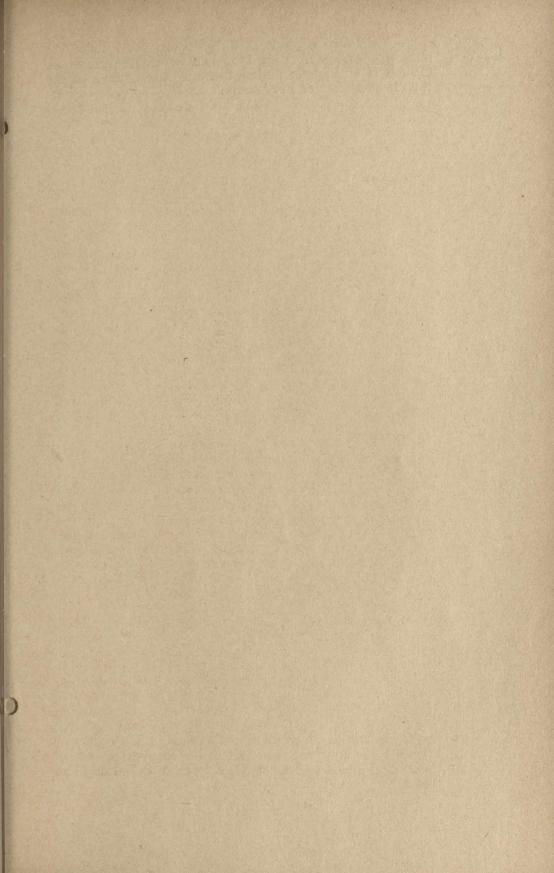
Additional interim vote of \$28,868.33 granted for 1936-37 on certain items.

Additional interim vote of \$4,801,637.44 granted for \$1936-37 on certain items. **3.** From and out of the Consolidated Revenue Fund there may be paid and applied, in addition to the amount granted therefor in the preceding section, a sum not exceeding in the whole two million, four hundred and eighteen thousand, eight hundred and nine dollars and thirty-three 5 cents towards defraying the several charges and expenses of the public service, from the first day of April, one thousand nine hundred and thirty-six, to the thirty-first day of March, one thousand nine hundred and thirty-seven, not otherwise provided for, and being one-twelfth of the amount 10 of each of the several items to be voted set forth in Schedule A to this Act.

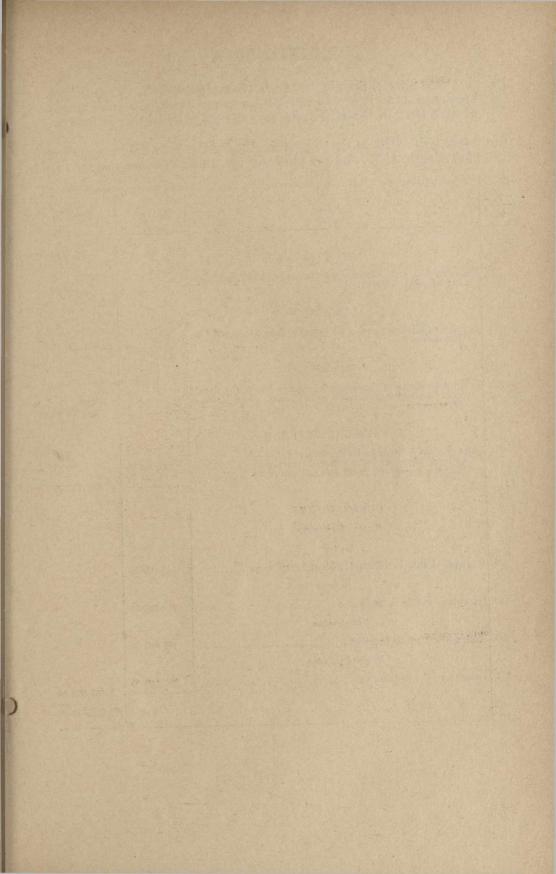
4. From and out of the Consolidated Revenue Fund there may be paid and applied, in addition to the amount granted therefor in the preceding sections, a sum not exceed- 15 ing in the whole three hundred and fifteen thousand, six hundred and eighty-three dollars and thirty-three cents towards defraying the several charges and expenses of the public service, from the first day of April, one thousand nine hundred and thirty-six to the thirty-first day of March, 20 one thousand nine hundred and thirty-seven, not otherwise provided for, and being one-sixth of the amount of each of the several items to be voted set forth in Schedule B to this Act.

5. From and out of the Consolidated Revenue Fund 25 there may be paid and applied, in addition to the amount granted therefor in the preceding sections, a sum not exceeding in the whole twenty-eight thousand, eight hundred and sixty-eight dollars and thirty-three cents towards defraying the several charges and expenses of the public ser- 30 vice, from the first day of April, one thousand nine hundred and thirty-six, to the thirty-first day of March, one thousand nine hundred and thirty-seven, not otherwise provided for, and being one-third of the amount of the several items to be voted set forth in Schedule C to this Act. 35

6. From and out of the Consolidated Revenue Fund there may be paid and applied, in addition to the amount granted therefor in the preceding sections, a sum not exceeding in the whole four million, eight hundred and one thousand, six hundred and thirty-seven dollars and forty-four 40 cents towards defraying the several charges and expenses of the public service, from the first day of April, one thousand nine hundred and thirty-six, to the thirty-first day of March, one thousand nine hundred and thirty-seven, not otherwise provided for, and being one-half of the amount of each of 45 the several items to be voted set forth in Schedule D to this Act.



Account to be rendered in detail. 7. A detailed account of the sums expended under the authority of this Act shall be laid before the House of Commons of Canada during the first fifteen days of the then next session of Parliament.

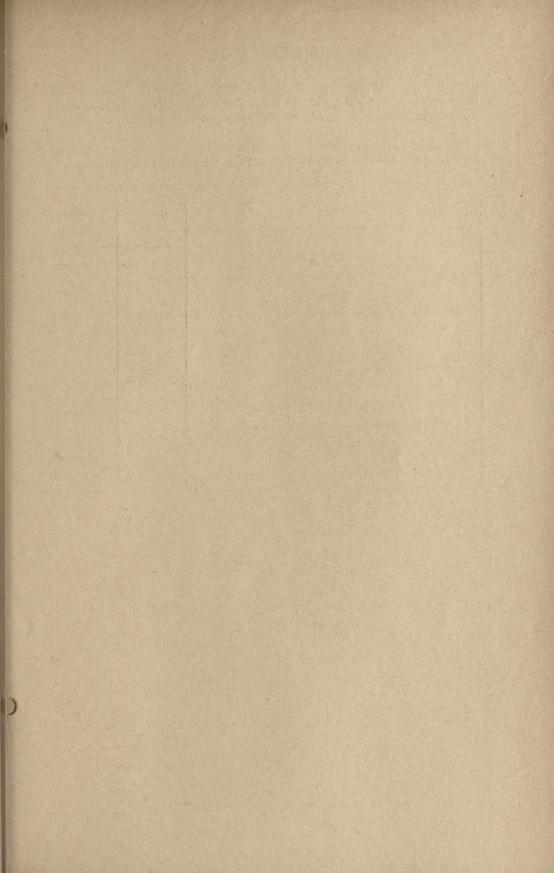


SCHEDULE A

Based on the Special Supplementary Estimates, 1936-37. The amount hereby granted is \$2,418,809.33, being one-twelfth of the amount of each item in the said Estimates as contained in this Schedule.

SUMS granted to His Majesty by this Act for the financial year ending 31st March, 1937, and the purposes for which they are granted.

No. of Vote	Service	Amount	Total
	INTERIOR	\$ cts.	\$ cts.
326	Topographical and Air Surveys Bureau—Ground and aerial surveys and mapping		20,000 00
	LABOUR		
337	Amount required to provide for monthly Grants-in-Aid to the Provinces		26,000,000 00
	MINES		
342	To continue geological surveys and investigations in the North- west Territories and elsewhere in Canada, uncompleted in 1935		200,000 00
	NATIONAL DEFENCE		
344	Calgary, Alta.—Barracks for Permanent Force— Officers' Mess and Single Officers' Quarters Salaries, wages, arthitects' fees and travelling	110,000 00 40,712 00	150,712 00
	PUBLIC WORKS		
	PUBLIC BUILDINGS		
	Quebec	Rapel Call	
379	Montreal—Public building addition and alterations Ontario	540,000 00	
380	Hamilton—Public building Saskatchewan	715,000 00	
382	Regina—New public building	440,000 00	
	British Columbia		
383	Vancouver—Public building	960,000 00	2,655,000 00
	Total		29,025,712 00



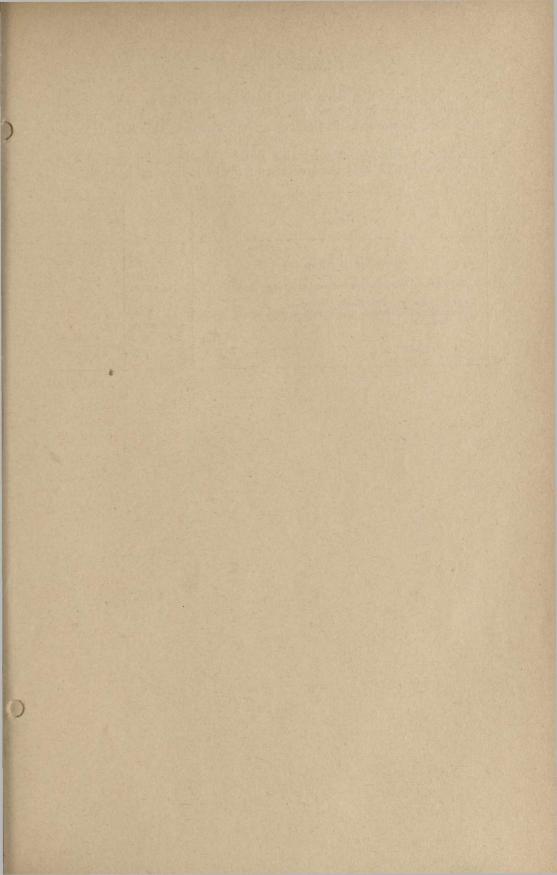
SCHEDULE B

Based on the Special Supplementary Estimates, 1936-37. The amount hereby granted is \$315,683.33, being one-sixth of the amount of each item in the said Estimates as contained in this Schedule.

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SUMS granted to His Majesty by this Act for the financial year ending 31st March, 1937, and the purposes for which they are granted.

No. of Vote	Service	Amount	Total
	PUBLIC WORKS	\$ cts.	\$ cts.
	Public Buildings		
	Quebec		
379	Montreal—Postal Terminal Building	430,000 00	
	Ontario		
380	London—Public building Ottawa—Postal Terminal Building Ottawa—Justice Building.	$\begin{array}{c} 445,000 \ 00 \\ 410,000 \ 00 \\ 525,000 \ 00 \end{array}$	1,810,000 00
	RAILWAYS AND CANALS		
418	To provide for commitments incurred under authority of Item 5, Schedule "A" of the Supplementary Public Works Construction Act, 1935 (Canals — Repairs and improve-		
	ments)		84,100 00
	Total		1,894,100 00

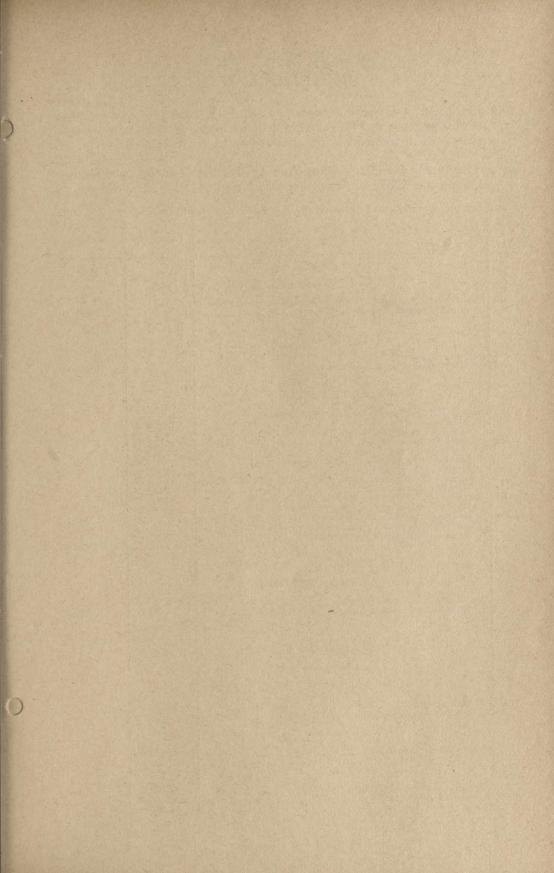


SCHEDULE C

Based on the Special Supplementary Estimates, 1936-37. The amount hereby granted is \$28,868.33, being one-third of the amount of each item in the said Estimates as contained in this Schedule.

SUMS granted to His Majesty by this Act for the financial year ending 31st March, 1937, and the purposes for which they are granted.

No. of Vote	Service	Amount	Total
	NATIONAL DEFENCE	\$ cts.	\$ cts.
344	Calgary, Alta.—Barracks for Permanent Force—Sewers	55,005 00	
345	Kingston, Ont.—Royal Military College— New Mess and Recreation Building—Equipment and fit- tings	31,600 00	86,605 00
	Total		86,605 00

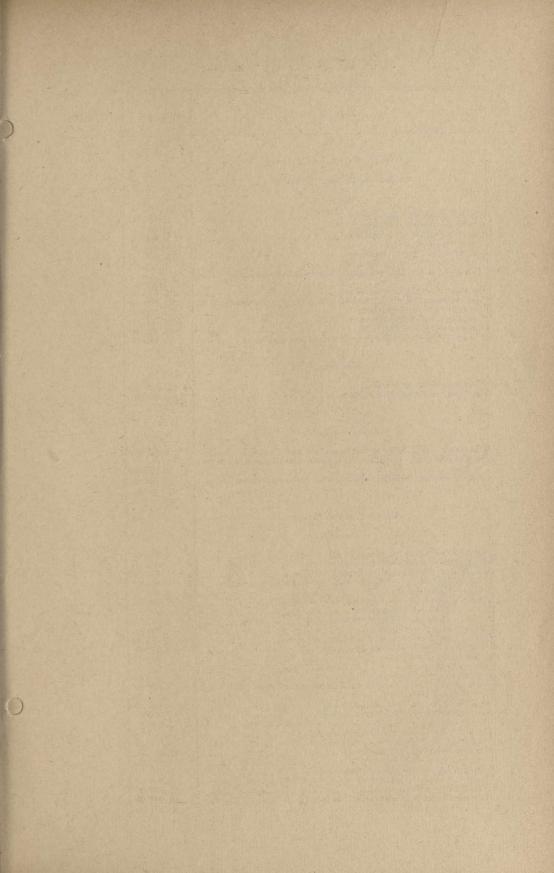


SCHEDULE D

Based on the Special Supplementary Estimates, 1936-37. The amount hereby granted is \$4,801,637.44, being one-half of the amount of each item in the said Estimates as contained in this Schedule.

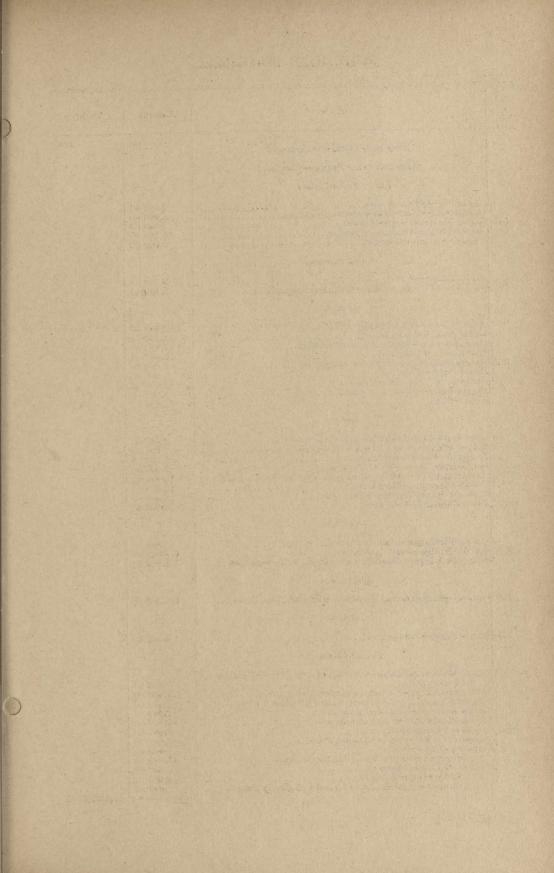
SUMS granted to His Majesty by this Act for the financial year ending 31st March, 1937, and the purposes for which they are granted.

			and the second
No. of Vote	Service	Amount	Total
316	INDIAN AFFAIRS To provide for completion of the Qu'Appelle Indian Hospital at Fort Qu'Appelle, Saskatchewan INTERIOR		\$ cts. 30,000 00
320	National Parks— Relief—Single homeless men NATIONAL DEFENCE		50,000 00
344 346 348 354 356	 Calgary, Alta.—Barracks for Permanent Force— Mess building No. 6 Grading Landing Field. Administration building No. 1. Garage and forage barn. Electric underground distribution system. Married Officers' Quarters. Montreal, P.Q.—Armoury for the 17th Duke of York's Royal Canadian Hussars. Vancouver, B.C.—Armoury for Seaforth Highlanders. Winnipeg—Fort Osborne Barracks—Erection of garage. To provide for expenses in connection with the continuance of unemployment relief projects now organized and conducted for the relief of single homeless men. 	$\begin{array}{c} 4,856 \ 40 \\ 7,892 \ 00 \\ 4,640 \ 00 \\ 1,444 \ 24 \\ 19,433 \ 25 \\ 15,500 \ 00 \end{array}$	2,894,184 89
371	NATIONAL HARBOURS BOARD Quebec Harbour Improvements— Repairs to wharves and sheds, Princess Louise Docks		17,000 00
	PUBLIC WORKS Public Buildings Nova Scotia		
377{	Amherst—New public building Mahone Bay—Public building	$26,500 \ 00 \ 2,000 \ 00$	
378	New Brunswick Moneton—Public building	44,500 00	
379	Quebec Brownsburg—Public building Rouyn—Public building Valois—Public building	10,000 00	



SCHEDULE D—Continued

of Vote	Service	Amount	Total
	PUBLIC WORKS—Continued	\$ cts.	\$ cts
	PUBLIC BUILDINGS—Concluded		
	Ontario		
		11 500 00	
	Bradford—Public building Cochrane—Public building Fort William—Public building. Galt—Public building Guelph—New public building New Toronto—Public building	$\begin{array}{c} 11,500 \ 00 \\ 54,000 \ 00 \\ 4,000 \ 00 \\ 23,000 \ 00 \\ 8,000 \ 00 \end{array}$	
380	New Toronto—Public building Ottawa—Central Experimental Farm—Storage Building (Cereal Division)	1,500 00	
	Ottawa—Royal Canadian Mint St. Catharines—Public building—Additions and alterations Thorold—Public building Toronto—New Postal Station "D" Toronto—Customs Building Trenton—Public building—Alterations and additions	$\begin{array}{c} 83,000 & 00 \\ 13,000 & 00 \\ 3,500 & 00 \\ 29,000 & 00 \\ 75,000 & 00 \\ 4,000 & 00 \end{array}$	
	Manitoba		
381{	Winnipeg—New public building Winnipeg—Post Office addition	255,000 00 20,000 00	
	British Columbia		
383	Huntingdon—Building for Immigration and Customs purposes. Pacific Highway—Building for Customs and Immigration pur-	4,500 00	
1	poses Vernon—Public building—Alterations and improvements	29,000 00 3,500 00	
	HARBOURS AND RIVERS		
	Nova Scotia		
(Avonport—Repairs to roadway and wharf	$2,500\ 00\ 600\ 00$	
32.1	Barrington Passage—Wharf repairs Big Island (Merigamish)—Wharf	800 00	
	Boularderie Centre—Repairs to wharf and road approach Brule—Wharf repairs	600 00 2,600 00	
	Burke's Head (North Ingonish)—Wharf repairs Carr's Brook—Wharf repairs	$\begin{array}{c c}7,000 & 00\\4,500 & 00\end{array}$	
	Chester Ironbound—Breakwater Church Point—Groynes	$\begin{array}{c c} 6,100 & 00 \\ 1,600 & 00 \end{array}$	
	Five Islands—Wharf and vessel bed repairs	3,000 00 2,300 00	
	Flat Mud Island—Breakwater Framboise—Breakwater	800 00	
	Iona—Wharf repairs Jordan Ferry—Breakwater	800 00 900 00	
	Little Harbour—Roadway with cribwork retaining wall Long Pond—Dredging	$\begin{array}{c ccccccccccccccccccccccccccccccccccc$	
i	Lower Jordan Bay—Hand dredging	700 00 7,500 00	
260	Neil's Harbour—Breakwater repairs North Ingonish, McLeod's Cove—Breakwater repairs	3,400 00	
	Port Hood—Closing northern entrance Port Medway—Breakwater extension	$2,200 \ 00 \\ 2,000 \ 00$	
	Swim's Point—Wharf repairs Trout Cove—Breakwater repairs	$\begin{array}{c cccc} 1,000 & 00 \\ 1,400 & 00 \end{array}$	
	Wadden's Cove—Hoisting equipment. West Advocate—Breakwater improvements	700 00 3,000 00	
	West Auvocate Dreak water unprovements	0.000 00 1	

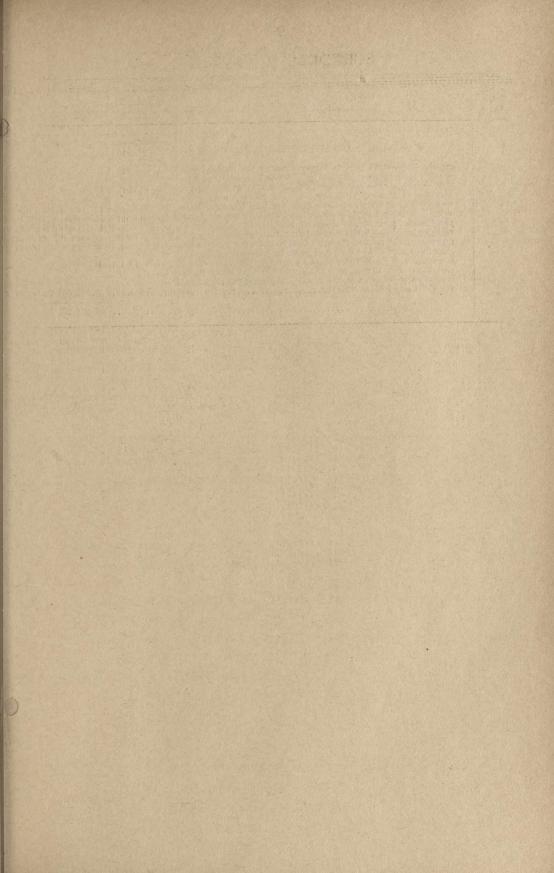


SCHEDULE D—Continued

No. of Vote	Service	Amount	Total
	PUBLIC WORKS—Continued	\$ cts.	\$ cts
	HARBOURS AND RIVERS-Concluded	A TRANSPORT	
	Prince Edward Island		
385	Annandale—Wharf repairs. Georgetown—Repairs to warehouse flooring. Lower Montague—Wharf repairs. Rocky Point—Breakwater repairs. Tignish—Beach protection.	$\begin{array}{c} 2,500 & 00 \\ 5,000 & 00 \\ 600 & 00 \\ 4,300 & 00 \\ 800 & 00 \end{array}$	
	New Brunswick		
386{	Indian Island—Wharf St. Thomas (Cocagne Bar)—Bridge reconstruction	2,700 00 1,500 00	
	Quebec		
387	Anse St. Jean—Wharf repairs Bonaventure—Wharf repairs Bromptonville—Protection work repairs. Dundee—Dredging. Grand Ruisseau—Completion of approach Ile du Pads—Wharf. Ste. Anne du Lac—Wharf. St. Romuald—Protection wall. Tobin—Wharf.	$\begin{array}{cccc} 7,600 & 00 \\ 1,500 & 00 \\ 1,400 & 00 \\ 7,400 & 00 \\ 2,000 & 00 \\ 800 & 00 \\ 2,200 & 00 \\ 3,700 & 00 \\ 12,000 & 00 \end{array}$	
	Ontario		
388	Gananoque—Dredging, Clarence Street wharf Hudson—Construction of scow for aeroplane landing Keewatin—Wharf reconstruction. Michipicoten River—Wharf extension. Parry Sound (Two, Five and Seven Mile Narrows)—Dredging. Port McDiarmid—Breakwater. Rondeau—East Pier reconstruction. Tiffin (Midland)—Dredging.	$\begin{array}{c} 3,680 & 00 \\ 710 & 00 \\ 5,650 & 00 \\ 2,000 & 00 \\ 12,800 & 00 \\ 13,050 & 00 \\ 4,400 & 00 \\ 16,000 & 00 \end{array}$	
	Manitoba		
389	Dredge Winnipegosis—Transferring machinery Selkirk—Bridge over Red River Wanipigow River—Operation and repairs to Dredge "202"	800 00 146,000 00 1,900 00	
	Saskatchewan		
390	Outlook—Bridge across the South Saskatchewan River	186,600 00	
	Alberta		
391	Lac la Biche—Breakwater	3,900 00	
	British Columbia		
.393	Columbia River Narrows—Dredge Arrow Lakes—Maintenance and operation Courtenay River—Protection work replacement. Esquimalt Dry Dock—Completion of fill behind wharf Gorge Harbour—Float and approach. Gowland Harbour—Float and approach. Kelowna—Breakwater Kingcome Inlet—Float and freight shed. Okanagan Lake—Survey. Port Alberni Assembly Wharf—Improvements Shalalth—Floating landing. Taku River—Improvement of Grand and Austin Rapids	$\begin{array}{c} 800 \ 00 \\ 5,700 \ 00 \\ 1,100 \ 00 \\ 2,500 \ 00 \\ 4,200 \ 00 \\ 2,000 \ 00 \\ 2,000 \ 00 \\ 1,000 \ 00 \\ 5,200 \ 00 \\ 1,000 \ 00 \\ 600 \ 00 \end{array}$	
	and the second of the second the second templation of templa		1,309,090 00

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No. of Vote	Service	Amount	Total
	LOANS AND INVESTMENTS	\$ cts.	\$ cts.
428	To provide for commitments incurred under the authority of section 9, Supplementary Public Works Construction Act, 1935, and that the Governor in Council may authorize the Minister of Finance to sell or lease the railway equipment so acquired to either or both the Canadian National Rail- way Company and the Canadian Pacific Railway Com- pany under agreements whereby the railway company or railway companies shall reimburse His Majesty the full amount of the cost of the said equipment with interest ex- cept in respect of the first and second years covered by the agreement at a rate to be fixed by the Governor in Council and that such agreements shall provide that security be furnished to secure and indemnify His Majesty in respect of the debt due to His Majesty.		5,303,000 00
	Total		9,603,274 89

First Session, Eighteenth Parliament, 1 Edward VIII, 1936

THE HOUSE OF COMMONS OF CANADA.

BILL 60.

AE Act to amend the Criminal Code (Trial of young persons.)

First reading, May 8, 1936.

Mr. CHURCH.

1st Session, 18th Parliament, 1 Edward VIII, 1936

THE HOUSE OF COMMONS OF CANADA.

BILL 60.

An Act to amend the Criminal Code (Trial of young persons.)

 $\begin{array}{c} {\rm R.S., \ c. \ 36;}\\ 1930, \ c. \ 11;\\ 1931, \ c. \ 28;\\ 1932, \ cc. \ 7, \ 8,\\ 9, \ 28;\\ 1932, \ 33, \ cc. \ 7, \ 8,\\ 53;\\ 1934, \ cc. \ 11,\\ 47;\\ 1935, \ cc. \ 36,\\ 56.\\ \end{array}$

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

1. The Criminal Code, chapter thirty-six of the Revised Statutes of Canada, 1927, is amended by inserting therein, 5 immediately after section six hundred and forty-four, the following section:—

"644A. In the event of the trial of a young person apparently or actually between the ages of sixteen and nineteen years, except in such cases as are already provided 10 for by *The Juvenile Delinquents Act, 1929*, section ten of the said Act shall apply *mutatis mutandis*, and if a defending counsel has not been previously engaged, the trial shall not proceed until the Court, judge or justice has required a duly qualified counsel to defend the accused." ¹⁵

EXPLANATORY NOTES.

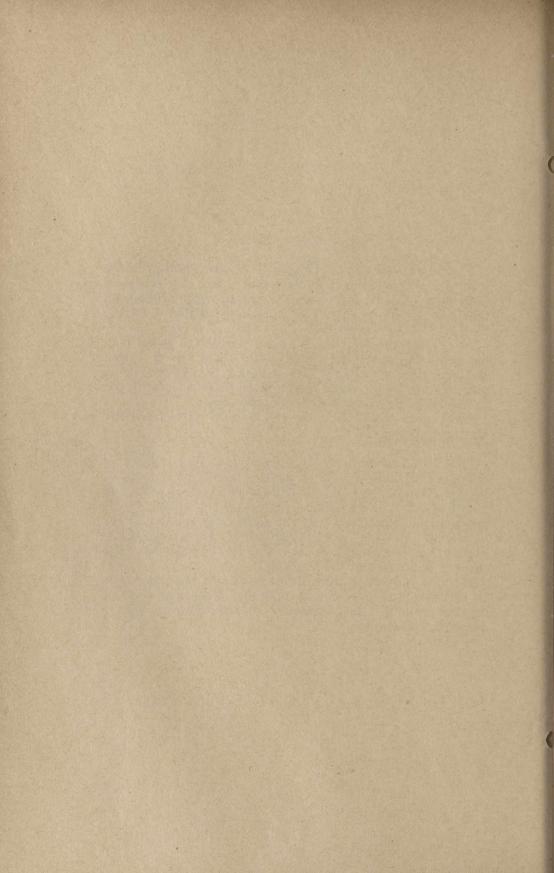
The purpose of this amendment is to provide that in the trial of a youth under nineteen years of age, due notice of the charge shall be served on the parents or guardian and that the accused shall not be condemned without having been represented by counsel.

At present many of these young people are being condemned—the gaols are filled with them—in a rather mechanical way, without any defence or without being able to state their case properly, or to consult their friends or family, being simply railroaded into prison.

Section ten of The Juvenile Delinquents Act referred to, reads as follows:—

"10. (1) Due notice of the hearing of any charge of delinquency shall be served on the parent or parents or the guardian of the child, or if there be neither parent nor guardian, or if the residence of the parent or parents or guardian be unknown, then on some near relative living in the city, town or county, if any there be, whose whereabouts is known, and any person so served shall have the right to be present at the hearing.

(2) The judge may give directions as to the persons to be served under this section, and such directions shall be conclusive as to the sufficiency of any notice given in accordance therewith."



First Session, Eighteenth Parliament, 1 Edward VIII, 1936

THE HOUSE OF COMMONS OF CANADA.

BILL 67.

An Act to amend the Customs Act (Canadian waters).

First reading, May 18, 1936.

The MINISTER OF NATIONAL REVENUE.

OTTAWA J. O. PATENAUDE, I.S.O. PRINTER TO THE KING'S MOST EXCELLENT MAJESTY 1936

18508

1st Session, 18th Parliament, 1 Edward VIII, 1936

THE HOUSE OF COMMONS OF CANADA.

BILL 67.

An Act to amend the Customs Act (Canadian waters).

R.S., c. 42; 1928, c. 16; 1930 (2nd Sess.) c. 2; 1931, c. 29; 1932-33, cc. 7, 38; 1934, c. 48.

"Officer".

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

1. Section two of the *Customs Act*, chapter forty-two of the Revised Statutes of Canada, 1927, as amended by **5** section one of chapter thirty-eight of the statutes of 1932-33, is further amended by repeating paragraph (l) of subsection one of the said section and substitutin he following therefor:— 10

"(l) 'officer' means an officer of Customs and includes, in the provisions of this Act which relate to preventive measures, officers and non-commissioned officers of the Royal Canadian Mounted Police employed in the preventive services of Canada and the captain or 15 master or other person in charge of any vessel or cruiser in the preventive services of the Government of Canada."

"Canadian waters". 2. Subsection one of section two of the said Act is further amended by adding thereto the following paragraphs:— 20

"(u) 'Canadian waters' shall mean all territorial waters of Canada and all waters forming part of the territory of Canada, including the marginal sea within three marine miles of the base lines on the coast of Canada, determined in accordance with international law and 25 practice; subject, however, to the following specific provisions:—

(i) Canadian waters shall not extend beyond and shall conform with the limits of exclusion recommended in the North Atlantic Fisheries Award, answer to 30 question V, as set forth in the Schedule to this Act;

(ii) the extent of Canadian waters shall conform with the provisions of any other Act of the Parliament of Canada;

EXPLANATORY NOTES.

New or reconstructed provisions in the bill are indicated by vertical lines.

The main object of this Bill is,—

- (a) To amend the Customs Act so that any maritime belt beyond the three-mile limit in which limited powers of control are to be exercised shall be specifically defined independently of the definition of territorial waters, and
- (b) Provide that such definition shall not purport to give Canada jurisdiction over foreign vessels up to a twelve-mile limit.

In addition to this main purpose other provisions arə proposed which will have the effect of aiding officers in the prevention of smuggling by sea.

1. The present paragraph (l) reads as follows,—

"(1) 'officer' means an officer of Customs."

Subsection (3) of section 19 of the R.C.M.P. Act, enacted by chapter 37 of 1932, reads as follows,—

"(3) Members of the Force shall in connection with the prevention of offences against the revenue laws of Canada, have all the rights, privileges and immunities of customs and excise preventive officers, including authority to make seizures of goods for infractions of revenue laws and to lay informations in proceedings brought for the recovery of penalties therefor."

The substituted definition will make it clear that officers of R.C.M. Police in charge of vessels in the preventive service will have the powers of a Customs officer.

2. (u) and

(v)— Definitions of terms to be found in section 7A and 151 below. (iii) the Governor in Council may from time to time by proclamation temporarily restrict, for customs purposes, the extent of Canadian waters and such proclamation shall not be construed as foregoing any Canadian rights in respect of waters thus restricted;

5

(iv) the plotting of base lines and of the limits of Canadian waters on a map or chart issued under the authority of and approved by the Governor in Council shall be conclusive evidence of the due determination of such base lines and of the extent of Canadian waters 10 or of Canadian waters temporarily restricted, pursuant to the provisions of the preceding paragraph (iii).

"(v) 'Canadian customs waters' shall mean the waters forming that part of the sea which is adjacent to and extends nine marine miles beyond Canadian waters." 15

3. The said Act is amended by adding after section seven thereof and following the sub-title "Report and Entry Inwards", the following section:—

"7A. (1) The master of any vessel arriving in or found within Canadian waters or of any vessel registered in Canada 20 or of any unregistered vessel owned by a person resident or domiciled in Canada or of any other vessel or class of vessels, which has been specified or enumerated by proclamation of the Governor in Council under subsection one of section one hundred and fifty-one of this Act, arriving in 25 and found within Canadian customs waters, with intoxicating liquors on board as cargo, shall have on board his vessel a manifest signed by him under oath as to the truth of the statements therein contained. Such manifest shall contain,— 30

- (a) the names of the ports and description of the places at which the goods comprising the cargo of the said vessel were taken on board, and the ports of entry of Canada for which the same are destined, particularly describing the goods destined for each such port; 35
- (b) the name, description, and build of the vessel, the tonnage and port of registry of the vessel, the domicile of the owners thereof and the name of the master;
- (c) a detailed account of all goods on board such vessel, 40 with the marks and numbers of each package and parcel, and the number and description of the packages and parcels according to their usual name or denomination, such as barrel, keg, hogshead, case or bag;
- (d) the names of the persons to whom such packages 45 or parcels are respectively consigned in accordance with the bills of lading issued therefor, except that when such goods are consigned to order the manifest shall so state;

"Canadian customs waters."

Master shall have

manifest on board.

What manifest shall contain. **3.** Section 208 provides penalties where upon search of a vessel goods are found not included or described "in the manifest of the vessel" but hitherto the Act has contained no provision requiring the master of a vessel to have a manifest and prosecutions have failed on that ground.

It is not desired to make this requirement applicable to coasting vessels unless they are carrying intoxicating liquors. Exemption.

(e) an account of what surplus stores remain on board.
(2) This section shall not apply to any vessel employed in the transport of duty paid intoxicating liquor from one port or place to another port or place within the limits of Canada."

5

4. Section one hundred and fifty-one of the said Act as enacted by section one of chapter sixteen of the statutes of 1928 and as amended, by section five of chapter twenty-nine of the statutes of 1931 and by section three of chapter 10 thirty-eight of the statutes of 1932-33, is repealed, and the following is substituted therefor:—

"151. The provisions of this section shall extend to vessels hovering in Canadian waters, and shall also extend to vessels hovering in Canadian customs waters in the case 15 of any vessel registered in Canada, or of any unregistered vessel owned by a person resident or domiciled in Canada, or of any other vessels or class of vessels which the Governor in Council may specify or enumerate by proclamation.

(2) Any vessel which has, in Canadian waters or, subject 20 to the provisions of subsection one of this section, in Canadian customs waters,—

(a) hovered;

- (b) unladen any dutiable or prohibited goods, or transshipped the same to some other vessel without the 25 authorization of an officer;
- (c) navigated without lights, in breach of any law or regulation to which such vessel was subject;
- (d) failed to come to a stop in compliance with the provisions of subsection four of this section, 30

shall be presumed to be a hovering vessel and to have hovered, provided that such presumption may, save in cases provided for by paragraph (d) of this subsection, be rebutted by evidence establishing that the vessel was engaged in a legitimate occupation not connected, directly 35 or indirectly, with the smuggling into Canada of dutiable or prohibited goods, or the breach of any laws or regulations in force in Canada.

(3) If any hovering vessel is found or observed in Canadian waters or, subject to the provisions of subsection 40 one of this section, in Canadian customs waters, any officer may go on board such vessel and examine her cargo and may also examine the master or person in command or any other person on board upon oath, touching the vessel, cargo and voyage, and may bring the vessel into port; 45 and any such master or person who refuses to comply with the lawful directions of such officer or does not truly answer such questions as are put to him touching such vessel, cargo or voyage, shall be deemd to have violated a provision sthis Act. 50

Application of section.

Hovering vessel.

May be boarded and brought into port.

Refusal to comply or answer questions.

4. Section 151 at present reads as follows,-

"151. (1) If any vessel is hovering in territorial waters of Canada, any officer may go on board such vessel and examine her cargo and may also examine the master or person in command upon oath touching the cargo and voyage and may bring the vessel into port

(2) Any vessel in territorial waters of Canada, shall proceed to come to a stop (2) Any vessel in territorial waters of Canada, shar proceed to come to a stop when required so to do in the King's name by any officer or upon signal made by any Government vessel or cruiser by hoisting the pennant and ensign approved and appointed for the purpose by order of the Governor in Council.
 (3) On any vessel failing to proceed to come to a stop when required, the captain or master or other person in charge of any vessel or cruiser in the service of the

Government of Canada may, after first causing a gun to be fired as a signal, fire at or into such vessel.

(4) Such captain, master or other person, as well as any person acting in his aid or by his direction, is hereby indemnified and discharged from any indictment, penalty, action or other proceeding for so doing, and His Majesty shall not be liable in any claim for damage to life or property by reason of such act. (5) No person on board any vessel required to proceed to come to a stop as herein

(a) No person on board any vessel required to proceed to come to a stop as herein provided shall throw overboard, stave or destroy any part of the cargo, or any papers or documents relating to the vessel or cargo.
(b) The evidence of the officer that the vessel was within territorial waters of Canada, shall be *prima facie* evidence of the fact.
(7) For the purpose of this section and section two hundred and seven of this Act, 'Territorial waters of Canada' shall mean the waters forming part of the territory disconted to the Dominier within three to be action.

Act, reprint waters of Canada sharinean the waters forming part of the territory of the Dominion of Canada and the waters adjacent to the Dominion within three marine miles thereof, in the case of any vessel, and within twelve marine miles thereof, in the case of any vessel registered in Canada, or any other vessel which is owned by any person domiciled in Canada.

(8) Any officer may at any time go on board any vessel at any place in the territorial waters of Canada and examine the manifest and inspect, search and examine the vessel and every part thereof and any person, trunk, package or cargo on board, and to this end may hail and exercise the powers to stop such vessel and use the powers to compel compliance as are by this Act provided in cases of vessels found hovering in territorial waters of Canada."

Subsection (1). This limits control over foreign vessels in marginal belt beyond the three-mile limit but provides for extension to foreign vessels specified by governor in council.

(2)—Provides definition of a hovering vessel. This is new but very essential.

(3)—Similar to provisions at present in subsection one of section 151 (see above), and in section 207, which reads as follows,-

"207. If upon the examination by any officer of the cargo of any vessel hovering in territorial waters of Canada, any dutiable goods or any goods the importation rigging, tackle, furniture, stores and cargo shall be seized and forfeited and if the master or person in charge refuses to comply with the lawful directions of such officer or does not truly answer such questions as are put to him respecting such vessel or her cargo or her voyage, he shall be liable to a penalty of not less than four hundred dollars.

2. If any person contravenes the provisions of subsection five of section one hundred and fifty-one of this Act, such vessel shall be seized and forfeited."

For penalty see section 246 quoted below.

Must proceed to come to a stop when required.

Otherwise may be fired into after signal of a gun.

Officer indemnified.

No throwing overboard or destruction of cargo.

Evidence of location.

Officer may board vessel and search and examine manifest and cargo.

Seizure and forfeiture of vessel, stores and cargo.

Exemptions.

(4) Any vessel in <u>Canadian waters</u> or, subject to the provisions of subsection one of this section, in <u>Canadian</u> customs waters, shall proceed to come to a stop when required so to do in the King's name by any officer or upon signal made by any vessel or cruiser in the service of the government of Canada hoisting the pennant and ensign approved and appointed for the purpose by order of the Governor in Council.

5

(5) On any such vessel failing to proceed to come to a stop when required, the captain or master or other person 10 in charge of any vessel or cruiser in the service of the government of Canada may, after first causing a gun to be fired as a signal, fire at or into such vessel.

(6) Such captain, master or other person, as well as any person acting in his aid or by his direction, is hereby 15 indemnified and discharged from any indictment, penalty, action or other proceeding for so doing, and His Majesty shall not be liable in any claim for damage to life or property by reason of such act.

(7) No person on board any vessel required to proceed 20 to come to a stop, as herein provided, shall throw overboard, stave, or destroy any part of the cargo or any papers or documents relating to the vessel or cargo. Any such action shall render the vessel and cargo subject to forfeiture. 25

(8) The evidence of such captain, master or other person that the vessel was within Canadian waters or Canadian customs waters shall be *prima facie* evidence of the fact.

(9) Any officer may at any time go on board any vessel at any place in <u>Canadian waters or</u>, subject to the provisions of subsection one of this section, in <u>Canadian customs</u> waters, and examine the manifest and inspect, search and examine the vessel and every part thereof, and any person, trunk, package or cargo on board,

(10) Any vessel which is a hovering vessel within the 35 meaning of subsection two of this section, may be seized and forfeited, together with all stores and cargo which were upon such vessel at the time of the hovering, save and except:

- (a) goods respecting which there has not been any 40 violation of any of the provisions of this Act and which are in the hands of a person in Canada who acquired the same for value and in good faith;
- (b) effects of an innocent passenger;
- (c) goods respecting which there has not been any 45 violation of any of the provisions of this Act and in respect to which it can be established that neither the consignor, nor the consignee, nor the owner, nor any of their agents, had any knowledge or grounds for suspicion that the goods were destined to be 50 smuggled into Canada or into any other coun.

(4)—Same as subsection 2 of present section 151.

(5)—Same as subsection 3 of present section 151.

(6)—Same as subsection 4 of present section 151.

(7)—Same as subsection 5 of present section 151, together with subsection 2 of present section 207 quoted above.

(8)—Same as subsection 6 of present section 151.

(9)—Same as subsection 8 of present section 151.

(10)—See similar provision in present section 207, quoted above.

Onus of proof upon all persons on hovering vessel.

Where powers may be exercised and provisions of subsections 4 to 11 apply. (11) The master or person in command and crew of any vessel which is a hovering vessel within the meaning of subsection two of this section and all other persons on board at the time of the hovering and all owners or persons beneficially interested in the vessel or cargo shall be deemed **5** to have violated a provision of this Act unless they can establish that they had no knowledge or grounds for suspicion that the goods on board were destined to be smuggled into Canada or any other country.

(12) The powers conferred by subsection three of this 10 section on an officer, may be exercised, and the provisions of subsections four to eleven inclusive, of this section, shall be applicable to a hovering vessel, either at the place where the vessel is found or observed to be hovering, or, elsewhere 15 after pursuit, either within or without Canadian waters or Canadian customs waters as the case may be, or in a Canadian port when such vessel subsequently enters a Canadian port.

Sec. 207 repealed.

5. Section two hundred and seven of the said Act is 20 hereby repealed.

(11)—The penalty is provided by section 246 of the Act, which reads as follows,—

"246. Every person who violates any of the provisions of this Act or who neglects any duty imposed on him by this Act, for which violation or neglect no penalty is herein specially provided, shall be liable on summary conviction before two justices of the peace to a penalty not exceeding two hundred dollars and not less than fifty dollars, or to imprisonment for a term not exceeding one year and not less than one month, or to both fine and imprisonment."

(12)—This is new and provides for seizure later of an offending vessel which has escaped pursuit.

5. The present section 207 is quoted above.

SCHEDULE

NORTH ATLANTIC FISHERIES AWARD

EXTRACT FROM ANSWER OF TRIBUNAL OF ARBITRATION CONSTITUTED IN ACCORDANCE WITH THE PROVISIONS OF ARTICLE V OF THE SPECIAL AGREEMENT BETWEEN HIS MAJESTY AND THE UNITED STATES OF AMERICA, SIGNED AT WASHINGTON THE 27TH JANUARY, 1909.

THE HAGUE SEPTEMBER 7, 1910

THE NORTH ATLANTIC COAST FISHERIES

QUESTION V.

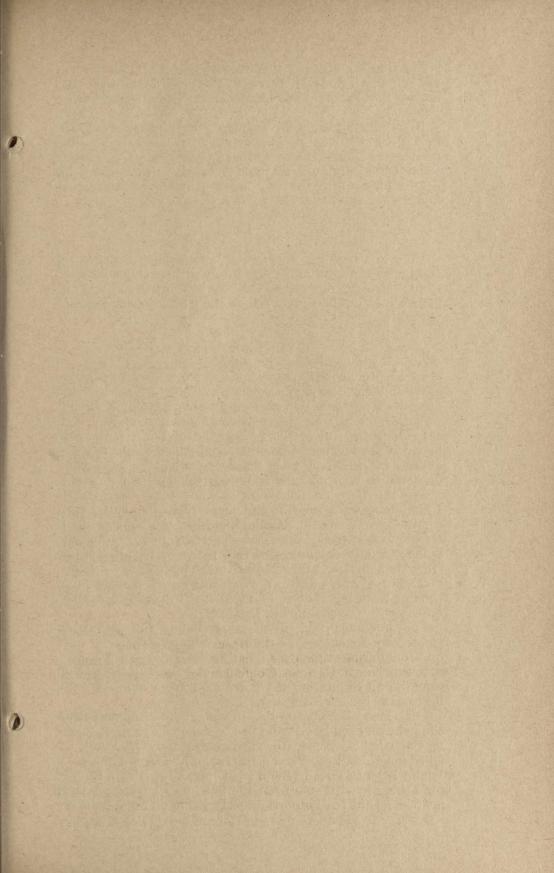
From where must be measured the "three marine miles of any of the coasts, bays, creeks, or harbours" referred to in the said article?

For these reasons the tribunal decides and awards:----

In case of bays, the three marine miles are to be measured from a straight line drawn across the body of water at the place where it ceases to have the configuration and characteristics of a bay. At all other places the three marine miles are to be measured following the sinuosities of the coast.

But considering the Tribunal cannot overlook that this answer to Question V, although correct in principle, and the only one possible in view of the want of a sufficient basis for a more concrete answer is not entirely satisfactory as to its practical applicability, and that it leaves room for doubts and differences in practice; therefore the Tribunal considers it its duty to render the decision more practicable, and to remove the danger of future differences by adjoining to it a recommendation in virtue of the responsibilities imposed by Article IV of the Special Agreement.

Considering, moreover, that in treaties with France, with the North German Confederation and the German Empire, and likewise in the North Sea Convention, Great Britain has adopted for similar cases the rule that only bays of ten miles width should be considered as those wherein the fishing is reserved to nationals: And that in the course of the negotiations between Great Britain and the United States a similar rule has been on various occasions proposed and adopted by Great Britain in instructions to the naval officers stationed on these coasts: And that though these circumstances are not sufficient to constitute this a principle of international law, it seems



reasonable to propose this rule with certain exceptions, all the more that this rule, with such exceptions, has already formed the basis of an agreement between the two Powers.

Now, therefore, this Tribunal, in pursuance of the provisions of Article IV, hereby recommends for the consideration and acceptance of the High Contracting Parties the following rules and methods of proceedure for determining the limits of the bays hereinbefore enumerated:—

1.

In every bay not hereinafter specifically provided for the limits of exclusion shall be drawn three miles seaward from a straight line across the bay in the part nearest the entrance at the first point where the width does not exceed ten milles.

2.

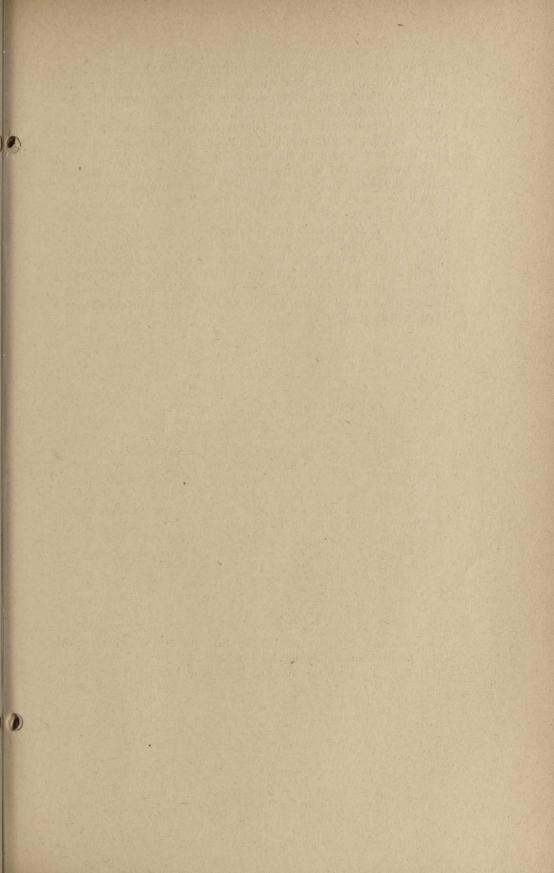
In the following bays, where the configuration of the coast and the local climatic conditions are such that foreign fishermen, when within the geographic headlands, might reasonably and *bona fide* believe themselves on the high seas, the limits of exclusion shall be drawn in each case between the headlands hereinafter specified as being those at and within which such fishermen might be reasonably expected to recognize the bay under average conditions.

For the Baie des Chaleurs the line from the light at Birch Point on Miscou Island to Maquereau Point Light; for the bay of Miramichi, the line from the light at Point Escuminac to the light on the eastern point of Tabusintac Gully; for Egmont Bay, in Prince Edward Island, the line from the light at Cape Egmont to the light at West Point; and off St. Ann's Bay, in the province of Nova Scotia, the line from the light at Point Anconi to the nearest point on the opposite shore of the mainland.

For Fortune Bay, in Newfoundland, the line from Connaigre Head to the light on the southeasterly end of Brunet Island, thence to Fortune Head.

For or near the following bays the limits of exclusion shall be three marine miles seaward from the following lines, namely:—

For or near Barrington Bay in Nova Scotia, the line from the light on Stoddart Island to the light on the south point of Cape Sable, thence to the light at Baccaro Point; at Chedabucto and St. Peter's Bays, the line from Cranberry Island light to Green Island light, thence to Point Rouge; for Mira Bay, the line from the light on the east point of Scatari Island to the northeasterly point of Cape Morien;



and at Placentia Bay, in Newfoundland, the line from Latine Point, on the eastern mainland shore, to the most southerly point of Red Island, thence by the most southerly point of Marasheen Island to the mainland.

Long Island and Bryer Island on St. Mary's Bay, in Nova Scotia, shall, for the purpose of delimitation, be taken as the coasts of such bays.

It is understood that nothing in these rules refers either to the Bay of Fundy considered as a whole apart from its bays and creeks or as to the innocent passage through the Gut of Canso, which were excluded by the agreement made by exchange of notes between Mr. Bacon and Mr. Bryce, dated February 21st, 1909, and March 4th, 1909; or to Conception Bay, which was provided for by the decision of the Privy Council in the case of the Direct United States Cable Company v. the Anglo-American Telegraph Company, in which decision the United States have acquiesced. First Session, Eighteenth Parliament, 1 Edward VIII, 1936

THE HOUSE OF COMMONS OF CANADA.

BILL 68.

An Act respecting the Carriage of Goods by Water.

First reading, May 18, 1936.

THE MINISTER OF MARINE.

OTTAWA J. O. PATENAUDE, I.S.O. PRINTER TO THE KING'S MOST EXCELLENT MAJESTY 1936

18517

1st Session, 18th Parliament, 1 Edward VIII, 1936

THE HOUSE OF COMMONS OF CANADA.

BILL 68.

An Act respecting the Carriage of Goods by Water.

HIS 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 Water Carriage of

Short title.

Goods Act, 1936.

Rules relating to bills of lading.

Contract not to

seaworthy ship.

imply

2. Subject to the provisions of this Act, the Rules relating to bills of lading as contained in the Schedule to this Act (hereinafter referred to as "the Rules") shall have effect in relation to and in connection with the carriage of goods by water in ships carrying goods from any port 10 in Canada to any other port whether in or outside Canada.

3. There shall not be implied in any contract for the carriage of goods by water to which the Rules apply any absolute undertaking by the carrier of the goods to provide a seaworthy ship.

Documents of title subject to the Rules.

Article VI of Rules. 4. Every bill of lading, or similar document of title issued in Canada which contains or is evidence of any contract to which the Rules apply shall contain an express statement that it is to have effect subject to the provisions of the Rules as applied by this Act. 20

5. Article VI of the Rules shall, in relation to the carriage of goods by water in ships carrying goods from any port or place in Canada to any other port or place in Canada, have effect as though the said Article referred to goods of any class instead of to particular goods and as though 25 the proviso to the second paragraph of the said Article were omitted.

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EXPLANATORY NOTES.

In bill submitted, which is identical with the British Carriage of Goods by Sea Act, 1924, "Canada" has been substituted for Great Britain and Northern Ireland, and "Water" has been substituted for "Sea."

1. This merely retains the title—"Water Carriage of Goods Act".

2. Similar to the British Act only having reference to Canada in lieu of Great Britain.

3. Similar to the British Act—see Article III, Paragraphs (a), (b) and (c)—(The Canadian statute requires the shipowner not only to make, but to keep the ship seaworthy, which under certain conditions during the carriage of goods, might be an impossible obligation).

4. Similar to British Act. (The present Canadian statute only requires reference to the Statute in the case of goods carried to ports outside of Canada.)

5. Similar to the British Act excepting that this clause relieves the coasting trade of Canada from the necessity of issuing Bills of Lading, whereas the British Act similarly protects the coasting trade of Great Britain, Northern Ireland and the Irish Free State. There is no comparable section in the Canadian Act. Weight of bulk cargo.

This Act not to affect sections 456, 457 and 649-658 of 1934; c. 44, or other Act limiting liability of owner of vessel. by the shipper.

Date of application of Rules to contracts to be fixed by O. in C.

Repeal.

Coming into force. 6. Where under the custom of any trade the weight of any bulk cargo inserted in the bill of lading is a weight ascertained or accepted by a third party other than the carrier or the shipper, and the fact that the weight is so ascertained or accepted is stated in the bill of lading, then, 5 notwithstanding anything in the Rules, the bill of lading shall not be deemed to be *prima facie* evidence against the carrier of the receipt of goods of the weight so inserted in the bill of lading, and the accuracy thereof at the time of

7. (1) Nothing in this Act shall affect the operation of sections four hundred and fifty-six and four hundred and fifty-seven, and sections six hundred and forty-nine to six hundred and fifty-eight, both inclusive, of the *Canada* 15 *Shipping Act*, 1934, as amended, or the operation of any other enactment for the time being in force limiting the liability of the owners of vessels.

shipment shall not be deemed to have been guaranteed 10

(2) The Rules shall not by virtue of this Act apply to any contract for the carriage of goods by water made before 20 such day, not being earlier than the first day of August, nineteen hundred and thirty-six, as the Governor General may by Order in Council direct, nor to any bill of lading or similar document of title issued, whether before or after such day as aforesaid, in pursuance of any such contract 25 as aforesaid.

8. The Water Carriage of Goods Act, chapter two hundred and seven of the Revised Statutes of Canada, 1927, is hereby repealed.

9. This Act shall come into force on a date to be fixed 30 by proclamation of the Governor in Council published in the *Canada Gazette*.

6. Similar to the British Act—(see Article III, Rule 5). This Clause is to relieve the carrier from the obligation to guarantee the weights of bulk cargoes, where under the custom of any trade, the weight of such inserted in a bill of lading is a weight ascertained or accepted by a third party other than the carrier or the shipper.

7. Similar to the British Act excepting that reference is made to the Canada Shipping Act in lieu of the Merchant Shipping Act.

S. New Clause. This repeals the Water Carriage of Goods Act, chapter 207 of the Revised Statutes of Canada, 1927.

9. New Clause. Refers to date of proclamation.

SCHEDULE

RULES RELATING TO BILLS OF LADING

ARTICLE I.

DEFINITIONS.

Definitions.

In these Rules the following expressions have the meanings hereby assigned to them respectively, that is to say:— (a) "carrier" includes the owner or the charterer who

"Carrier."

"Contract of carriage." enters into a contract of carriage with a shipper;

(b) "contract of carriage" applies only to contracts of carriage covered by a bill of lading or any similar document of title, in so far as such document relates to the carriage of goods by water, including any bill of lading or any similar document as aforesaid issued under or pursuant to a charter party from the moment at which such bill of lading or similar document of title regulates the relations between a carrier and a holder of the same;

- (c) "goods" includes goods, wares, merchandise, and articles of every kind whatsoever, except live animals and cargo which by the contract of carriage is stated as being carried on deck and is so carried;
 - (d) "ship" means any vessel used for the carriage of goods by water;

"Carriage of goods."

"Ship."

"Goods."

(e) "Carriage of goods" covers the period from the time when the goods are loaded on to the time when they are discharged from the ship.

ARTICLE II.

RISKS.

Subject to the provisions of Article VI, under every contract of carriage of goods by water the carrier, in relation to the loading, handling, stowage, carriage, custody, care, and discharge of such goods, shall be subject to the responsibilities and liabilities and entitled to the rights and immunities hereinafter set forth.

ARTICLE III.

RESPONSIBILITIES AND LIABILITIES.

1. The carrier shall be bound, before and at the beginning of the voyage, to exercise due diligence to,

SCHEDULE.

ARTICLE I.

DEFINITIONS.

- (a) "Carrier"—Similar to British Act. Not defined in Canadian Act.
- (b) "Contract of carriage"—Similar to British Act. Not defined in Canadian Act.
- (c) "Goods"—Similar to British Act. The present Canadian statute (Section 2) defines "goods" as including "goods, wares, merchandise, and articles of any kind whatsoever, except live animals and lumber, deals, and other articles usually described as woodgoods." It is desired that lumber be included in the definition of "goods," and that the only exceptions from the Act should be live animals and cargo which is agreed to be carried on deck and is so carried.

(d) "Ship"—Similar to the British Act.

(e) "Carriage of goods"—Similar to British Act. "Carriage of goods" is not defined in present Canadian statute but under section 3 of that statute "goods" includes "goods received to be carried." The Act, however, is quite vague as to what provisions apply between the time of receipt and the time of sailing. The British Act is clear and comprehensive on this point.

ARTICLE II.

Similar to the British Act. The present Canadian Statute, section (4) permits no contracting out of the shipowner's obligations, while the British Act, in special circumstances, permits this.

ARTICLE III.

1. (a), (b) and (c)—Similar to the British Act. It will be noted that the carrier is bound to exercise due diligence before and at the beginning of the voyage. The present Canadian statute (section 4) requires due diligence to be used to make and keep the ship seaworthy. It is not practical to require the owner to keep the vessel seaworthy and the wording of the British Act is desirable.

- (a) make the ship seaworthy;
- (b) properly man, equip, and supply the ship;
- (c) make the holds, refrigerating and cool chambers, and all other parts of the ship in which goods are carried, fit and safe for their reception, carriage and preservation.

2. Subject to the provisions of Article IV, the carrier shall properly and carefully load, handle, stow, carry, keep, care for and discharge the goods carried.

3. After receiving the goods into his charge, the carrier, or the master or agent of the carrier, shall, on demand of the shipper, issue to the shipper a bill of lading showing among other things,

- (a) the leading marks necessary for identification of the goods as the same are furnished in writing by the shipper before the loading of such goods starts, provided such marks are stamped or otherwise shown clearly upon the goods if uncovered, or on the cases or coverings in which such goods are contained, in such a manner as should ordinarily remain legible until the end of the voyage;
- (b) either the number of packages or pieces, or the quantity, or weight, as the case may be, as furnished in writing by the shipper;
- (c) the apparent order and condition of the goods;

Provided that no carrier, master or agent of the carrier, shall be bound to state or show in the bill of lading any marks, number, quantity, or weight which he has reasonable ground for suspecting not accurately to represent the goods actually received or which he has had no reasonable means of checking.

4. Such a bill of lading shall be *prima facie* evidence of the receipt by the carrier of the goods as therein described in accordance with paragraph 3(a), (b), and (c).

5. The shipper shall be deemed to have guaranteed to the carrier the accuracy at the time of shipment of the marks, number, quantity, and weight, as furnished by him, and the shipper shall indemnify the carrier against all loss, damages, and expenses arising or resulting from inaccuracies in such particulars. The right of the carrier to such indemnity, shall in no way limit his responsibility and liability under the contract of carriage to any person other than the shipper.

6. Unless notice of loss or damage and the general nature of such loss or dmage be given in writing to the carrier or his agent at the port of discharge before or at the 2. Similar to the British Act. In principle the British Act and Canadian statute are the same. The Canadian Act, section 4, has an obligation that the shipowner shall properly deliver the goods, while the British Act only runs to the point of discharge from the ship.

3. Similar to the British Act. Section 9 of the Canadian Act is somewhat similar but the wording of the British Act is more comprehensive.

4. Similar to British Act. There is no separate section in the Canadian Act dealing with this point, but the last clause of section 9 of that Act is to the same effect.

5. Similar to the British Act. No comparable section is found in the Canadian Act, but such Rule is desirable.

6. Similar to the British Act. No comparable provisions in the Canadian Act, but these are desirable.

time of the removal of the goods into the custody of the person entitled to delivery thereof under the contract of carriage, or, if the loss or damage be not apparent, within three days, such removal shall be *prima facie* evidence of the delivery by the carrier of the goods as described in the bill of lading.

The notice in writing need not be given if the state of the goods has at the time of their receipt been the subject of joint survey or inspection.

In any event the carrier and the ship shall be discharged from all liability in respect of loss or damage unless suit is brought within one year after delivery of the goods or the date when the goods should have been delivered.

In the case of any actual or apprehended loss or damage the carrier and the receiver shall give all reasonable facilities to each other for inspecting and tallying the goods.

7. After the goods are loaded the bill of lading to be issued by the carrier, master or agent of the carrier, to the shipper shall, if the shipper so demands, be a "shipped" bill of lading, provided that if the shipper shall have previously taken up any document of title to such goods, he shall surrender the same as against the issue of the "shipped" bill of lading, but at the option of the carrier such document of title may be noted at the port of shipment by the carrier, master, or agent with the name or names of the ship or ships upon which the goods have been shipped and the date or dates of shipment, and when so noted the same shall for the purpose of this Article be deemed to constitute a "shipped" bill of lading.

8. Any clause, covenant or agreement in a contract of carriage relieving the carrier or the ship from liability for loss or damage to or in connection with goods arising from negligence, fault or failure in the duties and obligations provided in this Article or lessening such liability otherwise than as provided in these Rules, shall be null and void and of no effect.

A benefit of insurance or similar clause shall be deemed to be a clause relieving the carrier from liability.

ARTICLE IV.

RIGHTS AND IMMUNITIES.

1. Neither the carrier nor the ship shall be liable for loss or damage arising or resulting from unseaworthiness unless caused by want of due diligence on the part of the carrier to make the ship seaworthy, and to secure that the ship is properly manned, equipped and supplied, and to make 7. Similar to the British Act. No comparable section in the Canadian Act, except that section 9 requires a bill of lading to be issued on demand, but there is no provision for more than one bill.

S. Similar to the British Act, and is comparable to section 4 of the Canadian Act but in addition contains a further clause—"A benefit of insurance or similar clause shall be deemed to be a clause relieving the carrier from liability."

ARTICLE IV.

1. Similar to the British Act. Section 6 of the Canadian Act exempts the carrier from liability for losses caused by negligent navigation, mismanagement or latent defect provided that he exercises due diligence to make the ship in all respects seaworthy and properly manned, equipped and supplied.

the holds, refrigerating and cool chambers and all other parts of the ship in which goods are carried fit and safe for their reception, carriage and preservation in accordance with the provisions of paragraph 1 of Article III.

Whenever loss or damage has resulted from unseaworthiness, the burden of proving the exercise of due diligence shall be on the carrier or other person claiming exemption under this section.

2. Neither the carrier nor the ship shall be responsible for loss or damage arising or resulting from,

(a) act, neglect, or default of the master, mariner, pilot

- or the servants of the carrier in the navigation or in the management of the ship;
- (b) fire, unless caused by the actual or privity of the carrier;

(c) perils, danger, and accidents of the sea or other navigable waters;

(d) act of God;

(e) act of war;

(f) act of public enemies;

(g) arrest or restraint of princes, rulers or people, or seizure under legal process;

(h) quarantine restrictions;

(i) act or omission of the shipper or owner of the goods, his agent or representative;

(j) strikes or lock-outs or stoppage or restraint of labour from whatever cause, whether partial or general;

- (k) riots and civil commotions;
- (1) saving or attempting to save life or property at sea;
- (m) wastage in bulk or weight or any other loss or damage arising from inherent defect, quality or vice of the goods;
- (n) insufficiency of packing;
- (o) insufficiency or inadequacy of marks;
- (p) latent defects not discoverable by due diligence;
- (q) any other cause arising without the actual fault or privity of the carrier, or without the fault or neglect of the agents or servants of the carrier, but the burden of proof shall be on the person claiming the benefit of this exception to show that neither the actual fault or privity of the carrier nor the fault or neglect of the agents or servants of the carrier contributed to the loss or damage.

3. The shipper shall not be responsible for loss or damage sustained by the carrier or the ship arising or resulting from any cause without the act, fault or neglect of the shipper, his agents or his servants. Section 7 of the Canadian Act further exempts in the case of losses arising without the shipowner's actual fault or privity or without the fault or neglect of his agent, servants or employees.

Rule 1 of Article IV of the British Act deals specifically with losses arising from unseaworthiness and carries out the intent of the Act in imposing on the owner an obligation to exercise due diligence.

2. Similar to the British Act.

- (a) Section 6 of the Canadian Act provides for exemption against losses caused by faults or errors in navigation or in the management of the ship. Section 7 of the Canadian Act provides for exemption against losses caused without the fault or neglect of any servant, agent or employee of the shipowner.
- (b) See section 7 of the Canadian Act.
- (c) See section 7 of the Canadian Act.
- (d) See section 7 of the Canadian Act.
- (e) No similar provision in the Canadian Act.
- (f) See section 7 of the Canadian Act.
- (g) The Canadian Act does not provide relief in the case of "arrest or restraint of princes, rulers or people" but it does provide exemption in the case of seizure under legal process.
- (h) Not in Canadian Act, but desirable.
- (i) See section 7 of the Canadian Act.
- (j) Section 7 of the Canadian Act covers "strikes" only.
- (k) Not in Canadian Act, but desirable.
- (1) See section 7 of the Canadian Act.
- (m) See section 7 of the Canadian Act.
- (n) See section 7 of the Canadian Act.
- (o) Not in Canadian Act, but desirable.
- (p) See section 6 of the Canadian Act.
- (q) Practically the same as in section 7 of the Canadian Act, but that Act does not state where the onus of proof lies.

3. No similar provision in the Canadian Act, although the converse applies. This Rule relieves the shipper or owner of the goods from claims by the carrier. 4. Any deviation in saving or attempting to save life or property at sea, or any reasonable deviation shall not be deemed to be an infringement or breach of these Rules or of the contract of carriage, and the carrier shall not be liable for any loss or damage resulting therefrom.

5. Neither the carrier nor the ship shall in any event be or become liable for any loss or damage to or in connection with goods in an amount exceeding five hundred dollars per package or unit, or the equivalent of that sum in other currency, unless the nature and value of such goods have been declared by the shipper before shipment and inserted in the bill of lading.

This declaration if embodied in the bill of lading shall be *prima facie* evidence, but shall not be binding or conclusive on the carrier.

By agreement between the carrier, master or agent of the carrier and the shipper another maximum amount than that mentioned in this paragraph may be fixed, provided that such maximum shall not be less than the figure above named.

Neither the carrier nor the ship shall be responsible in any event for loss or damage to or in connection with goods if the nature or value thereof has been knowingly misstated by the shipper in the bill of lading.

6. Goods of an inflammable, explosive or dangerous nature to the shipment whereof the carrier, master or agent of the carrier, has not consented, with knowledge of their nature and character, may at any time before discharge be landed at any place or destroyed or rendered innocuous by the carrier without compensation, and the shipper of such goods shall be liable for all damages and expenses directly or indirectly arising out of or resulting from such shipment.

If any such goods shipped with such knowledge and consent shall become a danger to the ship or cargo, they may in like manner be landed at any place or destroyed or rendered innocuous by the carrier without liability on the part of the carrier except to general average, if any.

ARTICLE V.

SURRENDER OF RIGHTS AND IMMUNITIES, AND INCREASE OF RESPONSIBILITIES AND LIABILITIES.

A carrier shall be at liberty to surrender in whole or in part all or any of his rights and immunities or to increase any of his responsibilities under the Rules contained in any of these Articles, provided such surrender or increase shall be embodied in the bill of lading issued to the shipper. 4. See section 7 of the Canadian Act.

5. Similar to the British Act. Section 8 of the Canadian Act quotes \$100. The British Act is more desirable in this respect and also agrees with the liability of \$500 contained in the United States Bill section 1152.

6. Comparable sections are found in the Canadian Act, sections 13 and 14. Similar provisions to the British Act are also contained in the Canada Shipping Act, 1934, sections 456 and 457.

ARTICLE V.

Similar to the British Act. The Canadian Act contains no section of a similar nature, but this is desirable. The provisions of these Rules shall not be applicable to charterparties, but if bills of lading are issued in the case of a ship under a charterparty they shall comply with the terms of these Rules. Nothing in these Rules shall be held to prevent the insertion in a bill of lading of any lawful provision regarding general average.

ARTICLE VI.

SPECIAL CONDITIONS.

Notwithstanding the provisions of the preceding Articles, a carrier, master or agent of the carrier, and a shipper shall in regard to any particular goods be at liberty to enter into any agreement in any terms as to the responsibility and liability of the carrier for such goods, and as to the rights and immunities of the carrier in respect of such goods, or his obligation as to seaworthiness, so far as this stipulation is not contrary to public policy, or the care or diligence of his servants or agents in regard to the loading, handling, stowage, carriage, custody, care, and discharge of the goods carried by water, provided that in this case no bill of lading has been or shall be issued and that the terms agreed shall be embodied in a receipt which shall be a non-negotiable document and shall be marked as such.

Any agreement so entered into shall have full legal effect Provided that this Article shall not apply to ordinary commercial shipments made in the ordina ourse of trade, but only to other shipments where the " condition of the property to be carried or t. stances, terms and conditions under which the cabe performed, are such as reasonably to justif agreement.

ARTICLE VII.

LIMITATIONS ON THE APPLICATION OF THE RULES.

Nothing herein contained shall prevent a carrier or a shipper from entering into any agreement, stipulation, condition, reservation or exemption as to the responsibility and liability of the carrier or the ship for the loss or damage to or in connection with the custody and care and handling of goods prior to the loading on and subsequent to the discharge from the ship on which the goods are carried by water.

ARTICLE VI.

Similar to the British Act. There is no comparable section in the Canadian Act and the parties concerned cannot contract themselves out of the Act.

The British Act permits special arrangements in cases of shipments of particular goods whereby the contractor may relieve himself from the obligations and responsibilities imposed by the Act, provided that no negotiable document is issued.

Section 4 of the British Act extends this privilege to make special arrangements for goods shipped between ports in Great Britain and Northern Ireland and the Irish Free State, and in this proposed Act these provisions have been made applicable in the case of ships carrying goods from any port or place in Canada to any other port or place in Canada.

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ARTICLE VII.

Similar to the British Act. This permits the carrier or shipper to enter into any agreement, etc., as to responsibility and liability for loss or damage in connection with the custody and care and handling of goods prior to the loading of and subsequent to the discharge from the ship on which the goods are carried.

ARTICLE VIII.

LIMITATION OF LIABILITY.

The provisions of these Rules shall not affect the rights and obligations of the carrier under any statute for the time being in force relating to the limitation of the liability of owners of vessels.

ARTICLE IX.

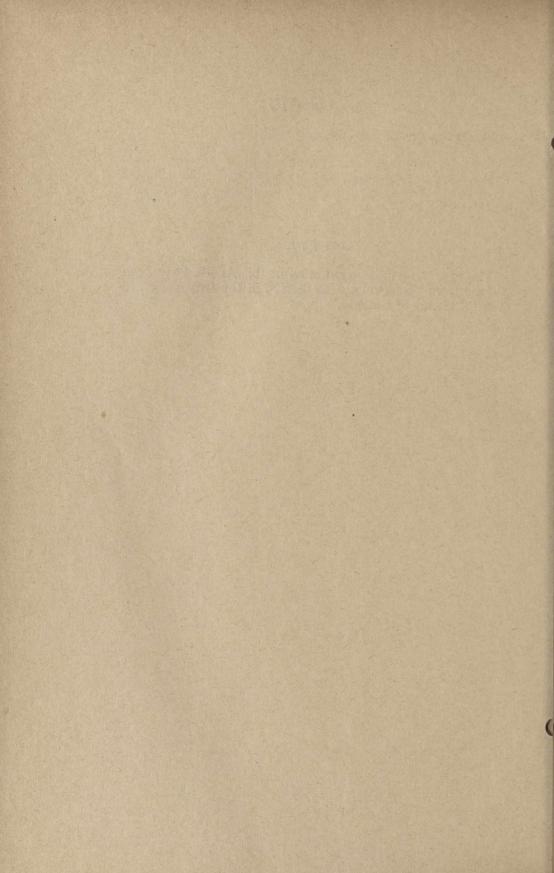
The monetary units mentioned in these Rules are to be taken to be lawful money of Canada.

ARTICLE VIII.

Similar to the British Act.

ARTICLE IX.

The monetary units mentioned in this Article have been altered from "gold value," as defined in the British Act, to "lawful money of Canada."



First Session, Eighteenth Parliament, 1 Edward VIII, 1936

THE HOUSE OF COMMONS OF CANADA.

BILL 69.

An Act for granting to His Majesty certain sums of money for the public service of the financial year ending the 31st March, 1937.

AS PASSED BY THE HOUSE OF COMMONS, 27th MAY, 1936.

1st Session, 18th Parliament, 1 Edward VIII, 1936

THE HOUSE OF COMMONS OF CANADA.

BILL 69.

An Act for granting to His Majesty certain sums of money for the public service of the financial year ending the 31st March, 1937.

MOST GRACIOUS SOVEREIGN,

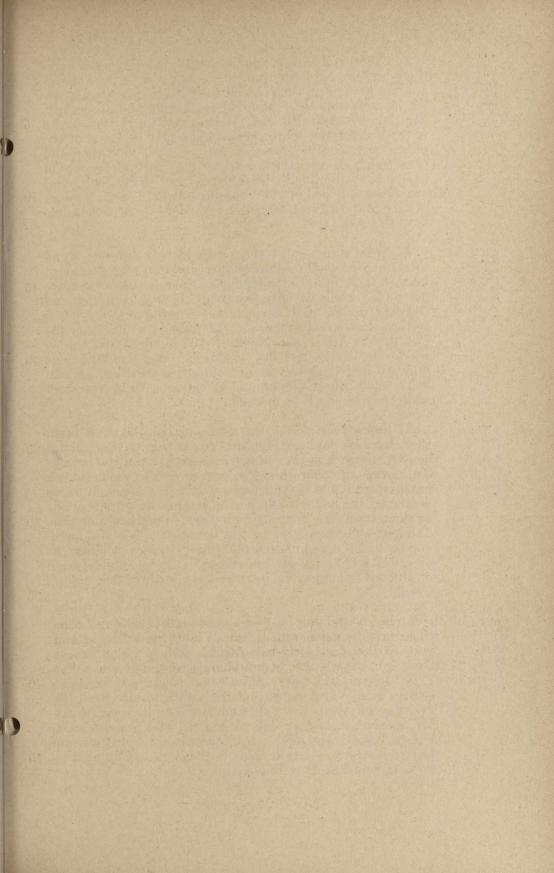
Preamble.

WHEREAS it appears by message from His Excellency the Right Honourable Baron Tweedsmuir of Elsfield, etc., etc., Governor General of Canada, and the estimates accompanying the said message that the sums hereinafter mentioned are required to defray certain expenses of the 5 public service of Canada, not otherwise provided for, for the financial year ending the thirty-first day of March, one thousand nine hundred and thirty-seven, and for other purposes connected with the public service: May it therefore please Your Majesty, that it may be enacted and be it 10 enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, that:—

Short title.

\$16,931,242.58 granted for 1936–37. **1.** This Act may be cited as The Appropriation Act, No. 4, 1936.

2. From and out of the Consolidated Revenue Fund there may be paid and applied a sum not exceeding in the whole sixteen million, nine hundred and thirty-one thousand two hundred and forty-two dollars and fifty-eight cents towards defraying the several charges and expenses of the 20 public service, from the first day of April, one thousand nine hundred and thirty-six, to the thirty-first day of March, one thousand nine hundred and thirty-seven, not otherwise provided for, and being one-twelfth of the amount of each of the several items to be voted, set forth in the Estimates 25 for the fiscal year ending the thirty-first day of March, one thousand nine hundred and thirty-seven, as laid before the House of Commons at the present session of Parliament.



Additional interim vote of \$371,958.33 granted for 1936-37 on certain items.

Additional interim vote of \$75,866.66 granted for 1936-37 on certain item.

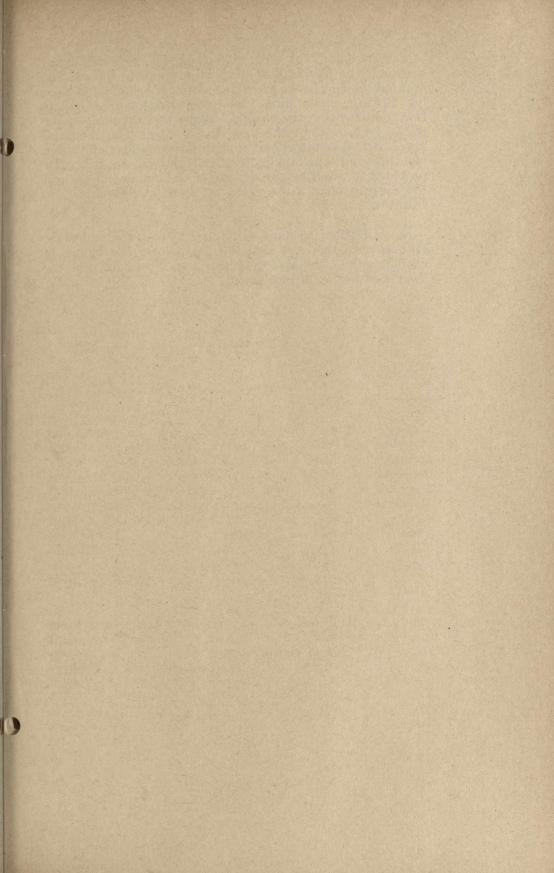
Additional interim vote of \$265,605.75 granted for 1936-37 on certain items.

Additional interim vote of \$4,233.33 granted for 1936-37 on certain item. **3.** From and out of the Consolidated Revenue Fund there may be paid and applied, in addition to the amount granted therefor in the preceding section, a sum not exceeding in the whole three hundred and seventy-one thousand, nine hundred and fifty-eight dollars and thirty-three cents **5** towards defraying the several charges and expenses of the public service, from the first day of April, one thousand nine hundred and thirty-six, to the thirty-first day of March, one thousand nine hundred and thirty-seven, not otherwise provided for, and being one-twelfth of the amount **10** of each of the several items to be voted set forth in Schedule A to this Act.

4. From and out of the Consolidated Revenue Fund there may be paid and applied, in addition to the amount granted therefor in the preceding sections, a sum not exceed- 15 ing in the whole seventy-five thousand, eight hundred and sixty-six dollars and sixty-six cents towards defraying a certain charge and expense of the public service, from the first day of April, one thousand nine hundred and thirtysix to the thirty-first day of March, one thousand nine 20 hundred and thirty-seven, not otherwise provided for, and being one-sixth of the amount of the item to be voted set forth in Schedule B to this Act.

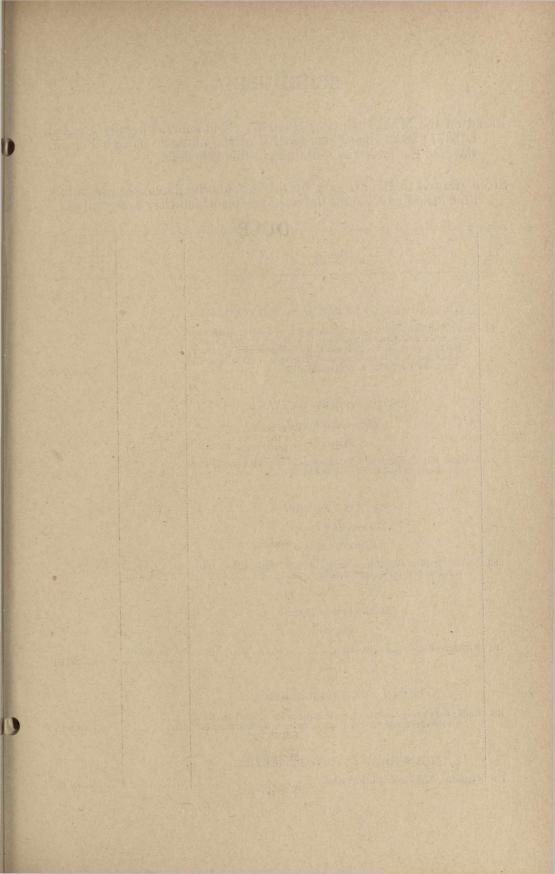
5. From and out of the Consolidated Revenue Fund there may be paid and applied, in addition to the amount 25 granted therefor in the preceding sections, a sum not exceeding in the whole two hundred and sixty-five thousand, six hundred and five dollars and seventy-five cents towards defraying the several charges and expenses of the public service, from the first day of April, one thousand nine 30 hundred and thirty-six, to the thirty-first day of March, one thousand nine hundred and thirty-seven, not otherwise provided for, and being one-fourth of the amount of each of the several items to be voted set forth in Schedule C to this Act. 35

6. From and out of the Consolidated Revenue Fund there may be paid and applied, in addition to the amount granted therefor in the preceding sections, a sum not exceeding in the whole four thousand, two hundred and thirtythree dollars and thirty-three cents towards defraying a 40 certain charge and expense of the public service, from the first day of April, one thousand nine hundred and thirtysix, to the thirty-first day of March, one thousand nine hundred and thirty-seven, not otherwise provided for, and being one-third of the amount of the item to be voted set 45 forth in Schedule D to this Act.



Additional interim vote of \$9,200.00 granted for 1936-37 on certain items. 7. From and out of the Consolidated Revenue Fund there may be paid and applied, in addition to the amount granted therefor in the preceding sections, a sum not exceeding in the whole nine thousand, two hundred dollars towards defraying the several charges and expenses of the **5** public service, from the first day of April, one thousand nine hundred and thirty-six, to the thirty-first day of March, one thousand nine hundred and thirty-seven, not otherwise provided for, and being one-half of the amount of each of the several items to be voted set forth in Schedule E to **10** this Act.

Account to be rendered in detail. **S.** 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. 15

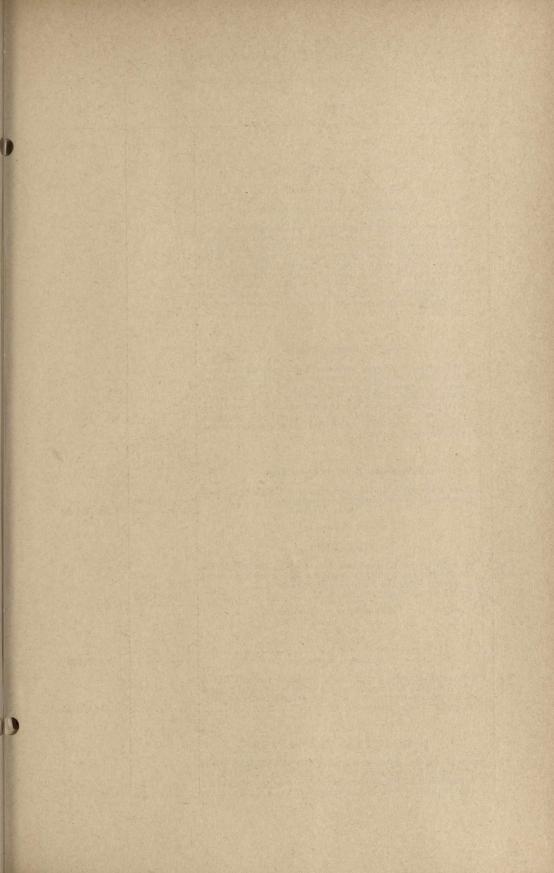


SCHEDULE A

Based on the Main Estimates, 1936-37. The amount hereby granted is \$371,958.33, being one-twelfth of the amount of each item in the said Estimates as contained in this Schedule.

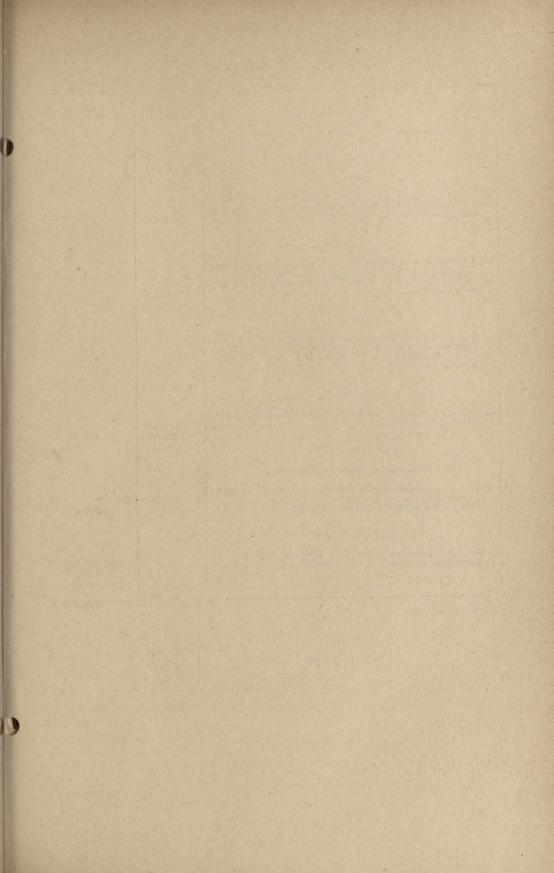
Sums granted to His Majesty by this Act for the financial year ending 31st March, 1937, and the purposes for which they are granted.

-			
No. of Vote	Service	Amount	Total
		\$ cts.	\$ cts.
	SOLDIER AND GENERAL LAND SETTLEMENT		
54	To provide for the cost of administration of Soldier Settlement and General Land Settlement, and for the cost of adminis- tration of Soldier Settlement staff, performing investiga- tions for the War Veterans Allowance Committee and Farmers' Creditors Arrangement Act		786,300 00
	RAILWAYS AND CANALS		
	(Chargeable to Capital)		
	RAILWAYS		
77	Hudson Bay Railway and Terminals: Construction and Better- ments (including E. B. Jost at \$2,375)		217,500 00
	PUBLIC WORKS		
	(Chargeable to Income)		
	PUBLIC BUILDINGS		
98	Yukon Public Buildings-Rents, repairs, fuel, light, water services and caretakers' salaries	22,500 00	•
	HARBOURS AND RIVERS		
	Ontario		
103	Windsor-Warehouse extension	35,000 00	57,500 00
	OCEAN AND RIVER SERVICE		
125	Radio Service—to provide for the suppression of local electrical interferences and for the issue of radio receiving licences.		275,000 00
	LIGHTHOUSE AND COAST SERVICE		
129	Agencies, Rents and Contingencies		202,000 00



SCHEDULE A—Continued

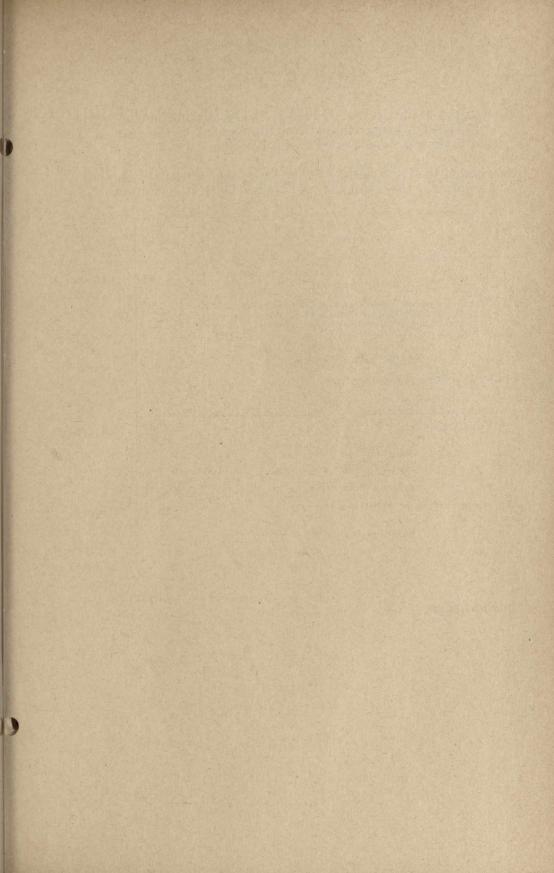
		the second second	
No. of Vote	Service	Amount	Total
		\$ cts.	\$ cts.
	SCIENTIFIC INSTITUTIONS		
	DEPARTMENT OF THE INTERIOR		
	Topographical and Air Survey Bureau		
140	From topographical and air surveys, compiling, drawing, print- ing and distributing, geographical base maps for all pur- poses, issuing technical instructions for air photography and reconnaissance, under supervision of Committee on Air Surveys and Base Maps; land and mining claim surveys of all remaining Dominion Lands (Northwest Territories, Do- minion Parks, Ordnance Lands); preparing electoral district maps; maintaining central office for indexing, filing and recording of survey notes and plans, and the distribution of maps, etc.	104,600 00	
	Geodetic Survey of Canada		
141	Control Operations—Precise levelling based on mean sea level, triangulation, geodetic astronomy and investigations—all basic for correlation of water areas, power developments, charts and maps and for the scientific study of the earth's crust, curvature, figure and dimensions. The above is the recognized basis of operations for federal and provincial departments, municipal authorities and engineering projects over the whole country	134,600 00	
	· ·		
	International Boundary Commission		
142	Expenses connected with the maintenance in a state of effective demarcation of the international boundary	29,200 00	268,400 00
	FISHERIES		
150 151	To provide for an investigation into the life history of the Pacific Halibut by the International Fisheries Commission appointed under the Pacific Halibut Treaty		213,300 00
	MINES	and the set of	
	Geological Survey		
154	For explorations, surveys, and investigations; for compilation and publication of English and French editions of reports, maps, illustrations, etc.; and for salaries and wages of explorers, topographers and others	BAR REPORT	350,000 00
	DOMINION LANDS AND PARKS		
172	To provide for the expenses connected with the National Parks of Canada, historic sites, care of indigents in the Parks, the appointment of Stipendiary Magistrates in the Parks and the payment of their remuneration, etc	Star Starting	1,049,600 00



SCHEDULE A—Continued

No. of Vote	Service	Amount	Total
	EXTERNAL AFFAIRS	\$ cts.	\$ cts.
	London		
183	Salaries and expenses of the Office of the High Commissioner for Canada including \$1,900 additional salary for the High Commissioner to that authorized by Chap. 15, R.S.C	125,500 00	
	PARIS		
185	Representation, including salaries and allowances for Minister Plenipotentiary, Secretaries and staff, notwithstanding any- thing to the contrary in the Civil Service Act, or any of its amendments	77,000 00	
	Τοκνο		
186	Representation, including salaries and allowances for Minister Plenipotentiary, Secretaries and staff, notwithstanding any- thing to the contrary in the Civil Service Act, or any of its amendments	70,000 00	
	Geneva		
187	Salaries and expenses of the Office of the Canadian Advisory Officer	32,500 00	305,000 00
	PUBLIC WORKS		
	(Chargeable to Collection of Revenue)		
	Telegraph and Telephone Lines		
262	Telegraph and Telephone Services, Generally		5,500 00
	TRADE AND COMMERCE		
266	Commercial Intelligence Service, including miscellaneous expenditure in connection with Canada's trade		733,400 00
	Total		*4,463,500 00

*Net total, \$371,958.33.



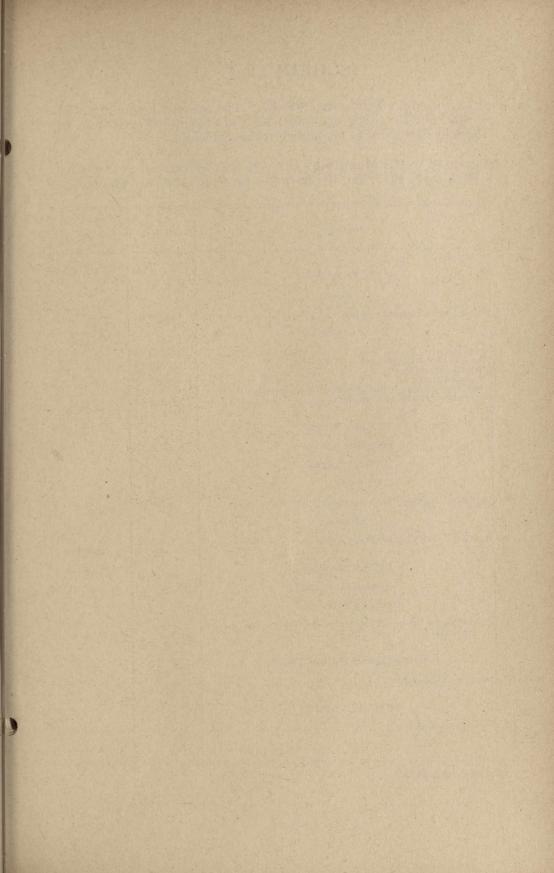
SCHEDULE B

Based on the Main Estimates, 1936-37. The amount hereby granted is \$75,866.66, being one-sixth of the amount of the item in the said Estimates as contained in this Schedule.

SUM granted to His Majesty by this Act for the financial year ending 31st March, 1937, and the purpose for which it is granted.

No. of Vote	Service	Amount	Total
	MISCELLANEOUS	\$ cts.	\$ cts.
210	Unforeseen expenses, expenditure thereof to be subject to the approval of the Treasury Board, and a detailed statement to be laid before Parliament within fifteen days of next Session		80,000 00
	TRADE AND COMMERCE	R. M. Law	
267	Dominion Bureau of Statistics		375,200 00
	Total		*455,200 00

*Net total, \$75,866.66.



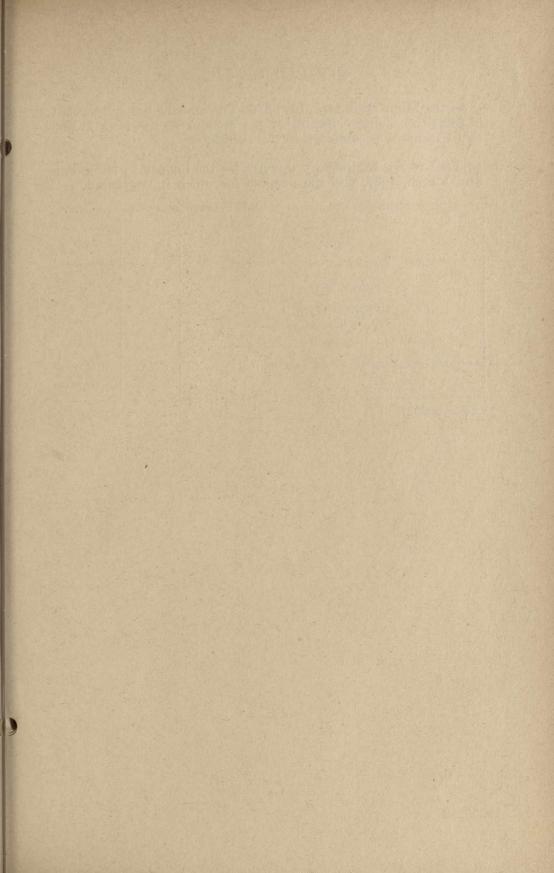
SCHEDULE C

Based on the Main Estimates, 1936-37. The amount hereby granted is \$265,605.75, being one-fourth of the amount of each item in the said Estimates as contained in this Schedule.

SUMS granted to His Majesty by this Act for the financial year ending 31st March, 1937, and the purposes for which they are granted.

Nô. of Vote	Service	Amount	Total
	LECTRI ATTON	\$ cts.	\$ cts.
	LEGISLATION		
	Senate	101 000 55	
34	Salaries and contingent expenses	184,309 75	
	HOUSE OF COMMONS		
35	Salaries. Expenses of committees, etc Clerical assistance, etc. Contingencies. Publishing debates, including salaries of amanuenses, etc. Estimates of the Sergeant-at-Arms.	$\begin{array}{c} 130,816 \ 25 \\ 15,000 \ 00 \\ 124,146 \ 87 \\ 47,409 \ 00 \\ 63,000 \ 00 \\ 206,091 \ 13 \end{array}$	770,773 00
	PUBLIC WORKS		
	(Chargeable to Income)		
	PUBLIC BUILDINGS		
	Ontario		
91	Belleville—Building for Entomological Branch	36,500 00	
	Alberta		
94	Red Deer—Addition to armoury	1,500 00	38,000 00
	PUBLIC WORKS		Sale att
	(Chargeable to Capital)		
	MARINE DEPARTMENT		
128	To provide for the investigation of water levels in the St. Law- rence River		40,000 00
	STEAMBOAT INSPECTION		
144	Steamboat Inspection		128,700 00
	. MISCELLANEOUS		
229	Battlefields Memorials		84,950 00
	Total		*1,062,423 00

*Net total, \$265,605.75.



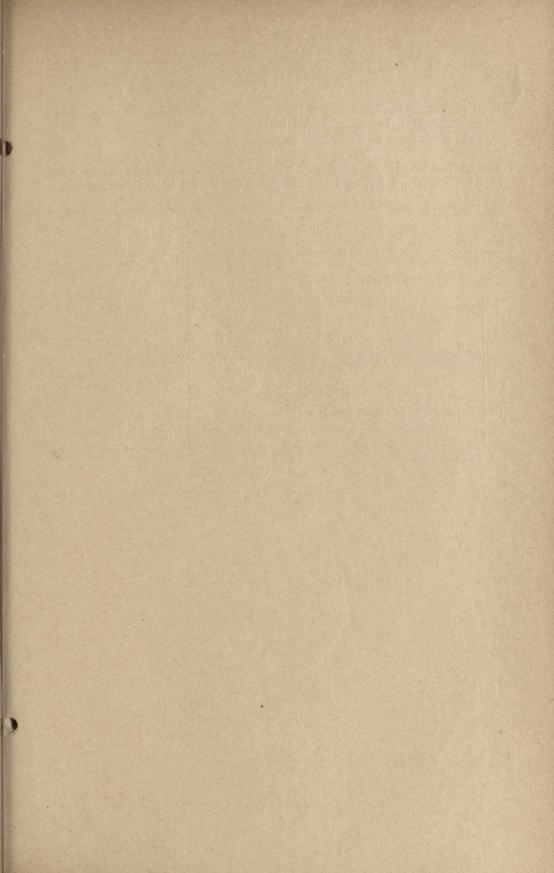
SCHEDULE D

Based on the Main Estimates, 1936-37. The amount hereby granted is \$4,233.33, being one-third of the amount of the item in the said Estimates as contained in this Schedule.

Sum granted to His Majesty by this Act for the financial year ending 31st March, 1937, and the purpose for which it is granted.

No. of Vote	Service	Amount	Total
	PUBLIC WORKS	\$ cts.	\$ cts.
A CONTRACT	(Chargeable to Income)		
	PUBLIC BUILDINGS		
	Quebec		
90	Westmount—Instalment on purchase of armoury		12,700 00
	Total		*12,700 00

*Net total, \$4,233.33.



SCHEDULE E

Based on the Main Estimates, 1936-37. The amount hereby granted is \$9,200.00, being one-half of the amount of each item in the said Estimates as contained in this Schedule.

SUMS granted to His Majesty by this Act for the financial year ending 31st March, 1937, and the purposes for which they are granted.

No. V e	Amount	Total
PUBLIC WORKS	\$ cts.	\$ cts.
(Chargeable to Income)		
PUBLIC BUILDINGS		
Ontario		
91{ Belleville—New Gun Shed	1,500 00 15,500 00	17,000 00
FISHERIES		
146 Building Fishways and Clearing Rivers		1,400 00
Total		*18,400 00

*Net total, \$9,200.00.

First Session, Eighteenth Parliament, 1 Edward VIII, 1936

70.

THE HOUSE OF COMMONS OF CANADA.

BILL 70.

An Act for granting to His Majesty certain sums of money for the public service of the financial year ending the 31st March, 1937.

AS PASSED BY THE HOUSE OF COMMONS, 27th MAY, 1936.

19352

1st Session, 18th Parliament, 1 Edward VIII, 1936

THE HOUSE OF COMMONS OF CANADA.

BILL 70.

An Act for granting to His Majesty certain sums of money for the public service of the financial year ending the 31st March, 1937.

MOST GRACIOUS SOVEREIGN,

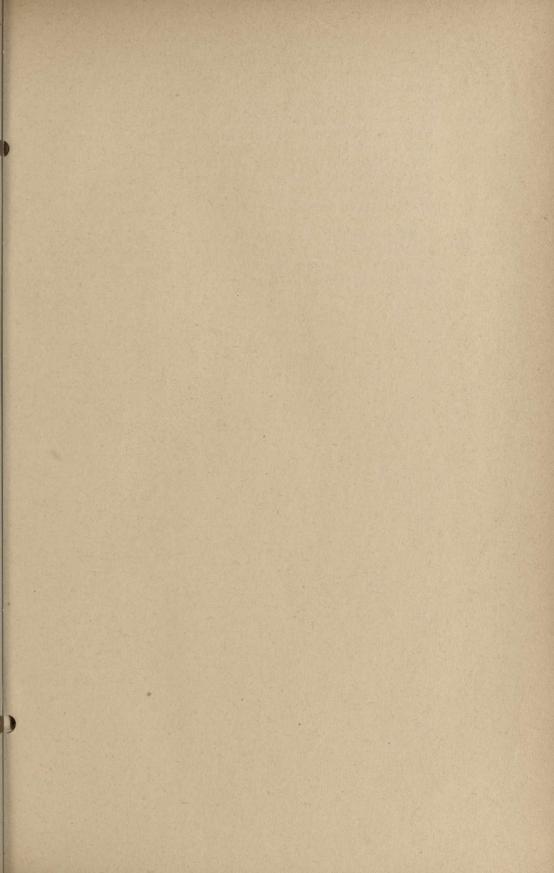
Preamble.

WHEREAS it appears by message from His Excellency the Right Honourable Baron Tweedsmuir of Elsfield, etc., etc., Governor General of Canada, and the estimates accompanying the said message that the sums hereinafter mentioned are required to defray certain expenses of the 5 public service of Canada, not otherwise provided for, for the financial year ending the thirty-first day of March, one thousand nine hundred and thirty-seven, and for other purposes connected with the public service: May it therefore please Your Majesty, that it may be enacted and be it 10 enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, that:—

Short title.

\$10,930,095.28 granted for 1936-37. 1. This Act may be cited as The Appropriation Act, No. 5, 1936.

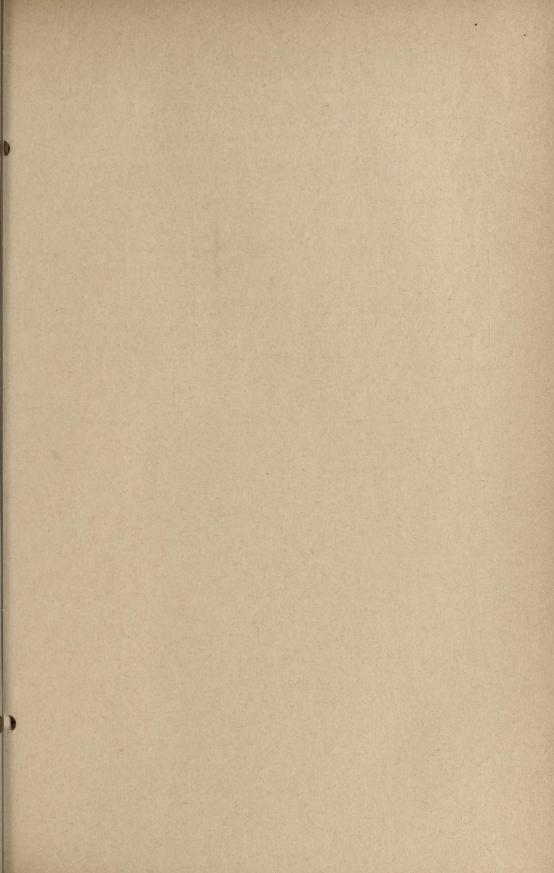
2. From and out of the Consolidated Revenue Fund there may be paid and applied a sum not exceeding in the whole ten million, nine hundred and thirty thousand and ninety-five dollars and twenty-eight cents towards defraying the several charges and expenses of the public service, from 20 the first day of April, one thousand nine hundred and thirty-six, to the thirty-first day of March, one thousand nine hundred and thirty-seven, not otherwise provided for, and being one-twelfth of the amount of each of the several items to be voted, set forth in the Special Supplementary 25 Estimates for the fiscal year ending the thirty-first day of March, one thousand nine hundred and thirty-seven, as laid before the House of Commons at the present session of Parliament.



Additional interim vote of \$33,333.33 granted for 1936-37, on certain item. **3.** From and out of the Consolidated Revenue Fund there may be paid and applied, in addition to the amount granted therefor in the preceding section, a sum not exceeding in the whole thirty-three thousand, three hundred and thirty-three dollars and thirty-three cents towards defraying 5 a certain charge and expense of the public service, from the first day of April, one thousand nine hundred and thirty-six, to the thirty-first day of March, one thousand nine hundred and thirty-seven, not otherwise provided for, and being one-sixth of the amount of each of the several items 10 to be voted set forth in the Schedule to this Act.

4. A detailed account of the sums expended under the authority of this Act shall be laid before the House of Commons of Canada during the first fifteen days of the then next session of Parliament. 15

Account to be rendered in detail.



SCHEDULE

Based on the Special Supplementary Estimates, 1936-37. The amount hereby granted is \$33,333.33, being one-sixth of the amount of the item in the said Estimates as contained in this Schedule.

SUM granted to His Majesty by this Act for the financial year ending 31st March, 1937, and the purpose for which it is granted.

Nø. of Vote	Service	Amount	Total
		\$ cts.	\$ cts.
	MINES		
342	To continue geological surveys and investigations in the North- west Territories and elsewhere in Canada, uncompleted in 1935.		200,000 00
	Total		*200,000 00

*Net Total \$33,333.33.

71.

THE HOUSE OF COMMONS OF CANADA.

BILL 71.

An Act to amend the Customs Tariff.

First reading, May 27, 1936.

The MINISTER OF FINANCE.

OTTAWA J. O. PATENAUDE, I.S.O. PRINTER TO THE KING'S MOST EXCELLENT MAJESTY 1936

18155

1st Session, 18th Parliament, 1 Edward VIII, 1936

THE HOUSE OF COMMONS OF CANADA.

BILL 71.

An Act to amend the Customs Tariff.

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

1. Subsection one of section six of the *Customs Tariff*, chapter forty-four of the Revised Statutes of Canada, 1927, 5 as enacted by chapter thirty of the statutes of 1931, is repealed and the following substituted therefor:—

"6. (1) In the case of articles exported to Canada of a class or kind made or produced in Canada, if the export or actual selling price to an importer in Canada is less than 10 the fair market value of the same article when sold for home consumption in the usual and ordinary course in the country whence exported to Canada at the time of its exportation to Canada, or is less than the fair market value or value for duty thereof as determined under the provisions of 15 section thirty-six of the Customs Act or is less than the value for duty thereof as determined by the Minister under the provisions of paragraphs (a) and (e) of section fortyone of the Customs Act. or is less than the fair market value thereof as fixed under the provisions of section forty-three 20 of the Customs Act. there shall, in addition to the duties otherwise established, be levied, collected and paid on such article, on its importation into Canada, a special or dumping duty, equal to the difference between the said selling price of the article for export and the said fair market value 25 thereof or value for duty thereof; and such special or dumping duty shall be levied, collected and paid on such article although it is not otherwise dutiable.

Provided that when it is established that any articles though of a class or kind made or produced in Canada are 30 not offered for sale to the ordinary agencies of wholesale or retail distribution or are not offered to all purchasers on equal terms under like conditions, having regard to the custom and usage of trade, such articles may be exempted from special or dumping duty. 35

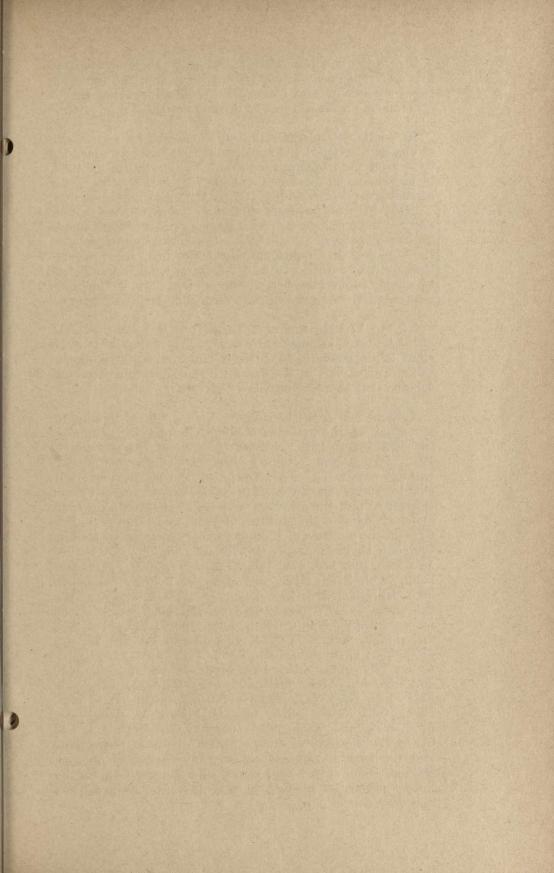
R.S., c. 44, 1928, c. 17; 1930 (1st Sess.) c. 13; 1930 (2nd Sess.), c. 3; 1931, c. 30; 1932, c. 41; 1923-33, cc. 6, 37; 1934, cc. 32, 49; 1935, c. 28.

Undervaluation.

Special or dumping duty.

R.S. c. 42.

Exemptions from dumping duty.



Not to exceed 50% ad val. exemptions.

Articles of class or kind made in Canada.

French version corrected.

Schedule A.

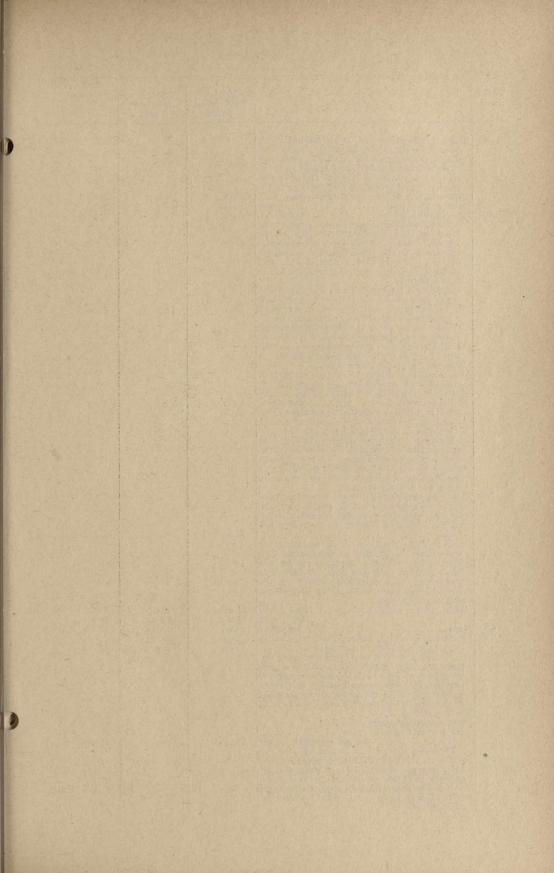
Provided that the said special duty shall not exceed fifty per centum *ad valorem* in any case, and the following goods shall be exempt from such special duty, namely:— Goods of a class subject to duty under the *Excise* Act."

2. Section six of the said Act, as enacted by section one 5 of chapter thirty of the statutes of 1931, and as amended by section one of chapter forty-nine of the statutes of 1934, by section one of the statutes of 1932-33, and by this Act is further amended by adding thereto the following subsection:

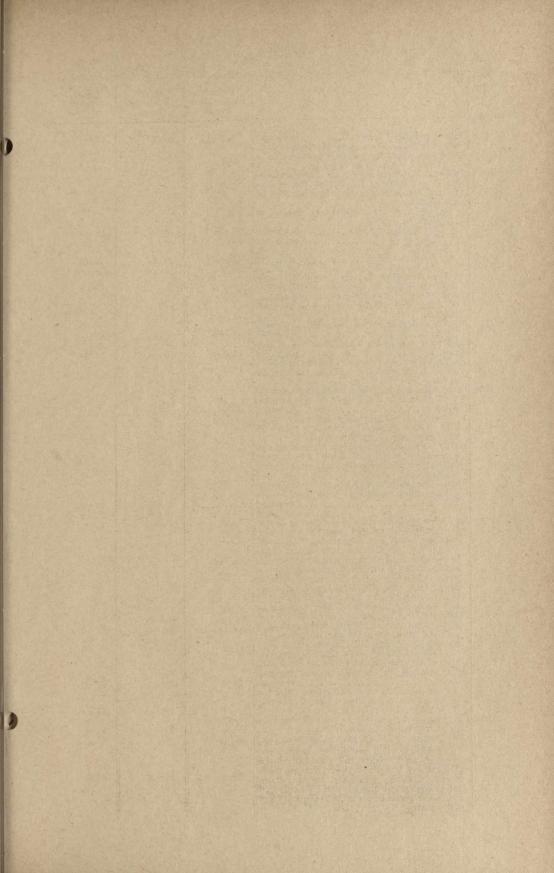
"(10) For the purposes of this Act articles shall not be 10 deemed to be of a class or kind made or produced in Canada unless so made or produced in substantial quantities; and the Governor in Council may by Order in Council provide that such quantities, to be substantial, shall be sufficient to supply a certain percentage of the normal Canadian 15 consumption and may in such Order fix such percentage."

3. The French version of Tariff Item 691 of Schedule A of the said Act, as enacted by section five of chapter twenty-eight of the statutes of 1935, is amended by striking out the word "croix" in the second line of the said item and 20 substituting thereof the word "crosses".

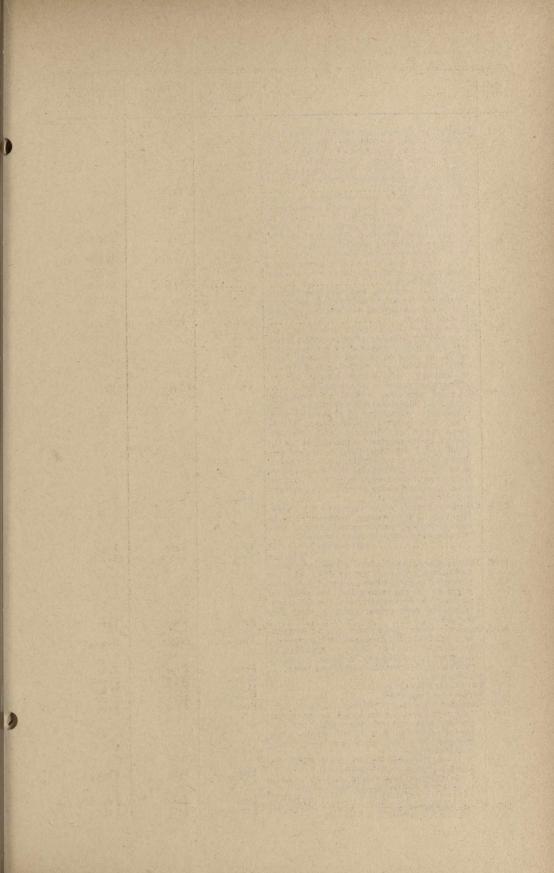
4. Schedule A to the said Act, as amended by chapter seventeen of the statutes of 1928, chapter thirty-nine of the statutes of 1929, chapter thirteen of the statutes of 1930 (first session), chapter three of the statutes of 1930 25 (second session), chapter thirty of the statutes of 1931, chapter forty-one of the statutes of 1932, chapters six and thirty-seven of the statutes of 1932-33, chapters thirty-two and forty-nine of the statutes of 1934, and chapter twentyeight of the statutes of 1935, is further amended by striking 30 thereout Tariff Items 16, 28, 28a, 29, 35, 79b, 83 (a), 99c, 142, 147, 168, 173, 178, 180a, 183, 199b, 200a, 206, 206a, 208h, 208i, 219d, 219e, 224, 259, 267, 267a, 267b, 268, 269, 270, 271, 272, 273, 274, 275, 284, 286, 288, 312a, 323, 326a, 362, Proviso to 380 (b), 400, 404b, 409b to 409k 35 inclusive, 409l, 409m, 409n, 409q, 409r, 410d, 411b, 412, 412a, 422a, 424, 427, 427a, 428a, 428b, 429 (a) 429 (g), 430, 430a, 431c, 435, 438a, 438b, 438c, 438d, 438e, 438f, 438h, 438i, 442, 445a, 445f, 445g, 445k, 445m, 446a, 455, 462, 463, 473, 476a, 494b, 505, 513, 522, 522c, 523, 523a, 40 523b, 529, 529a, 532, 558b, 558d, 561, 564b, 567a, 569c, 569e, 584a, 584b, 587a, 603, 607 (Part 2), 657a, 663c, 672a, 695, 695b, 698, 698a, 703, 718, 783, 802, 811, 813, 818, 821, the several enumerations of goods respectively and the several rates of duties of Customs, if any, set 45 opposite each of the said items, and by inserting the following items, enumerations and rates of duty in said Schedule A:-



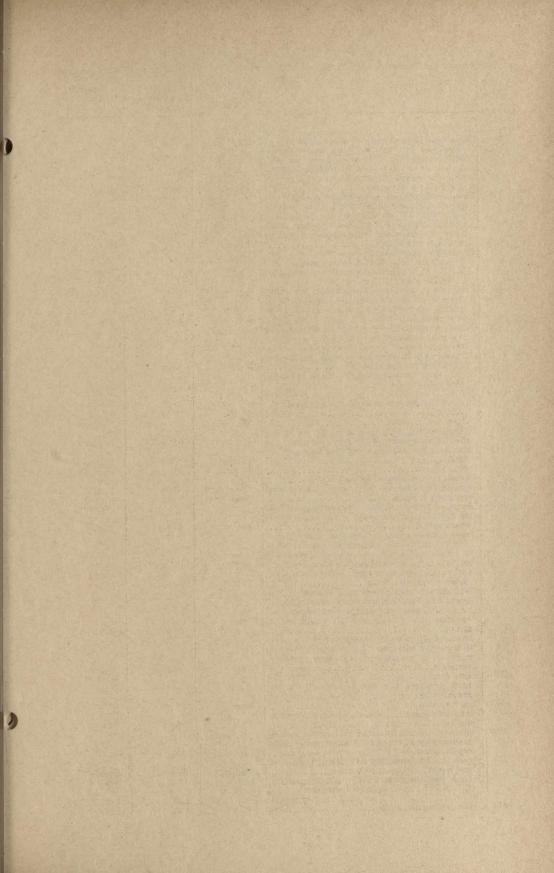
ariff tem	_	British Preferential Tariff	Inter- mediate Tariff	General Tariff
9c 9d 16	Horse meat, tripe and other animal offal, ground or unground, unfit for human con- sumption; feeds consisting wholly or in part of cereals but not including baked biscuits; all the foregoing when for use exclusively in the feeding of fur-bearing animals or in the manufacture of feeds for such purposes Baby chicks, n.o.peach Eggs in the shell	Free Free 2 cts.	Free 4 cts. 5 cts.	Free 5 cts. 10 cts.
28	such country. Coffee, green, imported direct from the coun- try of growth and production, or purchased in bond in the United Kingdomper pound Provided, that coffee, green, shall be en- titled to entry under the British Preferential Tariff upon evidence satisfactory to the	Free	3 ets.	5 cts.
28a	Minister that such coffee has been produced wholly in the British dominions, colonies or possessions, and not otherwise. Tea, imported direct from the country of growth and production, or purchased in bond in the United Kingdom or in any British possessionper pound When in packages weighing five pounds, each, or less, the weight of such packages to be included in the weight for duty. Provided, that tea shall be entitled to entry under the British Preferential Tariff upon evidence satisfactory to the Minister that such tea has been produced wholly in	4 cts.	8 cts.	8 cts.
28b	 the British dominions, colonies or possessions, and not otherwise. Tea dust, sweepings or waste, when imported by manufacturers of caffein, crude or refined, for use exclusively in the manufacture of caffein, crude or refined, in their own factories. Provided, that tea dust, sweepings or waste shall be entitled to entry under this item upon evidence satisfactory to the Minister that such tea dust, sweepings or waste has been produced wholly in the British dominions, colonies or possessions, 	Free		
29	and not otherwise. Coffee, green, n.o.pper pound and	$2\frac{1}{4}$ cts. $7\frac{1}{2}$ p.c.	3 cts. 10 p.c.	5 cts. 10 p.c.
35 79b	Hopsper pound Flowers and foliage, natural, cut, whether in	6 cts.	10 cts.	16 cts.
83	designs or bouquets or not, n.o.p Provided that, if any foreign country im- poses on such goods the produce of the Dominion of Canada duties or charges more onerous than are prescribed by this item, duties equivalent thereto shall be imposed on the like goods imported into Canada from such country.	Free	Free	40 p.c.
83	Potatoes, as hereunder defined:— (a) In their natural stateper one hundred pounds Provided that, if any foreign country im- poses on such goods the produce of the Dominion of Canada duties or charges more onerous than are prescribed by this item, duties equivalent thereto shall be imposed on the like goods imported into Canada from	Free	Free	75 cts.



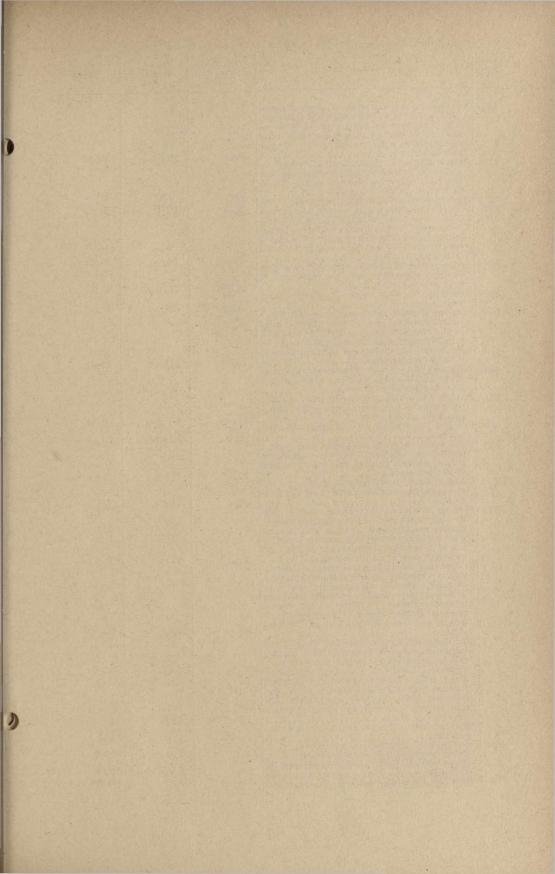
Fariff Item		British Preferential Tariff	Inter- mediate Tariff	General Tariff
99c	Raisins and dried currantsper pound When in packages weighing two pounds each, or less, the weight of such packages to be included in the weight for duty.	Free	4 cts.	4 cts.
142	Tobacco, unmanufactured, for excise purposes under conditions of the Excise Act, subject to such regulations as may be prescribed by the Minister:			
	Turkish: (i) Unstemmedper pound (ii) Stemmedper pound	20 cts. 30 cts.	40 cts. 60 cts.	40 cts. 60 cts.
	(b) N.O.P.:- (i) Unstemmedper pound	40 cts.	40 cts.	40 cts.
	(ii) Stemmedper pound Provided that the duty under this item shall be levied on the basis of "Standard leaf tobacco" consisting of ten per centum of water and ninety per centum of solid matter.	60 cts.	60 cts.	60 cts.
147	 (a) Ale and beer, when imported in bottles per gallon (b) Porter and stout, when imported in bot- 	30 cts.	50 cts.	50 cts.
	tlesper gallon Provided, that six quart bottles or twelve pint bottles shall be held to contain one gallon.	15 cts.	50 cts.	50 cts.
163a	Prune wine, not sparkling, when containing not more than thirty-eight per centum of proof spiritper gallon Provided, that six quart bottles or twelve pint bottles be held to contain a gallon for	25 cts.	••••••	
168	bint bottles be held to contain a galon for duty purposes under this item. Malt flour containing less than fifty per centum in weight of malt; malt syrup or malt syrup powder; extracts of malt, fluid or not; grain molasses—all articles in this item upon valuation without British or foreign excise duties, under regulations prescribed by the Minister		5 cts.	10 cts.
173 178	and Books for the instruction of the deaf or dumb. Advertising and printed matter, viz.:—Ad- vertising pamphlets, advertising show cards, illustrated advertising periodicals; price books, catalogues and price lists; advertising almanacs and calendars; patent medicine or other advertising circulars, fly sheets or pamphlets; advertising chromos, chromo- types, oleographs or like work produced by any process other than hand painting or drawing, and having any advertisement or advertising matter printed, lithographed or stamped thereon, or attached thereto, in- cluding advertising bills, folders and posters, or other similar artistic work, lithographed, printed or stamped on paper or cardboard for business or advertisement purposes,	25 p.c. Free	30 p.c. Free	35 p.c. Free
	n.o.pper pound Provided, that on importations under the Intermediate or the General Tariff, the rate	5 cts.	$12\frac{1}{2}$ cts.	15 cts.
180a	of duty shall be not less than		$27\frac{1}{2}$ p.c.	35 p.c.
180a	under regulations by the Minister	Free	Free	Free
	reproduction in periodical publications enjoy- ing second-class mailing privileges Provided that goods which are entitled to entry free of duty or at a lower rate than as indicated in this item shall not be entered at the rates specified in this item.	Free	10 p.c.	25 p.c.



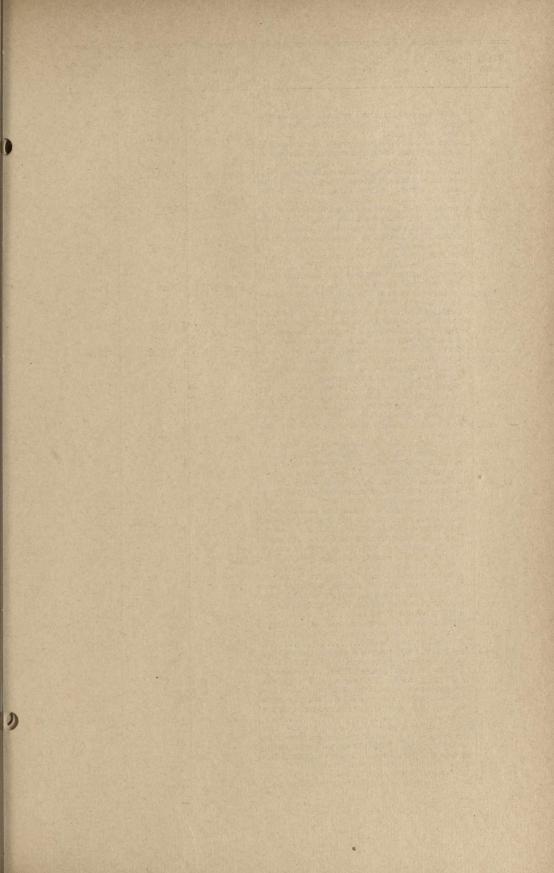
lariff tem		British Preferential Tariff	Inter- mediate Tariff	General Tariff
183	Newspapers, or supplemental editions or parts thereof, partly printed and intended to be completed and published in Canada; comic and pictorial sections, non-advertising, to be inserted in or folded with periodical publica- tions entered for mailing purposes as second-			
197d	class matter	Free	Free	Free
	manufacturers of stencils for duplicating machines for use exclusively in the manu-		10	25 7 5
199Ъ	facture of such stencils in their own factories. Containers wholly or partially manufactured from fibreboard or paperboardper pound	Free 1 ct.	10 p.c. 1 ¹ / ₄ cts.	$\begin{array}{c} 25 \text{ p.c.} \\ 1\frac{1}{2} \text{ cts.} \end{array}$
	Provided, that in no case shall the rate of duty under the Intermediate or the General Tariff be less than		30 p.c.	35 p.c.
200a	Regenerated cellulose, and cellulose acetate, transparent, in sheets, not printed, and manu- factures of regenerated cellulose or of cellulose		00 p.c.	00 p.c.
206	acetate, n.o.p Dragon's blood; fuller's earth, in bulk only, not prepared for toilet or other purposes; litmus and all lichens, prepared or not prepared; musk, in pods or in grain; quassia juice; saffron, saffron cake, safflower, and extracts	20 p.c.	30 p.c.	35 p.c.
206a	of; quinine, salts of; cochineal; ferment cultures to be used in butter-making Biological products, animal or vegetable, n.o.p., for parenteral administration in the diagnosis or treatment of diseases of man, when manufactured under licence of the Department of Pensions and National Health under regulations prescribed by the Food and Drugs Act; and biological pro- ducts, animal or vegetable, n.o.p., for paren- teral administration in the diagnosis or treatment of diseases of animals or poultry, when imported under permit of the veterin-	free	Free	Free
208h	ary director general Ethylene glycol, when imported by manu- facturers of anti-freezing compounds, to be used exclusively in the manufacture of anti- freezing compounds in their own factories	Free	Free .	Free
208i	Animal glands and animal glandular organs, and extracts thereof, wet or dry, (whether alcoholic or not), when imported by manu- facturers of pharmaceutical or medicinal preparations for use exclusively in the manu- facture of such preparations in their own factories.	Free	Free 15 p.c.	Free 15 p.c. Free
	Sulphuric ether; chloroform, n.o.p.; prepara- tions of vinyl ether for anaesthetic purposes	Free	25 p.c.	25 p.c.
219e	Chloropicrin, ethylene oxide, or cyanides, or mixtures containing any of these, for use in combating destructive insects and pests		Free	Free
224 259 259a 259b 267	Sealing wax Lard oil and neat's foot oil Sesame seed oil, crude Rapeseed oil, crude or refined Crude petroleum not subjected to any other	15 p.c. 15 p.c. Free Free	22½ p.c. 22½ p.c. 22½ p.c. Free	25 p.c. 25 p.c. 25 p.c. Free
	process than natural weathering and re- moval of foreign matter and water, when imported by oil refiners to be refined in their own factories:		Free	F
	heavier at 60 degrees Fahrenheit (ii) Lighter than .8155 specific gravity (42.0 A.P.I.) at 60 degrees Fahrenheit	Free	Free	Free
267a	Crude petroleum, n.o.pper gallon		1/2 ct. 1/2 ct.	1 ct. 1 ct.



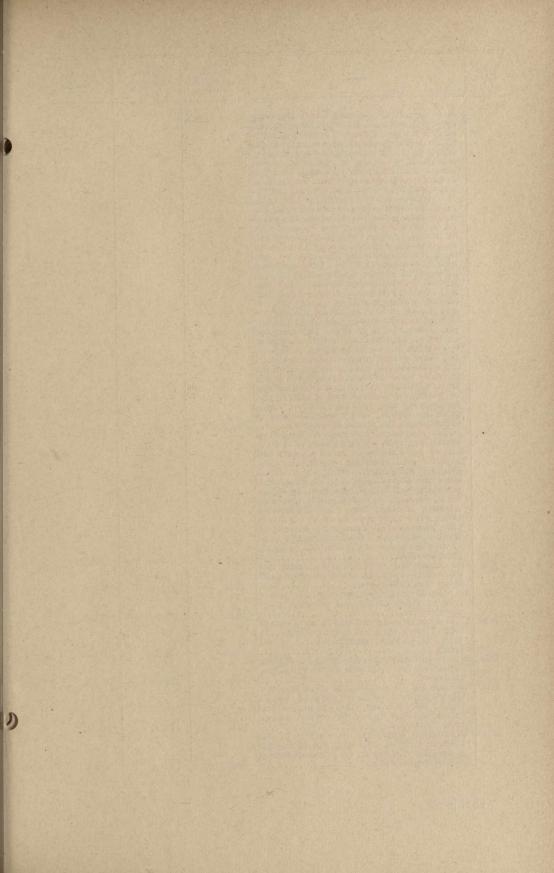
Cariff Item		British Preferential Tariff	Inter- mediate Tariff	General Tariff
267b	Petroleum tops; blends of petroleum tops or			New York
	petroleum products with crude petroleum: all the foregoing ·7249 specific gravity (63·7 A.P.I.) or heavier, at 60 degrees Fahrenheit,			
268	when imported by oil refiners to be refined in their own factories per gallon Natural casinghead, compression or absorption resolute lighter than 6600 specific gravity	Free	1 ct.	2 cts.
•	gasoline, lighter than .6690 specific gravity (80.0 A.P.I.) at 60 degrees Fahrenheit, when imported by refiners of crude petro- leum for blending with gasoline wholly			
269	Produced in Canada Products of petroleum, n.o.p.— (i) Lighter than .8236 specific gravity (40.3	Free	Free	Free
	A.P.I.) at 60 degrees Fahrenheit. per gallon (ii) .8236 specific gravity (40.3 A.P.I.) or	³ / ₄ ct.	1 ct.	2 cts.
269a	heavier at 60 degrees Fahrenheitper gallon Petroleum oil known as engine distillate ·8017 specific gravity (45.0 A.P.I.) or heavier at	∃ ct.	1/2 ct.	1 ct.
270	60 degrees Fahrenheitper gallon Oil when imported by miners or mining com- panies or concerns to be used in the concen-	⅓ ct.	1/2 ct.	1 ct.
271	tration of ores of metal in their own concen- trating establishments, under regulations prescribed by the Minister Lubricating oils composed wholly or in part of	Free	Free	Free
	petroleum:			
272	(<i>a</i>) valued at less than 25 cents per gallon	$1\frac{1}{2}$ cts. $12\frac{1}{2}$ p.c.	$2\frac{1}{4}$ cts. $17\frac{1}{2}$ p.c.	$2\frac{1}{2}$ cts. 20 p.c.
272a	Petroleum greases and lubricating greases,	15 p.c.	$22\frac{1}{2}$ p.c.	25 p.c.
272b	n.o.p. Paraffin wax	12½ p.c. 15 p.c.	$17\frac{1}{2}$ p.c. $22\frac{1}{2}$ p.c.	20 p.c. 25 p.c.
273 273a 274	Asphalt or asphaltum, solid or not Asphaltum oil for use only for paving purposes	Free Free Free	10 p.c. Free Free	10 p.c. Free Free
275	Petroleum coke Liquefied petroleum gases for heating, cooking or illuminating purposes, when imported in	1166	1166	1100
284	containers. Drain pipes, sewer pipes and earthenware fittings therefor, chimney linings or vents, chimney tone and inverted blocks, cleared on	10 p.c.	15 p.c.	25 p.c.
286	chimney tops and inverted blocks, glazed or unglazed, n.o.p.; earthenware tiles, n.o.p Earthenware and stoneware, viz.:demijohns,	25 p.c.	32½ p.c.	35 p.c.
288	churns or crocks, n.o.p. Earthenware and stoneware, brown or col- oured and Rockingham ware, n.o.p.; "C.C." or cream-coloured ware, decorated, printed	25 p.c.	30 p.c.	35 p.c.
288a	or sponged, n.o.p.; and all earthenware, n.o.p. Chemical stoneware composed of a non- absorbent vitrified body specially com-		35 p.c.	35 p.c.
288Ъ	pounded to resist acids or other corrosive reagents. Hand forms of porcelain, when imported by manufacturers for use exclusively in the	Free	35 p.c.	35 p.c.
011	manufacture of rubber gloves in their own factories.		35 p.c.	35 p.c.
311a 312a	Blackboards, solid, of slate or of paper com- position. Asbestos in any form other than crude, and all	Free	10 p.c.	25 p.c.
	manufactures thereof, when made from crude asbestos of Empire origin, n.o.p	Free	22 ¹ / ₂ p.c.	25 p.c.
323	Silvered glass, bevelled or not and framed or not, n.o.p	22 ¹ / ₂ p.c.	30 p.c.	35 p.c.
326a	Manufactures of glass, n.o.p	15 p.c.	20 p.c.	22 ¹ / ₂ p.c.



Cariff Item		British Preferential Tariff	Inter- mediate Tariff	General Tariff
326e	Articles of glass, not plate or sheet, designed to be cut or mounted; articles of glassware, when imported by manufacturers of silver- ware to be used in receptacles made of or electro-plated with precious metals, in their			
326f	own factories Hollow shapes of glass, moulded, when im- ported to be used by manufacturers of elec- tric light fixtures in the production of such	Free	10 p.c.	22 ¹ / ₂ p.c.
326g	fixtures in their own factories High thermal shock resisting glassware	Free Free	15 p.c. 25 p.c.	32½ p.c. 32½ p.c.
326h 346a	Freshel or dioptric lenses, sections and globes. Zinc slugs or discs, when imported by manu- facturers of electric storage batteries, for use exclusively in the manufacture of seamless cups or shells for such batteries, in their own	Free	Free	30 p.c.
362	factories Articles consisting wholly or in part of sterling or other silverware, n.o.p.; manufactures of		10 p.c.	25 p.c.
362c	gold or silver, n.o.p Nickel-plated ware, gilt or electro-plated	30 p.c.	37½ p.c.	45 p.c.
392b	ware, n.o.p Forgings of steel, rough machined and fitted or not, and handles of steel or of metal alloy in the rough, when imported by manufac- turers of surgical and dental instruments for use in the manufacture of such instruments		33 1 p.c.	45 p.c.
398a	in their own factories Pipes and tubes of iron or steel, seamless, cold drawn, plain ends, polished, valued at not	Free	27 ¹ / ₂ p.c.	30 p.c.
400	less than five cents per pound Fittings and couplings of iron or steel, of every description, for iron or steel pipes and tubes;	Free	20 p.c.	30 p.c.
404	(b) For the running gear of other vehicles,	20 p.c.	27 ¹ / ₂ p.c.	30 p.c.
409b	n.o.p. Cultivators, harrows, seed-drills, horse-rakes, horse-hoes, scufflers, manure spreaders, garden seeders, weeders, and complete parts		30 p.c.	35 p.c.
409c	of all the foregoing Ploughs; farm, field, lawn or garden rollers; soil packers; complete parts of all the fore-	Free	7½ p.c.	25 p.c.
409d	going Mowing machines, harvesters, either self- binding or without binders, binding attach- ments, reapers, harvesters in combination with threshing machine separators including the motive power incorporated therein, and	Free	7½ p.c.	25 p.c.
409e	 complete parts of all the foregoing (i) Spraying and dusting machines and attachments therefor, including hand sprayers; apparatus specially designed for sterilizing bulbs; pressure testing apparatus for determining maturity of fruit; pruning hooks; pruning shears; animal dehorning instruments; and complete parts of all the fore- 	Free	7½ p.c.	25 p.c.
	 (ii) Fruit and vegetable grading, washing and wiping machines and combination bagging and weighing machines, and complete parts thereof; machines for topping vegetables, and machines for bunching and/or tying cut flowers, vegetables and nursery stock, and complete parts thereof, egg-graders and complete parts thereof, not including alumi- 	Free	7½ p.c.	25 p.c.
	(iii) Complete parts of aluminum for egg-	Free	5 p.c.	10 p.c.
409f	Hay loaders, hay tedders, potato planters, potato diggers, fodder or feed cutters, en- silage cutters, grain crushers and grain or hay grinders for farm purposes only, post hole diggers, snaths, stumping machines and	Free	15 p.c.	30 p.c.

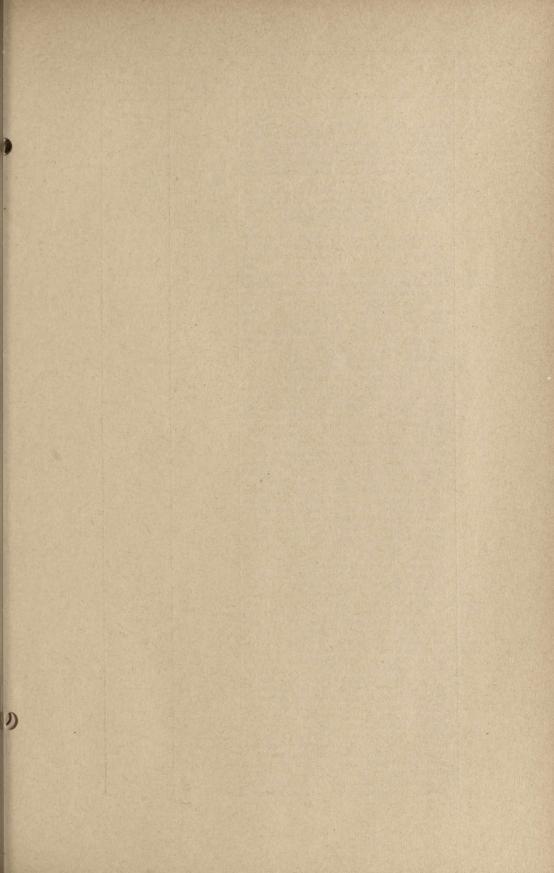


ariff tem		British Preferential Tariff	Inter- mediate Tariff	General Tariff
	other agricultural implements or agricultural machinery, n.o.p., and complete parts of all			
409g	the foregoing Incubators for hatching eggs, brooders for rearing young fowl, and complete parts of all	Free	7½ p.c.	25 p.c.
400h	the foregoing	Free Free	7½ p.c.	25 p.c.
409h 409i	Scythes, sickles or reaping hooks, hay or straw knives, edging knives, hoes, pronged forks,		7½ p.c.	25 p.c.
409j	rakes, n.o.p. Fanning mills; peaviners; corn husking ma- chines; threshing machine separators, inclu- ding weighers, wind stackers, baggers and cell feedors, therefore, complete parts of all	Free	7½ p.c.	25 p.c.
	self-feeders therefor; complete parts of all the foregoing	Free	7 ¹ / ₂ p.c.	25 p.c.
409k	Windmills and complete parts thereof, not in- cluding shafting	Free	7½ p.c.	25 p.c.
4091	Traction ditching machines (not being ploughs)		Free	1. C. S. G. S. S. C.
409m	and complete parts thereof Internal combustion traction engines; traction attachments designed to be combined with automobiles in Canada for use as traction	Free	r ree	Free
409n	engines; complete parts of all the foregoing. Portable engines with boilers, in combination, for farm purposes; horse powers; complete	Free	Free	Free
410d	parts of all the foregoing	Free	15 p.c.	25 p.c.
410i	and oil, and in prospecting for minerals, but not to include motive power; well packers and complete parts thereof, for oil and gas wells. (ii) Combustible gas indicators, for detect-	Free	Free	Free
	ing explosive gases or vapors; methane de- tectors; carbon monoxide detectors and con- tinouous indicators and recorders; carbon monoxide alarms; pyrotannic detectors for determining the presence and quantity of carbon monoxide in the blood; inhalators			
	for use in reviving victims of carbon mon- oxide poisoning; pocket gas respirators, dust respirators, paint and lacquer spray respira- tors, fume and smoke masks, and hose mask			
	outfits complete with face piece, harness, air line and air pump or blower, designed for the protection of firemen and industrial workers; special safety goggles, designed for eye protection of miners, welders, foun-			
	drymen and other industrial workers em- ployed in hazardous work; complete parts of all the foregoing	Free	Free	Free
411b	Cylinder stave saws, wheel type stave jointers, crozing and champhering machinery, and complete parts thereof	10 p.c.	15 p.c.	20 p.c.
412	Machinery, being presses for use in the printing of newspapers, of not less value by retail than fifteen hundred dollars each, of a class or kind not made in Canada, and complete parts thereof, not to include saws, knives and motive power; mechanical deliveries or con- veyors for use with newspaper printing			
412a	Machinery and apparatus, n.o.p., viz.:—Gun and mould apparatus for making press rollers; machines and apparatus for making electro-		Free	Free

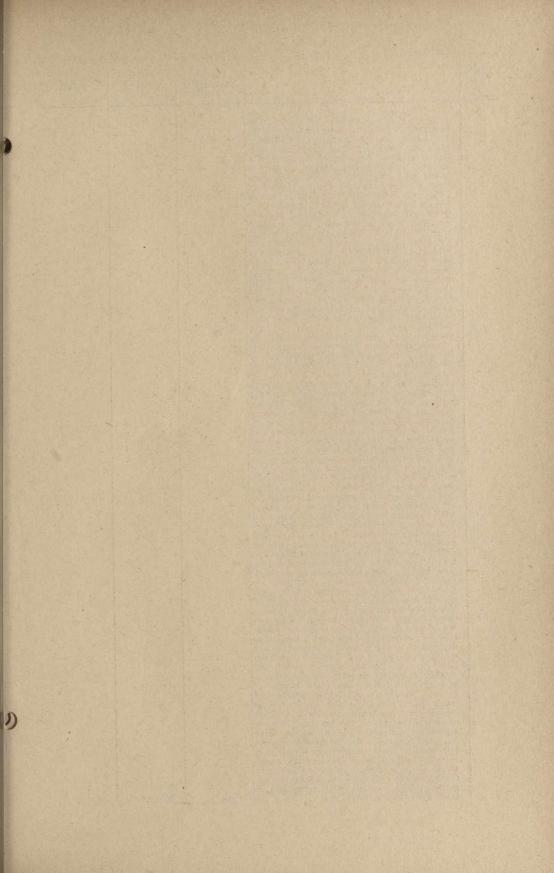


ariff tem		British Preferential Tariff	Inter- mediate Tariff	General Tariff
	and apparatus, including photo-engraving			The second
	apparatus, and other plate-making apparatus, used in the manufacture of printing plates of	State States		A PARTY AND
	all kinds; machines and apparatus for grain-			
	ing metal plates; machines and apparatus for			12.2. 1. 1. 1.
	sensitizing, grinding or polishing metal plates; machines and apparatus including			
	cameras and camera equipment, lens, prisms,			1.4.6.6.3.2.6
	camera and printing lamps, screens, and va-	おりたちの何の言		
	cuum frames for transferring by photographic			Contraction in the
	processes, or direct, to plates or rolls for use in lithography, rotogravure and printing;shad-	and the second		A State State
	ing apparatus; machines and apparatus for	Selection and		A ST REAL
	addressing and/or wrapping newspapers,			2 a constant
	magazines, periodicals, pamphlets and cata- logues; machines and apparatus for em-			Children and
	bossing or stamping or producing embossed			A CONTRACTOR
	or engraved effects, book-binding, looping,			State March
	stitching, sewing, gathering, inserting, bronz- ing, dusting, creasing, scoring, cutting, per-			
	forating, drilling, punching, slitting, re-wind-	大学が見たる		C. Starting Starting
	ing, glueing, pasting, gumming, waxing, var-			
	nishing, carbon coating, patching, number- ing, ruling, jogging, sheet piling, tying,			1. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1
	bundling, tube-making, metal mounting,	LARD REAL		Line State
	eye-letting, staying or stripping, reinforcing			
	and box-covering; complete parts, not to in- clude saws, knives and motive power; all the			
	foregoing when for use exclusively by, and in			A MARKEN AND
	their capacities as printers, lithographers,			
	book-binders, manufacturers of stereotypes, electrotypes and printing plates or rolls,			
	paper converters, or by manufacturers of			
100	articles made from paper or cardboard	Free	Free	10 p.c.
422a	Concrete road-paving machines, self-propelling, end loading type, with a capacity of 21 cubic			
	feet of wet concrete or more; concrete and			A REAL PROPERTY OF
	asphalt road finishing machines; form			17 19 19 19 19
	graders; sub-graders; combination cable- controlled excavating and transporting scra-			Same La Casa
	per units; back-filling machines and equip-			
	ment, mounted on self-propelling wheels or			Charles State
	boom and scraper type; steam or air driven	ALL OF LEASE		Sanda Santa
	pile hammers or extractors; well-points;	1973 VIL (2016)		
	truck turntables; all the foregoing of a class	A Carl State of the		
	or kind not made in Canada, and complete parts thereof	Free	10 n c	121p.c.
424	Fire engines and other fire extinguishing ma-	Free	10 p.c.	1222p.c.
1 15 - U	chines and chassis for same; complete parts			
497	other than chassis parts	Free	30 p.c.	35 p.c.
427	All machinery composed wholly or in part of iron or steel, n.o.p., and complete parts	State State		State of the state
	thereof	10 p.c.	27 ¹ / ₂ p.c.	35 p.c.
427a	All machinery composed wholly or in part of	No. of the Local Designation of the		The second
	iron or steel, n.o.p., of a class or kind not made in Canada; complete parts of the			Content and
	foregoing	Free	27 ¹ / ₂ p.c.	35 p.c.
427e	Automatic machines for making and packaging	Control Strategies	MARTIN SALANDA	
	cigarettes, not to include tobacco-preparing	Free	271 n.e	35 p.c.
427f	machines	1100	27 ¹ / ₂ p.c.	00 p.c.
	ply-woods, vix .:- veneer clippers, veneer			
	clipper knife jointers, veneer glue spreaders,			VAR DE LE
	veneer jointers, veneer lathes and veneer taping machines	Free	10 p.c.	35 p.c.
427g	Power-driven centrifugal oil purifiers or ex-	2100	10 1.0.	00 1.0.
	tractors, bowl or tube type, not to include			
	motive power, when for use in the extracting and refining of fish oils	Free	10 p.c.	35 p.c.
	CHICA I CHIMING OF MOIL OILD	-100	TO D.O.	1 00 1.0.

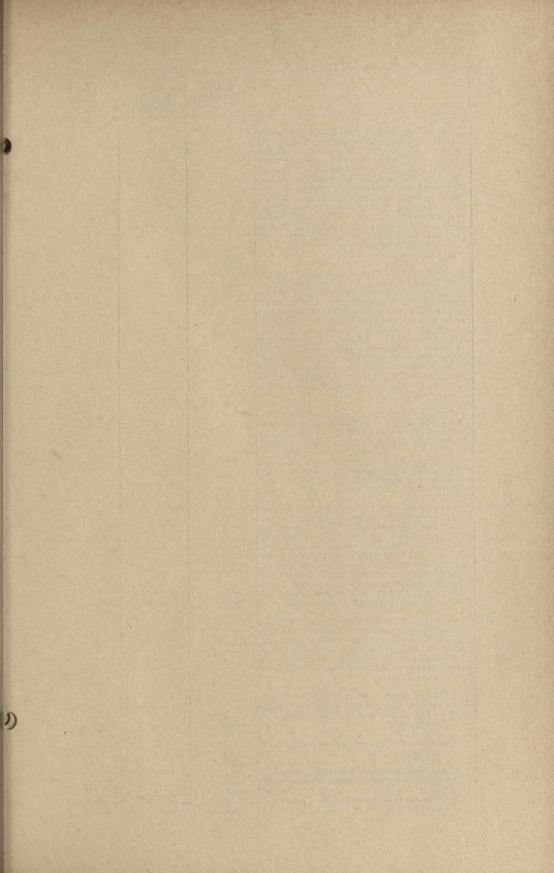
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lariff		British Preferential Tariff	Inter- mediate Tariff	General Tariff
429	(a) Knife blades or blanks, and table forks, of iron or steel, in the rough, not handled, ground nor otherwise manufactured; and spoon blanks of iron or steel, in the flat, not			
	further manufactured than stamped to shape (g) Razor blades; razors and complete parts	Free	7 ¹ / ₂ p.c.	10 p.c.
430	thereof. Nuts and bolts with or without threads, wash- ers, rivets, of iron or steel, coated or not, n.o.p.; nut and bolt blanks, of iron or steel.	Free	30 p.c.	30 p.c.
430a	Hinges and butts, of iron or steel, coated or		50 cts. 20 p.c.	75 ets. 25 p.c.
	not, n.o.p.; hinge and butt blanks, of iron or steelper one hundred pounds	75 cts.	75 cts.	75 ets.
431c	and Machinists' or metal workers' precision tools and measuring instruments, viz.:—Calipers, micrometers, metal protractors and squares, bevels, verniers, gauges, gauge blocks, parallels, buttons, mercury plumb bobs, dividers, trammels, scribers, center punches, pocket speed indicators, straight edges, key seat elamps and other clamps and vises used by toolmakers for precision work, precision		27½ p.c.	30 p.c.
431d	tools and measuring instruments, n.o.p Engineers', surveyors' and draftsmen's pre- cision instruments and apparatus, viz.:ali-	Free	10 p.c.	15 p.c.
431e	dades; altazimuth surveying instruments; aneroid barometers, engineering, military and surveying; angle prisms; boards, mili- tary sketching; box sextants; clinometers; compasses; cross staff heads; curves, adjust- able, irregular, railroad and ship; curvi- meters; drafting instruments of all kinds, including fitted cases containing the same; dipping needles; drafting machines; helio- graphs; integrators; levels, tripod and hand or pocket types; levelling rods; liners, sec- tion; meters, portable for hydraulic engineer- ing; pantographs; planimeters; protractors; parallel rulers; parallel ruling attachments; plane tables, military and topographic; scales, flat and triangular; slide rules; splines; straight edges, steel and wooden; tacheo- meters; tallying machines, pocket; tee squares, steel and wooden; telemeters; theodolites; transits, tripod and hand or pocket types; triangles of all types; tripods for use with any of the foregoing instruments Measuring rules and tapes of all kinds.	Free 15 p.c.	10 p.c. 25 p.c.	15 p.c. 30 p.c.
435	Locomotives and motor cars for railways, of a class or kind not made in Canada, and com- plete parts thereof, for use exclusively in mining or metallurgical operations		15 p.c.	20 p.c.
438a	Automobiles and motor vehicles of all kinds, n.o.p.; chassis for the foregoing; chassis for			
438b	electric trackless trolley buses Provided that machines or other articles mounted on the foregoing or attached thereto for purposes other than for loading or unload- ing the vehicle shall be valued separately and duty assessed under the tariff items regularly applicable thereto. Bearings, clutch release; bearings, graphite; bearings, steel backed non-ferrous; bushings, graphited or oil impregnated; ceramic insu- lator spark plug cores, not further manu- factured than burned and glazed, printed or decorated or not, without fittings; com- mutator copper segments; commutator insul-		17 <u>1</u> p.c.	27½ p.c.

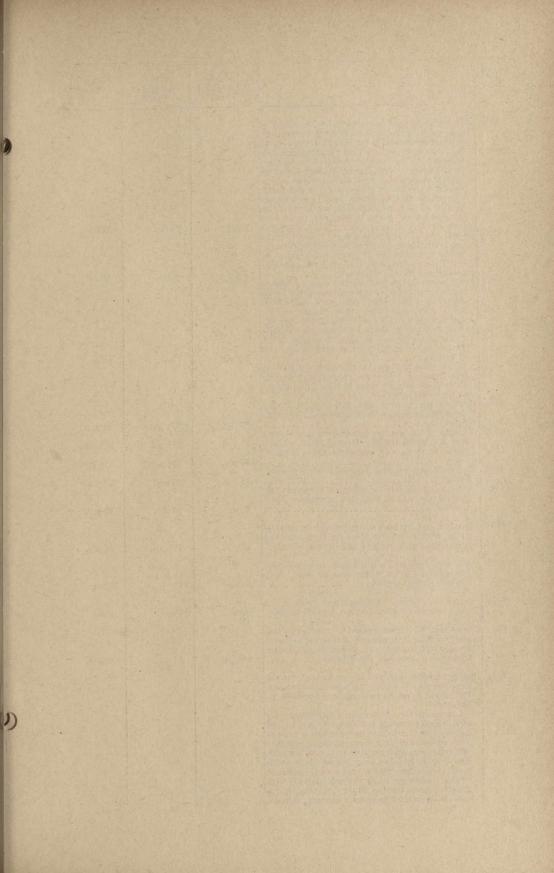


ariff tem	_	British Preferential Tariff	Inter- mediate Tariff	General Tariff
	ating end rings; discs of hot rolled steel, spun or forged, with or without center hole, for disc wheels; distributor rotors, cam assem- blies and vacuum control assemblies; door bumper shoes; electric wiring terminals, sockets, fittings and connectors; gaskets of metal and asbestos, composite; ignition contact points; keys for shafting; lenses for head, tail, dome, signal and cowl or parking lamps; lock washers; piston ring castings in the rough, with or without gates and fins removed; steel bolts capped with stainless steel; switches for lamps, and parts thereof; vulcanized fibre in sheets, rods, strips and tubing; all the foregoing being of a class or kind not made in Canada, when for use in the manufacture of the automobiles, motor vehicles or chassis enumerated in tariff items 438a and 424, or for use in the manu-			
	facture of parts thereof, or for the replace- ment or repair of automobiles, motor vehicles			Product States
	or chassis enumerated in tariff items 438a and 424.	Free	Free	30 p.c.
438 c	Ammeters; arm rests and wheel housing lining of indurated fibre, pressed to shape; axie housings, one piece welded, machined or not; earburetors and parts thereof; chassis frames; cigar and cigarette lighters, in- cluding base and parts thereof; control ventilator gear box; cylinder lock barrels, with or without sleeves and keys thereof; dash heat indicators; fuel pumps and parts thereof; gasoline gauges and parts thereof; hinges, finished or not, for bodies; horns and parts thereof; instrument bozal assemblies and parts thereof; instrument bozal assemblies and parts thereof; instrument bozal lamps; locks, electric ignition, steering gear, trans- mission, or combinations of such locks, and parts thereof; mouldings of metal, with nails set in position, lead filled or not; oil filters and parts thereof; oil gauges and parts thereof; pipe lines, bent to shape and equipped with fittings or not, and tubing therefor, for fuel, air, or liquid for actuating hydraulic brakes; purifiers for air, and parts thereof; purifiers for oil and parts thereof; radiator grills, assembled or not, but not polished or plated, and not to include finish or decora- tive moulding; radiator ornaments, unplated; radiator shutter assemblies, automatic; ra- diator water gauges; radiator shells, not plated, nor metal finished in any degree; shackles, bearing spring and parts thereof; pring cov- ers of metal and closing strips or shapes therefor; stampings, body, cowl, hood, fen- der and instrument board, of metal, in the rough, trimmed or not, but not metal fin			
	ished in any degree; starter switch as- sembly and parts thereof; steering wheels, and rims therefor; sun visor blanks of gypsum weatherboard; thermostats and parts thereof; throttle and spark buttons assemblies; vacuum tanks; windshield wipers and parts thereof; all the foregoing being of a class or kind not made in Canada, when imported for use in the manufacture of the automobiles, motor vehicles or chassis enu- merated in tariff items 438a and 424, or for use in the manufacture of parts thereof, or for the replacement or repair of automobiles, motor vehicles or chassis enumerated in		20 p.c.	30 p.c.

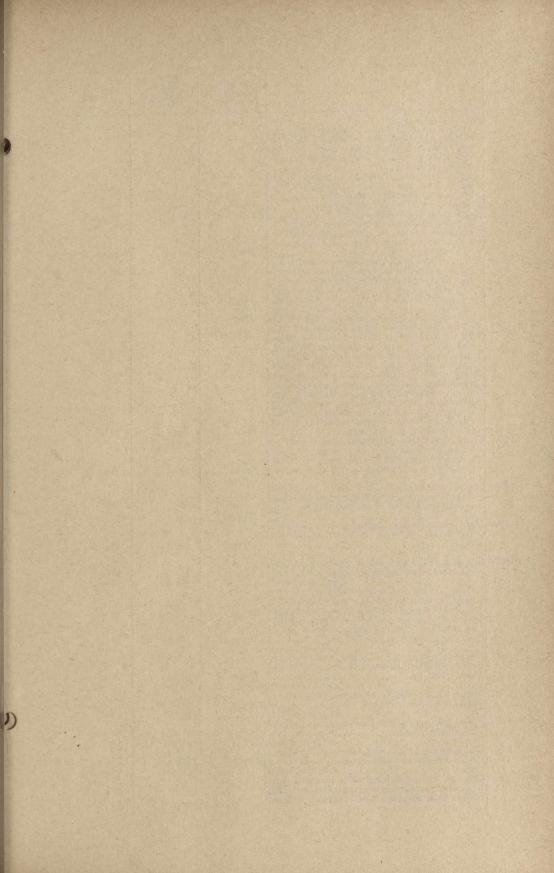


combustion engines; steering gears; magnetos; rims for pneumatic tires larger than thirty inches by five inches; transmission assemblies; steel road wheels; and complete parts of the foregoing, all of a class or kind not made in Canada, when imported by manufacturers of automobiles, motor vehi- cles or chassis enumerated in tariff items 438a and 424 for use only in the manufacture of motor trucks or motor truck chassisFree17½ p.c.27½ p.c.438eParts, n.o.p., for automobiles, motor vehicles or chassis enumerated in tariff items 438a and 424, not to include wireless receiving sets, die castings of zinc, electric storage batteries, parts of wood, tires and tubes or parts of which the component material of chief value is rubber:—Free17½ p.c.27½ p.c.(1) Brake linings, and clutch facings whether or not including metallic wires or threads:- (a) when made from crude asbestos of non-Empire originFree25 p.c.35 p.c.(b) when made from crude asbestos of non-Empire origin15 p.c.25 p.c.35 p.c.	Cariff Item		British Preferential Tariff	Inter- mediate Tariff	Genera Tariff
 are imported for use as original equipment by a manufacturer of automobiles, motor vehicles or chassis enumerated in tariff items 438a and 424 whose total factory output during the year in which importation is sought exceeds ten thousand automobiles, motor vehicles or chassis, and provided that not less than sixty per centum of the factory cost of production of such automo- biles, motor vehicles or chassis, not to in- elude duties and taxes, is incurred in the British Empire, therates of duty under this item shall be		imported for use as original equipment by a manufacturer of automobiles, motor vehicles or chassis enumerated in tariff items 438a and 424 whose total factory output during the year in which importation is sought does not exceed ten thousand com- plete automobiles, motor vehicles or chassis, and provided that not less than fifty per centum of the factory cost of production of such automobiles, motor vehicles or chassis, not to include duties and taxes, is incurred in the British Empire, the rates of duty under	Free	Free	25 p.c.
 1938, the words "sixty-five" shall be substituted for the word "sixty" in the immediately preceding proviso; (3) Provided that the Governor in Council may make such regulations, if any, as are deemed necessary for carrying out the provisions of this item. 38d Front and rear asles; brakes; clutches; internal combustion engines; steering gears; magnetos; rimes for pneumatic tires larger than thirty inches by five inches; transmission assemblies; steel road wheels; and complete parts of the foregoing, all of a class or kind not made in Canad a, when imported by manufacturers of automobiles, motor vehicles or chassis enumerated in tariff items 438a and 424 for use only in the manufacture of motor trucks or motor truck chassis 438e Parts, n.o.p., for automobiles, motor vehicles or chassis enumerated in tariff items 438a and 424, not to include wireless receiving sets, die castings of zine, electric storage batteries, parts of wood, tires and tubes or parts of which the component material of chief value is rubber:— (1) Brake linings, and clutch facings whether or not including metallic wires or threads:-(a) when made from crude asbestos of Empire origin (b) when made from crude asbestos of non-Empire origin (c) Automobile and motor vehicle engines, stripped, n.o.p., and complete parts thereof, 		are imported for use as original equipment by a manufacturer of automobiles, motor vehicles or chassis enumerated in tariff items 438a and 424 whose total factory output during the year in which importation is sought exceeds ten thousand automobiles, motor vehicles or chassis, and provided that not less than sixty per centum of the factory cost of production of such automo- biles, motor vehicles or chassis, not to in- clude duties and taxes, is incurred in the British Empire, the rates of duty under this	Free	Free	25 p.c.
combustion engines; steering gears; magnetos; rims for pneumatic tires larger than thirty inches by five inches; transmission assemblies; steel road wheels; and complete parts of the foregoing, all of a class or kind not made in Canada, when imported by manufacturers of automobiles, motor vehi- cles or chassis enumerated in tariff items 438a and 424 for use only in the manufacture of motor trucks or motor truck chassisFree17½ p.c.27½ p.c.438eParts, n.o.p., for automobiles, motor vehicles or chassis enumerated in tariff items 438a and 424, not to include wireless receiving sets, die castings of zinc, electric storage batteries, parts of wood, tires and tubes or parts of which the component material of chief value is rubber:—Free17½ p.c.27½ p.c.(1) Brake linings, and clutch facings whether or not including metallic wires or threads:- (a) when made from crude asbestos of non-Empire originFree25 p.c.35 p.c.(b) when made from crude asbestos of non-Empire origin15 p.c.25 p.c.35 p.c.		1938, the words "sixty-five" shall be substituted for the word "sixty" in the immediately preceding proviso;(3) Provided that the Governor in Council may make such regulations, if any, as are deemed necessary for carrying out the pro-			
or chassis enumerated in tariff items 438a and 424, not to include wireless receiving sets, die castings of zinc, electric storage batteries, parts of wood, tires and tubes or parts of which the component material of chief value is rubber:— (1) Brake linings, and clutch facings whether or not including metallic wires or threads:- (a) when made from crude asbestos of Empire origin Free 25 p.c. (b) when made from crude asbestos of non-Empire origin 15 p.c. 25 p.c. 35 p.c. (2) Automobile and motor vehicle engines, stripped, n.o.p., and complete parts thereof, 15 p.c. 25 p.c. 35 p.c.	438d	combustion engines; steering gears; magne- tos; rims for pneumatic tires larger than thirty inches by five inches; transmission assemblies; steel road wheels; and complete parts of the foregoing, all of a class or kind not made in Canad a, when imported by manufacturers of automobiles, motor vehi- cles or chassis enumerated in tariff items 438a and 424 for use only in the manufacture	Free	17 <u>‡</u> p.c.	27½ p.c.
or not including metallic wires or threads:- (a) when made from crude asbestos of Empire origin Free 25 p.c. 35 p.c. (b) when made from crude asbestos of non-Empire origin 15 p.c. 25 p.c. 35 p.c. (2) Automobile and motor vehicle engines, stripped, n.o.p., and complete parts thereof, 15 p.c. 25 p.c. 35 p.c.	438e	or chassis enumerated in tariff items 438a and 424, not to include wireless receiving sets, die castings of zinc, electric storage batteries, parts of wood, tires and tubes or parts of which the component material of			
non-Empire origin 15 p.c. 25 p.c. 35 p.c. (2) Automobile and motor vehicle engines, stripped, n.o.p., and complete parts thereof, 15 p.c. 15 p.c.		or not including metallic wires or threads:- (a) when made from crude asbestos of	Free	25 p.c.	35 p.c.
stripped, n.o.p., and complete parts thereof,			15 p.c.	25 p.c.	35 p.c.
		stripped, n.o.p., and complete parts thereof,	Pres	05	05
(3) Parts, n.o.p., not electro-plated, whether Free 25 p.c. 35 p.c.		(3) Parts, n.o.p., not electro-plated, whether	Free	25 p.c.	35 p.c.

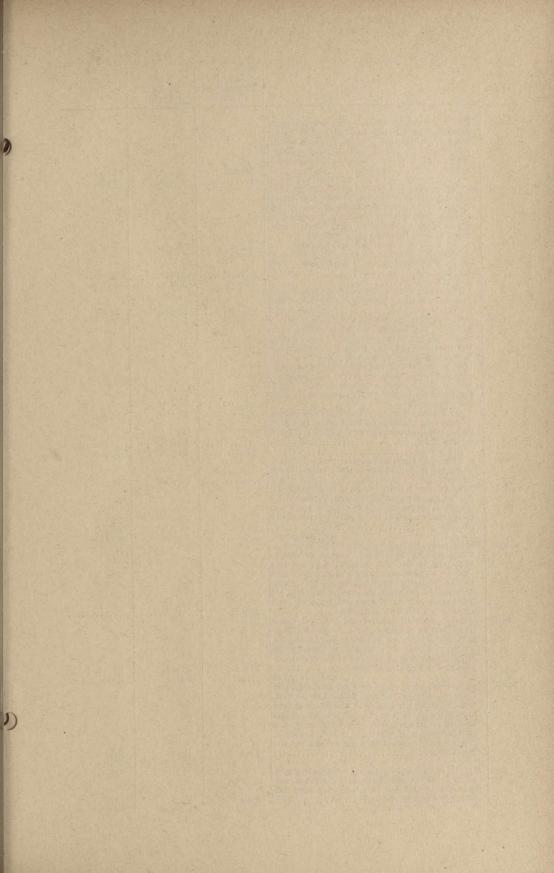
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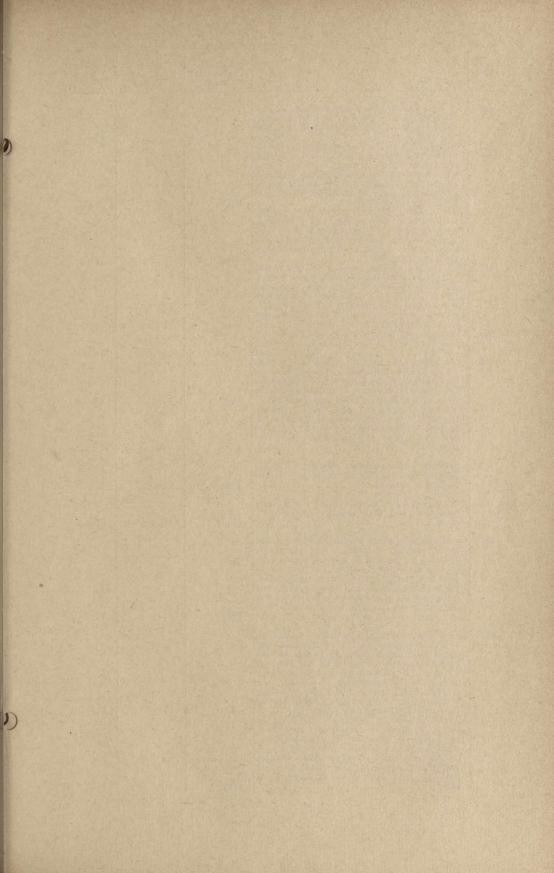
Cariff Item	_	British Preferential Tariff	Inter- mediate Tariff	General Tariff
438f	Hot rolled strip of iron or steel with rolled or mill edge, not being of greater value than 2 ³ / ₃ cents per pound, of a class or kind not made in Canada, when imported by manufacturers of automobiles, motor vehicles or chassis enumerated in tariff items 438a and 424 or by manufacturers of parts of automobiles, motor vehicles or chassis enumerated in the tariff items 438a and 424 to be used in the manu- facture of such automobiles, motor vehicles			
438h	or chassis, or parts thereof, in their own factoriesper ton Annular ball bearings and parts thereof, when imported for use only as original equipment in the manufacture of goods enumerated in tariff items 438a and 424, under regulations	Free	\$4.00	\$8.00
442	prescribed by the Minister Articles which enter into the cost of manu- facture of the goods enumerated in tariff items 409a, 409b, 409c, 409d, 409e, 409f, 409g, 409j, 409k, 409o, and 439c, when imported by manufacturers for use exclusively in the manufacture in their own factories of the goods enumerated in the aforesaid tariff items, under regulations prescribed by the	Free	Free	Free
445a	M nister. Provided that goods which are entitled to free entry or to a lower rate of duty than is mentioned in this item shall not be entered at the rates specified in this item. Electric head, side and tail lights, n.o.p.; electric torches or flashlights and complete	5 p.c.	6 p.c.	6 p.c.
445f	parts therefor	20 p.c.	30 p.c.	30 p.c.
	Electric dynamos or generators and trans- formers, and complete parts thereof, n.o.p.	25 p.c.	33 1 p.c.	37½ p.c.
445g	Electric motors, and complete parts thereof, n.o.p.	25 p.c.	33 1 p.c.	37½ p.c.
445k 445m	Electric apparatus and complete parts thereof, n.o.p Flame proof electric switch gear, for use under-	15 p.c.	25 p.c.	30 p.c.
	ground in coal mines, and complete parts thereof	Free	20 p.c.	30 p.c.
446a	Manufactures, articles or wares, of iron or steel or of which iron or steel or both are the component materials of chief value, n.o.p	10 p.c.	27½ p.c.	35 p.c.
447a	Sand cast rolls and chilled cast iron rolls, for use exclusively in rolling iron or steel, or in manufacturing paper	Free	Free	Free
447b	Forged steel rolls, hardened and ground, for use exclusively in rolling non-ferrous metals.	Free	Free	Free
462	Philosophical, photographic, mathematical and optical instruments, n.o.p.; speedome- ters, cyclometers and pedometers, n.o.p.; complete parts of all the foregoing	15 p.c.	25 p.c.	30 p.c.
462a	Photographic cameras and equipment for use by professional photographers and commer- cial photo-finishers in their own business, as follows:— Cameras for professional purposes, for making negatives 4 [‡] inches by 6 [‡] inches and larger, and the following accessories for use with such cameras: lenses, shutters, exposure meters, range finders, film and plate holders. lens hoods, lens boards, ground glass carri- ages, reducing backs, reversible adapter backs, lantern slide attachments, film sheaths, combination paper and plate hold- ers, kits, carrying cases, camera stands,			



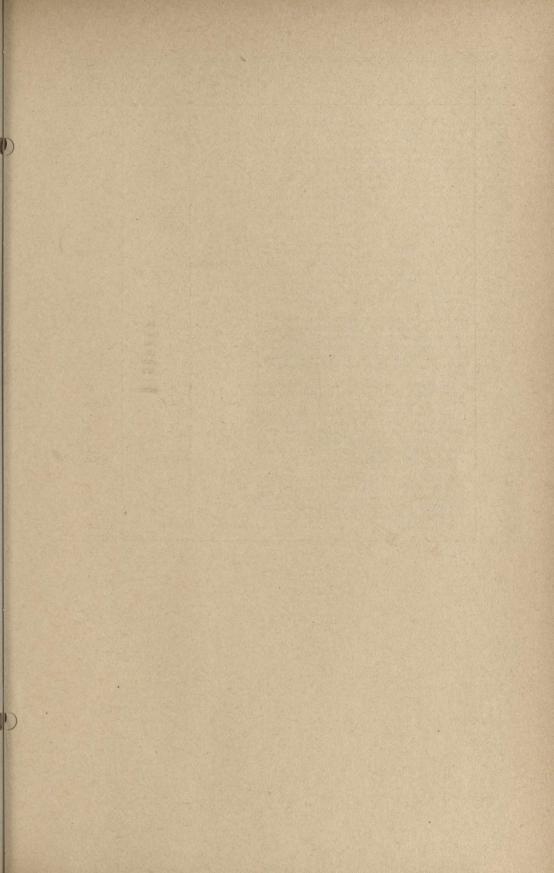
S. States				
Tariff Item	_	British Preferential Tariff	Inter- mediate Tariff	General Tariff
	camera tripods, camera tripod tops, yig- netters, diffusion disks, diffusion disk hold- ers, colour filters, colour filter holders, polarizing screens, polarizing screen holders and backgrounds. Printers, enlargers, heaters, dryers, mount- ing presses, print washers, automatic film processers, printing frames and tanks for			
463 473	developing, fixing and washing	Free Free	Free 20 p.c.	Free 25 p.c.
473a	Printing plates of all kinds for periodical publi- cations enjoying second-class mailing privi- leges, the pages of which are regularly bound, wire-stitched or otherwise fastened together, and matrices, metal bases and copper shells	Free	15 p.c.	20 p.c.
476a	therefor, but not to include printing plates and other articles covered by tarifi item 475 Glassware and other scientific apparatus for laboratory work in public hospitals; chairs and tables for surgical operating purposes, and complete parts thereof; infant incubators and complete parts thereof; electro cardio- graphs and complete parts thereof; and sen- sitized film and paper for use therein; appar- atus for sterilizing purposes, including bed- pan washers and sterilizers but not including washing nor laundry machines; all for the	Carl Mar Marin	7½ p.c.	25 p.c.
494b	use of any public hospital, under regulations prescribed by the Minister Cork blocks, boards, planks, slabs, rods or tubes, produced from cork waste or from granulated or ground cork, when for use in	Free	Free	Free
505	Canadian manufactures Sawn boards, planks and deals planed or dressed on one or both sides, when the edges thereof are jointed or tongued and grooved,	State States	Free	Free
505a	n.o.p. Hardwood flooring, tongued and/or grooved, or jointed, viz.—beech, birch, maple and oak.	17 ¹ / ₂ p.c.	$22\frac{1}{2}$ p.c. $22\frac{1}{2}$ p.c.	25 p.c.
522	Rovings, yarns and warps wholly of cotton,	And Andrews		
522e	not more advanced than singles, n.o.p and, per pound Rovings, yarns and warps wholly of cotton, including threads, cords and twines generally used for sewing, stitching, packaging and other purposes, n.o.p.; cotton yarns, wholly or partially covered with metallic strip,		15 p.c. $3\frac{1}{2}$ cts.	22½ p.c. 4 cts.
523	generally known as tinsel thread and, per pound Woven fabrics, wholly of cotton, not bleached, mercerized nor coloured, n.o.p., and seam-	A CONTRACTOR	$22\frac{1}{2}$ p.c. $3\frac{1}{2}$ cts.	25 p.c. 4 cts.
523a	less cotton bags and, per pound Woven fabrics, wholly of cotton, bleached or		20 p.c. $3\frac{1}{2}$ cts.	25 p.c. 4 cts.
523b	mercerized, not coloured, n.o.pand, per pound	20 p.c.	$22\frac{1}{2}$ p.c. $3\frac{1}{2}$ cts.	$\begin{array}{c c} 27\frac{1}{2} \text{ p.c.} \\ 4 \text{ cts.} \end{array}$
	Woven fabrics, wholly of cotton, printed, dyed or coloured, n.o.pand, per pound	22 ¹ / ₂ p.c.	$27\frac{1}{2}$ p.c. $3\frac{1}{2}$ cts.	$\begin{array}{c} 32\frac{1}{2} \text{ p.c.} \\ 4 \text{ cts.} \end{array}$
529	Embroideries, lace, nets, nettings, bobinet, n.o.p., fringes and tassels, wholly of cotton and, per pound	20 p.c.	$27\frac{1}{2}$ p.c. $3\frac{1}{2}$ cts.	30 p.c. 4 cts.
529a	Lace and embroideries wholly of cotton, not coloured, imported by manufacturers for use exclusively in the manufacture of clothing			
	in their own factories		$12\frac{1}{2}$ p.c.	20 p.c.



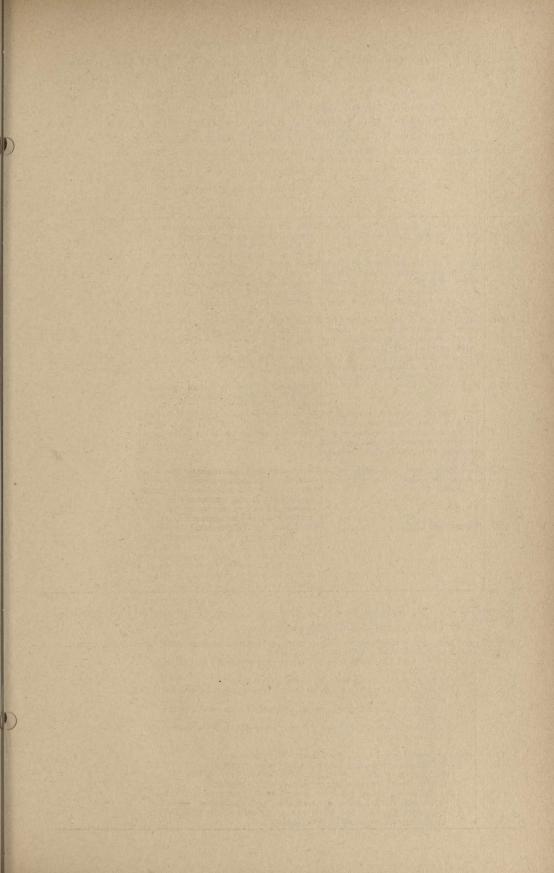
fariff Item	<u> </u>	British Preferential Tariff	Inter- mediate Tariff	General Tariff
532	Clothing, wearing apparel and articles made from woven fabrics, and all textile manu- factures, wholly or partially manufactured, composed wholly of cotton, n.o.p.; fabrics			
	wholly of cotton, coated or impregnated, n.o.pand, per pound	25 p.c.	30 p.c. $1\frac{1}{2}$ cts.	35 p.e. 4 cts.
558b	Rovings, yarns and warps wholly of artificial silk or similar synthetic fibres, produced by chemical processes, not more advanced than singles, not coloured, with not more than seven turns to the inch, under such regula-			
	tions as the Minister may prescribe: (a) Produced from cellulose acetate Provided that, in no case, shall the duty under the Intermediate or the General Tariff	5 p.c.	30 p.c.	35 p.c.
	(b) N.o.p. per pound (b) N.o.p. per pound Provided that, in no case, shall the duty under the Intermediate or the General Tariff	20 p.c.	28 cts. 30 p.c.	28 cts. 35 p.c.
558d	be less than		28 cts.	28 cts.
	duced by chemical processes, n.o.p., includ- ing threads, cords or twist for sewing, em- broidering or other purposes, not to contain silk; artificial silk yarns wholly or partially covered with metallic strip, one pound of			
	which shall contain not less than 10,000 yards; under such regulations as the Minister may prescribe:— (a) Produced wholly from cellulose acetate		30 p.c.	35 p.c.
	Provided that, in no case, shall the duty under the Intermediate or the General Tariff be less than	25 p.c.	28 cts. 30 p.c.	28 cts. 35 p.c.
561	Provided that, in no case, shall the duty under the Intermediate or the General Tariff be less thanper pound Woven fabrics wholly or in part of artificial	WAR WAR LONG L	28 cts.	28 cts.
001	silk or similar synthetic fibres produced by chemical processes, not to contain wool, not including fabrics in chief part by weight of			
564a	silk, n.o.pand, per pound Irish poplin, composed wholly of silk and wool, and the second in treaty five inches in width		40 p.c. 40 cts.	45 p.c 40 cts.
	not exceeding twenty-five inches in width, imported in the web in lengths of not less than five yards each, under such regulations as the Minister may prescribe, by manu- facturers of neckties, scarves or mufflers for use exclusively in the manufacture of such			
567a'	articles in their own factories Clothing, wearing apparel and articles, made from woven fabrics and all textile manu- factures, wholly or partially manufactured,	20 p.c.		
	n.o.p., of which the component of chief value is artificial silk or similar synthetic fibres produced by chemical processes	25 p.c.	35 p.c. 5 cts.	50 p.c. 7_cts.
569c	Hat braids, of a class or kind not made in Canada, whether woven, knitted or plaited, not exceeding six inches in width, imported for use exclusively in the manufacture of hat bodies or shapes, but not for use in the ornamentation or trimming of such bodies or			
	shapes, under regulations prescribed by the Minister	Free	Free	Free
569e	Miners' safety helmets for use exclusively in mining operations, firemen's helmets and sand-blast helmets, of a class or kind not	R. C. C. C. C. L.		



Cariff Item		British Preferential Tariff	Inter- mediate Tariff	General Tariff
603	Fur skins wholly or partially dressed, n.o.p Provided, that the duty on hare or rabbit skins under the General Tariff shall not be	10 p.c.	15 p.c.	15 p.c.
607 Part 2	less thanper dozen Leather, consisting of beef ₇ cattle hides, hore- hides or sheep-skins, but not including suedes, Cabrettas, Spanish capes or African capes, when imported by manufacturers of gloves or leather clothing, for use exclusively in			72 ets.
618a	manufactured than pressed and vulcanized, when imported by manufacturers of hard rubber combs for use exclusively in the	5 p.c.	15 p.c.	20 p.c.
657	manufacture of such hard rubber combs in their own factories Mouthpieces of hard rubber in the rough, aluminum pipe fitments, pipe bowls mould- ed from briarwood dust, and briarwood bowls not further processed than frazed, when imported by manufacturers of tobacco	Free	7½ p.c.	10 p.c.
657a	pipes for use exclusively in the manufacture of such pipes in their own factories Cinematograph or moving picture films, posi- tives, one and one-eighth of an inch in width	Free	15 p.c.	25 p.c.
663c	and over, n.o.p per linear foot Soya beans, soya bean oil cake and soya bean oil meal, when imported by manufacturers of animal and poultry feeds or of fertilizers for use in the manufacture of animal or poultry	$1\frac{1}{2}$ cts.	3 ets.	3 ets.
663d	feeds or fertilizers in their own factories Soya bean oil meal and soya bean flour, when imported by manufactures of glues or ad- hesives for use exclusively in the manufac- ture of such glues or adhesives, in their own factories		Free	Free
663e	Sea-weeds or sea-plants, charred, whether powdered or not, for use exclusively in the feeding of animals.		25 p.c.	25 p.c.
695	Paintings in oil or water colours and pastels, valued at less than twenty dollars each, n.o.p	15 p.c.	22 ¹ / ₂ p.c.	25 p.c.
695b	Hand-made drawings, sketches or designs, but not including patterns, viz.:—drawings, sketches or designs of wearing apparel, in- cluding boots and shoes, wall or floor cover- ings and textile fabrics, when imported in single copies of each such drawing, sketch or design for use in the manufacture of wearing apparel, boots or shoes, textile fabrics, wall or floor coverings, or of patterns	Free	Free	Free
696a	Educational moving picture films of all widths, silent or sound, positive or negative, and sound disks or records designed for use with such films, when certified by the Minister as entitled to exemption from Customs duty under the Convention for Facilitating the International Circulation of Films of an Edu- cational Character; subject to such regula-			
698	tions as the Minister may prescribe All articles specially designed for the use of the blind, whether for educational, recreation- al, industrial, personal or other purposes, when for blind persons and imported by, or on the order or certificate of, the Canadian National Institute for the Blind, or other bona fide institution or association for the	Free	Free	Free
	blind	Free	Free	Free



Tariff Item		British Preferential Tariff	Inter- mediate Tariff	Genera Tariff
703	(a) Travellers' baggage, under regulations prescribed by the Minister	Free	Free	Free
•	on commission or as an accommodation for other persons or for sale, under regulations prescribed by the Minister Provided that a resident of Canada shall not be entitled to the exemption herein granted within a period of four months from the date of the last exemption allowed, nor shall the exemption be allowed on alcoholic beverages in excess of one quart, or on tobac- co in excess of fifty cigars, two hundred cig- arettees and two pounds of manufactured	Free	Free	Free
802	arettes and two pounds of manufactured tobacco. Materials and parts as hereunder specified, when imported by manufacturers of um- brellas, parasols, sunshades, walking sticks or canes, under such regulations as the Minister may prescribe, for use in the manu- facture of such articles in their own facto- ries:—			
	 (a) Mounts, sticks, rods, ribs, runners, rings, caps, notches, tips, ferrules and assembled frames. (b) Umbrella-covering fabrics of a kind not made in Canada, whether or not specially treated but not further manufactured than with hemmed selvedges, when imported in lengths of not less than ten yards each, with 	Free	5 p.c.	20 p.c.
805	or without natural selvedges Materials to be used as adhesives in cementing together glass sheets, when imported by manufacturers of safety or non-shatterable laminated glass, for use exclusively in the	Free	10 p.c.	20 p.c.
	manufacture of such glass in their own fac- tories	Free	Free	25 p.c.



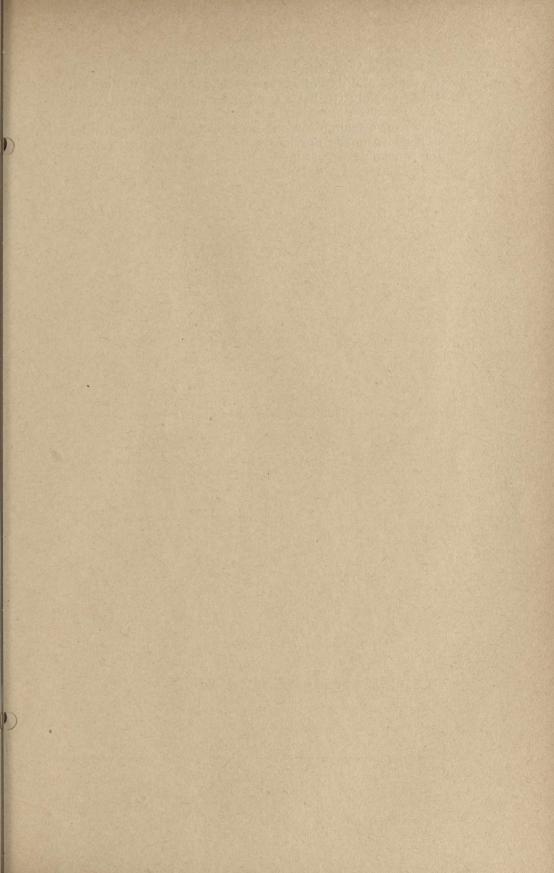
Schedule B amended.

6. Schedule B to the said Act is amended by striking thereout Tariff Items 1017, 1018, 1030 and 1055, the enumerations of goods and the rates of drawback of Customs Duties set opposite to each of the said items, and by inserting the following items, enumerations and rates of 5 drawback of Customs Duties in said Schedule B:—

Item No.	Goods	When Subject to Drawback	Portion of Duty (not including Special Duty or Dumping Duty) Payable as Drawback
1011	stones, metal spots and beads. Lapwelded tubing of iron or steel, not less than four inches in diam- eter, threaded and coupled or not; iron or steel couplings there- for and complete parts of such	pressure from gas wells to points of	99 p.c. 50 p.c.
1018	couplings. Seamless iron or steel tubing over four inches in diameter; iron or steel couplings therefor and com- plete parts of such couplings.		50 p.c.
1025	Hot rolled hexagon bars of Bes- semer steel not being of greater value than 4 cents per pound.	When used in the manufacture of cold drawn bars	99 p.c.
1030	 (a) Materials, n.o.p (b) Woven fabrics, wholly of cotton, not bleached, mercerized nor coloured, weighing not more than seven and one-half pounds per one hundred square 	in the manufacture of articles enum- erated in Tariff item 236	
1052 1060	yards. Machinery, new or used, of a class or kind not made in Canada. Paper of all kinds	automobile and motor vehicle parts to be used in the production of such automobiles and motor vehicles or automobile and motor vehicle parts. When used by the publisher or printer in Canada in the production of periodical publications enjoying second-class mailing privileges, the pages of which are regularly bound.	99 p.c.
		wire-stitched or otherwise fastened together	

Schedule C amended. 7. Schedule C to the said Act is amended by adding thereto the following items:—

1218	 Used or second-hand periodical publications: Provided that this item does not affect in any manner periodical publications:— (a) Sent, gratis, to Canada for charitable purposes; (b) Sent to persons in Canada as casual donations by friends abroad; (c) Imported for personal or for institutional use, and not for reseale; (d) Imported by or for paper mills for use as stock in the manufacture of paper. 	
1219	Used or second-hand mattresses or materials therefrom: Provided, that this item does not affect in any manner: (a) Mattresses imported under Tariff Items 704, 705, 706, 707, 708, or under tourists' or travellers' vehicle permits; (b) Materials from used or second-hand mattresses, when imported after having been cleaned and fumigated, under such regulations as the Minister may prescribe, accompanied by such certificates as he may designate.	



Date of coming into orce. **S.** This Act shall be deemed to have come into force on the second day of May, one thousand nine hundred and thirty-six, and to have applied to all goods mentioned in the preceding sections imported or taken out of warehouse for consumption on and after that date, and to have 5 applied to goods previously imported for which no entry for consumption was made before that date. First Session, Eighteenth Parliament, 1 Edward VIII, 1936

THE HOUSE OF COMMONS OF CANADA.

BILL 75.

An Act to amend the Income War Tax Act

First reading, 28 May, 1936.

The MINISTER OF FINANCE.

OTTAWA J. O. PATENAUDE, I.S.O. PRINTER TO THE KING'S MOST EXCELLENT MAJESTY 1936

19753

1st Session, 18th Parliament, 1 Edward VIII, 1936

THE HOUSE OF COMMONS OF CANADA

BILL 75.

R.S. c. 97; 1928, cc. 12; 30; 1930, c. 24; 1931, c. 35; 1932, cc. 43, 44; 1932-33, cc. 14, 15, 41; 1934, cc. 19, 55; 1935, cc. 22, 40.

Company rate of tax.

Rate on consolidated corporation incomes.

Rate on "Nonresident-Owned Investment Corporations". An Act to amend the Income War Tax Act.

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

1. Paragraphs C and D of the First Schedule of the *Income War Tax Act*, chapter ninety-seven of the Revised 5 Statutes of Canada, 1927, as enacted by section two of chapter forty of the statutes of 1935, are repealed and the following are substituted therefor:—

"C. Rate of tax applicable to corporations and joint stock companies, except as hereinafter provided: 10 On the income of the company

fifteen per centum.

D. Rate of tax applicable to corporations and joint stock companies which file a return consolidating their profit or loss with that of their subsidiaries as provided for by subsection three of section thirty-five: 15

On the consolidated income of such company and its subsidiaries

seventeen per centum."

2. The First Schedule of the said Act, as enacted by section one of chapter forty-one of the statutes of 1932-33 is further amended by adding thereto the following para-20 graph:—

"E. Rate of tax applicable to Non-Resident-Owned Investment Corporations:

On the income of a company which elects under subsection four of section nine of this Act

25

one-half the rate of tax provided for by paragraph C of this Schedule."

3. Section two of the said Act, as amended by section one of chapter fourteen of the statutes of 1932-33, by section two of chapter forty-one of the statutes of 1932-33 and by section three of chapter forty of the statutes of 1935, is further amended by adding thereto the following 30 paragraph:—

EXPLANATORY NOTES.

- **1.** (C) The Corporate rate of tax is increased from $13\frac{1}{2}$ per centum to 15 per centum.
 - (D) The Corporate rate of tax applicable to companies which file a consolidated return is increased from 15 per cent to 17 per cent.

2. and 3. These provide for a special tax at one-half the corporate rate on the income of Canadian incorporated investment companies provided they are owned by non-residents.

"Non-Resident-Owned Investment Corporaation". "(p) 'Non-Resident-Owned Investment Corporation' means a company incorporated in Canada, at least ninety-five per centum of the aggregate value of whose issued shares and all of whose bonds, debentures and other securities or evidences of funded indebtedness **5** are beneficially owned by persons who are non-residents of Canada or are owned or held by trustees for the benefit of non-resident persons or their unborn issue, or by a corporation whether incorporated or domiciled in Canada or elsewhere but in all other respects con-**10** forming to the foregoing requirements of this paragraph (p), the gross income of which is derived from one or more of the following sources:

(i) from the ownership of or the trading or dealing in bonds, stocks or shares, debentures, mortgages, 15 hypothecs, bills, notes or other similar property, or any interest therein;

(ii) from the lending of money with or without security, or by way of rent, annuity, royalty, interest or dividend:

(iii) from or by virtue of any right, title or interest in or to any estate or trust."

20

4. Paragraph (k) of section four of the said Act, as enacted by section two of chapter fifty-five of the statutes of 1934, and paragraph (n) of the said section, as enacted 25 by section one of chapter twenty-four of the statutes of 1930, are repealed and the following substituted therefor:—

(k) The income of incorporated companies (except personal corporations)

(i) whose business operations are of an industrial, 30 mining, commercial, public utility or public service nature, and are carried on entirely outside of Canada, either directly or through subsidiary or affiliated companies, and whose assets (except securities acquired by the investment of accumulated income and such bank 35 deposits as may be held in Canada) are situate entirely outside of Canada, including wholly owned subsidiary companies which are solely engaged in the prosecution of the business outside of Canada of the parent Company; or 40

(ii) whose business operations are of an investment or financial nature and carried on entirely outside of Canada, and whose shares have been offered for public subscription or are listed on any recognized stock exchange in Canada or elsewhere, and whose assets 45 (except such bank deposits as may be held in Canada) are situate entirely outside of Canada. Shares, stocks or bonds of Canadian Companies shall, for the purposes hereof, be deemed to be assets within Canada notwithstanding that they may be or have been transferred on 50 any register outside of Canada.

Business and assets situate abroad.

4. (k)

The law presently exempts from tax

- (1) Any industrial company the business and the situs of the assets of which are outside of Canada, and
- (2) any financial company, whether privately or publicly owned, whose business is not only carried on, but whose assets, also, are situate entirely outside of Canada.

Such industrial companies, and financial companies which offer their shares for public subscription or whose shares are listed on any recognized stock exchange will continue to be exempt from the corporate rate of tax, but will pay the usual filing fee of \$100.00. Other financial companies (Sec. 3), the shares of which are owned by non-residents and have not been so offered or listed, will be required to pay tax either at the full corporate rate on their net income, or, provided they elect within the time and in the manner prescribed (Sec. 6), at one-half the corporate rate on the net income as increased by the addition thereto of

(a) interest on any bonded indebtedness (Sec. 12 (a)
(i));

(b) taxes paid abroad (Sec. 12 (a) (ii));

(c) two-thirds of the dividend income received from Canadian companies (Sec. 12 (b) (ii)) in lieu of the complete exemption thereof afforded other Canadian companies;

while an allowance is made from the Canadian tax payable, based on the income from abroad, of only one-third of the taxes paid abroad (Sec. 12 (2)), in lieu of the full allowance usually given corporations. Provided that such companies file annually a fully completed return, on the form prescribed, and also pay an annual filing fee of one hundred dollars, within four months from the close of their fiscal period. If any such company, without reasonable cause therefor, **5** of which the Minister shall be the judge, should fail to file the said annual return or to pay the said filing fee, in each case within the time prescribed, it shall be liable to the tax provided for in either paragraphs C or D of the First Schedule of this Act and the said **10** filing fee.

"(n) Dividends paid to an incorporated company by a company incorporated in Canada, the profits of which have been taxed under this Act, except as hereinafter provided by sections 19 and 22A." 15

5. Paragraph (g) of subsection one of section five of the said Act is repealed and the following substituted therefor:—

"(g) The amount not exceeding three hundred dollars actually retained by an employer from the remuner- 20 ation of any taxpayer in connection with an employees' superannuation or pension fund or plan."

6. Section nine of the said Act, as amended by section six of chapter fourteen of the statutes of 1932-33, by section eight of chapter forty-one of the statutes of 1932-33 and 25 by section eight of chapter forty of the statutes of 1935, is further amended by adding thereto the following subsection:—

"(4) A Non-Resident-Owned Investment Corporation which elects within such time, effective from such date in 30 respect of periods after the coming into force of this subsection, and in such manner as may be prescribed by regulations hereunder, shall not be liable to the tax provided for in subsection two of this section but shall pay a tax upon income at the rate set forth in paragraph E of 35 the First Schedule of this Act."

7. Paragraph (b) of subsection two of section 9B of the said Act, as enacted by section nine of chapter forty-one of the statutes of 1932-33, is repealed and the following is substituted therefor:—

40

"(b) All interest received from or credited by Canadian debtors, if payable solely in Canadian funds, except the interest from all bonds of or guaranteed by the Dominion of Canada."

S. Sub-paragraph (ii) of paragraph (e) of subsection two 45 of section 9B of the said Act, as enacted by section nine of chapter forty of the statutes of 1935, is hereby repealed and the following is substituted therefor:—

Dividends received by one corporation from another.

Deductions for superannuation or pension fund.

Non-Resident-Owned Investment Corporation Elects.

Five per cent tax on nonresidents. (n) The only change is the addition of the words "and 22A" (Sec. 12 (I) (b) (ii)).

5. (g) This brings the exemption on account of contributions to any pension fund or plan in line with other exemptions provided for in the Act.

6. This is an addition to the charging section of the Act whereby the special rate of tax is imposed on Non-Resident-Owned Investment Corporations, provided such companies elect within the time and in the manner prescribed.

7. (b) Amended by adding the words "or credited by"; otherwise the same as heretofore.

S. Heretofore, only payments in respect of copyrighted material were subject to the 5 per centum tax. The words added are "whether copyrighted or not" inasmuch as it was found that some percentage of the films produced were not copyrighted. Further provision is made whereby the payments for taxation purposes can be reduced by 60 per centum, such reduction to represent amortization of the cost of production of motion picture films.

Payments in respect of rights to the use of works whether copyrighted or not. "(ii) any rights in and to the use of any work, whether copyrighted or not, subsequently produced or reproduced in Canada, by way of the spoken word, print or mechanical sound on or from paper, composition, films or mechanical devices of any description, provided that, in the case of motion picture films, sixty per centum of such payments shall not be subject to the tax under this section."

9. Section nine B of the said Act, as enacted by section nine of chapter forty-one, and as amended by sections five, 10 six and nineteen of chapter fifty-five of the statutes of 1934 and by sections nine and ten of chapter forty of the statutes of 1935, is further amended by adding thereto the following subsections:—

"(12) (a) Dividends paid or deemed to be paid by Non-15 Resident-Owned Investment Corporations shall not be taxed under subsection two of this section, provided that there has been paid in respect of the income earned between the 1932 fiscal period and the fiscal period first taxed by reason of election under sub-20 section four of section nine of this Act, or in respect of dividends equal in amount to the said income, an amount of tax equal, in the aggregate, to five per centum of the said income.

(b) Any dividends paid after the 1932 taxation period 25 shall be deemed to have been a distribution of income earned after such period.

(c) Interest payable by Non-Resident-Owned Investment Corporations and falling due after the effective date of election under subsection four of section nine 30 of this Act shall not be subject to the tax imposed by this section.

(13) Where a company whose business operations are of an investment or financial nature and whose shares have not been offered for public subscription or are not listed on 35 any recognized stock exchange in Canada or elsewhere redeems its shares, bonds, debentures or other securities or evidences of funded indebtedness, such redemption shall be deemed to be a dividend for the purposes of subsection two of this section to the extent that such company has 40 earned income after the 1932 fiscal period, which income has, or dividends equal in amount thereto have, not borne a tax under this Act equal to five per centum of the said income. Provided however that this subsection shall not operate to make the income of such company upon 45 distribution liable a second time for the tax imposed by subsection two of this Section."

10. Subsection two of section eleven of the said Act, as enacted by section seven of chapter fifty-five of the statutes of 1934, is amended by adding thereto the following pro- 50 viso:—

Dividends of Non-Resident-Owned Investment Corporations.

Interest of Non-Resident-Owned Investment Corporations.

Redemption of shares, bonds, etc. **9.** "(12) (a) This is to require corporations now described as Non-Resident-Owned Investment Corporations which did not pay dividends and deduct 5 per centum therefrom to hereafter deduct from dividends 5 per centum to the same extent that other companies had deducted and paid such tax. After equality in this regard, the tax will no longer apply.

(c) Inasmuch as interest is not allowed as a deduction in determining taxable income and is therefore taxed, after election, at one-half the corporate rate, it is not again made subject to tax, at a 5 per centum rate, on payment to nonresidents.

10. This is to prevent inequitable minimization of taxes.

Trusts in favour of the same beneficiaries. "and provided further that should more than one such trust be created, substantially all the assets of which are received from one person (whether or not administered by the same or different trustees) and be so conditioned as to fall in ultimately in favour of one beneficiary, class 5 or group of beneficiaries, then the income of the several trusts shall be taxed as one trust in the hands of such one of the trustees as the Minister may determine."

11. Section nineteen of the said Act, as amended by section four of chapter twenty-four of the statutes of 1930, 10 by section eleven of chapter forty-one of the statutes of 1932-33 and by section ten of chapter fifty-five of the statutes of 1934, is repealed and the following substituted therefor:—

"19. (1) On the winding up, discontinuance or reorgan-15 ization of the business of any incorporated company, the distribution in any form of the property of the company shall be deemed to be the payment of a dividend to the extent that the company has on hand undistributed income. 20

"(2) Where a dividend is deemed to be received under subsection one by a company incorporated or carrying on business in Canada, such dividend shall be taxable income of such incorporated company, and where such a dividend is paid to a company incorporated outside of Canada and 25 not carrying on business in Canada, the company which is being wound-up, discontinued or reorganized (excepting companies specified in section two, paragraph (p) and section four, paragraph (k)) shall deduct from such dividend a tax at the rate in force for corporations in the year in 30 which such dividend is paid and shall pay the same to the Receiver General of Canada."

12. The said Act is amended by inserting after section twenty-two the following heading and the following section:— 35

"NON-RESIDENT-OWNED INVESTMENT CORPORATIONS"

"22A. (1) In determining the taxable income of a Non-Resident-Owned Investment Corporation after the effective date of election under subsection four of section nine of this Act and so long as it is subject to tax at the rate set forth in paragraph E of the First Schedule hereof; 40

(a) the following deductions shall not be allowed:-

(i) interest payable on its bonds, debentures and other securities and evidences of funded indebtedness;

(ii) taxes paid to Great Britain or any other part of the British Empire or to any foreign country re-45ferred to in paragraph (b) of subsection one of section

Surplus distribution taxable.

Corporation tax to be paid if through sale or windingup the dividend deemed to be paid thereby is paid to a corporation.

Deductions not allowed. **11.** 19. (1) This has been re-enacted with the exception of the proviso thereto which has been dropped. The proviso related substantially to what is now defined as a Non-Resident-Owned Investment Corporation, and provided that on winding-up, dividends from Canadian sources received exempt from tax by such a company would be subject on distribution to corporate rate of tax. As the annual earnings including dividends, of such corporations are now to be made subject to one-half the corporate rate of tax, it is not proposed to tax them again on windingup.

(2) The opening words of the former subsection "Notwithstanding anything in the Act contained" have been dropped as they would conflict with the exemption given to the so-called "deemed to be dividends" on winding-up of Non-Resident-Owned Investment Corporations which may have elected hereunder (sec. 9), and would also conflict with the reduction from a corporate rate to a 5 per centum rate on dividends of corporations which did not so elect or are 4 (k) companies (sec. 19 (1)).

12. 22_A. (1)

(a) Interest, and taxes paid abroad are to be added to the net income for taxation purposes. Deductions allowed.

Proportion of taxes paid abroad allowable as deduction from tax.

Allowable deduction from tax.

Transfers in trust. eight of this Act in respect of income of the company derived from sources therein.

(b) the following deductions shall be allowed:-

(i) dividends and interest received from another such Non-Resident-Owned Investment Corporation 5 so long as such other company is subject to tax at the rate set forth in paragraph E of the First Schedule hereof;

(ii) one-third of the dividends (less carrying charges if any) received from any other company incorporated 10 in Canada.

(2) The provisions of section eight of this Act shall be applicable to a Non-Resident-Owned Investment Corporation after it has elected under subsection four of section nine of this Act and so long as it is subject to tax at the 15 rate set forth in paragraph E of the First Schedule hereof, to the extent only of one-third of the amount of tax which would otherwise be payable under the provisions of the said paragraph E, or one-third of the tax paid abroad whichever is the lesser. 20

(3) The tax payable in respect of the income of the fiscal periods 1935 and 1936 by Non-Resident-Owned Investment Corporations which have elected under subsection four of section nine of this Act shall be reduced by the amount of tax paid under subsection two of section nine B during the 25 said fiscal periods, or the tax paid at the rate applicable to corporations under either paragraph C or D of the First Schedule of this Act in respect of the income of the said fiscal periods."

13. Section thirty-two of the said Act is amended by 30 adding thereto the following subsection:—

"(3) Where a person transfers property in trust and provides that the corpus of the trust shall revert either to the donor or to such persons as he might determine at a future date or where a trust provides that during the life-35 time of the donor no disposition or other dealing with the trust property shall be made without the consent, written or otherwise, of the donor, such person shall nevertheless be liable to be taxed on the income derived from the property transferred in trust or from property substituted 40 therefor as if such transfer had not been made, unless the Minister is satisfied that the contingencies expressed in the trust deed do not substantially affect what is in substance a *bona fide* gift and are not for the purpose of evading taxes on income imposed under this Act."

Interest and penalty.

Periods

affected.

14. (1) Wherever the words "six" and "four" occur in sections forty-eight and forty-nine of the said Act the words "five" and "three" respectively are substituted therefor.

(2) The provisions of the said sections forty-eight and forty-nine as amended by subsection one of this section 50 (b) Dividends and interest paid by one Non-Resident-Owned Investment Corporation to another are exempt, also one-third of the dividends received from any other Canadian company.

(2) Heretofore taxes paid abroad in countries having reciprocal arrangements with Canada have been allowed to the extent of the Canadian tax. It is proposed to allow only one third thereof to Non-Resident-Owned Investment Corporations.

(3) The new rate of tax at one-half the corporate rate is imposed on the income of 1935 and 1936. Some of these companies paid dividends in those years and deducted 5 per centum. It is intended to give them credit for the taxes already paid in the manner described.

13. (3) This is to prevent inequitable minimization of taxes.

14. This reduces the rate of interest from 6 per centum to 5 per centum and the penalty rate from 4 per centum to 3 per centum. The reduction is applicable to 1935 in respect of which the tax based thereon is payable in four instalments.

shall be applicable only in respect of the tax payable on the income of the year 1935 and fiscal periods ending therein.

15. Sections forty-eight and forty-nine of the said Act. as amended by section fourteen of this Act, are repealed on the date of the coming into force of this section and the 5 following substituted therefor:-

"48. Every person liable to pay any tax under this Act

send with the return of the income upon which such tax is 10

15

(except any tax payable under section eighty-eight hereof)

shall estimate the amount of tax payable by him and shall

payable not less than one-third of the amount of such tax

and may pay the balance within four months thereafter together with interest at the rate of five per centum per annum upon such balance from the last day prescribed for

"49. If any person liable to pay any tax under this Act

(except any tax payable under section eighty-eight hereof)

pays less than one-third of the tax as estimated by him. or should he fail to make any payment at the time when the filing of his return is due, or fail to pay the balance of the 20 tax as estimated by him within four months therefrom, he shall pay, in addition to the interest of five per centum per annum provided for by the last preceding section, additional interest at the rate of three per centum per annum upon the deficiency from the date of default to the date of pay-25

making such return to the time payment is made."

One-third tax to be forwarded with return, balance within four months with interest.

Penalty for short payment.

16. Subsection three of section fifty-four of the said Act is repealed and the following subsections substituted therefor:-

"(3) Unless otherwise provided, all taxes found due and 30 unpaid shall bear interest at the rate of five per centum per annum from the date prescribed for the filing of the return to the date of payment.

(4) If the taxpayer fails to pay such additional tax within one month from the date of the mailing of the notice of 35 assessment aforesaid, he shall pay, in addition to the interest provided for by the next preceding subsection, interest at the rate of three per centum per annum, upon the said additional tax from the expiry of the period of one month from the date of the mailing of the said notice of assessment 40 to the date of payment. Provided, however, that notwithstanding the date of mailing of any notice of assessment, the additional rate of interest herein provided for shall not be applied until after the expiry of four months from the date when the taxpayer's return was due to be filed." 45

17. The said Act is further amended by inserting therein, immediately after section seventy-six thereof, the following section :---

Interest.

ment."

Penalty for delay in payment.

Proviso.

15. The interest and penalty interest rates are reduced in conformity with the reduction in Section 14 of this Bill, but inasmuch as the instalment dates are altered Sections 48 and 49 of the Act are re-enacted to make provision for the year 1936 and all subsequent periods. The instalment dates are the 30th of April, when one-third of the tax must be paid, and the 31st of August, when the balance is payable if the additional penalty interest is not to be incurred. Partial payments may be made as best suits the taxpayer within the four months' period, during which the rate of interest is 5 per centum.

16. Subsections 3 and 4 are enacted to comply with the intention of the new Sections 48 and 49.

17. This is to provide for authority to carry out the terms of any agreement with any provincial government for the collection of provincial income tax.

Regulations. Commissioner of Income Tax to exercise authorized powers.

Payments to Provinces.

Date payable.

Exemption from gift tax.

Aggregate not affected.

"76A. (1) Notwithstanding anything contained in this Act, the Governor-in-Council may from time to time enter Governments. into agreements with the Governments of the several provinces of Canada under which, upon the terms and conditions to be fixed by the Governor-in-Council, the Dominion of 5 Canada may collect on behalf of the said provinces any income taxes imposed by them and provision therein may be made whereby the Minister may allow Provincial authorities to inspect and have access to any return or information furnished under the provisions of this Act. 10

> (2) The Minister may make any regulations deemed necessary for carrying such agreements into effect and may thereby authorize the Commissioner of Income Tax to exercise such of the powers conferred by provincial legislation upon the Minister, as may, in the opinion of the 15 Minister, be conveniently exercised by the Commissioner of Income Tax.

> (3) Any amounts paid to the Receiver General of Canada on account of provincial income taxes shall be paid out to the respective provinces on whose behalf the money 20 was collected at such times and under such terms and conditions as may be provided in the said agreements."

> **18.** Subsection three of section eighty-eight of the said Act, as enacted by section fourteen of chapter forty of the statutes of 1935, is hereby repealed and the following 25 is substituted therefor:---

> "(3) The tax shall be paid in full to the Receiver General of Canada on or before the thirtieth day of April next succeeding the year in which the gifts were made; and if not so paid the tax shall bear interest at the rate of eight 30 per centum per annum from the date payable."

19. Subsection eight of the said section eighty-eight is amended by adding thereto the following paragraphs:-

"(f) gifts to or payments made on behalf of any one person which in the aggregate to or for such person do 35 not exceed one thousand dollars in any year.

(g) gifts exempt under paragraphs (b) to (f) inclusive of this subsection shall not be included in compiling the aggregate referred to in paragraph (a) hereof."

20. The said Act is further amended by adding thereto 40 the following Part:-

"PART XIII

METALLIFEROUS MINES

Exemption of metalliferous mines.

"89. (1) Subject to the provisions of this section, the income of a company derived from the operation of any metalliferous mine which comes into production after the **18.** This is to simplify the payment of the gift tax. Further it reduces interest from 10 per centum to 8 per centum on any unpaid tax in conformity with the combined interest rate provided for in section 15 above.

19. Small gifts to be exempt.

20. To encourage the development of mining in Canada, the income of the first three years following commercial production is to be exempt from tax, provided such production starts between the 1st of May, 1936 and the 1st of January, 1940.

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first day of May, 1936, and prior to the first day of January. 1940, shall be exempt from the corporation tax hereunder for its first three fiscal periods established by the Minister hereunder following the commencement of such production.

Minister to determine.

Certificate.

(2) The Minister, having regard to the production of 5 ore in reasonable commercial quantities, shall determine which mines, whether new or old, qualify under subsection one hereof.

(3) The Minister shall issue a certificate stating the date upon which any mine is deemed to have come into pro- 10 duction and establish such fiscal periods of twelve months each, during which the income derived from any such mine shall be exempt hereunder.

Regulations.

Interest on increased corporation tax.

Taxation periods affected.

Sections 15, 18 and 19.

Coming into force of sections 17 and 20.

(4) The Minister may make any regulations deemed necessary for carrying this section into effect." 15

21. Any increase of tax imposed by this Act in respect of any fiscal period ending in 1935 shall bear interest from the first day of July, 1936.

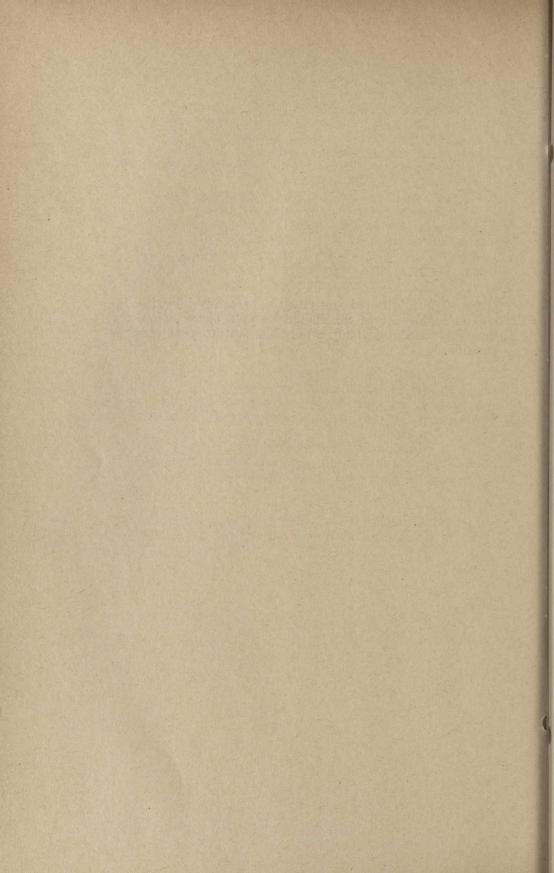
22. Sections one, two, three, four, six, seven, eight, nine, ten, eleven, twelve, thirteen and sixteen of this Act 20 shall be applicable to the income of the year 1935 and fiscal periods ending therein and of all subsequent periods.

23. Sections five, fifteen, eighteen and nineteen of this Act shall be applicable to income and gifts of the year 1936 and fiscal periods ending therein and of all subsequent 25 periods.

24. The provisions of sections seventeen and twenty of this Act shall be deemed to have come into force on the first day of May, 1936.

21. The additional tax payable occasioned by the increase in the rate of tax should be paid on or before the first day of July, 1936; otherwise, statutory interest is payable.

Calle And A



First Session, Eighteenth Parliament, 1 Edward VIII, 1936

THE HOUSE OF COMMONS OF CANADA.

BILL 76.

100

An Act to amend the Special War Revenue Act.

First reading, May 28, 1936.

THE MINISTER OF FINANCE.

OTTAWA J. O. PATENAUDE, I.S.O. PRINTER TO THE KING'S MOST EXCELLENT MAJESTY 1936

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1st Session, 18th Pariament, 1 Edward VIII, 1936

THE HOUSE OF COMMONS OF CANADA.

BILL 76.

An Act to amend the Special War Revenue Act.

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

 $\begin{array}{c} {\rm R.S., c. 179;}\\ {\rm 1928, c. 50;}\\ {\rm 1929, c. 57;}\\ {\rm 1930, c. 43;}\\ {\rm 1931, c. 54;}\\ {\rm 1932, c. 54;}\\ {\rm 1932, c. 54;}\\ {\rm 1932, c. 50;}\\ {\rm 1934, c. 42;}\\ {\rm 1935, c. 33.} \end{array}$

follows:-

Definitions.

1. Section two of the Special War Revenue Act, chapter one hundred and seventy-nine of the Revised Statutes of 5 Canada, 1927, is repealed and the following substituted therefor:—

"2. Unless the context otherwise requires,

(a) "Minister" means

- (i) in or in relation to Parts I, II and III, the Minister 10 of Finance; and
- (ii) in or in relation to Parts IV-XIV, inclusive, the Minister of National Revenue;
- (b) "person" in Parts XI, XII, XIII and XIV includes any body corporate or association, syndicate, trust 15 or other body and the heirs, executors, and administrators thereof and the curators and assigns or other legal representatives of such person according to the law of that part of Canada to which the context extends; 20

(c) "manufacturer or producer" shall include the assignee, trustee in bankruptcy, liquidator, executor, or curator of any manufacturer or producer and, generally, any person who continues the business of a manufacturer or producer or disposes of his assets in any fiduciary 25 capacity, including a Bank exercising any powers conferred upon it by *The Bank Act* and a trustee for bond holders; and shall also include any person, firm or corporation which owns, holds, claims, or uses any patent, proprietary, sales or other right to goods being 30 manufactured, whether by them, in their name, or for or on their behalf by others, whether such person, firm or corporation sells, distributes, consigns, or otherwise disposes of the goods or not."

2. Part VII of the said Act as enacted by section one 35 of chapter forty-three of the statutes of 1930, and amended by section five of chapter fifty-four of the statutes of 1931, by section eight of chapter fifty-four of the statutes of 1932, and by sections six and seven of chapter fifty of the statutes of 1932-33, is repealed, and the following is substituted 40 therefor:—

"Minister".

"Person".

"Manufacturer or producer".

1934, c. 24.

EXPLANATORY NOTES.

New provisions in the bill are indicated by underlining or vertical lining in the text.

1. Section 2 of the Special War Revenue Act is the interpretation section. The only words defined therein are the words Minister" and "person". It is intended to add to those definitions that of "manufacturer or producer". Subsection 3 of section 86 of the Act states that:—

"In case any person other than the manufacturer or producer or importer or transferee or licensed wholesaler or jobber hereinbefore mentioned acquires from or against any one of these persons the right to sell any goods, whether as a result of the operation of law or of any transaction not taxable under this section, the sale of such goods by him shall be taxable as if made by the manufacturer or producer or importer or transferee or licensed wholesaler or jobber as the case may be and the person so selling shall be liable to pay the tax."

The first part of the proposed amendment [new subsection (c)] makes it clear that such persons are required not only to pay the taxes imposed on sales they make, but to comply with the other statutory duties of a "manufacturer or producer", e.g., obtain a licence, when necessary, and make returns. The concluding phrases are intended to give statutory effect to what has always been the Departmental interpretation of the words "manufacturer or producer."

"PART VII.

STOCK TRANSFER TAX

Definitions.

"Bond".

"Share."

Excise tax on change of bonds

of ownership and shares.

Fixing of value in difficult cases.

Change of ownership otherwise than by sale.

"58. (1) In this Part, unless the context otherwise requires :-

- (a) "bond" includes a debenture and a share of debenture stock:
- (b) "share" means a share of the capital stock of any 5 association, company or corporation, or any participating interest in the operations or profits of any association, company, corporation, fund or trust, whether expressed in shares or not, represented by a certificate or other instrument of title capable of being sold, transferred or 10 assigned, and includes mineral deeds, oil royalties. syndicate units and fixed investment trust shares issued by a trustee and representing equitable ownership in deposited securities.

(2) There shall be imposed, levied and collected upon 15 every change of ownership consequent upon the sale. transfer or assignment of any bond, or of any share, an excise tax as follows:---

- (a) Three cents for every one hundred dollars or fraction thereof, of the par value of a bond;
- (b) For every share sold, transferred or assigned at a price or valuation of—
 - (i) Over \$150 per share, four cents per share, plus onetenth of one per cent of the price or value of the said share in excess of \$150. 25
 - (ii) Over \$75 per share, but not more than \$150 per share, four cents per share.
 - (iii) Over \$50 per share, but not more than \$75 per share, three cents per share.
 - (iv) Over \$25 per share, but not more than \$50 per 30 share, two cents per share.
 - (v) Over \$5 per share, but not more than \$25 per share, one cent per share.
 - (vi) Over \$1 per share, but not more than \$5 per share, one-quarter of one cent per share.
 - (vii) One dollar or less than one dollar per share, one tenth of one per cent of the price or value.

(3) In any case where it is difficult to determine the selling price of any share, the Minister may fix a price which shall be the price on which the tax shall be paid. 40

"59. (1) Except as hereinafter provided, if a change of ownership otherwise than by sale is effected, of any share, such change of ownership shall be subject to the tax imposed by this Part, computed on the basis of the current market 45 value of the aforesaid share.

20

"58. (1) The words "bond" and "share" are defined for convenience.

By reason of these definitions various words have been left out in this and the following sections, having become redundant.

For instance, at the end of paragraph (a) the words "debenture and debenture stock" (in italics below) are left out as "bond" has been defined to include securities of this type.

Paragraph (b) of subsection two is substituted for paragraphs (b) to (h) of subsection (1) and subsection (2) of section 58.

Subsection (3) of the new section 58 is to enable the Minister to fix a price where the consideration given for securities is, for any reason, difficult to ascertain, e.g., in the case of a merger where shares are exchanged.

Section 58 at present reads as follows:-

"58. 1. There shall be imposed, levied and collected upon every change of ownership consequent upon the sale, transfer, or assignment of any share of the capital stock of any association, company or corporation, or of any bond, debenture, or share of debenture stock, or of any participating interest in the operations or profits of any association, company, or corporation, represented by certificate, or other instruments of title capable of being sold, transferred or assigned, including mineral deeds, oil royalties, and fixed investment trust shares issued by a trustee and repre-

senting equitable ownership in deposited securities, an excise tax as follows:— (a) Three cents for every one hundred dollars or fraction thereof, of the par value of a bond, debenture or debenture stock;

- (b) Five cents for every share of stock sold or transferred at a price over one hundred and fifty dollars per share;
- (c) Four cents for every share of stock sold or transferred at a price over seventy-five dollars per share but not more than one hundred and fifty dollars per share;
 (d) Three cents for every share of stock sold or transferred at a price over fifty dollars
- per share but not more than seventy-five dollars per share; (e) Two cents for every share of stock sold or transferred at a price over twenty-five
- (e) Two cents for every share of stock sold or transferred at a price over twenty-five dollars per share but not more than fifty dollars per share;
 (f) One cent for every share of stock sold or transferred at a price over five dollars per share but not more than twenty-five dollars per share;
 (g) One-quarter of one cent for every share of stock sold or transferred at a price of one dollar to five dollars per share, but not more than five dollars per share;
 (h) One-tenth of one per cent of the value of every share of stock sold or transferred at a price of at a price less than one dollar per share.
 2. The words "share of stock" in paragraphs (b) to (h) of the last preceding subsection be done do are to investiga interest in the onerations or worfts of any

shall be deemed to include any participating interest in the operations or profits of any association, company, or corporation represented by certificates or other instruments of title capable of being sold, transferred or assigned."

"59. Subsection one is changed by substituting the word "value" for the word "price."

In subsection two the words "any share" are substituted for the words "the shares of stock."

"Value" is substituted for "price."

2.

Fixing of value in certain cases.

Payable in excise tax stamps. Regulations.

Exemption from tax.

First issue.

Books and records to be kept and to be open to inspection.

Obstructing inspection.

Refusal to produce books.

Penalty.

(2) In any case where a current market value has not been established by recent sales, or where it is difficult to ascertain the value of any share the Minister may fix a value which shall be the value on which the tax shall be paid.

"60. The said tax shall be payable in excise tax stamps 5 by the vendor, transferor or assignor, and the Governor in Council may make regulations prescribing in any case or class of cases the manner in which and the persons by whom the amount of such tax shall be computed and collected for and on behalf of His Majesty. 10

"61. (1) The following transactions shall not be subject to the tax imposed by this Part:—

(a) The sale, transfer or assignment of any bond of the Dominion of Canada, or of any Province of Canada;

- (b) The allotment by any association, company or cor-15 poration of its shares, in order to effect an issue thereof, and the first issue of a bond, or of any participating interest in the operations or profits of any association, company, corporation, fund or trust, represented by certificate or other instrument of title capable of being 20 sold, transferred or assigned;
- (c) The sale to any person resident and domiciled outside of Canada of any bond, provided such sale is duly completed by a delivery of the certificate or other instrument of title to a point outside of Canada; 25
 (d) Any transmission on account of death;
- (e) Any gift made *inter vivos* in consideration of natural love and affection, or to a religious, charitable or educational institution.

(2) For the purposes of the last preceding subsection, the 30 firm underwriting of a bond, or the first transaction whereby ownership or control is established, shall be deemed to be a first issue thereof.

"62. (1) Every person liable under this Part or under regulations made hereunder to collect or pay the tax imposed 35 by section fifty-eight of this Act, shall keep records and books of account in English or French at his place of business in Canada, adequate for the purposes of this Part, and such records and books of account shall be open at all reasonable times to the inspection of the officers or other 40 persons authorized by the Minister to inspect the same.

(2) Any person who in any way prevents or attempts to prevent any such officer or other person from having access to or inspecting any such records and books of account, and any person who being liable to keep such records and books 45 of account, refuses to produce the same for inspection, shall be liable on summary conviction to a penalty of not less than five hundred dollars and not exceeding five thousand dollars or to imprisonment for any term not exceeding six months, or to both fine and imprisonment. 50 "60. Section sixty is not changed.

"61. The only addition in section 61 is that of the underlined words "fund or trust" and the definition of the words "first issue" in subsection two which is new.

The addition in paragraph (b) of the words "fund or trust" is made so as to bring it into line with paragraph (b) of section 58 (1).

In paragraph (c) the words "from a point in Canada" are struck out immediately before the words "to a point outside of Canada" at the end thereof to enable Canadian vendors such as insurance companies to dispose of securities in safe keeping abroad on the same basis with respect to the tax as those held in their office in Canada.

The addition of subsection (2) is to confirm the Department's understanding of the term "first issue" as employed in paragraph (b) of subsection (1).

The words "debenture or share of debenture stock" which appeared after the word "bond" in paragraphs (a), (b) and (c) have been struck out as redundant on account of the definitions inserted in section fifty-eight.

"62. The only change in section 62 is the additional provision in subsection (3) of a penalty of \$50 to \$500 and one month to six months' imprisonment, to bring this subsection more into line with subsection (2).

Failure to maintain records, etc.

Penalty.

(3) If any person liable to maintain records and books of account for the purposes of this Part has, in the opinion of the Minister, failed to maintain adequate records and books of account, the Minister may assess the tax payable by such person under this Part, and the taxes so assessed shall **5** be deemed to be due and payable forthwith. Such person shall also be liable on summary conviction to a penalty not exceeding five hundred dollars and not less than fifty dollars or to imprisonment for any term not exceeding six months, and not less than one month, or to both fine and imprisonment.

Regulations.

Penalty for neglect or refusal to pay tax or violation of Act or regulations.

Excise tax on cigarette paper tubes made in or imported into Canada.

Definitions.

"Producer or manufacturer".

Consumption or sales tax of eight per cent.

Goods produced or manufactured in Canada. "63. (1) The Governor in Council may make regulations for the purpose of determining what constitutes a sale, transfer or assignment under this Part.

(2) Any person who, being thereto liable, neglects or 15 refuses to pay the tax imposed by this Part, or who violates any of the provisions of this Part for which no other penalty is provided, or of any regulations made thereunder, shall be liable upon summary conviction to a penalty not exceeding five hundred dollars." 20

3. Subsection two of section 77A of the said Act as enacted by section twelve of chapter fifty of the statutes of 1932-33 and amended by section two of chapter forty-two of the statutes of 1934, is repealed and the following substituted therefor:— 25

"(2) Except as hereinafter provided, every manufacturer and every importer of cigarette paper tubes shall affix to every package of cigarette paper tubes manufactured by him or imported by him into Canada, an excise stamp of the value of two cents for each one hundred cigarette paper 30 tubes or fraction of one hundred cigarette paper tubes contained in each such package."

4. Paragraph (f) of section eighty-five of the said Act, as enacted by section ten of chapter fifty-four of the statutes of 1931, is repealed, and the following is substituted there-35 for:—

(f) 'producer or manufacturer' shall include any printer, publisher, lithographer or engraver, any dresser or dyer of raw furs, any packer of olives and any commercial artist."

5. Subsection one of section eighty-six of the said Act, as enacted by section eleven of chapter fifty-four of the statutes of 1932, is repealed and the following is substituted therefor:—

"S6. (1) There shall be imposed, levied and collected a 45 consumption or sales tax of eight per cent on the sale price of all goods,—

(a) produced or manufactured in Canada, payable by the producer or manufacturer at the time of the delivery of such goods to the purchaser thereof. 50 "63. No change.

3. The underlined word "two" is substituted for the word "three."

4. Section 85 contains the definitions of certain expressions in Part XIII of the Act. Paragraph (f), being the definition of "producer or manufacturer" is amended by the addition at the end thereof of the words "any packer of olives and any commercial artist", underlined on the opposite page.

The words are added to remove any possible doubt that such persons are "manufacturers or producers" within the meaning of the Act.

5. This amendment has the effect of increasing the consumption or sales tax from six to eight per cent. The underlined word "eight" on the opposite page is substituted for the word "six." Subsection one is not otherwise amended except by adding at the end of paragraph (a) thereof the proviso indicated by a marginal vertical line. Its purpose is to provide for *bona fide* contracts entered into prior to the first of May, the delivery of which was not to be consummated until after the first of May.

Provided that in the case of any contract for the sale of goods wherein it is provided that the sale price shall be paid to the manufacturer or producer by instalments as the work progresses, or under any form of conditional sales agreement, contract of hire-purchase or any form of contract 5 whereby the property in the goods sold does not pass to the purchaser thereof until a future date, notwithstanding partial payment by instalments, the said tax shall be payable *pro tanto* at the time each of such instalments falls due and becomes payable in accordance with the terms of the 10 contract, and all such transactions shall for the purposes of this section, be regarded as sales and deliveries.

Provided further that in any case where there is no physical delivery of the goods by the manufacturer or producer, the said tax shall be payable when the property in the 15 said goods passes to the purchaser thereof.

Provided further that if any manufacturer or producer has prior to the first day of May, one thousand nine hundred and thirty-six made a *bona fide* contract for the sale of goods to be delivered after the eight per cent rate comes into 20 force, and if such contract does not permit the adding of the whole of the eight per cent tax to the amount to be paid under such contract, then so much of the tax as may not under such contract be added to the contract price shall be payable by the purchaser to the vendor and by the vendor 25 to His Majesty, but in case the vendor refuses or neglects to collect such tax from the purchaser the vendor shall be liable to His Majesty for the payment of such tax;

Goods imported.

Proviso.

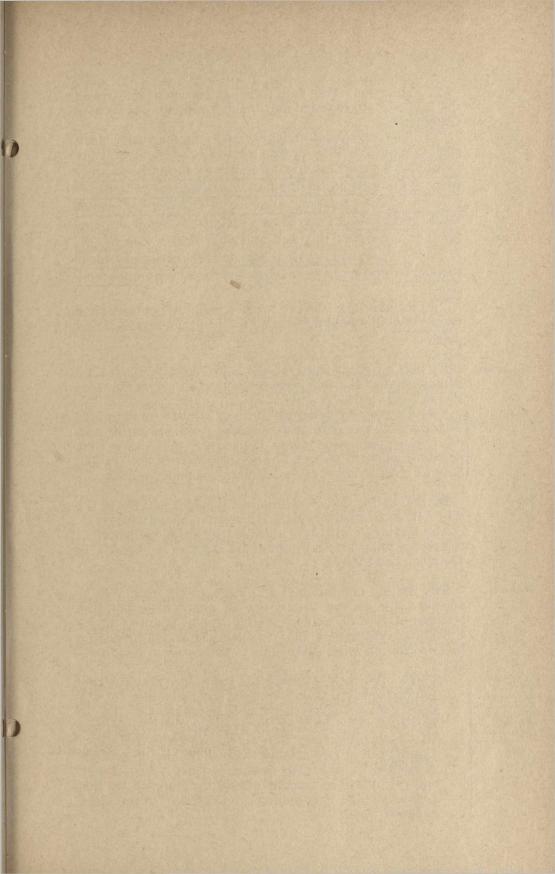
Goods sold by licensed wholesalers.

Further articles exempted. (b) imported into Canada, payable by the importer or transferee who takes the goods out of bond for con- 30 sumption at the time when the goods are imported or taken out of warehouse for consumption; or

(c) sold by a licensed wholesaler, payable by the vendor at the time of delivery by him, and the said tax shall be computed on the duty paid value of goods imported or 35 if the goods were manufactured or produced in Canada, on the price for which the goods sold were purchased by the said licensed wholesaler and the said price shall include the amount of the excise duties on goods sold in bond."

6. Section eighty-nine of the said Act, as enacted by section fifteen of chapter fifty-four of the statutes of 1931, is amended by adding thereto the following subsection:—

"(3) The taxes imposed by Parts X to XIII, inclusive, of this Act shall not apply to goods imported under customs 45 tariff item 703."



Licensee to give security. 7. Subsections two and three of section ninety-six of the said Act are repealed and the following are substituted therefor:—

"(2) The wholesaler or jobber applying for such licence shall give security that the said wholesaler or jobber and any person other than the said wholesaler or jobber who acquires from or against him the right to sell any goods, whether as a result of the operation of law or of any transaction not taxable under this Act, shall keep adequate books or accounts for the purposes of this Act, and shall render true returns 10 of sales as required by this Act, or any regulations made thereunder and pay any tax imposed by this Act upon such sales.

Amount of security.

"(3) Such security shall be for an amount of not more than twenty-five thousand dollars and not less than two thousand 15 dollars."

Regulations.

Oaths and declarations.

Monthly returns of taxable sales.

Procedure.

Payment of tax on moneys received on account of book debts. **S.** Section ninety-nine of the said Act is amended by adding thereto the following subsection as subsection four thereof:—

"(4) Any person designated by the Minister may receive 20 or administer any oath or declaration required by this Act, or by any regulation made thereunder, and every such person shall, with respect to any such oath or declaration, have all the powers of a commissioner for taking affidavits."

9. Subsection one of section one hundred and six of the 25 said Act, as enacted by section thirteen of chapter fifty-four of the statutes of 1932, is amended by deleting therefrom the words following the words "his attorney or agent", in the ninth line thereof.

10. Section one hundred and eight of the said Act as 30 amended by section twenty-one of chapter fifty of the statutes of 1932-33 and by section five of chapter thirty-three of the statutes of 1935, is further amended by adding thereto the following subsection as subsection seven there-of:— 35

"(7) (a) When the Minister has knowledge that any person has received from a licensee any assignment of any book debt or of any negotiable instrument of title to any such debt, he may, by registered letter, demand that such person pay over to the Receiver General of 40 Canada out of any moneys received by him on account of such debt after the receipt of such notice, a sum equivalent to the amount of any tax imposed by this Act upon the transaction giving rise to the debt assigned. 45 7. (2) The underlined words "and any person other than the said wholesaler or jobber who acquires from or against him the right to sell any goods, whether as a result of the operation of law or of any transaction not taxable under this Act", are inserted to make certain that the security to be given by a licensed wholesaler shall be effective. It has been suggested that death or bankruptcy, by making it impossible for the person bonded to fulfil his obligations personally, may terminate the liability of his guarantors. The concluding phrases of the subsection are rewritten in the interests of clarity.

(3) The underlined words "twenty-five" are substituted for the word "fifteen". It has been found that, in some cases, the existing maximum does not afford adequate protection to the revenue, owing to increases in the rate of taxation.

S. This subsection is new.

The Act itself only requires one declaration, that is in subsection 1 of section 106 which reads as follows:—

Other declarations or oaths are, however, prescribed by regulation, e.g., as verification for refund claims. It is deemed expedient to extend the power already given to the Minister to designate officers to take the declaration required by section 106 (1) to cover the whole field.

9. The words omitted are redundant if section 8 becomes law.

Subsection one of section 106 is quoted above (in the note to section eight). The words to be deleted appear therein in italics.

10. At the present time, those who lend money to licensees and accept trade paper, assignments of book debts and the like as collateral security for their loans, in making collection against the assignments, secure not only the amount represented by the merchandise sold, but the amount of tax payable on the transaction as well. The proposed subsection is to ensure the payment to the Crown of the taxes so collected.

[&]quot;Every person liable for taxes under Parts XI, XII and XIII of this Act and every manufacturer or producer licensed under section ninety-five thereof, and every wholesaler or jobber licensed under section ninety-six thereof, shall file each month a true return of his taxable sales for the last preceding month in accordance with regulations made by the Minister. The said return shall be verified by statutory declaration made by the person liable to pay the tax, his attorney or agent. The declaration required under this section may be made before any person designated by the Minister to receive the same and every such person shall, for the purposes of this section, have the powers of a commissioner for taking aff davits."

Penalties for neglect or failure to pay taxes.

Additional penalties.

Officers who may make inquiry. (b) The person receiving any such demand shall pay the Receiver General according to the tenor thereof, and in default of payment shall be liable to the penalties provided in this Act for failure or neglect to pay the taxes imposed by Parts IV to XIII, inclusive thereof." 5

11. Subsection one of section one hundred and eleven of the said Act, as enacted by section twelve of chapter fortytwo of the statutes of 1934, is repealed and the following substituted therefor:—

"111. (1) Every person who, being thereto liable, neg-10 lects, omits or refuses to pay any tax imposed by Parts IV to XIII inclusive, of this Act, in addition to any other penalty to which he is subject for any such offence, shall be liable on summary conviction, to a penalty of not less than fifty dollars and not exceeding one thousand dollars and to 15 a further penalty equal to double the amount of the tax properly payable, and in default of payment of the said penalties, to imprisonment for a term of not less than three months and not more than twelve months."

12. Section one hundred and sixteen of the said Act, as 20 enacted by section thirteen of chapter forty-two of the statutes of 1934, is repealed and the following substituted therefor:—

"116. The Commissioner of Excise, the Assistant Commissioner of Excise, the Superintendent of Excise Tax 25 Collections, the Chief Excise Tax Auditor, any Special Excise Tax Auditor, any Assistant Special Excise Tax Auditor, a Departmental Solicitor, or any other officer authorized by the Minister from time to time in that behalf, may make such inquiry as he may deem necessary 30 for ascertaining the liability of any person to any of the taxes imposed by this Act, and for the purpose of assessing or collecting the amount of any such tax, and for the purposes of such inquiry, any such officer shall have all the powers and authority of a Commissioner appointed 35 under Part I of the Inquiries Act."

R.S., c. 99.

officers in the

exercise of

their duties.

Conditions.

13. The said Act is further amended by adding to Part XIV thereof, the following sections as sections 120A, 120B, Action against 120C and 120D thereof:—

"120A (1) No writ shall be issued against, nor any 40 process served upon any officer for any thing done or purporting to be done, in the exercise of his duty as such officer, until one calendar month after notice in writing has been served upon him, in which notice shall be clearly and explicitly stated the cause of action, name and place of 45 abode of the person who intends to bring such action, and the name of his attorney, solicitor or agent.

11. The only change consists in the addition of the words underlined on the opposite page.

A term of imprisonment is provided as a sanction. There is a class of offender from whom pecuniary penalties cannot be collected.

12. The proposed amendment, which is modelled on section 134 of the Customs Act and section 67 (2) of the Excise Act 1934, is to empower certain designated senior officers of the Revenue Department to conduct enquiries without the necessity of obtaining the Minister's specific written authority in every case. Senior officers of Customs and Excise have had such powers under the Customs and Excise Acts for some time. They are sparingly exercised, but are sometimes of very great value in the collection and protection of the Revenue.

The words underlined on the opposite page are substituted for the words "any officer".

13. The proposed new sections merely write into the Special War Revenue Act the provisions of sections 81 to 84 inclusive of the Excise Act 1934. These sections of the Excise Act are only a re-enactment of similar statutory provisions of long standing. (Compare the Customs Act, sections 157-160).

Evidence to be stated in notice judgment. (2) No evidence of any cause of action shall be produced except of such as shall be stated in such notice; and no verdict or judgment shall be given for the plaintiff, unless he proves on the trial that such notice was given; and in default of such proof, the defendant shall recover in such 5 action a verdict or judgment and costs.

Time and place of action.

Defendant's plea.

Costs.

Officer may tender amends.

Judgment.

If defendants acted upon probable cause.

French version corrected "120B. (1) Every such action shall be brought within three calendar months after the cause thereof, and shall be laid and tried in the place or district where the acts were committed. 10

(2) The defendant may plead the general issue, and give the special matter in evidence.

(3) If the plaintiff is non-suited, or discontinues the action, or if, upon demurrer or otherwise, judgment is given against the plaintiff, the defendant shall recover 15 costs, and have such remedy for the same as any defendant has in other cases where costs are given.

"120c. Any such officer or person against whom any such action is brought on account of anything done, or purporting to be done, under the authority of this Act, 20 may, within one calendar month after such notice, tender amends to the person complaining or his agent, and plead such tender in bar or answer to any action, together with other pleas or defences; and if the court or jury, as the case may be, finds the amends sufficient, a judgment or verdict 25 shall be given for the defendant; and in such case, or in case the plaintiff is non-suited or discontinues his action. or judgment is given for the defendant upon demurrer or otherwise, such defendant shall be entitled to the like costs as he would have been entitled to in case he had pleaded 30 the general issue only: Provided that such defendant may. by leave of the court where such action is brought, at any time before issue is joined, pay money into court as in other actions.

"120D. If, in any such action, the court or judge before 35 whom the action is tried certifies that the defendant or defendants in such action acted upon probable cause, the plaintiff in such action shall not be entitled to more than twenty cents damages, nor to any costs of suit."

14. Subsection three of section eighty-six of the French 40 version of the said Act is repealed and the following substituted therefor:—

"(3) Si <u>une personne</u> qui n'est pas le fabricant, producteur, importateur, cessionnaire, ni le marchand en gros patenté ou le commissionnaire ci-dessus mentionnés, acquiert de 45 l'une de ces personnes ou contre elle le droit de vendre des marchandises, que ce soit par suite de l'opération de la loi

14. In the French version of section 2 (the Interpretation section) the word "personne" is defined as including corporations, etc. But the word used in the existing French version of section 86 (3) is "particulier", a word which would seem to mean "individual" as distinct from corporations, etc. The word "personne" is substituted to make plain the intention, very obvious in the English text, that corporations, etc., shall be included.

Schedule I amended.

15. Schedule I to the said Act, as amended by section twenty-six of chapter fifty of the statutes of 1932-33 and by section six of chapter thirty-three of the statutes of 10 1935, is further amended by repealing section one thereof and substituting therefor the following:—

"1. Automobiles adapted or adaptable to passenger use:---

(a) valued at not more than six hundred and fifty dollars.....free;

fifty dollars per automobile. Provided further that the tax shall not apply to automobiles imported:—

(i) under customs tariff items 702, 706, 707 and 708; 25

15

(ii) by a bona fide settler on a first arrival:

(iii) by a beneficiary resident in Canada, under the terms of a will of a person dying in a foreign country."

Schedule II amended.

16. Schedule II to the said Act as enacted by section seventeen of chapter forty-two of the statutes of 1934, is 30 repealed and the following is substituted therefor:—

"SCHEDULE II

1. Cigars:-

1. Olgals.	
(a) valued at not more than forty	
dollars per thousand, per thousand	
(b) valued at more than forty dollars	35
per thousand and not more than one	
hundred and ten dollars per thousand,	
per thousandthree dollars;	
(c) valued at more than one hundred	
and ten dollars per thousand and	40
not more than one hundred and fifty	
dollars per thousand, per thousandseven dollars;	
(d) valued at more than one hundred	
and fifty dollars per thousand and	
not more than two hundred dollars	45
per thousand, per thousandten dollars;	
15439-2	

15, 16, 17 and 18. Schedules I, II, III and V are amended to give effect to the resolutions of May the 1st.

(e) valued at more than two hundred

dollars per thousand, per thousand.....sixteen dollars. Provided that the value on imported cigars shall be the duty paid value as defined in section 79 of this Act; the value on cigars manufactured in Canada shall include the amount 5 of excise duty payable thereon.

2. Sugar, etc.:-(a) Materials enumerated in customs tariff items 134, 135, 135(a), 135(b), 139 (except glucose and grape sugar), 10 140 (except molasses); invert sugar and syrup.....one cent per pound; (b) Glucose and grape sugar (except when for use exclusively in the manufacture of leather and artificial 15 silk).....one-half cent per pound.

Provided that the tax hereby imposed under paragraph (a) shall not apply to the materials enumerated in customs tariff items 139 and 140, when sold in packages containing not more than ten pounds each. 20

3.]	fires	and	Tu	oes:
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- (a) Tires in whole or in part of rubber for automotive vehicles of all kinds, including trailers or other wheeled attachments used in connection with 25
- (b) Inner tubes for use in any such

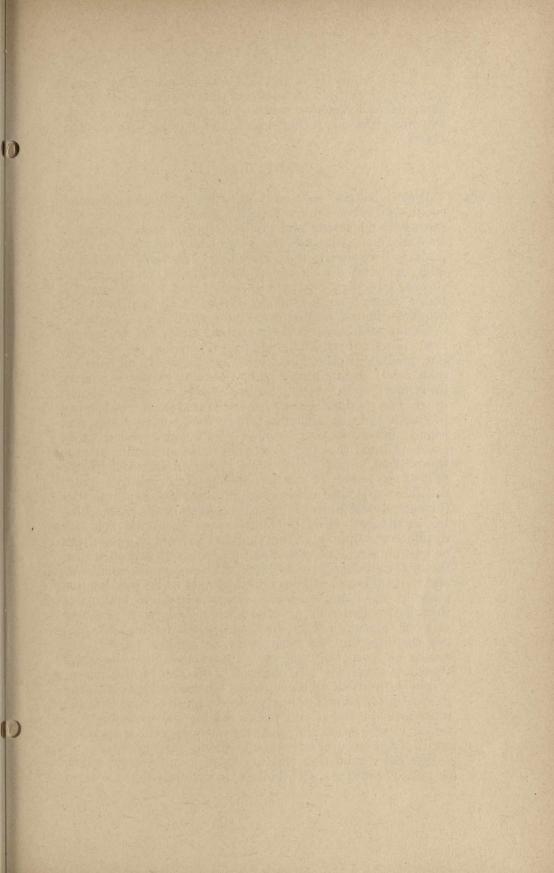
tires.....three cents per pound.

Provided that the tax hereby imposed shall not apply to the goods mentioned herein, when sold to or imported 30 by manufacturers of automobiles or chassis for the original equipment of such automobiles or chassis under the following conditions:—

(i) If less than ten thousand automobiles or chassis are manufactured or produced per annum and at least 35 fifty per centum of the factory cost of manufacturing or producing them, exclusive of duties and other taxes, is incurred in the British Empire;

(ii) If ten thousand automobiles or chassis or more are manufactured or produced per annum and at least 40 sixty per centum of the factory cost of manufacturing or producing them, exclusive of duties and other taxes, is incurred in the British Empire:

Provided, however, that effective April 1st, 1938, the words "sixty-five" shall be substituted for the word 45 "sixty" in this paragraph."



Schedule repealed and re-enacted. 17. Schedule III to the said Act, as enacted by section eighteen of chapter forty-two of the statutes of 1934 and as amended by section seven of chapter thirty-three of the statutes of 1935 is repealed and the following is substituted therefor:—

"SCHEDULE III

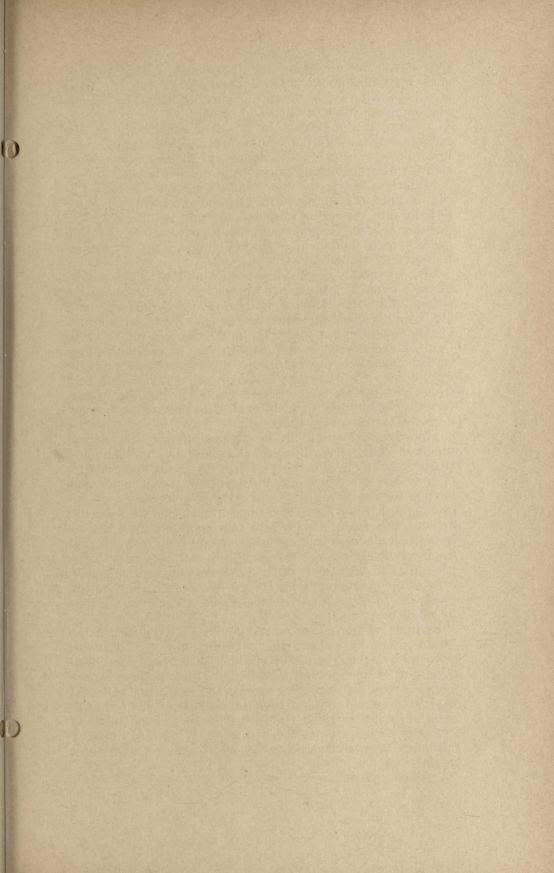
Foodstuffs.

Farm and forest.

Bread; bakers' cake and pies not to include biscuits, cookies or other similar articles; flour, not including selfraising flour; meats and poultry, fresh; meats, salted or smoked (not to include the same when chopped, ground, parboiled or spiced); milk, including buttermilk; condensed milk, evaporated milk and powdered milk; cream; butter; cheese; lard; eggs; vegetables and fruits in their natural state; honey; sugar; maple syrup; salt; ice; fish and products thereof; apples, dried, desiccated or evaporated;

Grains and seeds in their natural state, not to include rice; shorts; bran and middlings when for use as cattle. hog, poultry or other stock feed; alfalfa meal; oil cake, oil cake meal; grains mixed or crushed for cattle or poultry feed; hay; straw; hops; nursery stock; vegetable plants; other farm produce sold by the individual farmer of his own production; bees; animals, living; live poultry; logs and round unmanufactured timber; split fence posts; fence posts, railroad ties, pulpwood, tan bark, and other articles the product of the forest, when produced and sold by the individual settler or farmer; fertilizers: dried beet pulp; raw furs; wool not further prepared than washed; drain tiles for agricultural purposes; settlers' effects; calf, cattle, hog, fox or poultry feed; preparations or chemicals sold for disinfecting, dipping or spraying and so used in agriculture or horticulture, and materials for use exclusively in manufacture or production of such preparations; cream separators and parts thereof; articles and materials to be used exclusively in the manufacture of cream separators and parts thereof; woollen rolls or wool varn milled for a producer of wool from such wool supplied by him for his own use; preparations for use exclusively as gopher poison; sap spouts and sap buckets, evaporators and complete parts therefor, when for use exclusively in the production of maple syrup; milk albumen, when for use exclusively in the production of animal or poultry feeds; grain or seed cleaning machines; pit props and packwood for use exclusively in mines; casein; wood shavings and sawdust; peat moss when used for agricultural purposes, including poultry litter;

Internal combustion traction engines and horse powers, or portable engines with boilers, in combination, for farm



purposes, or for use exclusively in the operation of logging, such operation to include the removal of the log from stump to skidway, log dump or common or other carrier; and complete parts of all the foregoing;

Articles and materials to be used exclusively in the manufacture of internal combustion traction engines and horse powers, or portable engines with boilers in combination for farm or logging purposes as defined above:

Materials, not to include plant equipment, consumed in the process of manufacture or production, which enter directly into the cost of the manufacture of internal combustion traction engines and horse powers, or portable engines with boilers in combination for farm or logging purposes as defined above;

Ores of metals of all kinds; gold and silver in ingots, blocks, bars, drops, sheets or plates unmanufactured; British and Canadian coin and foreign gold coin; cars and other similar applicances for use exclusively at a mine or a quarry for mining or quarrying; articles and materials to be used exclusively in the manufacture of cars and other similar appliances for use exclusively at a mine or a quarry for mining or quarrying; sand, gravel, rubble, and field stone; crushed stone or crushed gravel to be used exclusively in the building or maintenance of provincial, county, municipal or township roads;

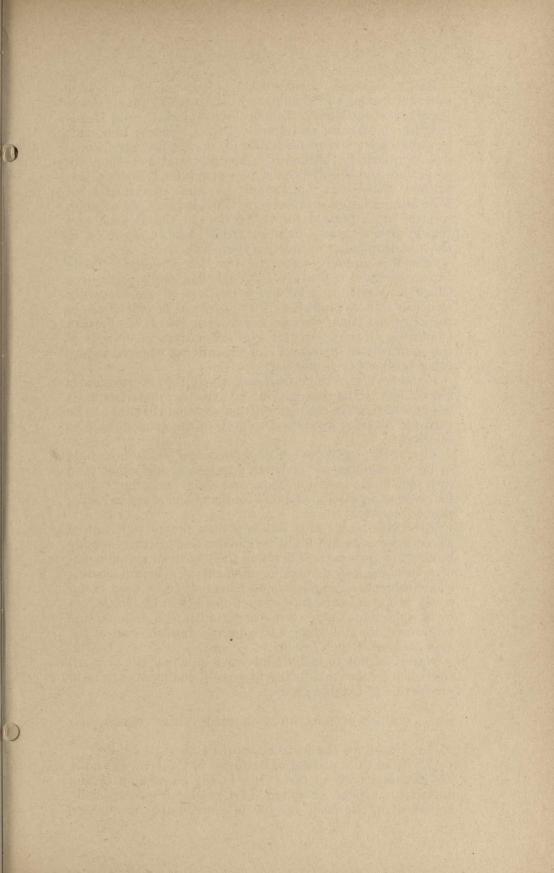
Materials for use only in the construction, equipment and repair of ships; ships licensed to engage in the Canadian coasting trade; manila fibre for use only in the manufacture of rope not exceeding one and one-half inches in circumference for the fisheries; boats *bona fide* purchased by individual fishermen for their own personal use in the fisheries; articles and materials used in the manufacture of boats *bona fide* built for individual fishermen for their own personal use in the fisheries; sinkers, and floats including trawl kegs, when for use exclusively in the fisheries, not including these articles for sportsmen's purposes; cotton duck and cotton sail twine to be used only in the manufacture of equipment for ships or vessels;

for ships or vessels; Radium; insulin; liver extract for use exclusively in the treatment of anaemia; artificial limbs, and parts thereof; artificial eyes; donations of clothing and books for charitable purposes; War Veterans' badges; memorials or monuments erected in memory of soldiers who fell in the Great War; articles and materials for the sole use of any *bona fide* public hospital certified to be such by the Department of Pensions and National Health, when purchased in good faith for use exclusively by the said hospital and not for resale:

Mines and quarries.

Marine and fisheries.

Charitable, health, etc.



Religious and educational.

Bibles, missals, prayer books, psalm and hymn books, religious tracts, and Sunday school lesson pictures; newspapers and quarterly, bi-monthly, monthly and semimonthly magazines and weekly literary papers unbound; printing paper and printing ink for use exclusively in producing quarterly, bi-monthly, monthly and semi-monthly magazines and weekly literary papers unbound; manuscript; printed text-books authorized by the Department of Education of any province in Canada and phonograph records so authorized for instruction in the English and the French language, and materials used exclusively in the manufacture or production thereof;

Official stationery imported by His Majesty's Trade Commissioners in Canada from His Majesty's Stationery Office in England; articles for the use of the Governor General; articles imported for the personal or official use of the British High Commissioner, Ministers of Foreign Countries, Consuls General who are natives or citizens of the country they represent and who are not engaged in any other business or profession;

Usual coverings to be used exclusively for covering goods not subject to the consumption or sales tax; materials to be used exclusively in the manufacture of usual coverings to be used for covering goods not subject to the consumption or sales tax;

Electricity; gas manufactured from coal, calcium carbide or oil for illuminating or heating purposes; fuel other than in liquid form; lasts for boots and shoes including rubber footwear and patterns and dies for boots and shoes including rubber footwear;

Fire brick, containing not less than ninety per cent of silica; magnesite fire brick or chrome fire brick; other fire brick when for use exclusively in the construction or repair of a furnace, kiln or other equipment of a manufacturing establishment, and articles and materials to be used exclusively in the manufacture of such fire brick; materials, not to include plant equipment, consumed in the manufacture or production, and which enter directly into the cost of the manufacture of such fire brick;

Materials, not to include lubricating or fuel oils or plant equipment, consumed in the process of the manufacture or production of taxable goods;

GOODS ENUMERATED IN CUSTOMS TARIFF ITEMS

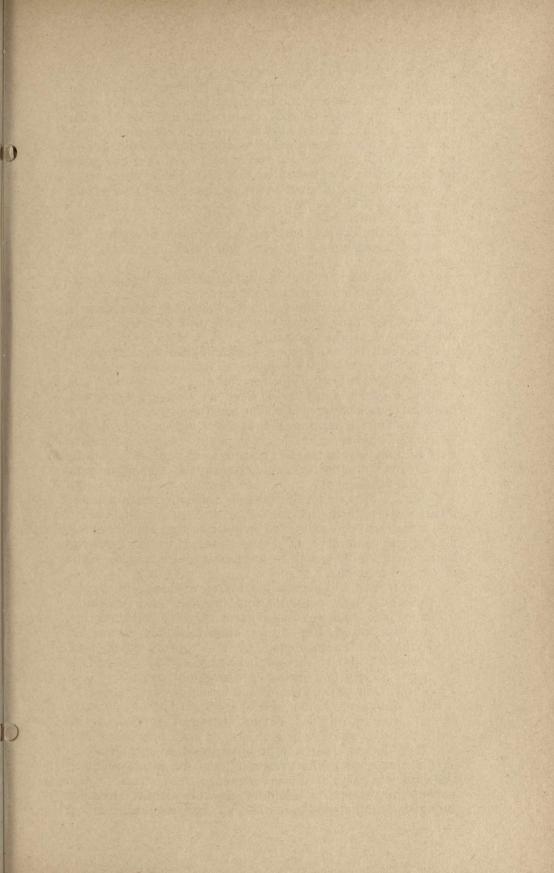
173. Books for the instruction of the deaf or dumb;

175. Books not printed or reprinted in Canada, which are included and used as text-books in the curriculum of any university, college or school in Canada; books specially imported for the *bona fide* use of incorporated mechanics'

Coverings.

Diplomatic.

Miscellaneous. 13



institutes, public libraries, libraries of universities, colleges and schools, or for the library of any incorporated medical, law, literary, scientific, or art association or society, and being the property of the organized authorities of such library, and not in any case the property of individuals the whole under regulations prescribed by the Minister, provided that importers of books who have sold the same for the purpose mentioned in this item, shall, upon proof of sale and delivery for such purpose, be entitled to a refund of any duty paid thereon;

209b. Nicotine sulphate;

352a. Bells, when imported for use of churches only;

364. Diamond dust or bort and black diamonds, for borers;

406. Coil chain, coil chain links, including repair links, and chain shackles, of iron or steel;

409a. Milking machines and attachments therefor; centrifugal machines for testing butterfat, milk or cream; complete parts of all the foregoing;

409b. Cultivators, harrows, seed-drills, horse-rakes, horsehoes, scufflers, manure spreaders, garden seeders, weeders, and complete parts of all the foregoing;

409c. Ploughs; farm, field, lawn or garden rollers; soil packers; complete parts of all the foregoing;

409d. Mowing machines, harvesters, either self-binding or without binders, binding attachments, reapers, harvesters in combination with threshing machine separators including the motive power incorporated therein, and complete parts of all the foregoing;

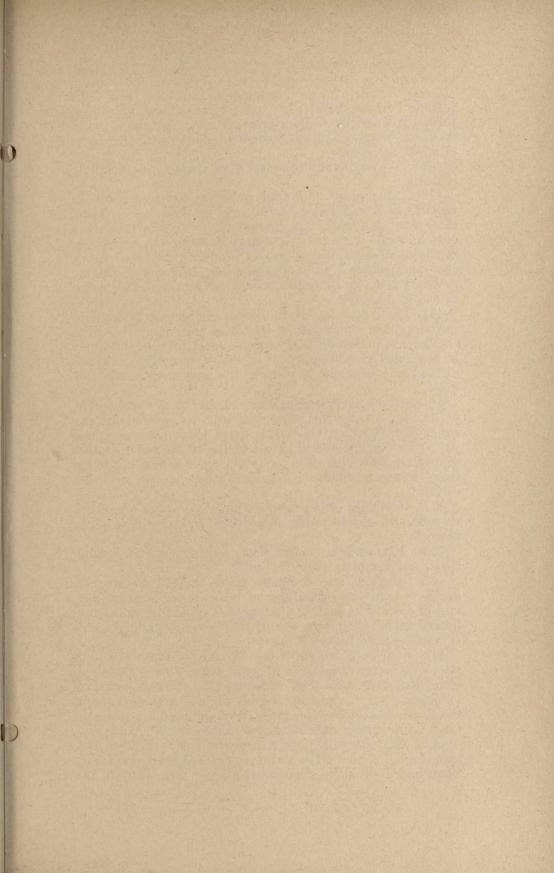
409e. (i) Spraying and dusting machines and attachments therefor, including hand sprayers; apparatus specially designed for sterilizing bulbs; pressure testing apparatus for determining maturity of fruit; pruning hooks; pruning shears; animal dehorning instruments; and complete parts of all the foregoing;

(ii) Fruit and vegetable grading, washing and wiping machines and combination bagging and weighing machines, and complete parts thereof; machines for topping vegetables, and machines for bunching and/or tying cut flowers, vegetables and nursery stock, and complete parts thereof; egg-graders and complete parts thereof, not including aluminum parts;

(iii) Complete parts of aluminum for egg-graders;

409f. Hay loaders, hay tedders, potato planters, potato diggers, fodder or feed cutters, ensilage cutters, grain crushers and grain or hay grinders for farm purposes only; post hole diggers, snaths, stumping machines and all other agricultural implements or agricultural machinery, n.o.p., and complete parts of all the foregoing;

409g. Incubators for hatching eggs, brooders for rearing young fowl, and complete parts of all the foregoing;



409i. Scythes, sickles or reaping hooks, hay or straw knives, edging knives, hoes, pronged forks, rakes, n.o.p.;

Complete parts for goods enumerated in tariff item 409i; 409j. Fanning-mills; peaviners; corn husking machines; threshing machine separators, including weighers, wind stackers, baggers and self-feeders therefor; complete parts of all the foregoing;

409k. Windmills and complete parts thereof, not including shafting;

410b. Machinery and apparatus for use exclusively in washing or dry cleaning coal at coal mines or coke plants; machinery and apparatus for use exclusively in producing coke and gas; machinery and apparatus for use exclusively in the distillation or recovery of products from coal tar or gas; and complete parts of all the foregoing, not to include motive power, tanks for gas, nor pipes and valves $10\frac{1}{2}$ inches or less in diameter;

411. Machinery for use in sawing lumber, up to but not including the operation of planing, and complete parts thereof, not to include motive power, when for use exclusively in saw mills (for the purpose of this item motive power is defined as equipment for driving the machinery of the saw mill);

411a. Machinery, logging cars, cranes, blocks and tackle, wire rope, but not including wire rope to be used for guy ropes or in braking logs going down grade, and complete parts of all the foregoing, for use exclusively in the operation of logging, such operation to include the removal of the log from stump to skidway, log dump or common or other carrier;

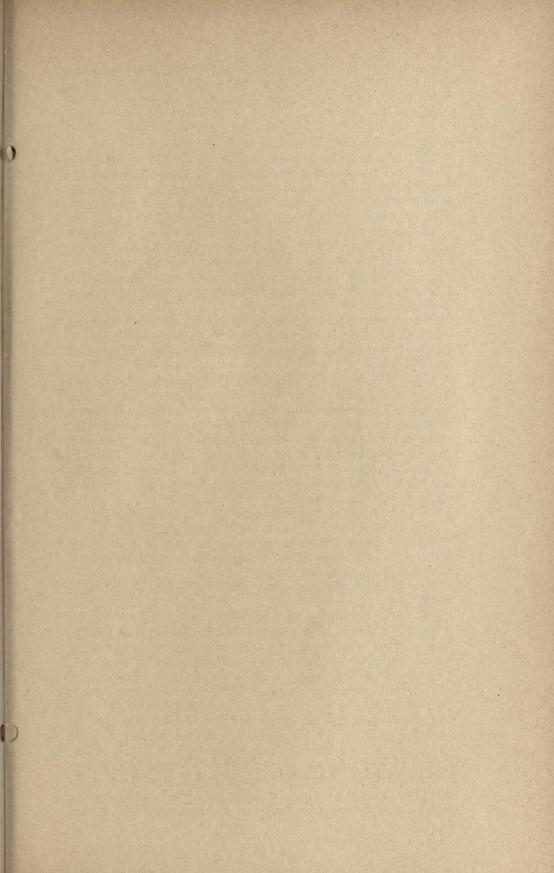
411b. Cylinder stave saws, wheel type stave jointers, crozing and champhering machinery and complete parts thereof;

439c. Farm wagons, farm sleds, logging wagons, logging sleds, and complete parts thereof;

440k. Engines and complete parts thereof, to be used exclusively in the propulsion of boats or in hoisting nets and lines used in such boats *bona fide* owned by individual fishermen for their own use in the fisheries, under regulations prescribed by the Minister;

442. Articles which enter into the cost of manufacture of the goods enumerated in tariff items 409a, 409b, 409c, 409d, 409e, 409f, 409g, 409j, 409k, 409o, and 439c, when imported by manufacturers for use exclusively in the manufacture in their own factories of the goods enumerated in the aforesaid tariff items, under regulations prescribed by the Minister;

442a. Notwithstanding the provisions of tariff item 442, materials or commodities as hereunder defined or described, when imported by manufacturers for use exclusively in the



manufacture, in their own factories, of the goods enumerated in tariff items 409a, 409b, 409c, 409d, 409e, 409f, 409g, 409j, 409o, and 439c, under regulations prescribed by the Minister:—

(1) Pig iron;

(2) Bars or rods, of iron or steel, hot rolled;

460. Materials to be used in Canada for the construction of bridges and tunnels crossing the boundary between the United States and Canada, when similar materials are admitted free under similar circumstances into the United States, under regulations prescribed by the Minister;

464. Steel dies, of a class or kind not made in Canada, valued at not less than one thousand dollars each, for use exclusively in stamping metal sheets or metal plates: Provided that such dies shall be exported from Canada under Customs supervision within three months from the date of import entry;

476. Surgical and dental instruments of any material; surgical needles; X-ray apparatus; microscopes valued at not less than \$50 each, by retail; and complete parts of all the foregoing;

476a. Glassware and other scientific apparatus for laboratory work in public hospitals; chairs and tables for surgical operating purposes, and complete parts thereof; infant incubators and complete parts thereof; electro cardiographs and complete parts thereof, and sensitized film and paper for use therein; apparatus for sterilizing purposes, including bedpan washers and sterilizers but not including washing nor laundry machines; all for the use of any public hospital, under regulations prescribed by the Minister;

480. Crutches or specially constructed staffs for cripples; 538. Binder twine or twine for harvest binders:

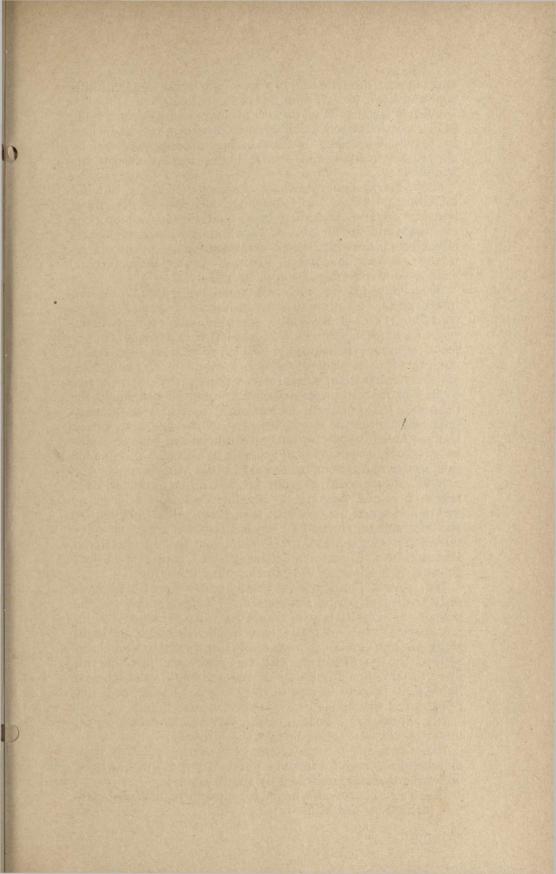
663b. Articles which enter into the cost of the manufacture of fertilizers, when imported for use exclusively in the manufacture of fertilizers;

666. Nitro-glycerine, giant powder, nitro and other explosives;

667. Blasting and mining powder;

682. Fish hooks, for deep-sea or lake fishing, not smaller in size than number $2 \cdot 0$; fishing nets and nettings of all kinds; threads, twines, marlines, fishing lines, rope and cordage of cotton, hemp, manila or other vegetable fibre, not exceeding one and one-half inches in circumference, to be used for fishing purposes or for the construction or repair of fishing nets; the foregoing not to include such articles used for sportsmen's purposes, and to be subject to such regulations as the Minister may prescribe;

692. Coins, cabinets of; collections of medals and collections of postage stamps; medals of gold, silver or copper, and other metallic articles actually bestowed as trophies or prizes and received and accepted as honorary distinctions;



and cups or other metallic prizes (not usual merchantable commodities), won in *bona fide* competitions;

695a. Paintings in oil or water colours and pastels, valued at not less than twenty dollars each; paintings and sculptures by artists domiciled in Canada but residing temporarily abroad for purposes of study, under regulations by the Minister;

695b. Hand-made drawings, sketches or designs, but not including patterns, viz.:—drawings, sketches or designs of wearing apparel, including boots and shoes, wall or floor coverings and textile fabrics, when imported in single copies of each such drawing, sketch or design for use in the manufacture of wearing apparel, boots or shoes, textile fabrics, wall or floor coverings, or of patterns;

696. Philosophical and scientific apparatus, utensils, instruments, and preparations, including boxes and bottles containing the same; maps, photographic reproductions, casts as models, animals as research or experimental subjects, etchings, lithographic prints or charts; mechanical equipment of a class or kind not made in Canada. All articles in this item, when for the use and by order of any society or institution incorporated or established solely for religious, philosophical, educational, scientific or literary purposes, or for the encouragement of the fine arts, or for the use and by order of any public hospital, college, academy, school, or seminary of learning in Canada, and not for sale, under regulations prescribed by the Minister;

696a. Educational moving picture films of all widths, silent or sound, positive or negative, and sound disks or records designed for use with such films, when certified by the Minister as entitled to exemption from Customs duty under the Convention for Facilitating the International Circulation of Films of an Educational Character; subject to such regulations as the Minister may prescribe;

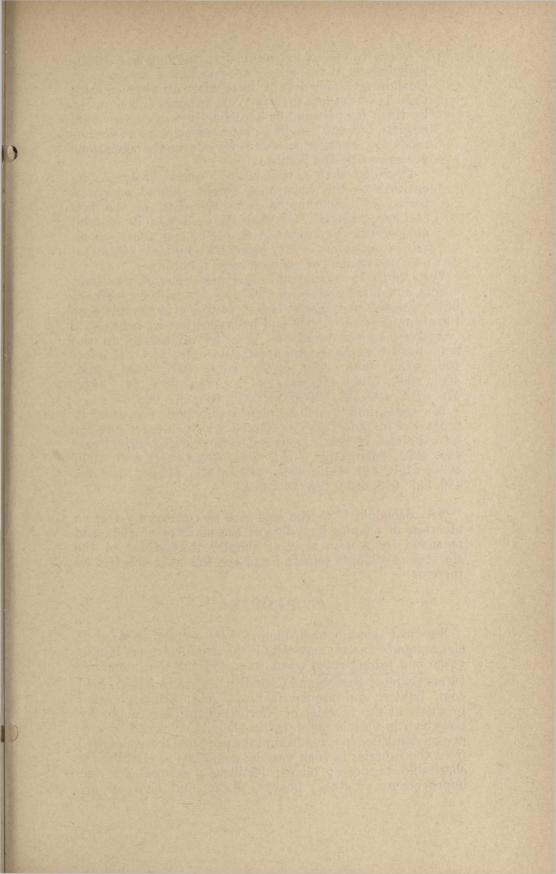
700. Animals and articles brought into Canada temporarily and for a period not exceeding three months, for the purpose of exhibition or of competition for prizes offered by any agricultural or other association: Provided a bond shall be first given in accordance with regulations prescribed by the Minister, with the condition that the full duty to which such animals or articles would otherwise be liable shall be paid in case of their sale in Canada, or if not re-exported within the time specified in such bond;

701. Menageries, horses, cattle, carriages and harness of, under regulations prescribed by the Minister;

702. Carriages for travellers, and carriages laden with merchandise, not to include circus troupes or hawkers, under regulations prescribed by the Minister;

703. (a) Travellers' baggage, under regulations prescribed by the Minister;

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(b) Goods valued at not more than one hundred dollars included in the baggage accompanying residents of Canada returning from abroad after an absence from Canada of not less than forty-eight hours and acquired by them for personal or household use or as souvenirs or gifts, but not bought on commission or as an accommodation for other persons or for sale, under regulations prescribed by the Minister:

Provided that a resident of Canada shall not be entitled to the exemption herein granted within a period of four months from the date of the last exemption allowed, nor shall the exemption be allowed on alcoholic beverages in excess of one quart, or on tobacco in excess of fifty cigars, two hundred cigarettes and two pounds of manufactured tobacco:

704. Apparel, wearing and other personal and household effects, not merchandise, of British subjects dying abroad, but domiciled in Canada; books, pictures, family plate or furniture, personal effects and heirlooms left by bequest;

Articles and materials to be used exclusively in the manufacture of goods enumerated in customs tariff items 406, 409a, 409b, 409c, 409d, 409e, 409f, 409g, 409i, 409j, 409k, 410b, 411, 411a, 411b, 439c, 440k, 442, 442a, 476, 476a, 480, 538, 663, 663a, 663b, 666, 667, 696;

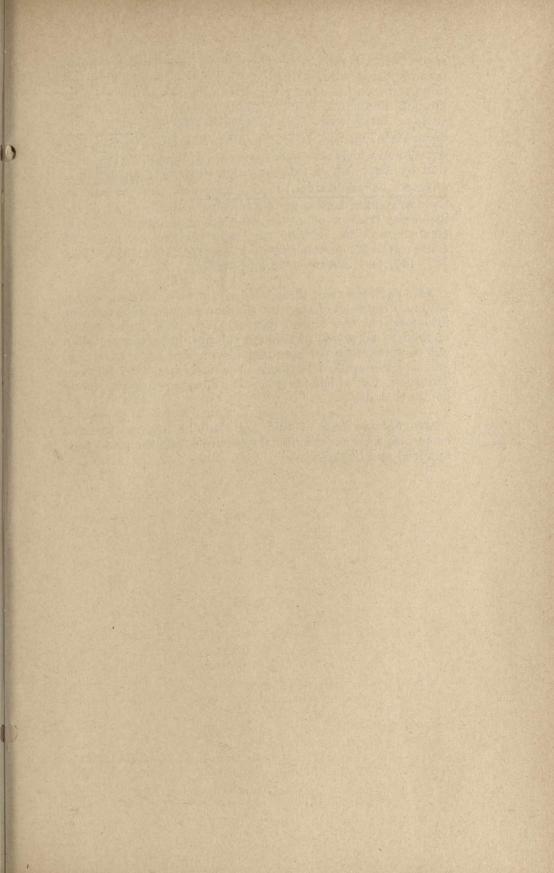
Materials, not to include plant equipment, consumed in process of manufacture or production, which enter directly into the cost of goods enumerated in customs tariff items 406, 409a, 409b, 409c, 409d, 409e, 409f, 409g, 409i, 409j, 409k, 410b, 411, 411a, 411b, 439c, 440k, 442a, 476, 476a, 480, 538, 663, 663a, 666, 667, 696."

18. Schedule V to the said Act as enacted by section nineteen of chapter forty-two of the statutes of 1934 and amended by section nine of chapter thirty-three of the statutes of 1935, is repealed and the following substituted therefor:—

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"SCHEDULE V

Raw leaf tobacco when imported by licensed tobacco or cigar manufacturers; material for the manufacture of binder twine and fishing rope, when imported by the manufacturers thereof; British and Canadian coin and foreign gold coin, bullion and unmanufactured gold; fish and other products of the fisheries of Newfoundland; fish caught by fishermen in vessels registered in Canada or owned by any person domiciled in Canada, and the products thereof carried from the fisheries in such vessels; donations of clothing for charitable purposes; bibles; fertilizers; animals for the improvement of stock; boards, planks and deals of fir,



spruce, pine, hemlock, or larch, in the rough, or not further manufactured than planed or dressed on one side, when imported from a country which admits free of duty similar lumber imported from Canada; goods enumerated in customs tariff items 173, 352a, 364, 460, 692, 695a, 695b, 696a, 700, 702, 703, 704, 705, 705a, 706, 707, 708 and 709. Articles on which other excise taxes are imposed on importation by Part XI of this Act, not to include automobiles adapted or adaptable to passenger use, tires of rubber, including inner tubes, for automotive vehicles of all kinds, including trailers or other wheeled attachments used in connection with any of the said vehicles, or materials enumerated in customs tariff items 134, 135, 135a, 135b, 139, 140, and invert sugar and syrup.

Coming into force. 19. Sections two, three, five, six, fifteen, sixteen, seventeen and eighteen of this Act shall be deemed to have come into force on the second day of May, 1936, and to have applied to all goods mentioned therein, imported or taken out of warehouse for consumption on and after that day, 5 and to have applied to goods previously imported for consumption, for which no entry for consumption was made before that day.

Coming into force of section 4. 20. Section four of this Act shall be deemed to have come into force on the first day of June, one thousand nine 10 hundred and thirty-six. First Session, Eighteenth Parliament, 1 Edward VIII, 1936

THE HOUSE OF COMMONS OF CANADA.

BILL 77.

An Act to amend The Excise Act, 1934.

First reading, May 28, 1936.

The MINISTER OF FINANCE.

OTTAWA J. O. PATENAUDE, I.S.O. PRINTER TO THE KING'S MOST EXCELLENT MAJESTY 1936

18360

1st Session, 18th Parliament, 1 Edward VIII, 1936

THE HOUSE OF COMMONS OF CANADA.

BILL 77.

An Act to amend The Excise Act, 1934.

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

Schedule amended.

1934, c. 52; 1935, c. 29.

> 1. The Schedule to *The Excise Act 1934*, chapter fiftytwo of the statutes of 1934 as amended by section two of 5 chapter twenty-nine of the statutes of 1935, is repealed and the following substituted therefor:—

"SCHEDULE.

The following duties of excise shall be imposed, levied and collected:—

1. SPIRITS.

On every gallon of the strength of proof distilled in Canada, except as hereinafter otherwise provided, four dollars, and so in proportion for any greater or less strength than the strength of proof and for any less quantity than a gallon:

Provided that spirits used in any bonded manufactory in the production of goods manufactured in bond shall be subject to the following duties of excise and no other, that is to say

(a) On every gallon of the strength of proof used in the manufacture of patent and proprietary medicines, extracts, essences and pharmaceutical preparations, one dollar and fifty cents and so in proportion for any greater or less strength than the strength of proof and for any less quantity than a gallon;

(b) On every gallon of the strength of proof used in any bonded manufactory in the production of perfume or perfumed spirits, one dollar and fifty cents, and so in proportion for any greater or less strength than the strength of proof and for any less quantity than a gallon;

Spirits distilled in Canada.

EXPLANATORY NOTES

Changes are indicated by underlining and vertical lining in the text.

The object of the amendment is to give effect to the Resolutions of May 1st last:

In Section 1 of the revised schedule, the duties of excise imposed upon spirits used in the manufacture of patent and proprietary medicines, extracts, essences and pharmaceutical preparations, and upon spirits sold to licensed druggists for use in the preparation of prescriptions and pharmaceutical preparations are reduced from two dollars and fifty cents to one dollar and fifty cents per proof gallon and the duty of one dollar per gallon on spirits used under specified conditions, for the fortification of native wines, is removed.

In Section 2 of the revised schedule provision is madefor the reduction of the duty on Canadian brandy as therein defined, from the general rate of four dollars imposed upon all spirits distilled in Canada, to three dollars per proof gallon. (c) On every gallon of the strength of proof used in any bonded manufactory in the production of vinegar, twenty-seven cents, and so in proportion for any greater or less strength than the strength of proof and for any less quantity than a gallon;

(d) On every gallon of the strength of proof used in the production of such chemical compositions as are from time to time approved by the Governor in Council, fifteen cents, and so in proportion for any greater or less strength than the strength of proof and for any less quantity than a gallon:

Provided further,

(i) that upon spirits sold to any druggist licensed under this Act, and used exclusively in the preparation of prescriptions for medicines and pharmaceutical preparations, the duty of excise shall be, on every gallon of the strength of proof, one dollar and fifty cents and so in proportion for any greater or less strength than the strength of proof and for any less quantity than a gallon:

(ii) that spirits distilled from wine produced at a registered winery from native fruits and used exclusively by registered wine manufacturers for the fortification of native wines under departmental regulations, shall be subject to no duty of excise.

Upon imported spirits when taken into a bonded manufactory, in addition to any of the duties otherwise imposed, upon every gallon of the strength of proof, thirty cents, and so in proportion for any greater or less strength than the strength of proof and for any less quantity than a gallon.

2. CANADIAN BRANDY.

On every gallon of the strength of proof, three dollars, and so in proportion for any greater or less strength than the strength of proof and for any less quantity than a gallon.

Canadian brandy is hereby defined as a spirit distilled exclusively from the juices of native fruits, without the addition of sugar or other saccharine matter, and containing not less than forty-two and seventy-five hundredths (42.75)per centum of absolute alcohol by volume.

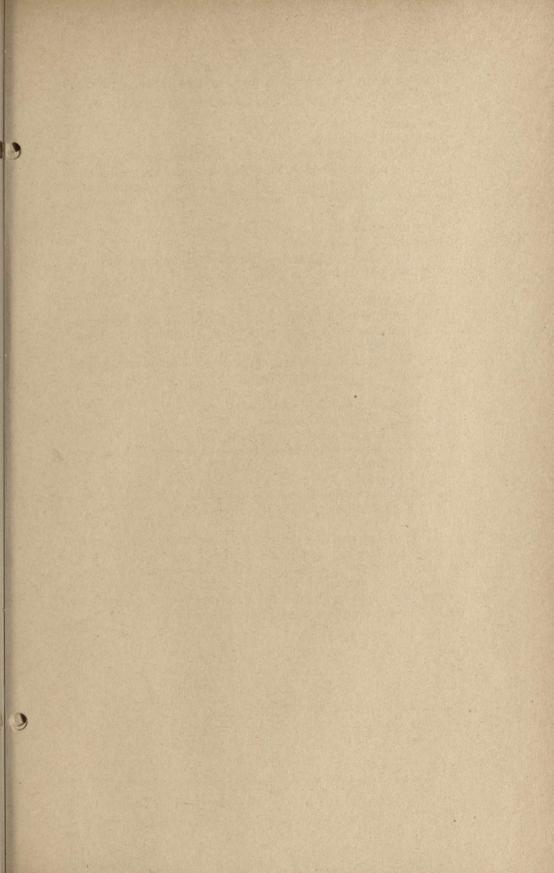
Provided that all spirits distilled prior to the second day of May, 1936, from wine produced from native fruits, shall be deemed to be Canadian brandy and shall be dutiable accordingly.

3. BEER.

Upon all beer or malt liquor:-

(a) brewed in whole or in part from any substance other than malt, per gallon.....twenty-two cents;

Imported spirits.



(b) imported into Canada and entered for consumption, per gallon.....seven cents.

4. MALT.

Upon all malt:-

(a) manufactured or produced in Canada and screened (that is, malt from which the coomings have been removed) subject to the regulations of the Governor in Council with respect to absorption of moisture in warehouse, per poundsix cents:

(b) imported into Canada and entered for consumption, per pound.....six cents;

(c) imported crushed or ground and entered for consumption, per pound.....eight cents.

5. MALT SYRUP.

Upon all malt syrup suitable for the brewing of beer:—

(a) manufactured or produced in Canada, per poundten cents;

(b) imported into Canada and entered for consumption, per pound.....sixteen cents.

6. TOBACCO, CIGARS AND CIGARETTES.

(a) Manufactured tobacco of all descriptions except cigarettes, per pound actual weight, twenty cents;

(b) Cigarettes weighing not more than three pounds per thousand, four dollars per thousand;

(c) Cigarettes weighing more than three pounds per thousand, eleven dollars per thousand;

(d) Cigars, three dollars per thousand."

Coming into force. 2. This Act shall be deemed to have come into force on the second day of May, 1936, and to have applied to all goods mentioned therein, imported or entered for consumption on and after that day, and to have applied to goods previously imported for consumption, for which no 5 entry for consumption was made before that day. First Session, Eighteenth Parliament, 1 Edward VIII, 1936

THE HOUSE OF COMMONS OF CANADA.

BILL 78.

An Act to amend The Dominion Elections Act, 1934 (Dominion By-elections).

First reading, May 29, 1936.

THE SECRETARY OF STATE.

OTTAWA J. O. PATENAUDE, I.S.O. PRINTER TO THE KING'S MOST EXCELLENT MAJESTY 1936

1st Session, 18th Parliament, 1 Edward VIII, 1936

THE HOUSE OF COMMONS OF CANADA.

BILL 78.

An Act to amend The Dominion Elections Act, 1934 (Dominion By-elections).

1934, c. 50; 1935, c. 57. HIS Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

SHORT TITLE.

Short title.

1. This Act may be cited as The Dominion By-Elections Act, 1936.

Amendments to apply in the case of by-elections. 2. The provisions of *The Dominion Elections Act, 1934,* chapter fifty of the statutes of 1934, as amended by chapter fifty-seven of the statutes of 1935, are not amended, repealed or otherwise affected by the provisions of this Act, except in so far as the holding of by-elections is concerned.

By-elections.

Polling divisions. **3.** In the case of a by-election of a member to serve in the House of Commons, to wit an election other than a general election following upon a dissolution of Parliament, *The Dominion Elections Act, 1934*, shall apply as if further amended in the following respects:—

(A) By striking out section thirteen of the said Act and substituting the following therefor:—

"13. The polling divisions shall be those established for or adopted on the occasion of the Dominion general election held on the fourteenth day of October, nineteen hundred 20 and thirty-five."

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EXPLANATORY NOTES.

1. The purpose of this Act is to provide for the taking of the vote at Dominion by-elections.

The bill is in conformity with the recommendations of a Special Committee of the House.

Changes in the Act are indicated by marginal vertical lines or underlining in the bill or in the sections as reproduced in the explanatory notes.

2. This clause is inserted to make it perfectly clear that any amendment made here to The Dominion Elections Act, 1934, shall apply only in the case of by-elections and the Act is unaltered as far as general elections are concerned.

3. (A) Section 13 of The Dominion Elections Act, 1934, reads as follows:—

"13. (1) It shall be the duty of every returning officer forthwith after his appointment to divide his electoral district into polling divisions, each designed to contain as nearly as possible three hundred electors, regard being had, however, to geographical and all other relevant consideration to the end that facilities may be provided for all the electors in each polling division to cast their votes at one or more polling stations established at a convenient place within the boundaries of the polling divisions.

(2) Where, by reason of a practice locally established, or other special circumstance, it is more convenient to constitute a polling division including substantially more than three hundred electors and to divide the list of voters for such polling division between adjacent polling stations, the returning officer may, with the approval of the Chief Electoral Officer and notwithstanding anything in this section contained, constitute a polling division including as nearly as possible some multiple of three hundred electors." (B) By inserting, immediately after section fifteen, the following as section fifteen A thereof:

Supply by Franchise Officers of copies of the lists of electors to be used at the poll

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Supply of election materials.

"15A. Immediately after the certified complete copies of the corrected lists of electors are available for distribution. the appropriate franchise officer shall, with regard to rural 5 polling divisions, transmit to the returning officer two copies of such lists, one copy to be used at the poll and the other to be kept in the office of the returning officer for inspection by any interested elector. In a very remote rural polling division where the postal service is such that it 10 is doubtful if the certified complete copies of the corrected lists of electors can be sent by the returning officer to the deputy returning officer in time for the election, the Chief Electoral Officer may request the Dominion Franchise Commissioner to direct that one copy of such list be delivered 15 or transmitted by the local franchise officer direct to the deputy returning officer concerned. In urban polling divisions the returning officer shall be supplied by the appropriate franchise officer with five printed copies of the list of electors for each such polling division in his electoral 20 district as soon as the printing of such lists has been completed."

(C) By striking out subsection three of section thirty thereof and substituting the following therefor:—

"(3) Two days at least before polling day the returning 25 officer shall furnish

(a) to each deputy returning officer, a copy of the list of electors, as finally revised under the provisions of *The Dominion By-Elections Franchise Act*, 1936, for use at his polling station. Every sheet included in 30 such list of electors shall, whenever possible, be stamped by the returning officer with the official stamp;

(b) to each deputy returning officer, a ballot box, a blank poll book, the several forms of oaths to be administered to voters, the necessary envelopes and 35 such other stationery as may be authorized by the Chief Electoral Officer;

(c) to each candidate or his agent, a list of all deputy returning officers appointed to act in the electoral district with the name or number of the polling division 40 or polling station at which each is to apt."

 (D) By striking out subsections four and six of section thirty-three and substituting the following therefor:—
 "(4) If the polling division is urban, the returning officer shall prepare from the geographical list of electors 45

Supply of election materials.

Copy of the revised list.

Ballot boxes, etc.

List of deputies.

Lists for urban polling stations. (B) Section 15A on the opposite page is new.

It is to correspond with Rule 14 Sch. B of the Dominion Franchise Act.

There is now no provision in the Act directing how the returning officer shall dispose of the lists supplied him.

(C) Subsection three of section thirty in the Dominion Elections Act, 1934, reads as follows:—

"(3) Two days at least before polling day the returning officer shall furnish

(a) to each deputy returning officer, a ballot box, a blank poll book, a copy of the list of voters entitled to vote at such polling station, forms of oaths to be administered to voters, envelopes, sealing wax, such other stationery as may be authorized by the Chief Electoral Officer, and a screen, if required;

(b) to each candidate or his agent, a list of all deputy returning officers appointed to act in the electoral district, with the name or number of the polling division or polling station at which each is to act."

(D) Subsections four and six of section thirty-three read as follows:—

"(4) If the polling division is urban the returning officer shall prepare from the geographical list of voters of that a separate list for each polling station established therein. The list shall be divided numerically according to the consecutive number given to each voter on the printed list of electors so that approximately an equal number of electors will be allotted to each polling station necessarily established in such polling division."

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"(6) Every voter of an urban polling division whose name appears on the list of electors, divided pursuant to subsection four of this section, shall vote, if at all, in the polling station to which has been allotted such part of the 10 list as contains his name, and not otherwise."

(E) By striking out subsection three of section thirtyeight of the said Act.

(F) By inserting, immediately after section forty-six, the following as section forty-six A thereof:— 15

Vote by elector whose name is not entered in the certified complete copy of the list of electors for a rural polling division.

"46A. (1) Subject as herein provided, any person who pursuant to the provisions of section four of *The Dominion By-Elections Franchise Act, 1936*, is qualified to vote in the 20 electoral district in which a by-election is pending, and is, on polling day, resident in a rural polling division may, notwithstanding that his or her name does not appear on the certified complete copy of the list of electors for such rural polling division, vote at the appropriate polling 25 station established therefor, if, so far as he or she is aware, his or her name does not properly appear on the certified complete copy of the list of electors prepared for any other polling division in the electoral district.

(2) Any such person as is in the last preceding subsection 30 described shall be entitled to vote only

(a) upon his or her being vouched for by some other voter whose name appears on the certified complete copy of the list of electors for such rural polling division and who is resident therein, and personally attends 35 with him or her at the polling station and takes an oath in Form No. 43 in Schedule One to this Act, and
(b) upon himself or herself taking an oath in Form No. 42 in Schedule One to this Act.

(3) The poll clerk shall make such entries in the poll 40 book, as the deputy returning officer directs him to make including the name of the person who vouched for the applicant person, and as are required by any provision of this Act."

(G) By striking out sections ninety-nine to one hundred 45 and five, inclusive, of the said Act.

(H) By striking out Forms eighteen, nineteen, twenty, forty-two and forty-three of Schedule One to the said Act and substituting therefor the Forms contained in the Schedule to this Act. 50

Where elector to vote.

Manner of voting.

Absentee voter.

Forms.

polling division a separate list, made up in geographical order, that is by streets, roads and avenues, as may be most convenient for the purpose, for each polling station, and he shall cause each separate polling station so constituted to be designated by the numbers and names of the streets, roads and avenues whereon the electors who are to vote thereat reside, as from Ashurst to Kerwin, or from Lonsdale to Royal, or from Second to Zither, or as the case may be.

(6) Every voter of an urban polling division who resides on a street, road or avenue which is included within the numbers and names of streets, roads and avenues designating a polling station and contained in a list of voters prepared pursuant to subsection four of this section shall vote, if at all, in the station to which <u>such list applies</u>, and not otherwise."

(E) Subsection three of section thirty-eight reads as follows:—

"(3) For the purposes of an election every elector shall be deemed to have resided, and to continue until the close of the poll to reside, in the electoral district, and in the polling division, whereto the list of voters whereon his name appears appertains, and no actual change of residence between the time of preparing such list and polling day shall so operate as to deprive him of his right to vote in such electoral district and polling division or entitle him to vote in any other electoral district or polling division."

(F) Section 46A is new. Section 46 of the Act provides for the manner of voting.

(G) Sections ninety-nine to one hundred and five of The Dominion Elections Act, 1934, provide for absentee voting. For the reasons advanced in the Special Committee, namely the cost and unpracticability of the whole scheme, it is suggested to do away with absentee voting and therefor to repeal sections 99 to 105.

SCHEDULE

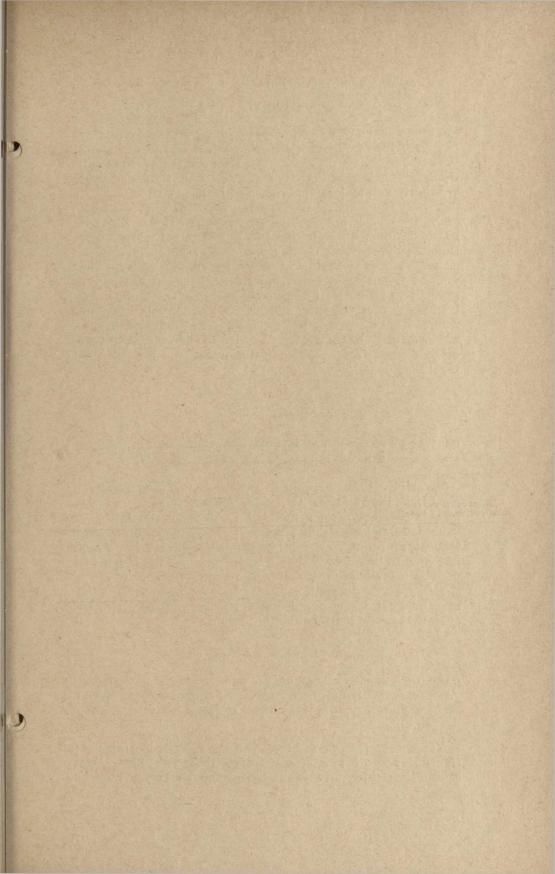
FORMS

"FORM NO. 18.

POLL BOOK (Sec. 36 (4))

Consecutive number given each voter as he applies for a ballot	Particulars of voter						
	Name of voter. (Family name first)	Occupation		Post Office address	Consecutive number of voter on voters' list		
Form numbers of oaths, if any, the voter is required to swear	sworn or refu (If sworn, in	Record that oaths sworn or refused. (If sworn, insert "Sworn", if refused, insert "Refused to be sworn")		Particulars of person vouching in a rural polling division only (Under Sec. 46A) for a voter whose name is not on the list			
	if refused, in "Refused			Consecutive number of voter on voters' list	Record that oath (Form 43) sworn (when sworn insert "sworn")		
Record that voter has voted. (When ballot put into ballot box, insert "Voted"	,	Remarks					
		•••••					
				•••••			

6



"FORM NO. 19.

OATH OF PERSON APPLYING TO VOTE (Sec. 39).

You swear (or solemnly affirm) that you are (name of the voter) whose name is entered on the copy of the list of electors now shown to you (showing copy of list of electors to voter); that you are a British subject of the full age of twenty-one years; that you have been ordinarily resident in Canada for the last twelve months and that you were ordinarily resident in this electoral district on the

day of , 19 (naming the date three months before the day of the issue of the writ of election); that you have continued to be resident in this electoral district since the said date; that you have not before voted at this byelection either at this or at any other polling station; that you have not been employed by any person for pay or reward, in reference to this proceeding by-election, unless lawfully by an election officer, and that you have not received anything, nor has anything been promised to you, either directly or indirectly, in order to induce you to vote, or to refrain from voting, at this election. So help you God."

"FORM NO. 20.

OATH THAT VOTER IS THE PERSON INTENDED TO BE REFERRED TO IN THE LIST OF ELECTORS. (Sec. 42).

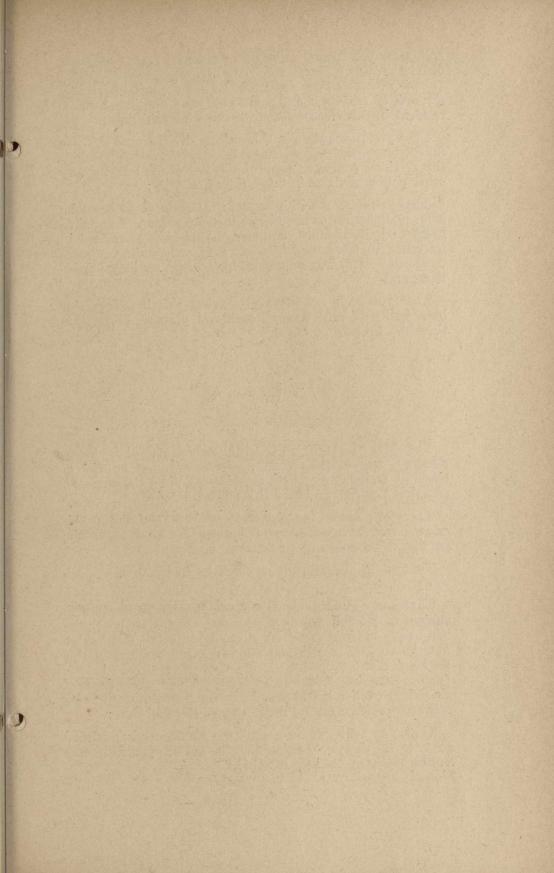
You swear that pursuant to section four of *The Dominion By-Elections Franchise Act, 1936*, you are qualified to vote at this by-election of a member to serve in the House of Commons of Canada and are not disqualified from voting thereat, and that you verily believe that you are the person intended to be referred to by the entry in the list of electors used at this polling division of the name (name as in list of electors) whose occupation is given as (occupation as in list of electors) and whose address is given as (address as in list of electors). So help you God."

"Form No. 42.

OATH OF PERSON WHOSE NAME IS NOT ON THE CERTIFIED COMPLETE COPY OF THE LIST OF ELECTORS FOR A RURAL POLLING DIVISION AND WHO DESIRES TO VOTE. (Sec. 46A).

6

You swear (or affirm) that you are a British subject of the full age of twenty-one years; that you have been ordinarily resident in Canada during the last twelve months



and that you were ordinarily resident in this electoral district on the day of , 19 (naming the date three months before the day of the issue of the writ of election); and that you have continued to be resident in this electoral district since the said date;

That you now reside in this polling division and that, so far as you are aware, your name does not properly appear on the certified complete copy of the list of electors for any other polling division in this electoral district;

That you are not within any of the classes of persons who lack qualification or are disqualified by reason of appointment to judicial office, employment for pay or reward in reference to the pending by-election, race, crime, mental incapacity or disfranchisement for corrupt or illegal practices; and

That you have not already voted at this by-election or been guilty of any corrupt or illegal practice in relation thereto. So help you God."

"FORM No. 43.

OATH OF PERSON VOUCHING. (Sec. 46A)

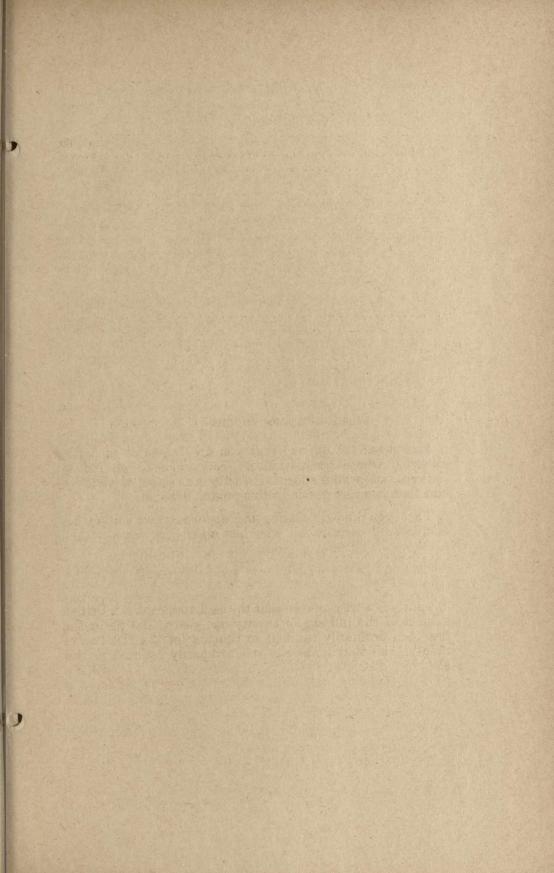
You swear (or affirm) that you are (name as in list of electors), whose occupation is (occupation as on list of electors), and whose address is (address as in list of electors), and that you now reside in this polling division;

That you know (naming the applicant and stating his address and occupation) who has applied to vote at the pending by-election in this polling station;

That the said applicant now resides in this polling division;

That you verily believe that the said applicant is a British subject of the full age of twenty-one years, that he or she has been ordinarily resident in Canada for the last twelve months and that he or she was ordinarily resident in this electoral district on the day of 19 (naming the date three months before the day of the issue of the writ of election); and that he or she has continued to be resident in this electoral district since the said date;

That you verily believe that the applicant is qualified to vote at this by-election and is not disqualified from voting thereat. So help me God." C



"FORM NO. 44

AFFIDAVIT OF PRINTER. (Sec. 29 (6))

1. I am. (Insert "the sole member" or "one of the members of the firm of" or

2. That sheets for ballots numbered as follows, namely:

of the said sheets thus cutting into......ballots. (Insert number of ballots)

4. That sheets numbered......were not required and have been returned to the returning officer in the condition in which they were received.

5. That every piece of ballot paper spoiled in printing has been delivered to the returning officer.

	(or affirmed) before me	
at	, in the Pro	vince
of	this	

(Signature of printer)

C

*Strike out this paragraph unless six, eight, nine, ten, twelve or more candidates are running.

(Returning Officer, Justice of the Peace or, as the case may be) First Session, Eighteenth Parliament, 1 Edward VIII, 1936

THE HOUSE OF COMMONS OF CANADA.

BILL 79.

An Act respecting the Department of Mines, Resources and Colonization.

First reading, June 2, 1936.

THE PRIME MINISTER.

OTTAWA J. O. PATENAUDE, I.S.O. PRINTER TO THE KING'S MOST EXCELLENT MAJESTY 1936

Session, 18th Parliament, 1 Edward VIII, 1936

THE HOUSE OF COMMONS OF CANADA.

BILL 79.

An Act respecting the Department of Mines, Resources and Colonization.

	Il Senate and	by and w House of	ith the advi Commons	ce and cons of Canada,	sent of the enacts a	ne as
R.S., c. 103.	follows:					

Resources and Colonization:

Mines, Resources and Colonization.

and Colonization:

Short title.

1. This Act may be cited as The Department of Mines, Resources and Colonization Act.

(a) "Department" means the Department of Mines,

(b) "Minister" means the Minister of Mines, Resources

(c) "Deputy Minister" means the Deputy Minister of

3. (1) There shall be a department of the Government

(2) The Minister shall have the management and direction

of Canada which shall be called the Department of Mines, Resources and Colonization, over which the Minister of 15 Mines, Resources and Colonization for the time being appointed by commission under the Great Seal of Canada

2. In this Act unless the context otherwise requires,

Definitions.

"Department.

"Minister."

"Deputy Minister."

Department constituted.

Administration.

Salary of Minister.

(3) Notwithstanding the provisions of subsection one of section nine of this Act or section four of the Salaries Act. chapter one hundred and eighty-two of the Revised Statutes of Canada, 1927, the salary of the Minister shall be ten thousand dollars per annum.

of the Department, and shall hold office during pleasure.

who shall be the chief officer of the Department and who shall be called the Deputy Minister of Mines, Resources and Colonization and shall hold office during pleasure.

(2) The Governor in Council may, with respect to the 30 organization of the Department, divide the Department into not more than eight branches or divisions, and he may in the first instance appoint a chief officer, who shall be called Director, for each such branch or division and who shall hold office during pleasure and shall have such 35

25 4. (1) The Governor in Council may appoint an officer

shall preside.

Branches of the Department.

Chief officer.

20

5

10

EXPLANATORY NOTES.

The purpose of this Bill is to create a new Department under the name mentioned, to which will be transferred the functions of the following Departments:—

Department of the Interior

Department of Mines

Department of Immigration and Colonization

Department of Indian Affairs.

Sections 1, 2 and 3—These sections provide for the creation of the Department, the name thereof and the titles of the Minister and Deputy Minister, and are in the usual form.

Section 4, ss. (1)—This subsection authorizes the appointment of a Deputy Minister, and is in the usual form.

ss. (2)—This subsection authorizes the Governor in Council to divide the Department into branches or divisions, not exceeding eight in number, and in the first instance to appoint chief officers thereof who will be called directors. The Governor in Council, or the Minister, is authorized to assign the powers and duties to be assumed by the directors. Until the actual details of the consolidation of the four Departments are worked out and it is found from a practicable point of view what branches of the present Departments may be merged into more compact powers and perform such duties under the Deputy Minister as may be assigned to him by the Governor in Council or the Minister.

(3) Such other officers, clerks and employees as are necessary for the proper conduct of the business of the 5 Department shall be appointed or employed in the manner authorized by law and shall hold office during pleasure.

(4) Persons employed in one branch of the Department may be directed by the Minister to perform any duties in or with respect to any other branch. 10

5. The Minister shall have and may exercise all and every of the duties, powers and functions which were, immediately prior to the coming into force of this section. vested by any Act, order or regulation in the Minister of the Interior, the Minister of Mines, the Minister of Immi-15 gration and Colonization and the Superintendent General of Indian Affairs.

6. The duties, powers and functions of the Minister public bodies, shall extend and apply to such boards and other public bodies, subjects, services and properties of the Crown as 20 may be designated or assigned to the Minister by the Governor in Council, over which the Minister shall have the control, regulation, management and supervision.

> 7. (1) Notwithstanding the provisions of the Civil Service Act with respect to the organization of a department, the 25 Governor in Council may make such orders and regulations as he may consider necessary for the immediate organization of the Department; and notwithstanding the provisions of subsection three of section four of this Act the Governor in Council may, in the first instance, fill the positions in 30 the Department by the appointment thereto of any or all of the persons who immediately before the coming into force of this Act were officers, clerks and employees of the Department of the Interior, the Department of Immigration and Colonization, the Department of Mines and the Depart- 35 ment of Indian Affairs and such persons so appointed shall hold office during pleasure.

> (2) Wherever in any Appropriation Act for the financial year ending the thirty-first day of March, one thousand nine hundred and thirty-seven, provision is made, based on 40 Estimates 1936-37, to defray expenses of the public service of Canada within the Department of the Interior, the Department of Immigration and Colonization, the Department of Mines or the Department of Indian Affairs such provision and estimates shall be interpreted as applying to 45 similar or other was well as like classifications of the public service within the Department of Mines, Resources and Colonization: Provided that where provision is made for

Officers, clerks and employees.

Transfer from one branch to another.

Duties. powers and functions of the Minister.

As to boards. etc.

Organization of the Department. R.S., c. 22.

Provision in Appropriation Acts for expenses of the public service.

units, it is not possible to designate the number or the names of the various branches into which the new Department will be organized. For this reason authority is given to the Governor in Council to do so.

ss. (3)—This subsection merely reaffirms the present law regarding appointments to be made to the staff of the Department, and is in the usual form.

ss. (4)—This subsection authorizes the Minister to direct employees in one branch to perform duties in any other branch, and is in the usual form.

Section 5—This section empowers the Minister to exercise all the duties, etc., heretofore exercised by the Ministers of the present Departments.

Section 6—This is the usual section extending the powers, etc., of the Minister of the Department over such Boards, etc., as may be assigned to him by the Governor in Council.

Section 7—This section authorizes the Governor in Council—

- (a) to make such orders and regulations as may be necessary for the immediate reorganization of the new Department, and
- (b) in the first instance to fill the new positions in the Department by the appointment of any or all of the present employees now engaged in the present Departments to similar or such other positions as may be found necessary.

more positions in the same classification than are created on the immediate organization of the Department of Mines, Resources and Colonization only one salary shall be paid to or drawn by any person holding a position in such classification so created.

5

Duties, powers and functions vested in, performed and exercised by the officers of the Department.

S. Wherever in any Act of the Parliament of Canada or in any order or regulation made under the authority thereof, or wherever under any contract, lease or other writing, it is provided that any duty, power or function shall be vested in or performed or exercised by any officer of the Department 10 of the Interior or of the Department of Mines or of the Department of Immigration and Colonization or of the Department of Indian Affairs, such duty, power or function shall be vested in and performed and exercised by the appropriate officer of the Department, or by such officer 15 thereof as may be named by the Minister.

Department, Minister and Deputy Minister substituted.

Indian Affairs.

Territories and Crown Lands.

9. (1) Wherever in any Act of the Parliament of Canada heretofore or hereafter enacted, or in any order or regulation made under the authority thereof, the Department of the Interior, the Minister of the Interior, the Deputy Minister 20 of the Interior, the Department of Mines, the Minister of Mines, the Deputy Minister of Mines, the Department of Immigration and Colonization, the Minister of Immigration and Colonization, the Deputy Minister of Immigration and Colonization, the Department of Indian Affairs, the 25 Superintendent General of Indian Affairs or the Deputy Superintendent General of Indian Affairs is mentioned or referred to, there shall in each and every such case, be substituted the Department of Mines, Resources and Colonization, the Minister of Mines, Resources and Colonization 30 and the Deputy Minister of Mines, Resources and Colonization, respectively.

(2) The chief officer in charge of the branch of the Department in which is included Indian Affairs may, under the Deputy Minister, perform and exercise all the duties, powers 35 and functions with respect to Indian Affairs which are or may be vested in the Deputy Minister by any Act of the Parliament of Canada or by any order or regulation made under the authority thereof.

10. The Minister shall have the control and management 40 of

(a) the affairs of the Northwest Territories, and of the Yukon Territory;

(b) all Crown lands which are the property of Canada, including those known as Ordnance and Admiralty 45 lands, and all other public lands not specially under the control of the Department of Public Works, Railways and Canals, or National Defence, and excepting Section S—This section authorizes the Minister to name the officers in the new Department who shall carry out the duties, etc., which heretofore by law were carried out or performed by officers in the present Departments.

Section **9**, ss. (1)—This subsection enables the Minister and the Deputy Minister of the Department to carry out the respective duties, etc., of the Ministers and Deputy Ministers of the old Departments, including those of the Superintendent General of Indian Affairs and the Deputy Superintendent General of Indian Affairs, which duties, etc., were heretofore exercised by them under any statute, order or regulation.

ss. (2)—In view of the fact that the management of Indian Affairs has in the past been a distinct and separate unit, it is considered advisable to give to the chief officer of the branch in the new Department, who shall have charge thereof, the right to perform and exercise under the Deputy Minister the duties, powers and functions which are at present vested in the Deputy Superintendent General of Indian Affairs.

Section 10—This section merely re-enacts section 4 of the Department of the Interior Act, chapter 103 of the Revised Statutes of Canada, 1927. also marine hospitals and lighthouses and land connected therewith, and St. Paul's, Sable and Portage Islands.

11. (1) The Department of the Interior Act, chapter one hundred and three of the Revised Statutes of Canada, 5 1927; and the Department of Immigration and Colonization Act, chapter ninety-six of the Revised Statutes of Canada, 1927, are hereby repealed;

(2) Sections three, six, seven and nine of the Geology and Mines Act, chapter eighty-three of the Revised Statutes 10 of Canada, 1927, and section five and paragraph (a) of subsection one and subsection two of section seven of the Indian Act, chapter ninety-eight of the Revised Statutes of Canada, 1927, are hereby repealed.

12. This Act shall come into force on a date to be fixed 15 by proclamation of the Governor in Council published in the Canada Gazette.

Acts repealed. R.S., c. 103. R.S., c. 96.

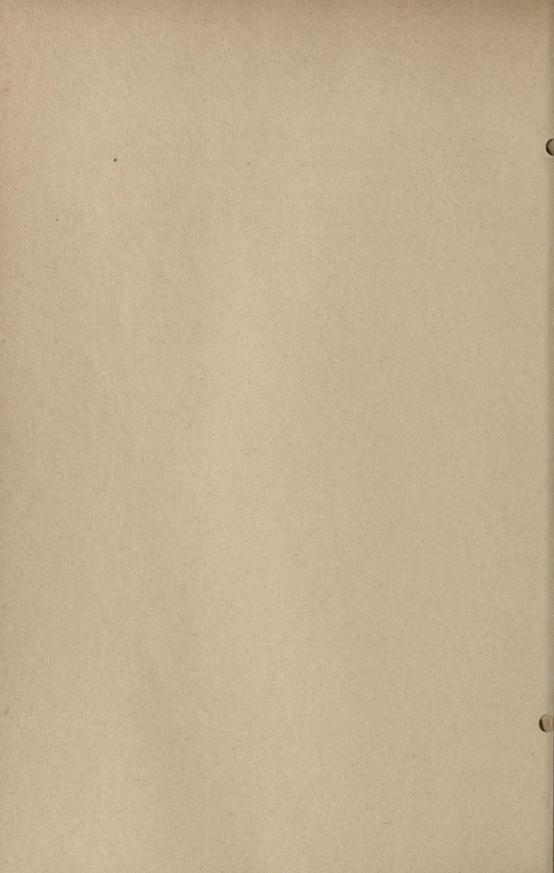
Sections repealed. R.S., c. 83.

R.S., c. 98.

Coming into force.

Section 11, ss. (1)—With the passing of the Bill the Department of the Interior Act and the Department of Immigration and Colonization Act are no longer necessary and can be repealed.

ss. (2)—The sections repealed in the Geology and Mines Act and in the Department of Indian Affairs Act are those which refer to the organization of the Departments and certain employees thereof, and are no longer necessary.



First Session, Eighteenth Parliament, 1 Edward VIII, 1936

THE HOUSE OF COMMONS OF CANADA.

BILL 80.

An Act respecting the Department of Transport.

First reading, June 2, 1936.

The PRIME MINISTER.

OTTAWA J. O. PATENAUDE, I.S.O. PRINTER TO THE KING'S MOST EXCELLENT MAJESTY 1936

15665

1st Session, 18th Parliament, 1 Edward VIII, 1936

THE HOUSE OF COMMONS OF CANADA.

BILL 80.

An Act respecting the Department of Transport.

IS 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 Department of Transport

5

Short title.

Act. 1936.

Department of Transport. R.S., c. 171.

2. The Department of Railways and Canals Act, chapter one hundred and seventy-one of the Revised Statutes of Canada, 1927, is amended by striking out the words "Railways and Canals" where they appear in conjunction with the words "Department of", "Minister of" or "Deputy 10

Minister of", in the title and in sections one, two, three, four and eight thereof and substituting therefor and in each such case the word "Transport".

titles of the ministers and deputy ministers, R. and C

Substituted departments. and Marine.

Salary of minister.

3. (1) Wherever in the said Act or in any other Act of the Parliament of Canada, heretofore or hereafter enacted, or 15 in any order or regulation made under the authority thereof the Department of Railways and Canals, the Minister of Railways and Canals, the Deputy Minister of Railways and Canals, the Department of Marine, the Minister of Marine, or the Deputy Minister of Marine is mentioned 20 or referred to, there shall in each and every such case be substituted the Department of Transport, the Minister of Transport and the Deputy Minister of Transport, respectively.

(2) Notwithstanding the provisions of subsection one of 25 this section and of section four of the Salaries Act, chapter one hundred and eighty-two of the Revised Statutes of Canada, 1927, the salary of the Minister of Transport shall be ten thousand dollars per annum.

EXPLANATORY NOTES.

The objects generally of the amendments contained in this Bill are to create a Department of Transport; to substitute the Department, Minister and Deputy Minister of Transport for the Departments, Minister and Deputy Ministers of Railways and Canals and of Marine; to give the Minister of Transport all the powers, duties and functions of the Ministers of Railways and Canals and Marine. Substituted titles of the department, minister and deputy minister of Marine and Fisheries.

Civil Aviation Branch transferred to Department of Transport.

Minister of Marine, powers exercisable by Minister.

Minister to have supervision over Civil Aviation, boards, etc.

Governor in Council may make regulations. 4. Wherever in any Act of the Parliament of Canada or in any order or regulation made under the authority thereof the Department of Marine and Fisheries, the Minister of Marine and Fisheries, or the Deputy Minister of Marine and Fisheries is mentioned or referred to, and 5 the Department of Fisheries, the Minister of Fisheries, or the Deputy Minister of Fisheries is not by or under the authority of any Act substituted therefor, there shall in each and every such case be substituted the Department of Transport, the Minister of Transport and the Deputy 10 Minister of Transport, respectively.

5. The control and supervision of the Civil Aviation Branch of the Department of National Defence is hereby transferred from the Minister of National Defence to the Minister of Transport, and the said Branch is hereby trans-15 ferred from the Department of National Defence to the Department of Transport.

6. Section seven of the said Act is amended by adding thereto the following subsections:—

"(2) The Minister shall have and may exercise all and 20 every of the duties, powers and functions vested, immediately prior to the coming into force of this subsection, in the Minister of Marine and with respect to Civil Aviation in the Minister of National Defence, by any Act, order or regulation. 25

(3) The duties, powers and functions of the Minister shall extend and apply to such boards and other public bodies, subjects, services and properties of the Crown as may be designated or assigned to the Minister by the Governor in Council, over which the Minister shall have 30 the control, regulation, management and supervision."

7. Section twenty-five of the said Act is repealed and the following is substituted therefor:—

"25. The Governor in Council may from time to time make such regulations as he deems necessary for the man-35 agement, maintenance, proper use and protection of all or any of the canals or other works under the management or control of the Minister, and for the ascertaining and collection of the tolls, dues and revenues thereon."

Organization of the department. R.S., c. 22.

R.S., c. 171.

S. (1) Notwithstanding the provisions of the *Civil Ser-* 40 vice Act with respect to the organization of a department, the Governor in Council may make such orders and regulations as he may consider necessary for the immediate organization of the Department of Transport: and notwithstanding the provisions of subsections one and two of 45 section four of the *Department of Railways and Canals Act*

6. Subsection one of section 7 of the Act as hereinafter set out remains unchanged, namely:—

"POWERS OF THE MINISTER.

"7. The Minister shall have the management, charge and direction of all Government railways and canals, and of all works and property appertaining or incident to such railways and canals, also of the collection of tolls on the public canals and of matters incident thereto, and of the officers and persons employed in that service."

Subsections two and three, as indicated by a vertical line on the opposite page, are new.

7. Section 25 of the Act (repealed) is hereinafter set out, namely:—

"REGULATIONS FOR USE OF CANALS.

"25. The Governor in Council may, from time to time, make such regulations as he deems necessary for the management, maintenance, proper use and protection for all or any of the canals or for the ascertaining and collection of the tolls, dues and revenues thereon."

The new section adds the words "other works under the management or control of the Minister", as shown underlined on the opposite page.

S. Section 8 confers authority on the Governor in Council to organize the new Department by transferring the staff from the abolished departments to the new department and otherwise, as required.

Provision in Appropriation Acts for expenses of the aublic ervice.

Officer to perform duties under Act or contract.

Repeal. 1930, c. 31.

Coming into force. (to be cited after the coming into force of this Act as the *Department of Transport Act*) or of any other Act the Governor in Council may, in the first instance, fill the positions in the said Department by the appointment thereto of any or all of the persons who immediately before 5 the coming into force of this Act were officers, clerks and employees of the Department of Railways and Canals and the Department of Marine and the Civil Aviation Branch of the Department of National Defence and such persons so appointed shall hold office during pleasure. 10

(2) Wherever in any Appropriation Act for the financial year ending the thirty-first day of March, one thousand nine hundred and thirty-seven, provision is made, based on Estimates 1936-37, to defray expenses of the public service of Canada within the Department of Railways and Canals, 15 the Department of Marine, or the Civil Aviation Branch of the Department of National Defence such provision and estimates shall be interpreted as applying to similar or other as well as like classifications of the public service within the Department of Transport: Provided that where provision is made for more positions in the same classifi- 20 cation than are created on the immediate organization of the Department of Transport only one salary shall be paid to or drawn by any person holding a position in such classification so created.

9. Wherever in any Act of the Parliament of Canada or in any order or regulation made under the authority thereof, or wherever under any contract, lease or other writing it is provided that any duty, power or function shall be vested in, or performed or exercised by any officer 30 of the Department of Railways and Canals, the Department of Marine or the Civil Aviation Branch of the Department of National Defence such duty, power or function shall be vested in and performed and exercised by the appropriate officer of the Department of Transport or by such officer thereof as may be named by the Minister of Transport. 35

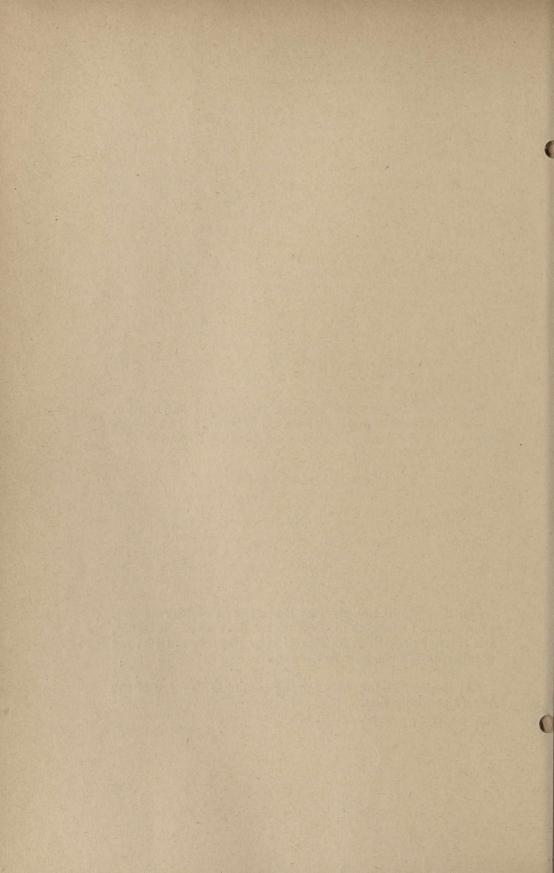
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10. The Department of Marine Act, chapter thirty-one of the statutes of 1930, is repealed.

11. This Act shall come into force on a date to be fixed by proclamation of the Governor in Council published in the *Canada Gazette*. 40 **9.** Section 9 provides for the transfer of the duties, powers and functions presently in the officers of the Departments of Railways and Canals and Marine to the officers of the new department.

10. Section 10 repeals The Department of Marine Act, consequential upon its absorption by the new department. The desired provisions of The Marine Department Act are incorporated in the new Act.

11. Section 11 provides for the coming into force of the Act by proclamation.



81.

THE HOUSE OF COMMONS OF CANADA.

BILL 81.

An Act to amend The Dominion Franchise Act (Dominion By-Elections)

First reading, June 2, 1936.

The SECRETARY OF STATE.

OTTAWA J. O. PATENAUDE, I.S.O. PRINTER TO THE KING'S MOST EXCELLENT MAJESTY 1936

19074

1st Session, 18th Parliament, 1 Edward VIII, 1936

THE HOUSE OF COMMONS OF CANADA

BILL 81.

An Act to amend The Dominion Franchise Act (Dominion By-Elections)

1934, c. 51; 1935, c. 37; 1936, c. 4. HIS Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

SHORT TITLE

Short title.

1. This Act may be cited as The Dominion By-Elections Franchise Act, 1936.

5

2. In the case of a by-election of a member of the House of Commons, to wit, an election other than a general election following upon a dissolution of Parliament, the *Dominion Franchise Act*, being chapter fifty-one of the statutes of Canada, nineteen hundred and thirty-four, as amended by 10 chapter thirty-seven of the statutes of 1935 and chapter four of 1936, shall apply as if further amended in the following respects:—

(A) By striking out section two of the said Act.

(B) By striking out paragraph (c) of subsection one of 15 section four of the said Act and substituting the following therefor:—

"(c) has been ordinarily resident in Canada for at least twelve months and was ordinarily resident in the electoral district in which the pending by-election is to 20 be held not less than three months before the date of the issue of the writ of such by-election and has continued to be ordinarily resident therein until polling day."

(C) By striking out the sections included within Parts II 25 and III of the said Act and substituting as Part II thereof sections numbered fourteen, fifteen and sixteen following:—

Qualifications.

EXPLANATORY NOTES.

1. The purpose of this Act is to provide for the enumeration and the preparation of lists of electors for by-elections, exclusively. The bill is in conformity with the recommendations of a Special Committee of the House. Changes in the Act are indicated in the bill by marginal vertical lines or underlining and in the sections of the Act as reproduced in the explanatory notes.

(A)

2. Section 2 of the Act reads as follows -

Application.

2. (1) Part II of this Act shall not apply to any annual revision of lists of electors held pursuant to Part III thereof (2) Part III of this Act shall not apply to the first regis-

tration of electors held after this Act comes into force.

(3) Save as aforesaid all the provisions of this Act shall apply in all cases.

(B) Paragraph (c) of subsection (1) of section 4 of the Act is as follows:—

(c) has been ordinarily resident in Canada for at least twelve months, and in the electoral district wherein he or she seeks registration as an elector for three months of that period, immediately preceding the date of his or her application to be so registered:

(C) Parts II and III of the Act struck out by the bill include sections 14 to 31 inclusive.

Part II,—Sections 14, 15 and 16 of the bill are designed to make possible the preparation of the lists within the shorter period desired in the case of a by-election as contrasted with the repealed sections designed for a much longer period with respect to a general registration.

Part III is not applicable to by-elections. It applies only to the annual revision.

"PART II

REGISTRATION OF ELECTORS FOR A BY-ELECTION

Issue and Transmission of Registration Material."

Registration material.

"14. Immediately upon a vacancy occurring in the representation of any electoral district in the House of Commons, the Commissioner shall transmit to the Registrar of Electors

- (a) such sufficiently indexed copies of or excerpts from 5 this Act and such instructions prepared by the Commissioner as are required for the proper conduct of the registration of electors for a by-election and to supply to each franchise officer acting under the Registrar in his electoral district a copy of such portions of this Act 10 and such instructions as such franchise officer may have occasion to consult or observe in the performance of his duties;
- (b) sufficient printed blank forms for the purposes of the registration of electors for a by-election, excepting Form 15 No. 3 (Notice of Registration of Electors for a By-election), and Form No. 9 (Notice of Revision of Preliminary Lists of Electors in Urban Polling Divisions), which the Registrar of Electors shall himself cause to be printed; 20
- (c) a statement setting forth what portion or portions of that Registrar's electoral district shall be deemed, pursuant to *The Dominion Elections Act, 1934*, to be urban and rural polling divisions, respectively."

"Public Notice by the Registrar of Electors of a Registration of Electors for a By-election."

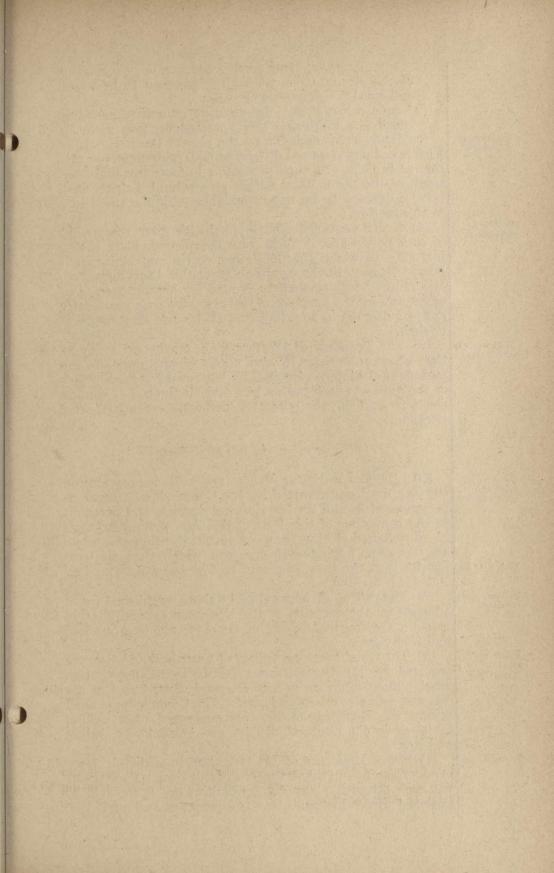
"15. (1) Immediately upon receipt of notice from the 25 Commissioner, that a registration of electors for a by-election has been called, the Registrar of Electors so notified shall issue a public notice under his hand in Form No. 3 and send by mail one copy at least thereof to the postmasters of the various post offices within his electoral district. He shall 30 at the same time notify in writing each postmaster of the provisions of subsection four of this section.

- (2) The notice shall indicate:—
- (a) that a registration of electors for a by-election has been ordered; 35
- (b) the days of commencement and termination of such registration;
- (c) the place within the electoral district where, and the times when, the Registrar of Electors may be found and will be available for the execution of affairs relating 40 to such registration:

1934, c. 50.

Notice and form.

Contents of notice.



(d) a statement setting forth what portion or portions of the electoral district shall be deemed to be urban and rural divisions, respectively;

(e) such other, if any, information or notice, including cautionary matter, as the Commissioner may direct.

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(3) Inadvertent omission on the part of the Registrar of Electors of any electoral district to mail such notices or any thereof in time, or to mail them to a number less than onetenth of the postmasters within an electoral district, shall not be deemed to be non-compliance with the provisions 10 of this section.

(4) Every postmaster shall, forthwith after the receipt of such notice post it up in some conspicuous place within his office to which the public has access and maintain it posted there until the pending registration has terminated, 15 and failure to do so shall be ground for his dismissal from office, and for the purposes of this provision such postmaster shall be deemed to be a franchise officer and shall be liable as such.

(5) The Registrar of Electors shall, on the same day as 20 that whereon he sends by mail copies of such notice to the various postmasters, also send by mail or deliver five copies of the notice to each person who was, at the last Dominion election held in the electoral district, a candidate for election." 25

"Preparation of Lists of Electors."

Commencement of registration.

1934, c. 50.

Polling division.

Urban and rural respectively.

Enumerators.

16. (1) The Registrar of Electors shall, commencing on the day fixed and directed by the Commissioner, cause to be prepared in and for his electoral district, and pursuant to the provisions of this Part of this Act, preliminary lists of all qualified electors who are resident within the urban 30 and/or rural polling divisions into which that electoral district is at the time, pursuant to *The Dominion Elections Act*, 1934, divided.

(2) The polling divisions shall be those established for or adopted on the occasion of the Dominion general election 35 held on the fourteenth day of October, nineteen hundred and thirty-five.

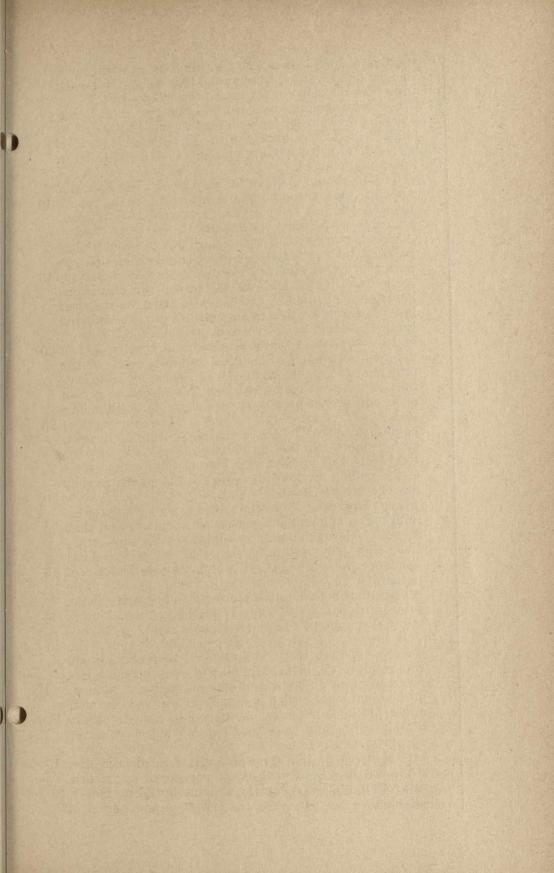
(3) The Chief Electoral Officer of Canada shall whenever required by the Commissioner certify in writing to him what polling divisions in any electoral district in Canada 40 are, respectively, urban and rural. The Commissioner shall inform the Registrar of Electors concerned what polling divisions in his electoral district are, respectively, urban and rural.

(4) Every Registrar of Electors shall immediately after 45 being directed as in subsection one of this section mentioned, and not otherwise, appoint by writing in Form No. 4, executed under his hand, for the purposes and period of

Inadvertent omissions.

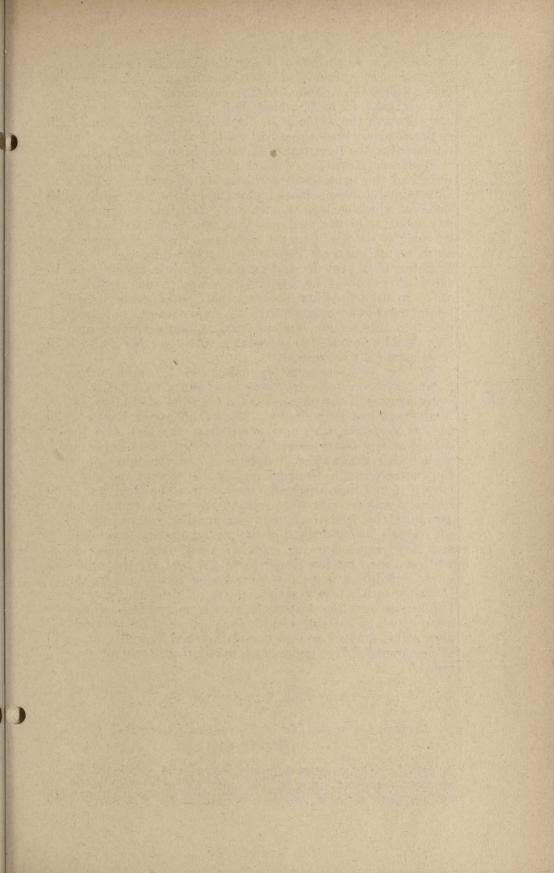
Posting in post office.

Notice to candidates.



preparation of such lists of electors, sufficient fit and proper persons as enumerators, appointing two thereof for each urban polling division (or for each part thereof in the case of a subdivided polling division) and one thereof for each rural polling division (or for each part thereof in the case of 5 a subdivided polling division) in his electoral district. Enumerators of urban polling divisions shall be selected in the following manner:

- (a) The Registrar shall, so far as possible, so select and appoint that the two enumerators of each polling 10 division (or part thereof) shall represent two different and opposed political interests.
- (b) Within two days after the Registrar of Electors has received instructions from the Commissioner to prepare the list of qualified electors as provided in sub-15 section one hereof and has so notified the candidates hereinafter mentioned, the candidate who, at the then last preceding election in an electoral district, received the highest number of votes in such electoral district. and the candidate who representing at that election a 20 different and opposed political interest, received the next highest number of votes, may, each, by himself or by a representative, nominate a fit and proper person or fit and proper persons for appointment as enumerators in any or all of the polling divisions (or parts of 25 polling divisions) in the Registrar's electoral district, and, subject to the provisions of this section, the Registrar shall appoint such persons to be enumerators of the polling divisions or parts thereof for which they have been nominated. 30
- (c) If the Registrar deems that there is good cause for his refusing to appoint any person so nominated he shall so notify the nominating candidate or his representative, who may within twenty-four hours thereafter nominate a substitute to whom the provisions of 35 paragraph (b) of this subsection shall apply. If no substitute is nominated as aforesaid the Registrar may, subject to paragraph (a) of this subsection, himself select and appoint to any necessary extent.
- (d) If because of the then last preceding election in the 40 electoral district there was opposed to the candidate who received the highest number of votes no candidate representing a different and opposed political interest, no nominations by such a candidate are possible, or if either of the candidates mentioned in paragraph (b) 45 of this subsection fails to nominate any person for appointment as enumerator of any polling division (or part thereof) of the applicable electoral district, the Registrar may, acting subject to paragraph (a) of this subsection, himself select and appoint to any necessary 50 extent.



Oath.

Record of revising officers and enumerators.

Urban and rural lists.

Enumerators in urban divisions.

Duties.

(5) Every person who is appointed as an enumerator under subsection four of this section, or as a revising officer under Rule 9 of Schedule A to this section shall, before acting as such, take an oath, which shall be reduced to writing, and certified, the whole as in Form No. 5 or Form No. 11, as the case may be, and he shall send by mail or deliver that document to the Registrar of Electors who appointed him.

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(6) Every Registrar of Electors shall make and keep a record of the names and addresses of all revising officers and enumerators appointed by him and of the polling divis-10 sions for which each is to act. Such Registrar shall permit any person to inspect such record at all reasonable times and he shall as soon as possible after such record is complete send by mail a copy thereof to the Commissioner. The Registrar shall post up, and keep posted up in his office for 15 the whole period of the registration a copy of such record.

(7) In urban polling divisions the lists of electors shall be prepared in accordance with the rules set forth in Schedule A to this section, and in rural polling divisions, such lists shall be prepared in accordance with the rules set forth 20 in Schedule B to this section.

(8) The two enumerators appointed for each urban polling division (or part thereof) shall, with relation to every process of the preparation of their list of electors, act jointly and not individually. They shall report forthwith 25 to the Registrar who appointed them the fact and the details of any disagreement between them. The Registrar shall decide the matter of difference and communicate to the enumerators his decision. They shall accept and apply it as if it had been originally their own. The Registrar of 30 Electors may at any time replace any urban enumerator appointed by him by appointing another enumerator to act in the place and stead of the person already appointed, and any enumerator so replaced shall upon request in writing signed by the Registrar of Electors, by the subse- 35 quent appointee, or by any other person authorized by the Registrar of Electors to receive the same, deliver or give up to him any franchise documents, papers and written information which he has obtained for the purpose of the performance of his duties; and on default he shall be guilty of an 40 offence punishable on summary conviction as in this Act provided."

"Schedule A to Section 16.

Preparation of the List of Electors in Urban Polling Divisions

Rule 1.—The enumerators who have been appointed for an urban polling division (or part thereof) shall, after making oath as such, proceed on and after a day fixed by 45

SCHEDULE A TO SECTION 17.

Rule 1.—The only change in this Rule is, the fixing of the day by the <u>Commissioner</u> for the commencement of the enumeration.

the Commissioner and notified to them by the Registrar of Electors who appointed them, to ascertain by making a house to house visitation the names, addresses and occupations of every man and woman who is qualified pursuant to this Act to be included in the preliminary list of electors 5 which they have been appointed to prepare, and to include in such list the name, address and occupation of the elector so complying. The enumerators shall leave at the residence of every elector visited by them, whose name they propose to register on the list of electors which they have been 10 appointed to prepare, a notice in Form No. 6. that they have granted or refused, as the case may be, the elector's application to be so registered.

Rule 2.—The enumerators shall visit every dwellingplace in their polling division at least twice—once between 15the hours of nine o'clock in the forenoon and six o'clock inthe afternoon and once between the hours of seven o'clockin the afternoon and ten o'clock in the afternoon (unless,as to any dwelling place, they are satisfied that no qualifiedelectors living therein may remain unregistered).20

Rule 3.—On a day to be fixed by the Commissioner and notified to them by the Registrar of Electors, the enumerators shall prepare a complete list of all the names, addresses, and occupations of the persons who are qualified as electors and who are resident in the polling division (or part thereof) 25 for which they have been appointed. Such list shall be prepared in all urban polling divisions in geographical order, that is, by streets, roads and avenues, as in Form No. 7. The enumerators shall also prepare in like form a sufficient number of copies of such list to comply with Rule 5. 30

Rule 4.—The enumerator shall, in such list, as indicated in form No. 7 of Schedule One to this Act, register the name of a married woman or widow under the name and surname of her husband or deceased husband, as the case may be, prefixing each name with the abbreviation "Mrs." The 35 name of an unmarried woman shall be prefixed with the word "Miss."

Rule 5.—Upon completion of the foregoing requirements each pair of enumerators shall forthwith deliver or transmit to the Registrar of Electors of the Electoral District in 40 which the by-election is pending at least five plainly written or typewritten copies of the list of electors for their respective polling division, together with their record books containing the carbon copies of the notices in Form No. 6. Each of such copies of the list shall be severally sworn to 45 by both enumerators in Form No. 8 of Schedule One to this Act. Upon receipt of such copies of the list of electors the Registrar of Electors shall immediately transmit one copy Rule 2.—The only change is the mention of the word "may" in the next line.

Rules as they now appear in the Act follow. On the right-hand margin of these Notes opposite each Rule of the Act is printed the Number of the corresponding Rule (if any) of the Bill.

Rule 3.—On a day to be fixed by the Registrar of Electors (Rule 3.) and notified by him to the enumerators they shall prepare and shall certify as in Form No. 8 a complete list of all the electors who are resident in the polling division (or part thereof) for which they have been appointed. Such list shall be prepared in all urban polling divisions in geographical order, that is, by streets, roads and avenues, as in such Form. No. 8. The enumerators shall also prepare and certify in like form at least four copies of such list.

Rule. 4.—The enumerators shall, in such list, after the (Rule 4.) name of every elector whose name appears therein and who is a woman, write the letter W in brackets thus (W), as in Form No. 8.

Rule 5.—Upon completion of performance of the foregoing (Rule 5.) requirements of these rules the enumerators shall forthwith transmit or deliver to the Registrar of Electors the original list which they have prepared and certified and, for distribution by that Registrar (which distribution he shall make, one copy to each person) to the persons who were candidates at the last previous Dominion election held in the applicable electoral district or their representatives, the four, at least, certified copies of lists which are mentioned in Rule 3. In the case of a new electoral district, wherein, as that electoral district is by law newly described, no to each of the candidates at the pending by-election, or their representatives, and shall also keep one copy of such list on file in his office where it shall be available for public inspection at all reasonable hours.

Rule 6.—The enumerators shall also, on the same day as 5 that whereon pursuant to Rule 5 they transmit or deliver copies of their preliminary list of electors to the Registrar of Electors, post up or cause to be posted up, in at least three conspicuous places to which the public has access, within their polling division (or part thereof), at least three 10 copies of the preliminary list which they have prepared. All postmasters of post offices throughout Canada are directed, on pain of dismissal, to permit the posting of such lists in their post offices, and they shall be deemed, for the purposes of this rule to be franchise officers. 15

Urban Revision.

Rule 7.—Before the commencement of the revision of the list of electors the Registrar of Electors shall group together the urban polling divisions of his electoral district into several revision groups (hereafter in those rules termed "Revisal districts") each containing such number of urban 20 polling divisions as the Commissioner may direct, and shall prepare descriptions of the boundaries of such revisal districts. He shall then cause to be printed a notice in Form No. 9 describing the boundaries of each of the revisal districts established by him and stating where, when, and for 25 how long the Revising Officer will be present and may be found within each revisal district, and at what hours of the day, for the purpose of revising the preliminary lists of electors of the urban polling divisions included in each revisal district. At least four days before the first day fixed for 30 revision he shall cause six copies of such notice for each thousand of the population to be posted up in conspicuous places throughout each revisal district. Before two o'clock on the afternoon of the day when the revision commences the Revising Officer of each revisal district shall cause an 35 additional five copies of the above mentioned notice to be posted up outside of and near to the place where he will sit to revise the list. The Revising Officer shall see that the latter copies are replaced as circumstances require in order that the specified number of copies may remain duly posted 40

election has ever been held the Registrar shall cause to be made and mail or deliver two additional copies of such list to each person who was at the last Dominion election held in any electoral district any part whereof is embraced within such new electoral district a candidate for election, and shall request that person to mail or deliver such additional copies to such other person or persons in such new electoral district as in the judgment of such first named person ought to receive them.

Rule 6.—The enumerators shall also, on the same day (Rule 6.) as that whereon pursuant to Rule 5 they transmit or deliver the list to the Registrar of Electors, certify and post up or cause to be posted up, in at least three conspicuous places to which the public has access, within their polling division (or part thereof), at least three certified copies of the preliminary list which they have prepared. All postmasters of post offices throughout Canada are directed, on pain of dismissal, to permit the posting of such lists in their post offices, and they shall be deemed, for the purposes of this rule, to be franchise officers.

Urban Revision

Rule 9.—Before commencing the revision the Registrar (Rule 7.) of Electors (hereafter in these rules termed the "Revising Officer") shall group together the polling divisions of his electoral district into serveral revision groups, (hereafter in these rules termed "rivisal districts") each containing thirty or more polling divisions, or as the Commissioner may direct, and prepare descriptions of the boundaries of such revisal districts. He shall then cause to be printed a notice in Form No. 9 describing the boundaries of each of the revisal districts established by him and stating where, when and for how long he will be present and may be found within each revisal district, and at what hours of the day. for the purpose of revising the preliminary lists of the polling divisions included in each revisal district. He shall cause six copies of such notice for each thousand of the population to be posted up in conspicuous places throughout each revisal district, and, before nine o'clock on the forenoon of the day when the revision commences in each revisal district he shall cause an additional five copies to be posted up outside of and near to the place where he will sit as Revising Officer. He shall see that the latter copies are replaced as circumstances require in order that the specified number of copies may remain duly posted up throughout the whole

up during the three days of sittings for revision. The Registrar of Electors shall also cause a notice of revision, not exceeding eight inches by four inches in dimensions, to be published twice in one daily newspaper circulating in the city or town in which the electoral district lies, such notice of revision to be in Form No. 9.

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In the province of Quebec such notice shall be published in one daily newspaper published in the English language and in one daily newspaper published in the French language. The place in which the Revising Officer sits as such 10 is hereafter in these rules termed the "revisal office."

Rule 8.—The Revising Officers appointed under Rule 9 of this Schedule shall safely retain in their possession all original preliminary lists of electors received by them from the Registrar of Electors and shall permit and make avail- 15 able for public inspection at all reasonable times such copies thereof as so received.

Rule 9.—The Registrar of Electors shall appoint in writing in Form No. 10 a Revising Officer for each revisal district in his electoral district. The Revising Officer thus appointed 20 shall be a resident of the electoral district.

Rule 10.—Each Revising Officer, after making oath in Form No. 11 as such, shall, commencing and ending on the days fixed by the Commissioner and notified to him in writing by the Registrar of Electors, revise the preliminary 25 list of electors of all polling divisions within his revisal district.

Rule 11.—Each Revising Officer appointed under Rule 9 hereof shall keep his office open for the revision of the list of electors from two o'clock until five o'clock, and from 30 seven o'clock until ten o'clock in the afternoon, on at least three days to be fixed by the Commissioner and notified to the Registrar of Electors before the commencement of the revision. The Revising Officer shall remain continuously in attendance at such office while the same is open. 35 Subject to the provisions of this Act and to such instructions as may be given by the Commissioner, every Revising Officer shall regulate the procedure in all matters coming before him in such manner as he shall be directed by the Registrar of Electors. 40 period of revision. The place where the Revising Officer sits as such is hereafter in these rules termed the "revisal office."

Rule 7.—The Registrar of Electors shall safely retain in (Rule 8.) his possession all original preliminary lists of electors received by him from enumerators, and permit and make available for public inspection at all reasonable times such certified copies thereof as he has so received.

Rule 8.—The Registrar of Electors in each electoral (Rule 10.) district, shall, commencing and ending on days fixed and notified to him by the Commissioner, revise the preliminary lists of electors of all urban polling divisions (or parts thereof) which have been prepared by enumerators appointed by such Registrar.

Rule 10.—Every revisal office notified by the Registrar (Rule 11.) of Electors as Revising Officer as aforesaid shall be open for the registration of electors from nine o'clock in the forenoon until nine o'clock in the afternoon on at least three week days, to be fixed by the Revising Officer within a period of time relating to the whole electoral district set by the Commissioner and notified to the Revising Officer before the commencement of the revision. The Revising Officer shall remain continuously in attendance at such office while the same is open, except that he shall be entitled to be absent at different times for not more than three hours in any day and not more than one and a half hours on any one occasion. Subject to the provisions of this Act and to such instructions as may be given by the Commissioner, every Registrar of Electors, when acting as a Revising Officer, shall regulate the procedure in all matters coming before him in such manner as he shall see fit.

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Rule 12.—At the several sittings for revision the Revising Officer shall have jurisdiction (without limitation of any other jurisdiction in him) to dispose and he shall dispose—

(a) of applications made by electors who might have applied to enumerators to have their names included in the preliminary lists, or to have such lists corrected; and

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(b) of objections on oath made under Rule 20 of these rules:

(c) of objections to the inclusion of any names in any 10 preliminary list of electors of which at least two days' notice has been given in writing sent by mail, registered and prepaid, addressed to the person whose name is objected to at the address given for such person in the list.

Rule 13.—Any elector resident in any polling division included in a revisal district whose name has not been included or has been incorrectly included by enumerators in the list of electors for such polling division may apply to the Revising Officer at the revisal office for the revisal 20 district to have his name included in the list, or to cause the entry in the list relating to him to be corrected.

Rule 14.—Every elector applying in person to the Revising Officer to have his name as it appears on the preliminary list for his polling division corrected shall sign an application 25 in Form No. 12, in which all the information required by the said form shall be sufficiently filled in either by the applicant personally or by the Revising Officer at the applicant's request. Before correcting the list the Revising Officer shall satisfy himself that the applicant understands 30 the effect of the statements in the application, and that he is entitled to have the list corrected pursuant to his request.

Rule 15.—Wherever the language of the applicant is not understood by the Revising Officer an interpreter may be sworn and may act. 35

Rule 16.—If the Revising Officer decides that the applicant's name should be included in the list, he shall in the presence of the applicant enter his name on such list.

Rule 17.—If the Revising Officer decides that the applicant is not entitled to have his name included in the list or 40 is not entitled to have the preliminary list amended as requested, he shall notify the applicant in writing in Form No. 13 that his application is refused, stating the reasons for such refusal.

Rule 18.—Notwithstanding anything in these rules, if 45 any elector who claims to have any entry in the list of electors relating to him corrected or to have his name added to the

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Rule 11.—At the several sittings for revision in the (Rule 12.) several revisal districts notified by him the Revising Officer shall have jurisdiction (without limitation of any other jurisdiction in him) to dispose and he shall dispose-

- (a) of applications made by electors who might have applied to enumerators to have their names included in the preliminary lists, or to have such lists corrected; and
- (b) of objections on oath made under Rule 19 of these rules: and
- (c) of objections to the inclusion of any names in any preliminary list of electors of which at least two days' notice has been given in writing sent by mail, registered and prepaid, addressed to the person whose name is objected to at the address given for such person in the list.

Rule 12.—Any elector resident in any polling division Rule 13.) included in a revisal district whose name has not been No change. included or has been incorrectly included by enumerators in the list of electors for such polling division may apply to the Revising Officer at the revisal office for the revisal district to have his name included in the list, or to cause the entry in the list relating to him to be corrected.

Rule 13.—Every elector applying in person to the Re- (Rule 14.) vising Officer to have his name as it appears on the prelimin- Only change is the ary list for his polling division corrected shall sign an numbering of application in Form No. 10, in which all the information required by the said form shall be sufficiently filled in either by the applicant personally or by the Revising Officer at the applicant's request. Before correcting the list the Revising Officer shall satisfy himself that the applicant understands the effect of the statements in the application, and that he is entitled to have the list corrected pursuant to his request.

Rule 14.-Wherever the language of the applicant is not (Rule 15.) understood by the Revising Officer an interpreter may be No change sworn and may act.

Rule 15.—If the Revising Officer decides that the appli- (Rule 16.) cant's name should be included in the list, he shall in the No change presence of the applicant enter his name on such list.

Rule 16.—If the Revising Officer decides that the appli- (Rule 17.) cant is not entitled to have his name included in the list or is not entitled to have the preliminary list amended as requested, he shall notify the applicant in writing that his application is refused, stating the reasons for such refusal.

Rule 17.-Notwithstanding anything in these rules, if any (Rule 18.) elector who claims to have any entry in the list of electors No change relating to him corrected or to have his name added to the

list, is unable personally to attend the revisal sittings by reason of sickness, disability, or necessary, temporary unavoidable and *bona fide* absence from the revisal district, then a relative of such person by blood or marriage or such person's employer may, if he has a sufficient knowledge of 5 the facts, appear before the Revising Officer and orally support the correction, as to such elector, of the list, or the addition of his name, address and occupation thereto.

Rule 19.—If the relative by blood or marriage or the employer so appearing substantiates (a) the cause for the 10 non-appearance of the person immediately concerned to be as in Rule 18 set forth, (b) the existence of a relationship by blood or marriage or the relationship of employer and employee, and (c) the facts relevant to the qualification, name, address or identity of the person immediately con- 15 cerned, the Revising Officer may act upon such application as if the elector concerned had appeared in person before him.

Rule 20.—If any elector whose name appears in the list of electors for any polling division in the electoral district 20 within which any revisal district is comprised makes oath in Form 14 before the Revising Officer, during or before his sittings for revision, giving particulars of the list upon which his name appears, stating that he is qualified to vote in that electoral district and alleging the death or dis-25 qualification of a person or the real residence of and the improper entry of the name of that person, or of such alleged to be dead or disgualified person, on any preliminary list of electors of a polling division which is comprised in such revisal district, the Revising Officer shall transmit by 30 registered mail addressed to the person the appearance of whose name upon such list is objected to, at the address, if any, mentioned in the list of electors, and also at such other address, if any, as may be mentioned in the oath of such elector, a notice of objection in Form No. 15 requiring the 35 person to appear in person or by representative before the Revising Officer on a day to be named in such notice to establish his qualification as an elector. The Revising Officer shall transmit with each copy of such notice a copy of the oath of the elector who has made the objection. The 40 Revising Officer, in setting the time for such appearance shall pay regard to the course of mail and consider the time required for travel and preparing therefor.

list, is unable personally to attend the revisal sittings by reason of sickness, disability, or necessary, temporary, unavoidable and bona fide absence from the revisal district then a relative of such person by blood or marriage or such person's employer may, if he has a sufficient knowledge of the facts, appear before the Revising Officer and orally support the correction, as to such elector, of the list, or the addition of his name, address and occupation thereto.

Rule 18.-If the relative by blood or marriage or the (Rule 19.) employer so appearing substantiates (a) the cause for the only change the reference non-appearance of the person immediately concerned to Rule No. be as in Rule 17 set forth, (b) the existence of a relationship by blood or marriage or the relationship of employer and employee, and (c) the facts relevant to the qualification. name, address or identity of the person immediately concerned, the Revising Officer may act upon such application as if the elector concerned had appeared in person before him.

Rule 19.—If any elector whose name appears in the list (Rule 20.) of electors for any polling division in the electoral district within which any revisal district is comprised makes oath before the Revising Officer, in Form No. 11, giving particulars of the list upon which his name appears, stating that he is qualified to vote in that electoral district and alleging the death or disgualification of a person or the real residence of and the improper entry of the name of that person, or of such alleged to be dead or disqualified person, on any preliminary list of electors of a polling division which is comprised in such revisal district, the Revising Officer shall transmit by registered mail addressed to the person the appearance of whose name upon such list is objected to, at the address, if any, mentioned in the list of electors, and also at such other address, if any, as may be mentioned in the oath of such elector, a notice of objection in Form No. 12 requiring the person to appear in person or by representative before the Revising Officer on a day to be named in such notice to establish his qualification as an elector. The Revising Officer shall transmit with each copy of such notice a copy of the oath of the elector who has made the objection. The Revising Officer, in setting the time for such appearance shall pay regard to the course of mail and consider the time required for travel and preparing therefor. He may, accordingly, call for appearance before him sitting in another revisal district, and in such event he may act in all respects on the day set for appearance as if he were sitting in the revisal district in which the objection was made.

Rule 21.—In case of any objection made on oath under Rule 20 of which notice has been properly given by the Revising Officer the onus of establishing his right to have his name included in the final list of electors shall be upon the person objected to, and if such person does not on the 5 day for which notice of the hearing of such objection has been given appear before the Revising Officer personally or by representative, or, being present or represented, fails to satisfy the Revising Officer of his right to have his name retained on the list, the Revising Officer shall strike his 10 name therefrom, whether or not the elector by whom the objection was made has appeared before him. Provided that if the Revising Officer receives in time from such person an affidavit or statutory declaration justifying on sufficient grounds his non-attendance and verifying his 15 qualification to have his name retained on such list this rule shall not, as to the effect of non-appearance or as to the burden of proof, be applied.

Rule 22.—In the case of any objection to the inclusion of a name in the list of electors of which notice has been given 20 by the objecting person otherwise than through the Revising Officer, the onus of establishing the validity of such objection shall rest upon the objecting person, and shall be discharged either by proper evidence that the name of the person objected to should not be included in the list of electors or 25 by the production of a post office certificate of the registration of the package containing the notice of objection, and of the package itself having upon it a record by the post office indicating that the same could not be delivered.

Rule 23.—During or before his sittings for revision the 30 Revising Officer shall copy into a book in Form No. 16 (one book for each polling division) with all streets, roads and avenues arranged as by such Form indicated, the preliminary lists, prepared by the enumerators of the various polling divisions of his electoral district, and shall 35 during his sittings for revision add or correct in such book the names, addresses and occupations of such qualified electors as are added by him to the preliminary list or in respect of which any correction is made. He shall certify each amendment of the preliminary list so made in such 40 book by appending thereto his initials and a note of the date of the amendment.

Rule 20.-In case of any objection made on oath under (Rule 21.) Rule 19 of which notice has been properly given by the Revising Officer the onus of establishing his right to have. his name included in the final list of electors shall be upon the person objected to, and if such person does not on the day for which notice of the hearing of such objection has been given appear before the Revising officer personally or by representative, or, being present or represented, fails to satisfy the Revising Officer of his right to have his name retained on the list, the Revising Officer shall strike his name therefrom, whether or not the elector by whom the objection was made has appeared before him. Provided that if the Revising Officer receives in time from such person an affidavit or statutory declaration justifying on sufficient grounds his non-attendance and verifying his qualification to have his name retained on such list this rule shall not, as to the effect of non appearance or as to the burden of proof, be applied.

Rule 21.-In the case of any objection to the inclusion (Rule 22.) of a name in the list of electors of which notice has been No change. given by the objecting person otherwise than through the Revising Officer, the onus of establishing the validity of such objection shall rest upon the objecting person, and shall be discharged either by proper evidence that the name of the person objected to should not be included in the list of electors or by the production of a post office certificate of the registration of the package containing the notice of objection, and of the package itself having upon it a record by the post office indicating that the same could not be delivered.

Rule 22.-During or before his sittings the Revising Officer (Rule 23.) shall copy into a book in form No. 13 (one book for each polling division) with all streets, roads and avenues arranged as by such Form indicated, the preliminary lists, prepared by the enumerators of the various polling divisions of his electoral district, and shall from time to time add or correct in such book the names, addresses and occupations of such qualified electors as are added by him to the list, or in respect of which any correction is made. He shall certify each amendment of the list so made by appending thereto his initials and a note of the date of the amendment.

Rule 24.—Immediately after the conclusion of the sittings of the Revising Officers and the decision of all appeals, if any, which have been asserted from any of their rulings to a judge, or to a barrister appointed by the judge to act in his stead pursuant to section thirty-two of this Act, or the 5 elapse of the time limited by that section between the decision by the judge, or the barrister appointed by him to act in his stead, of such appeals, whichever event shall first occur, every Revising Officer after amending the list of electors to conform with the decision of the judge or the 10 barrister appointed by him to act in his stead, if any decision has been made, shall, as respects each polling division in his revisal district, arrange in consecutive numerical order, by numbers of houses on streets, roads and avenues, lowest to highest, as in Form No. 16 (preserving as in such book the 15 alphabetical order of streets, roads and avenues) the names of all electors appearing in such book as finally revised by him, and thereupon certify on oath as in Form No. 17 the said list of electors as in such book appearing, and such certified list as contained in such book shall be deemed to 20 be the official list of electors of such polling division.

Rule 25.—Each Revising Officer shall prepare at least five copies of the statement of the additions and corrections in Form No. 18 made by him to and in the preliminary lists of electors of each polling division within his revisal 25 district and shall forthwith transmit or deliver such copies to the Registrar of Electors. Upon receipt of such copies of the statement of additions and corrections, the Registrar of Electors shall immediately transmit one copy to each of the candidates at the pending election or their repre- 30 sentatives, and shall also keep one copy on file in his office where it shall be available for public inspection at all reasonable hours.

Rule 26.—If at any time the number of applications for revision at any revisal office is such that the appointed 35 Revising Officer cannot promptly dispose of them, the Commissioner may authorize the Registrar of Electors to appoint additional Revising Officers or to provide one or more of them with clerical assistance.

Rule 23.-Immediately after the conclusion of his sittings (Rule 24.) and the decision of all appeals, if any, which have been asserted from any of his rulings to a judge, pursuant to section thirty-two of this Act, or the elapse of the time limited by that section for the decision by the judge of such appeals, whichever event shall first occur, the Revising Officer shall, as respects each polling division in his electoral district, arrange in consecutive numerical order, by numbers of houses on streets, roads and avenues, lowest to highest, as in Form No. 13 (preserving, as in such book, the alphabetical order of streets, roads and avenues) the names of all electors appearing in such book as finally revised by him, and thereupon certify on oath as in Form No. 14 the said final list of electors as in such book appearing. The Revising Officer shall also, as soon thereafter as possible, prepare and enter in index books, in Form No. 15 (one book for each polling division) another list, made in alphabetical order, of the names, addresses and occupations of the same electors as he has registered as such in the book Form No. 13. Such other list shall be regarded as made for purposes of convenience and for the assistance of persons concerned with elections. It shall not be certified by the Revising Officer as, nor shall it be treated as, an official list of urban electors.

Rule 24.—The Revising Officer shall also prepare in (Rule 25.) Form No. 16 statements of the additions and corrections made by him to and in the preliminary lists of all polling divisions. He shall keep in his office as Registrar of Electors, available for public inspection at all reasonable times, all his records of such additions and corrections made by him throughout his electoral district as Revising Officer.

Rule 25.—If at any time the number of applications for (Rule \mathfrak{G} .) revision at any revisal office is such that the Revising Officer cannot promptly dispose of them, the Commissioner may, at his request, appoint an additional Revising Officer for such office or may authorize the Revising Officer to provide for himself clerical assistance. Rule 27.—The Revising Officer shall permit to be present in the place of revision two representatives of each recognized and opposed political interest in the electoral district, but no such representative shall, except with the permission of the Revising Officer, have any right to take part or intervene in the proceedings.

Rule 28.—The Revising Officer shall, while sitting as such, be a conservator of the peace and have and possess the same powers as a justice of the peace in his province. He may appoint, if necessary, constables for the maintenance of 10 order and for the arrest and detention of persons who are guilty of the personation of others, or of attempting to personate others, or who impede or improperly interrupt his proceedings or create a disturbance.

Rule 29.—Forthwith after compliance with Rule 24 15 herein, the Revising Officer shall deliver or transmit to the Registrar of Electors all documents in his possession in connection with the revision of the preliminary lists of electors. And the Registrar of Electors shall forthwith cause the official lists of electors to be printed in accordance 20 with the instructions of the Commissioner, or shall, if so directed, deliver or transmit the said official lists to the Commissioner to be printed by the King's Printer as provided in Section 46 of this Act.

Rule 30.—Each printed copy of each list of electors, 25 unless printed by the King's Printer, shall have appended thereto a printed certificate in Form No. 19 by the Registrar of Electors, that each print accurately sets out all the names, addresses and occupations of the persons referred to in the official list of electors for the polling division to which 30 it relates. The Registrar of Electors shall furnish twenty copies of the list for each polling division to the candidates nominated at the pending by-election, or their representatives.

Rule 31.—The printed list as so certified by the Registrar 35 of Electors under Rule 30 hereof shall be the list of electors for the polling division to which it relates, but if any material difference between its contents and the contents of the official list is discovered after the completion of the printing the Registrar of Electors shall furnish a certificate in Form 40 No. 20 of such error to the Returning Officer and to the candidates or their representatives, and the printed list shall for all purposes be taken to have been amended in accordance with such certificate.

Rule 26.—The Revising Officer shall permit to be present (Rule 27.) in the place of revision two representatives of each recog- No change. nized and opposed political interest in the electoral district. but no such representative shall, except with the permission of a Revising Officer, have any right to take part or intervene in the proceedings.

Rule 27.- The Revising Officer shall, while sitting as (Rule 28.) such, be a conservator of the peace and have and possess No change. the same powers as a justice of the peace in his province. He may appoint, if necessary, constables for the maintenance of order and for the arrest and detention of persons who are guilty of the personation of others, or of attempting to personate others, or who impede or improperly interrupt his proceedings or create a disturbance.

Rule 28.—Forthwith after compliance with Rule 23 of (Rule 29.) these rules the Registrar of Electors shall, as such, transmit to the Commissioner the certified final list of electors of each polling division in his electoral district and all other documents had by him in connection therewith, save only such as these rules direct him to retain.

Rule 32.—The Registrar of Electors who has caused the official lists of electors to be printed shall forthwith after the said lists have been printed deliver or transmit five copies thereof to the Returning Officer and five copies thereof to the Chief Electoral Officer. If the Commissioner 5 has caused the said lists to be printed he shall forthwith after the said lists have been printed transmit or deliver ten copies thereof to the Chief Electoral Officer."

"Schedule B to Section 16

Preparation of Lists of Electors in Rural Polling Divisions

Rule 1.—Forthwith upon receiving the instructions of the Dominion Franchise Commissioner to prepare the lists of 10 electors for a by-election, the Registrar of Electors shall, by writing in Form No. 4 of Schedule One to this Act, appoint a person to be an enumerator for each rural polling division (or part thereof in case such person is appointed to enumerate only a part of a polling division) in his electoral 15 district.

Rule 2.—Notwithstanding anything in this Act contained, if it is impossible promptly to secure the services of a resident person who is qualified to act, an enumerator may be appointed to act in a rural polling division although he 20 is not resident therein. In any event the enumerator must be a resident of the electoral district and qualified as a voter therein.

Rule 3.—Every enumerator shall forthwith on his appointment take an oath as such in Form No. 5 of Schedule One 25 to this Act, and shall immediately thereafter post up in public places in the polling division at least six copies of a notice in Form No. 21 of the said schedule, that he is about to prepare a list of qualified electors resident in the division, which said list will be revised and corrected by him at a 30 stated place where he will be found between the hours of one and ten o'clock in the afternoon of the Wednesday, Thursday and Friday of a specified week fixed by the Commissioner and notified to the enumerator by the Registrar of Electors or if any of the said days is a public holiday in 35 the province and the Registrar of Electors so directs, then on such of the said days as are not public holidays and on Saturday of the said week.

SCHEDULE B TO SECTION 17.

Preparation of Lists in Rural Polling Divisions.

Rule 1.—Notwithstanding anything in this Act con-(Rule 2.) tained, if it is impossible promptly to secure the services of resident persons who are qualified to act, an enumerator may be appointed to act in a rural polling division although he is not resident therein.

Rule 2.—An enumerator who has been appointed to (Rule s.) act for a polling division (or part thereof) shall, after making oath as such, and on a day to be notified to him by the Registrar of Electors who appointed him, post up in public places in such polling division (or part thereof) at least six copies of a notice in Form No. 17 that he is about to prepare a preliminary list of qualified electors resident in the polling division (or part thereof) which said list will be revised and corrected by him at a stated place where he will be found between the hours of one and ten o'clock in the afternoon of Monday, Tuesday and Wednesday of a specified week subsequent to that of the date of the notice, or, if any of the said days is a public holiday in the province and the Registrar of Electors so directs, then on such of the said days as are not public holidays and on the following Thursday. Rule 4.—The enumerator of each rural polling division (or part thereof, as the case may be), shall forthwith after posting such notice proceed to prepare a preliminary list of all the persons resident in his polling division who are qualified as electors. Such list shall be prepared from such 5 information as the enumerator may be able to secure by personal enquiry in the polling division (or part thereof in case he is appointed to enumerate only part of a polling division) or from such other sources of information as may be available and can be conveniently used, including the 10 printed 1935 list of electors prepared under The Dominion Franchise Act.

Rule 5.—The names, addresses and occupations of all electors, men or women, who are included by the enumerator in such list shall be written in an index book in Form No. 22 15 of Schedule One to this Act, with the names of the electors grouped according to the initial letter of their respective surnames, the post office address and occupation of each being fully stated.

Rule 6.—The enumerator shall, in such list, as indicated in 20 Form No. 23 of Schedule One to this Act, register the name of a married woman or widow under the name or surname of her husband or deceased husband, as the case may be, prefixing the name with the abbreviation "Mrs." The name of an unmarried woman shall be prefixed with the word "Miss." 25

Rule 7.—On a day to be fixed and notified by the Registrar of Electors who appointed the enumerator concerned he shall close, for the time being, the preliminary list which he is preparing and forthwith make at least six plainly written copies of that list, as recorded in his index book, and append 30 to each of such copies the certificate printed at the foot of Form No. 23 of Schedule One to this Act. Rule 3.—The enumerator of each polling division (or (Rule 4.) part thereof, as the case may be), shall forthwith after posting such notice proceed to prepare a preliminary list of all the persons resident in his polling division who are qualified as electors. Such list shall be prepared from such information as the enumerator may be able to secure by personal enquiry in the polling division (or part thereof in case he is appointed to enumerate only part of a polling division) or from such other sources of information as may be available and can be conveniently used.

Rule 4.—The names, addresses and occupations of all (Rule 5.) electors, men or women, who are included by the enumerator in such list shall be written in an index book in Form No. 18, with the names of the electors grouped according to the initial letter of their respective surnames, the address and occupation of each being fully stated.

Rule 5.—After the name of every woman elector whose (Rule 6.) name is included in such preliminary list, the enumerator shall write the letter W in brackets thus (W), and the name of a married woman or widow shall be entered in the index book in the alphabetical group determined by the first letter of the name of her husband, or deceased husband, as the case may be.

Rule 6.—On a day to be fixed and notified by the Registrar (Rule 7.) of Electors who appointed the enumerator concerned he shall close, for the time being, the preliminary list which he is preparing and forthwith make at least five plainly written copies of that list, as recorded in his index book, and append to each of such copies a certificate in Form No. 19.

Rule 8.—The enumerator shall, forthwith after compliance with Rule 7, post up one certified copy of his preliminary list of electors at the place within the polling division whereat he is to be found pursuant to Rule 3. He shall attach to such copy a copy of the notice posted up pursuant to Rule 3. He shall also on the same day as that on which he posts up such certified copy of the list transmit or deliver to the Registrar of Electors at least four copies of the list of electors as contained in the index book; 10 three of such copies to be for distribution by the Registrar of Electors to the candidates or their representatives and one copy to be retained by the Registrar of Electors, which copy shall be kept available for public inspection at all reasonable hours.

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Rule 9.—The enumerator at any time after the posting 15 up of a copy of the preliminary list of electors and not later than ten o'clock on the last of the three days specified for correction thereof in the notices posted by him, on being fully satisfied from representations made to him by any credible person under oath or otherwise that the preliminary 20 list of electors as prepared by him in the index book requires amendment as hereinafter mentioned, may

- (a) add to such index book the name of any person who is qualified as an elector at the by-election then pending and who is resident within the polling division, but 25 whose name has been omitted from the preliminary list of electors; or
- (b) strike out from such index book, by drawing erasing lines through it, the name of any person who is not qualified as an elector or who is not resident in the 30 polling division; or
- (c) correct any inaccurate statement as to the name, address or occupation of any person whose name appears in the said index book.

Rule 7.- The enumerator shall, forthwith after com- (Rule 8.) pliance with Rule 6, post up one certified copy of his preliminary list of electors at the place within the polling division whereat he is to be found pursuant to Rule 2 on the date set for revision and correction of such list. He shall attach to such copy a copy of the notice posted up pursuant to Rule 2. He shall also, on the same day as that on which he posts up such certified copy of the list. transmit or deliver to the Registrar of Electors, for his purposes and for distribution to the persons who were candidates in the last preceding Dominion election in the applicable electoral district or their respective representatives (which distribution he shall make) sufficient certified copies of the same list to enable one thereof to be distribute to or for each of such persons and one thereof to be retained by the said Registrar of Electors. The enumerator shall attach to each of such copies of such list a copy of the notice given by him pursuant to Rule 2. In the case of a new electoral district wherein as that electoral district is by law newly described no election has ever been held the Registrar shall cause to be prepared two additional copies of such list, which he shall mail or deliver to each person to whom pursuant to subsection six of section sixteen of this Act he is required to mail or deliver the copies of the notices in that subsection mentioned, and such Registrar shall request that person to mail or deliver such copies of such list to such other person or persons in such new electoral district as in the judgment of such first named person ought to receive them.

Rule 8.—The enumerator at any time after the posting (Rule 9.) up of a copy of the preliminary list of electors and not later than ten o'clock on the last of the days specified for the correction thereof in the notices posted by him, on being fully satisfied from representations made to him by any credible person under oath or otherwise that the list as prepared by them in the index book requires amendment as hereinafter mentioned, may

- (a) add to such list the name of any person who is qualified as an elector and resident within the polling division, but whose name has been omitted from the preliminary list; or
- (b) strike out from such list, by drawing erasing lines through it, the name of any person who is not qualified as an elector or who is not resident in the polling division; or

(c) correct any inaccurate statement as to the name, address or occupation of any person whose name appears in the said list.

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Rule 10.—Every correction made as aforesaid by the enumerator in the <u>preliminary</u> list of electors in the index book, by the addition, <u>deletion</u> or correction of any entry therein, shall be verified by there being appended to such change the initials of the enumerator and the date upon 5 which the change was made.

Rule 11.—In order that he may be readily found by any person who desires to make representations with regard to any entry in or omission from the preliminary list, the enumerator shall attend at the place of which he has given 10 notice as aforesaid between the hours of one and ten o'clock in the afternoon of the three days set for revision and correction of the said list as posted and published pursuant to Rule 3 of this Schedule.

Rule 12.—The enumerator shall permit to be present in 15 the place of revision two representatives of each recognized and opposed political interest in the electoral district, but no representative shall, except with the permission of the enumerator, have any right to take part or intervene in the proceedings. 20

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Rule 9.—Every correction made as aforesaid by the (Rule 10.) enumerator in the list in the index book, by the addition, erasure or correction of any entry therein, shall be verified by there being appended to such correction the initials of the enumerator and the date upon which the correction was made.

Rule 10.—In order that he may be readily found by any (Rule 11.) person who desires to make representations with regard to any entry in or omission from the preliminary list, the enumerator shall attend at the place of which they have given notice as aforesaid between the hours of one and ten o'clock in the afternoon of the three days set for revision and correction of the said list and published pursuant to Rule 2, and if on any of such days any qualified person whose name has been omitted from the preliminary list of a polling division applies to the enumerator to have that name added to that list and his application is refused and he makes oath in Form No. 20 and is vouched for in Form No. 21 by an elector whose name appears on such preliminary list, the enumerator shall add the name of the applicant to such list and shall not have any discretion to refuse to do so.

Rule 10A.—The enumerator shall permit to be present (Rule 12.) in the place of revision two representatives of each recognized and opposed political interest in the electoral dis- No change. trict, but no representative shall, except with the permission of the enumerator, have any right to take part or intervene in the proceedings.

Rule 13.—Immediately after ten o'clock in the afternoon of the last of the three days set for revision and correction of the preliminary list of the enumerator he shall prepare at least five copies of a statement in Form No. 24 of Schedule One to this Act of the changes and additions made by him 5 to the index book (Form No. 22) subsequent to the posting by him of the copy of the preliminary list pursuant to Rule 8, and he shall not later than a day to be fixed and notified to him by the Registrar of Electors fill in and sign the certificate in Form No. 25 of Schedule One to this Act, 10 appearing at the end of such index book, and transmit or deliver to the Registrar of Electors such index book, two certified complete copies of the corrected list of electors in such book contained and sufficient copies, not less than four, of such statement of changes and additions, three of 15 which shall be distributed by the Registrar of Electors to the candidates or their representatives, and one copy kept by the said Registrar of Electors on file in his office. where it shall be available for public inspection at all reasonable hours. Such certified complete copies of the 20 list of electors shall be the list of electors to be used by the appropriate election officers for the taking of the vote in the pending by-election.

Rule 14.—Immediately upon receipt of the two certified complete copies of lists of electors from the enumerator, the 25 Registrar of Electors shall deliver or transmit the same to the returning officer of the electoral district concerned, one copy for delivery or transmission by the returning officer to the appropriate deputy returning officer and the other copy to be kept on file in the office of the returning officer. In 30 very remote polling divisions, where the postal service is such that it is doubtful if the certified complete copies of the corrected list of electors can be returned by the returning officer to the polling division in time for the election, the Commissioner may direct that one copy of such list be 35 delivered or transmitted by the enumerator direct to the deputy returning officer and the other copy to the Registrar of Electors to be dealt with as aforesaid.

Rule 15.—The enumerator shall retain in his possession a copy of the preliminary list posted up by him and a copy 40 of the statement of changes and additions therein, which copy he shall permit to be inspected at any reasonable time by any elector who asks to be permitted to inspect the same.

Rule 11.-Immediately after ten o'clock on the after- (Rule 13.) noon of the last of the three days set for revision and correction of the preliminary list of the enumerator he shall prepare at least four copies of a statement, in Form No. 22, of the changes and additions made by him in the index book (Form No. 18) subsequent to the posting by him of the copy of the preliminary list pursuant to Rule 7, and he shall, not later than a day to be fixed and notified by the Registrar of Electors fill in and sign the certificate, in Form No. 19A, appearing at the end of such index book and transmit or deliver to the Registrar of Electors such index book. one complete copy of the corrected list of electors in such index book contained and sufficient copies, not less than three, of such statement of changes and additions to enable one thereof to be distributed by the Registrar of Electors to each of such persons as were candidates in the last preceding Dominion election in the applicable electoral district, or to their representatives, and, to enable one thereof to be retained by the said Registrar of Electors. In the case of a new electoral district as mentioned in Rule 7 the Registrar shall cause to be prepared two additional copies of such statement which he shall mail or deliver to the same person or persons, and make of them the same request as in such Rule 7 mentioned.

Rule 14 is new, and is designed to shorten the time between enumeration and delivering the lists to the deputy returning officer.

Rule 12.—The enumerator shall retain in his possession (Rule 15.) a copy of the preliminary list posted up by him and a copy of the statement of changes and additions therein, which copies he shall permit to be inspected at any reasonable time by any elector who asks to be permitted to inspect the same. Rule 16.—Enumerators shall be subject to and shall in all respects abide by and perform the directions of the Registrar of Electors. The Registrar of Electors may at any time replace any enumerator appointed by him by appointing another enumerator to act in the place and stead 5 of the person already appointed, and any enumerator so replaced shall upon request in writing signed by the Registrar of Electors, by the subsequent appointee or by any other person authorized by the Registrar of Electors to receive the same, deliver or give up to him any index book 10 or other franchise documents, papers and written information which he has obtained for the purpose of the performance of his duties; on default he shall be guilty of an offence punishable on summary conviction as in this Act provided.

Rule 17.—The Registrar of Electors shall, forthwith upon 15 the receipt by him from any enumerator of copies of any preliminary lists of electors or of any statements of changes and additions made in any such preliminary list, furnish to each of the candidates or their representatives, one copy of such preliminary list of electors or statement of changes 20 and additions."

(D) By striking out Part IV of the said Act and substituting the following:—

"PART IV

APPEALS TO A JUDGE.

Urban Polling Divisions."

Right of appeal.

"32. (1) Any person who, being an elector of the applicable electoral district, has applied during the revision of 25 the list of electors to add or strike off the name of any other person to or from the list of electors of any urban polling division, or who has objected in writing to the adding or the striking off of the name of any other person to or from such list, and such other person, and any person 30 who has applied as aforesaid to add his own name to the list of electors of any polling division, if the application or objection of such person was made to a revising officer

Rule 13.—Enumerators shall be subject to and shall in all (Rule 16.) respects abide by and perform the directions of Registrars No change. of Electors. Any Registrar of Electors may at any time replace any enumerator appointed by him by appointing another enumerator to act in the place and stead of the person already appointed, and any enumerator so replaced shall upon request in writing signed by the Registrar of Electors, by the subsequent appointee or by any other person authorized by the Registrar of Electors to receive the same, deliver or give up to him any index book or other franchise documents, papers and written information which he has obtained for the purpose of the performance of his duties; on default he shall be guilty of an offence punishable on summary conviction as in this Act provided

Rule 14.—The Registrar of Electors shall, forthwith (Rule 17.) upon the receipt by him from any enumerator of copies of any preliminary lists of electors or of any statements of changes and additions made in any such preliminary list, supply to each of the persons who were candidates at the last held Dominion election in the applicable electoral district, or their representatives, one copy of such preliminary list or statement of changes and additions. In the case of a new electoral district the Registrar shall cause to be made, and he shall mail or deliver, two additional copies of such statement to each person to whom, pursuant to subsection six of section sixteen of this Act he is required to mail or deliver the copies of the notices in that subsection mentioned, and such Registrar shall request that person to mail or deliver such copies of such list to such other person or persons in such new electoral district as in the judgment of such first-named person ought to receive them.

PART IV.

APPEALS TO A JUDGE.

32. (1) Any person who, being an elector of the appli- Right of cable electoral district, has applied during a general registration of electors or an annual revision of lists of electors to add or to strike off the name of any other person to or from the list of electors of any polling division, or who has objected in writing to the adding or the striking off of the name of any other person to or from such list, and such other person and any person who has applied as aforesaid to add his own name to the list of electors of any polling division, if the application or objection of such person was made-

acting at a Revisal sitting under section sixteen of this Act, that person, if dissatisfied with the final ruling of such Revising Officer, with relation to such application or objection, may appeal therefrom to a judge.

Meaning of "a judge."

(2) The expression "a judge," as used in this section, 5 means—

- (a) in relation to any electoral district within the judicial districts of Quebec or Montreal in the province of Quebec, the judge from time to time performing the duties of Chief Justice of the Superior Court, or of the 10 Acting Chief Justice, each acting for the district in which he resides, as the case may be, or such other Superior Court Judge as may be assigned by the said Chief Justice or by the Acting Chief Justice to perform the duties by this section required to be performed 15 by a judge;
- (b) in relation to any electoral district within the judicial districts of St. Francis and Three Rivers, in the province of Quebec, any of the resident judges of the Superior Court;
- (c) in relation to any other electoral district in the province of Quebec, the judge indicated by the Chief Justice or the Acting Chief Justice as being the judge exercising from time to time the jurisdiction of the Superior Court Judge of the judicial district within which such 25 electoral district lies;
- (d) in relation to any electoral district in the Yukon Territory, the judge exercising from time to time the jurisdiction of the judge of the Territorial Court of the said Territory; and
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- (e) in relation to any other electoral district in Canada, the judge exercising from time to time the jurisdiction of the judge of the county court of the county, or the judge of the district court of the district, as the case may be, within which such electoral district lies. 35

- (a) to the enumerator of a rural polling division subsequently to the posting by him of a copy of such list pursuant to Rule 7 of Schedule B to section seventeen of this Act; or
- (b) to a Registrar of Electors, acting as Revising Officer of an urban polling division pursuant to Rules 8 to 28, inclusive, of Schedule A to section seventeen of this Act: or
- (c) to a Registrar of Electors, acting as a Court of Revision under Part III of this Act,

that person, if dissatisfied with the final ruling of such enumerator or Registrar of Electors, as the case may be, with relation to such application or objection, may appeal therefrom to a judge.

(2) The expression "a judge", as used in this section, Meaning of means-

- (a) in relation to any electoral district within the judicial districts of Quebec or Montreal in the province of Quebec, the judge from time to time performing the duties of Chief Justice of the Superior Court, or of the No change. Acting Chief Justice, each acting for the district in which he resides, as the case may be, or such other Superior Court judge as may be assigned by the said Chief Justice or by the Acting Chief Justice to perform the duties by this section required to be performed by a judge:
- (b) in relation to any electoral district within the judicial No change. districts of St. Francis and Three Rivers, in the province of Quebec, any of the resident judges of the Superior Court:
- (c) in relation to any other electoral district in the No change. province of Quebec, the judge indicated by the Chief Justice or the Acting Chief Justice as being the judge exercising from time to time the jurisdiction of the Superior Court Judge of the judicial district within which such electoral district lies:
- (d) in relation to any electoral district in the Yukon No change. Territory, the judge exercising from time to time the jurisdiction of the judge of the Territorial Court of the said Territory; and
- (e) in relation to any other electoral district in Canada, No change. the judge exercising from time to time the jurisdiction of the judge of the county court of the county, or the judge of the district court of the district, as the case may be, within which such electoral district lies.

a judge

(3) During the day on which a decision has been made by a Revising Officer, or at any time thereafter, but not later than the hour of six o'clock in the afternoon of the day following the last of the three days appointed for the revision of the lists, any elector may appeal from such 5 decision by notifying the Registrar of Electors in writing to this effect in Form No. 26. The Registrar of Electors shall thereupon arrange for such appeal to be heard by a judge within the five days following the closing of the sittings of the Revising Officer.

(4) In the event of the judge being for any reason unable himself to hear and determine the appeal within five days after the notice of the appeal given he may nominate and appoint in writing a barrister of not less than ten years' standing and resident within the electoral district to hear 15 and determine the appeal within the said five days; and the decision of such barrister shall have like effect as if made by the judge himself; in the event of the judge thus appointing a barrister to hear and determine the appeal the judge shall so inform the Registrar of Electors in writing, and 20 before hearing and determining the said appeal the barrister thus appointed shall make oath in Form No. 27 faithfully to perform the duty thus imposed upon him, and shall transmit the said oath to the judge who appointed him to act in his stead. 25

(5) Upon the hearing of any such appeal from a final ruling which a Revising Officer has made, placing, retaining, or removing the name of any person on or from the list of electors of any polling division in the revisal district of such Revising Officer, the judge, or the barrister appointed 30 by him under the preceding subsection, shall not rescind such final ruling of the Revising Officer nor order that the name of such person shall be placed, retained, or removed on or from the list of electors from any polling division of such electoral district, unless evidence satisfactory to the 35 judge, or the barrister appointed by him as aforesaid, has been adduced at such hearing that such a person is a qualified elector whose place of residence is in the said polling division and that his name should be placed or retained on such list, or that such person is not a qualified elector 40 whose place of residence is in the said polling division and that his name should be removed from such list.

Judge or barrister

(6) The judge, or the barrister appointed by him to hear and determine the appeal in his stead, shall report in writing to the Registrar of Electors the result of each 45 such appeal as relates to any polling division of any Revising Officer's revisal district and the Registrar of Electors shall forthwith transmit or deliver a copy of such report to the Revising Officer of such revisal district. The Revising

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(3) Within five days after the date on which the ruling Notice of appeal. appealed from is made the appellant shall give notice of the appeal in Form No. 33 to the enumerators or Registrar of Electors, as the case may be, and to any opposite party interested, such as a person by whom objection was made or the person whose registration or the retention of whose name on the lists was allowed. The notice of appeal shall be given not less than five days before the hearing of the appeal.

(4) Such appeals shall be heard at such time and place Informal. as the judge may fix. They shall be heard and determined in such preliminary manner as the judge shall deem proper. Notice of the time and place of hearing shall be given to the like persons as in this section provided in respect of the notice of appeal. Such appeals shall be disposed of not later than a day which the Commissioner shall fix and notify in Form No. 34 in the Canada Gazette. All such Notice of hearing. appeals which remain on that day not disposed of shall be deemed for the purposes of this Act to have been dismissed.

(5) The judge shall report in writing to the Registrar Report of of Electors the result of all such appeals as relate to such Judge. Registrar's electoral district, and the Registrar shall be governed in placing, retaining or removing any name on or from the list of electors by the decision of such judge concerning that name.

(6) is new. Provides for the appointment of a barrister, by a judge, where a judge not available, in order to expedite the hearing of the appeal.

Officer shall be governed in placing, retaining, or removing any name on or from the list of electors of any polling division by such decision in writing of such judge or of the barrister aforesaid concerning the same."

(E) By striking out sections thirty-nine and forty-six 5 of the said Act and substituting the following therefor:—

"Offences by Franchise Officers.

Liability of Revising Officer. **39.** (1) Any Revising Officer who,

- (a) wilfully refuses or neglects to make out any list of electors; or
- (b) wilfully neglects to insert in the list of electors the 10 name of any person who applies to be registered as an elector and who complies with all the provisions of this Act; or

(c) wilfully inserts in the list of electors the name of any person who is not qualified as an elector by this Act; or 15

(d) wilfully refuses or neglects to send any notice at the time and in the manner required by this Act; or

(e) wilfully refuses or neglects to deliver or transmit lists, books or documents to the <u>Registrar of Electors</u> as required by or under this Act; or

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(f) wilfully refuses or neglects to attend the sittings for the revision of the lists of electors of his revisal district; or

(g) wilfully commits any dereliction of duty as a revising officer under this Act,—

shall be guilty of an offence against this Act and be liable, on summary conviction, to a penalty of not less than two hundred dollars and not exceeding one thousand dollars.

Liability of Registrar of Electors.

- (2) Any Registrar of Electors who,
- (a) wilfully refuses or neglects to publish, send or mail 30 any notice or any list or declines to give a copy or copies of the same to any person entitled thereto at the time and in the manner required by this Act; or
- (b) wilfully refuses or neglects to deliver or transmit lists, books, or documents to the Commissioner as required 35 by or under this Act; or
- (c) wilfully commits any dereliction of duty as a franchise officer under this Act,—

shall be guilty of an offence against this Act and be liable, on summary conviction, to a penalty of not less than two 40 hundred dollars and not exceeding one thousand dollars.

Offences by Franchise Officers.

(E)

39. Any Registrar of Electors who,

- (a) wilfully refuses or neglects to make out any list of Registrars of Electors. electors: or
- (b) wilfully neglects to insert in the list of electors the name of any person who applies to be registered as an elector and complies with all the provisions of this Act: or
- (c) wilfully inserts in the list of electors the name of any person disgualified by this Act; or
- (d) wilfully refuses or neglects to publish, send, or mail any notice or to post any list, or declines to give a copy of the same to any person entitled thereto at the time and in the manner required by this Act; or
- (e) wilfully refuses or neglects to deliver or transmit lists, books, or documents to the Commissioner as required by or under this Act; or
- (f) wilfully refuses or neglects to attend the Court of Revision for revising the lists of electors of his electoral district: or
- (g) wilfully commits any dereliction of duty as a franchise officer under this Act.-

shall be guilty of an offence against this Act and be liable, on summary conviction, to a penalty of not less than two hundred dollars and not exceeding one thousand dollars.

Liability of

Printing of Lists of Electors.

King's Printer to print lists.

Candidate entitled to copies. **46** (1) The King's Printer, whenever directed by the Commissioner, shall print or cause to be printed the lists of electors of any or all urban polling divisions of any electoral district and copies of any such lists, when printed, shall be supplied by the King's Printer to any person upon payment of the sum of ten cents for each copy of the list of a polling division.

(2) Every candidate shall be entitled on demand to twenty copies of the lists of all urban polling divisions of his electoral district, free of charge. 10

(3) The list of electors for any electoral district or polling division as printed by the King's Printer shall be deemed to be the list of electors for such electoral district or polling division as it purports to be: any paper purporting to be a list of electors and purporting to be printed by the King's 15 Printer shall be received as *prima facie* evidence of its purport in all courts of law without further proof."

(F) By amending subsection one of section forty-nine of the said Act as follows:—

By inserting the words "or Revising Officer" after the 20 words "Any Registrar of Electors" in the first line thereof.

Printing of Lists of Electors.

46. (1) The King's Printer, whenever directed by the May print Commissioner, shall print or cause to be printed the then in any or all districts. existing lists of electors of any or all polling divisions of any or all electoral districts and copies of any such lists, when printed, shall be supplied by the King's Printer to any person upon payment of the sum of ten cents for each copy of the list of a polling division.

(2) Every candidate shall be entitled on demand to Free copies to twenty copies of the lists of his electoral district, free of candidates. charge, together with one additional copy for each polling division in the electoral district and he shall be furnished on demand with such copies in the case of an annual revision of the list as well as of a general registration of electors.

(3) The list of electors for any electoral district or polling Imprint of division as printed by the King's Printer shall be deemed to King's Printer. be the list of electors for such electoral district or polling division as it purports to be; and any paper purporting to be a list of electors and purporting to be printed by the King's Printer shall be received as prima facie evidence of its purport in all courts of law without further proof.

(F) Section 49 of the Act reads as follows:

49. (1) Any Registrar of Electors may administer any Who may oath or affirmation, including that to any affidavit or administer oaths, etc. statutory declaration, which is by this Act authorized or directed to be made with respect to any registration of electors or revision of lists of electors, and where by this Act any oath, affirmation, affidavit or statutory declaration is authorized or directed to be made, taken or administered, the oath or affirmation, including that to an affidavit or statutory declaration, may be administered unless by this Act some particular officer or person is expressly required to administer it, by a judge of any court, a notary public, a justice of the peace, stipendiary magistrate, police magisrate, or a commissioner for taking affidavits having authority or jurisdiction within the place where the oath or affirmation is administered.

(2) All oaths and affirmations which are authorized or Gratis. required by this Act shall be administered gratuitously.

(G) By inserting the following as Section 53 of the said Act:-

Vote under Canada Temperance Act. R.S., c. 196.

Changes in procedure Commissioner to be gazetted. "53. (1) Whenever under the Canada Temperance Act a vote is to be taken, the procedure in connection with the preparation of the list of voters to be used thereat shall, in 5 lieu of the procedure therein directed, be the procedure laid down in this Act with such modifications as the Dominion Franchise Commissioner may direct as being necessary by reason of the difference of the question to be submitted, and with such omissions as he may specify on the ground 10 that compliance with the procedure laid down is not necessary.

(2) Any direction given by the Dominion Franchise Commissioner for a modification of or omission from the procedure in connection with the preparation of the list of 15 voters directed by this Act shall be published by him in the *Canada Gazette* at least four weeks before the day upon which the vote is to be taken."

(H) By striking out section fifty-three of the said Act and substituting the following as section fifty-four:— 20

D.F. Act not affected by this Act. "54. The provisions of *The Dominion Franchise Act*, 1934, are not amended, repealed or otherwise affected by the provisions of this Act, except in so far as the preparation and revision of lists of electors to be used at Dominion By-elections, and matters incidental thereto, are con-25 cerned.

Bringing into force. **55.** This Act shall not come into force until

(I) By striking out Schedule One of the said Act and substituting the following:—

the state of the second second the second second

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(G) **53.** This proposed clause is new. There is no corresponding section in the Act.

In the case of a plebiscite under the Canada Temperance Act the preparation of the lists now devolves upon the proper official, namely, the Dominion Franchise Commissioner, instead of upon the Chief Electoral Officer, as provided by section 110 of the Dominion Elections Act.

(H) Section 53 of the Act provides for the bringing into force of the said Act and is proposed to be struck out and clause 54 substituted therefor.

Section 53 of the Act reads as follows:-

Operation suspended.

53. This Act shall not come into force until a day to be fixed by the Governor in Council and proclaimed by him in the *Canada Gazette*.

(I) SCHEDULE ONE-FORMS.

It is not practicable nor helpful to indicate the verbal and consequential changes in the Forms. These changes were prepared by the officers charged with the administration of the Act and approved by the Special Committee. They are found necessary from experience at the last preparation of lists and election.

"SCHEDULE ONE

FORM NO. 1. (Sec. 12)

OATH OF A REGISTRAR OF ELECTORS

Electoral District of Province of

I (name of Registrar), Registrar of Electors for the above-mentioned electoral district, do swear (or solemnly affirm) that I will faithfully perform, without partiality, fear, favour or affection all the duties of that office. SO HELP ME GOD.

Registrar of Electors.

FORM NO. 2. (Sec. 12).

CERTIFICATE OF OATH OF REGISTRAR OF ELECTORS.

I, the undersigned, do hereby certify that on the day of
in
the County of and Province of
A.B., Registrar of Electors for the electoral district of
in the province of, made and subscribed
before me the oath (or affirmation) hereunto attached and preceding.

C.D. Justice of the Peace. (or, as the case may be).

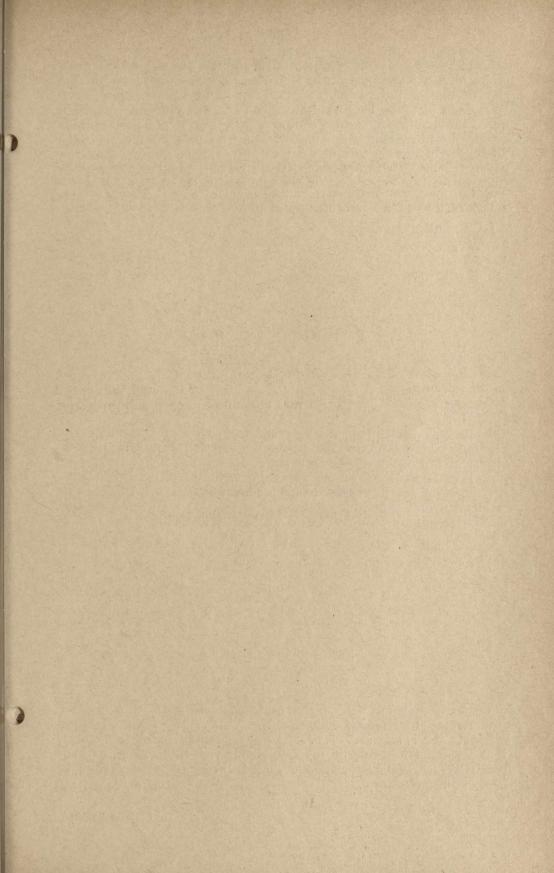
FORM NO. 3. (Sec. 15).

NOTICE OF REGISTRATION OF ELECTORS.

Electoral District.....

2. That for the period of registration, I have established my office as registrar of electors for that electoral district at (giving the address of the registrar of elector's office) where I will be available from nine o'clock in the forenoon until six o'clock in the afternoon on every week day, for the execution of affairs relating to the registration of electors for a by-election.

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Of which all persons are required to take notice and act accordingly.

> A.B. Registrar of Electors.

FORM No. 4. (Sec. 16).

APPOINTMENT OF AN ENUMERATOR.

To (insert name of enumerator), whose occupation is (insert occupation), and whose address is (insert address).

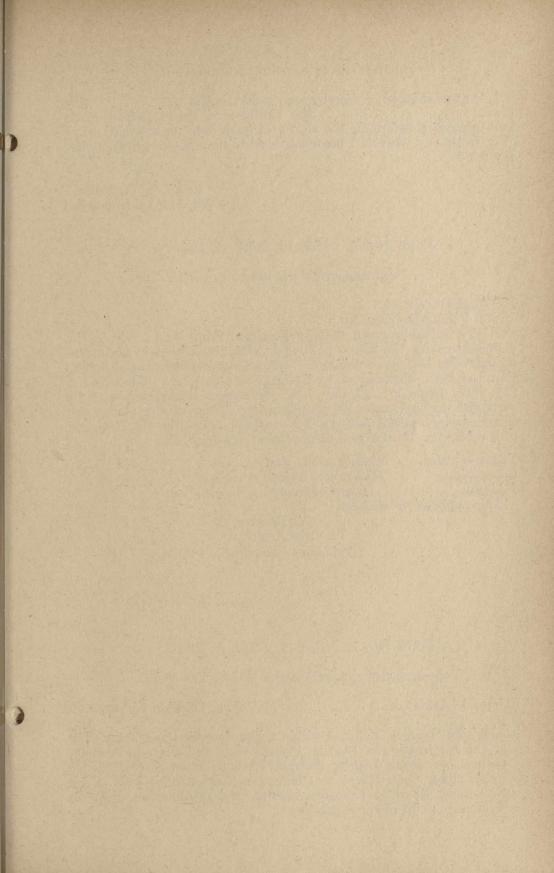
> A.B. Registrar of Electors.

FORM NO. 5. (Sec. 16).

OATH OF AN ENUMERATOR.

I, the undersigned (insert name of enumerator), appointed Enumerator for Polling Division No....., in the Electoral District of...., do solemnly swear (or affirm) that I will act faithfully in my said capacity of enumerator, without partiality, fear, favour or affection, and in every respect according to law. SO HELP ME GOD.

> A.B. Enumerator.



CERTIFICATE OF OATH OF ENUMERATOR.

I, the undersigned, do hereby certify that on theday of....., 19...., the enumerator above named made and subscribed before me the above set forth oath (or affirmation).

In testimony whereof I have delivered to him this certificate under my hand.

C.D.

Justice of the Peace (or, as the case may be)

FORM NO. 6. (Sec. 16, Sched. A, Rule 1).

ENUMERATORS' NOTICE TO ELECTOR.

Electoral District of..... Urban Polling Division No.....

Notice is hereby given that application having been made to the enumerators for the above polling division to include in their preliminary list of electors therefor an entry as undernoted; such application has been disposed of as hereinafter mentioned. Also that if any entry made in such list is in any respect incorrect it may be corrected on application to the Revising Officer at the places and times of which public notice will hereafter be given by the Registrar of Electors for the above-mentioned electoral district.

Name of voter. (Family name first) Occupation. Address

(Insert occupation) (Insert address)

This application has been

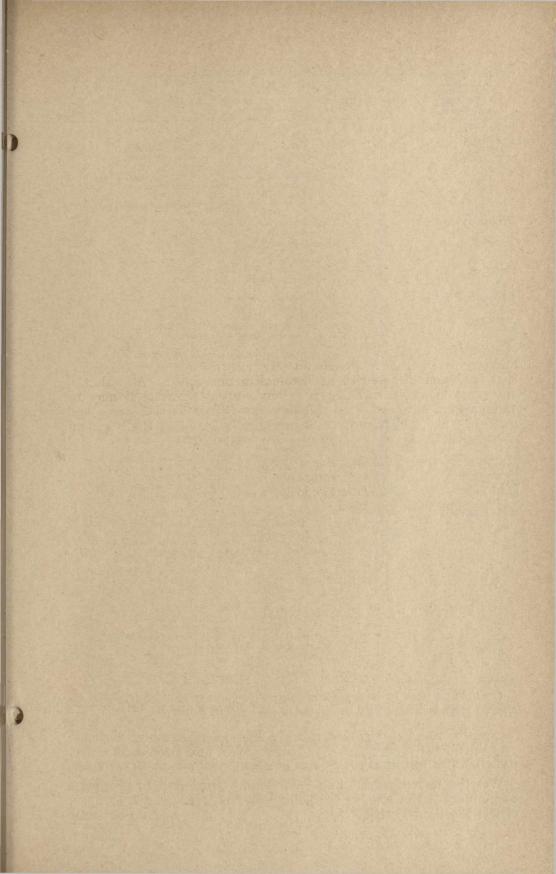
GRANTED REFUSED (Strike out inapplicable words)

> Enumerators

FORM NO. 7. (Sec. 16, Sched. A, Rule 3).

ENUMERATORS' PRELIMINARY LIST OF ELECTORS.

Comprising the area included within a line described as commencing at the Intersection of Laurier Avenue West and Bronson Avenue, thence east along Laurier Avenue West to Lyon Street, thence south along Lyon Street to Gloucester Road, thence west along Gloucester Road to Bronson Avenue, and north along Bronson Avenue to point of commencement.



Bay St	$\begin{array}{c} 219\\ 219\\ 219\\ 220\\ 221\\ 222\\ 223\\ 103\\ 104\\ 105\\ 105\\ 105\\ \end{array}$	1 2 3 	Johnson, Alfred Johnson, Mrs. Alfred Fischer, James Carroll, Ernest McMillan, John Osborne, John Payne, Charles Paynter, Mrs. Henry.	Painter Married woman Rly. employee Bookkeeper Civil Servant Printer Printer. Married woman	$ \begin{array}{c} 1 \\ 2 \\ 3 \\ 4 \\ 5 \\ 6 \\ 7 \end{array} $
	219 219 219 220 221 222 223 103 104 105	1 2 3 	Johnson, Mrs. Alfred Fischer, James Carroll, Ernest McMillan, John Osborne, John Payne, Charles Paynter, Mrs. Henry.	Married woman Rly. employee Bookkeeper Civil Servant Printer. Printer.	2 3 4 5 6
Bronson Ave	219 220 221 222 223 103 104 105	2 3 	Fischer, James Carroll, Ernest McMillan, John Osborne, John Payne, Charles Paynter, Mrs. Henry.	Rly. employee Bookkeeper Civil Servant Printer Printer.	4 5 6
Brònson Ave	219 220 221 222 223 103 104 105	3	Carroll, Ernest. McMillan, John. Osborne, John. Payne, Charles. Paynter, Mrs. Henry.	Bookkeeper Civil Servant Printer Printer.	4 5 6
Bronson Ave	221 222 223 103 104 105	·····	McMillan, John Osborne, John Payne, Charles Paynter, Mrs. Henry.	Civil Servant Printer Printer	6
Bronson Ave	$ \begin{array}{r} 222 \\ 223 \\ 103 \\ 104 \\ 105 \\ \end{array} $	·····	Payne, Charles Paynter, Mrs. Henry.	Printer	
Brönson Ave	223 103 104 105		Paynter, Mrs. Henry.		7
Bronson Ave	$103 \\ 104 \\ 105$			Married woman	
Brönson Ave	104 105			manned woman	8
	105		Smith, Henry	Civil Servant	9
			Henderson, Peter	Tinsmith	10
	105		Stewart, Nelson	Mechanic	11
			Stewart, Mrs. Nelson.	Married woman	12
	106		Kennedy, Ernest	Civil Servant	13
	106		Kennedy, Miss Jane	Spinster	14
	107		Davis, Louis	Jobber	15
Gloucester Road	323	1	Williams, James	Civil Servant	16
	323	2	Dunn, Robert	Retired	17
	323	3	Moffatt, Miss Lily	Spinster	18
	323	4	Pearson, Mrs. Alex	Widow	19
	326		Carson, Harold Carson, Mrs. Harold	Clerk	20
	326		Carson, Mrs. Harold	Married woman	21
	329		Robinson, J. Alex	Civil Servant	22
	342		Newman, Thomas	Commercial Traveller	23
	342		Newman, Mrs. Thomas	Married woman	24
Laurier Ave	456		Murphy, Peter	Builder	25
Laurier Ave	456		Murphy, 1 etcl.	Married woman	26
Lyon Street	459	1	Murphy, Mrs. Peter Lusk, Nelson	Civil Servant	27
	459	1	Lusk, Mrs. Nelson	Married woman	28
	459	2	Lawson, John	Painter	29
	459	2	Lawson, Mrs. John	Married woman	30
	459	3	Wood, Peter	Clerk	31
	459	4	Collins, Joseph	Motorman	32
	530		Delaney, Walter	Carpenter	33
	541	· · · · · · · · ·	Delaney, Walter Johnson, Isaac	Civil Servant	34
	204		Moore, Alex	Tinsmith	35
ayon 20100000000000000000000000000000000000	204		McDonald, John	Civil Servant	36
	204		McDonald, Mrs. John.	Married woman	37
	207		Murphy, Miss Jane	Civil Servant	38
	210		Graham William	Merchant	39
	210		Graham, Mrs. Wil-		10
	015		liam	Married woman	
	$\begin{array}{c} 215\\ 215\end{array}$		Russell, John Russell, Miss Dorothy	Civil Servant Spinster	41 42
	210		russen, miss Dorothy	opinster	14
Percy Street	3	1	Fisher, Howard	Clerk	43
	3	2	Johnson, James	Civil Servant	44
	3	3	Blackburn, John	Contractor	45
	3	3	Blackburn, Mrs. John.	Married woman	46
	4	· ·····	Henderson, Edward	Carpenter	47
	11		Smith, Henry	Blacksmith	48
	$\begin{array}{c} 12\\12\end{array}$		Peters, James Peters, Mrs. James	Merchant Married woman	49 50

On the last page of each separate complete copy of the list prepared the enumerators will severally subscribe to the oath in Form No. 8.

FORM No. 8 (Sec. 16, Sched. A, Rule 5).

OATH OF THE ENUMERATORS UPON COMPLETION OF PRELIMINARY LIST

Form No. 8 is new. This oath is considered necessary.

solemnly swear (or affirm) that the foregoing......sheets contain as complete and as correct list of qualified electors as we have been able to prepare for the above-mentioned polling division.

Severally sworn (or affirmed) before me at..... this......day of......19...

Enumerator

Justice of the Peace (or, as the case may be).

Enumerator

FORM No. 9 (Sec. 16, Sched. A, Rule 7)

NOTICE OF REVISION OF PRELIMINARY LISTS OF ELECTORS IN URBAN POLLING DIVISIONS

Electoral District of

Province of

The undersigned Registrar of Electors of the above-mentioned Electoral District hereby notifies all concerned:—

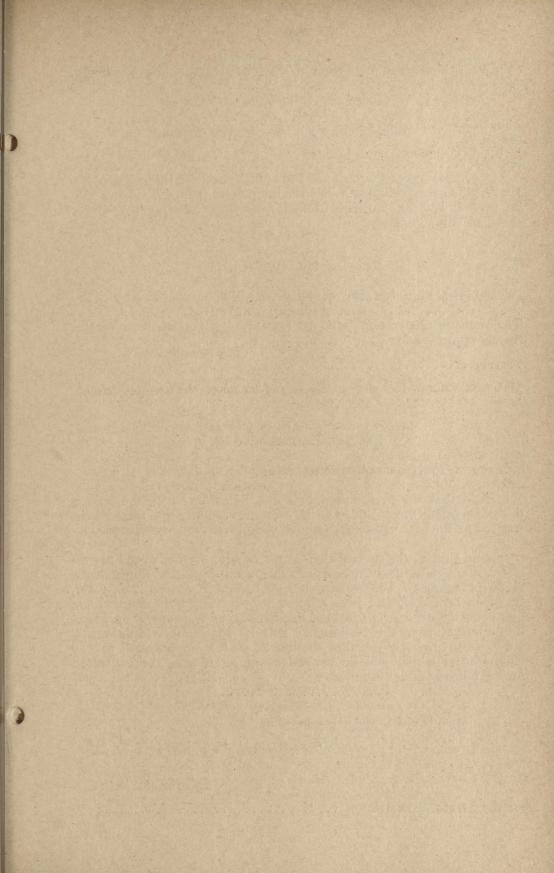
1. That, pursuant to the provisions of *The Dominion By-elections Franchise Act, 1936*, he has, in his capacity of Registrar of Electors of such electoral district grouped, and established the urban polling divisions of that electoral district into.....revisal districts as follows:— (state how many)

REVISAL DISTRICT No. 1

REVISAL DISTRICT No. 2.

(Proceed as above as respects all revisal districts.)

2. And that for the purpose of revising the preliminary list of electors for the urban polling divisions included in each of such revisal district, revisal offices will be opened in each thereof and the undernamed revising officers will attend at their respective revisal offices from two o'clock until five o'clock, and from seven o'clock until ten



o'clock in the afternoon of each of the following three days, namely	,
(here insert the three days	
days of the week fixed for the revision)	•
the	
and	

19..., when the preliminary lists for the several polling divisions will be revised by the undermentioned revising officers at the places specified below, namely:—

REVISAL DISTRICT No. 1.

The revisal office of this revisal district will be located at No
street in the city (or town) of
The revising officer appointed to revise the list of electors of this
revisal district is Mr.
(here insert the full
name, address and occupation of the revising officer).

REVISAL DISTRICT NO. 2.

(Proceed as above as respects all revisal districts).

3. And that the preliminary lists of all electors of all the polling divisions which are included in any one revisal district may be inspected at the place and times above stated with relation thereto.

4. And that at the several sittings for revision in the several revisal districts above notified the revising officers will dispose of applications made pursuant to *The Dominion By-Elections Franchise Act*, 1936, by or on behalf of, and with relation to, persons whose names have not been included or have been incorrectly or improperly included by enumerators in the preliminary lists for such polling divisions.

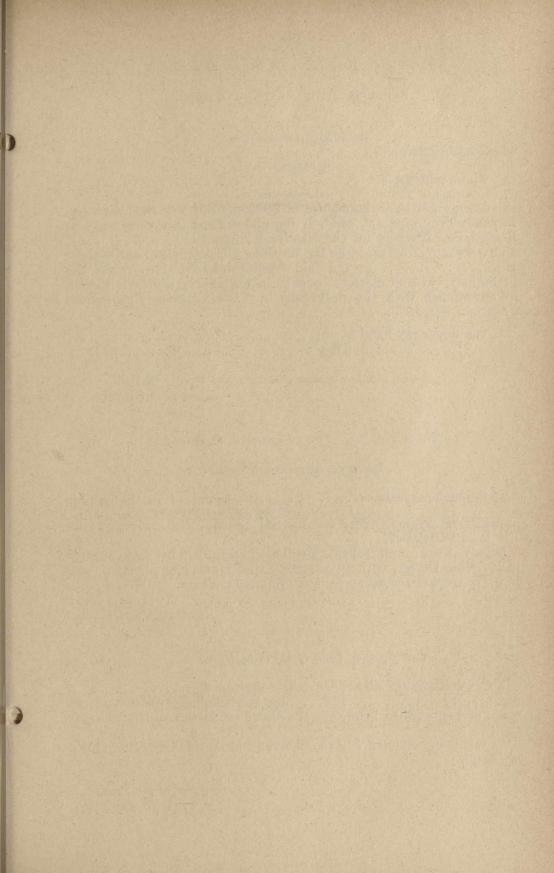
Notice is further given that the lists of electors as prepared by the enumerators which will be revised as aforesaid may be consulted during office hours at my office at.....

(Here insert location of office of Registrar of Electors)

A.B.

Registrar of Electors.

for the Electoral District of.....



FORM NO. 10. (Sec. 16, Sched. A, Rule 9).

APPOINTMENT OF REVISING OFFICER.

Το....

(Insert name of Revising Officer)

whose occupation is.....(insert occupation)

and whose address is.....

(insert address)

Know you that, in pursuance of Section 16 of The Dominion By-Elections Franchise Act, 1936, I, the undersigned in my capacity as Registrar of Electors for the Electoral District of do hereby appoint you to be the Revising Officer for Revisal District No. in the said Electoral District, to revise the preliminary lists of electors resident in the polling divisions therein in accordance with the provisions of The Dominion By-Elections Franchise Act. 1936.

Given under my hand at..... this...... day of 19....

> A.B. Registrar of Electors.

.....

FORM No. 11. (Sec. 16, Sched. A, Rule 10).

OATH OF REVISING OFFICER.

I, the undersigned..... (Insert name of Revising Officer)

appointed Revising Officer for Revisal District No.....in the Electoral District of do solemnly swear (or affirm) that I will act faithfully in my said capacity of Revising Officer, without partiality, fear, favour or affection, and in every respect according to law. So help me God.

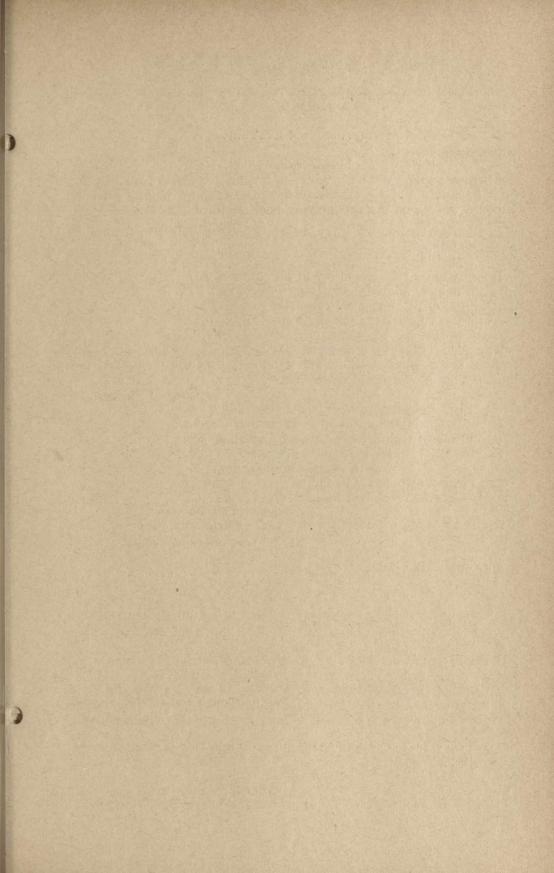
Revising Officer.

Certificate of Oath of Revising Officer.

I, the undersigned do hereby certify that on the..... day of 19...., the Revising Officer above named made and subscribed before me the above set forth oath (or affirmation).

In testimony whereof I have delivered to him this certificate under my hand.

> Justice of the Peace (or, as the case may be).



FORM NO. 12. (Sec. 16, Sched. A, Rule 14).

APPLICATION OF AN ELECTOR FOR CORRECTION OF HIS NAME, ETC., AS IN A PRELIMINARY LIST.

Electoral District of

I hereby apply for the correction of my name, address or description as it appears on the preliminary list of electors of polling Division No. as the above-mentioned electoral district.

In that list there is an entry, which, I believe, is intended to relate to me as follows:—

(Family name) Anderson (or as the case may be), (First names) John James (or as the case may be), (Occupation) Chairmaker (or as the case may be), (Address) 22 Park St. (or as the case may be).

The said entry is erroneous. My true name, occupation and address are as set out below and I request that the mentioned preliminary list be corrected accordingly.

(Family name) Andrews (or as the case may be), (First names) John Joseph (or as the case may be), (Occupation) Upholsterer (or as the case may be), (Address) 22 Park St. (or as the case may be).

(Signature of Applicant).

The number of this application is.....

The Dominion By-Elections Franchise Act 1936

Electoral District of Polling Division No.....

This is to certify that the application bearing the undermentioned number was refused.

Revising Officer.

No.....to correct list of electors.

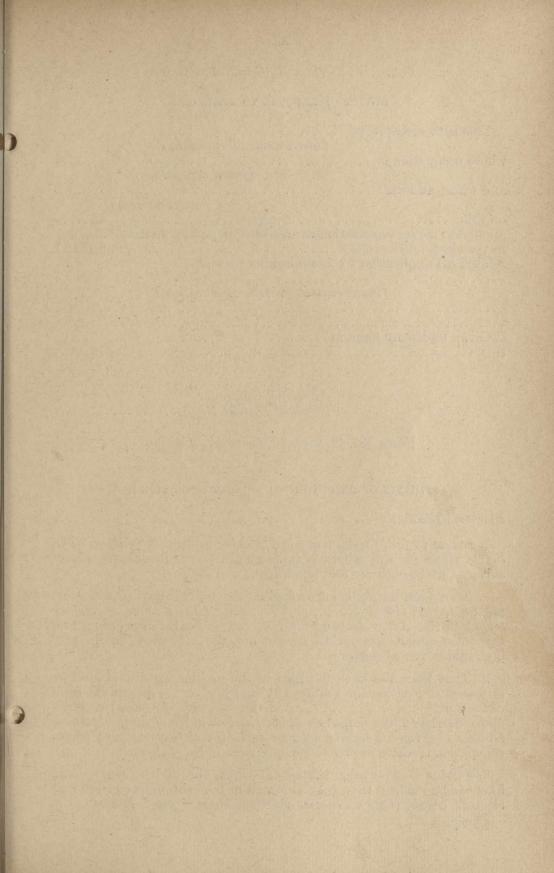
THE DOMINION BY-ELECTIONS FRANCHISE ACT 1936

Electoral District of Polling Division No.....

This is to certify that the application bearing the undermentioned number was accepted.

Revising Officer.

No..... To correct list of electors.



FORM NO. 13 (Sec. 16, Sched. A, Rule 17)

NOTICE OF REFUSAL TO REGISTER.

This is to certify that
(insert name of applicant) whose occupation is
(insert occupation) and whose address is
(insert address) on this
(insert reasons for refusal to register)
Given under my hand at
Revising Officer for Revisal District No

FORM No. 14 (Sec. 16, Sched. A, Rule 20)

AFFIDAVIT OF OBJECTION TO A REGISTERED ELECTOR.

Electoral District of.....

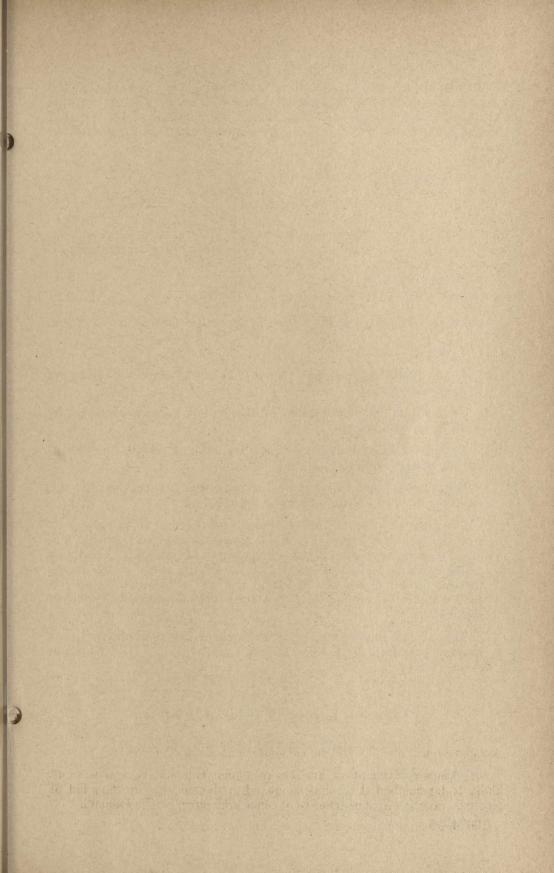
I, (name in full, family name last), whose address is (address as in list of electors), and whose occupations is (occupation as in list of electors), make oath (or solemnly affirm) and say:—

1. That I am the person described on the preliminary list of electors for polling Division No.....in, (insert name of city or town), in the above electoral district, now in course of revision, and my address and occupation are set out above as given in the said preliminary list of electors.

2. That there has been included in the preliminary list of electors in course of revision for Polling Division No..... in the electoral district of in the said city (or town) or place above described, the name of (set out name as in list of electors), whose address is given as (set out address as in list of electors), and whose occupation is stated as (set out occupation as in list of electors).

3. I known of no other address at which the said person is more likely to be reached than that so stated in the said preliminary list of electors, except (*Give alternative of better address*, *if one is known*).

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4. That I have good reason to believe and do verily believe that the said name should not appear upon the said list of electors for this electoral district because the person, if any, described by the said entry (Insert one of the grounds of disqualification as hereinafter set out).

Sworn (or affirmed) before me at)	
thisday of 19	
	(Dej

Deponent to sign here)

Revising Officer for Revisal District No......

Grounds of Disqualification Which May be Set Out in the Affidavit

- (2) "Is not qualified because he (or she) has not attained the full age of twenty-one years."
- (3) "Is not qualified because he (or she) is not a British Subject by birth or naturalization."

(4) "Is not qualified because he (or she) has not resided in Canada during the last twelve months."

(5) "Is not qualified because he (or she) was not resident in this electoral district on the" (naming the day).

(6) "Is disqualified from voting because he (or she) is" (naming the class of disqualified persons to which the person objected to belongs), as e.g., "a judge appointed by the Government of Canada," "an Indian resident on an Indian reservation who did not serve in the naval, military or air forces of Canada in the war 1914-1918," or, as the case may be: see section 4 of The Dominion By-elections Franchise Act, 1936.

(7) "Has to my knowledge, been included in the preliminary list of electors prepared for Polling Division No....., in which he (or she) resides."

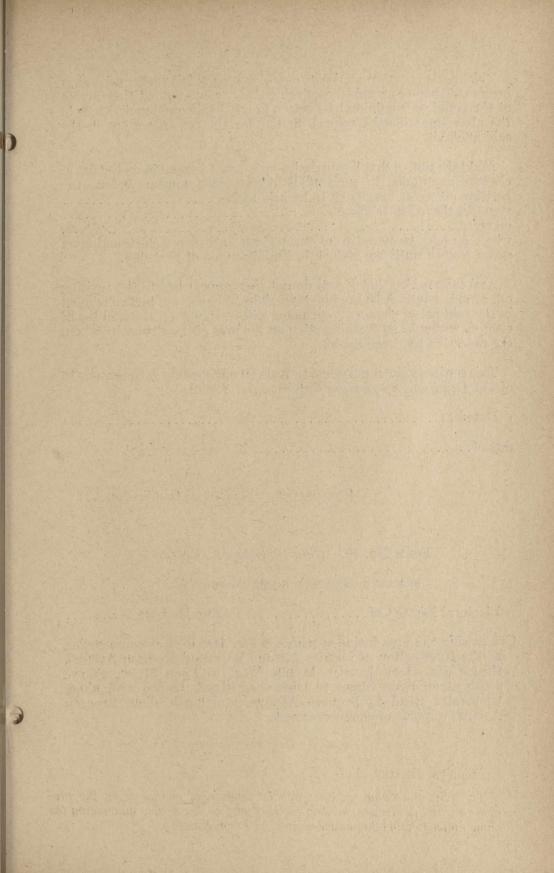
FORM NO. 15 (Sec. 16, Sched. A, Rule 20).

NOTICE OF OBJECTION TO ELECTOR OBJECTED TO

Electoral District of

To: (Set out name, address and occupation of elector as in the preliminary list of electors, adding name of city or town, also addressing the same notice to any other address given on Form No. 14).

^{(1) &}quot;Is dead."



Take notice that an affidavit, of which a copy is sent herewith, has been made before me this day alleging that you are not entitled to vote at the pending Dominion by-election in any of the polling divisions in the above-mentioned electoral district for the reason set out in the said affidavit.

And take notice that if you do not then appear before the revising officer and establish before him your right to have your name included in the said list of electors, your name will be struck off the said list of electors without any further action on the part of the elector by whom the objection has been made.

This notice is given pursuant to Rule 20 of Schedule A to Section 16 of *The Dominion By-elections Franchise Act*, 1936.

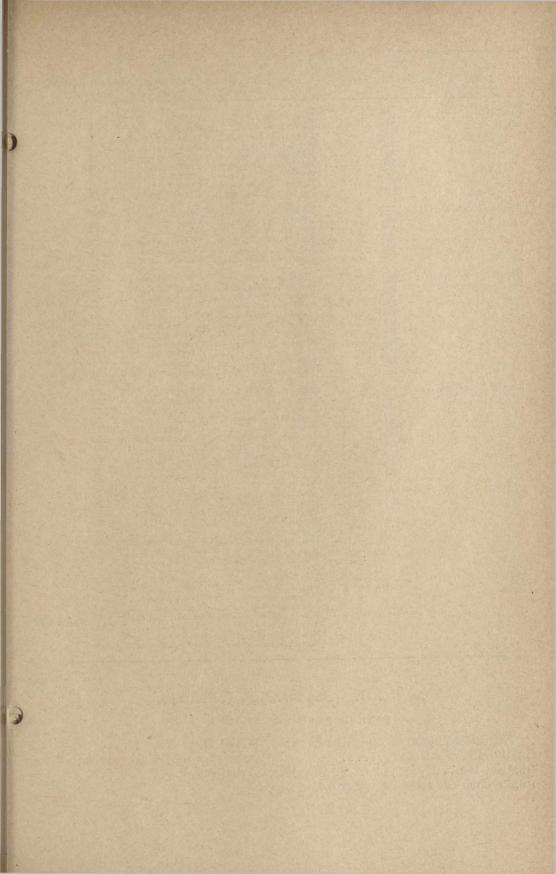
> A.B. Revising Officer for Revisal District No.....

FORM NO. 16. (Sec. 16, Sched. A, Rule 23)

REVISING OFFICER'S BOOK (Geographical)

Electoral District of, Polling Division No......

Comprising the area included within a line described as commencing at the Intersection of Laurier Avenue West and Bronson Avenue, thence east along Laurier Avenue West to Lyon Street, thence south along Lyon Street to Gloucester Road, thence west along Gloucester Road to Bronson Avenue, and north along Bronson Avenue to point of commencement.

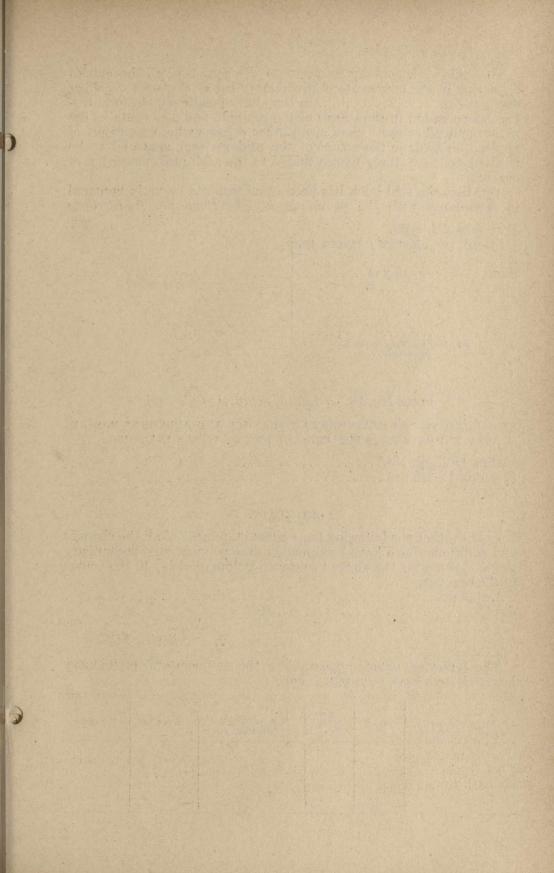


Name of Street (or as the case may be)	Street No.	Apart- ment No.	Name of Elector (family name first)	Occupation	Con- secutive number
Real C	010				
Bay St	219	1	Jones, Alfred	Painter	1
	219	1	Jones, Mrs. Alfred	Married woman	2
	219	2	Fischer, James	Railway employee	. 3
	219	3	Carroll, Ernest	Bookkeeper	4
	220		McMillan, John	Civil Servant	5
	220		McMillan, Miss Jane	Spinster	6
	$\begin{array}{c} 221 \\ 222 \end{array}$		Osborne, John	Printer	7 8
	223		Payne, Charles Paynter, Mrs. Henry	Printer	9
Bronson Ave	103		Smith, Harry	Civil Servant	10
LES A STATE OF A STATE	104		Henderson, Peter	Tinsmith	11
	105		Stewart, Nelson	Mechanic	12
	105		Stewart, Mrs. Nelson.	Married woman	13
	106		Kennedy, Ernest	Civil Servant	14
	107		Davis, Louis	Jobber	15
Gloucester Rd	323	1	Williams, James	Civil Servant	16
	323	2	Dunn, Robert	Retired	17
	323	3	Moffatt, Miss Lily	Spinster	18
	323	4	Pearson, Mrs. Alex	Widow	19
	326		Carson, Harold	Clerk	20
	326		Carson, Mrs. Harold	Married woman	21
	329		Robinson, J. Alex	Civil Servant	22
	342		Newman, Thomas	Commercial traveller	23
	342		Newman, Mrs. Thomas	Married woman	23
T . A	150				05
Laurier Ave. West	456		Murphy, Peter	Builder	25
	456		Murphy, Mrs. Peter Lusk, Nelson	Married woman	$\frac{26}{27}$
	459	1	Lusk, Nelson	Civil Servant	28
	459	1	Lusk, Mrs. Nelson	Married woman	28
	$\begin{array}{r} 459 \\ 459 \end{array}$	$\frac{2}{2}$	Lawson, John Lawson, Mrs. John	Painter Married woman	29 30
	459 459	4 3	Woods, Peter	Clerk	31
	459	° 4	Collings, Joseph	Motorman	32
	530	- Ŧ	Dolonor Weltor	Carpenter	33
	541		Delaney, Walter Johnson, Isaac	Civil Servant	34
Lyon St	204		Moore, Alex	Tinsmith	35
	204		McDonald, John	Civil Servant	36
	204	·	McDonald, Mrs. John.	Married woman	37
	207		Murphy, Miss Jane	Civil Servant	38
	210		Graham, William	Merchant	39
	210		Graham, Mrs. William	Married woman	40
			Russell, John	Civil Servant	41
	215 215			Sninster	42
	215		Russell, Miss Dorothy	Spinster	42
Percy St	215 3		Russell, Miss Dorothy Henderson, Edward	Carpenter	43
Percy St	215 3 4		Russell, Miss Dorothy Henderson, Edward Fisher, Howard	Carpenter Clerk	43 44
Percy St	215 3 4 4	$\dots \dots $	Russell, Miss Dorothy Henderson, Edward Fisher, Howard Johnson, James	Carpenter Clerk Civil Servant	43 44 45
Percy St	215 3 4 4 4	 1 2 3	Russell, Miss Dorothy Henderson, Edward Fisher, Howard Johnson, James Blackburn, John	Carpenter Clerk Civil Servant Contractor	43 44 45 46
Percy St	215 3 4 4 4 4	$\begin{array}{c} \cdots \cdots \\ 1 \\ 2 \\ 3 \\ 3 \\ 3 \end{array}$	Russell, Miss Dorothy Henderson, Edward Fisher, Howard Johnson, James Blackburn, John Blackburn, Mrs. John.	Carpenter Clerk. Civil Servant Contractor. Married woman	43 44 45 46 47
Percy St	215 3 4 4 4	 1 2 3	Russell, Miss Dorothy Henderson, Edward Fisher, Howard Johnson, James Blackburn, John	Carpenter Clerk Civil Servant Contractor	43 44 45 46

FORM NO. 17. (Sec. 16, Sched. A, Rule 24)

OATH OF REVISING OFFICER

I, (insert name of revising officer) , of the City of in the Province of, revising officer for revisal district No....., in the electoral district of make oath (or solemnly affirm) and say:—



That this book contains an accurate description of all the entries appearing in the enumerators' preliminary list of electors for polling division No....., in the above-mentioned electoral district as corrected in the course of the revision, and also contains the names and other particulars of all other persons who, as a result of application made in the course of the said revision, appeared to be entitled to have their names added to the said preliminary list of electors.

And that the said book has been in all respects properly prepared in accordance with the provisions of *The Dominion By-Elections*

Sworn (or affirmed) before me at	
this	Revising Officer.
Justice of the Peace (or, as the case may be)	

FORM No. 18. (Sec. 16, Sched. A, Rule 25.)

REVISING OFFICER'S STATEMENT OF CHANGES AND ADDITIONS MADE IN THE ENUMERATOR'S PRELIMINARY LIST OF URBAN ELECTORS.

Polling Division No..... Electoral District of

CERTIFICATE.

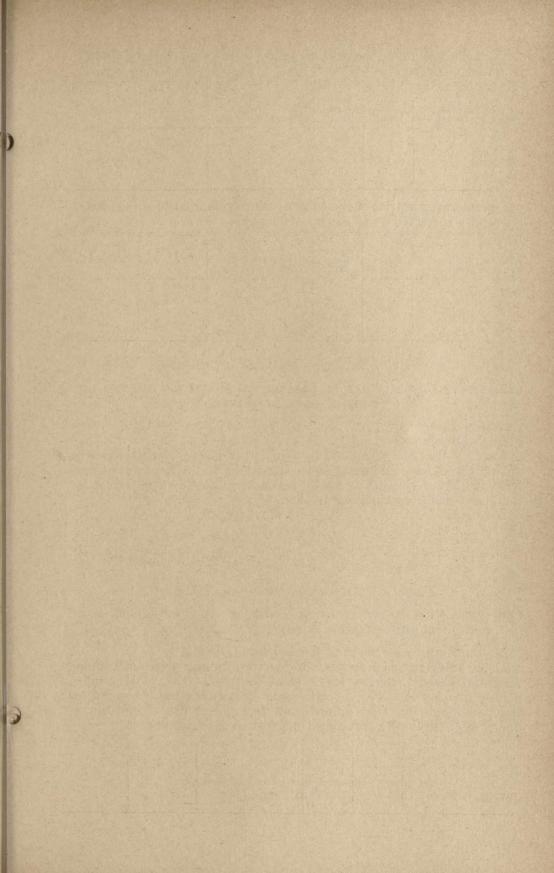
I certify that the following is a correct statement of all the changes and additions which have been made in the enumerators' preliminary list of electors for the above-mentioned polling division in the course of the revision.

A.B.,

Revising Officer.

The following names appearing in the enumerators' preliminary list of electors have been struck out:—

Name of Street (or, as the case may be)	Street No.	Apart- ment No.	Name of Elector (Family name first)	Occupation	Remarks



The following names have been added to the enumerators' preliminary list of electors:—

Name of Street (or, as the case may be)	Street No.	Apart- ment No.	Name of Elector (Family name first)	Occupation	Remarks
		•			

The following entries in the enumerators' preliminary list of electors have been corrected so as to appear as follows:—

Name of Street (or, as the case may be)	Street No.	Apart- ment No.	Name of Elector (Family name first)	Occupation	Remarks

FORM No. 19. (Sec. 16, Sched. A, Rule 30).

CERTIFICATE OF REGISTRAR OF ELECTORS WHO HAS CAUSED THE LIST OF ELECTORS TO BE PRINTED

Electoral District of Polling Division No.....

I certify that the appended printed list of electors accurately sets out all the names, addresses and occupations of the electors referred to in the list of electors as finally revised by the Revising Officer for the above-mentioned polling division.

A. B.,

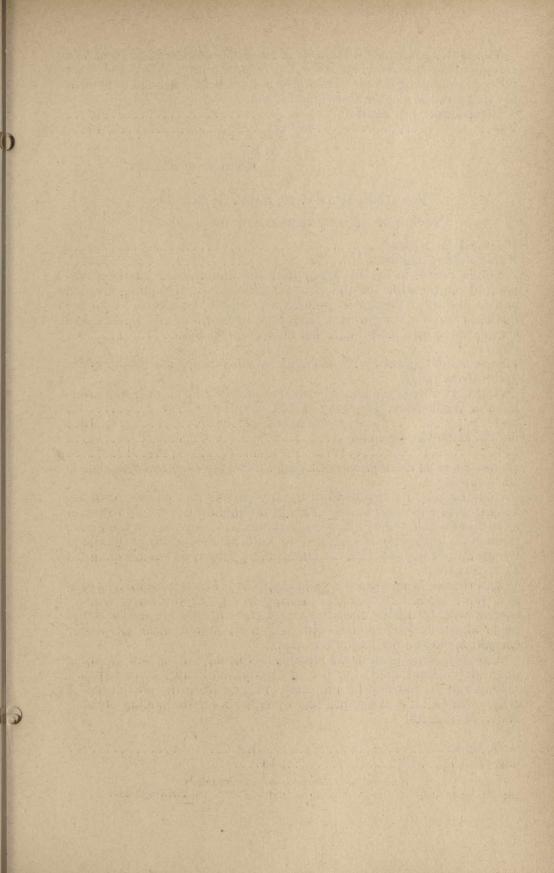
Registrar of Electors.

FORM No. 20 (Sec. 16, Sched. A, Rule 30).

CERTIFICATE OF REGISTRAR OF ELECTORS TO CORRECT ERRORS MADE IN THE PRINTING OF THE LIST OF ELECTORS.

To the Returning Officer of the Electoral District of I, the undersigned Registrar of Electors for the above-mentioned Electoral District, hereby certify that the printed list of electors of polling division No.....of the said electoral district prepared for the pending by-election differs from the official list of electors as finally revised by the Revising Officer thereof, the name of

(Insert full name, occupation and address of elector) having been omitted from the said printed list.



Therefore, pursuant to Rule 30 of Schedule A to Section 16 of *The Dominion By-Elections Franchise Act, 1936*, the printed list of electors for the said polling division is deemed to have been amended to include the name of the elector above-mentioned.

A. B.,

Registrar of Electors.

FORM No. 21 (Sec. 16, Sched. B, Rule 3).

NOTICE OF RURAL ENUMERATION OF ELECTORS.

Public notice is hereby given that the undersigned has been appointed enumerator for the above-mentioned rural polling division and is about to prepare a preliminary list of the electors who are qualified to vote therein at a Dominion by-election, and that he will complete the said preliminary list of electors on the.....

day of, 19.....

(insert the date fixed by the Registrar of Electors for the closing of the preliminary list.)

And that during the hours between one and ten o'clock in the afternoon of Wednesday, Thursday and Friday, the, and, 19... he will attend and remain at

(insert an exact description of the place where the enumerator intends to remain)

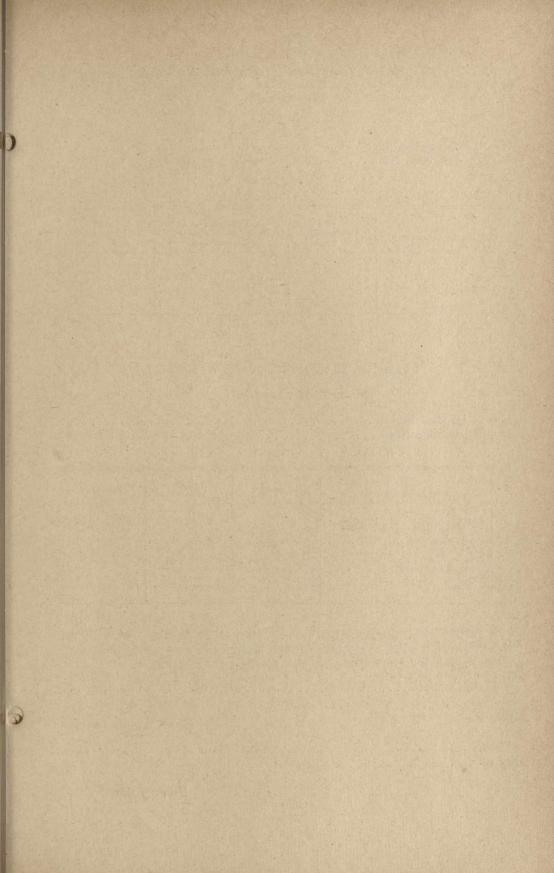
so that he may be found there by any person who desires to direct attention to any error in any entry in the preliminary list or to represent that such list does not contain the name of any one in the above polling division who is qualified to vote at the pending Dominion by-election or does contain the name of any person who is not qualified to vote thereat.

And that in order that the preliminary list of electors shall be available for reference by persons desiring to consult the same, a copy thereof will, forthwith after the completion thereof, be posted at the place above-mentioned and will remain so posted until all proper corrections in the list have been made.

And after ten o'clock in the afternoon of Friday, the last of the three days above-mentioned, the list of electors as finally corrected and settled will be certified by him and will constitute the official list of electors to be used at the pending by-election for the polling division above-mentioned.

A.B.,

Enumerator.



FORM NO. 22. (Sec. 16, Sched. B, Rule 5.)

INDEX BOOK.

Form for first page.

.....

Name (Family name first)	Occupation	Residence (Street and Number where possible)	Remarks
			No. 19 King Start

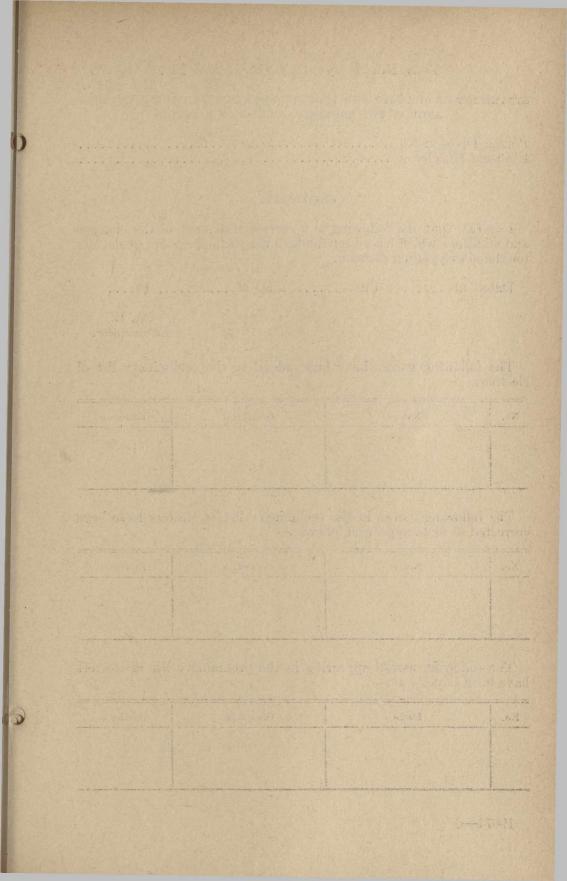
FORM NO. 23 (Sec. 16, Sched. B, Rule 7).

LIST OF ELECTORS.

No.	Name (Family name first)	Occupation	Post Office Address	Remarks
3 Ca 4 Ca 5 Da 6 Da 7 Eg	an, John an, Mrs. John rter, Miss Mary rson, John wes, Henry wes, Mrs. Henry. an, Paul an, Mrs. Paul.	Civil servant Clerk Carpenter Married woman Farmer.	Westboro, Ont Westboro, Ont Westboro, Ont Westboro, Ont Westboro, Ont	

I certify that the attached.....sheets contain a true copy of the preliminary list of electors for the polling division above described as prepared by me for use at the pending by-election.

A. B., Rural Enumerator.



FORM No. 24 (Sec. 16, Sched. B, Rule 13).

STATEMENT OF CHANGES AND ADDITIONS MADE BY THE RURAL ENUMER-ATOR IN THE PRELIMINARY LIST OF ELECTORS.

Polling Division No..... Electoral District of.....

CERTIFICATE.

I certify that the following is a correct statement of the changes and additions which have been made in the preliminary list of electors for the above polling division.

A. B., Enumerator.

The following names have been added to the preliminary list of electors:—

No.	Name		Occupation	Residence
				in a sugar
		Contract .		
ALT ALL ALL				

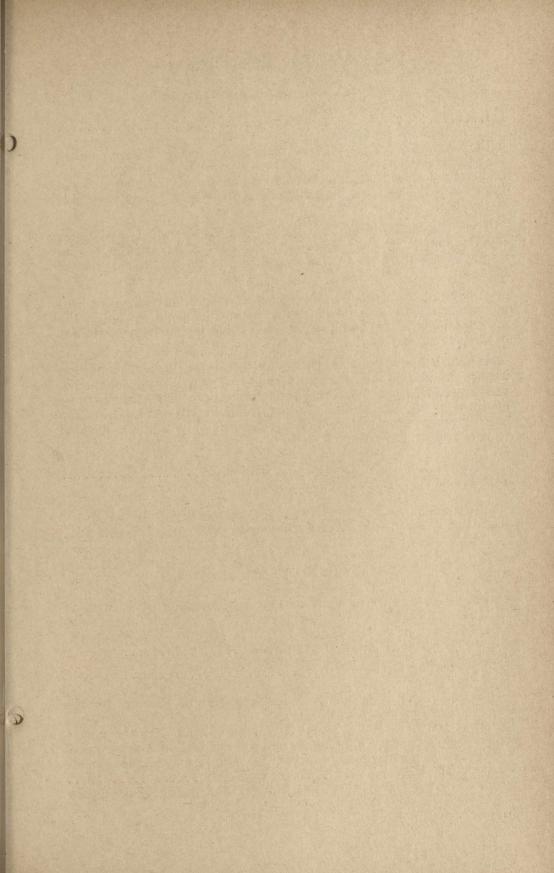
The following names in the preliminary list of electors have been corrected so as to appear as follows:—

No.	Name	Occupation	Residence

The following names appearing in the preliminary list of electors have been struck out:---

No.	Name	Occupation	Residence

19074 - 6



FORM No. 25 (Sec. 16, Schd. B, Rule 13)

CERTIFICATE OF RURAL ENUMERATOR

THAT the entries in the said Index Book against which no dates or initials appear in the "Remarks" columns represent the entries originally made by me in the preparation of the preliminary list of electors.

AND THAT the initialed corrections and additions represent corrections and additions made thereafter and included by me in the statement of changes and additions and the complete copy of the list of electors as corrected.

AND THAT I have prepared the list of electors for this polling division impartially and to the best of my ability: There now appear therein the names of all persons in this polling division whom I believe to be qualified as electors at the pending Dominion By-election, and no names of any persons whom I do not consider to be lawfully qualified to vote appear therein.

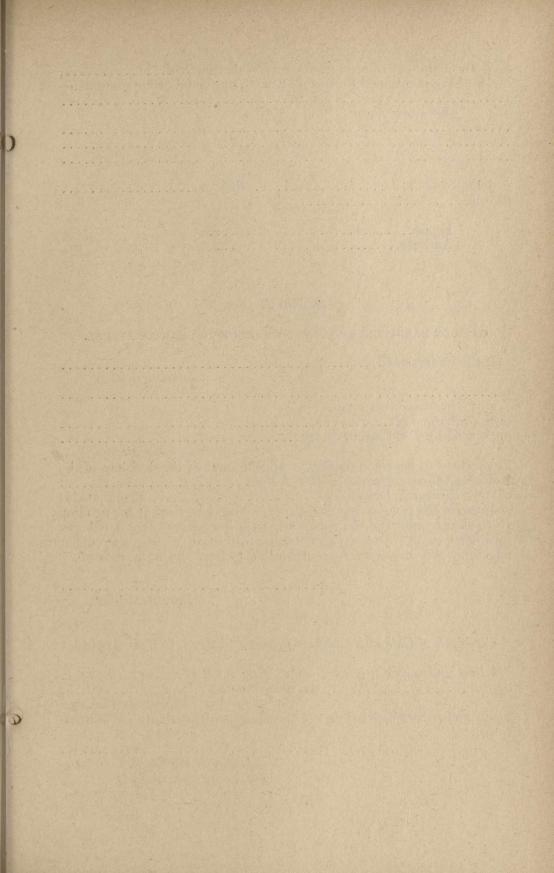
A. B.,

Rural Enumerator for Polling Division No...

FORM NO. 26 (Sec 32)

NOTICE OF APPEAL TO A JUDGE AGAINST THE DECISION OF A REVISING OFFICER

Electoral District of..... Polling Division No.....



revision of the list of electors for revisa of the above-mentioned Electoral Distri	al district No, ict, on the following grounds:—
(State grounds of appeal)	• • • • • • • • • • • • • • • • • • • •
Dated at	\dots this

Name.....Address.....

FORM NO. 27 (Sec. 32)

OATH OF BARRISTER APPOINTED BY JUDGE TO HEAR AN APPEAL.

I, the undersigned
(Insert name of barrister)
of
(Insert name of city or town)
in the province of
appointed by His Honour Judge
(Insert name of Judge)
in his stead to hear and determine appeals against the decisions of the
Revising Officer for revisal District No.
of the Electoral District of, made at his
sittings for the revision of the lists of electors to be used at the pending
Dominion by-election, do solemnly swear (or affirm) that I will act
faithfully in my said capacity without partiality, fear, favour or

Barrister-at-law.

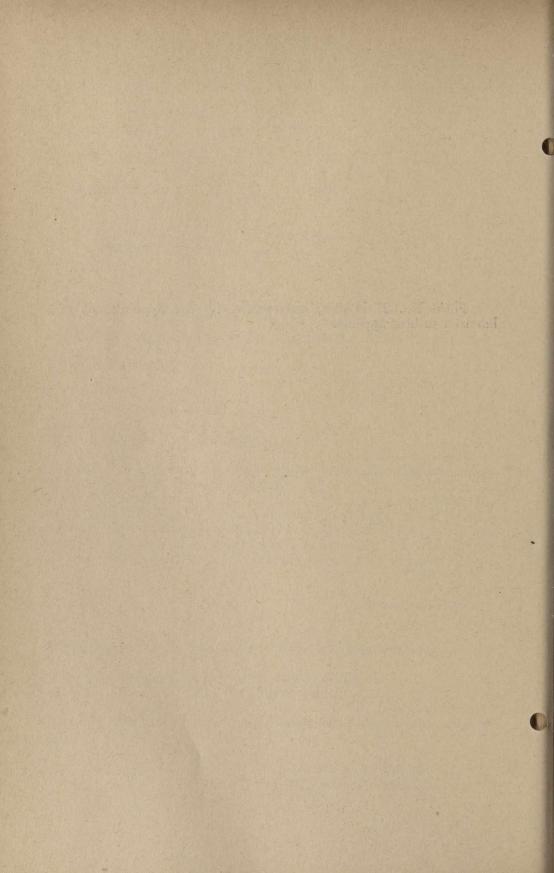
Certificate of Oath of Barrister Appointed by Judge to Hear Appeal.

affection, and in every respect according to law. SO HELP ME GOD.

> Justice of the Peace. (or, as the case may be)

Form No. 27 is new, necessitated by the appointment of a barrister to hear appeals.

D



First Session, Eighteenth Parliament, 1 Edward VIII, 1936

THE HOUSE OF COMMONS OF CANADA.

BILL 82.

An Act to amend the Bank of Canada Act.

First reading, June 2, 1936.

The MINISTER OF FINANCE.

OTTAWA J. O. PATENAUDE, I.S.O. PRINTER TO THE KING'S MOST EXCELLENT MAJESTY 1936

))

1st Session, 18th Parliament, 1 Edward VIII, 1936

THE HOUSE OF COMMONS OF CANADA.

BILL 82.

An Act to amend the Bank of Canada Act.

1934, c. 43.

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

Short title.

1. This Act may be cited as the Bank of Canada Act Amendment Act, 1936.

2. (1) Section two of the Bank of Canada Act, chapter

forty-three of the statutes of 1934, is amended by striking

5

101

Definitions.

"Director".

"Dominion

notes".

out paragraph (c) and substituting the following therefor:— "(c) 'Director' means a member of the Board of Directors other than the Governor or the Deputy Governor or 10 the member acting in virtue of the authority conferred

by subsection two of section five of this Act."

(2) Section two of the said Act is further amended by striking out paragraph (d) and substituting the following therefor:— 15

"(d) 'Dominion notes' means notes payable to bearer on demand, issued and outstanding, which immediately prior to the day on which the Bank of Canada was authorized to commence business constituted a direct liability of the Dominion of Canada." 20

(3) Section two of the said Act is further amended by inserting the following paragraph immediately after paragraph (d) thereof:—

"Governor."

"(e) 'Governor' means the Governor of the Bank of Canada or the person acting for him pursuant to the 25 provisions of this Act."

and by designating the subsequent paragraphs of the said section as (f), (g), (h), (i), (j) and (k).

3. Subsection two of section three of the said Act is repealed and the following subsection is substituted there- 30 for:—

EXPLANATORY NOTES.

2. (1) Paragraph (c) of section 2 at present reads as follows:—

 $``(c)``director''\ means a member of the Board of Directors other than the Governor or the Deputy Governor,''$

The words underlined on the opposite page are added to remove the anomaly now existing by reason of subsection (2) of section 5 under which subsection the Deputy Minister of Finance would be entitled to fees as a director.

(For the text of subsection (2) of section 5, see the explanatory note opposite section 4).

2. (2) Paragraph (d) at present reads as follows:—

(d) "Dominion notes" means notes payable to bearer on demand issued and outstanding, which on the day on which the Bank of Canada is authorized to commence business, constitute a direct liability of the Dominion of Canada;

This amendment is designed to clarify the meaning of the original paragraph and to avoid ambiguity. Dominion notes, on the day the Bank of Canada opened for business, became a liability of the Bank of Canada in accordance with the terms of subsection (4) of section 25 of the original Act.

2. (3) Paragraph (e) on the opposite page is new.

This amendment is designed to make clear that the word "Governor", wherever it appears, unless the context otherwise requires, is meant to include the person acting for him from time to time pursuant to the provisions of the Act.

3. Subsection (2) of section 3 to be repealed at present reads as follows:—

[&]quot;(2) When the capital stock of the Bank has been subscribed as hereinafter provided, the Minister shall give public notice of the fact in the Canada Gazette and on the publication of such notice the shareholders shall become a body coporate."

Body politic and corporate.

Board of Directors.

"(2) The Bank is and shall continue to be a body politic and corporate."

4. Subsection one of section five of the said Act is repealed and the following is substituted therefor:—

"5. (1) The Bank shall be under the management of a 5 Board of Directors composed of a Governor, a Deputy Governor and directors elected or appointed in accordance with the provisions of this Act. There may also be an Assistant Deputy Governor who shall not as such be a member of the Board." 10

5. Subsection two of section six of the said Act is amended by striking out paragraph (d) and substituting the following therefor:—

((d)) is a director, officer or employee of any other bank or financial institution or has an interest as a shareholder in any other bank or financial institution; or' 15

6. Section nine of the said Act is repealed and the following is substituted therefor:—

"9. (1) The following persons shall be directors of the Bank:

(i) directors holding office at the date of the coming 20 into force of this sub-section, who shall continue as directors until the expiration of their several terms of office;

(ii) four directors to be appointed by the holder of the Class "B" shares of the Bank, with the approval 25 of the Governor in Council, to hold office as follows: one until the annual general meeting in 1941; one until the annual general meeting in 1942; one until the annual general meeting in 1943, and one until the annual general meeting in 1944; 30

(iii) one director to be elected by the holders of the Class "A" shares of the Bank at the annual general meeting in 1940, to hold office for a term of two years;

(iv) two directors to be elected by the holders of the Class "A" shares of the Bank at the annual general 35 meeting in 1941, to hold office for terms of two years and three years respectively;

(v) directors, each of whom shall hold office for a term of three years, to be elected by the holders of the Class "A" shares of the Bank, one at the annual 40 general meeting in 1942 and one at each annual general meeting thereafter;

Persons disqualified for appointments.

Directors.

Subsection (2) of this section of the original Act became obsolete after the capital stock of the Bank had been subscribed.

4. Section five (of which subsection one is to be amended) at present reads as follows:----

"5. (1) The Bank shall be under the management of a Board of Directors com-"5. (1) The Bank shall be under the management of a Board of Directors com-posed of a Governor, a Deputy Governor and seven directors. There may also be an Assistant Deputy Governor who shall not as such be a member of the Board. (2) In addition to the Members of the Board as constituted by subsection one of this section, the Deputy Minister of Finance or, in case of his absence or incapacity at any time, such other officer of the Department of Finance as the Minister may nominate for the time being, shall be, by virtue of his office or of such nomination, as the case may be, a member of the Board, but shall not have the right to vote."

Deleting the word "seven" (in italics above) and inserting the words underlined on the opposite page constitute a consequential amendment following upon the change in the number of directors provided for in new section 9 as enacted by section six.

5. The word "other" (underlined on the opposite page) is inserted to conform with the wording of the first line of this paragraph. It was not intended that the Governor, Deputy Governor, or Assistant Deputy Governor should be prohibited from holding stock in the Bank.

6. The effect of this amendment is to give the government a majority of the voting control of the Board of Directors, both immediately and permanently. This is achieved without affecting the terms of the present directors elected by the shareholders.

Section nine to be repealed and reenacted at present reads as follows:-

"9. (1) Notwithstanding anything contained in section ten of this Act, the first, or provisional, directors of the Bank shall be the following members of the Civil Service of Canada, namely, The Deputy Minister of Finance; The Counsellor of the Department of External Affairs; The Comptroller, Government Guarantee Branch; The Comptroller of the Treasury; The Comptroller of Currency; The Director of Estimates and Assistant Secretary to the Treasury Board, and The Solitiocr to the Treasury, who shall remain in office until replaced by directors duly elected in their stead at the first general meeting of bareholders. The solid first on provisional directors shall serve unit and remembers.

(2) At the first general meeting of shareholders aforesaid, directors shall be elected for terms to run as follows: one until the third annual general meeting, two until the fourth annual general meeting, two until the fifth annual general meeting and two until the sixth

(3) Thereafter directors shall be elected by the shareholders at annual general meetings and shall hold office for terms of five years.

(4) In the event of a vacancy amongst the directors the Board shall appoint a qualified person to hold office until the next annual general meeting, when the shareholders shall elect a person to fill the vacancy, for the remainder of the term.
(5) The directors shall on the expiry of their terms of office be eligible for re-

election."

(vi) directors, each of whom shall hold office for a term of four years, to be appointed by the holder of the Class "B" shares of the Bank, with the approval of the Governor in Council, one as of the day of the annual general meeting in 1941, and one as of the day of each 5 annual general meeting thereafter.

Vacancies.

(2) In the event of a vacancy amongst the directors elected by the Class A shareholders, the Board shall appoint a qualified person to hold office until the next annual general meeting, when the shareholders shall elect a person to fill 10 the vacancy for the remainder of the term: Provided, however, that no director in office at the date of the coming into force of this subsection shall be so replaced if there are three or more directors elected bv shareholders in office. 15

Vacancies.

(3) In the event of a vacancy amongst the directors appointed by the holder of the Class "B" shares of the Bank, the holder of the said shares shall, with the approval of the Governor in Council, appoint a qualified person to hold office for the remainder of the term.

(4) In the transaction of the business of the Bank, each Number of votes. director shall have one vote: Provided, however, that prior to the annual general meeting in 1940 each of the directors appointed by the holder of the Class "B" shares of the

Bank shall be entitled to two votes.

Re-election and re-appointment.

Qualifications.

Directors to represent diversified occupations. of office be eligible for re-election or re-appointment."

(5) The directors shall on the expiration of their terms

7. Section ten of the said Act is repealed and the following is substituted therefor:

"10. (1) No person except the registered holder of ten 30 Class "A" shares of the Bank and who has paid all calls thereon shall be elected or shall continue to hold office as an elected director; but this qualification shall not be required in the case of a person appointed to be a director by the holder of the Class "B" shares of the Bank. 35

(2) The directors shall be selected from diversified occupations; but no person shall be eligible for election or appointment who is a director, officer or employee of a chartered bank, and any person elected or appointed as a director who is a shareholder of a chartered bank shall 40 divest himself of ownership of his shares within three months of the date of his election or appointment and shall not thereafter during the term of his office have an interest, either directly or indirectly, as a shareholder in a chartered bank. 45

20

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7. (1) The changes in this subsection are consequential, arising from the provision for Class A and Class B shares as provided by section 10.

(2) The changes in this subsection are consequential upon the fact that some directors are now appointed and some elected.

(3) The only amendment is a consequential one.

(4) There is no change in subsection four.

Section 10 at present reads as follows:—

"10. (1) No person except a shareholder who is the registered owner of ten shares of the capital stock and who has paid all calls thereon shall be elected or shall continue to hold office as a director.

(2) The directors shall be selected from diversified occupations, but no person shall be eligible to be a director who is a director, officer or employee of a chartered bank and any person nominated for election as a director who is a shareholder of a chartered bank shall if elected divest himself of ownership of his shares within three months of the date of his election and shall not thereafter during the period of his office have an interest, either directly or indirectly, as a shareholder in a chartered bank. Removal if permanently incapacitated.

Chairman.

(3) No person shall be elected or appointed, or shall continue to hold office as a director who—

(a) is not a British subject ordinarily resident in Canada; or

(b) is employed in any capacity in the public service of 5 Canada or of any province of Canada, or holds any office or position for which any salary or other remuneration is payable out of public moneys; or

(c) has reached the age of seventy-five years.

(4) If any director, in the opinion of the Board, becomes 10 permanently incapacitated, he may be removed from office by resolution of the Board approved by the Governor in Council."

S. Section twelve of the said Act is repealed and the following is substituted therefor:— 15

"12. The Governor shall be Chairman of the Board of Directors."

Governor's veto.

To be submitted to Governor in Council.

View of director or member of the Executive. **9.** Section fourteen of the said Act is repealed and the following is substituted therefor:—

"14. (1) The Governor, or in the event of his absence 20 or incapacity the Deputy Governor only, shall have power to veto any action or decision of the Board of Directors or of the Executive Committee, and if this veto power be exercised, the Governor or Deputy Governor, as the case may be, shall within seven days inform the Minister in 25 writing of the circumstances and the Minister shall submit the veto to the Governor in Council who may confirm or disallow the veto.

(2) Any director or member of the Executive Committee may inform the Minister in writing of his view of the 30 action or decision in question, which view shall also be transmitted to the Governor in Council."

10. Section seventeen of the said Act is repealed and the following is substituted therefor:—

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"17. (1) The capital of the Bank shall be ten million 35 one hundred thousand dollars consisting of one hundred thousand shares (to be known hereafter as Class "A" shares) issued to the public, and one hundred and two

Capital

(3) No person shall be elected or shall continue to hold office as a director, who—

(a) is not a British subject ordinarily resident in Canada; or

(b) is employed in any capacity in the public service of Canada or of any Province of Canada or holds any office or position for which any salary or other remuneration is payable out of public moneys; or

(c) has reached the age of seventy-five years.

(4) If any director, in the opinion of the Board, becomes permanently incapacitated, he may be removed from office by resolution of the Board approved by the Governor in Council."

S. Section 12 at present reads as follows:-

"12. The members of the Board shall select a chairman of the Board from amongst their number."

It is considered desirable that the Governor should always be Chairman of the Board of Directors in view of the veto power given to him in section 9.

9. Section 14 at present reads as follows:-

"14. No action or decision of the Board of Directors, or of the Executive Committee, shall have any effect unless the same is concurred in by the Governor, or in his absence or incapacity, by the Deputy Governor."

It is considered desirable to retain in the Governor, or in the event of his absence or incapacity, the Deputy Governor only (but not any other person acting for the Governor) the power to veto any action or decision of the Board of Directors or of the Executive Committee, but to require a report in writing to the Minister within seven days after any veto is given by the Governor or Deputy Governor. The Minister is required to submit the veto to the Governor in Council who may confirm or disallow.

(2) This subsection provides that any director or member of the Executive Committee may inform the Minister in writing of his view of the action or decision which has been vetoed by the Governor or Deputy Governor. As the Governor or Deputy Governor is given the power to veto and to give his reasons therefor to the Minister and to the Governor in Council, it is considered desirable to give a right to the dissenting directors or dissenting members of the Executive Committee to explain their views.

10. Section seventeen at present reads as follows:—

"17. (1) The capital of the Bank shall be five million dollars but may be increased from time to time pursuant to a resolution passed by the Board and ratified at a meeting of shareholders and approved by the Parliament of Canada. thousand shares (to be known as Class "B" shares) to be issued to the Minister at par, to be held by him on behalf of the Dominion of Canada and to be paid for out of the Consolidated Revenue Fund.

Shares.

Class "B" shares.

Limited liability.

British subjects only to hold shares.

Registry Offices.

Transfer or disposal of shares held in excess of fifty or by person ineligible. (2) The capital shall be divided into shares of fifty dollars 5 each.

(3) The Class "B" shares issued to the Minister hereunder shall carry with them the same rights and obligations as Class "A" shares of the capital of the Bank, except that the holder thereof shall not be entitled to vote at the 10 election of directors.

(4) The liability of every shareholder shall be limited to the amount for the time being unpaid in respect of shares held by such shareholder.

(5) <u>Class "A</u>" shares may be held only by or for the **15** beneficial ownership of British subjects ordinarily resident in Canada, or corporations organized under the laws of the Dominion of Canada or of any province and controlled by British subjects ordinarily resident in Canada, but, save as hereinafter provided, not more than fifty shares shall be **20** held by or for the benefit of any one person: provided, however, that a trustee may hold shares in trust for other persons in excess of fifty shares so long as the shares held by him in trust for any one such other person do not exceed fifty shares; and provided further that a trustee holding **25** shares in trust under the provisions of this proviso in excess of fifty shares shall not be entitled to vote with respect to any such shares in excess of fifty.

(6) The Bank shall open and maintain one or more share registry offices at places to be designated by the Board." 30

11. Section nineteen of the said Act is repealed and the following is substituted therefor:

"19. If Class "A" shares are held by a person not eligible to hold shares, or if shares in excess of fifty are held by one person, the Governor shall require the share- 35 holder to transfer or dispose of the shares or the shares in excess of fifty, as the case may be. If a shareholder fails to comply with this requirement within three months, the shares in question shall *ipso facto*, on the expiration of three months from the mailing at Ottawa by registered 40 mail of such requirement in the form of a notice in writing by the Minister to such shareholder, be forfeited to the Crown and shall be registered in the name of the Minister without further proceedings or formality, and may be sold by the Minister and the proceeds of any such sales shall 45 be deposited in the Consolidated Revenue Fund." (2) The capital shall be divided into shares of fifty dollars each, representated by share certificates, which shall be offered by the Minister at not less than par for public subscription in Canada and shall be allotted by him to persons eligible to hold shares, in such manner as he may in his discretion determine.

(3) In the event of any of the shares (whether of the original or any subsequent issue) not being subscribed for by the public within a reasonable period the Minister shall subscribe for such shares, and notwithstanding any other provision of this Act, payment for the same shall be made out of the Consolidated Revenue Fund.

(4) The Minister shall from time to time offer shares held by him or shares representing

(4) The Minister shall from time to time offer subscription of shares representing any increase of capital for subscription by the public at not less than par, whenever in the opinion of the Minister it is desirable to do so. (5) The sum of twelve dollars and fifty cents, or such greater amount as the Minister may determine, shall be payable in respect of each share on application, and the balance shall be paid in one or more instalments within such period thereafter, not exceeding twelve

(6) Shares held by the Minister. (6) Shares held by the Minister shall be registered in his name and he shall be entitled to vote in respect of such shares.

(7) The liability of eac's shareholder shall be limited to the amount for the time being unpaid in respect of shares held by such shareholder.

(8) Shares may be held only by or for the beneficial ownership of British subjects originally resident in Canada, or corporations organized under the laws of the Dominion of Canada or of any province and controlled by British subjects ordinarily resident in Canada, but not more than fifty shares shall be held by or for the benefit of any one person other than the Minister.

(9) The Bank shall open and maintain one or more share registry offices at places to be designated by the Board."

The effect of this amendment is to give the Government a majority of stock-holding interest in the Bank. The most convenient way to accomplish this objective is to classify the shares now held by the public as Class A shares, and to issue \$5,100,000 of Class B shares to be purchased by the Minister on behalf of the Dominion of Canada. The Class B shares will carry the same rights and privileges as Class A shares, except that the holder thereof will not be entitled to vote on the election of directors. The holder of Class B shares has the right to appoint four directors.

Other changes in this section are consequential except the amendment at the end of subsection 5 which is intended to make clear that a trustee as such may hold but may not vote more than fifty shares.

11. The only change consists in the inserting the underlined word and letter "Class A" in the first line of section 19.

This amendment is consequential upon the classification as Class A shares of the shares originally held by the public.

12. Section twenty of the said Act is repealed.

Commencement of business.

13. Subsection one of section twenty-one of the said Act is amended by striking out paragraphs (b), (d), (f), (g) and (p) and substituting the following paragraphs therefor:—

Exchange.

Investments.

"(b) effect transfers of funds by telegram, letter or other method of communication, and buy and sell transfers effected by such means, trade acceptances, bankers' acceptances, bankers' drafts and bills of exchange drawn in or on places outside of Canada and having a 10 maturity not exceeding ninety days, excluding days of grace, from the date of acquisition by the Bank; (d) buy and sell securities issued or guaranteed by the

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Dominion of Canada or any province having a maturity exceeding two years from the date of acquisition by the 15 Bank, but the Bank shall at no time hold such securities having a par value in excess of fifty per cent of its outstanding note issue and deposit liabilities, nor shall the Bank at any time hold such securities maturing more than ten years from the date of acquisition 20 of a par value in excess of three times the amount of the paid-up capital and rest fund of the Bank;

(f) buy and sell securities issued by the United Kingdom or the United States of America, having a maturity exceeding six months from the date of acquisition by 25 the Bank, but the Bank shall at no time hold such securities of a par value in excess of twenty-five per cent of the amount of the paid-up capital of the Bank;

Discounts.

(g) buy and sell or rediscount bills of exchange and promissory notes endorsed by a chartered bank drawn 30 or issued in connection with the production or marketing of goods, wares and merchandise as defined in *The* **12.** Section 20 which is no longer required at present reads as follows:—

"20. (1) Whenever the capital stock of the Bank has been subscribed and payment in money made to the amount of twelve dollars and fifty cents per share, or such larger amount as the Minister determines, the Minister, when authorized by the Governor in Council, may issue a certificate authorizing the Bank to commence business on a date to be fixed therein.

(2) The Bank shall not issue notes or otherwise engage in business until the date fixed in such certificate except to do what is necessary or advisable to enable it to commence business of the said date."

13.

"(b)" Paragraph (b) of section 21 at present reads as follows:—

"(b) effect transfers of funds by telegram, letter or other method of communication, and buy and sell transfers effected by such means, trade acceptances, bankers' acceptances, bankers' drafts, and bills of exchange drawn in or on places outside of Canada and having a maturity not exceeding ninety days excluding days of grace, or not exceeding ninety days after sight excluding days of grace, from the date of acquisition by the Bank."

This amendment (striking out the words in italics above) is to clear up an ambiguity in the wording of the original subsection.

"(d)" Paragraph (d) at present reads as follows:—

(d) buy and sell securities issued or guaranteed by the Dominion of Canada or any province, having a maturity exceeding two years from the date of acquisition by the Bank but the Bank shall at no time hold such securities (exclusive of securities transferred to the Bank under paragraph (c) of subsection three of section twenty-five; of a par value in excess of three times the amount of paid-up capital of the bank;

This enlargement of the Bank's power to hold securities with a maturity exceeding two years is necessary, partly because of the deletion of the words "exclusive of securities transferred to the Bank under paragraph (c) of subsection three of section twenty-five," and partly because during the course of the next ten years the chartered banks will lose the right to issue approximately \$100,000,000 of bank notes and the Bank of Canada's note issue will be expanded correspondingly. Other things being equal, the Bank of Canada must acquire an additional \$100,000,000 in assets as an offset. In view of the scarcity of short term securities it would not be practicable to restrict the Bank to the purchase of securities maturing within two years.

"(f)" Paragraph (f) at present reads as follows:—

"(f) buy and sell securities issued by the United Kingdom or the United States of America, having a maturity exceeding six months from the date of acquisition by the Bank, but the Bank shall at no time hold such securities in excess of one-half of the amount of the paid up capital of the bank;"

The words "of a par value" should have been in the original subsection. A reduction from 50% to 25% is made because of the proposed increase in the capital stock of the Bank.

"(g)" Paragraph (g) at present reads as follows:—

"(g) buy and sell or rediscount bills of exchange and promissory notes endorsed by a chartered bank drawn or issued in connection with the production or marketing of goods, wares and merchandise as defined in *The Bank Act*. 1934, c. 24.

Incidental powers

Bank Act, excepting those mentioned in paragraph (h) of this subsection, and having a maturity not exceeding ninety days, excluding days of grace, from the date of acquisition by the Bank;

(p) do any other banking business incidental to or consequential upon the provisions of this Act and not prohibited by this Act."

Dominion Government cheques to be paid or negotiated at par.

Denominations.

Form and material.

Notes printed before to be valid obligation of the Bank. 14. Subsection three of section twenty-three of the said Act is repealed and the following is substituted therefor:— "(3) The Bank shall not make any charge for cashing 10

or negotiating any cheque drawn on the Receiver General or on his account, or for cashing or negotiating any other instrument issued as authority for the payment of money out of the Consolidated Revenue Fund, or upon any cheque drawn in favour of the Government of Canada or any 15 department thereof and tendered for deposit in the Consolidated Revenue Fund."

15. (1) Subsections three and four of section twentyfour of the said Act are repealed and the following are substituted therefor:— 20

"(3) Notes of the Bank shall be in such denominations and shall be printed and signed or otherwise executed as the Governor in Council shall by regulation determine.

"(4) The form and material of the notes shall be subject to approval by the Minister; Provided, however, that each 25 said note shall be printed in both the English and the French languages."

(2) As soon as practicable after the coming into force of this Act, each note of the Bank shall be printed in both the English and the French languages; Provided, however, 30 that any such note printed before the coming into force of this Act and issued thereafter and any such note theretofore issued shall nevertheless be a valid and binding obligation of the Bank. excepting those mentioned in paragraph (h) of this subsection, and having a maturity not exceeding ninety days excluding days of grace, or not exceeding ninety days after sight excluding days of grace, from the date of acquisition by the Bank;

This amendment is merely to clear up an ambiguity, as in subsection (b) above.

"(p)" Paragraph (p) at present reads as follows:—

"(p) do anything ancillary to all or any of the above purposes."

This amendment is made in order to give the Bank authority to conduct business incidental to the fulfillment of its functions as a central bank and as the fiscal agent of the government. The intention of the previous clause was the same, but it is believed that the new wording is an improvement.

14. The only change is the addition of the words "or negotiating" underlined on the opposite page.

The amendment to subsection 3 of section 23 of the original act is being made in order to make it clear that the Bank shall not charge for "negotiating" a cheque as well as not charge for "cashing" a cheque. If the cheque is drawn on the Bank itself the transaction involves "cashing"; if it is drawn on another bank the transaction involved is defined as "negotiating".

15. Subsections (3) and (4) of section 24 at present read as follows:-

(3) Notes of the Bank shall be in such denominations as the Governor in Counci from time to time determines and shall be signed by two persons nominated by the Board-Facimiles printed from engravings may be substituted for signatures in the proper hand-writing of one or both persons nominated to sign, but if both of the signatures are printed then a distinguishing device and serial number shall be printed on each note after the notes have been delivered by the printer and engraver to the Bank and while in the custody of the officers of the Bank.
(4) The form and material of the notes shall be subject to approval by the Minister: Provided that notes in either the English or the French language shall be available.

Minister: Provided that notes in either the English or the French language shall be available as required.

The change in subsection (3) of section 24 of the original Act is being made in order to provide greater flexibility. As experience is gained it may be found desirable, in order to avoid counterfeiting, etc., to change the method provided in the original Act for signing and executing the notes. It would be unfortunate, if a change were found necessary or desirable as a result of experience, that the change could not be made without amending the Act. itself. The present amendment would require the approval of the Governor in Council to any changes made.

The change in subsection (4) is to provide for bilingual notes.

Section (2) of section 15 is intended to give time to the Bank to provide the new bilingual notes and to assure that the old notes already outstanding will continue to be valid obligations of the Bank.

Gold and securities to be turned

16. Subsections three, five and six of section twentyfive of the said Act are repealed; Provided, however, that over to Bank. the authority to pay the principal of and interest on securities issued to the Bank under the aforesaid subsections three Repayment under Finance and six shall continue.

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Act. Power to

issue securities.

Reserve defined.

"Foreign exchange".

17. Paragraph (b) of subsection two of section twentysix of the said Act is repealed and the following is substituted therefor:-

"(b) foreign exchange which shall mean:—

(i) balances in pounds sterling, United States of 10 America dollars and currencies which by law and in fact are convertible on demand at a fixed price into exportable gold, held in the Bank of England, the Federal Reserve Bank of New York, the Bank for International Settlements or a central bank in any 15 country the currency of which is convertible as hereinbefore described:

(ii) treasury bills or other obligations of the United Kingdom or the United States of America having a maturity not exceeding three months from the date of 20 acquisition by the Bank;

(iii) bills of exchange having a maturity not exceeding ninety days, excluding days of grace, from the date of acquisition by the Bank, payable in pounds sterling, United States of America dollars or in a currency 25 which by law and in fact is convertible on demand at a fixed price into exportable gold.

less any liabilities of the Bank payable in the currency of the United Kingdom, the United States of America, or any country whose currency is by law and in fact convertible 30 on demand at a fixed price into exportable gold."

16. The subsections to be repealed at present read as follows:-

"(3) On the day on which the Bank is authorized to commence business the Minister shall transfer to the Bank (a) gold held by the Minister for redemption of Dominion notes;

- (b) silver held by the Minister for redemption of Dominion notes valued at the market price of the fine silver content thereof; (c) securities of the Dominion of Canada bearing interest at three per centum
- per annum, payable half-yearly and having a maturity not exceeding five years, valued at par;

to the amount of Dominion notes outstanding on that day, except notes issued under the authority of the Finance Act.

(5) On the day on which the Bank is authorized to commence business, the chartered banks shall repay all advances then outstanding under the Finance Act. (6) The Minister, for the purposes of paragraph (c) of subsection three of this section, is authorized to issue securities under the provisions of The Consolidated Revenue and Audit Act, 1931, and payment of the principal of and interest on such securities shall be made out of the Consolidated Revenue Fund."

Subsections 3, 5 and 6 of section 25 of the original Act are repealed because no longer required. However, the proviso clause is added to make certain that there is authority to pay the principal of and interest on the securities issued and transferred to the Bank under the aforesaid subsections 3 and 6.

17. Paragraph (b) at present reads as follows:—

- "(b) foreign exchange, which shall mean
 (i) balances with the Bank of England, the Bank for International Settlements, the Federal Reserve Bank of New York, and a central bank in any country whose currency by law and in fact is convertible on demand at a fixed minimum settle work.
 - (ii) Treasury bills or other obligations of the United Kingdom or the United States of America having a maturity not exceeding three months from the date of acquisition by the Bank;
 (iii) Bills of each a basis or consistent according in the date of acquisition of the Bank;
 - (iii) Bills of exchange having a maturity not exceeding ninety days excluding days of grace, or not exceeding ninety days after sight excluding days of grace from the date of acquisition by the Bank payable in London or New York or in a country whose currency by law and in fact is convertible on demand at a fixed price into exportable gold,

less any liabilities of the Bank payable in the currency of the United Kingdom, the United States of America, or any country, whose currency is by law and in fact convertible on demand at a fixed price into exportable gold."

The amendments made to paragraph (b) of subsection (2) of section 26 of the original Act are to make clear the intention of the original paragraph. Under the old wording the "balances" held in the central banks mentioned might be balances in any currency. The new wording restricts the balances held as reserves to balances held in the form of pounds sterling, United States of America dollars and currencies which by law or in fact are convertible on demand into exportable gold. The same change is made in regard to bills of exchange.

Inspection.

18. Subsection five of section twenty-seven of the said Act is repealed and the following is substituted therefor:-"(5) For the purpose of this section the Inspector General of Banks shall annually make such inspection of the books. accounts and documents of every chartered bank as he may 5 deem necessary or expedient for the purpose of satisfying himself that the return required by subsection two of this section is correct, and shall certify to the Bank whether in his opinion the said return is correct, and every chartered bank shall give the Inspector General access to the books, 10 accounts and documents of the bank for such purpose; and if the Inspector General is obstructed or delayed in making the inspection, the chartered bank shall be guilty of an offence and liable on summary conviction to a fine of one hundred dollars for each and every day during which the 15 obstruction or delay continues."

Profits of the Bank.

Application of profits.

Appoint-

ment of auditors. therefor:— "(a) If the rest fund of the Bank is less than <u>one-half</u> 20 the paid-up capital, one-third of such surplus shall be allocated to the rest fund and the residue shall be paid to the Receiver General and placed to the credit of the Consolidated Revenue Fund;

19. Paragraphs (a), (b) and (c) of section thirty-one

of the said Act are repealed the the following are substituted

(b) If the rest fund is less than the paid-up capital but 25 is not less than one-half the paid-up capital, one-tenth of such surplus shall be allocated to the rest fund and the residue shall be paid to the Receiver General and placed to the credit of the Consolidated Revenue Fund;

(c) If the rest fund is not less than the paid-up capital, the whole of such surplus shall be paid to the Receiver General and placed to the credit of the Consolidated Revenue Fund."

20. Section thirty-two of the said Act is repealed and 35 the following is substituted therefor:—

"32. (1) For the purpose of auditing the affairs of the Bank, the <u>Governor in Council</u> shall, <u>on the recommend-</u> ation of the <u>Minister</u>, not later than January thirty-first <u>each year</u>, appoint two auditors, eligible to be appointed 40 as auditors of a chartered bank, but no person shall be eligible for appointment if he or any member of his firm has been auditor for two successive years during the three next preceding years.

(2) If any vacancy occurs in the office of auditor of the 45 Bank, notice thereof shall forthwith be given by the Bank

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Vacancies.

18. Subsection (5) at present reads as follows:-

"(5) For the purpose of this section the Bank may authorize the Inspector General of Banks or one of its own officers to make an inspection of the books, accounts and of Banks or one of its own officers to make an inspection of the books, accounts and documents of any chartered bank, and the chartered bank shall give the Inspector General or such officer access to the books, accounts and documents of the bank for such purposes, and if the Inspector General or officer is obstructed or delayed in making an inspection the chartered bank shall be guilty of an offence and liable on summary conviction to a fine of one hundred dollars for each and every day during which the obstruction or delay continues."

The amendment to subsection 5 of section 27 of the original Act is designed to make the inspection of the reserves maintained by the chartered banks a duty of the Inspector General of Banks.

19. Section thirty-one at present reads as follows:---

"31. The Bank shall establish a rest fund and after making such provision as the Board thinks proper for bad and doubtful debts, depreciation in assets, pension finds and all such matters as are properly provided for by banks and after deducting an amount equal to four and one-half per centum of the paid-up capital which may be utilized for the payment of cumulative dividends at a rate of four and one-half per centum per annum, payable half-yearly, the ascertained surplus available from the operations of the Bank during each financial year shall be applied by the Board as follows:

- (a) If the rest fund of the Bank is less than the paid-up capital, one-third of such surplus shall be allocated to the rest fund and the residue shall be paid to the Receiver General and placed to the credit of the Consolidated Revenue Fund:
- (b) If the rest fund is not less than the paid-up capital but is less than twice the paid up capital, one-tenth of such surplus shall be allocated to the rest fund and the residue shall be paid to the Receiver General and placed to the credit of the Consolidated Revenue Fund;
- (c) If the rest fund is not less than twice the paid-up capital, the whole of such surplus shall be paid to the Receiver General and placed to the credit of the Consolidated Revenue Fund."

The amendments to paragraphs (a), (b) and (c) of section 31 are consequential only, resulting from the increase in the capital stock of the Bank

20. Section thirty-two at present reads as follows:-

32. (1) For the purpose of auditing the affairs of the Bank, the Minister shall appoint two auditors, eligible to be appointed as auditors of a chartered bank, who shall continue to act as auditors until the first annual general meeting.
(2) The shareholders at each annual general meeting shall appoint two auditors, eligible to be appointed as auditors of a chartered bank, but no person shall be eligible

for appointment if he or any member of his firm has been auditor for two successive years during the three next preceding years.

(3) If any vacancy occurs in the office of auditor of the Bank, notice thereof shall forthwith be given by the Bank to the Minister, who thereupon shall appoint some other auditor eligible to be appointed as an auditor of a chartered bank to (4) No director or officer of the Bank and no member of a firm of auditors of (4) No director or officer of the Bank and no member of a firm of auditors of

which a director is a member shall be eligible for appointment as an auditor.

(5) The Minister may from time to time require the auditors to report to him upon the adequacy of the procedure adopted by the Bank for the protection of its creditors or shareholders and as to the sufficiency of their own procedure in auditing the affairs of the Bank; and the Minister may, at his discretion, enlarge or extend the scope of the audit, or direct that any other procedure be established or that any other examination be made by the auditors or by the Inspector-General of Banks as the public interest may seem to require.

to the Minister who thereupon shall appoint some other auditor eligible to be appointed as an auditor of a chartered bank to serve until January thirty-first next following.

(3) No director or officer of the Bank and no member of a firm of auditors of which a director is a member shall 5 be eligible for appointment as an auditor.

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

(5) A copy of every report made by the auditors to the Bank under this section shall be transmitted to the Minister by the auditors at the same time as such report is transmitted to the Bank."

21. Subsection five of section thirty-three of the said 20 Act is repealed and the following is substituted therefor:— "(5) Every return required under the next preceding subsection shall be accompanied by declarations which shall be a part of the return, and the declarations shall be in the form set forth in Schedule C to this Act, and 25 shall be signed by the Chief Accountant or by the Acting Chief Accountant, and by the Governor or the Deputy Governor or the Assistant Deputy Governor."

Yearly statement of accounts. **22.** Subsection two of section thirty-four of the said Act is repealed and the following is substituted therefor:— 30

"(2) Within six weeks after the end of each fiscal year, 50 the Bank shall transmit to the Minister a statement of its accounts for the fiscal year, signed by the Governor or the Deputy Governor or the Assistant Deputy Governor and the Chief Accountant or Acting Chief Accountant of the Bank, and certified by the auditors in the form prescribed by the by-laws of the Bank."

Persons who may not act.

Reports to Minister.

Copies of reports to be sent to Minister.

Declarations.

Schedule C.

(6) A copy of every report made by the auditors to the Bank under this section shall be transmitted to the Minister by the auditors at the same time as such report is transmitted to the Bank.

The amendments to section 32 are designed to give the Governor in Council the right to appoint the auditors of the Bank instead of having such auditors elected by the shareholders.

21. Subsection five of section thirty-three at present reads as follows:—

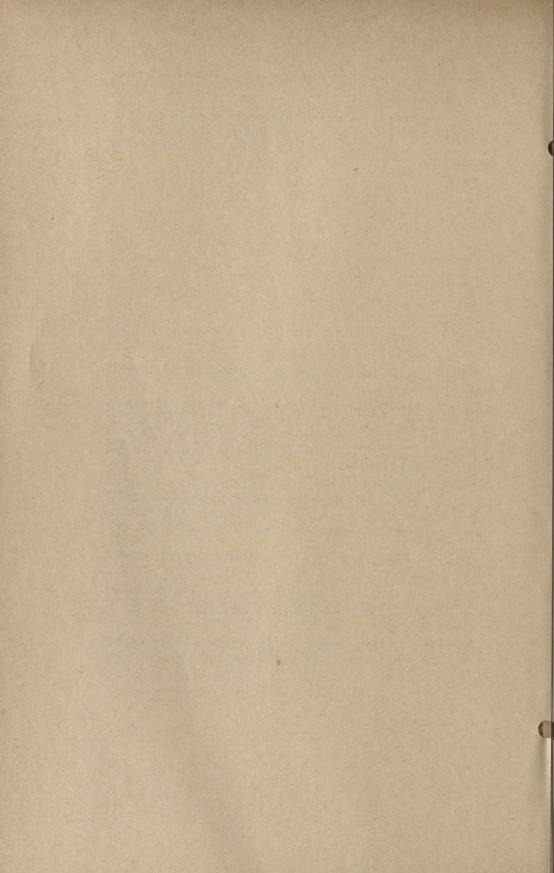
"(5) Every return required under the last preceding subsection shall be accompanied by declarations which shall be a part of the return, and the declarations shall be in the form set forth in Schedule C to this Act, and shall be signed by the Chief Accountant or by the Acting Chief Accountant and by the Governor or the person then acting as Governor, and by the Deputy Governor or the Assistant Deputy Governor or other principal officer next in authority to the Assistant Deputy Governor at the time at which the declaration is signed."

The amendment to subsection 5 of section 33 is designed to require two rather than three signatures to the weekly and monthly returns made by the Bank. The original requirement of three signatures was unnecessarily onerous.

22. Subsection two of section thirty-four at present reads as follows:—

"(2) Within six weeks after the end of each fiscal year, the Bank shall transmit to the Minister a statement of its accounts for the fiscal year, signed by the Governor, the Deputy Governor and the Chief Accountant of the Bank and certified by the Auditors, in the form prescribed by the by-laws of the Bank."

This provides for a similar change in regard to the signing of the annual statement of the Bank, and for the same reason.



First Session, Eighteenth Parliament, 1 Edward VIII, 1936

THE HOUSE OF COMMONS OF CANADA.

BILL 83.

An Act to amend the Judges Act.

First reading, June 3, 1936.

The MINISTER OF JUSTICE.

OTTAWA J. O. PATENAUDE, I.S.O. PRINTER TO THE KING'S MOST EXCELLENT MAJESTY 1936

1st Session, 18th Parliament, 1 Edward VIII, 1936

THE HOUSE OF COMMONS OF CANADA.

BILL 83.

An Act to amend the Judges Act.

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

1. Section eight of the *Judges Act*, chapter one hundred and five of the Revised Statutes of Canada, 1927, is repealed 5 and the following substituted therefor:—

"S. (1) The salaries of the judges of the Supreme Court of Ontario shall be as follows:

						TC	annum.	
(a)	The	Chief	Justice	of	Ontario	 .\$	10,000.00	
					Appeal		10,000.00	

- (c) Six Justices of Appeal, each...........9,000.00
- (d) The Chief Justice of the High Court. 10,000.00 (e) Twelve Judges of the High Court, each 9,000.00

Chief Justice in Appeal. (e) Twelve Judges of the High Court, each 9,000.00 (2) Upon a vacancy occurring in the office of Chief Justice in Appeal, the salary of such Chief Justice shall cease and 15 the number of salaries for the Judges of the Court of Appeal shall be increased to seven and after the said office has become vacant the salaries of the Judges of the Court of Appeal shall be as follows:

Per annum.

10

(a) The Chief Justice of Ontario......\$10,000.00 20 (b) Seven Justices of Appeal, each......9,000.00"

R.S., c. 105; 1930, c. 27; 1931, c. 37; 1932, cc. 16, 48.

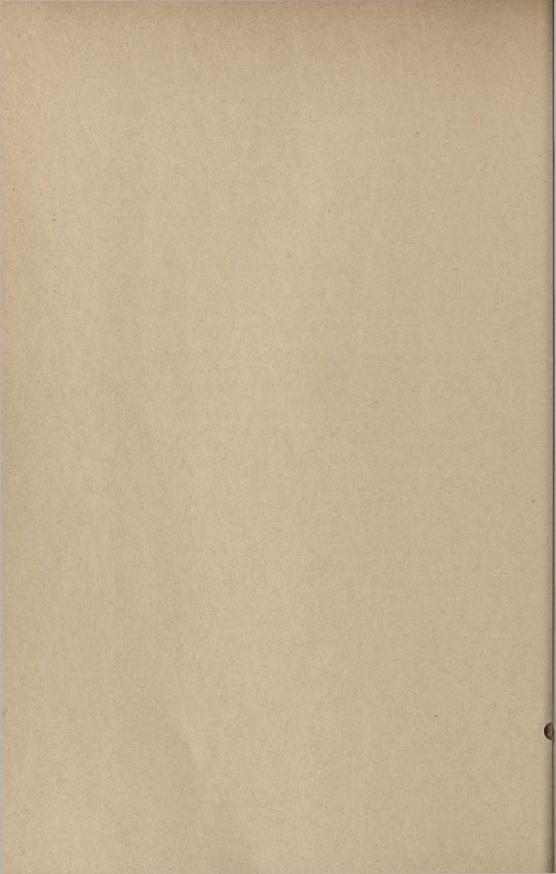
Salaries of judges of Supreme Court of Ontario.

EXPLANATORY NOTE.

This amendment to the Judges Act is made necessary by reason of the amendments to the Ontario Judicature Act, passed at the sessions of 1931 and 1936 of the Ontario Legislature, which provide that the Court of Appeal for Ontario shall consist of a Chief Justice, who shall be the President thereof and shall be called the Chief Justice of Ontario; a Chief Justice who shall be called the Chief Justice in Appeal, and six other Judges to be called Justices of Appeal.

It is further provided that when a vacancy occurs in the office of Chief Justice in Appeal, the office shall be abolished and that thereafter the Court shall consist of a Chief Justice, who shall be called the Chief Justice of Ontario, and seven other Justices of Appeal.

The said amendment to the Judicature Act further provides that the High Court of Justice for Ontario shall consist of a Chief Justice of the High Court and twelve other Judges. This is an increase in the membership of the said Court of two Judges.



First Session, Eighteenth Parliament, 1 Edward VIII, 1936

84.

THE HOUSE OF COMMONS OF CANADA.

BILL 84.

An Act respecting the Canadian National Railways and to authorize the provision of moneys to meet certain expenditures made and indebtedness incurred during the calendar year 1936.

First reading, June 3, 1936.

THE MINISTER OF FINANCE.

OTTAWA J. O. PATENAUDE, I.S.O. PRINTER TO THE KING'S MOST EXCELLENT MAJESTY 1936

1st Session, 18th Parliament, 1 Edward VIII, 1936

THE HOUSE OF COMMONS OF CANADA.

BILL 84.

An Act respecting the Canadian National Railways and to authorize the provision of moneys to meet certain expenditures made and indebtedness incurred during the calendar year 1936.

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

1935, c. 17. Short title.

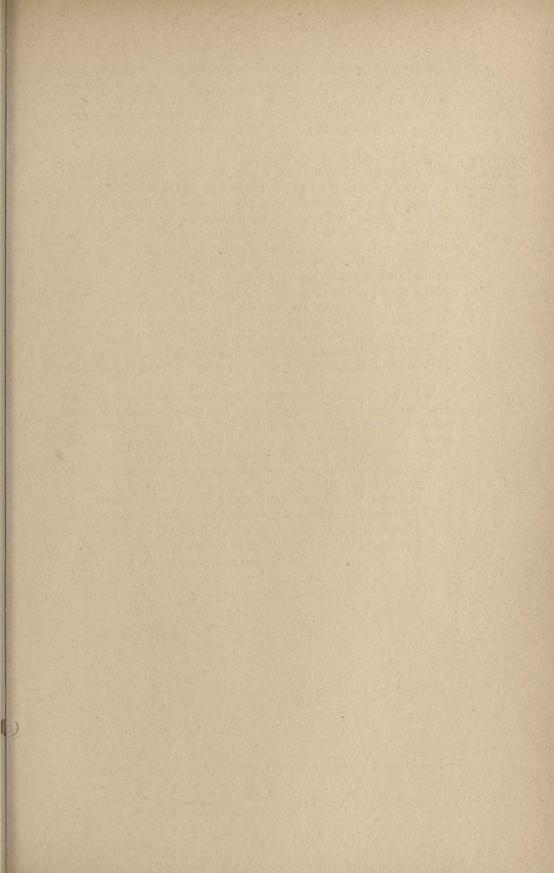
1931, c. 22; 1932, c. 25; 1932-33, c. 34; 1934, c. 28;

Power to issue notes for refunding and capital expenditures. **1.** This Act may be cited as Canadian National Railways Loan Act, 1936.

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2. Subject to the provisions of this Act and the approval of the Governor in Council, the Canadian National Railway Company (hereinafter called "the National Company") may issue notes (hereinafter called "notes"), payable on such terms and at such rates of interest as the Governor in 10 Council may approve, to provide the amounts necessary to meet expenditures made or indebtedness incurred during the calendar year 1936 by or on behalf of the National Company or any Company comprised in the Canadian National Railways (as defined in chapter ten of the statutes of Canada, 15 1929), or any company controlled by stock ownership or otherwise by any company comprised in the Canadian National Railways, or by the National Company in respect of any of the Canadian Government Railways entrusted to the National Company, or any one or more of such com- 20 panies, on any or all of the following accounts, such expenditures or indebtedness being hereinafter called "authorized expenditures",-

(a) Equipment principal payments, sinking funds, miscellaneous maturing or matured notes and other obliga- 25 tions secured or unsecured, not exceeding \$7,459,000;
(b) Construction and betterments, including co-ordinations; acquisition of real or personal property, and working capital, not exceeding \$2,500,000.



Provided, however, that for such purposes the aggregate principal amount at any one time outstanding of the notes. which the National Company is hereby authorized to issue from time to time shall not exceed the sum of \$9,959,000. being the total of the items hereinbefore set out.

5

Minister of Finance may make loans expenditures.

3. The Minister of Finance, with the approval of the Governor in Council, may make loans to the National for refunding Company out of the Consolidated Revenue Fund of Canada, for the purpose of meeting authorized expenditures, repayable on such terms and at such rates of interest as the 10 Governor in Council may determine and secured by notes which the National Company is authorized to issue from time to time under the provisions of section two of this Act, upon applications, approved by the Minister of Railways and Canals, made from time to time by the National Com- 15 pany to the Minister of Finance, for such loans: Provided. however, that the aggregate principal amount at any one time outstanding of the loans which the Minister of Finance is hereby authorized to make from time to time to the National Company shall not exceed the sum of \$9,959,000. 20

Power to aid other companies.

4. The National Company may aid and assist, in any manner, any other or others of the said companies and, without limiting the generality of the foregoing, may for its own requirements and also for the requirements of any other or others of the said companies from time to time:- 25 (a) Apply the proceeds of any issue of notes in meeting authorized expenditures on its own account or on account of any other or others of the said companies: (b) Make advances for the purpose of meeting authorized expenditures to any other or others of the said com- 30 panies, upon or without any security, at discretion.

First Session, Eighteenth Parliament, 1 Edward VIII, 1936

THE HOUSE OF COMMONS OF CANADA.

BILL 89.

An Act to amend The Juvenile Delinquents Act, 1929

First reading, June 8, 1936.

THE MINISTER OF JUSTICE.

OTTAWA J. O. PATENAUDE, I.S.O. PRINTER TO THE KING'S MOST EXCELLENT MAJESTY 1936

1st Session, 18th Parliament, 1 Edward VIII, 1936

THE HOUSE OF COMMONS OF CANADA.

BILL 89.

An Act to amend The Juvenile Delinquents Act, 1929.

1929, c. 46; 1932, c. 17; 1935, c. 41. HIS Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

1. Subsection one of section five of *The Juvenile Delinquents Act, 1929*, chapter forty-six of the statutes of 1929, as enacted by section one of chapter forty-one of the statutes 5 of 1935, is repealed and the following substituted therefor:—

"5. (1) Except as hereinafter provided, prosecutions and trials under this Act shall be summary and shall, mutatis mutandis, be governed by the provisions of the Criminal Code relating to summary convictions in so far as such 10 provisions are applicable, whether or not the act constituting the offence charged would be in the case of an adult triable summarily: Provided that sections seven hundred and forty-nine to seven hundred and sixty-nine, both inclusive, of the Criminal Code, shall not apply to any proceeding in a 15 juvenile court and that section one thousand one hundred and forty-two shall not apply to any such proceeding other than a proceeding against an adult, except when an adult is dealt with under the provisions of section four of this

Act: Provided, further, that the provisions of section one 20 thousand one hundred and forty of the *Criminal Code* shall, *mutatis mutandis*, apply to all proceedings in the Juvenile Court."

2. Section thirty-three of the said Act as amended by section three of chapter forty-one of the statutes of 1935, is 25 repealed and the following substituted therefor:—

"**33.** (1) Any person, whether the parent or guardian of the child or not, who, knowingly or wilfully,

(a) aids, causes, abets or connives at the commission by a child of a delinquency; or

Summary trials.

R.S. c. 36.

Proviso.

Proviso.

Adults liable who contribute to delinquency.

EXPLANATORY NOTES.

1. The object of the amendment to the first proviso of subsection one of section five is to provide for the prosecution of a person who has, after committing an offence, passed the age of eighteen and whose offence was not discovered until more than six months after that time.

The object of the amendment to the second proviso of the said subsection is merely to eliminate unnecessary wording which is covered by subsection five of section thirtythree as set out in clause two of this Bill

The present subsection reads as follows:—

"5. (1) Except as hereinafter provided, prosecutions and trials under this Act shall be summary and shall, *mutatis* mutandis, be governed by the provisions of the Criminal Code relating to summary convictions in so far as such provisions are applicable, whether or not the act constituting the offence charged would be in the case of an adult triable summarily: Provided that sections seven hundred and forty-nine to seven hundred and sixty-nine, both inclusive, of the *Criminal Code*, shall not apply to any proceeding in a juvenile court and that section one thousand one hundred and forty-two shall not apply to any such proceeding other than a proceeding against an adult: Provided, further, that save as provided in section thirty-three hereof, section one thousand one hundred and forty of the Criminal Code shall. mutatis mutandis, apply to all proceedings in the Juvenile Court."

2. The object of this amendment is to correct a clerical error in the enactment of last year which repealed the whole section thirty-three instead of only subsection four thereof and also to add as subsection five the provision with respect to limiting the commencement of prosecutions to one year from the time the offence is alleged to have been committed. Penalty.

Liability of parents and guardians.

Penalty.

Adjournment.

Conditions may be imposed.

No defence if child does not become delinquent.

Limitation.

(b) does any act producing, promoting, or contributing to a child's being or becoming a juvenile delinquent or likely to make any child a juvenile delinquent; shall be liable on summary conviction before a Juvenile Court or a magistrate to a fine not exceeding five hundred 5 dollars or to imprisonment for a period not exceeding two years or to both fine and imprisonment.

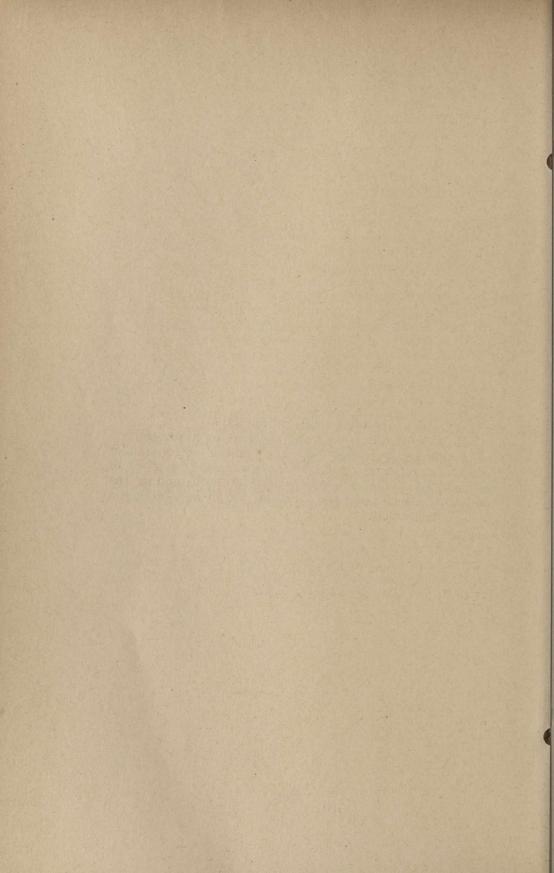
(2) Any person who, being the parent or guardian of the child and being able to do so, knowingly neglects to do that which would directly tend to prevent said child being 10 or becoming a juvenile delinquent or to remove the conditions which render or are likely to render said child a juvenile delinquent shall be liable on summary conviction before a Juvenile Court or a magistrate to a fine not exceeding five hundred dollars or to imprisonment for a period not 15 exceeding two years or to both fine and imprisonment.

(3) The Court or magistrate may postpone or adjourn the hearing of a charge under this section for such periods as the Court may deem advisable or may postpone or adjourn the hearing *sine die* and may impose conditions 20 upon any person found guilty under this section and suspend sentence subject to such conditions, and on proof at any time that such conditions have been violated may pass sentence on such person.

(4) It shall not be a valid defence to a prosecution under 25 this section either that the child is of too tender years to understand or appreciate the nature or effect of the conduct of the accused, or that notwithstanding the conduct of the accused the child did not in fact become a juvenile delinquent. 30

(5) Notwithstanding anything to the contrary in section one thousand one hundred and forty-two of the *Criminal Code* or in section five of this Act contained, any prosecution for an offence under this section may be commenced within one year from the time when the offence is alleged to have 35 been committed."

The present subsection reads as follows:— "(4) It shall not be a valid defence to a prosecution under this section either that the child is of too tender years to understand or appreciate the nature or effect of the conduct of the accused, or that notwithstanding the conduct of the accused the child did not in fact become a juvenile delinquent."



First Session, Eighteenth Parliament, 1 Edward VIII, 1936

THE HOUSE OF COMMONS OF CANADA.

BILL 90.

An Act respecting the Construction of a Canadian National Railway Line from Senneterre to Rouyn, in the Province of Quebec.

First reading, June 9, 1936.

THE MINISTER OF RAILWAYS AND CANALS.

OTTAWA J. O. PATENAUDE, I.S.O. PRINTER TO THE KING'S MOST EXCELLENT MAJESTY 1936

1st Session, 18th Parliament, 1 Edward VIII, 1936

THE HOUSE OF COMMONS OF CANADA.

BILL 90.

An Act respecting the Construction of a Canadian National Railway Line from Senneterre to Rouyn, in the Province of Quebec.

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

1. The Governor in Council may provide for the construction and completion prior to the thirty-first day of 5 December, one thousand nine hundred and thirty-nine, by the Canadian National Railway Company (hereinafter called "the Company") of a line of railway (hereinafter called "the said line of railway") mentioned or referred to in the schedule to this Act. 10

2. Subject to the provisions of this Act, the Company may issue notes, obligations, bonds and other securities (hereinafter called "securities") in respect of the construction of the said line of railway, and the Governor in Council may authorize the guarantee of the principal and 15 interest of such securities.

3. The certificate of the Minister of Railways and Canals as to the mileage of the said line of railway shall for the purposes of this Act be conclusive, but the Minister may issue interim certificates from time to time based upon 20 estimated mileage, a final certificate being ultimately issued by the Minister to accord with the miles and fractions of miles actually constructed.

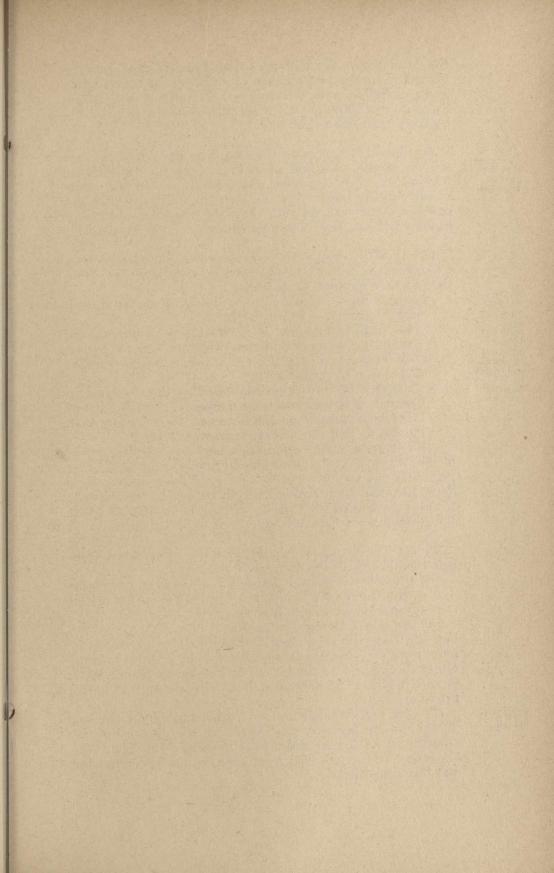
4. While the mileage of the said line of railway and the amount to be expended on the construction thereof and the 25 average amount to be expended per mile as mentioned or referred to in the schedule to this Act show merely the estimated distance, expenditure and average expenditure per mile prepared for the information of Parliament, neither

Power to construct and complete line described in schedule.

Issue of securities and guarantee thereof.

Certificates of Minister as to mileage.

Mileage and costs are estimates only.



the Minister in the issuance of such certificates, nor the Company in the performance of the work of construction and completion or in the issue of its securities shall, unless by consent of Parliament, exceed such estimates respectively by more than fifteen per cent.

Approval of Parliament if authorized amount exceeded.

Nature and form of securities

to be

approved by the

Governor

in Council and signed

by the

Minister of Finance. 5. Should it appear to the Company upon making final survey of the said line of railway that the expenditure involved in the completion thereof will exceed the limits of expenditure specified in this Act, the Company shall not commence nor proceed with the work upon the said line of 10 railway without first obtaining the approval of Parliament.

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6. (1) With respect to such securities, the Governor in Council may, subject to the provisions of this Act, from time to time approve or decide,—

(a) the kind of securities to be issued and guaranteed, 15 and the form and terms thereof;

(b) the form and manner of the guarantee or guarantees;

(c) the times, manner and amount of the issue or issues;

(d) the terms and conditions of any sale, pledge or other disposition of the securities;

(e) the securing, if deemed desirable by the Governor in Council, of the securities by mortgage, deed of trust or other instrument, and the form and terms of any such indenture, and the trustee or trustees thereof.

(2) The guarantee or guarantees may be signed on behalf 25 of His Majesty by the Minister of Finance or by such other person as the Governor in Council may from time to time designate, and such signature shall be conclusive evidence for all purposes of the validity of such guarantee and that the provisions of this Act have been complied with. 30

Tenders.

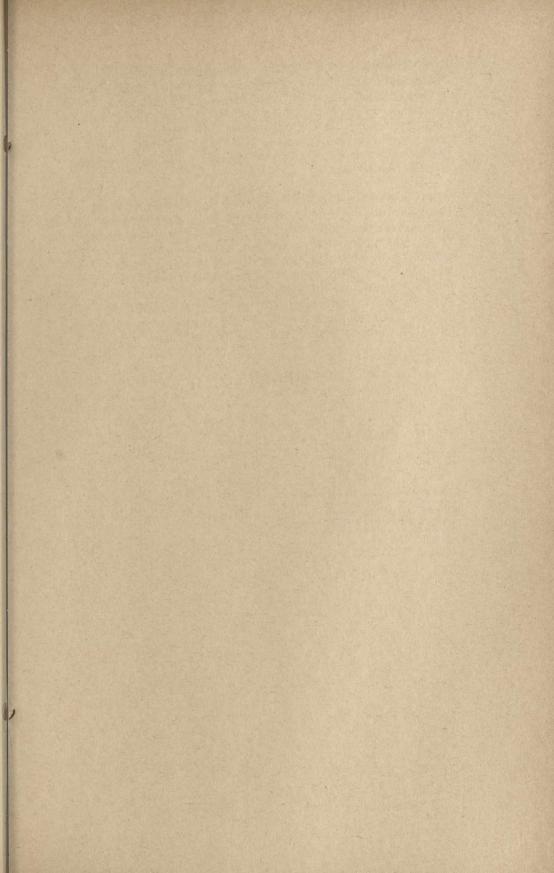
Temporary financing. 7. (1) The Company shall adopt the principle of competitive bids or tenders in respect of,—

(a) the construction of the said line of railway in so far as the Company decides not to perform such work or any part thereof with its own forces;
 35

(b) the sale of the new securities;

but the Company shall not, subject to the provisions of paragraph (d) of section six of this Act, be bound to accept either the highest or the lowest or any bid or tender made or obtained nor be precluded from negotiating for better 40 prices or terms.

(2) This section shall not apply to temporary financing, in whole or in part, by way of pledge or otherwise of the securities or of the securities in temporary form, where the Governor in Council approves such temporary financing 45 and the terms thereof.



Advances pending issue of guaranteed securities. **S.** To enable the work of construction and completion of the said line of railway to proceed forthwith, the Governor in Council, pending the issue and disposal of such guaranteed securities, may authorize advances to be made to the Company from the Consolidated Revenue Fund, such 5 advances to be reimbursed to His Majesty by the Company from the proceeds of the sale, pledge or other disposition of such securities.

Statement to Parliament annually. **9.** The Minister shall present to Parliament during the first ten days of each session held prior to the date 10 mentioned in section one of this Act a statement showing in detail the nature and extent of the work done under the authority of this Act during the previous calendar year, and the expenditure thereon, and the estimated expenditure for the current calendar year, together with the amount of 15 any advances made under the provisions of section eight of this Act and the amount of such advances reimbursed, and all further information as the Minister may direct.

SCHEDULE.

		Estimates			
Location	Mileage	To be expended	Average expenditure per mile		
		\$	\$		
From Senneterre on the National Trans- continental Railway southwesterly, thence westerly to Rouyn on the line of railway of the National Transcontinental Railway Branch Lines Company, in the Province of Quebec.	A BEAN	5,940,000	60,00		

First Session, Eighteenth Parliament, 1 Edward VIII, 1936

THE HOUSE OF COMMONS OF CANADA.

BILL 96.

An Act to amend the Criminal Code.

First reading, June 11, 1936.

The MINISTER OF JUSTICE.

OTTAWA J. O. PATENAUDE, I.S.O. PRINTER TO THE KING'S MOST EXCELLENT MAJESTY 1936

1st Session, 18th Parliament, 1 Edward VIII, 1936

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THE HOUSE OF COMMONS OF CANADA.

BILL 96.

An Act to amend the Criminal Code.

HIS Majesty, by and with the advice and consent of the

Senate and House of Commons of Canada, enacts as

R.S., c. 36; 1930, c. 11; 1931, c. 28; 1932, cc. 7, 8, 9, 28; 1932-33, cc. 25, 53; 1934, cc. 11, 47; 1935, cc. 36, 56. HIS Maj

1. Section ninety-eight of the *Criminal Code*, chapter thirty-six of the Revised Statutes of Canada, 1927, is 5 repealed.

56. Unlawful **]** associations.

EXPLANATORY NOTES

1. The object of this amendment is to repeal the provisions with respect to unlawful associations. Section ninety-eight reads as follows:

"98. Any association, organization, society or corporation, whose professed purpose or one of whose purposes is to bring about any governmental, industrial or economic change within Canada by use of force, violence or physical injury to person or property, or by threats of such injury, or which teaches, advocates, advises or defends the use of force, violence, terrorism, or physical injury to person or property, or threats of such injury, in order to accomplish such change, or for any other purpose, or which shall by any means prosecute or pursue such purpose or professed purpose, or shall so teach, advocate, advise or defend, shall be an unlawful association.

2. Any property, real or personal, belonging or suspected to belong to an unlawful association, or held or suspected to be held by any person for on on behalf thereof may, without warrant, be seized or taken possession of by any person thereunto authorized by the Commissioner of the Royal Canadian Mounted Police, and may thereune be foreited to the discrete. thereupon be forfeited to His Majesty.

3. Any person who acts or professes to act as an officer of any such unlawful association, and who shall sell, speak, write or publish anything as the representative or professed representative of any such unlawful association or become and continue to be a member thereof, or wear, carry or cause to be displayed upon or about his person or elsewhere, any badge, insignia, emblem, banner, motto, pennant, card, button or other device whatsoever, indicating or intended to show or suggest that he is a member of or in anywise associated with any such unlawful association, or who shall contribute anything as dues or otherwise, to it or to any one for it, or who shall solicit subscriptions or contributions for it, shall be guilty of an offence and liable to imprisonment for not more than twenty years.

4. In any prosecution under this section, if it be proved that the person charged has

(a) attended meetings of an unlawful association; or
(b) spoken publicly in advocacy of an unlawful association; or
(c) distributed literature of an unlawful association by circulation through the Post Office mails of Canada, or otherwise;

it shall be presumed, in the absence of proof to the contrary, that he is a member of such unlawful association.

5. Any owner, lessee, agent or superintendent of any building, room, premises or place, who knowingly permits therein any meeting of an unlawful association or any subsidiary association or branch of committee thereof, or any assemblage of persons who teach, advocate, advise or defend the use, without authority of the law, of force, violence or physical injury to person or property, or threats of such injury, shall be guilty of an offense under this section and shall be liable to a fine of not more than five thousand dollars or to imprisonment for not more than five years, or to both fine and imprisonment.

Offensive weapons.

2. Section one hundred and eighteen of the said Act, as enacted by section one of chapter twenty-five of the Statutes of 1932-33 is amended by adding at the end thereof the following words and paragraph:

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"or who, not having such permit and notwithstanding 5 any other provisions contained in this Act,

Sawed-off shotgun.

Permits.

substituted therefor: Persons who may

(c) has in his possession a sawed-off shotgun or rifle having a barrel of less than twenty inches in length."

3. Subsection one of section one hundred and twenty of the said Act, as enacted by section one of chapter twenty- 10 five of the statutes of 1932-33, is repealed and the following

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"120. (1) The Commissioner of the Royal Canadian issue permits. Mounted Police or any officer thereof duly authorized by the Commissioner, or any person authorized by the Attorney 15 General of any province, may issue a permit in Form 76

6. If any judge of any superior or county court, police or stipendary maigstrate, or any justice of the peace, is satisfied by information on oath that there is reasonable ground for suspecting that any contravention of this section has been or is about to be committed, he may issue a search warrant under his hand, authorizing any peace officer, police officer, or constable, with such assistance as he may require, to enter at any time any premises or place mentioned in the warrant, and to search such premises or place, and every person found therein, and to seize and carry away any books, periodicals, pamphlets, pictures, papers, circulars, cards, letters, writings, prints, handbills, posters, publications or documents which are found on or in such premises or place, or in the possession of any person therein at the time of such search, and the sane, when so seized may be carried away and may be forfeited to His Majesty.

7. Where, by this section, it is provided that any property may be forfeited to His Majesty, the forfeiture mat be adjudged or declared by any judge of any superior or county court, or by any police or stipendary magustrate, or by any justice of the peace, in a summary manner, and by the procedure provided by Part XV of this Act, in so far as applicable, or subject to such adaptations as may be necessary to meet the circumstances of the case.

8. Any person who prints, publishes, edits, issues, circulates, sells, or offers for sale or distribution any book, newspaper, periodical, pamphlet, picture, paper, circular, card, letter, writing, print, publication or document of any kind, in which is taught, advocated, advised or defended, or who shall in any manner teach, advocate or advise or defend the use, without lawful authority of law, of force, violence, terrorism, or physical injury to person or property, or threats of such injury, as a means of accomplishing any governmental, industrial or economic change, or otherwise, shall be guilty of an offence and liable to imprisonment for not more than twenty years.

9. Any person who circulates or attempts to circulate or distribute any book, newspaper, periodical, pamphlet, picture, paper, circular, card, letter, writing, print, publication, or document of any kind, as described in this section by mailing the same or causing the same to be mailed or posted in any post office, letter box, or other mail receptacle in Canada, shall be guilty of an offence, and shall be liable to imprisonment for not more than twenty years.

10. Any person who imports into Canada from any other country, or attempts to import by or through any means whatsoever any book, newspaper, periodical, pamphlet, picture, paper, circular, card, letter, writing, print, publication or document of any kind as described in this section, shall be guilty of an offence and shall be liable to imprisonment for not more than twenty years.

11. It shall be the duty of every person in the employment of His Majesty in respect of His Government of Canada, either in the Post Office Department, or in any other Department to seize and take possession of any book, newspaper, periodical, pamphlet, picture, paper, circular, card, letter, writing, print, publication or document, as mentioned in this section, upon discovery of the same in the Post Office mails of Canada or in or upon any station, wharf, yard, car, truck, motor or other vehicle, steam boat or other vessel upon which the same may be found and when so seized and taken, without delay to transmit the same, together with the envelopes, coverings and wrappings attached thereto, to the Commissioner of the Royal Canadian Mounted Police."

2. The object of this amendment is to make it an offence to have a sawed-off shot-gun or rifle with a barrel of less than twenty inches in length anywhere in one's possession without a permit, and is made at the request of police officers.

3. The object of this amendment is to also allow the issue of permits, in addition to those already provided for in this section to vetinerary surgeons, trappers, etc. The present subsection reads as follows:

[&]quot;120. (1) The Commissioner of the Royal Canadian Mounted Police, or any officer thereof duly authorized by the Commissioner, or any person authorized by the Attorney General of any province, may issue a permit in Form 76 to any person upon being satisfied that such person requires a pistol or revolver for the protection of life or property, or for target practice in a regularly organized shooting club, approved by the Attorney General of the province in which such club is organized."

Pistol or revolver permits.

Seditious offences.

Seditious intention.

Parent or guardian procuring defilement of girl.

At whose instance prosecution to be instituted.

Nuisances.

Noncriminal common nuisances. to any person upon being satisfied that such person requires a pistol or revolver for the protection of life or property, for use in connection with his profession or occupation, or for target practice in a regularly organized shooting club approved by the Attorney General of the 5 province in which such club is organized."

4. Section one hundred and thirty-three of the said Act is amended by adding thereto as subsection four the following:

"(4) Without limiting the generality of the meaning of 10 the expression "seditious intention" everyone shall be presumed to have a seditious intention who publishes, or circulates any writing, printing or document in which it is advocated, or who teaches or advocates, the use, without the authority of law, of force, as a means of accom- 15 plishing any governmental change."

5. Subsection six of section two hundred and fifteen of the said Act, as enacted by section three of chapter fiftythree of the statutes of 1932-33, is repealed and the following substituted therefor:

"(6) No prosecution shall be instituted under subsection two of this section unless it be at the instance of some recognized society for the protection of children or an officer of a juvenile court, without the authorization of the Attorney General of the province in which the offence 25 is alleged to have been committed."

6. Section two hundred and twenty-three of the said Act is repealed and the following substituted therefor:

"223. Any one convicted upon any indictment or information for any common nuisance other than those 30 mentioned in section two hundred and twenty-two of this Act, shall not be deemed to have committed a criminal offence; but all such proceedings or judgments may be taken and had as heretofore to abate or remedy the mischief done by such nuisance to the public right." 35

7. Paragraph (d) of subsection one of section two hundred and twenty-seven of the said Act is repealed and the following substituted therefor:

"((d) opened, kept or used for the purpose of facilitating or encouraging or assisting in the making of bets upon 40 any contingency or event, horse-race or other race, fight, game or sport, by announcing the betting upon, or announcing or displaying the results of any contingencies or events, of horse-races, or other races, fights, games or sports, or in any other manner, whether 45

Common betting place.

4. The object of this amendment is to make the provisions of section one hundred and thirty-four of the Criminal Code, (sedition), applicable to persons who advocate the unlawful use of force to accomplish governmental change.

5. The object of this amendment is to make the subsection conform with subsection seven as enacted in one thousand nine hundred and thirty-five and the provisions of The Juvenile Delinquents Act, 1929, which provide for a limitation of one year. The present subsection reads as follows:

"(6) No prosecution shall be instituted under subsection two of this section unless it be at the instance of some recognized society for the protection of children or an officer of a juvenile court, without the authorization of the Attorney General of the province in which the offence is alleged to have been committed, <u>nor shall any such</u> prosecution be commenced after the expiration of six months from the time of the commission of the alleged offence."

The words underlined above have been struck out.

6. The object of this amendment is merely to make a clerical correction owing to a new section, two hundred and twenty-two A having been inserted between section two hundred and twenty-two and two hundred and twenty-three. The present section reads as follows:

"223. Any one convicted upon any indictment or information for any common nuisance other than those mentioned in the last preceding section, shall not be deemed to have committed a criminal offence; but all such proceedings or judgments may be taken and had as heretofore to abate or remedy the mischief done by such nuisance to the public right."

7. The object of this amendment is to correct an apparent omission. The present subsection reads as follows:

"(d) opened, kept or used for the purpose of facilitating or encouraging or assisting in the making of bets upon any contingency or event, horse-race or other race, fight, game or sport, by announcing the betting upon, or announcing or displaying the results of horse-races, or other races, fights, games or sports, or in any other manner whether such contingency or event, horse-race or other race, fight game or sport occurs or takes place in Canada or elsewhere." such contingency or event, horse-race or other race, fight, game or sport occurs or takes place in Canada or elsewhere."

Vagrancy.

Not maintaining family.

Motor cars.

Unlawfully taking motor car. **S.** Paragraph (b) of section two hundred and thirtyeight of the said Act is repealed and the following sub- 5 stituted therefor:

"(b) being able to work and thereby or by other means to maintain himself or family, wilfully refuses or neglects to do so;"

9. Subsection three of section two hundred and eighty- 10 five of the said Act is repealed and the following substituted therefor:

"(3) Every one who takes or causes to be taken from a garage, stable, stand or other building or street, road, highway or other place, any automobile or motor car with 15 intent to operate or drive or use or cause or permit the same to be operated or driven or used without the consent of the owner shall be liable, on summary conviction, to a fine not exceeding five hundred dollars and costs or to imprisonment for any term not exceeding twelve months 20 or to both fine and imprisonment."

Possession of instruments or disguise.

Having housebreaking or safebreaking instruments by night.

Weapons.

Disposal of weapon. **10.** Paragraph (a) of section four hundred and sixty-four of the said Act is repealed and the following substituted therefor:

"(a) having in his possession by night, without lawful 25 excuse, the proof of which shall lie upon him, any instrument of housebreaking or safebreaking; or"

11. Section six hundred and twenty-two of the said Act is repealed and the following substituted therefor:

"622. The court or justice before whom any person 30 is convicted of any offence against the provisions of sections one hundred and fifteen to one hundred and twenty-six, inclusive, shall impound the weapon for carrying which such person is convicted, and shall cause the weapon to be disposed of pursuant to the provisions of subsection 35 two of the said section one hundred and twenty-six." **S.** The object of this amendment is to make the provisions as to vagrancy in this respect applicable to single men. The present paragraph reads as follows:

"(b) being able to work and thereby or by other means to maintain himself and family, wilfully refuses or neglects to do so;"

9. The object of this amendment is to permit a charge to be laid for taking a motor car from a street without consent of the owner as well as it applying to the taking of a car from a garage, etc. This amendment, it is thought, will permit of convictions for "joy riding" whereas under the present law if a car is so taken from a street the charge is one of theft and there has been difficulty in obtaining convictions in many cases of "joy riding" owing to the severe penalty for theft. The present subsection reads as follows:

"(3) Every one who takes or causes to be taken from a garage, stable, stand, or other building or place, any automobile or motor car with intent to operate or drive or use or cause or permit the same to be operated or driven or used without the consent of the owner shall be liable, on summary conviction, to a fine not exceeding five hundred dollars and costs or to imprisonment for any term not exceeding twelve months or to both fine and imprisonment."

10. The object of this amendment is to put safebreaking instruments in the same category as housebreaking instruments. The present paragraph reads as follows:

"(a) having in his possession by night, without lawful excuse, the proof of which shall lie upon him, any instrument of housebreaking; or"

11. This amendment is consequential upon the enactment of subsection two of section one hundred and twentysix in 1933. The present section reads as follows:

"622. The court or justice before whom any person is convicted of any offence against the provisions of sections one hundred and twenty to one hundred and twenty-four inclusive, shall impound the weapon for carrying which such person in convicted, and if the weapon is not a pistol, rifle or shot-gun, shall cause it to be destroyed.

2. If the weapon is a pistol, rifle or shot-gun, the court or justice shall cause it to be handed over to the corporation of the municipality in which the conviction takes place, for the public uses of such corporation.

3. If the conviction takes place where there is no municipality the pistol, rifle or shot-gun shall be handed over to the lieutenant-governor of the province in which the conviction takes place, for the public uses thereof in connection with the administration of justice therein.

Destruction of forged bank notes, etc.

Disposal of counterfeit coin.

12. Subsection two of section six hundred and thirty-two of the said Act is repealed and the following substituted

"(2) If under any such warrant there is brought before five hundred and sixty-nine."

Appeals.

Saskatchewan.

Proviso.

Appeals.

Alberta.

Proviso.

Procedure on appeals.

Notice of appeal. therefor:

any justice, any counterfeit coin or other thing the posses-5 sion of which with knowledge of its nature and without lawful excuse is an indictable offence under any provision of Part IX, every such thing so soon as it has been produced in evidence, or so soon as it appears that it will not be required to be so produced, shall forthwith be disposed 10 of pursuant to the provisions of subsection two of section

13. Paragraph (f) of subsection one of section seven hundred and forty-nine of the said Act is repealed and the 15 following substituted therefor:

"(f) in the province of Saskatchewan, to the District Court of the district in which the cause of the information or complaint arose, at the judicial centre of the district or sub-judicial district or at the sittings thereof which shall be held nearest to the place where the 20 cause of the information or complaint arose: Provided that the district Court Judge of such judicial district shall have power to appoint the place for the hearing of such appeal on the application of any party to it;"

14. Subsection one of section seven hundred and forty-25 nine of the said Act is amended by adding immediately after paragraph (f) thereof the following paragraph:

"(ff) in the province of Alberta to the District Court having jurisdiction in the judicial district in which the cause of the information or complaint arose, at the 30 judicial centre of the judicial district or sub-judicial district or at the sittings thereof which shall be held nearest to the place where the cause of the information or complaint arose: Provided that a Judge of such district Court shall have power to appoint the place 35 for the hearing of such appeal on the application of any party to it;"

15. Paragraph (b) of section seven hundred and fifty of the said Act is repealed and the following substituted therefor:

(b) the applicant shall give notice of his intention to appeal by filing in the office of the clerk, or in the province of Alberta in the office, in the judicial or subjudicial district in which the cause of the information 45 or complaint arose, of the clerk or deputy clerk, of the court appealed to a notice in writing setting forth with reasonable certainty the conviction or order appealed

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12. The object of this amendment is to overcome an ambiguity and make the provisions of subsection two of section five hundred and sixty-nine, being the later provision, applicable. The present subsection reads as follows:

"(2) If under any such warrant there is brought before any justice, any counterfeit coin or other thing the possession of which with knowledge of its nature and without lawful excuse is an indictable offence under any provision of Part IX, every such thing so soon as it has been produced in evidence, or so soon as it appears that it will not be required to be so produced. shall forthwith <u>be defaced or otherwise</u> disposed of as the justice or the court directs."

13, 14 and 15. The object of these three amendments is to meet the changed Constitution of the district courts in the province of Alberta and is made at the request of the Attorney General of that province. The amendments merely affect procedure in the case of appeals. The present paragraphs (f) of subsection one of section 749 and (b) of section 750 read as follows:

- "(f) in the province of Saskatchewan or the province of Alberta, to the District Court of the district in which the cause of the information or complaint arose, at the judicial centre of the district or sub-judicial district or at the sittings thereof which shall be held nearest to the place where the cause of the information or complaint arose: Provided that the district Court Judge of such judicial district shall have power to appoint the place for the hearing of such appeal on the application of any party to it."
 "(b) the appellant shall give notice of his intention to appeal by filing in the office of the clerk of the court appealed to a notice in writing setting forth
- "(b) the appellant shall give notice of his intention to appeal by filing in the office of the clerk of the court appealed to a notice in writing setting forth with reasonable certainty the conviction or order appealed against and the notice shall be served upon the respondent and the justice who tried the case, or, in the alternative, upon such person or persons as a judge of the court appealed to shall direct, and such service and filing shall be within ten days of the making of the conviction or order complained of, or within such further time, not exceeding an additional twenty days, as a judge of the court appealed to may see fit to fix either before or after the expiration of the said ten days."

against and the notice shall be served upon the respondent and the justice who tried the case, or, in the alternative, upon such person or persons as a judge of the court appealed to shall direct, and such service and filing shall be within ten days of the making of the conviction or order complained of, or within such further time, not exceeding an additional twenty days. as a judge of the court appealed to may see fit to fix either before or after the expiration of the said ten davs:"

16. Paragraph (a) of section seven hundred and seventythree of the said Act, as enacted by section eight of chapter fifty-three of the statutes of 1932-33, is repealed and the following substituted therefor:

"(a) with theft, or obtaining money or property by false 15 pretences, or unlawfully receiving or retaining in his possession stolen property, where the value of the property does not, in the judgment of the magistrate, exceed twenty-five dollars:"

17. Subsection one of section seven hundred and seventy- 20 four of the said Act, as enacted by section fifteen of chapter forty-seven of the statutes of 1934, is amended by adding immediately after paragraph (e) thereof the following paragraph:

In Prince Edward Island.

Summary trial in

certain cases.

Trial with

consent.

Theft.

Trial

Theft. false pretences and receiving stolen property exceeding \$25.00.

"(f) in the province of Prince Edward Island before a 25 stipendiary magistrate for the province or for any county or counties in the said province:'

18. Subsection one of section seven hundred and seventywith consent. six of the said Act, as enacted by section ten of chapter fifty-three of the statutes of 1932-33, is repealed and the 30 following substituted therefor:-

> "776. (1) When any person is charged before a magistrate, other than one of those mentioned in section seven hundred and seventy-four, with theft or with having obtained property by false pretences, or with having 35 unlawfully received or retained in his possession stolen property, and the value of the property stolen, obtained or received exceeds twenty-five dollars, and the evidence in support of the prosecution is, in the opinion of the magistrate, sufficient to put the person on his trial for the offence 40 charged, such magistrate, if the case appears to him to be one which may properly be disposed of in a summary way, shall after the charge has been reduced to writing, read it to the said person, and shall explain to him that he is not obliged to plead or answer before such magistrate, and that 45 if he does not plead or answer before him, he will be committed for trial in the usual course."

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16. The object of this amendment is to make the paragraph consistent with the wording in the section, three hundred and ninety-nine, creating the offence. The present paragraph reads as follows:

"(a) with theft, or obtaining money or property by false pretences, or unlawfully receiving stolen property, where the value of the property does not, in the judgment of the magistrate, exceed twenty-five dollars;"

17. The object of this amendment is to give, in Prince Edward Island, power to a stipendiary magistrate to hear certain cases by way of summary trial, and is made at the request of the Premier and Attorney General of Prince Edward Island.

18. The object of this amendment is to make the provisions consistent with the section, three hundred and ninety-nine, creating the offence. The present subsection reads as follows:

[&]quot;776. (1) When any person is charged before a magistrate, other than one of those mentioned in section seven hundred and seventy-four, with theft or with having obtained property by false pretences, or with having unlawfully received stolen property, and the value of the property stolen, obtained or received exceeds twentyfive dollars, and the evidence in support of the prosecution is, in the opinion of the magistrate, sufficient to put the person on his trial for the offence charged, such magistrate, if the case appears to him to be one which may properly be disposed of in a summary way, shall after the charge has been reduced to writing, read it to the said person, and shall explain to him that he is not obliged to plead or answer before such magistrate, and that if he does not plead or answer before him, he will be committed for trial in the usual course."

Speedy trials of indictable offences.

Notice by accused of desire to make election. **19.** Subsection six of section eight hundred and twentyfive of the said Act is repealed and the following substituted therefor:—

"(6) A person accused of any offence within subsection one of this section who has been committed for trial or who 5 has been bound over by a justice or justices under the provisions of section six hundred and ninety-six and in either case is at large under bail may, not later than ten days before the day fixed for the next sittings of the Court to which trials by jury can be had, unless the accused was committed or bound over within fourteen days before the day fixed for such next sittings when such limit of ten days shall not apply, notify the sheriff that he desires to make his election under this Part and thereupon the sheriff shall notify the judge or the prosecuting officer as provided in 15 section eight hundred and twenty-six."

20. Section nine hundred and fifty-seven of the said Act is repealed and the following substituted therefor:—

"957. If any false or counterfeit coin is produced on any trial for any offence against the provisions of Part IX relating to coin, the court shall cause the same to be disposed of pursuant to the provisions of subsection two of section five hundred and sixty-nine."

Destroying

counterfeit

coin.

Defence of insanity.

Trial of issue.

Interpretation in Part XX.

Definition "court" in ss. 1081, 1082 and 1083. **21.** Subsection two of section nine hundred and sixtyseven of the said Act is repealed and the following substituted therefor:—

"(2) If such issue is directed before the accused is given in charge to a jury for trial on the indictment, such issue shall be tried by any twelve jurors, or in the provinces of Saskatchewan or Manitoba by any six jurors."

22. Section one thousand and twenty-six of the said Act, as enacted by section twenty of chapter forty-seven of the statutes of 1934, is repealed and the following substituted therefor:—

"1026. In the sections of this Part relating to suspended sentence, unless the context otherwise requires, "court" means and includes any superior court of criminal jurisdiction, any court of general or quarter sessions of the peace, any judge or court within the meaning of Part XVIII and any magistrate within the meaning of Part XVI acting under that Part or Part XV."

Commencement of Act. 23. This Act shall come into force on the first day of September one thousand nine hundred and thirty-six.

19. The object of this amendment is to limit the time within which a person either committed or bound over for trial who is on bail may exercise his right of election. It has been found in practice that elections have been delayed until the day of the jury's sittings of the court so as to ascertain whether or not a true bill has been brought in by the grand jury and if so, and if the accused thinks he has a better chance by taking a speedy trial he immediately elects therefor. In the meantime the Crown has been put to considerable unnecessary expense. The present subsection reads as follows:

"(6) A person accused of any offence within subsection one of this section, who has been bound over by a justice or justices under the provisions of section six hundred and ninety-six and is at large under bail may notify the sheriff that he desires to make his election under this Part, and thereupon the sheriff shall notify the judge, or the prosecuting officer, as provided in section eight hundred and twenty-six."

20. The object of this amendment is to overcome an ambiguity and make the provisions of subsection two of section five hundred and sixty-nine, being the later provision, applicable. The present section reads as follows:

"957. If any false or counterfeit coin is produced on any trial for any offence against the provisions of Part IX relating to coin, the court shall order the same to be cut in pieces in open court, or in the presence of a justice, and then to be delivered to or for the lawful owner thereof, if such owner claims the same."

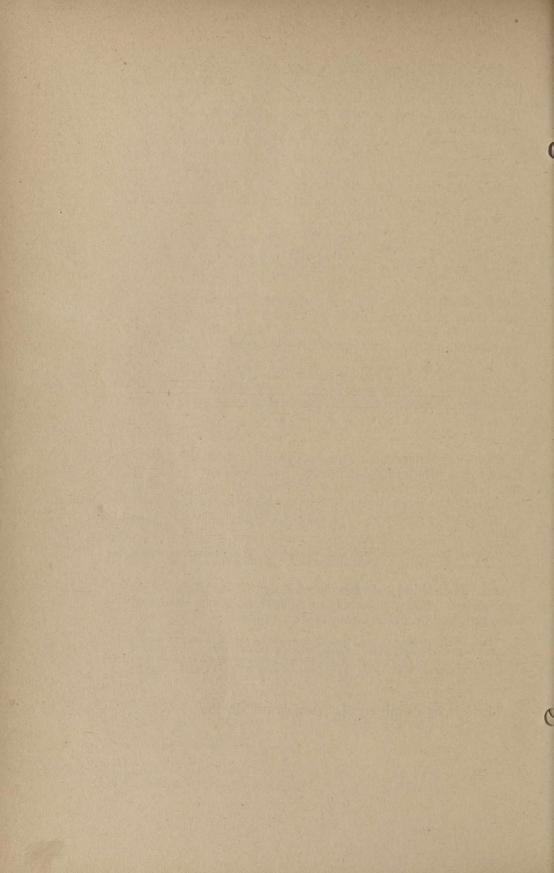
21. This amendment is consequential upon the enactment in one thousand nine hundred and thirty-five reducing the number of jurors in the provinces of Saskatchewan and Manitoba from twelve to six, and is made at the request of the said provinces. The present subsection reads as follows:

"(2) If such issue is directed before the accused is given in charge to a jury for trial on the indictment, such issue shall be tried by any twelve jurors."

22. The object of this amendment is to remove an ambiguity. The present section as enacted in one thousand nine hundred and thirty-four reads as follows:

"1026. In the sections of this Part relating to suspended sentence, unless the context otherwise requires, "court" means and includes any superior court of criminal jurisdiction, any court of general or quarter sessions of the peace, any judge or court within the meaning of Parts XVIII and any magistrate within the meaning of Parts XV and XVI."

There is no definition of, "magistrate" in Part XV.



First Session, Eighteenth Parliament, 1 Edward VIII, 1936

THE HOUSE OF COMMONS OF CANADA.

BILL 97.

An Act to amend the Combines Investigation Act.

First reading, June 11, 1936.

The PRIME MINISTER.

OTTAWA J. O. PATENAUDE, I.S.O. PRINTER TO THE KING'S MOST EXCELLENT MAJESTY 1936

1st Session, 18th Parliament, 1 Edward VIII, 1936

THE HOUSE OF COMMONS OF CANADA.

BILL 97.

An Act to amend the Combines Investigation Act.

R.S., c. 26; 1935, c. 54. HIS Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

1. Section twenty-four of the Combines Investigation Act, chapter twenty-six of the Revised Statutes of Canada, 1927, 5 as enacted by section seventeen of chapter fifty-four of the statutes of 1935, is repealed and the following substituted therefor:—

"24. No person shall be excused from attending and giving evidence and producing books, papers or records, 10 in obedience to the order of the Commission, on the ground that the oral evidence or documents required of him may tend to criminate him or subject him to any proceeding or penalty, but no such oral evidence so given shall be used or receivable against such person in any criminal proceed-15 ings thereafter instituted against him, other than a prosecution for perjury in the giving of such evidence."

2. Section thirty-four of the said Act, as enacted by section twenty-four of chapter fifty-four of the statutes of 1935, is repealed and the following is substituted there- 20 for:—

"34. If any person, who has been duly served with an order issued by the Commission requiring him to attend or to produce any books, papers, records or articles before the Commission, and to whom at the time of service pay- 25 ment or tender has been made of his reasonable travelling expenses according to the scale in force with respect to witnesses in civil suits in the Superior Courts of the province in which the inquiry is being conducted, fails to attend and give evidence, or to produce any book, paper, record or 30 thing as required by the said order, he shall, unless he shows that there was good and sufficient cause for such failure,

No person excused from giving evidence on ground of incrimination.

Protection from oral evidence only.

Person failing to attend when summoned guilty of an offence.

EXPLANATORY NOTES.

1. The object of this amendment is to provide, as this section provided until it was amended in 1935, that documents produced during an investigation may be used in any subsequent criminal proceedings. For this purpose the underlined words, "oral evidence so given", which were used prior to the amendments of 1935, replace the words "evidence or documents so required" in the section as it is at present.

To remove an ambiguity in the last line of the present section, the words "the giving of such evidence" are substituted for the words "giving evidence upon such investigation, inquiry, cause or proceeding".

2. The object of this amendment is to correct an obvious error in the second from the last line of this section by substituting the underlined word "or" for the word "and".

be guilty of an offence and liable upon summary conviction to imprisonment for a term not exceeding six months or a fine not exceeding one thousand dollars, or to both such fine and imprisonment." First Session, Eighteenth Parliament, 1 Edward VIII, 1936

THE HOUSE OF COMMONS OF CANADA.

BILL 98.

An Act to authorize the raising, by way of loan, of certain sums of money for the Public Service.

First reading, June 11, 1936.

THE MINISTER OF FINANCE.

OTTAWA J. O. PATENAUDE, I.S.O. PRINTER TO THE KING'S MOST EXCELLENT MAJESTY 1936

1st Session, 18th Parliament, 1 Edward VIII, 1936

THE HOUSE OF COMMONS OF CANADA.

BILL 98.

An Act to authorize the raising, by way of loan, of certain sums of money for the Public Service.

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

Short title.

1. This Act may be cited as The Loan Act, 1936.

Loan authorized. 2. The Governor in Council may, in addition to the 5 sums now remaining unborrowed and negotiable of the loans authorized by Parliament by any Act heretofore passed, raise by way of loan, under the provisions of *The Consolidated Revenue and Audit Act, 1931*, by the issue and sale or pledge of securities of Canada, in such form, for such 10 separate sums, at such rate of interest and upon such other terms and conditions as the Governor in Council may approve, such sum or sums of money as may be required, not to exceed in the whole the sum of seven hundred and fifty million dollars, for paying or redeeming the whole or 15 any portion of loans or obligations of Canada, and also for purchasing and withdrawing from circulation from time to time unmatured securities of Canada, and for public works and general purposes.

Charge upon Consolidated Revenue Fund. **3.** The principal raised by way of loan under this Act 20 and the interest thereon shall be a charge upon and payable out of the Consolidated Revenue Fund.

99.

THE HOUSE OF COMMONS OF CANADA.

BILL 99.

An Act respecting the appointment of Auditors for National Railways.

First reading, June 12, 1936.

THE MINISTER OF RAILWAYS AND CANALS.

OTTAWA J. O. PATENAUDE, I.S.O. PRINTER TO THE KING'S MOST EXCELLENT MAJESTY 1936

1st Session, 18th Parliament, 1 Edward VIII, 1936

THE HOUSE OF COMMOMS OF CANADA.

BILL 99.

An Act respecting the appointment of Auditors for National Railways.

Preamble. 1932-33, c. 33; 1934, c. 3; 1935, c. 1. WHEREAS by section thirteen of *The Canadian National-Canadian Pacific Act, 1933,* it is provided that a continuous audit of the accounts of National Railways shall be made by independent auditors appointed annually by a resolution of Parliament;

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And whereas it is expedient that the said auditors should be appointed by an Act of Parliament: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Auditors appointed.

1. George A. Touche and Company, of the cities of 10 Toronto and Montreal, chartered accountants, are appointed as independent auditors for the year 1936, to make a continuous audit under the provisions of section thirteen o *The Canadian National-Canadian Pacific Act, 1933*, of th^f accounts of National Railways as defined in the said Act. $^{\rm e}$ 15

First Session, Eighteenth Parliament, 1 Edward VIII, 1936

THE HOUSE OF COMMONS OF CANADA.

BILL 100.

An Act to amend The Unemployment Relief and Assistance Act, 1936.

First reading June 12, 1936.

THE MINISTER OF LABOUR.

OTTAWA J. O. PATENAUDE, I.S.O. PRINTER TO THE KING'S MOST EXCELLENT MAJESTY 1936

1st Session, 18th Parliament, 1 Edward VIII, 1936

THE HOUSE OF COMMONS OF CANADA.

BILL 100.

An Act to amend The Unemployment Relief and Assistance Act, 1936.

1936, c. 15.

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

1. Section four of *The Unemployment Relief and Assistance Act, 1936*, chapter fifteen of the statutes of 1936, is repealed 5 and the following substituted therefor:—

Agreements with provinces.

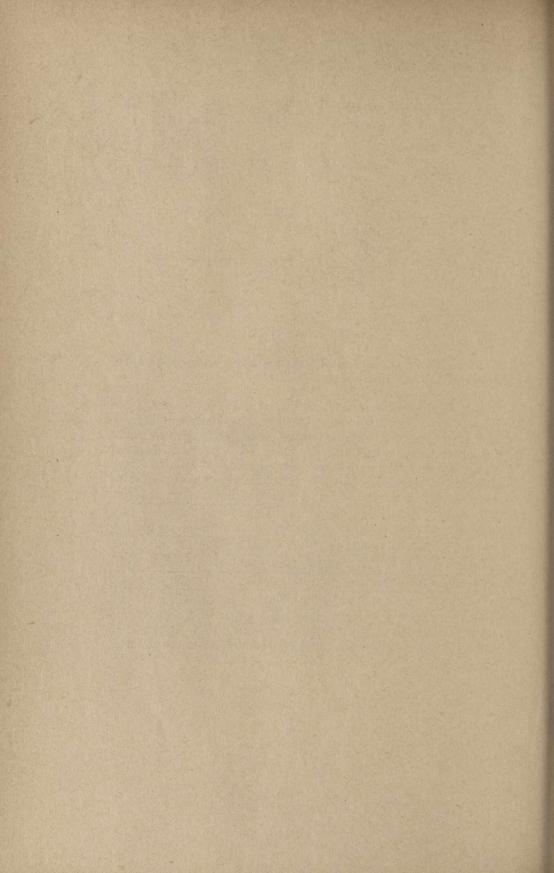
"4. The Governor in Council may enter into agreements with any of the provinces respecting relief measures therein and providing for any payments on account of such relief measures to be made out of moneys appropriated for relief 10 purposes by Parliament for the fiscal year 1936-37, and where necessary the Governor in Council may grant financial assistance to any province by way of loan, advance or guarantee to an amount not exceeding in the aggregate the maximum amount which may be payable by the province 15 for its share of the cost of unemployment relief and undertakings during the months of February and March, nineteen hundred and thirty-six, and under any agreement between the Dominion and the province entered into under the authority of this Act. The Governor in Council may also 20 enter into agreements with corporations, partnerships, or individuals engaged in industry respecting the expansion of industrial employment."

Agreements with corporations, etc.

EXPLANATORY NOTES.

1. Section 4 of the Act of the present Session, chapter 15, reads as follows:—

"4. The Governor in Council may enter into agreements with any of the provinces respecting relief measures therein and providing for any payments on account of such relief measures to be made out of moneys appropriated for relief purposes by Parliament for the fiscal year 1936-37, and where necessary the Governor in Council may by way of loan or advance out of the Consolidated Revenue Fund or by way of guarantee, grant financial assistance to any province to enable the province to provide for any expenditures for direct relief or other relief measures up to an amount not exceeding in the aggregate the total amount which may be otherwise payable to such province under any agreement entered into under the authority of this Act. The Governor in Council may also enter into agreements with corporations, partnerships or individuals engaged in industry respecting the expansion of industrial employment."



First Session, Eighteenth Parliament, 1 Edward VIII, 1936

THE HOUSE OF COMMONS OF CANADA.

BILL 102.

An Act respecting the establishment of a National Park in each of the Provinces of Nova Scotia and Prince Edward Island.

First reading, June 15, 1936.

The MINISTER OF THE INTERIOR.

OTTAWA J. O. PATENAUDE, I.S.O. PRINTER TO THE KING'S MOST EXCELLENT MAJESTY 1936 1st Session, 18th Parliament, 1 Edward VIII, 1936

THE HOUSE OF COMMONS OF CANADA.

BILL 102.

An Act respecting the establishment of a National Park in each of the Provinces of Nova Scotia and Prince Edward Island.

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

Short title.

1. This Act may be cited as The Nova Scotia and Prince Edward Island National Parks Act, 1936.

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PART I.

NOVA SCOTIA PARK.

2. The lands described in the schedule to this Act, the title to which has been vested in the Crown in the right of Canada, are hereby set apart as a National Park of Canada, and the said park shall be subject to the provisions of *The National Parks Act*, chapter thirty-three of the 10 statutes of 1930.

3. The Governor in Council may, by proclamation, add to the said park such lands in Cape Breton as may be agreed upon by the province of Nova Scotia and Canada as being suitable for an addition to the said National Park, providing 15 the province furnishes Canada with clear title to the said lands.

Leases to settlers.

4. The Governor in Council may authorize the granting of leases to the settlers in the settlements at Pleasant Bay for their building sites and improved lands. 20

Lands set apart as a National Park in N.S.

1930, c. 33.

Addition of lands to the park.

EXPLANATORY NOTES.

2. New areas to be administered and developed as National Parks under the National Parks Act can only be established by Act of Parliament.

3. This clause provides for additions to the Park area that may be desirable after further examination on the ground. There is a small area in the northern part of Cape Breton Island that it is intended to include in the Park as soon as the province has surveyed the boundaries of the area and furnished the Dominion with a description of it. This particular area consists of a strip of provincially owned land immediately east of the county line between Inverness and Victoria counties and lies approximately west of the Aspy Bay district. While the size of this area is not known at the present time, it is not expected that it will exceed 25 square miles. Consideration may be given later to the addition of a small area of approximately 12 square miles in the Bras d'Or Lakes district.

4. There are some 50 families residing in the Pleasant Bay district and which area will be included in the National Park. These settlements are well established and of long standing. While the province will acquire title to the land and convey it to the Dominion, it is desirable that provision be made so that the present owners may continue in residence under leasehold. There is no provision under the National Parks Act for the issue of leases for any lands except in regularly surveyed townsites. Clause 4 authorizes the Governor in Council to issue leases to these settlers covering their building sites and improved lands after such lands become part of the National Park area. An annual rental will be payable to the Dominion for such leased properties.

PART II.

PRINCE EDWARD ISLAND PARK.

Lands set apart as a National Park in P.E.I.

1930, c. 33.

5. The Governor in Council may, by proclamation, set aside as a National Park of Canada such lands in the province of Prince Edward Island as the province and Canada agree upon as suitable for a National Park, provided that the province furnishes Canada with a clear title 5 to the said lands, and upon the issue of such proclamation the said National Park shall be subject to the provisions of *The National Parks Act*, chapter thirty-three of the statutes of 1930.

SCHEDULE.

Parcel No. 1

All that parcel or tract of land and premises situate, lying and being in the counties of Victoria and Inverness and province of Nova Scotia, which may be more particularly known and described as follows:—

Commencing at the point of the square-pointed cape lying west and about one-third of a mile distant from the nearest point of Ingonish Island in Victoria county as shown on the Cape Breton sheet of the map of Nova Scotia on a scale of 3.95 miles to the inch issued in 1929 by the Department of the Interior;

Thence northerly and following the high-water mark of the easterly coast to the southerly limit of Crown-granted lands at Neil Harbour;

Thence westerly along said southerly limit to a point three hundred (300) feet distant from and on the easterly side of the Cabot Trail as at present located, said distance being measured in a perpendicular direction to the general direction of said Trail as determined by reference to its location for one hundred (100) feet on either side of said southerly limit;

Thence following a line drawn parallel to said Trail and at constant distance of three hundred (300) feet measured in a perpendicular direction therefrom on its easterly side, to the intersection of said line with a creek immediately west of the intersection of the Cabot Trail and the road to White Point:

Thence following said creek upstream to its intersection with the southerly limit of Crown-granted land in the Cape North Settlement;

Thence following said southerly limit of the various parcels of Crown-granted lands to intersect a line drawn S. 45° E (astronomical) from a point on the Aspy river distant 5. No area has as yet been decided on in Prince Edward Island. The province is suggesting a number of areas and it may be some time before a decision is reached. It is necessary, if development is to proceed this year, that legislation providing for the establishment of the area chosen as a Park be passed at this Session of Parliament.

Schedule. The area described is the one that has been agreed upon by the Province and by the Dominion.

five hundred (500) feet downstream from the easterly or downstream bridge over which the Cabot Trail crosses said river;

Thence in a straight line on a course of N. 45° W. to said point on the Aspy river;

Thence continuing the before mentioned course N. 45° W. to the intersection of the county line between Victoria and Inverness counties;

Thence northerly and following said county line to its intersection with the high-water mark of the northerly coast of Cape Breton Island;

Thence west and south along said high-water mark throughout all the sinuosities of the coast to a point one hundred (100) feet south from the southerly end of the Cabot Trail bridge across the Cheticamp river;

Thence easterly along a line one hundred (100) feet perpendicularly distant from the high-water mark of the left bank of the Cheticamp river to the intersection of this line with the north east boundary of land granted to A. Macdonald, lot 6157 Sheet 14 county of Inverness Crown Land map province of Nova Scotia;

Thence in a southerly direction to the north east corner of lands granted to David Chasson *et al* lot No. 15268;

Thence in a south westerly direction following the limits of the various parcels of Crown-granted lands to the intersection of the Crown Land with the Crown-granted lots Nos. 10236, 4515 and 22333 granted to Servant LeFort, Francis LeFort and Silvert Pourier respectively as shown on sheet No. 11, county of Inverness Crown Land map province of Nova Scotia;

Thence by a course due East (astronomical) to West Longitude sixty degrees, fifty minutes and thirty seconds $(60^{\circ}50'30'')$;

Thence due north (astronomical) to north latitude forty-six degrees, thirty-six minutes and thirty seconds $(46^{\circ}36'30'')$;

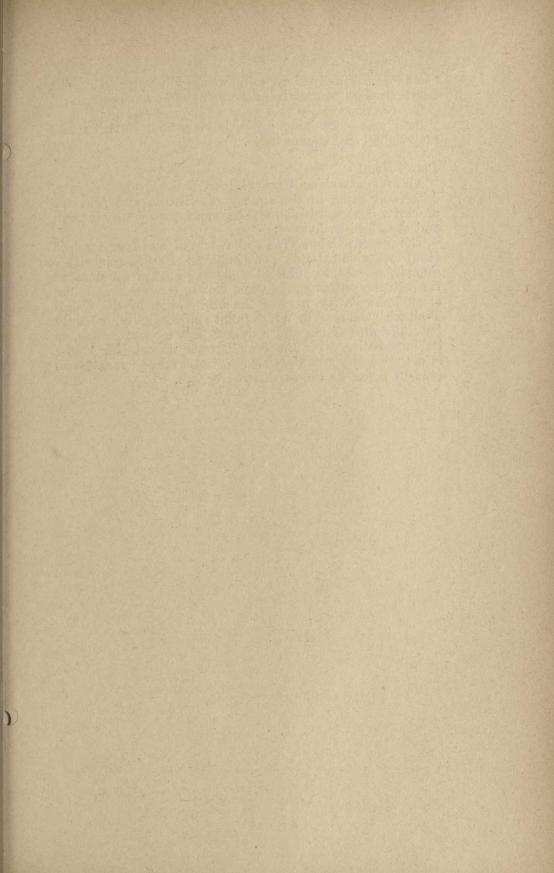
Thence due east (astronomical) to the west longitude sixty degrees and thirty-eight minutes $(60^{\circ} 38')$;

Thence due north (astronomical) to north latitude forty-six degrees, thirty-eight minutes and thirty seconds $(46^{\circ} 38' 30'');$

Thence due east (astronomical) to west longitude sixty degrees and thirty-five minutes $(60^{\circ} 35')$;

Thence due north (astronomical) to north latitude forty-six degrees, forty-two minutes and thirty seconds $(46^{\circ} 42' 30'')$;

Thence due east (astronomical) to intersect a line on the westerly side of the Cabot Trail, which line is parallel to and at a constant perpendicular distance of three hundred (300) feet from the centre line of said Trail;



Thence southerly along said last described line to a point due astronomical west from the point of commencement;

Thence due east to said point of commencement;

Said area containing approximately four hundred and fifty-eight (458) square miles.

Parcel No. 2

All that parcel or tract of land and premises situate, lying and being in the county of Victoria and province of Nova Scotia, which may be more particularly known and described as follows:—

The present Cabot Trail and a strip of land four hundred (400) feet wide extending two hundred (200) feet on either side of the centre line of the Cabot Trail as at present located through the settlement of Cape North, commencing at the creek immediately west of the intersection of the Cabot Trail with the road to White Point and continuing westerly for a distance of ten and a quarter miles, more or less, to its intersection with the boundary of Parcel No. 1, the said Parcel No. 2 containing four hundred and ninety-two (492.0) acres, be the same more or less.

First Session, Eighteenth Parliament, 1 Edward VIII, 1936

THE HOUSE OF COMMONS OF CANADA.

BILL 103.

An Act respecting Broadcasting.

First reading, June 15, 1936.

THE MINISTER OF MARINE.

OTTAWA J. O. PATENAUDE, I.S.O. PRINTER TO THE KING'S MOST EXCELLENT MAJESTY 1936

1st Session, 18th Parliament, 1 Edward VIII, 1936

THE HOUSE OF COMMONS OF CANADA.

BILL 103.

An Act respecting Broadcasting.

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

Short title.

1. This Act may be cited as The Canadian Broadcasting Act, 1936.

5

Definitions. "Broadcasting".

"Channel".

"Corporation".

"Minister".

"Private station".

"Corporation station".

"Station".

Corporation constituted.

- 2. In this Act, unless the context otherwise requires, (a) "broadcasting" means the dissemination of any form of radioelectric communication, including radiotelegraph, radiotelephone, the wireless transmission of
 - writing, signs, signals, pictures and sounds of all kinds 10 by means of Hertzian waves, intended to be received by the public either directly or through the medium of relay stations.
- (b) "channel" means a wavelength or frequency authorized to be used for broadcasting; 15
- (c) "Corporation" means the Canadian Broadcasting Corporation;
- (d) "Minister" means the Minister of Transport;
- (e) "private station" means any broadcasting station licensed to a person other than the Corporation; 20
- (f) "Corporation station" means any broadcasting station owned or operated by the Corporation;
- (g) "station" means any station licensed under the Radiotelegraph Act as a broadcasting station.

3. (1) There shall be a Corporation to be known as 25 the Canadian Broadcasting Corporation which shall consist of a board of nine governors appointed by the Governor in Council and chosen to give representation to the principal geographical divisions of Canada.

EXPLANATORY NOTE.

The objects of this Bill are to implement the report of the Special Committee on the "Canadian Radio Commission." The Bill proposes to repeal the Canadian Radio Broadcasting Act of 1932; place the direction of the national broadcasting system in the hands of a Corporation with an Honorary Board of nine Governors, a General Manager and assistant General Manager, to carry on the business of the Corporation in the place and stead of the present Commission of three: authorize advances by the Government up to \$500,000 to the Corporation for capital works to increase coverage, and up to \$100,000 for working capital advances, give the Corporation specific control over the character of programmes, especially political broadcasts; give the Governor in Council authority to make regulations controlling the use of equipment causing interference with radio reception; licensing of broadcasting stations to remain under the Minister of Transport and technical control of such stations is given to him to be exercised in co-operation with the Corporation.

Chairman and Vice-Chairman. Tenure of office.

Reappointment.

May be removed for cause.

In case of vacancy.

Honorarium.

Expenses.

Quorum.

Oath of Office.

Body corporate.

Head office.

(2) The Governor in Council shall designate one of the Governors to be the Chairman and one to be the Vice-Chairman of the Corporation.

(3) The Governors shall hold office for three years, provided that of those first appointed one third shall be appointed to retire in one year, one third in two years and one third in three years.

(4) Retiring Governors shall be eligible for re-appointment.

(5) Each Governor shall hold office during good behaviour 10 for the period of his appointment, but may be removed for cause at any time by the Governor in Council.

(6) In the event of a casual vacancy occurring on the board, the Governor in Council shall appoint a person to fill such vacancy for the balance of the term of the Governor 15 replaced.

(7) The Chairman shall receive an honorarium of one thousand five hundred dollars per annum and if an executive committee is established by bylaw, each of the other Governors on such executive committee shall receive an 20 honorarium of one thousand dollars per annum; other Governors of the Corporation shall each receive fifty dollars for each meeting they attend, but shall not receive more than five hundred dollars in any one year.

(8) All Governors shall be entitled to receive and be 25 paid their actual disbursements for expenses necessarily incurred by them in connection with the discharge of their duties under this Act.

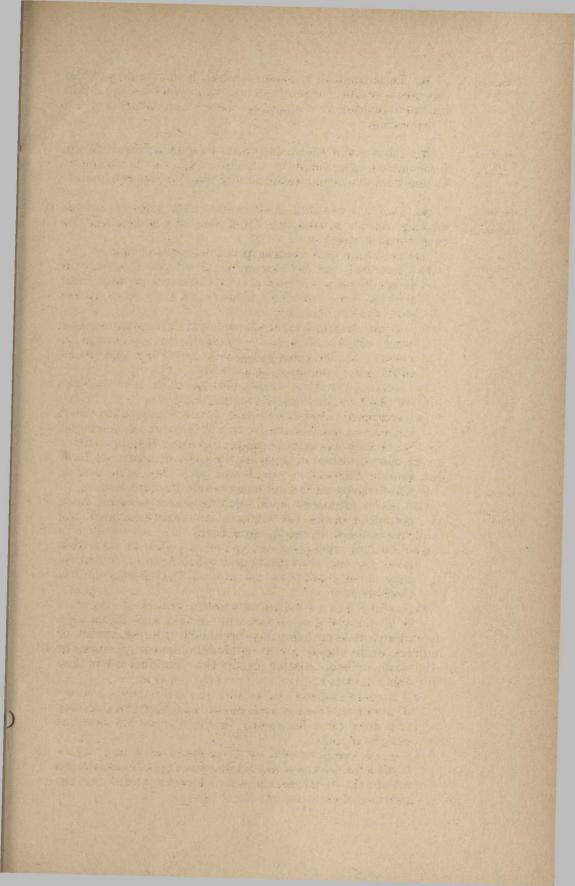
(9) Four Governors shall constitute a quorum.

(10) Each Governor shall, before acting as such, take 30 and subscribe before the Clerk of the Privy Council and shall file in the office of the said Clerk, an oath of office in the following form:

"I Do SOLEMNLY SWEAR that I will faithfully, truly and impartially, to the best of my judgment, skill and ability, 35 execute and perform the office of Governor of the Canadian Broadcasting Corporation, and that, while I continue to hold such office, I will not accept or hold any other office or employment, or have any pecuniary interest, direct or indirect, individually or as a shareholder or partner, or 40 otherwise, in broadcasting or, in the manufacture or distribution of radio apparatus. So help me God."

4. The Corporation shall be a body corporate having capacity to contract and to sue and be sued in the name of the Corporation. 45

5. The head office of the Corporation shall be at Ottawa in the province of Ontario and the Corporation may establish branch offices elsewhere.



General manager.

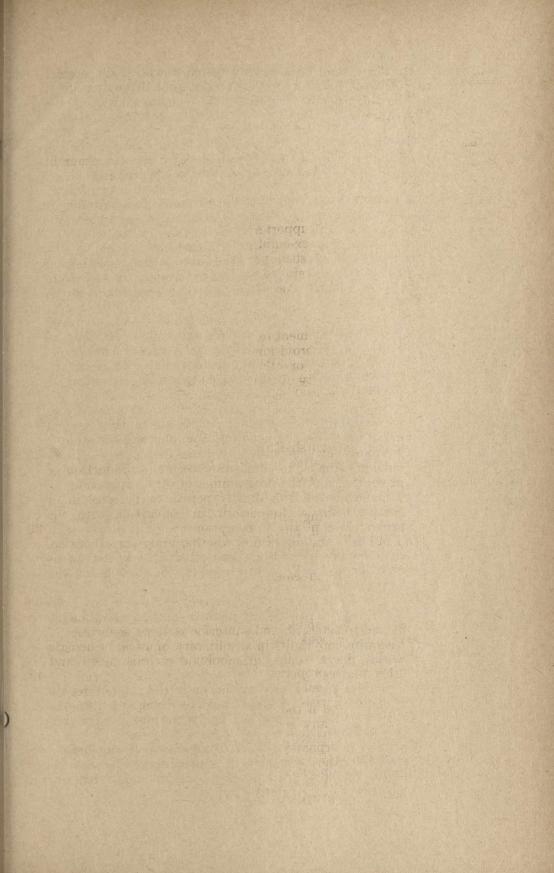
Assistant general manager.

Objects of the Corporation. **6.** There shall be a general manager who shall be chief executive of the Corporation and who shall be appointed by the Governor in Council on the recommendation of the Corporation.

7. There shall be an assistant general manager of the 5 Corporation who shall be appointed by the Governor in Council on the recommendation of the Corporation.

8. The Corporation shall carry on a national broadcasting service within the Dominion of Canada and for that purpose may:— 10

- (a) maintain and operate broadcasting stations;
- (b) establish, subject to approval of the Governor in Council, such stations as the Corporation may from time to time consider necessary to give effect to the provisions of this Act; 15
- (c) equip stations with all such plant, machinery and other effects as may be requisite or convenient to permit of the same effectively receiving and transmitting for broadcasting purposes;
- (d) make operating agreements with private stations 20 for the broadcasting of programmes;
- (e) originate programmes and secure programmes, from within or outside Canada, by purchase or exchange and make arrangements necessary for their transmission;
- (f) make contracts with any person or persons, in or 25 outside Canada, in connection with the production or presentation of the programmes of the Corporation;
- (g) make contracts with any person or persons, in or outside Canada, to perform in connection with the programmes of the Corporation;
 30
- (h) publish and distribute, whether gratis or otherwise, such papers, periodicals, and other literary matter as may seem conducive to any of the objects of the Corporation;
- (i) collect news relating to current events in any part 35 of the world and in any manner that may be thought fit and to establish and subscribe to news agencies:
- (j) acquire copyrights in any literary, musical or artistic works, plays, songs, gramophone records, news and other matter; 40
- (k) acquire and use any patent, or patent rights, brevets d'invention, licences or concessions which the Corporation may consider useful for the purpose of carrying out its objects;
- (1) make arrangements or agreements with any organ-45 ization for the use of any rights, privileges or concessions which the Corporation may consider useful for the purpose of carrying out its objects;



- (m) establish and support a pension fund for the benefit of employees or ex-employees of the Corporation, or the dependents of such persons.
- (n) acquire private stations either by lease or, subject to the approval of the Governor in Council, by pur- 5 chase;
- (o) subject to the provisions of sections ten and eleven hereof, purchase, lease, or otherwise acquire, any real or personal property which the Corporation may deem necessary or convenient for the purposes of its business; 10
- (p) subject to the provisions of sections ten and eleven hereof, sell, lease, or otherwise dispose of, all or any part of the property of the Corporation;
- (q) do all such other things as the Corporation may deem incidental or conducive to the attainment of any of 15 the objects or the exercise of any of the powers of the Corporation.

9. The Corporation shall not seek any concession, right

ment with any British or foreign government with regard 20 thereto, without having first obtained the consent in writing

or privilege from, or enter into any negotiations or arrange-

Concessions from other governments.

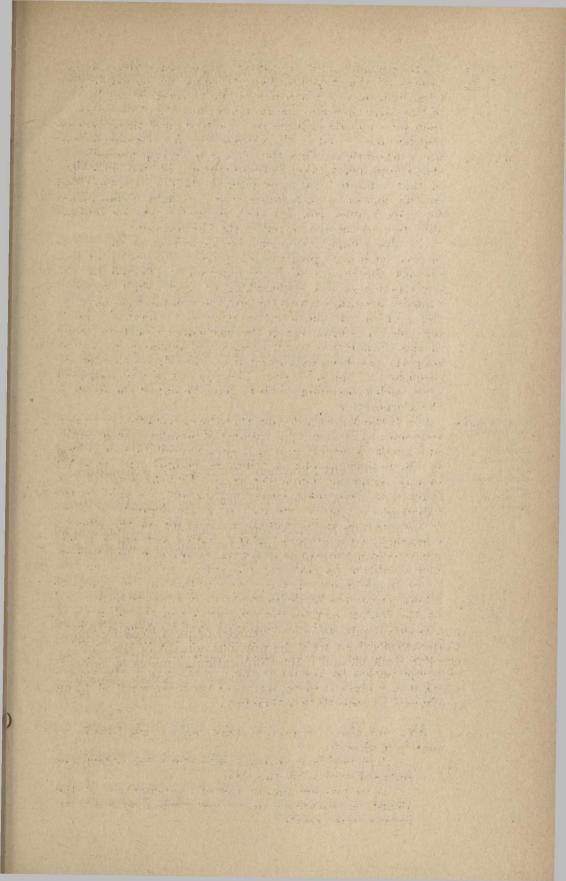
of the Minister.

Approval of Governor in Council necessary respecting certain expenditures and disposal of property.

Acquisition of property. **10.** Notwithstanding anything contained in this Act, the Corporation shall not, unless the approval of the Governor in Council has first been obtained:— 25

- (a) enter into any agreement involving any expenditure in excess of ten thousand dollars;
- (b) enter into an agreement or lease for a period exceeding three years;
- (c) acquire any personal property, the cost of acquisition 30 of which exceeds the sum of ten thousand dollars, or in any manner dispose of any personal property having an original or book value exceeding the sum of ten thousand dollars.

11. (1) No real property or private station shall be 35 purchased, acquired, sold, exchanged or mortgaged by the Corporation except with the previous consent of the Governor in Council, and if the Corporation is unable to agree with the owner of any real property or private station which it is so authorized to purchase, as to the price to be 40 paid therefor, the Corporation shall have the right to acquire the same without the consent of the owner and the provisions of the *Expropriation Act*, chapter sixty-four of the Revised Statutes of Canada, 1927, shall *mutatis mutandis*, be applicable to the acquisition of such property by the 45 Corporation.



Deposit of plans and description.

R.S., c. 64.

Compensation payable.

R.S., c. 64.

Cancellation or refusal of licence.

No allowance for value of.

By-laws.

(2) Any plan and description deposited under the provisions of the *Expropriation Act* may be signed by the Chairman or Vice Chairman of the Corporation or by one of the Governors and the property shown and described in such plan and description so deposited shall thereupon be 5 and become vested in the Corporation for the purposes of the Corporation unless the plan and description indicates that the property taken is required for a limited time only, or that a limited estate or interest therein, is taken; and by the deposit in such latter case, the right of possession 10 for such limited time or such limited estate or interest shall be and become vested in the Corporation:

(3) The compensation payable in respect of the taking of any such real property or private station or of any interest therein, or of lands injuriously affected by the 15 construction of any undertaking or works shall be ascertained in accordance with the provisions of the *Expropriation* Act, and for that purpose the Attorney-General of Canada may file an information in the Exchequer Court on behalf of the Corporation to all intents and purposes as if such 20 property had been expropriated by His Majesty under the provisions of the said Act. The amount of any judgment upon such proceedings shall be payable out of the funds of the Corporation.

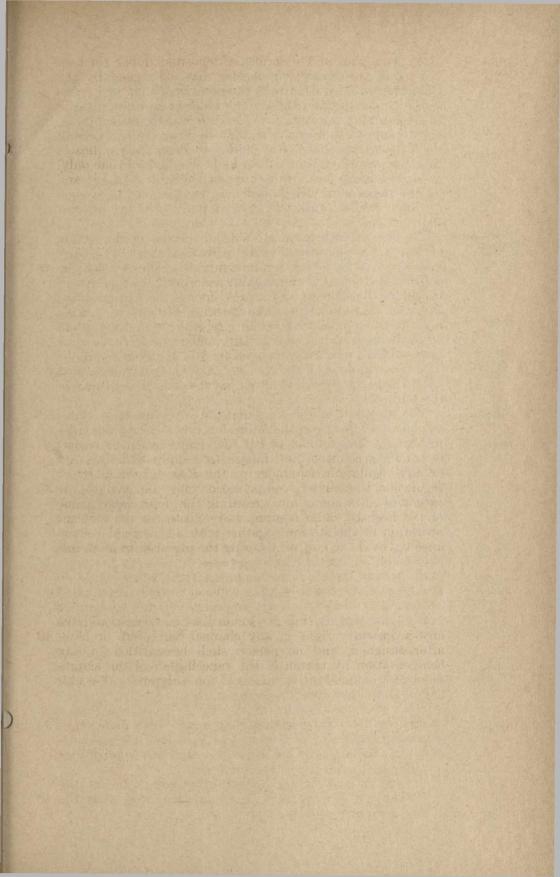
(4) If the Minister decides that the cancellation or refusal 25 to renew any licence in the interest of broadcasting generally in Canada is desirable, and if such cancellation or refusal is not on account of any failure to comply with this Act or any regulation hereunder or the *Radiotelegraph Act* or regulation thereunder, compensation may be paid to the 30 extent of an amount not exceeding the depreciated value of the licensed radio equipment requisite for the efficient operation of the station together with a reasonable allowance to cover the cost of restoring the premises to a tenantable condition for ordinary purposes. 35

(5) In determining the compensation to be paid, no allowance shall be made for the value of a licence terminated by the taking over by the Corporation or the Minister of any private station, and no person shall be deemed to have any proprietary right in any channel heretofore or here-40 after assigned, and no person shall be entitled to any compensation by reason of the cancellation of the assignment of a channel or by reason of the assignment of a new channel in substitution therefor.

12. (a) The Corporation may make such bylaws as 45 may be necessary,

(i) to enable it to carry into effect the obligations imposed upon it by this Act;

(ii) to provide for an executive committee of the Board of Governors to exercise such powers as the 50 bylaws may specify;



(iii) to provide for the appointment of advisory councils to advise it as to programmes;

(iv) to provide for the employment, dismissal, control and remuneration of such officers, clerks, and employees, technical or otherwise, as may be necessary 5 for the transaction of the business of the Corporation.
(b) No such bylaws shall come into force or effect until approved by the Governor in Council, and no alteration, modification or repeal of any such bylaw shall have any force or effect until so approved.

13. (1) Notwithstanding anything in the Civil Service Act, chapter twenty-two of the Revised Statutes of Canada. 1927, the Civil Service Superannuation Act, chapter twentyfour of the Revised Statutes of Canada, 1927, or any other Act of the Parliament of Canada, a civil servant who, at 15 the time of his appointment to the staff of the Corporation under authority in that behalf conferred by any Act of the Parliament of Canada, is a contributor under the provisions of the Civil Service Superannuation Act. shall continue to be a contributor under the said Act; his service on the 20 staff of the Corporation, in virtue of an appointment as aforesaid, shall be counted as service in the civil service for the purposes of the Civil Service Superannuation Act, and he, his widow and children or other dependents, if any, shall be eligible to receive the respective allowances 25 or gratuities provided by the said Act; and in the event of his being retired from his office or position on the staff of the Corporation for any reason other than that of misconduct, he shall be eligible, in accordance with the regulations made under the Civil Service Act, for assignment to a 30 position in the civil service of the class from which he was so retired or to any other position for which he may have qualified or, in the alternative, to receive the same benefits under the Civil Service Superannuation Act as he would have been eligible to receive if he had been retired under like 35 circumstances from the position in the civil service which he held immediately prior to his appointment to the staff of the Corporation.

Civil

Service

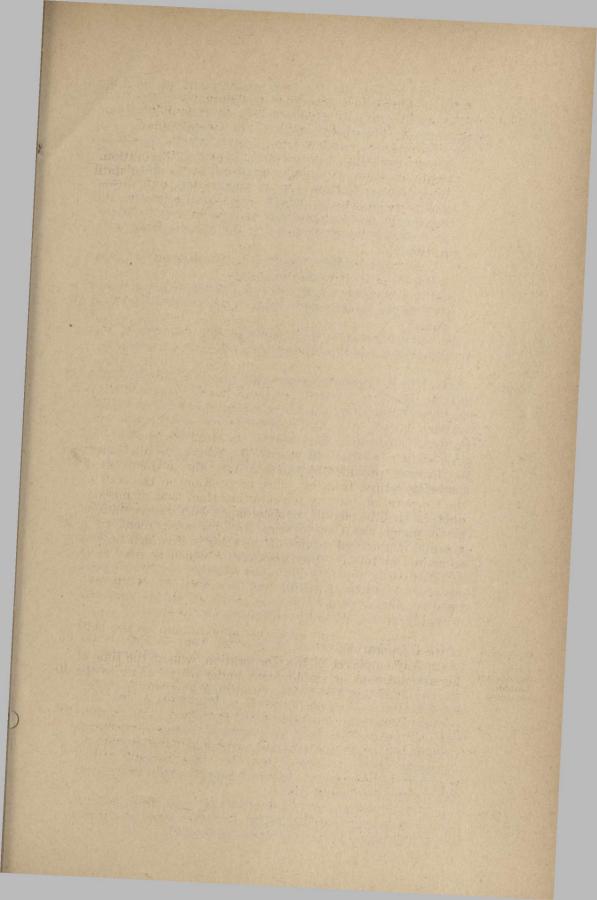
Superannuation rights

preserved.

R.S., c. 24.

Civil Service Act benefits preserved.

R.S., c. 22, s. 2. (2) Any employee of the Corporation, who at the time of his appointment or employment under or pursuant to the 40 provisions of this Act, holds a position in the "civil service," or is an "employee" within the meaning of the *Civil Service Act*, shall continue or retain and be eligible to receive all the benefits, except salary as a civil servant, that he would have been eligible to receive had he remained under that 45 Act.



Moneys received to be deposited in bank. **14.** (1) The Minister of Finance shall deposit from time to time in the Bank of Canada or in a chartered bank to be designated by him to the credit of the Corporation:—

(a) the moneys received from licence fees in respect of private receiving licences and private station broad- 5 casting licences, after deducting from the gross receipts the cost of collection and administration, and of the service to holders of private receiving licences in the suppression of interference from local electrical sources, such costs being determined by the Minister from time 10 to time;

(b) any appropriation granted by Parliament for the purposes of the Corporation; and

(c) any advances or grants to the Corporation which are authorized to be made from Consolidated Revenue 15 Fund.

(2) The Corporation shall retain for the purposes of this Act all moneys received by it arising out of its business.

15. The Corporation may administer all funds which may be placed to its credit in the Bank of Canada or in a 20 chartered bank in accordance with the provisions of section fourteen hereof, and may administer all other sums and revenues which may be obtained by or given to the Corporation or derived from any other source, exclusively in furtherance of the purpose for which the Corporation is 25 constituted.

16. The Governor in Council, on the recommendation of the Minister, may authorize the Minister of Finance to place to the credit of the Corporation working capital advances from any unappropriated moneys in the Con-30 solidated Revenue Fund, but the aggregate amount of such advances outstanding at any one time shall not exceed one hundred thousand dollars, and such advances shall be repayable to the Minister of Finance on demand.

Advances for capital works not to exceed \$500,000.

Interest and amortization.

17. (1) The Governor in Council may authorize the 35 construction, extension or improvement of capital works of the broadcasting facilities of the Corporation in Canada and, on the recommendation of the Minister, may authorize the Minister of Finance to place to the credit of the Corporation from any unappropriated moneys in the Consoli-40 dated Revenue Fund such sum or sums as may be necessary to carry out such construction, extension or improvement of capital works: provided that the total amount which may be so authorized for the said purposes shall not exceed five hundred thousand dollars.

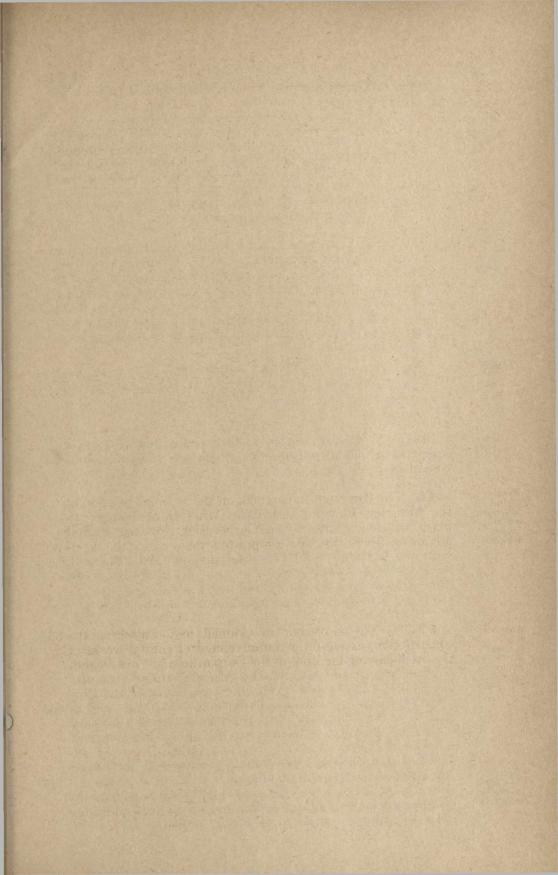
(2) Such moneys so advanced shall bear such rate of interest and shall be amortized on such terms and conditions as may be fixed by the Governor in Council.

Corporation to retain moneys received.

Corporation to administer funds.

Working capital advances not to exceed \$100,000.

in bank.



First charge on revenue.

Minister of Finance to deposit licence fees.

Corporation to render detailed accounts.

Annual audit.

Chain or network.

Regulations by the Corporation.

Minister may fix fair and reasonable amount. (3) The interest and amortization charges on the moneys so advanced shall be a first charge on the revenues of the Corporation.

18. For the fiscal year 1936-37 the Minister of Finance shall deposit to the credit of the Corporation the net amount 5 collected in licence fees during such year in accordance with subsection (a) of section fourteen hereof, less an amount equal to the amount or amounts paid out of Appropriation No. 226, 1936-37, for the purposes of the Canadian Radio Broadcasting Commission. 10

19. The Corporation shall establish and maintain an accounting system satisfactory to the Minister and shall, whenever required by him, render detailed accounts of its receipts and expenditures for such period or to such day as he designates, and all books of account, records, bank 15 books and papers of the Corporation shall at all times be open to the inspection of the Minister or of such person as he may designate.

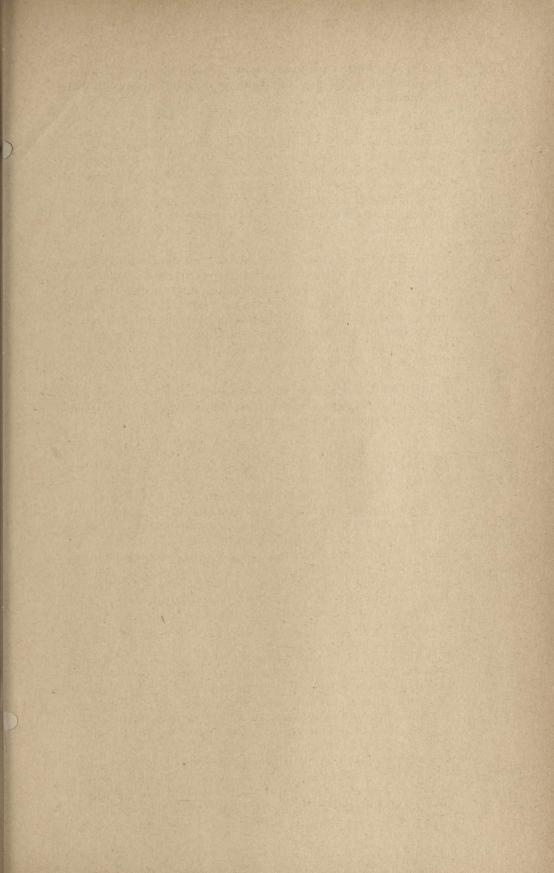
20. The accounts of the Corporation shall be audited by the Auditor General of Canada and a statement of such 20 accounts shall be included in the annual report of the Corporation.

21. No private station shall operate in Canada as a part of a chain or network of stations except with the permission of, and in accordance with the regulations made 25 by, the Corporation.

22. (1) The Corporation may make regulations:—

- (a) to control the establishment and operation of chains or networks of stations in Canada;
- (b) to prescribe the periods to be reserved periodically 30 by any private station for the broadcasting of programmes of the Corporation;
- (c) to control the character of any and all programmes broadcast by Corporation or private stations;
- (d) to determine the proportion of time which may be 35 devoted to advertising in any programmes broadcast by the stations of the Corporation or by private stations, and to control the character of such advertising;
- (e) to prescribe the proportion of time which may be devoted to political broadcasts by the stations of the 40 Corporation and by private stations, and to assign such time on an equitable basis to all parties and rival candidates.

(2) If the Corporation is unable to agree with the licensee of a private station as to the amount of compensation, if 45 any, to be paid by the Corporation for the use of such station for the broadcasting of programmes of the Corporation, the Minister may fix an amount which, in his opinion, is fair



and reasonable and such amount shall be paid by the Corporation to the licensee in full settlement of his claim to compensation.

(3) Dramatized political broadcasts are hereby prohibited.

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(4) The names of the sponsor or sponsors and the political party, if any, upon whose behalf any political speech or address is broadcast shall be announced immediately preceding and immediately after such broadcast.

(5) Political broadcasts on any dominion, provincial or 10 prohibited on municipal election day and on the two days immediately preceding any such election day are hereby prohibited.

> (6) In case of any violation or non-observance by a private station of the regulations made by the Corporation under this section, the Corporation may order that the 15 licence of such private station be suspended for a period not exceeding three months and any such order shall be forwarded to the Minister who shall forthwith communicate the same to the licensee of the station and shall take such steps as may be necessary to carry out the terms of such 20 order.

(7) The Corporation shall take such action as may be necessary to ensure that stations affected by its regulations shall have reasonable notice thereof.

23. (1) The Governor in Council may make regulations 25 prohibiting or regulating the use of any machinery, apparatus or equipment causing or liable to cause interference with radio reception and to prescribe penalties recoverable on summary conviction for the violation or non-observance of any such regulation, provided, however, that such penal- 30 ties shall not exceed fifty dollars per day for each day during which such violation or non-observance continues.

(2) Such regulations shall be published in the Canada Gazette, and shall take effect from the date of such publication or from the date specified for such purpose in such 35 regulations, and shall have the same force and effect as if enacted herein.

regarding private stations to be made by Corporation.

Review of the activities of private stations.

application for licence to establish a new private station or for increase in power, change of channel, or change of 40 location of any existing private station, or making any regulations or changes in regulations governing the activities of private stations, refer such application or regulation to the Corporation, and the Corporation shall make such recommendations to the Minister as it may deem fit. 45 (2) The Corporation shall, each year, prior to the renewal

24. (1) The Minister shall, before dealing with any

or issue of the licences for private stations by the Minister review the activities of such private stations, and shall 19909 - 2

Broadcasts.

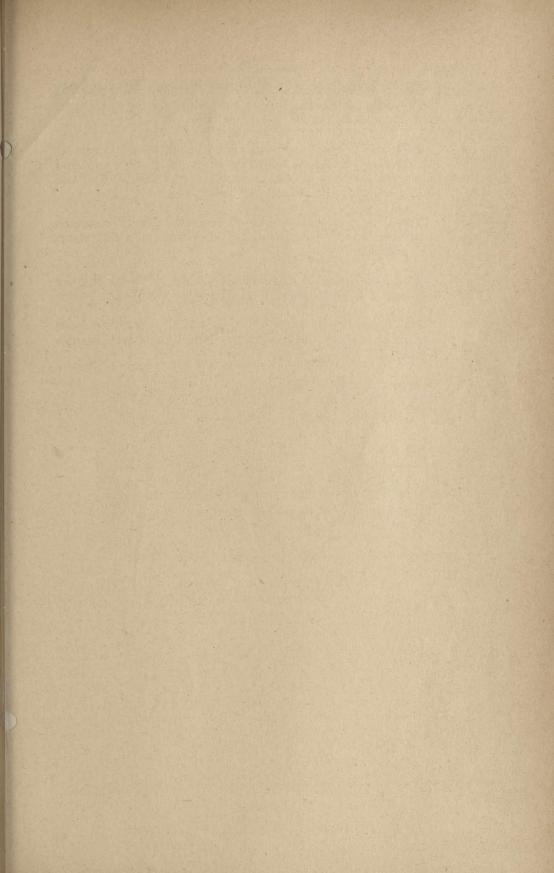
Sponsors.

Political Broadcasts the two days preceding election day.

Penalty.

Regulations prohibiting interfering equipment.

Publication and date effective.



make such recommendations to the Minister in regard to their working, broadcasting or any other matter concerning such stations as it may deem desirable.

25. The Corporation shall, from t_i date of the coming

into force of this Act, take possessi of all property and

assets and assume all the obligations and liabilities of the

Canadian Radio Broadcasting Commission.

Assets and liabilities of Radio Commission.

Annual report.

26. The Corporation shall through the Minister submit an annual report to Parliament in such form as the Minister may prescribe. 10

Act repealed. **27.** The Canadian Radio Broadcasting Act, 1932, chapter fifty-one of the statutes of 1932, is hereby repealed.

Suspending Clause. **28.** This Act in whe'e or in part shall come into force on a date or dates to be ed by proclamation of the Governor in Council.

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First Session, Eighteenth Parliament, 1 Edward VIII, 1936

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THE HOUSE OF COMMONS OF CANADA.

BILL 115.

Tym

Lotte en

An Act for granting to His Majesty certain sums of money for the public service of the financial years ending respectively the 31st March, 1936, and the 31st March, 1937.

AS PASSED BY THE HOUSE OF COMMONS, 23rd JUNE, 1936.

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1st Session, 18th Parliament, 1 Edward VIII, 1936

THE HOUSE OF COMMONS OF CANADA.

BILL 115.

An Act for granting to His Majesty certain sums of money for the public service of the financial years ending respectively the 31st March, 1936, and the 31st March, 1937.

MOST GRACIOUS SOVEREIGN,

Preamble.

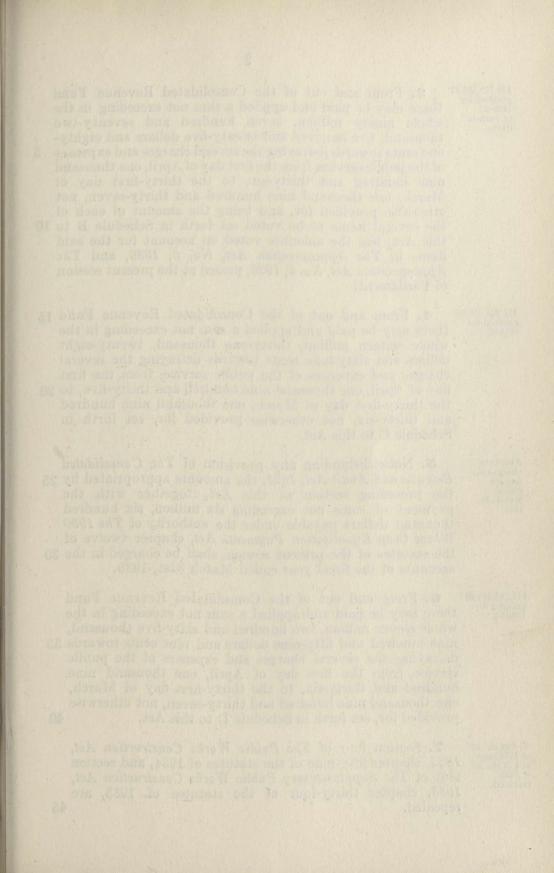
WHEREAS it appears by messages from His Excellency, the Right Honourable Baron Tweedsmuir of Elsfield, etc., etc., Governor General of Canada, and the estimates accompanying the said messages, that the sums hereinafter mentioned are required to defray certain expenses of 5 the public service of Canada, not otherwise provided for, for the financial years ending respectively the thirty-first day of March, one thousand nine hundred and thirty-six, and the thirty-first day of March, one thousand nine hundred and thirty-seven, and for other purposes connected with the 10 public service: May it therefore please Your Majesty that it may be enacted, and be it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, that:—

Short title.

1. This Act may be cited as The Appropriation Act, 15 No. 6, 1936.

\$149,551,948.12 granted for 1936-37.

2. From and out of the Consolidated Revenue Fund there may be paid and applied a sum not exceeding in the whole one hundred and forty-nine million, five hundred and fifty-one thousand, nine hundred and forty-eight 20 dollars and twelve cents towards defraying the several charges and expenses of the public service, from the first day of April, one thousand nine hundred and thirty-six to the thirty-first day of March, one thousand nine hundred and thirty-seven, not otherwise provided for, and being the 25 amount of each of the items to be voted set forth in Schedule A to this Act, less the amounts voted on account for the said items in *The Appropriation Act, No. 1, 1936*, and *The Appropriation Act, No. 4, 1936*, passed at the present session of Parliament. 30



\$90,772,525.81 granted for 1936-37 on certain items.

3. From and out of the Consolidated Revenue Fund there may be paid and applied a sum not exceeding in the whole ninety million, seven hundred and seventy-two thousand, five hundred and twenty-five dollars and eightyone cents towards defraying the several charges and expenses 5 of the public service, from the first day of April, one thousand nine hundred and thirty-six, to the thirty-first day of March, one thousand nine hundred and thirty-seven, not otherwise provided for, and being the amount of each of the several items to be voted set forth in Schedule B to 10 this Act, less the amounts voted on account for the said items in The Appropriation Act, No. 3, 1936, and The Appropriation Act, No. 5, 1936, passed at the present session of Parliament.

\$16,031,028.69 4. From and out of the Consolidated Revenue Fund 15 there may be paid and applied a sum not exceeding in the whole sixteen million, thirty-one thousand, twenty-eight dollars and sixty-nine cents towards defraying the several charges and expenses of the public service, from the first day of April, one thousand nine hundred and thirty-five, to 20 the thirty-first day of March, one thousand nine hundred and thirty-six, not otherwise provided for, set forth in Schedule C to this Act.

> 5. Notwithstanding any provision of The Consolidated Revenue and Audit Act, 1931, the amounts appropriated by 25 the preceding section of this Act, together with the payment of sums not exceeding six million, six hundred thousand dollars payable under the authority of The 1930 Wheat Crop Equalization Payments Act, chapter twelve of the statutes of the present session, shall be charged in the 30 accounts of the fiscal year ended March 31st, 1936.

\$11,265,959.09 granted for 1936-37.

6. From and out of the Consolidated Revenue Fund there may be paid and applied a sum not exceeding in the whole eleven million, two hundred and sixty-five thousand, nine hundred and fifty-nine dollars and nine cents towards 35 defraying the several charges and expenses of the public service, from the first day of April, one thousand nine hundred and thirty-six, to the thirty-first day of March, one thousand nine hundred and thirty-seven, not otherwise provided for, set forth in Schedule D to this Act. 40

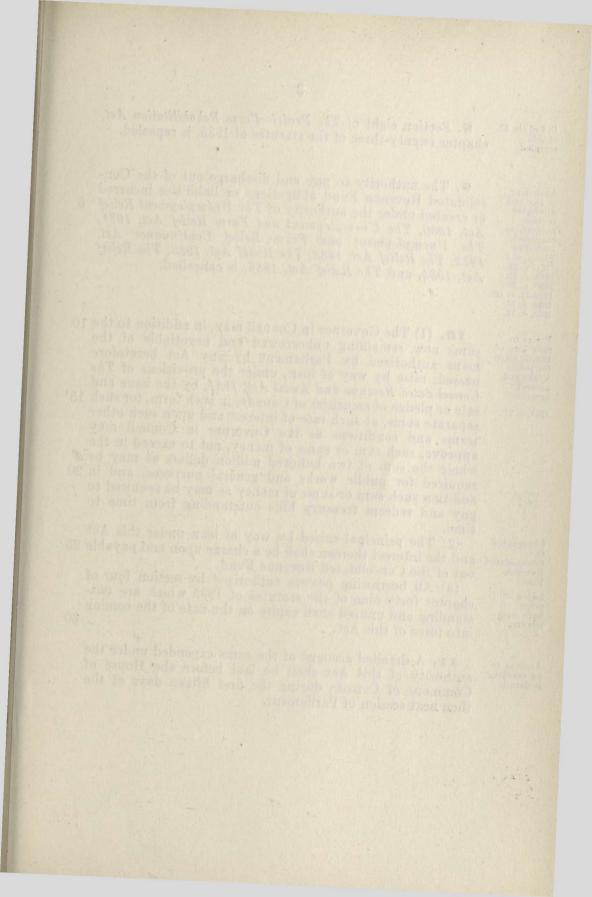
S. 4 of ch. 59 of 1934, and 8. 4 of ch. 34 of 1935 repealed.

7. Section four of The Public Works Construction Act, 1934, chapter fifty-nine of the statutes of 1934, and section four of The Supplementary Public Works Construction Act, 1935, chapter thirty-four of the statutes of 1935, are repealed. 45

granted for

1935-36.

March 31. 1936.



S. 8 of ch. 23 of 1935 repealed.

Authority to pay and discharge certain 1930 (2nd Sess.), c. 1. 1931, c. 58. 1932, c. 13. 1932, c. 36. 1932, c. 13. 1934, c. 15. 1935, c. 13.

Power to raise loan of \$200,000,000,000 for public works and general purposes.

1931, c. 27.

Chargeable to Consolidated Revenue Fund.

Lapse of prior borrowing powers.

Account to be rendered in detail. **S.** Section eight of *The Prairie Farm Rehabilitation Act*, chapter twenty-three of the statutes of 1935, is repealed.

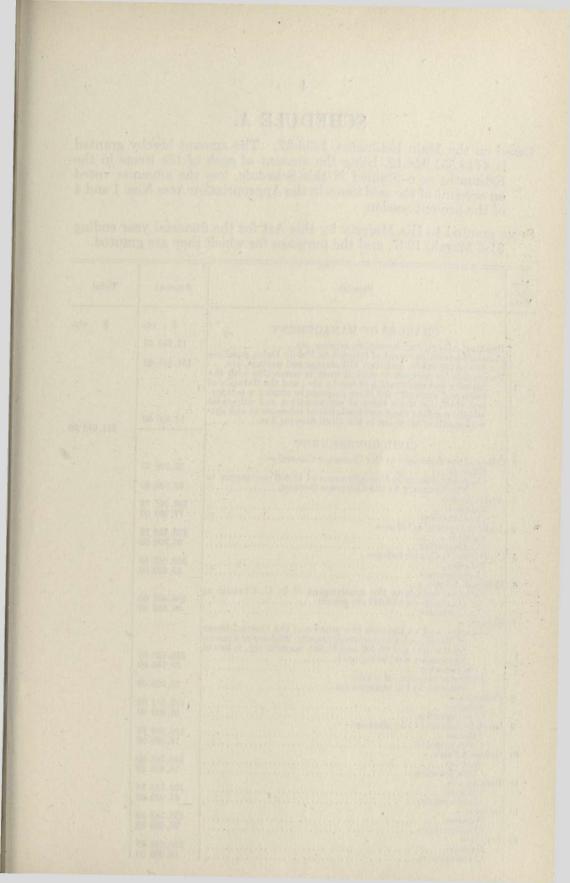
9. The authority to pay and discharge out of the Consolidated Revenue Fund obligations or liabilities incurred or created under the authority of The Unemployment Relief 5 Act, 1930, The Unemployment and Farm Relief Act, 1931, The Unemployment and Farm Relief Continuance Act, 1932, The Relief Act, 1932, The Relief Act, 1933, The Relief Act, 1934, and The Relief Act, 1935, is cancelled.

10. (1) The Governor in Council may, in addition to the 10 sums now remaining unborrowed and negotiable of the loans authorized by Parliament by any Act heretofore passed, raise by way of loan, under the provisions of *The Consolidated Revenue and Audit Act, 1931*, by the issue and sale or pledge of securities of Canada, in such form, for such 15 separate sums, at such rate of interest and upon such other terms and conditions as the Governor in Council may approve, such sum or sums of money, not to exceed in the whole the sum of two hundred million dollars as may be required for public works and general purposes, and in 20 addition such sum or sums of money as may be required to pay and redeem treasury bills outstanding from time to time.

(2) The principal raised by way of loan under this Act and the interest thereon shall be a charge upon and payable 25 out of the Consolidated Revenue Fund.

(3) All borrowing powers authorized by section four of chapter forty-nine of the statutes of 1935 which are outstanding and unused shall expire on the date of the coming into force of this Act. 30

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

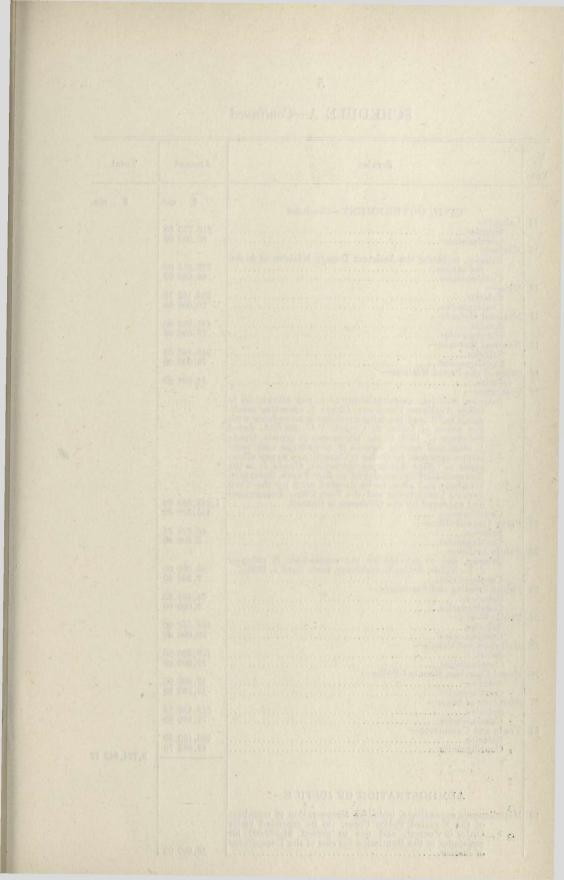


SCHEDULE A.

Based on the Main Estimates, 1936-37. The amount hereby granted is \$149,551,948.12, being the amount of each of the items in the Estimates as contained in this Schedule, less the amounts voted on account of the said items in the Appropriation Acts Nos. 1 and 4 of the present session.

SUMS granted to His Majesty by this Act for the financial year ending 31st March, 1937, and the purposes for which they are granted.

No. of Vote	Service	Amount	Total
	CHARGES OF MANAGEMENT	\$ cts.	\$ cts.
1	 Printing, advertising, inspection, express, etc Commission for payment of interest on Public Debt, purchase of sinking funds, auditing, bill stamps and postage, etc To provide for temporary clerical work in connection with the transfer and registration of bonds, etc., and the flotation of loans and authority for these purposes to employ a temporary temporary	45,549 50 151,481 00	
l	ary staff, fix their rates of remuneration and otherwise wholly regulate their services without reference to and not- withstanding anything in the Civil Service Act	14,000 00	211,030 50
	CIVIL GOVERNMENT		
2	Office of the Secretary to the Governor General— Salaries Contingencies, including allowance of \$2,500 per annum to	30,589 50	
-	the Secretary to the Governor General	69,500,00	
3	Agriculture— Salaries Contingencies	798,997 75 77,200 00	
4	Auditor General's O ffice— Salaries Contingencies	330,520 75 66,000 00	
5	Civil Service Commission— Salaries Contingencies	209,062 50 55,000 00	
6	External Affairs— Salaries, includi ng the appointment of L. C. Christie as Counsellor at \$6,000 per annum Contingencies Finance—	100,007 00 69,500 00	
	Salaries, and to increase the salaries of the Commissioner of Tariff and the Assistant Deputy Minister of Finance by the sum s of \$2,000 and \$1,500, respectively, in lieu of allowances now being paid Contingencies Inspector General of Banks- Salaries and Contingencies	$342,32850 \\ 39,16000 \\ 22,90500$	
8	Fisheries- Salaries. Contingencies.	113,331 00 20,000 00	
9	Im nigration and Colo nization— Salaries Contingencies	196,049 25 16,300 00	
10	Indian Affairs— Salaries Conting encies	130,743 00 18,000 00	
11	Contingencies Insurance— Salaries Contingencies	105,323 56 62,920 00	
12	Interior- Salaries. Contingencies.	533,782 50 20,000 00	
13	Salaries.	230,265 25 45,000 00	

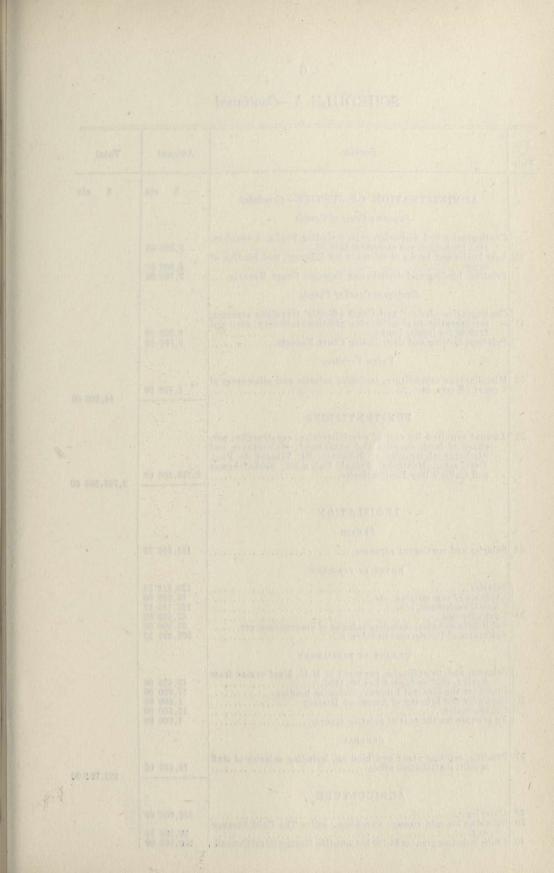


of Vote	Service	Amount	Total
	CIVIL GOVERNMENT—Concluded	\$ cts.	\$ cts.
14	Labour— Salaries Contingencies.	210,770 50 26,000 00	
15	Marine— Salaries, including the Assistant Deputy Minister at \$6,000 per annum.	273,813 00	
16	Contingencies Mines— Salaries.	46,800 00 530,152 75	
17	Contingencies National Defence— Salaries.	20,000 00 441,082 00	
18	Contingencies National Revenue— Salaries	52,600 00 946,240 00	
19	Contingencies Office of the Prime Minister—	75,000 00 41,901 00	
20	Salaries Post office— Salaries, including amounts required to pay allowances to	41,901 00	
	Office Appliance Operators, Grade 2, operating mech- anical audit card punching machines in accordance with the terms of Order in Council P.C. 280/383, dated February 17, 1930; to pay allowances to typists, Grade 1, employed cutting stencils in accordance with regu- lations approved by Order in Council; and to pay allow- ances to Office Appliance Operators, Grade 2, in the Revenue Division employed as Key Punch Operators, schedules and rates to be decided upon by the Civil Service Commission and the Post Office Department and approved by the Governor in Council	1,248,660 00	
21	Contingencies Privy Council Office- Salaries	1,210,000 00 155,920 00 46,838 25	
22	Contingencies. Public Archives— Salaries, and to provide for the continuance in office of	5,000 00	
23	J. B. Noble, Senior Bookbinder, from April 1, 1936 Contingencies. Public Printing and Stationery—	92,020 00 9,200 00	
20	Salaries Contingencies Public Works—	34,461 25 9,000 00	
	Salaries Contingencies	508,536 00 50,000 00	
25	Railways and Canals— Salaries Contingencies Royal Canadian Mounted Police—	$\begin{array}{c} 179,526 \\ 23,000 \\ 00 \end{array}$	
26	Salaries Contingencies	$17,499 00 \\ 13,300 00$	
27	Secretary of State— Salaries Contingencies	312,838 75 74,190 00	
28	Trade and Commerce— Salaries Contingencies	605,120 50 42,088 70	9,794,043 26

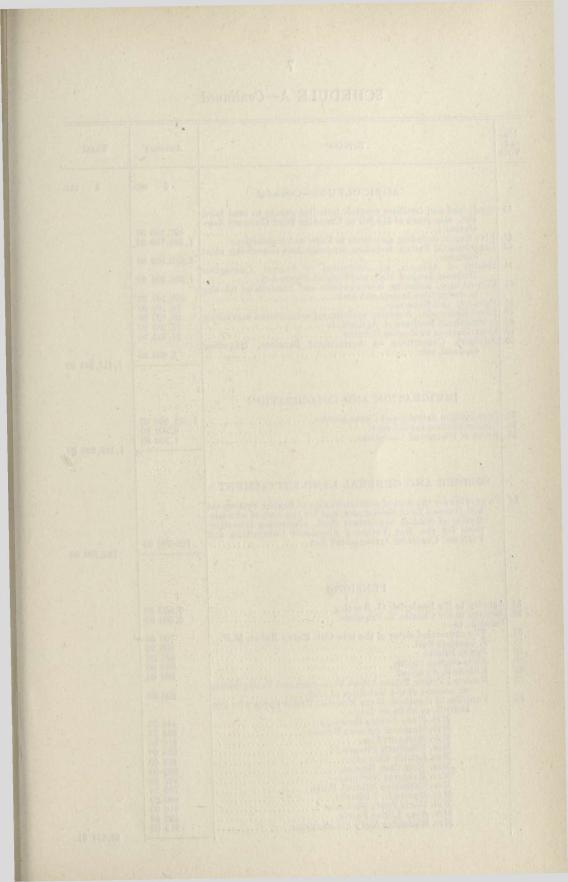
ADMINISTRATION OF JUSTICE

29 Miscellaneous expenditure, including remuneration to members of the Mounted Police Force, (to be expended under Order in Council, and not to exceed \$1,300.00) for assistance in the Remission Service of the Department of Justice.....

15,000 00

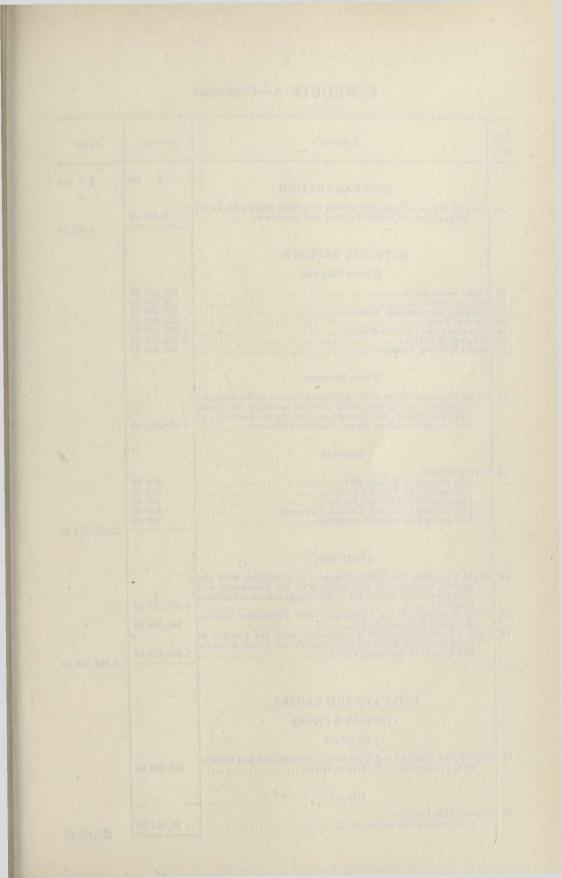


No. of Vote	Service	Amount	Total
	ADMINISTRATION OF JUSTICE—Concluded	\$ cts.	\$ cts
UNIN	Supreme Court of Canada		
30	Contingencies and disbursements, including books, magazines, etc., for judges, not exceeding \$350.00 Law books and books of reference for Library, and binding of	3,300 00	
[same Printing, binding and distributing Supreme Court Reports	4,500 00 7,500 00	
	Exchequer Court of Canada	and the local of	
31	Contingencies—Judges' and Court officials' travelling expenses; remuneration to sheriffs, etc., printing stationery, etc.; and \$150.00 for judges books Printing, binding and distributing Court Reports	6,200 00 2,000 00	
	Yukon Territory		
32	Miscellaneous expenditure, including salaries and allowances of court officers, etc	6,300 00	44,800 00
	PENITENTIARIES		
33	Amount required for cost of administration, construction, pur- chase of land, supplies and equipment, maintenance and discharge of inmates at Kingston, St. Vincent de Paul, Dorchester, Manitoba, British Columbia, Saskatchewan and Collin's Bay Penitentiaries.	2,749,506 00	2,749,506 00
	LEGISLATION		2,110,000 0
	Senate	4	
34	Salaries and contingent expenses	184,309 75	
	HOUSE OF COMMONS	8- 35 P	
35	Salaries. Expenses of committees, etc. Clerical assistance, etc. Contingencies. Publishing debates, including salaries of amanuenses, etc. Estimates of the Sergeant-at-Arms.	$\begin{array}{c} 130,816 \ 25 \\ 15,000 \ 00 \\ 124,146 \ 87 \\ 47,409 \ 00 \\ 63,000 \ 00 \\ 206,091 \ 13 \end{array}$	
	LIBRARY OF PARLIAMENT	à 84.8	
36	Salaries, and to authorize payment of M.C. MacCormac from April 1, 1936 to September 30, 1936 Books for the General Library, including binding Books for the Library of American History Contingencies To provide for the cost of printing reports	45,429 00	
	GENERAL	とにすい。	
37	Printing, printing paper and binding, including salaries of staff in joint distribution office	75,000 00	922,7020
	AGRICULTURE		
38 39	Dairying. Subsidies for cold store reachance under The Cold Store	256,000 00	
	Subsidies for cold storage warehouses under The Cold Storage Act Fruit, including grant of \$4,750 to Canadian Horticultural Council	39,506 39 460,200 00	

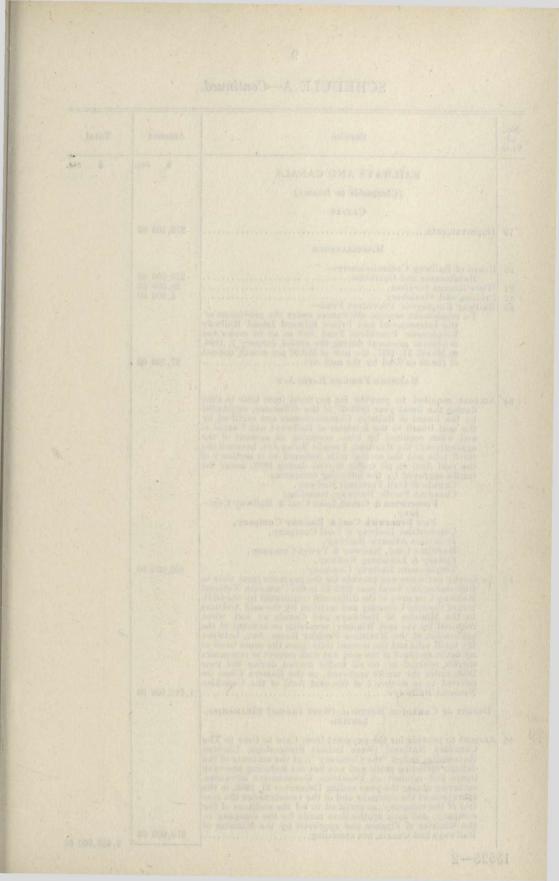


No. of Vote	Service	Amount	Total
	AGRICULTURE—Concluded	\$ cts.	\$ cts.
41	Seed, feed and fertilizer control, including grants to seed fairs, etc., also grant of \$18,900 to Canadian Seed Growers Asso-		
42	ciation Live Stock, including assistance to Fairs and Exhibitions	$\begin{array}{r} 407,200 \hspace{0.1cm} 00 \\ 1,490,700 \hspace{0.1cm} 00 \end{array}$	
43 44	Experimental Farms, including investigations concerning plant diseases Health of Animals, administration of Animal Contagious Diseases Act and Meas and Canned Foods Act	2,015,900 00	
45	Entomology, including investigations and inspections relating		
46 47 48	to destructive insects and pests Publicity and Extension. Farm Economics, including agricultural co-operative marketing International Institute of Agriculture	12,000 00	
49 50	Contributions to Empire Bureaux Advisory Committee on Agricultural Services, travelling	21,535 00 5,000 00	
	expenses, etc	3,000 00	7,117,341 39
	IMMIGRATION AND COLONIZATION	n data co	
51 52 53	Immigration Salaries and Contingencies Empire Settlement Scheme	$1,181,000,00 \\ 6,800 \ 00 \\ 1,500 \ 00$	
			1,189,300 00
	SOLDIER AND GENERAL LAND SETTLEMENT	146.000.00	
54	To provide for the cost of administration of Soldier Settlement and General Land Settlement, and for the cost of adminis- tration of Soldier Settlement staff, performing investiga- tions for the War Veterans Allowance Committee and		
	Farmers' Creditors Arrangement Act	786,300 00	786,300 00
	PENSIONS		
55 56	Annuity to Sir Frederick G. Banting Annuity to Sir Charles E. Saunders Pensions to—	$7,500 00 \\ 5,000 00$	
57 58 59 60	The unmarried sister of the late Col. Harry Baker, M.P J. Langlois Bell. James Elliott. Alice Morson Smith	$\begin{array}{ccc} 700 & 00 \\ 600 & 00 \\ 672 & 00 \\ 600 & 00 \end{array}$	
61 62 63	Elizabeth Swinford. Mounted Police, Prince Albert Volunteers and Police Scouts on account of the Rebellion of 1885. Families of members of the Mounted Police Force who lost	600 00 806 65	
	their lives while on duty— Mrs. Mary Emma Bossange Mrs. Margaret Johnson Brooke Mrs. Margaret Cox	$\begin{array}{r} 456 & 25 \\ 821 & 25 \\ 470 & 63 \\ 525 & 00 \end{array}$	
	Mrs. Elizabeth Fitzgerald. Mrs. Letitia Kennedy. Mrs. Nora Jean Massan Mrs. Margaret Nicholson	$\begin{array}{c} 525 & 00 \\ 423 & 50 \\ 300 & 00 \\ 607 & 50 \\ 705 & 25 \end{array}$	
	Mrs. Catharine Mildred Ralls Mrs. Myrtle L. Richards. Mrs. Doris Freda Sampson Mrs. Amy Lillian Searle.	$\begin{array}{c} 795 \ 25 \\ 900 \ 00 \\ 816 \ 00 \\ 406 \ 98 \end{array}$	
	Mrs. Madeleine Mary Shoebothom	- 810 00	23,811 01

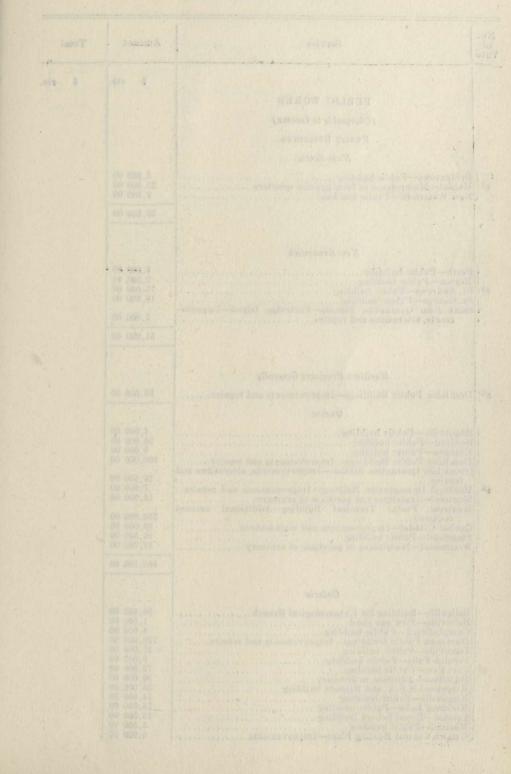
23,811 01



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No. of Vote	Service	Amount	Total
	SUPERANNUATION	\$ cts.	\$ cts.
64	To provide for retiring allowances to former employees of the Department of Public Printing and Stationery	6,432 00	6,432 06
	NATIONAL DEFENCE		
	MILITIA SERVICES		
65 66 67 68 69 70 71	Cadet Services Contingencies. Engineer Services and Works. General Stores. Non-Permanent Active Militia. Permanent Force. Royal Military College.	$\begin{array}{c} 150,000 \ 00\\ 28,800 \ 00\\ 676,100 \ 00\\ 1,838,400 \ 00\\ 2,358,100 \ 00\\ 5,546,700 \ 00\\ 368,400 \ 00 \end{array}$	1000
	NAVAL SERVICES		
72	Naval Services—To provide for the maintenance of the ships and establishments of the Naval Service, including the Royal Canadian Navy, the Royal Canadian Naval Reserve and the Royal Canadian Naval Volunteer Reserve	2,409,500 00	
	General		
73	Civil Pensions— Life pension to Robert Allen. Life pension to Walter Pettipas. Life pension to Florence Walker. Life pension to Arnold Truman Townsend. Life pension to Michael Mountain.	$\begin{array}{c} 269 \ 52 \\ 515 \ 90 \\ 360 \ 00 \\ 420 \ 00 \\ 420 \ 00 \end{array}$	13, 377, 985 42
	AVIATION		
75	 Royal Canadian Air Force—Expenses in connection with the general maintenance and training of the Permanent and Non-permanent Active Air Force, and provision of facilities therefor. Civil Government Air Operations—For Preventive Service and other Air Operations. Civil Aviation—Expenses in connection with the Control of Civil Aviation, Airways, Government and Public Airports and Grants to Aeroplane Clubs. 	4,130,000 00 408,300 00 1,262,800 00	
	A STREET STREET	The second	5,801,100 00
	DATI WAVE AND CANALS	A sector 1	
	RAILWAYS AND CANALS (Chargeable to Capital)		
	RALWAYS		
77	Hudson Bay Railway and Terminals; Construction and Better- ments (including E. B. Jost at \$2,375)	217,500 00	
	CANALS		
78	Welland Ship Canal— Construction and Betterments	60,000 00	077 500 00
1	-]	277,500 00



No. of Vote	Service	Amount	Total
	RAILWAYS AND CANALS	\$ cts.	\$ cts.
	(Chargeable to Income)		
	CANALS		
79	Improvements	270,100 00	
	MISCELLANEOUS		
80	Board of Railway Commissioners—		
81	Maintenance and Operation Miscellaneous Services	$230,000 00 \\ 38,500 00$	
82 83	Printing and Stationery Railway Employees' Provident Fund—	5,000 00	
	To supplement pension allowances under the provisions of the Intercolonial and Prince Edward Island Railway		1. 1. 1. 1.
	Employees' Provident Fund Act so as to make the minimum payment during the period January 1, 1936,		
	to March 31, 1937, the sum of \$30.00 per month instead of \$20.00 as fixed by the said Act	27,300 00	Dansking Profession
	MARITIME FREIGHT RATES ACT		
84	Amount required to provide for payment from time to time		
	during the fiscal year 1936-37 of the difference, estimated by the Board of Railway Commissioners and certified by		
	the said Board to the Minister of Railways and Canals as and when required by him, occurring on account of the		
	application of the Maritime Freight Rates Act, between the tariff tolls and the normal tolls (referred to in section 9 of		
	the said Act) on all traffic moved during 1936, under the tariffs approved by the following companies:		
	Canada & Gulf Terminal Railway, Canadian Pacific Railway, including: Fredericton & Grand Lake Coal & Railway Com-		
	pany,		
	New Brunswick Coal & Railway Company, Cumberland Railway & Coal Company,		- A STAND
	Dominion Atlantic Railway, Maritime Coal, Railway & Power Company,		
	Sydney & Louisburg Railway, Témiscouata Railway Company	800,000 00	11/11/11/1
85	To hereby authorize and provide for the payment from time to time during the fiscal year 1936-37 to the Canadian National		
	Railway Company of the difference (estimated by the audi- tors of the said Company and certified by the said Auditors	" spinken s	
	to the Minister of Railways and Canals as and when required by the said Minister) occurring on account of the		
	application of the Maritime Freight Rates Act, between the tariff tolls and the normal tolls (upon the same basis as		
	set out in section 9 of the said Act with respect to companies therein referred to) on all traffic moved during the year		-1. 7, 963, 196 94
	1936, under the tariffs approved, on the Eastern Lines (as referred to in section 2 of the said Act) of the Canadian		
	National Railways	1,740,000 00	
	Deficit of Canadian National (West Indies) Steamships, Limited		and the second
86	Amount to provide for the payment from time to time to The	No. Contraction	
	Canadian National (West Indies) Steamships, Limited (hereinafter called "the Company"), of the amounts of the deficits including profit and loss but not including non-cash		
	items and interest on Dominion Government advances,	-	
	occurring during the year ending December 31, 1936, in the operations of the company and of the vessels under the con-		
	trol of the company, as certified to by the auditors of the company, and upon applications made by the company to		
	the Minister of Finance and approved by the Minister of Railways and Canals, not exceeding	370,000 00	3,480,900 00
	1		0,200,000 00



10

SCHEDULE A-Continued

No. of lote	Service	Amount	Total
		\$ cts.	\$ cts
	PUBLIC WORKS		1 . 1
	(Chargeable to Income)		1
-	PUBLIC BUILDINGS	220, 100 100 1	
	Nova Scotia	a starter and	
811	Bridgetown—Public building Halifax—Maintenance of Immigration quarters New Waterford—Public building	5,000 00 25,000 00 9,500 00	
1	tana ing ang tang ang tang tang tang tang tang	39,500 00	
	New Brunswick	the second	
88	Perth—Public building. Rexton—Public building. St. Andrews—Public building. St. George—Public building. Saint John Quarantine Station—Partridge Island—Improve-	$\begin{array}{r} 9,000 & 00 \\ 2,500 & 00 \\ 13,000 & 00 \\ 19,500 & 00 \end{array}$	
i	ments, alterations and repairs	7,000 00	
		51,000 00	
	Maritime Provinces Generally		
89	Dominion Public Buildings—Improvements and repairs	50,000 00	
	Quebec	pre-	
	Bagotville—Public building. Bedford—Public building. Dolbeau—Public building. Dominion Public Buildings—Improvements and repairs. Gross Isle Quarantine Station—Improvements, alterations and	4,000 00 26,000 00 9,000 00 100,000 00	
	repairs. Montreal Immigration Building—Improvements and repairs. Montreal—Instalment on purchase of armoury. Montreal Postal Terminal Building—Additional amount	7,500 00 15,900 00 250,000 00	
	required Quebec Citadel—Improvements and maintenance Stanstead—Public building Westmount—Instalment on purchase of armoury	$\begin{array}{c} 230,000 & 00 \\ 19,000 & 00 \\ 10,500 & 00 \\ 12,700 & 00 \end{array}$	
	enclose in section to a fine spot and meaning to ever the section of	465,100 00	
	Ontario		
91	Belleville—Building for Entomological Branch Belleville—New gun shed Campbellford—Public building. Dominion Public Buildings—Improvements and repairs. Dunnville—Public building. Forelon Falls—Public building. Hamilton—Addition to armoury. Kingston—R.S.A. and Brigade building. Kingsville—Public building. Kirkland Lake—Public building. London—Royal School Building. Meaford—Public building. Ottawa Central Heating Plant—Improvements	$\begin{array}{c} 36,500 \ 00\\ 1,500 \ 00\\ 6,000 \ 00\\ 125,000 \ 00\\ 17,000 \ 00\\ 72,000 \ 00\\ 72,000 \ 00\\ 30,000 \ 00\\ 55,000 \ 00\\ 14,500 \ 00\\ 15,500 \ 00\\ 5,500 \ 00\\ 5,500 \ 00\\ 6,900 \ 00\\ \end{array}$	

No. of Vote	Service	Amount	Total
	PUBLIC WORKS—Continued	\$ cts.	\$ cts.
	(Chargeable to Income)—Continued	Constant of the	
	PUBLIC BUILDINGS—Continued		
	Ontario-Concluded	and the second second	
,	Ottawa Departmental Buildings—Fittings, etc	55,000 00	
91	Ottawa — To provide for the acquisition of the Hope property at the corner of Sparks and Elgin Streets.	7	
	Powas san-Public building	16,000 00	
	Richm ond Hill—Public building Toront o—Instalment on purchase of armoury	29,400 00	
) (Watfor d—Public building		
	Manitoba	764,800 00	
(Domin ion Public Buildings-Improvements and repairs	25,000 00	
92	Elkhorn — Public building Rivers— Public building	6,500 00 5,000 00	
l	Russell-Public building	23,500 00	
	Saskatchewan	60,000 00	
(Dominion Public Buildings—Improvements and repairs	25,000 00	
93	Kind ersley—Public building. Regina—Instalment on purchase of armoury	32,000 00 30,500 00	
	Watrous—Public building. Whitewood—Public building.	6,000 00 3,500 00	
ſ		97,000 00	
	Alberta	97,000 00	
ſ	Calgary-Instalment on purchase of property for ordnance	0.000.00	
94	stores. Dominion Public Buildings—Improvements and repairs	9,000 00 17,000 00	
	Peace River—Public building Red Deer—Addition to armoury	$\begin{array}{c ccccccccccccccccccccccccccccccccccc$	
	and the second	59,000 00	
	British Columbia	The second	
[Dominion Public Buildings—Improvements and repairs Hollyburn—Public building	$35,000\ 00$ $37,000\ 00$	
	Lillooet—Public building Mission City—Public building	$6,500\ 00$ $6,000\ 00$	
95	Penticton—Public building	65,000 00	
+	Salmon Arm—Public building Sidney—Public building	$\begin{array}{c ccccccccccccccccccccccccccccccccccc$	
	Vancouver—Instalment on purchase of armoury Vancouver Public Building—To meet one year's interest at 5%	14,000 00	
1	on mortgage of \$400,000	20,000 00	
	Conservitu	231,000 00	
	Generally -		
11	Experimental Farms—Replacements, repairs and improve- ments.	100,000 00	
96	Flags for Dominion Public Buildings. Military Buildings—Repairs, fittings and additions	$\begin{array}{c cccc} 4,500 & 00 \\ 25,000 & 00 \end{array}$	
	Military Hospitals-Repairs, improvements and alterations	80,000 00	
	Post Office equipment Public Buildings generally	14,000 00 30,000 00	
	-		
10000		253,500 00	

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No. of Vote	Service	Amount	Total
	PUBLIC WORKS—Continued (Chargeable to Income)—Continued	\$ ets.	\$ cts.
	PUBLIC BUILDINGS-Concluded		
	Rents, Repairs, Furniture, Heating, etc.		
	Otta wa Public Buildings and Grounds- Elevator attendants. Departments Generally-Char Service, including \$150 for	124,000 00	
	firing noon gun Heating, including salaries of engineers, firemen and watch-	461,000 00	
97	men	408,000 00 190,000 00	
-914	Repairs, improvements, additions and maintenance Rideau Hall—Allo wance for fuel and light Rideau Hall—Imp rovements, furniture and maintenance Talenhone Service	$\begin{array}{c} 353,000 & 00 \\ 353,000 & 00 \\ 19,000 & 00 \\ 42,000 & 00 \\ 88,000 & 00 \end{array}$	
	Water. Dominion Public Buildings— Dominion Immigration Buildings—Repairs, improvements,	67,000 00	
the same is such as	additions and furniture. Dominion Quarantine Stations—Maintenance and repairs Fittings and furniture. Heating.	$\begin{array}{c} 13,000 \ 00 \\ 130,000 \ 00 \\ 100,000 \ 00 \\ 463,000 \ 00 \end{array}$	
98	Light and power	332,000 00 1,570,000 00	
	Rents Salaries of caretakers, engineers, firemen, etc. Supplies for caretakers, engineers, firemen, etc. Water Yukon Public Buildings—Rents, repairs, fuel, light, water	1,320,000 00 54,000 00 83,000 00	
F	Yukon Public Buildings—Rents, repairs, fuel, light, water service and caretakers' salaries	22,500 00	
		5,719,500 00	
	HARBOURS AND RIVERS		
	Nova Scotia	N. Same	
(Under Contract— Dingwall (Aspy Bay) Harbour improvements North West Cove (Scatari Island) breakwater Essential Undertakings—	6,600 00 10,500 00	
99	Halifax—Repairs and improvements to wharfs and buildings at R.C.N. Barracss and H.M.C. Dockyards. Harbours and Rivers Generally—For maintenance of services, no new works to be undertaken.	75,000 00	
ł	no new works to be undertaken	342,100 00	
	Prince Edward Island	342,100 00	
100	Harbours and Rivers Generally-For maintenance of services, no new works to be undertaken	75,000 00	
	New Brunswick	20.000	
101	Under Contract— Campbellton—Dredging. Caraquet (Young Wharf)—Enlargement and repairs. Little Shippigan—Breakwater wharf. Lower Caraquet—Wharf repairs. Miramichi Bay—Dredging Newcastle—Wharf.	$\begin{array}{c} 21,000 & 00 \\ 14,000 & 00 \\ 25,000 & 00 \\ 20,000 & 00 \\ 26,000 & 00 \\ 5,000 & 00 \end{array}$	
11	Essential Undertakings- St. John (Negro Point)-Repairs to harbour works Harbours and Rivers Generally-For maintenance of services,	20,000 00	
(no new works to be undertaken		
		231,000 00	

SCHEDULE A -- Continued

in post A.

No of Vo	f Service	Amount	Toțal
	PUBLIC WORKS—Continued	\$ cts.	\$ cts.
	(Chargeable to Income)—Continued		
	HARBOURS AND RIVERS-Continued		
	Quebec		
102	Under Contract— Anse à Beaufils—Repairs to harbour works. Anse au Griffon (River)—Extension to breastwork. Baie Lavallière—Dredging. Black Cape (Howatson's Point)—Wharf. Cape Cove (Anse du Cap)—Wharf reconstruction. Carleton—Wharf reconstruction. Doucet's Landing (Ste. Angèle de Laval)—Dredging. Dune du Sud, M.I.—Breakwater. Grand Entrée, M.I.—Wharf extension and reconstruction of breastwork. Havre Aubert, M.I.—Strengthening and widening wharf. Havre St. Pierre—Wharf extension—One-third of the cost to be contributed jointly by the Ontario Paper Co. Ltd. and the Anglo-Canadian Pulp and Paper Co.	$\begin{array}{c} 6,300 & 00 \\ 5,000 & 00 \\ 25,000 & 00 \\ 37,500 & 00 \\ 39,000 & 00 \\ 14,500 & 00 \\ 6,800 & 00 \\ 18,000 & 00 \\ 31,000 & 00 \\ 65,000 & 00 \\ \end{array}$	
		1,105,700 00	
	Ontario		
103	Under Contract— Collingwood—Removal of dock Fort William—Harbour improvements. Kingsville—Harbour improvements. Little Castor River and Annable Creek—Contribution to the Municipality of the Township of Winchester to- wards dredging, the Provincial Government to con- tribute a like amount. Midland—Harbour repairs and improvements. Owen Sound—Harbour improvements. Port Arthur—Harbour improvements. Windsor—Warehouse extension.	$\begin{array}{c} 17,000 & 00\\ 134,000 & 00\\ 27,000 & 00\\ 1,850 & 00\\ 10,000 & 00\\ 19,000 & 00\\ 19,000 & 00\\ 68,000 & 00\\ 35,000 & 00\\ \end{array}$	
	Essential Undertakings— Toronto—Maintenance of Eastern Channel Harbours and Rivers Generally—For maintenance of services, no new works to be undertaken	12,000 00 200,000 00	
	Manitoba	523,850 00	
104	Harbours and Rivers Generally-For maintenance of services, no new works to be undertaken	40,000 00	

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	Under Contract - Control (Sector - Represented of Anne Representations of Sector path - For maintenance of antelena- control and the main - Representation - For maintenance of antelena.	
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No. of Vote	Service	Amount	Total
	PUBLIC WORKS-Continued	\$ cts.	\$ cts
	(Chargeable to Income)-Continued		
	HARBOURS AND RIVERS-Continued		
	Saskatchewan, Alberta and Northwest Territories		
105	Under Contract— Cowan River—Replacement of dam Harbours and Rivers Generally—For maintenance of services, no new works to be undertaken	3,000 00 15,000 00	
	Dividint	18,000 00	
	British Columbia Under Contract—	A State and	
	Esquimalt R.C.N. Barracks and H.M.C. Dockyard—New buildings, repairs and improvements Essential Undertakings—	100,000 00	
106	Fraser, Skeena and Naas Rivers-Operation and mainten- ance of snagboats	37,500 00	
	Harbours and Rivers Generally— For maintenance of services, no new works to be undertaken	100,000 00	
	Yukon	237,500 00	
107	Essential Undertakings— Stewart and Yukon Rivers—Improvements	5,000 00	
	Generally	20 an. 1	
108	Harbours and Rivers Generally—For maintenance of services, no new works to be undertaken	30,000 00	
	DREDGING	and and the	
109	Dredging—Maritime Provinces Dredging—Ontario and Quebec	300,000 00 320,000 00	
109	Dredging—Baritish Columbia	50,000 00 185,000 00	
	ROADS, AND BRIDGES	855,000 00	
1	Burlington Channel Bridge—Maintenance and repairs Calumet-Bryson Bridge—Improvements and repairs Dominion Roads and Bridges—Generally Great Bear River Rapids—Improvement of portage road and	15,000 00, 6,900 00, 5,000 00,	
110	dock	16,500 00, 13,000 00,	
	Allgston—wharves and bridges—Mathematice and reparts Ottawa—Maintenance and repairs to bridges and approaches Perley Bridge over Ottawa River at Hawkesbury Selkirk—Bridge—Maintenance and repairs	8,400 00, 10,900 00, 3,000 00,	
	The Content of Management of Discovers Chargement	78,700 00	
	TELEGRAPH AND TELEPHONE LINES	-	
BALL	Quebec	12.00.20.0	
111	Reconstruction of North Shore St. Lawrence Telegraph System from Shelter Bay eastward—Under construction	10,000 00	

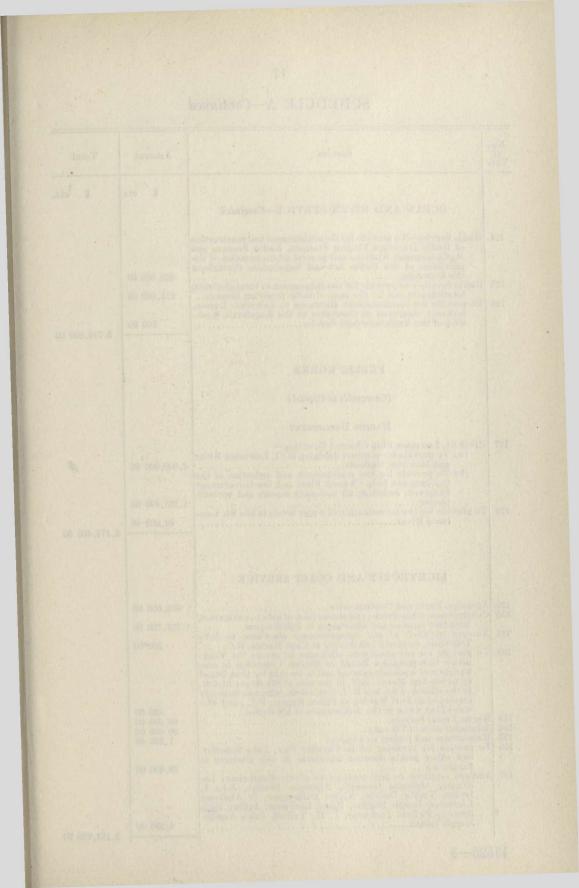
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No. of	Service	Amount	Total
Vote			
	PUBLIC WORKS—Concluded	\$ ets.	\$ cts,
	(Chargeable to Income)—Concluded		
	TELEGRAPH AND TELEPHONE LINES—Concluded		
	Saskatchewan and Alberta		
112	Saskatchewan and Alberta Telegraph and Telephone Lines— Repairs and Improvements	15,000 00	
	British Columbia	Service Service	
(British Columbia Northern District-Repairs and improve-		
112	British Columbia Vancouver Island District—Repairs and im-	6,000 00	
113	provements	9,000 00	
	Yukon	15,000 00	
	Yukon Telegraph System—Repairs and improvements	15,000 00	
114	ruson relegraph System—Repairs and improvements	15,000 00	
	MISCELLANEOUS Architectural Branch—Salaries of Architects, Clerks of Works		
	Inspectors, Draftsmen, Clerks and Messengers of outside service	72,000 00	
100	Engineering Branch-Salaries of Engineers, Clerks, etc., of	390,000 00	
	For operation and maintenance of inspection boats	18,000 00	
	Maintenance and operation of water storage dams on Ottawa River and Tributaries	34,000 00	
115	National Gallery of Canada National Monument on Connaught Place	$\begin{array}{c} 75,000 & 00 \\ 100,000 & 00 \end{array}$	
	Surveys and inspections. Balance of expenditure for works already authorized provided	65,000 00	
	amount for any one work does not exceed \$200 Miscellaneous works not otherwise provided for, not more than	5,000 00	
1	\$3,000 to be expended upon any one work	50,000 00	
	and and a set that we	809,000 00	12, 196, 250 00
	MAIL SUBSIDIES AND STEAMSHIP SUBVENTIONS		
	ATLANTIC OCEAN	1.000 AND 1	
(Canada and the United Kingdom, on the Atlantic, service		
(Sale)	between Canada and South Africa, service between	250,000 00 112,500 00	
Harry	Dear house Restanting to encode the spice of and		
00	PACIFIC OCEAN		
	British Columbia and China, service between British Columbia and South Africa, service between	118,800 00 84,000 00	
116	Canada, China and Japan, service between Canada and New Zealand, on the Pacific, service between Prince Rupert, B.C., and Queen Charlotte Islands, service	600,000 00 300,000 00	
	between	12,000 00 33,000 00	
Contra la	between. Victoria, Vancouver, way ports and Skagway, service between. Victoria and West Coast Vancouver Island, service between	18,000 00 12,000 00 10,000 00	

SCHEDTLE A-Continued

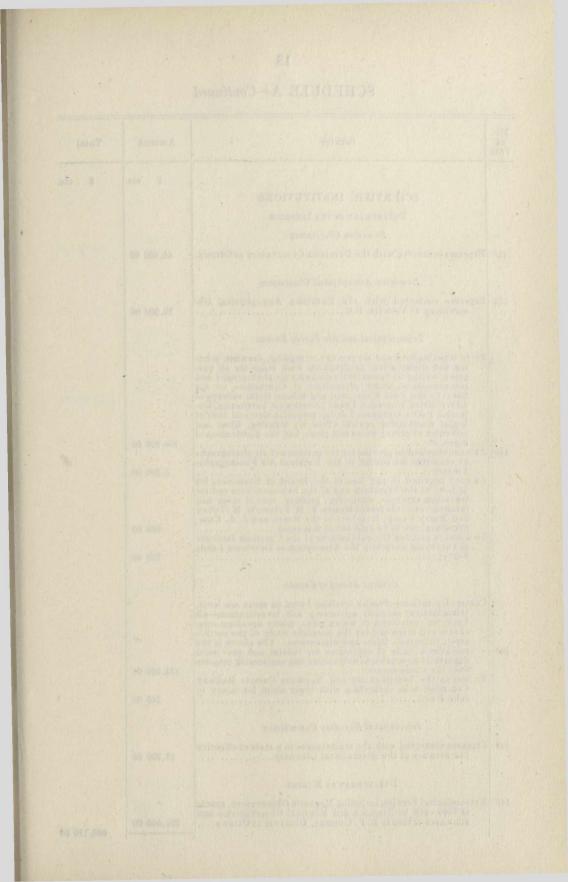
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No. of Vote	Service	Amount	Total
1	MAIL SUBSIDIES AND STEAMSHIP SUBVENTIONS— Concluded	\$ cts.	\$ cta.
	Local SERVICES Baddeck and Iona, service between. Charlottetown and Pictou, service between. Charlottetown, Victoria, and Hollidays Wharf, service between Grand Manan and the Mainland, service between. Halifax and Bay St. Lawrence, service between. Halifax and Bay St. Lawrence, service between. Halifax and Sherbrooke, service between. Halifax, La H ave and LaHave River ports, service between. Halifax, South Cape Breton and Bras d'Or Lake ports, service between. Halifax, Spry Bay and Cape Breton ports, service between.	$\begin{array}{c} 6,000 \ 00 \\ 1,600 \ 00 \\ 33,000 \ 00 \\ 2,000 \ 00 \\ 6,750 \ 00 \\ 900 \ 00 \\ 2,000 \ 00 \\ 3,500 \ 00 \end{array}$	
	Halifax and West Coast of Cape Breton, service between Ile-aux-Coudres and Les Eboulements; service between Mulgrave, Arichat and Canso, service between Mulgrave and Guysboro, calling at intermediate ports, service between.	4,000 00 1,100 00 33,750 00 9,500 00	
	Murray Bay and North Shore, winter service between Parrsboro, Kingsport and Woliville, service between Pelee Island and the Mainland, service between Pictou, Mulgrave and Cheticamp, service between Pictou, Souris and the Magdalen Islands, service between Quebec, Natashquan and Harrington, service between Quebec, or Montreal, and Gaspe, calling at way ports, service	$\begin{array}{c ccccccccccccccccccccccccccccccccccc$	
116	between. Rimouski and Matane and points on the North Shore of the St. Lawrence, service between. Riviere-du-Loup and Tadoussac, and other North Shore ports, service between.	50,000 00 8,000 00	
	 St. Catharine's Bay and Tadoussac, service between. St. John, Bear Kiver, Annapolis and Granville and other way ports, service between. St. John and Bridgetown, service between. 	3,500 00 1,500 00 800 00	
	 St. John and Margaretville, and other ports on the Bay of Fundy, service between St. John and Minas Basin ports, service between St. John and St. Andrews, calling at way ports, service between St. John, Westport and Yarmouth, and other way ports, service 	$2,500\ 00$ $5,000\ 00$ $3,000\ 00$	
	between St. John and Weymouth, service between Summerville, Burlington and Windsor, N.S., service between Sydney and Bay St. Lawrence, calling at way ports, service	$\begin{array}{c} 13,000 & 00 \\ 1,000 & 00 \\ 500 & 00 \end{array}$ $25,000 & 00$	8,440,350 00
	between Sydney and Bras d'Or Lake Ports and West Coast of Cape Breton, and Prince Edward Island, service between Sydney. and Whycoecomagh, service between Inspection of subsidized steamship services	$\begin{array}{c} 22,500 & 00\\ 22,500 & 00\\ 16,000 & 00\\ 4,900 & 00 \end{array}$	
	OCEAN AND RIVER SERVICE		2,086,850 00
118	Maintenance and repairs to Dominion Steamers and Icebreakers Miscellaneous services relating to Navigation and Shipping Amount required to reimburse the British Board of Trade for expenditure incurred in the relief of distressed Canadian	1,327,900 00 32,100 00	
4	seamen not authorized by the Canada Shipping Act To provide subsidies for wrecking plants—Quebec and British Columbia	300 00 45,000 00	
121 122 123	Miscellaneous and Unforeseen Expenses. Life Saving Service, including rewards for saving life. Hydrographic and Tidal and Current Surveys, and to provide for the maintenance and repair of Hydrographic Steamers.	25,000 00 44,300 00 406,700 00	



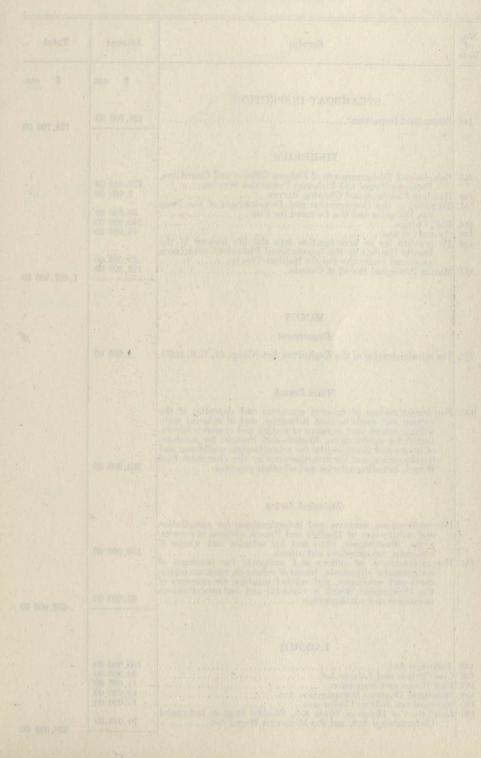
No. of Vote	Service	Amount	Total
	OCEAN AND RIVER SERVICE—Concluded	\$ cts.	\$ cts.
124 125 126	 Radio Service—To provide for the maintenance and construction of Radio Direction Finding Stations, Radio Beacons and Radiotelegraph Stations and general administration of the provisions of the Radio Act and Regulations throughout the Dominion	563,000 00	2,719,800 00
	PUBLIC WORKS		
	(Chargeable to Capital)	a de la composition de la comp	
	MARINE DEPARTMENT		
127	 River St. Lawrence Ship Channel Dredging— (a) To provide for contract dredging in St. Lawrence River and Montreal Harbour. (b) To provide for the maintenance and operation of the Government Ship Channel Fleet and the Government Shipyard, including all necessary repairs and recondi- 	2,000,000 00	
128	To provide for the investigation of water levels in the St. Law-	1,138,400 00	
120	rence River	40,000 00	3,178,400 00
	LIGHTHOUSE AND COAST SERVICE		
129	Agencies, Rents and Contingencies	202,000 00	
130	Construction, maintenance and supervision of aids to navigation, including salaries and allowances to lightkeepers	1,731,700 00	
131	Amount required to pay compassionate allowance to John Davidson, formerly lightkeeper at Cape Mudge, B.C	500 00	
132	To provide for compassionate allowance to recoup the Work- men's Compensation Board of British Columbia in con- tinuation of a pension granted and to be paid by that Board up to the 31st March, 1937, in the sum of \$35.00 per month, to the widow of the late E. J. McCoskrie, who was formerly employed as Port Warden at Prince Rupert, B.C., and who		
134 135	was killed while in the performance of his duties Marine Signal Service Administration of Pilotage Maintenance and repairs to wharves.	$\begin{array}{r} 420 & 00 \\ 96,000 & 00 \\ 90,600 & 00 \\ 7,500 & 00 \end{array}$	
136 137	To provide for breaking ice in Thunder Bay, Lake Superior, and other points deemed advisable in the interests of navigation	30,000 00	
	chance, Alphonse Gosselin, Alphonse Pouliot, John I. Irvine, Treffle Delisle, Ajutor Baillergeon, J. Alphonse Lachance, Joseph Pouliot, Raoul Lachance, Arthur Bail- lergeon, Phileas Lachance, J. H. Talbot, Jules Asselin,	4,200 00	
	Joseph Vezina		2,162,920 00

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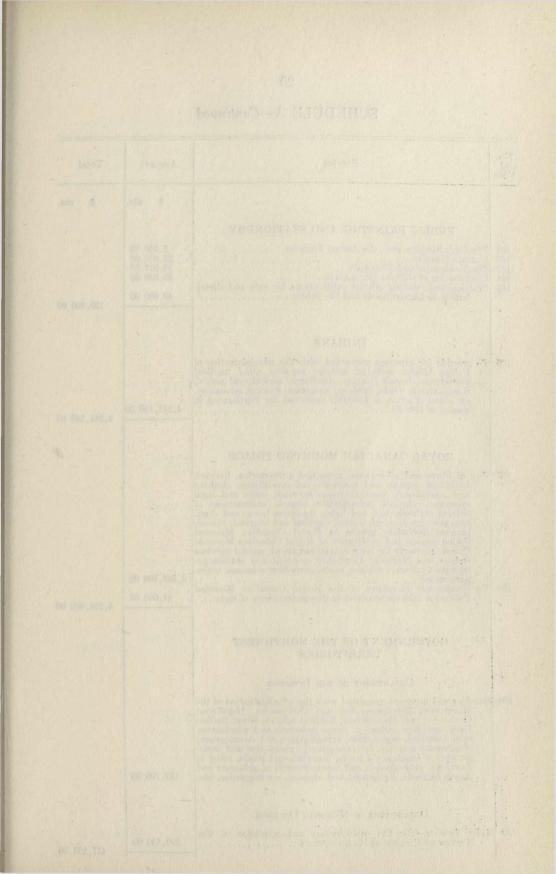
No. of Vote	Service	Amount	Total
	SCIENTIFIC INSTITUTIONS	\$ cts.	\$ cts.
1 - 1 - 1 - 1	DEPARTMENT OF THE INTERIOR Dominion Observatory		
138	Expenses connected with the Dominion Observatory at Ottawa.	46,800 00	
	Dominion Astrophysical Observatory	(ma)600 m	
139	Expenses connected with the Dominion Astrophysical Ob- servatory at Victoria, B.C	20,000 00	
	Topographical and Air Survey Bureau		
146	 From topographical and air surveys, compiling, drawing, printing and distributing, geographical base maps for all purposes, issuing technical instructions for air photography and reconnaissance, under supervision of Committee on Air Surveys and base Maps; land and mining claim surveys of all remaining Dominion Lands (Northwest Territories, Dominion Parks, Ordnance Lands); preparing electoral district maps; maintaining central office for indexing, filing and recording of survey notes and plans, and the distribution of maps, etc. Amount required to provide for the purchase of air photographs or negatives for adding to the National Air Photographs or negatives for adding to the Board of Examiners for D.L.S., of the Secretary and of the Sub-examiners and for travelling expenses, stationery, printing, rent of room and furniture, etc. (the fees of Messrs, F. H. Peters, W. M. Tobey and the terret here the event ways of the Board on L A. Cobey 	104,600 00 5,000 00	
	and Harry Farry, Memters of the Board and J. A. Cote, Secretary, are to be paid out of this sum) To assist in printing the publications of the Canadian Institute of Surveying (formerly the Association of Dominion Lands Surveyors)	820 00 350 00	- 2,278,407 DJ
	Geodetic Survey of Canada		
141{	Control Operations—Precise levelling based on mean sea level, triangulation, geodetic astronomy and investigations—all basic for correlation of water areas, power developments, charts and maps and for the scientific study of the earth's crust, curvature, figure and dimensions. The above is the recognized basis of operations for federal and provincial departments, municipal authorities and engineering projects		
	over the whole country. To recoup the 1 emiskaming and Northern Ontario Railway Commission in connection with their claim for injury to John Hedin.	134,600 00 240 00	
	And an entropy of the product of the second		-
142	International Boundary Commission Expenses connected with the maintenance in a state of effective demarcation of the international boundary	29,200 00	
	Department of Marine		
143	Meteorological Service, including Magnetic Observatory, grants of \$500 each to Kingston and Montreal Observatories and allowance of \$380 to L. F. Gorman, Observer at Ottawa	324,500 00	666,110 00



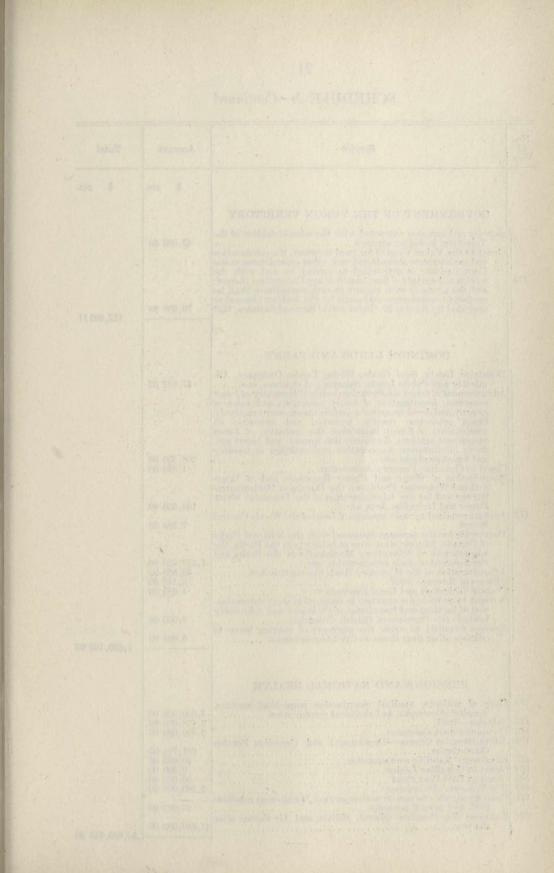


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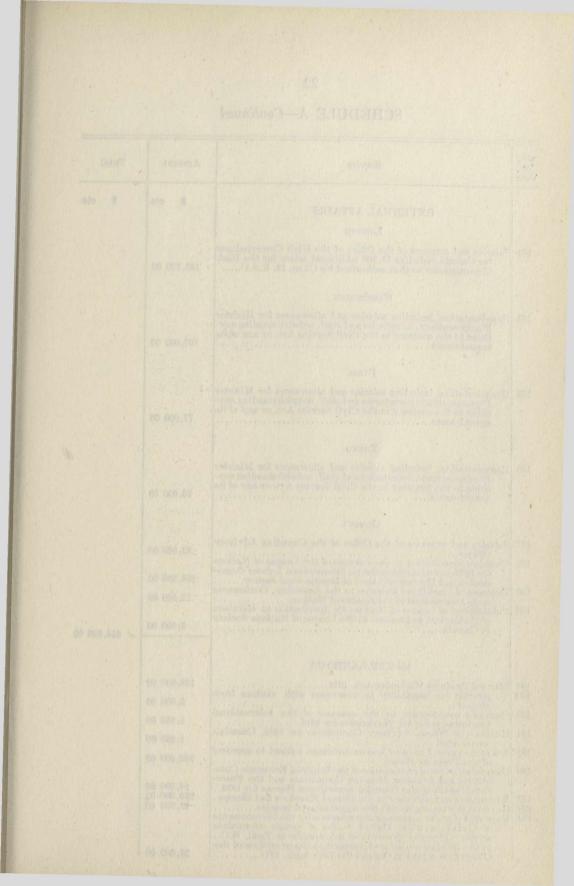
No. of Vote	Service	Amount	Total
	errer and sena the	\$ cts.	\$ cts
-	STEAMBOAT INSPECTION		
144	Steamboat Inspection	128,700 00	128,700 0
	FISHERIES		
145 146	Salaries and Disbursements of Fishery Officers and Guardians, Fisheries Patrol and Fisheries Protection Services Building Fishways and Clearing Rivers	878,600 00 1,400 00	
147	To assist in the Conservation and Development of the Deep Sea Fisheries and the Demand for Fish	58,600 00	
148 149 150	Fish Culture	240,000 00 16,000 00	
100	Pacific Halibut by the International Fisheries Commission appointed under the Pacific Halibut Treaty	25,000 00	
151	Marine Biological Board of Canada	188,300 00	1,407,900 0
		STAT.	
	MINES	1.10, 000 16	
1-210	Department		
152	For administration of the Explosives Act (Chap. 62, R.S. 1927).	8,000 00	
	Mines Branch		
153	For investigations of mineral resources and deposits; of the mining and metallurgical industries, and of mineral tech-		
	nology; wages, and expenses of testing and research labora- tories; for publications, English and French; for purchase of books and instruments; for miscellaneous assistance and	itegi yu	
	contingencies; and for investigations by the Dominion Fuel Board, including salaries and all other expenses	250,000 00	
	[12] A. D. S. Andrew and S. S. Sandar, "Strength and "strength in the strength of the stren		
	Geological Survey		
	For explorations, surveys, and investigations; for compilation and publication of English and French editions of reports, maps, illustrations, etc.; and for salaries and wages of		
154	explorers, topographers and others	350,000 00	
	instruments, chemicals, books of reference, museum equip- ment and specimens, and related supplies; for expenses of	200 100	
	the Geographic Board of Canada; and for miscellaneous assistance and contingencies	85,000 00	693,000 0
	Income in our left the second second second second		000,000 0
	LABOUR		
155	Annuities Act Conciliation and Labour Act	$\begin{array}{c} 150,000 & 00 \\ 30,000 & 00 \end{array}$	
157	The result of the second secon	11,000 00 10,000 00	
159 160	International Labour Conference Limitation of Hours of Work Act, Weekly Rest in Industrial Undertakings Act, and the Minimum Wages Act	15,000 00	
100	Undertakings Act, and the Minimum Wages Act	10,000 00	226,000 0



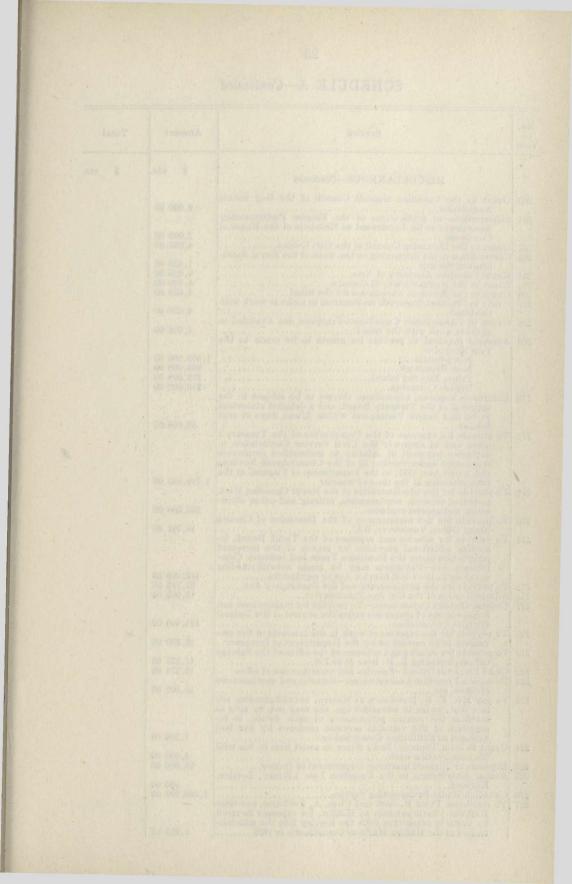
lo. of ote	Service	Amount	Total
		\$ cts.	\$ ct
	PUBLIC PRINTING AND STATIONERY		
61	Printing, Binding, etc., the Annual Statutes	8,500 00	
62 63 64	Canada Gazette	$\begin{array}{c} 23,000 \ 00 \\ 10,000 \ 00 \\ 39,000 \ 00 \end{array}$	
65	Distribution of Official Documents Printing and binding official publications for sale and distri- bution to Departments and the public	40,000 00	
10			120,500
	INDIANS		
66	To provide for expenses connected with the administration of Indian Affairs, including salaries, supplies, relief, medical		
	attendance, hospitalization, dwellings, agricultural activi- ties, surveys, roads, bridges, irrigation, dyking, education,		
	etc., and a grant of \$100,000 approved by Parliament in session of 1926-27	4,241,100 00	4,241,100
	and a state of the		1,211,100
	ROYAL CANADIAN MOUNTED POLICE		
67	Pay of Force and allowances, arms and ammunition, barrack buildings, repairs and renewals and furnishings, clothing and equipment, communication services, court and legal	P-503-978	
	expenses, criminal investigation branch, enforcement of federal statutes, fuel and light, transport horse and dogs, transport mechanical, dental, medical and hospital, miscel-		
	laneous (including grants to Royal Canadian Mounted Police messes and publication of Royal Canadian Mounted Police Quarterly for instructional purposes), special services Opium and Narcotic Drug Act, printing and stationery.		
	transport railway, rations, rents, travelling expenses, trans- port water.	5,583,800 00	
68	To compensate members of the Royal Canadian Mounted Police for injuries received in the performance of duty	11,000 00	F FOL 000
	and and a second second		5,594,800
	GOVERNMENT OF THE NORTHWEST TERRITORIES		
	DEPARTMENT OF THE INTERIOR		
9	Salaries and expenses connected with the administration of the		
	Northwest Territories Act and Ordinances, Northwest Game Act and Regulations, Eskimo Affairs, Wood Buffalo Park, reindeer industry, game preserves and sanctuaries, wolf bounties, exploration, investigation and development of natural resources, fire protection, construction and main- tanance of buildings, explores the bospitals and reader relief to		
	tenance of buildings, schools, hospitals and roads, relief to destitute, maintenance and transportation of prisoners and insane patients, equipment and supplies, contingencies, etc.	187,700 00	
		Time au	
	DEPARTMENT OF NATIONAL DEFENCE	12,000 23	
0	Ridio Services—For the maintenance and operation of the Northwest Territories Radio System	229,400 00	417,100 0



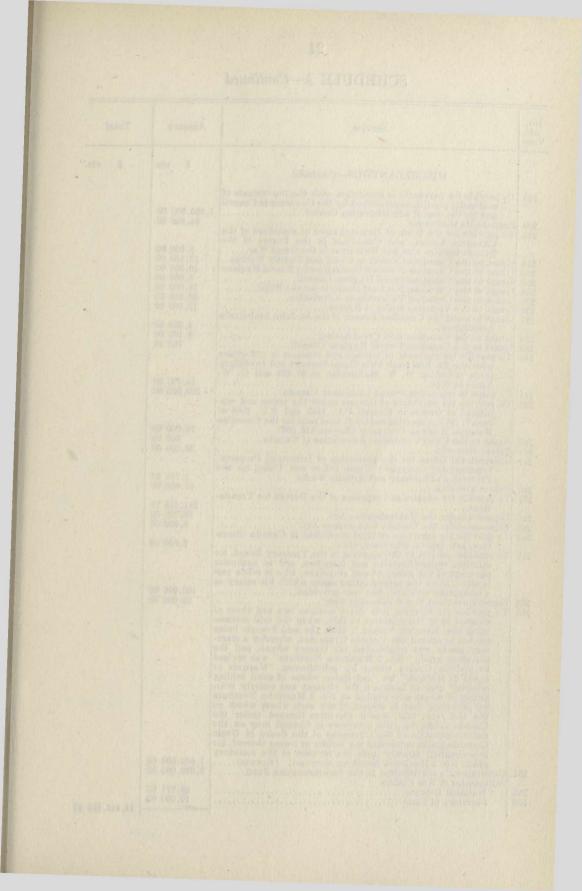
No. of Vote	Service	Amount	Total
		\$ cts.	\$ cts.
171	GOVERNMENT OF THE YUKON TERRITORY Salaries and expenses connected with the administration of the Territory, including surveys Grant to the Yukon Council for local purposes, the construction and maintenance of roads and such other expenditures as the Commissioner is authorized to expend by and with the advice and consent of the Council or any Committee thereof:	42,000 00	
	and the accounts with respect to such expenditure shall be subject to examination and audit by the Auditor General as provided by Section 22, Chapter 215, Revised Statutes, 1927	70,000 00	112,000))
			112,00033
[DOMINION LANDS AND PARKS Dominion Lands, Seed Grain, Mining Lands, Ordnance, Ad- miralty and Public Lands, Salaries and expenses, etc Advancement of forest conservation; national inventory of forest resources; investigation of forest conditions and rates of growth, and development of scientific management methods;	87,824 00	
170	forest protection studies, technical and economic in- vestigations of forest industries; the operation of forest experiment stations, demonstration forests, and forest pro- ducts laboratories; co-operative undertakings in forestry and forest products, etc	266,300 00 1,620 00 162,600 00	
172	 Amount required to meet expenses of Lake of the Woods Control Board. To provide for the expenses connected with the National Parks of Canada, historic sites, care of indigents in the Parks, the appointment of Stipendiary Magistrates in the Parks and the payment of their remuneration, etc. Administration of the Migratory Birds Convention Act. Salaries of Revenue Staff. Costs of Litigation and Legal Expenses. Amount to provide for expenses in connection with determination of location and boundaries of Ordnance and Admiralty lands in the Province of British Columbia. Amount required to cover the payment of retiring leave to officials other than those on Civil Government. 	$\begin{array}{c} 7,288 & 00 \\ 1,049,600 & 00 \\ 32,600 & 00 \\ 9,348 & 00 \\ 4,000 & 00 \\ 3,000 & 00 \\ 6,000 & 00 \end{array}$	an-
			1,630,180 00
	PENSIONS AND NATIONAL HEALTH		
173 174 175 176	Care of patients, medical examination respecting pensions, hospital allowances, and sheltered employment	3,000,000 00 3,428,000 00 2,600,000 00	
177 178 179 180 181	Commission. Employers' liability compensation. Grant to Canadian Legion. Grant to Last Post Fund. War Veterans' Allowances. Pensions payable to men on active service. North-west rebellion	$\begin{array}{c} 681,758 & 00 \\ 40,000 & 00 \\ 9,000 & 00 \\ 60,000 & 00 \\ 3,200,000 & 00 \end{array}$	
182	1885, and general pensions. European War Pensions—Naval, Militia, and Air Forces after the war.	20,000 00 41,650,000 00	



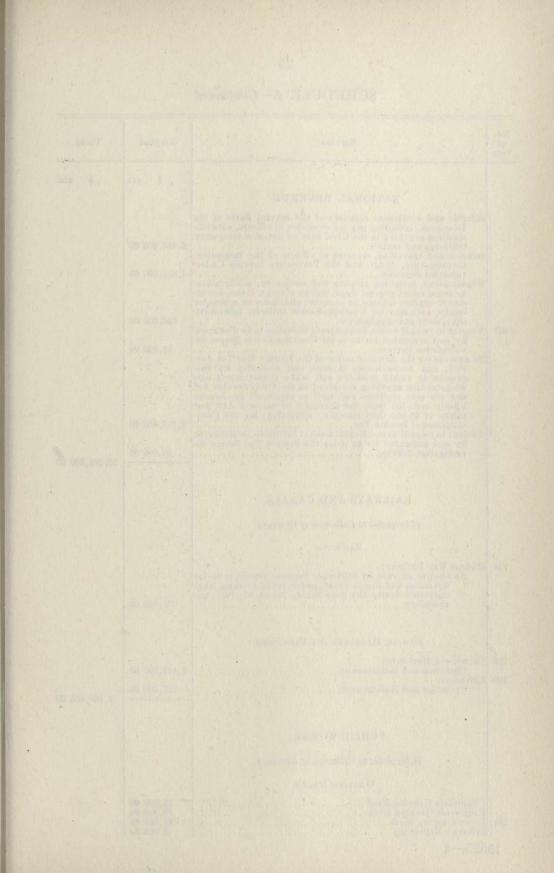
No. of Vote	Service	Amount	Total
	EXTERNAL AFFAIRS	\$ cts.	\$ cts.
	CONVERSION OF THE OWNER OWN		
	London		
183	Salaries and expenses of the Office of the High Commissioner for Canada including \$1,900 additional salary for the High Commissioner to that authorized by Chap. 15, R.S.C	125,500 00	
	WASHINGTON		
184	Representation, including salaries and allowances for Minister Plenipotentiary, Secretaries and staff, notwithstanding any- thing to the contrary in the Civil Service Act, or any of its amendments.	100,000 00	
	PARIS		
185	Representation, including salaries and allowances for Minister Plenipotentiary, Secretaries and staff, notwithstanding any- thing to the contrary in the Civil Service Act, or any of its amendments.	77,000 00	
	interest performance water and the restantion of shared		
	Tokyo		
186	Representation, including salaries and allowances for Minister Plenipotentiary, Secretaries and staff, notwithstanding any- thing to the contrary in the Civil Service Act, or any of its amendments.	70,000 00	
	amendments	10,000 00	
	GENEVA		
187	Salaries and expenses of the Office of the Canadian Advisory		
188	Officer Canada's contribution to the expenses of the League of Nations	32,500 00	
189	for 1936, including Secretariat, International Labour Organ- ization and Permanent Court of International Justice Expenses of Canadian Delegates to the Assembly, Conferences	194,390 00	
190	and Commissions of the League of Nations Publications of League of Nations for distribution to Members of Parliament and a grant to the League of Nations Society	12,500 00	
1	in Canada	3,000 00	614,890 0
		. 6,000 400 1.1	014,080 00
	MISCELLANEOUS		
191	Natural Products Marketing Act, 1934	106,600 00	
	To provide for hospitality in connection with visitors from abroad Canada's contribution to the expenses of the International	5,000 00	
	Commission for Air Navigation for 1936	1,650 00	
	Expenses of Wheat Advisory Committee for 1936, Canada's assessment	1,955 00	
100	Amount required to meet loss on exchange, subject to approval of the Treasury Board Canada's portion of expenditure of the Imperial Economic Com-	200,000 00	
100	mittee and Imperial Shipping Committee and the Execu-	18 600 00	
197	tive Council of the Imperial Agricultural Bureau for 1936. Advertising and publicity in the United Kingdom and Europe.	18,690 00 250,000 00	
193	Econses in connection with the negotiation of treaties Fo provide for the expenses of the reference by the Governments of Canada and the United States of certain complaints arising out of the operation of the smelter at Trail, B.C.,	12,000 00	
	to the tribunal constituted pursuant to the provisions of the Convention signed at Ottawa the 15th April, 1935	25,000 00	



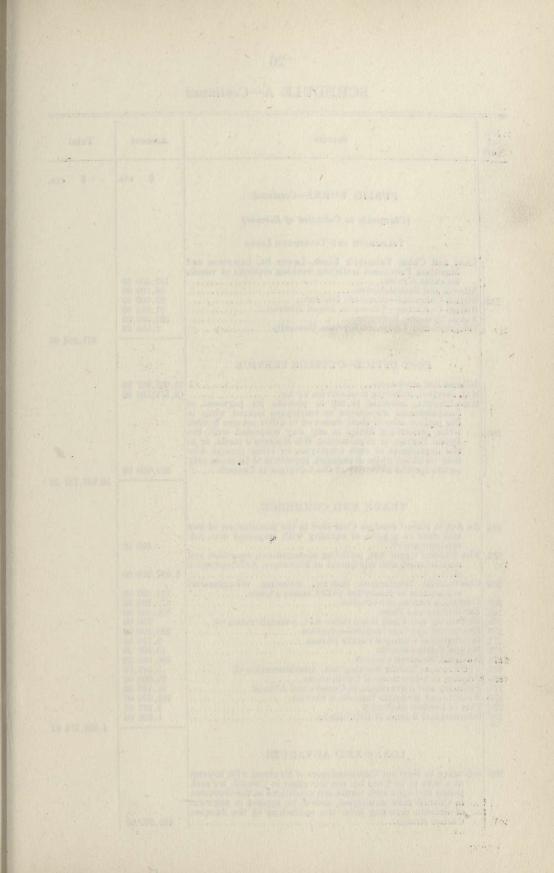
No. of Vote	Service	Amount	Total
N. Com	MISCELLANEOUS Continued	\$ cts.	\$ cts.
	MISCELLANEOUS—Continued	ALL STORE STORE	
200 201	Grant to the Canadian General Council of the Boy Scouts Association. Subscriptions to publications of the Empire Parliamentary	9,000 00	
	Association to be distributed to Members of the House of Commons	2,000 00	
202 203	Grant to the Dominion Council of the Girl Guides Contribution to aid in carrying on the work of the Royal Astro-	4,860 00	
204	nomical Society Royal Canadian Academy of Arts	$1,620 00 \\ 2,025 00$	
205	Grant to the Royal Society of Canada Grant to the Montreal Association for the Blind	4,500 00	
$\frac{206}{207}$	Grant to l'Institut Nazareth de Montreal to assist in work with	4,050 00	
208	the blind. Grant to l'Association Canadienne-Française des Aveugles to	4,050 00	
209	assist in work with the Blind Amounts required to provide for grants to be made to the Provinces of—	4,050 00	
	Nova Scotia	1,300,000 00	
	New Brunswick Prince Edward Island	900,000 00 275,000 00	
210	British Columbia Unforeseen expenses, expenditure thereof to be subject to the	750,000 00	
	approval of the Treasury Board, and a detailed statement to be laid before Parliament within fifteen days of next	80,000,00	
211	Session To provide for expenses of the Comptroller of the Treasury's office and to empower the Civil Service Commission to	80,000 00	
	authorize payment of salaries to unclassified employees transferred under Section 36 of the Consolidated Revenue and Audit Act, 1931, to the Department of Finance, at the	and a set	
212	rates effective at the time of transfer To provide for the administration of the Royal Canadian Mint, including salaries, contingencies, retiring and other allow-	1,719,883 00	
213	ances, and general expenses. To provide for the maintenance of the Dominion of Canada	230,000 00	
214	Assay Office, Vancouver, B.C To provide for salaries and expenses of the Tariff Board, in-	18,797 00	
	cluding additional provision by reason of the increased jurisdiction under the Dominion Trade and Industry Com- mission Act—Payments may be made notwithstanding		
	anything in the Civil Service Act or regulations	180,000 00	
215 216	To provide for the administration of the Bankruptcy Act Administration of the Old Age Pensions Act	37,762 50 12,000 00	
217	Federal District Commission—To provide for maintenance and improvement of properties under the control of the Federal	101 400 00	
218	District Commission To provide for the expenses of work in the interests of fire pre-	121,400 00	
219	vention to be carried on by the Department of Insurance To provide for salaries and expenses of the office of the Salvage	12,000 00	
220	Officer, including L. H. Beer at \$4,750 Chief Electoral Officer—Salaries and contingencies of office	$11,275 \ 00 \\ 16,270 \ 00$	
221	Dominion Franchise Commissioner-Salaries and contingencies	100 (100 (100 (100	
222	of office, etc. To pay Mrs. E. B. Hutcheson as Matron, notwithstanding the fact that, owing to advanced age, she may not be able to	2,50 60	
	continue the regular performance of such duties, in re- cognition of the valuable services rendered by her late	1.1.1.100.00	
223	husband as Exhibition Commissioner	1,200 00	
224	life conservation work Expenses of litigated matters—Department of Justice	$4,000\ 00$ 25,000 00	
225	Annual contribution to the Canadian Law Library, London, England.	500 00	
226 227	Canadian Radio Broadcasting Service To reimburse Peter R. Jack and Chas. A. Ackhurst, one-time Harbour Commissioners at Halifax, for expenses incurred	1,500,000 00	
	by them in connection with the inquiry into the adminis- tration of the Halifax Harbour Commission in 1930	3,855 10	



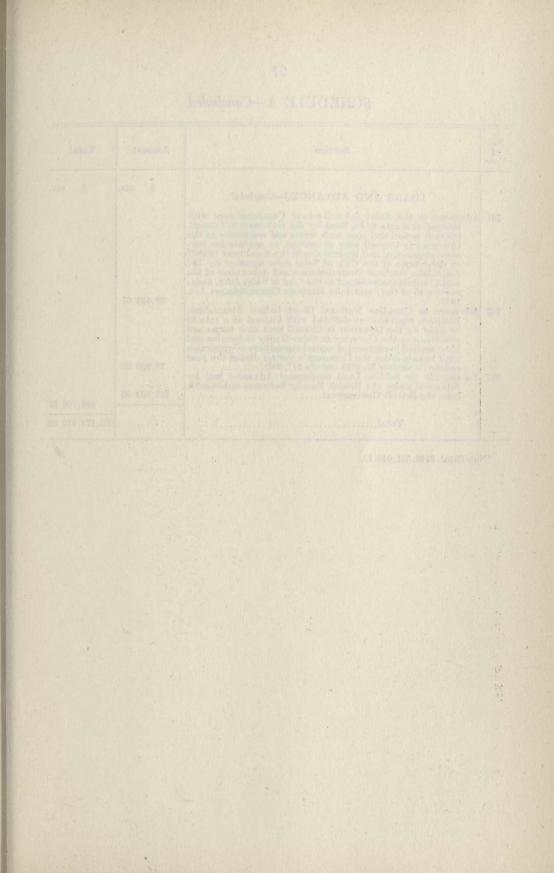
No. of Vote	Service	Amount	Total
	MISCELLANEOUS—Concluded	\$ cts.	\$ cts.
228	To provide for payments in connection with the movements of		
	coal under conditions prescribed by the Governor in Council and for the cost of administration thereof	1,950,000 00	
229 230	Battlefields Memorials. To provide for the Book of Remembrance of members of the Canadian Forces, and Canadians in the Forces of the	84,950 00	
231	British Empire who lost their lives in the Great War Grant to the Canadian Council on Child and Family Welfare	8,000 00 13,100 00	
232	Grant to the Canadian National Committee for Mental Hygiene	10,000 00	
233 234	Grant to the Canadian Social Hygiene Council Grant to the Canadian National Institute for the Blind	5,000 00 18,000 00	
235	Grant to the Canadian Tuberculosis Association	20,250 00	
236 237	Grant to the Victorian Order of Nurses Grant to assist the Canadian Branch of the St. John Ambulance	13,100 00	
201	Association	4,050 00	
238	Grant to the Canadian Red Cross Society	8,100 00	
239 240	Grant to the Canadian Dental Hygiene Council To provide for payment of salaries and expenses in connection	750 00	
	with the St. Lawrence Ship Canal Surveys and Investiga-		
	tions, including D. W. McLachlan at \$1,425 and G. W. Yates at \$684	15,400 00	
241	To assist in promoting tourist business in Canada	250,000 00	
242	To provide for payments of interest under the terms and con- ditions of Orders in Council P.C. 1462 and P.C. 1533 of		
	June 7, 1935, respecting orders of steel rails for the Canadian		
243	National Railway Company (Revote \$25,000) Grant to the Chief Constables Association of Canada	70,000 00 500 00	
244	Patent Record	30,000 00	
245	International Office for the protection of Industrial Property, International Copyright Union Office and Union for the		
	Protection of Literary and Artistic Works	2,700 00	
246	Public Archives To provide for salaries and expenses of the Bureau for Transla-	67,600 00	
247	tions	241,455 75	1. 1. 1. 1. S. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1.
248	Expenses under the Naturalization Act	23,720 00	
249 200	Expenses under the Canada Temperance Act To provide for report on cultural conditions in Canada (litera-	5,000 00	
051	ture, art, drama, education, etc.)	2,500 00	
251	To provide, subject to the approval of the Treasury Board, for salaries, reclassifications and increases, and to authorize		
	payment of the salary of any employee, who is made per-	and the second second	BOR AND STOL
	manent, from the appropriation under which his salary as a temporary employee has been provided	100,000 00	
252	Employment and Social Insurance Act	20,000 00	
253	To provide for carrying into effect sections two and three of chapter 26 of the Statutes of 1934, when the said sections		
	came into force on August 1, 1935, the said Statute being	CORVERSION V	
	an Act to amend the Canada Grain Act, whereby a statu- tory grade was established for Garnet wheat, and the		
	statutory grade "No. 2 Manitoba Northern" was revised	and the second second second	
	to exclude Garnet wheat by substituting "Marquis or equal to Marquis" for "red spring wheat of good milling	1. 25 . 10 1	
	quality" and to facilitate the efficient and orderly mar-	Contraction and	
	keting of wheat now graded as No. 2 Manitoba Northern by providing that in respect of any such wheat which on		
	the 31st July, 1935, was in elevators licensed under the		
	Canada Grain Act, the Governor in Council may on the recommendation of the Chairman of the Board of Grain		
	Commissioners indemnify any holder or owner thereof, for		
	loss resulting directly from the revision of the statutory grade No. 2 Manitoba Northern aforesaid. (Revote)	1,500,000 00	
254	Government's contribution to the Superannuation Fund	2,030,000 00	
055	Adjustment of War Claims	68,971 00	1
$255 \\ 256$		10,000 00	
104944			14,445,038 35



No. of Vote	Service	Amount	Total
	NATIONAL REVENUE	\$ cts.	\$ cts
. (Salaries and contingent expenses of the several Ports of the	AND DESCRIPTION OF	
	Dominion, including pay for overtime of officers, notwith- standing anything in the Civil Service Act, and temporary buildings and rentals	6,465,000 00	
	Investigation, Audit, and the Freventive Service Under- valuation Services Miscellaneous, including printing and stationery; subscriptions to commercial papers; flags; dating stamps; locks; instru-	1,025,000 00	
257	ments; express charges on samples; premiums on guarantee bonds; uniforms for Customs-Excise Officers; laboratory equipment and supplies; etc	600,000 00	
	by and accounted for to it for Customs-Excise Secret In- vestigation Service To provide for the administration of the Income War Tax Act, 1917, and Amendments thereto, and authority for this	15,000 00	
	purpose to create positions and make appointments not- withstanding anything contained in the Civil Service Act and the said positions and staff so appointed are hereby wholly excluded from the operation of the said Act, and		
	salary of \$9,000 (less statutory deduction) for the Com- missioner of Income Tax. Amount to be paid to the Department of Justice to be disbursed by and accounted for to it for the Income Tax Secret In-	2,135,000 00	
ł	vestigation Service	10,000 00	10,250,000 0
	RAILWAYS AND CANALS	10,49,38	
	(Chargeable to Collection of Revenue)		
	RAILWAYS	ALC: NO	
258	Hudson Bay Railway: Amount to provide for difference between expenditures for operation and maintenance, and revenue accruing from operation during the year ending March 31, 1937, not exceeding	336,500 00	
	CANALS, HAPBOURS AND ELEVATORS		
259	Canals and Harbours: Operation and Maintenance	2,145,100 00	
260	Elevators: Operation and Maintenance	327,000 00	2,808,600 0
A STREET	PUBLIC WORKS		
		ine and	
	(Chargeable to Collection of Revenue) GRAVING DOCKS		
,	Champlain Graving Dock	75,000 00	
	Esquimalt Graving Dock. Lorne Graving Dock. Selkirk—Repair slip.	73,000 00 37,000 00 3,000 00	



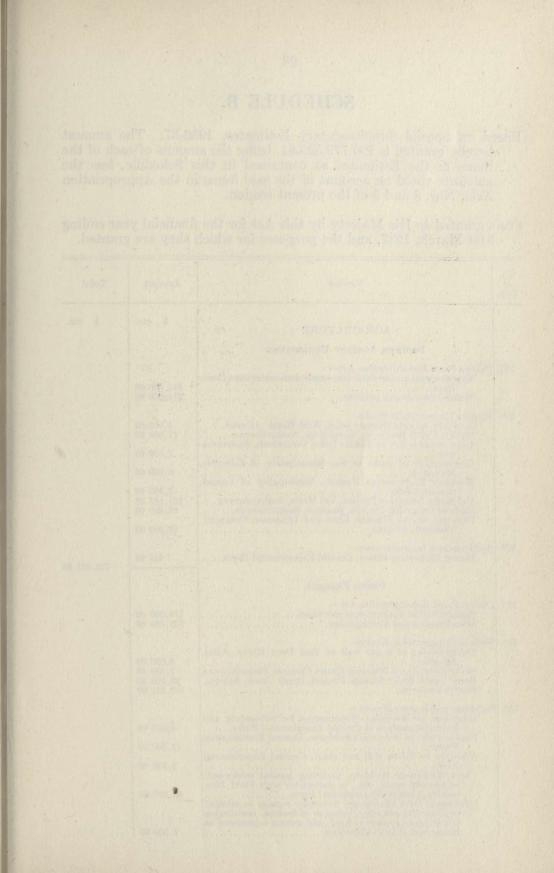
No. of Vote	Service	Amount	Total
		\$ cts.	\$ cts
	PUBLIC WORKS-Concluded		
	(Chargeable to Collection of Revenue)	and the second	
	Telegraph and Telephone Lines	for the let	
262	Land and Cable Telegraph Lines, Lower St. Lawrence and Maritime Provinces, including working expenses of vessels for cable service		671,250 00
	POST OFFICE—OUTSIDE SERVICE	CRONCE AND	
263	Salaries and allowances. Mail services, including mail service by air. Miscellaneous, including \$5,000 to provide for payment of compassionate allowances to employees injured while in the performance of their duties or to other persons injured while performing duties in any way connected with the Postal Service or in protecting His Majesty's mails, or to the dependents of such employees or other persons who		
l	may be killed while so engaged, payments to be made only on the specific authority of the Governor in Council	989,600 00	30,927,727 5
	TRADE AND COMMERCE		
264	An Act to place Canadian Coal used in the manufacture of iron and steel on a basis of equality with imported coal, Ad-		
265	ministration of The Canada Grain Act, including management, operation and	600 00	
266	maintenance, also equipment of Elevators, Administration of Commercial Intelligence Service, including miscellaneous	1,927,200 00	
267 268	expenditure in connection with Canada's trade Dominion Bureau of Statistics Exhibitions and Fairs	$\begin{array}{c} 733,400 & 00 \\ 375,200 & 00 \\ 166,400 & 00 \\ 750 & 00 \end{array}$	
269 270 271	Electricity and Fluid Exportation Act, Administration of Electricity and Gas Inspection Service International Customs Tariffs Bureau	$220,300 00 \\ 2,700 00$	
272 273	Motion Picture Bureau National Research Council The Precious Metals Marking Act, Administration of	$\begin{array}{r} 40,800 \ 00 \\ 500,000 \ 00 \\ 5,393 \ 00 \end{array}$	
274 275 276	Printing of Departmental Publications Publicity and Advertising in Canada and Abroad	95,000 00 54,100 00	
277 278	Weights and Measures Inspection Service Port of London Authority International Bureau of Exhibitions	383,300 00 2,233 82 1,200 00	a and a second
279	Antoinauollai Duleau ol Danioluolis		4,508,576 8
	LOANS AND ADVANCES		
280	Advances to Harbour Commissioners of Montreal with interest at a rate to be fixed by the Governor in Council, for such period and upon such terms and conditions as the Governor in Council may determine, and to be applied in payment of deficits resulting from the operations of the Jacques		



SCHEDULE A—Concluded

No. of Vote	Service	Amount	Total
	LOANS AND ADVANCES-Concluded	\$ cts.	\$ cts.
-281	Advances to the Saint John Harbour Commissioners with interest at a rate to be fixed by the Governor in Council, for such period and upon such terms and conditions as the Governor in Council may determine, to provide for pay- ment of principal and interest due in the fiscal year 1936-37 on debentures of the City of Saint John assumed by the Saint John Harbour Commissioners and debentures of the said Commissioners issued to the City of Saint John, under Section 15 of the Saint John Harbour Commissioners Act,		
282	1927. Advances to Canadian National (West Indies) Steamships, Limited, repayable on demand with interest at a rate to be fixed by the Governor in Council upon such terms and conditions as the Governor in Council may determine and to be applied in payment of capital expenditure in connection with vessels under the Company's control during the year	99,458 67	
283	ending December 31, 1936 (revote \$17,000) To provide for Soldier Land Settlement Advances and for Advances under the British Family Schemes recoverable	29,450 00	
	from the British Government	323,800 00	895,708 67
	Total		203, 174, 910 92

*Net Total, \$149, 551, 948.12.

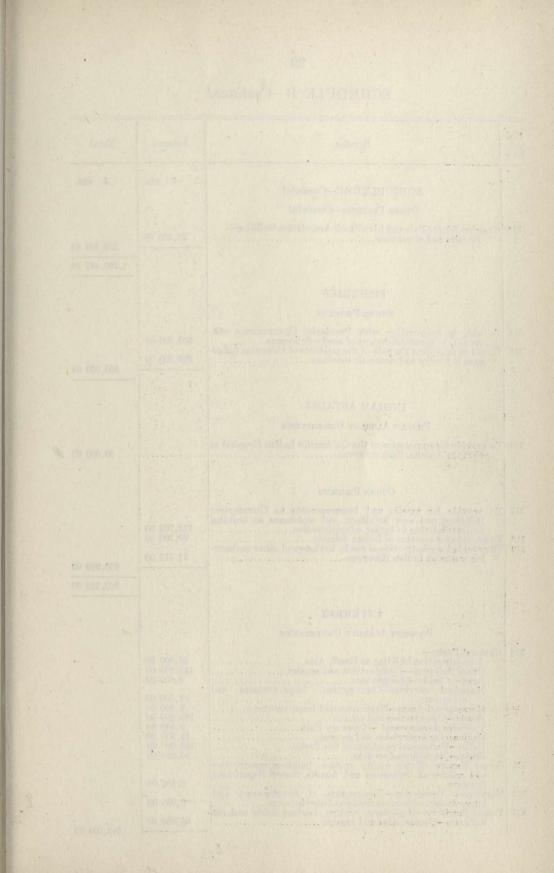


SCHEDULE B.

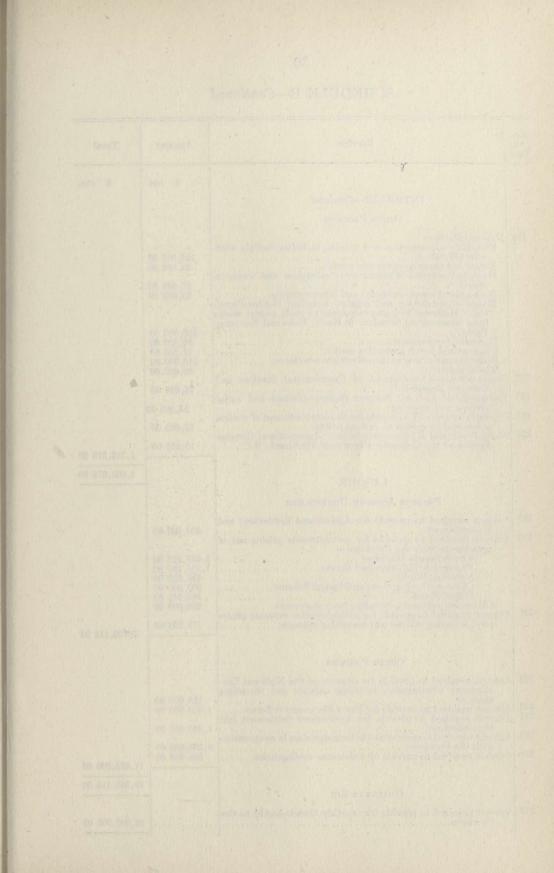
Based on Special Supplementary Estimates, 1936-37. The amount hereby granted is \$90,772,525.81, being the amount of each of the items in the Estimates as contained in this Schedule, less the amounts voted on account of the said items in the Appropriation Acts, Nos. 3 and 5 of the present session.

Sums granted to His Majesty by this Act for the financial year ending 31st March, 1937, and the purposes for which they are granted.

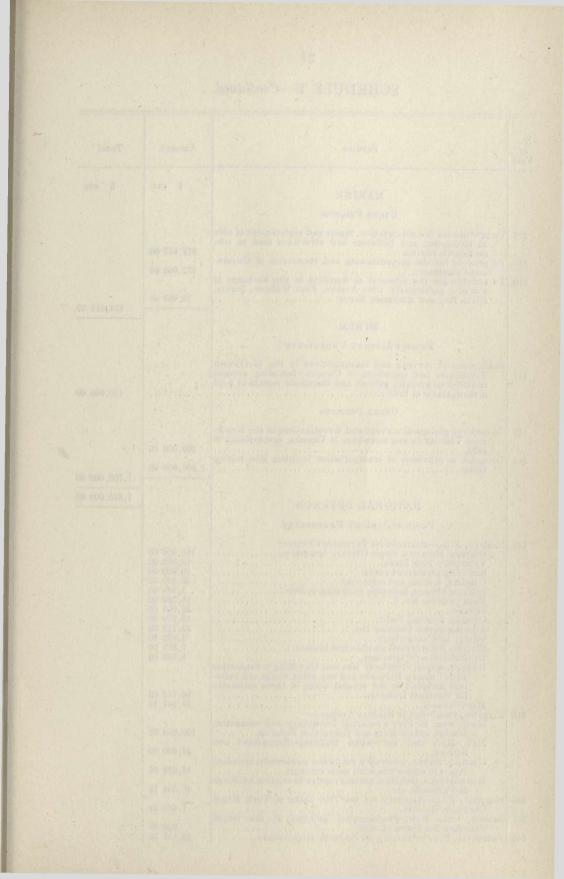
No. of Vote	Service	Amount	Total
	AGRICULTURE	\$ cts.	\$ cts.
	PROJECTS ALREADY UNDERTAKEN		
307	Prairie Farm Rehabilitation Act— Experimental projects and large scale demonstrations there- from	214,000 00 234,000 00	
308	Western Conservation Works— Southern Alberta Storage Dam, Wild Horse, Alberta Middle Creek Reservoir, Govenlock, Saskatchewan Dam construction at Adams Lake, Govenlock, Saskatche-	6,953 63 11,368 69	
	Construction of dams in the Municipality of Edwards, Manitoba	7,500 00	
	Waskana Reclamation Project, Municipality of Lajord, Saskatchewan	7,300 00	
	Val Marie Irrigation Project, Val Marie, Saskatchewan Eastend Irrigation Project, Eastend, Saskatchewan	121,187 28 63,080 00	
	Payment to the Canada Land and Irrigation Company, Vauxhall, Alberta	65,000 00	
309	Buildings and Improvements— Honey Extraction House, Central Experimental Farm	495 95	736,885 55
	Other Projects		
310	Prairie Farm Rehabilitation Act— Rehabilitation assistance to provinces Miscellaneous and contingencies	170,000 00 132,000 00	
311	Western Conservation Works- Development of a gas well at Red Deer River, Atlee,		
	Alberta Wood River Stock Watering Dams, Coderre, Saskatchewan Berry Creek Water Storage Project, Berry Creek, Alberta. Sundry projects.	$\begin{array}{c} 8,000 & 00 \\ 7,500 & 00 \\ 25,000 & 00 \\ 105,531 & 09 \end{array}$	
312	Buildings and Improvements— Extension of Botanical Greenhouses for arboretum and botanical gardens at Central Experimental Farm Replacement of Director's residence, Central Experimental	4,528 60	
	Addition to Fibre Mill and plant, Central Experimental	12,000 00	
	Farm Machinery Building, including general workroom,	2,300 00	
	laboratory space, etc., in connection with Field Hus- bandry, Central Experimental Farm. Erection of field laboratory, necessary repairs to existing buildings on property, erection of fencing, installation	60,697 00	
	of telephone, repairs to road, and certain equipment at Kamloops, British Columbia	7,000 00	



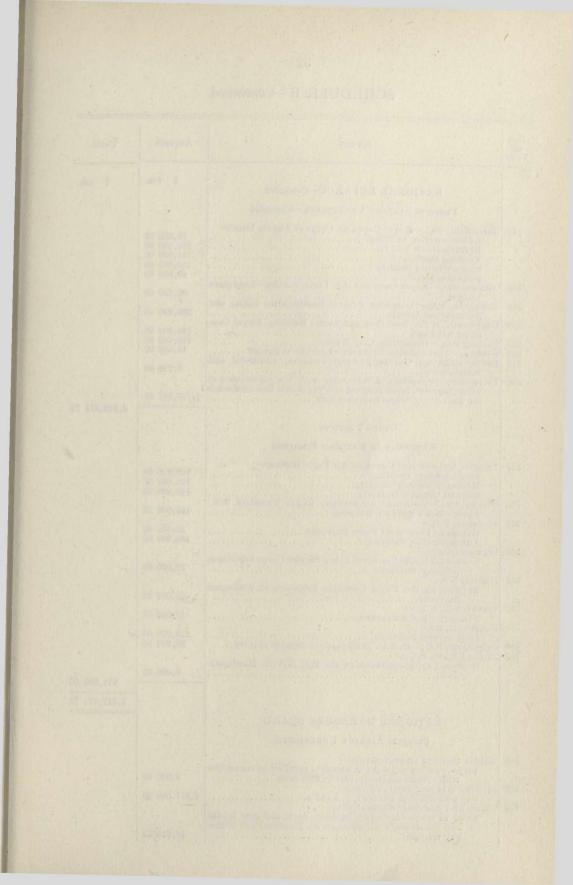
No. of Vote	Service	Amount	Total
	AGRICULTURE—Concluded	\$ cts.	\$ cts.
	OTHER PROJECTS—Concluded		
313	Brandon Winter Fair and Live Stock Association Building— Repairs and alterations	25,000 00	559,556 69
	and the second		1,296,442 24
	FISHERIES	Automation -	
	Other Projects		
314 315	To aid, in co-operation with Provincial Governments con- cerned, in re-establishment of needy fishermen To aid in expanding the sale of the products of Canadian fisher- men in foreign and domestic markets	300,000 00 200,000 00	500,000 00
	TYPE IN A PRINT		
	INDIAN AFFAIRS		
	PROJECT ALREADY UNDERTAKEN	4	
316	To provide for completion of the Qu'Appelle Indian Hospital at Fort Qu'Appelle, Saskatchewan		30,000 00
	OTHER PROJECTS		
317	To provide for repairs and improvements to Government buildings and new buildings, and assistance to building		
318	projects relating to Indian administration	135,708 00 70,700 00	
319	To provide for construction of roads, bridges and other engineer- ing works on Indian Reserves	24,512 00	
			230,920 00
	A REAL PROPERTY OF A REAL PROPER		260,920 00
	INTERIOR	i manua da	
	PROJECTS ALREADY UNDERTAKEN	1. 100 000 00	
320	National Parks—	+	
	Administration building at Banff, Alta Other Buildings—Construction and repairs Landing fields—Construction Municipal services—Construction, improvements and	38,000 00 115,500 00 5,000 00	
	extensions Recreational Areas—Extensions and improvements Roads—Construction and repairs Townsite development—Kootenay Park Engineering supervision and general.	$\begin{array}{c} 27,500 \ 00 \\ 9,200 \ 00 \\ 109,000 \ 00 \\ 2,500 \ 00 \\ 12,500 \ 00 \\ 12,500 \ 00 \end{array}$	
321	Relief—Permanent residents of the Parks Relief—Single homeless men Forest Service—Water supply system, building construction	102,000 00 50,000 00	
000	and repairs at Petawawa and Acadia Forest Experiment Stations.	3,500 00	
322	Northwest Territories—Continuation of development and improvement of landing fields and air harbours.	9,800 00	
323	Yukon Territory—Highways, bridges, landing fields and air harbours—Construction and repairs	65,000 00	



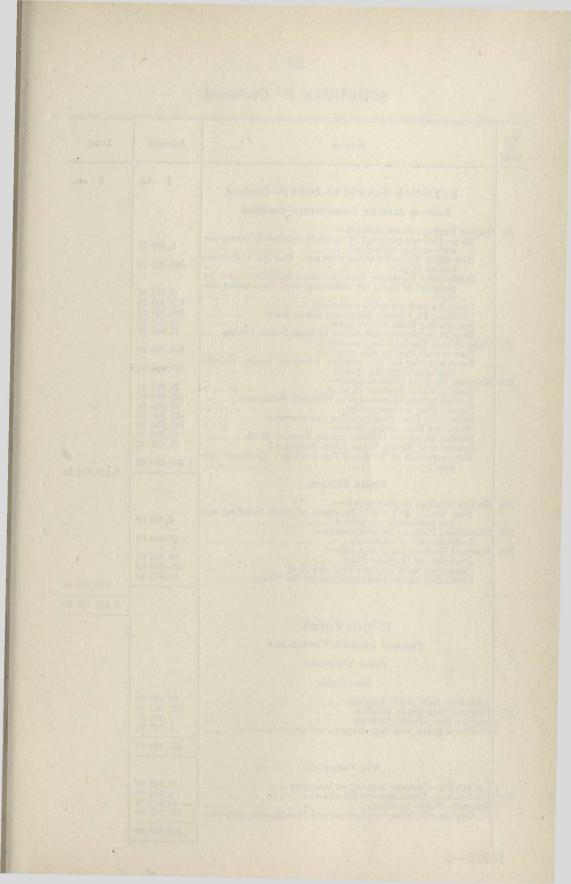
No. of Vote	Service	Amount	Total
324	INTERIOR—Concluded OTHER PROJECTS National Parks— Buildings—Construction and repairs, including buffalo abat- toir, \$20,000 Forest and game conservation works Municipal services—Construction, extensions and improve-	\$ cts. 100,000 00 25,000 00 25,000 00	\$ cts.
326	 ments	25,000 00 25,000 00 25,000 00 140,000 00 25,000 00 75,000 00 20,000 00 10,000 00 10,375 00	1,343,575 00
	LABOUR		1,893,075 00
	PROJECTS ALREADY UNDERTAKEN		
330	Amount required to provide for Agricultural Settlement and Re-settlement	$\begin{array}{c} 500,000 \ 00\\ 3,527,125 \ 00\\ 1,534,197 \ 00\\ 634,252 \ 00\\ 900,000 \ 00\\ 190,541 \ 00\\ 259,000 \ 00\\ 175,000 \ 00\\ \end{array}$	7,720,115 00
332 333 334 335 336	OTHER PROJECTS Amount required to provide for expenses of the National Em- ployment Commission, including salaries and travelling expenses	125,000 00 1,000,000 00 1,000,000 00 9,200,000 00 500,000 00	11,825,000 00
	Course and Am	10 - 10 BEC 1	19,545,115 00
337	GRANTS IN AD Amount required to provide for monthly Grants-in-Aid to the Provinces		26,000,000 00



No. of Vote	Service	Amount	Total
	MARINE Other Projects	\$ cts.	\$ cts.
338	To provide for the construction, repair and replacement of aids to navigation and buildings and structures used in con-		
339	nection therewith To provide for the reconditioning and conversion of Govern-	379,875 00	
340	ment steamers To provide for the removal of derelicts in the harbours of Canada, particularly Port Arthur, Fort William, Sarnia, Serth Base and Richter Birne	175,000 00	
	South Bay and Richelieu River	70,000 00	624,875 0
	MINES		
	PROJECT ALREADY UNDERTAKEN		
341	For geological surveys and investigations in the Northwest Territories and elsewhere in Canada—Including amount required to prepare, publish and distribute results of field investigations of 1935		150,000 0
	Other Projects	Contraction (contraction)	
342	To continue geological surveys and investigations in the North- west Territories and elsewhere in Canada, uncompleted in	900 000 00	
343	1935 To assist in provision of transportation facilities into mining	200,000 00	
	areas	1,500,000 00	1,700,000 0
	NATIONAL DEFENCE		1,850,000 0
	Projects Already Undertaken		
344	Calgary, Alta.—Barracks for Permanent Force— Officers' Mess and Single Officers' Quarters. Veterinary Sick Lines. Surfacing permanent roads Grading, seeding and terracing. Interior fittings, including telephone system. Mess building No. 6. Sewers. Grading Landing Field. Administration building No. 1. Garage and forage barn. Electric underground distribution system. Married Officers' Quarters Salaries, wages, architects' fees and travelling in connection with Calgary Barracks and any other works and build-	$\begin{array}{c} 110,000 \ \ C0\\ 10,000 \ \ 00\\ 40,000 \ \ 00\\ 8,988 \ \ 00\\ 15,350 \ \ 00\\ 55,005 \ \ 00\\ 18,670 \ \ 00\\ 35,712 \ \ 00\\ 4,856 \ \ 40\\ 7,892 \ \ 00\\ 4,640 \ \ 00 \end{array}$	
345	ings included in the several votes in these estimates for National Defence Miscellaneous Kingston, Ont.—Royal Military College— South wing to Fort Frederick Dormitory and connecting passage to new Mess and Recreation Building New Mess and Recreation Building—Equipment and fittings	40,712 00 14,941 74 150,000 00 31,600 00	
	Grading, turfing, sidewalks, roads and incidentals, including extras in connection with main contract Miscellaneous, including general repairs to existing buildings	14,039 55	
346	and grounds, etc. Montreal, P.Q.—Armoury for the 17th Duke of York Royal	10,334 72	
347	Canadian Hussars	1,444 24	
011	Canadian Air Force Station	939 82	

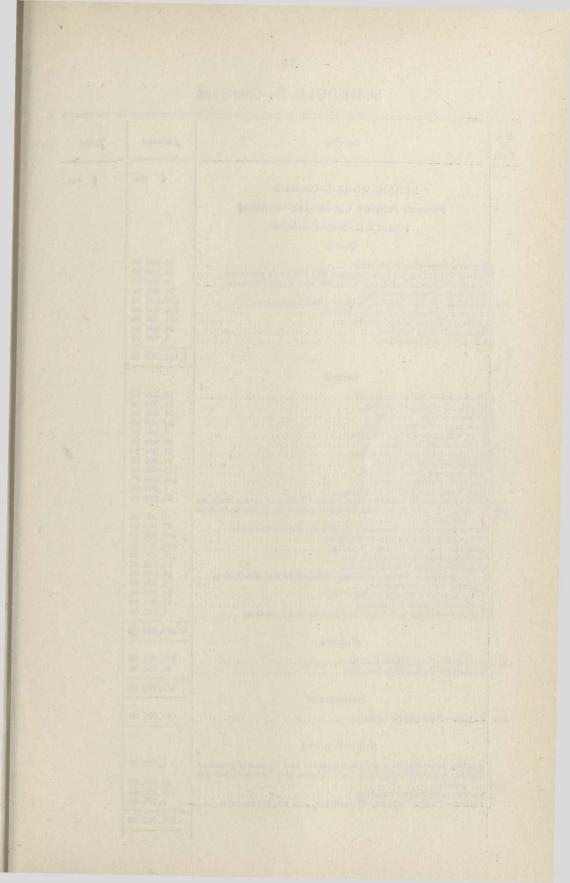


No. of Vote	Service	Amount	Total
	NATIONAL DEFENCE—Concluded	\$ cts.	\$ cts.
	PROJECTS ALREADY UNDERTAKEN—Concluded		
349	Barriefield, OntRoyal Canadian Corps of Signals Depot-		
010	Administration building Barrack Block No. 2. Training building Single Officers building	$\begin{array}{c} 75,000 \ 00 \\ 130,000 \ 00 \\ 115,000 \ 00 \\ 100,000 \ 00 \end{array}$	
350	Sergeants Mess Ottawa, Ont.—Royal Canadian Air Force Station—Landplane	40,000 00	
351	Hangar. Valcartier, P.Q.—Dominion Arsenal Buildings for Filling and	50,000 00	
352	Ammunition Groups Dartmouth, N.S.—Workshop and Stores Building, Royal Can-	200,000 00	
353 354	adıan Air Force. Quebec, P.Q.—Kebuilding City Walls. Winnipeg—Fort Osborne Barracks—Erection of garage	$\begin{array}{c} 140,000 \ 00 \\ 100,000 \ 00 \\ 15,500 \ 00 \end{array}$	
355 356	Public Buildings Generally—Improvements, additions and maintenance. To provide for expenses in connection with the continuance of	3,126 00	
	inemployment relief projects now organized and conducted for the relief of single homeless men	2,770,687_00	4,343,871 72
	Other Projects	4	1,010,011 14
	Extension of Existing Facilities	and the second	
357	Trenton, Ont.—Royal Canadian Air Force Station— Single Officers Building. Married Airmen's Quarters	160,000 00 160,000 00	
358	Married Officers' Quarters Ottawa, Ont.—Rockcliffe Air Station, Royal Canadian Air Force—Men's Barrack Building	110,000 00 160,000 00	
359	St. Johns, P.Q.— Garage at Permanent Force Barracks Administration Building	$\begin{array}{c} 22,000 & 00 \\ 100,000 & 00 \end{array}$	
360 362	London, Ontario— Garage for Royal Canadian Army Service Corps vehicles at Wolseley Barracks	20,000 00	
	Halifax, N.S.— Building for the Royal Canadian Engineers at Wellington Barracks	50,000 00	19. -
363	Fredericton, N.B.— Armoury—Reconstruction	40,000 00	
364 366	Esquimalt, B.C.— Joint Service Magazine Esquimalt, B.C.—H.M.C. Dockyard—Extension of jetty	$\begin{array}{c} 125,000 \\ 20,000 \\ 00 \end{array}$	
367 •	Prince Rupert, B.C.— Increased accommodation at the R.C.N.V.R. Headquar- ters	7,000 00	074 000 00
		194.775.70	974,000 00
	NATIONAL HARBOURS BOARD		
	PROJECTS ALREADY UNDERTAKEN	projoso m. 4	
368	Halifax Harbour Improvements— To provide for payment of amounts retained in connection with certain contracts, four at \$500 each	2,000 00	
369	St. John Harbour Improvements— Reconstruction of Berths 1, 2, 3 and 4	1,817,500 00	
370	Chicoutimi Harbour Improvements— Koad to make connection between dock and new bridge and connecting dock sidings with Roberval and Sague-	1011000 00	

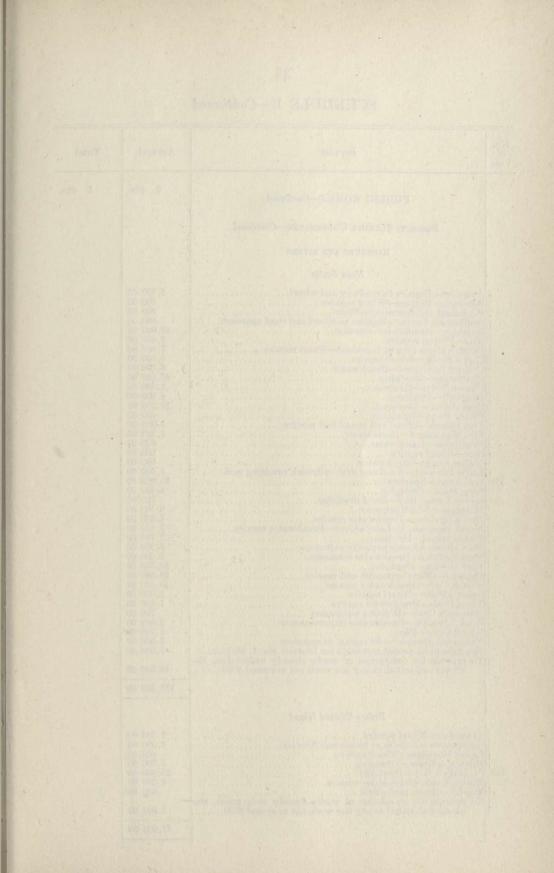


No. of Vote	Service	Amount	Total
		\$ cts.	\$ cts.
	NATIONAL HARBOURS BOARD—Concluded		
	PROJECTS ALREADY UNDERTAKEN—Concluded		
371 Que	ebec Harbour Improvements-		
	To provide for payment of amounts retained in connection with certain contracts New Quay Wall—To widen west side, Pier No. 1, Princess	6,866 71	
	New Quay Wall—To widen west side, Pier No. 1, Princess Louise Docks	808,202 73	
12 Mar Insta	Bituminous Macadam road, Gilmour Hill-Provision for payment of claim for additional work done under con-		
	tract	7,177 92	
	Dredging at Wolfe's Cove terminal Dredging St. Charles River and Louise Basin	$\begin{array}{c} 179,906 \ 70 \\ 203,355 \ 81 \end{array}$	
	Resurfacing Wolfe's Cove yard Repairs to wharves and sheds, Princess Louise Docks	18,159 53 17,000 00	
372 Th	ree Rivers Harbour Improvements— New transit shed on new wharves	145,000 00	
	Reconstruction of old wooden wharves, roads, railway		
373 Moi	tracks and lighting system ntreal Harbour Improvements—	137,600 00	
	Raising wharf, Sections 38 to 40 Reconstruction of raceways in Windmill Point area	20,971 31 180,990 95	
	Laurier Pier, reconstruction Sutherland Pier, reconstruction and extension	85,375 30 655,904 24	
	Alexandra Pier, reconstruction	847,000 00	
	Raising wharf and railroad tracks, Sections 35-40 Extension of Marine Tower Jetty, Elevator 3	47,29074 35,55742	
in the rail	Reconstruction of Windmill Point Wharf-Up-stream sec-	1,000,000 00	
	Other Projects		6,229,522 8
374 Ha	lifax Harbour Improvements-		
	New sheds, Pier "B"—Provision of cargo handling and fire prevention equipment	6,400 00	
375 Chi	icoutimi Harbour Improvements— Improvement of roadways	17,000 00	
376 Moi	ntreal Harbour Improvements— Dredging by Harbour Plant	90,820 07	
	Strengthening of Sections 30-31 and 39-40	225,000 00	
	Strengthening and repairing Imperial Oil Wharf	50,000 00	389,220 0
1. 16 18			6,618,742 9
	PUBLIC WORKS		
	PROJECTS ALREADY UNDERTAKEN		
1. 1.	PUBLIC BUILDINGS		
	Nova Scotia		
(Am	herst—New public building	26,500 00	
377) Hal	lifax—New public building hone Bay—Public building	$\begin{array}{c}901,000 \ 00\\2,000 \ 00\end{array}$	
	lburne public building—Repairs and improvements	4,000 00	
		933,500 00	
1. 1. 1. 1	New Brunswick	Sand in 1	
	treville—Customs building on boundary	12,160 00	
Mor	dericton—Entomological laboratories	$ \begin{array}{c} 8,000 & 00 \\ 44,500 & 00 \end{array} $	
(St.	Stephen-Building for Customs and Immigration purposes.	137,000 00	
A DESCRIPTION OF THE OWNER		201,660 00	

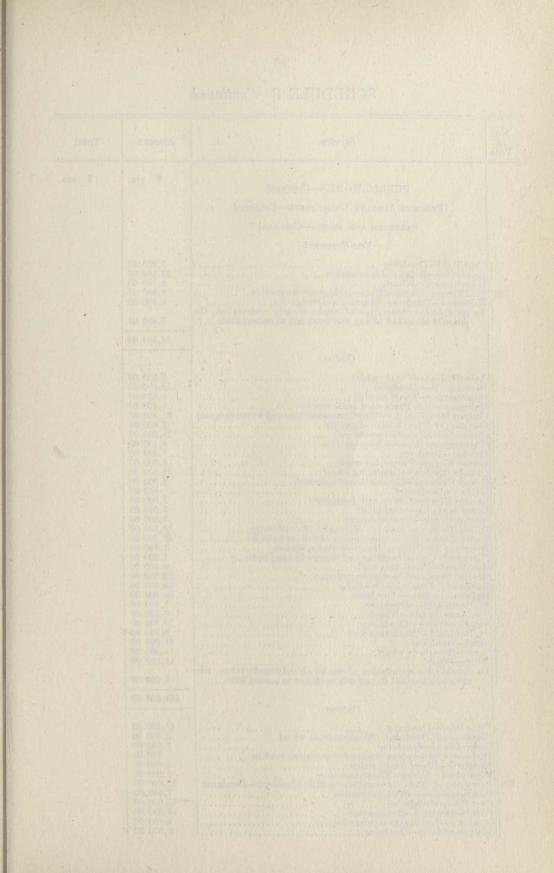
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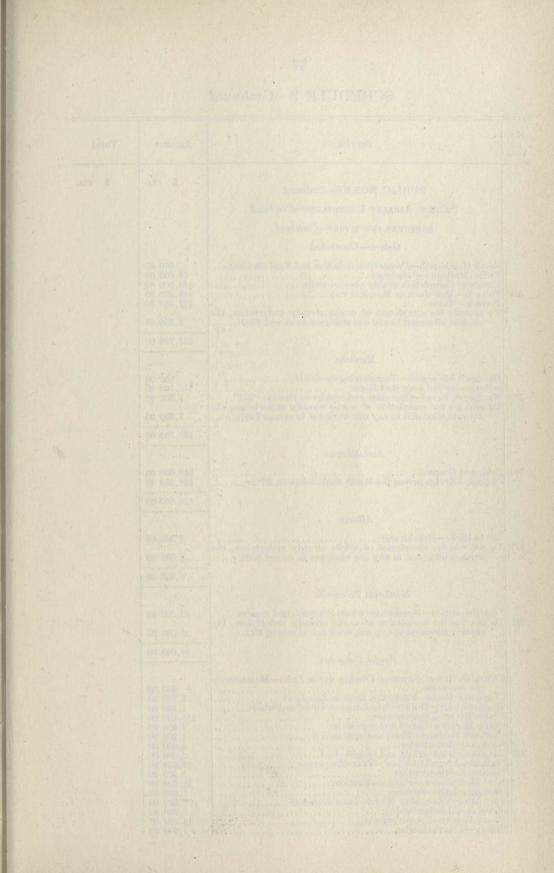
		T A A A A A A A A A A A A A A A A A A A	
No. of Vote	Service	Amount	Total
		\$ cts.	\$ cts.
	PUBLIC WORKS—Continued		
	PROJECTS ALREADY UNDERTAKEN—Continued		
	PUBLIC BUILDINGS—Concluded		
	Quebec		
(Brownsburg—Public building Cantic—Building for Immigration and Customs purposes Coaticook public building—Addition and improvements Farnham—Public building.	$\begin{array}{c} 12,000 \ 00 \\ 16,500 \ 00 \\ 8,500 \ 00 \\ 68,000 \ 00 \end{array}$	
379	Montreal—Public building addition and alterations Montreal—Postal Terminal Building	$\begin{array}{c ccccccccccccccccccccccccccccccccccc$	
	Quebec West—Public building Rouyn—Public building Valois—Public building	$\begin{array}{c} 11,500 \ 00 \\ 10,000 \ 00 \\ 5,000 \ 00 \end{array}$	
ì		1,101,500 00	
	Ontario	7	
(Blackwell—Onion warehouse	$14,250 \ 00 \\ 11,500 \ 00$	
	Bradford—Public building Cobalt—Public building	54,000 00	
	Cochrane—Public building Fort William—Public building	$54,000\ 00$ $4,000\ 00$	
	Galt-Public building	40,000 00	
	Guelph—New public building Guelph—Public building	$\begin{array}{c} 23,000 \ 00 \\ 30,000 \ 00 \end{array}$	
	Hamilton—Public building London—Public building	715,000 00 445,000 00	
	New Toronto-Public building	8,000 00	
380	Ottawa—Central Experimental Farm—Administration Building Ottawa—Central Experimental Farm—Storage Building (Cereat	33,000 00	1. 1. 1. 1.
000	Division)	1,500 00	
	Ottawa—National Research Buildings—Improvements Ottawa—Postal Terminal Building	57,500 00 410,000 00	
	Ottawa—Record Storage Building	450,000 00	
	Ottawa—Justice Building Ottawa—Royal Canadian Mint	525,000 00 83,000 00	
	St. Catharines-Public building-Additions and alterations	$\begin{array}{c} 13,000 \ 00 \\ 3,500 \ 00 \end{array}$	
	Thorold—Public building Toronto—New Postal Station "D"	29,000 00	
	Toronto—Customs Building Trenton—Public building—Alterations and additions	75,000 00 4,000 00	
1	Tenton-1 uono bunung-merauons and additions	3,083,250 00	
	Manitoba		
	Winnipeg—New public building Winnipeg—Post Office addition	$255,000 \ 00 \\ 20,000 \ 00$	
	Saskatchewan	275,000 00	
382	Regina—New public building	440,000 00	
	British Columbia		
1	Huntingdon—Building for Immigration and Customs purposes. Pacific Highway—Building for Customs and Immigration pur-	4,500 00	
383	poses	29,000 00	
1	Vancouver—Public building Vernon—Public building—Alterations and improvements	960,000 00 3,500 00	
		997,000 00	



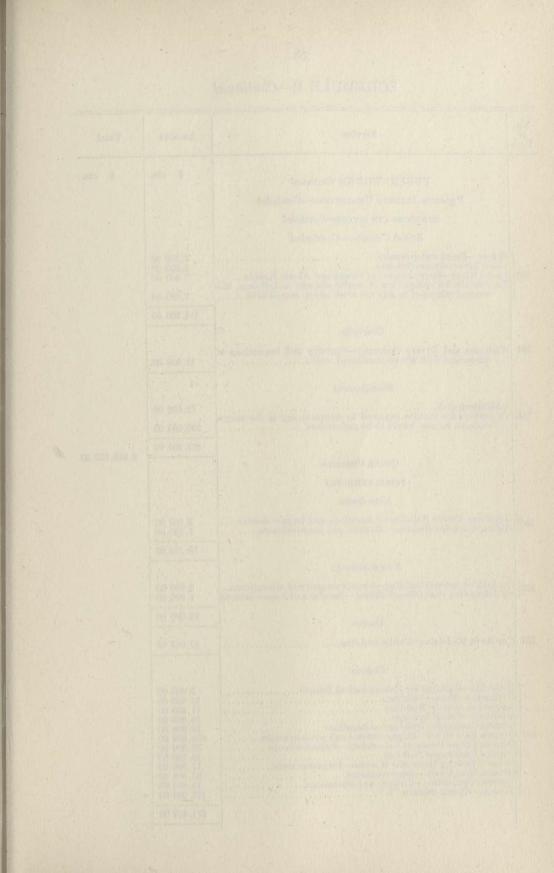
No. of Vote	Service	Amount	Total
	PUBLIC WORKS—Continued	\$ cts.	\$ cts
	PROJECTS ALREADY UNDERTAKEN-Continued		
	HARBOURS AND RIVERS		
	Nova Scotia		
	Avonport—Repairs to roadway and wharf Barrington Passage—Wharf repairs. Big Island (Merigamish)—Wharf. Boularderie Centre—Repairs to wharf and road approach Brooklyn—Breakwater extension Brule—Wharf repairs.	$2,500\ 00\ 600\ 00\ 800\ 00\ 40,000\ 00\ 2,600\ 00\ 7\ 000\ 00\ 00\ 00\ 00\ 00\ 00\ $	
	Burke's Head (North Ingonish)—Wharf repairs Carr's Brook—Wharf repairs Chester Ironbound—Breakwater. Cheticamp—Dredging.	$\begin{array}{c cccc} 7,000 & 00 \\ 4,500 & 00 \\ 6,100 & 00 \\ 40,000 & 00 \end{array}$	
	Church Point—Groynes Dingwall—Dredging. East River—Dredging. Finlay Point—Dredging.	$\begin{array}{c} 1,600 & 00 \\ 2,000 & 00 \\ 30,200 & 00 \\ 600 & 00 \end{array}$	
	Five Islands—Wharf and vessel bed repairs Flat Mud Island—Breakwater. Framboise—Breakwater. Iona—Wharf repairs. Jordan Ferry—Breakwater	$\begin{array}{c} 3,000&00\\ 2,300&00\\ 800&00\\ 800&00\\ 900&00\end{array}$	
384	Little Harbour—Roadway with cribwork retaining wall Lockeport—Breakwater. Long Pond—Dredging Lower Jordan Bay—Hand dredging	$\begin{array}{c} 1,000 & 00 \\ 22,000 & 00 \\ 1,000 & 00 \\ 700 & 00 \end{array}$	
	Malagash—Wharf extension. Neil's Harbour—Breakwater repairs North Ingonish, McLeod's Cove—Breakwater repairs Pictou Island—Dredging Port Hood—Closing northern entrance	$\begin{array}{c} 6,100 & 00 \\ 7,500 & 00 \\ 3,400 & 00 \\ 2,700 & 00 \\ 2,200 & 00 \end{array}$	
	Port Medway—Breakwater extension. Port Mouton—Dredging Pugwash—Wharf extension and repairs Scotch Cove—Breakwater repairs	$\begin{array}{c} 2,200 & 00 \\ 2,000 & 00 \\ 10,500 & 00 \\ 26,500 & 00 \\ 19,000 & 00 \end{array}$	
	Swim's Point—Wharf repairs. Trout Cove—Breakwater repairs. Wadden's Cove—Hoisting equipment. West Advocate—Breakwater improvements.	$\begin{array}{c}1,000 & 00\\1,400 & 00\\700 & 00\\3,000 & 00\end{array}$	
	Wreck Cove—Pier. Yarmouth Harbour—Sweeping, to complete. Purchase of creosoted materiais for District No. 1, Halifax To provide for completion of works already undertaken, the	$\begin{array}{cccc} 1,700 & 00 \\ 1,000 & 00 \\ 5,000 & 00 \end{array}$	
	amount allocated to any one work not to exceed \$500	10,000 00	
		275,300 00	
	Prince Edward Island	-FAUX T	
385	Annandale—Wharf repairs Georgetown—Repairs to warehouse flooring Lower Montague—Wharf repairs Montague River—Dredging St. Mary's Bay—Dredging	$\begin{array}{c} 2,500 & 00 \\ 5,000 & 00 \\ 600 & 00 \\ 7,700 & 00 \\ 25,900 & 00 \end{array}$	
	Rocky Point—Breakwater repairs Tignish—Beach protection To provide for completion of works already undertaken, the amount allocated to any one work not to exceed \$500	4,300 00 800 00 1,000 00	
		47,800 00	



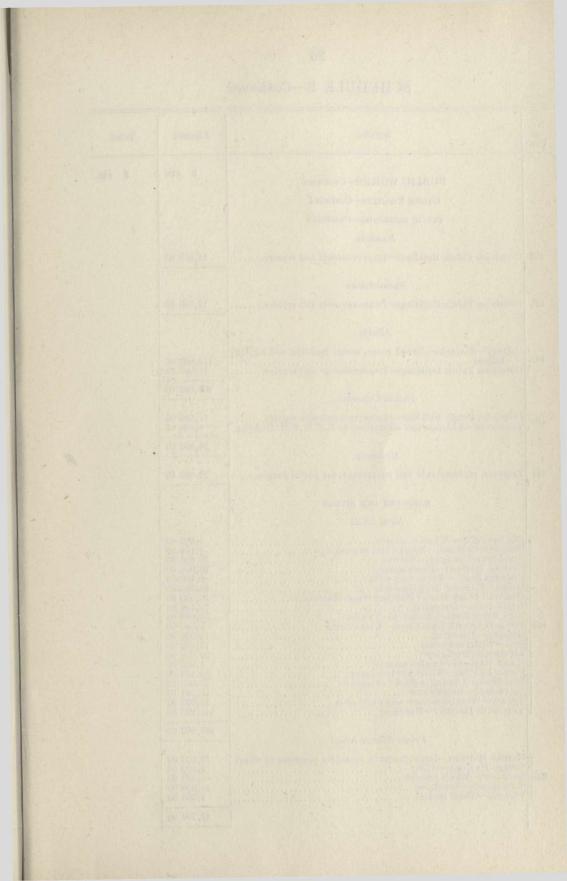
No. of Vote	Service	Amount	Total
	PUBLIC WORKS—Continued Projects Already Undertaken—Continued Harbours and rivers—Continued	\$ cts.	\$ cts.
386	New Brunswick Cape Bald—Dredging Escuminac—Breakwater extension Indian Island—Wharf. St. Thomas (Cocagne Bar)—Bridge reconstruction Shippigan—Dredging—Repairs to Dredge No. 4 To provide for completion of works already undertaken, the amount allocated to any one work not to exceed \$500	5,000 00 $23,100 00$ $2,700 00$ $1,500 00$ $1,900 00$ $3,000 00$ $37,200 00$	
	Quebec Anse St. Jean—Wharf repairs	7,600 00	
337	Berthierville—Dredging. Bonaventure—Wharf repairs. Bromptonville—Protection work repairs. Cap aux Meules, M.I.—Wharf reconstruction and improvements. Cap aux Os (The Gulch)—Landing. Chambly Basin—Protection wall. Chateauguay River—Concrete dam. Dundee—Dredging. Ferme Neuve—Protection work. Grande Rivière—Rebuilding wharf. Grand Ruisseau—Completion of approach. Ile du Pads=Wharf. Lacolle River—Survey and dredging. Laval sur le Lac—Dredging. Norton Creek—Improvements. Petite Rivière au Renard—Extension of south jetty. Petite Rivière Est—Construction of fishing harbour. Portage du Cap—Dredging and repairs to sand pump. Richmond—Protection wall. Rivière Ouelle—Wharf reconstruction. Rivière Ouelle—Wharf reconstruction. Rivière St. François—Dredging. St. Barthélémi—Dredging. St. Barthélémi—Dredging. St. Romuald—Protection wall. Sorel—Dredging. St. Romuald—Protection wall. Sorel—Dredging. Tobin—Wharf. To provide for completion of works already undertaken, the amount allocated to any one work not to exceed \$500	$\begin{array}{c} 12,000\ 00\\ 1,500\ 00\\ 1,500\ 00\\ 1,400\ 00\\ 81,300\ 00\\ 3,300\ 00\\ 21,000\ 00\\ 9,100\ 00\\ 2,000\ 00\\ 2,500\ 00\\ 25,400\ 00\\ 2,500\ 00\\ 25,400\ 00\\ 2,500\ 00\\ 25,400\ 00\\ 5,200\ 00\\ 3,000\ 00\\ 10,300\ 00\\ 14,000\ 00\\ 1,400\ 00\\ 1,400\ 00\\ 23,500\ 00\\ 23,500\ 00\\ 23,500\ 00\\ 23,500\ 00\\ 23,500\ 00\\ 3,000\ 00\\ 1,400\ 00\\ 1,400\ 00\\ 1,400\ 00\\ 1,400\ 00\\ 1,500\ 00\\ 1,500\ 00\\ 1,500\ 00\\ 1,500\ 00\\ 1,500\ 00\\ 1,500\ 00\\ 1,500\ 00\\ 1,500\ 00\\ 1,500\ 00\\ 12,000\ 00\\ 3,000\ 00\\ 3,000\ 00\\ \end{array}$	
	Ontario –	418,600 00	
	Byng Inlet—Dredging Gananoque—Dredging, Clarence street wharf Green Island—Dredging, Hudson—Construction of scow for aeroplane landing Keewatin—Wharf construction Michipicoten River—Wharf extension Parry Sound (Two, Five and Seven Mile Narrows)—Dredging. Penetanguishene—Wharf extension Port Elgin—Dredging Port McDiarmid—Breakwater. Rondeau—East pier reconstruction Sault Ste. Marie—Dredging	$\begin{array}{c} 43,400 & 00\\ 3,680 & 00\\ 1,400 & 00\\ 710 & 00\\ 2,000 & 00\\ 12,800 & 00\\ 7,850 & 00\\ 15,000 & 00\\ 13,050 & 00\\ 4,400 & 00\\ 6,800 & 00\\ \end{array}$	



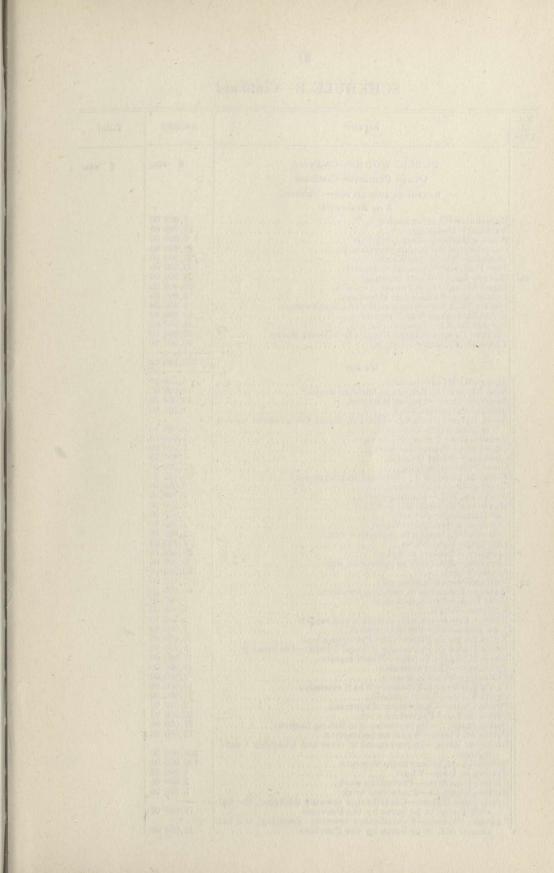
No.	Service	Amount	Total
of Vote	LOLYTOC .	mount	rotar
	PUBLIC WORKS—Continued	\$ cts.	\$ cts.
	PROJECTS ALREADY UNDERTAKEN-Continued		
	HARBOURS AND RIVERS-Continued		
	Ontario-Concluded		
388	South Bay Mouth—Property acquisition and legal services Tiffin (Midland)—Dredging Toronto—Completion of ship channel walls. Toronto—New dock at Marginal way Toronto—Tunnel To provide for completion of works already undertaken, the amount allocated to any one work not to exceed \$500	$\begin{array}{c} 980 & 00 \\ 16,000 & 00 \\ 144,000 & 00 \\ 149,200 & 00 \\ 127,800 & 00 \\ 3,000 & 00 \end{array}$	
		557,720 00	
	Manitoba		
389	Dredge Winnipegosis—Transferring machinery Selkirk—Bridge over Red River Wanipigow River—Operation and repairs to Dredge "202" To provide for completion of works already undertaken, the amount allocated to any one work not to exceed \$500	$\begin{array}{c} 800 & 00 \\ 146,000 & 00 \\ 1,900 & 00 \\ 1,000 & 00 \end{array}$	
		149,700 00	
	Saskatchewan		
390{	Bridge at Ceepee Outlook—Bridge across the South Saskatchewan River	240,000 00 186,600 00	
	Country Company and Stratight	426,600 00	
	Alberta	A STATE OF	
391	Lac la Biche—Breakwater. To provide for completion of works already undertaken, the amount allocated to any one work not to exceed \$500	3,900 00 1,000 00	
,		4,900 00	
	Northwest Territories	4,000 00	
392	Fort Resolution—Breakwater wharf extension and repairs To provide for completion of works already undertaken, the amount allocated to any one work not to exceed \$500	45,000 00	
	-	46,000 00	
	British Columbia -		
393	Columbia River Narrows—Dredge Arrow Lakes—Maintenance and operation. Courtenay River—Protection work replacement. Esquimalt Dry Dock—Completion of fill behind wharf Fraser River—Improvements. Gorge Harbour—Float and approach. Gowland Harbour—Float and approach. Kelowna—Breakwater. Kingcome Inlet—Float and freight shed Nanaimo Assembly wharf—Travelling crane. Naramata—Breakwater. New Westminster—Fisheries Station. Okanagan Lake—Survey. Port Alberni Assembly Wharf—Improvements. Shalath—Floating landing Prince Rupert—Improvements.	$\begin{array}{c} 800 \ 00 \\ 5,700 \ 00 \\ 1,100 \ 00 \\ 211,700 \ 00 \\ 4,200 \ 00 \\ 4,200 \ 00 \\ 2,000 \ 00 \\ 2,000 \ 00 \\ 27,500 \ 00 \\ 2,500 \ 00 \\ 1,500 \ 00 \\ 1,000 \ 00 \\ 5,300 \ 00 \\ 5,200 \ 00 \\ 18,400 \ 00 \end{array}$	



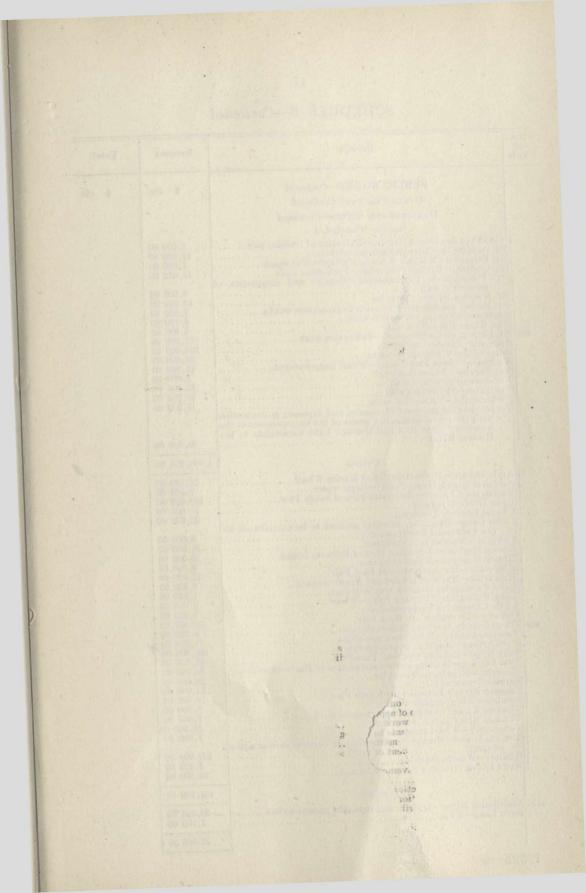
No. of Vote	Service	Amount	Total
	DIDITO WODES Continue	\$ cts.	\$ cts.
1	PUBLIC WORKS Continued		
	PROJECTS ALREADY UNDERTAKEN—Concluded		
	HARBOURS AND RIVERS—Concluded	17. 347.	
	British Columbia—Concluded		
393	Sidney—Breakwater repairs Taku River—Improvements Tachi River—Improvement of Grand and Austin Rapids	$\begin{array}{c} 7,200 & 00 \\ 1,000 & 00 \\ 600 & 00 \end{array}$	
	To provide for completion of works already undertaken, the amount allocated to any one work not to exceed \$500	1,000 00	
	The second s	314,200 00	
	Generally	The second second	
394	Harbours and Rivers Generally—Surveys and inspections in connection with above mentioned works	31,000 00	
	Miscellaneous	A Contraction	
(Additional staff	75,000 00	
395	To provide for balance required to complete any of the above projects, no new works to be undertaken	200,000 00	
,	projectis, no new works to be undertailed.	275,000 00	
	Other Projects	210,000 00	9,615,930 00
	Printer and Charles and the second		
	PUBLIC BUILDINGS		
	Nova Scotia	0 500 00	
396{	Guysboro Public Building—Alterations and improvements Halifax Customs Building—Repairs and improvements	$2,500 00 \\ 7,700 00$	
		10,200 00	
	New Brunswick		
397{	St. John—Customs building—Improvements and alterations St. John—Old Post Office building—Repairs and improvements	$9,000 00 \\ 4,000 00$	
	Quebec	13,000 00	
398	Cap de la Madeleine—Public building	49,000 00	
	Ontario		
399	Belleville—Building for Entomological Branch Burlington—Public building Kingsville—Public Building Mildmay—Public building Ottawa Connaught Building—Alterations Ottawa East Block—Improvements and reconstruction Ottawa Forest Products Laboratory—Improvements Ottawa Forest Products Laboratory—Improvements Ottawa Victoria Memorial Museum—Improvements Ottawa West Block—Improvements Ottawa West Block—Improvements Toronto Post Office—Fittings and alterations Toronto—Postal Station "K"	$\begin{array}{c} 5,000 & 00\\ 23,000 & 00\\ 11,500 & 00\\ 10,000 & 00\\ 16,600 & 00\\ 250,000 & 00\\ 15,000 & 00\\ 15,000 & 00\\ 17,000 & 00\\ 23,500 & 00\\ 13,000 & 00\\ 122,000 & 00\\ \end{array}$	
	The Property of the Property o	571,600 00	



No. of Vote	Service	Amount	Total
1ET	PUBLIC WORKS—Continued	\$ cts.	\$ ct
	OTHER PROJECTS-Continued		
	PUBLIC BUILDINGS—Concluded		
	Manitoba		
100	Dominion Public Buildings—Improvements and repairs	15,000 00	
	Saskatchewan		
101	Dominion Public Buildings-Improvements and repairs	15,000 00	
	Alberta		
(Calgary—Barracks—Guard room, meter building and airplane		
102	hangar Dominion Public Buildings—Improvements and repairs	$\begin{array}{c} 175,000 \ 00 \\ 15,000 \ 00 \end{array}$	
	British Columbia	190,000 00	
103	Dominion Public Buildings—Improvements and repairs Vancouver—Addition and alterations to R.C.N.V.R. Building.	$15,000 00 \\ 9,000 00$	
·	-	24,000 00	
	Generally		
104	Tractors, replacements and equipment, for postal purposes	20,000 00	
	HARBOULS AND RIVERS		
	Nova Scotia	Y 100 40 1	
(Big Bras d'Or—Wharf extension Broad Cove Marsh—Breakwater extension Brooklyn—Dredging—Revote Caribou Harbour—Breakwater	$ \begin{array}{c} 6,000 & 00 \\ 7,100 & 00 \\ 20,000 & 00 \\ 10,000 & 00 \end{array} $	
	Crescent Beach—Protection work Digby—Harbour improvements Dingwall (Aspy Bay)—Harbour improvements	$2,800\ 00$ $45,000\ 00$ $10,000\ 00$	
	Drum Head—Dredging East River Locks—Removal of walls	15,700 00 36,100 00	
105	Freeport (North East Cove)—Breakwater Gabarus—Dredging	9,500 00 10,000 00	
	Iona—Wharf extension	$\begin{array}{c} 13,500 \ 00 \\ 20,000 \ 00 \end{array}$	
	Liverpool—Dredging Moose Harbour—Improvements	3,900 00	
	Pictou Landing—Wharf improvements Port Hood—Closing northern entrance	$20,100 \ 00$ $25,000 \ 00$	
	Seal Island—Breakwater	12,300 00	
	Sydney—Wharf extension and warehouse Yarmouth Harbour—Dredging	75,000 00 143,000 00	
	Prince Edward Island	485,000 00	
(Murray Harbour—Improvements, including purchase of wharf.	13,000 00	
100	Savage Harbour—Wharf	7,200 00	
406 {	Southport—Wharf repairs	$4,000\ 00$ 19,000\ 00	
1	Victoria—Wharf repairs	4,500 00	
		47,700 00	A CONTRACTOR OF

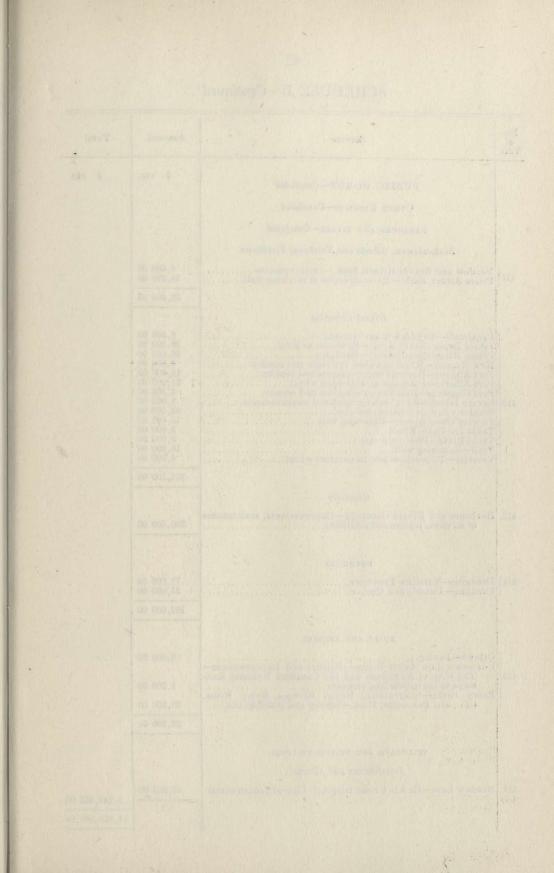


No. of Vote	Service	Amount	Total
	PUBLIC WORKS—Continued	\$ cts.	\$ cts.
	OTHER PROJECTS—Continued		
	HARBOURS AND RIVERS—Continued		
	New Brunswick		
1	Barachois-Wharf extension	7,000 00	
i	Bathurst-Dredging	22,700 00	
	Black's Harbour—Improvements Campbellton—Wharf improvements	$3,500\ 00$ 20,000\ 00	
	Durham—Wharf extension	25,000 00	
407	Fort Dufferin—Breastwork repairs Harvey Bank—Wharf extension	$33,000\ 00$ 24,000 00	
40.)	Ingall's Head—Breakwa er extension	60,000 00	
	Little Cape—Breakwate extension	5,000 00	
	Little Chockfish—Breast orks and breakwaters Little Lameque—Wharf repairs	$5,000\ 00$ 13,000\ 00	
	Portage Island—Breastworks	10,000 00	
	St. John (Negro Point)—Repairs to harbour works Tracadie Harbour—Dredging	$50,000 00 \\ 40,000 00$	
	riacadie frathour—Dredging	318,200 00	
	Quebec		
	Amos—Wharf extension Anse à Beaufils—Repairs to harbour works	$3,325 \ 00 \\ 15,000 \ 00$	
	Anse à Brillant-Fishing Harbour	45,000 00	
	Belœil—Protection work Black River—Dredging—The Provincial Government to con-	7,700 00	
	tribute a like amount	4,000 00	
	Bonaventure—Protection work	$9,000\ 00$ $7,700\ 00$	
	Cape Chat—Protection work Chandler—Wharf repairs	7,000 00	
	Cross Point—Dredging	$12,000 \ 00 \\ 25,000 \ 00$	
	Etang du Nord, M.I.—Harbour improvements Granby—Protection work	6,000 00	
	Gros Cap, M.ILanding pier	3,100 00	
	Havre aux Maisons, M.I.—Wharf Lac Duparquet—Wharf	$6,500\ 00$ 2,600 00	
	Lac Rouyn (Mercier)—Wharf	2,300 00	
	Lanoraie—Extension to protection wall	$2,800 00 \\ 4,200 00$	
	Laprairie—Icebreakers Laprairie—Repairs to dyke	28,000 00	
	Lavaltrie-Extension to protection wall	$3,100 \ 00 \ 50,000 \ 00$	
408	Lévis—Wharf Malbaie—Small landing pier	1,780 00	
100	Matane-Extension to east breakwater	$ \begin{array}{c} 60,000 & 00 \\ 5,600 & 00 \end{array} $	
1	Mont Louis—Protection work	3,500 00	
	Moisie-Protection wall extension and repairs	2,500 00	
1.14	New Richmond—Protection work Notre Dame de Pierreville—Protection wall	$7,000\ 00$ 16,000\ 00	
	Notre Dame de Pierreville (Chenal Tard'f)-Ice breaker	3,200 00	
	Notre Dame du Portage—Wharf repairs	$\begin{array}{c} 10,000 \ 00 \\ 46,000 \ 00 \end{array}$	
	Paspébiac—Wharf extension Peninsula—Wharf extension	2,600 00	
	Petite Rivière St. François—Wharf extension	$15,000\ 00$ $27,000\ 00$	
	Petite Vallée—Wharf extensi Pointe Claire—Completion	2,000 00	
	Pointe du Lac—Protection	10,000 00	
	Pointe Jaune—Improveme fishini, harbour Pointe St. Pierre—Wharf reco tion.	$27,000 \ 00 \ 12,500 \ 00$	
	Pointe St. Pierre—Wharf reco Richelieu River—Improven		
	System	$500,000 00 \\ 150,000 00$	
	Rimouski —Harbour improents Rivière au Rats—Wharf	4,900-00	
	Rivière Beaudette-Protee 1 work	2,600 00	
201	Rivière Blondelle—Protect 1 work	5,200 00	
2000	Rivière des Hurons—Cont oution towards dredging, the bal- ance of cost to be borne by the Province	75,000 00	

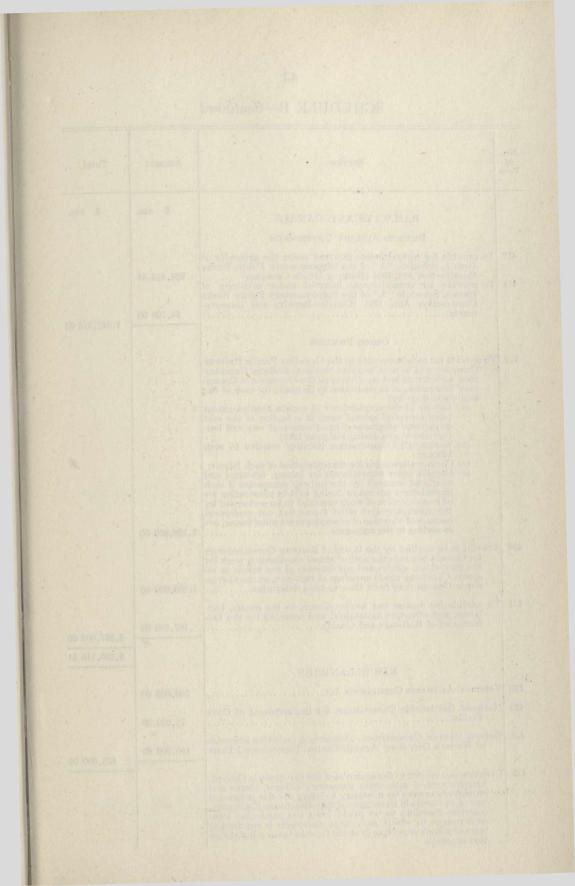


No. of Vote	Service	Amount	Total
	PUBLIC WORKS—Continued	\$ cts.	\$ ets
	OTHER PROJECTS—Continued	1260 01 0852	
	HARBOURS AND RIVERS-Continued		
•	Quebec-Concluded	A Company and a company	
(Ste. Anne des Monts (River)—Extension of training pier	8,000 00	
	St. Antoine de Tilly—Wharf reconstruction St. Etienne de Malbaie (Casgrain wharf)—Fill spans	17,000 00 5,000 00	
	St. Godfroy (Riviere Nouvelle)—Protection work	16,650 00	
	St. Gregoire de Montmorency-Repairs and completion of protection wall	5,000 00	
	St. Maurice River-Dredging	18,000 00	
	St. Michel des Saints—Extension to protection works St. Omer—Raising protection work	$1,800\ 00$ $4,400\ 00$	
a Bear	Ste. Rose—Protection wall	4,900 00	
408	St. Simeon de Bonaventure—Protection work Saguenay River—Dredging	$\begin{array}{c ccccccccccccccccccccccccccccccccccc$	
	Sorel-Harbour improvements	85,000 00	
	Tadoussac (Anse Tadoussac)—Wharf improvements	$\begin{array}{c ccccccccccccccccccccccccccccccccccc$	
	Varennes—Protection wall	15,000 00	
	Vercheres—Protection wall Victoriaville—Protection work	$\begin{array}{c ccccccccccccccccccccccccccccccccccc$	
	To provide for payment of salaries and expenses in connection		
	with the investigation in Canada of the improvement of the waterway from Montreal through Lake Champlain to the	1. S.	
1	Hudson River	20,000 00	
E.M.	Ontario	1,694,055 00	
(Amherstburg-Reconstruction of Marine Wharf	26,000 00	
	Ambarat Island (I ong Point)-Breakwater	$2,500\ 00$ 150,000\ 00	
	Burlington Channel—Reconstruction of South Pier Byng Inlet—Dredging.	10,000 00	
	Chenal Ecarte—Dredging Cobb Lake—Dredging, an equal amount to be contributed by	22,500 00	
	the Provincial Government	5,000 00	
	Cobourg—Maintenance dredging Honey Harbour—Dredging East of Roberts Island	$\begin{array}{c c}21,000 & 00\\16,000 & 00\end{array}$	
	Honey Harbour-Wharf extension	9,000 00	
	Kingsville—Reconstruction of East Pier Kingsville—Harbour repairs and improvements	$\begin{array}{c ccccccccccccccccccccccccccccccccccc$	
	Lake Wahnapetei (Massey Bay)—Wharf Lake Wahnapetei (Portage Bay)—Wharf	1,900 00	
	Lake Wahnapetei (Portage Bay)—Wharf Little Current—Wharf extension	$2,000\ 00$ $3,000\ 00$	
	Oshawa—To replace old West Pier	50,000 00	
409	Owen Sound—Harbour improvements Penetanguishene—Wharf reconstruction	$\begin{array}{c} 4,600 & 00 \\ 21,200 & 00 \end{array}$	
300	Port Arthur-Harbour improvements	180,000 00	
	Port Hope—Rebuild pierhead East Pier Port Stanley—Repairs and reconstruction of Harbour works	$\begin{array}{c ccccccccccccccccccccccccccccccccccc$	
	Rondeau—Repairs to West Pier	28,000 00	
	Sarnia—Dredging Saugeen River—Extension to North Pier	23,000 00 18,000 00	
	Sombra—Wharf repairs Thames River (Chatham)—Protection work	3,000 00	
	Thames River (Chatham)—Protection work	7,000 00 18,500 00	
	Tobermory—Wharf extension.	7,000 00	
	Toronto Island—Breakwater, the City of Toronto to bear a like amount.	133,000 00	
	Windsor—Warehouse extension Wolfe Island (Horne's Point)—Wharf	5,000 00 16,300 00	
	Manitoba	861,500 00	
410(Assiniboine River—Dyking and repairing present dykes	20,000 00	
	Herb Lake—Wharf	2,000 00	
		22,000 00	

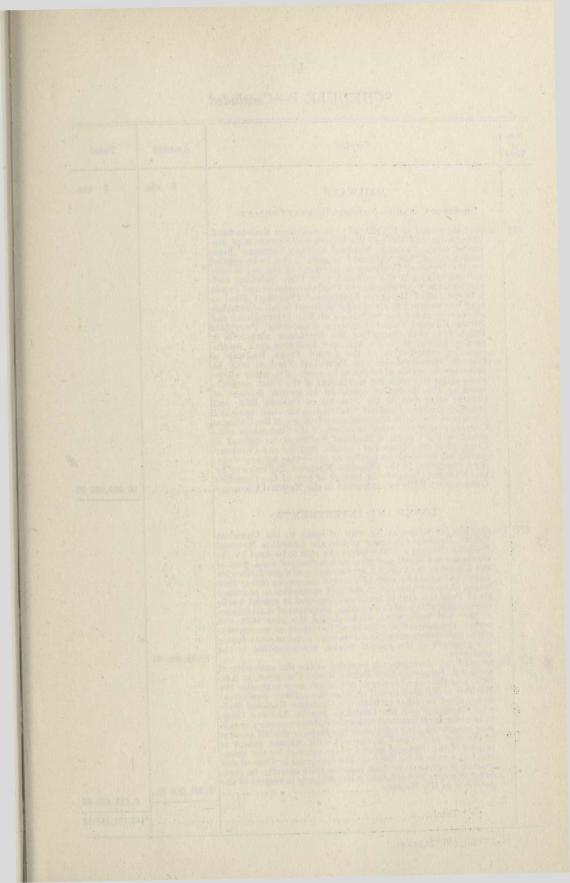
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No. of /ote	Service	Amount	Total
	PUBLIC WORKS—Concluded OTHER PROJECTS—Concluded	\$ cts.	\$ cts
	HARBOURS AND RIVERS-Concluded		
	Saskatchewan, Alberta and Northwest Territories		
411{	Meadow and Beaver Rivers, Sask.—Improvements Prince Albert, Sask.—Reconstruction of retaining wall	4,000 00 55,000 00	
	A Contraction of the second	59,000 00	
	British Columbia		
412-	Esquimalt—Drydock improvements. Fraser River (North Arm)—Extension to jetty. Fraser River (North Arm)—Dredging. New Massett—Wharf and shed extension and repairs. Port Alberni—Harbour improvements and repairs. Port Alberni—Extension to Assembly wharf. Port Clements—Breakwater extension and repairs. Savary Island—Wharf enlargement and improvements. Snagboat Samson—Reconstruction. Stewart (Bear River)—Retaining wall. Takla Landing—Wharf. Tachi River—Improvements. Trail—Retaining wall. Vaucroft—To purchase and reconstruct wharf.	$\begin{array}{c} 8,500 \ 00\\ 26,000 \ 00\\ 65,000 \ 00\\ 15,000 \ 00\\ 15,000 \ 00\\ 71,000 \ 00\\ 4,500 \ 00\\ 9,000 \ 00\\ 60,500 \ 00\\ 15,600 \ 00\\ 3,000 \ 00\\ 3,000 \ 00\\ 10,000 \ 00\\ 4,000 \ 00\\ \end{array}$	
		301,100 00	
413	Generally Harbours and Rivers Generally—Improvements, maintenance of services, repairs and additions	500,000 00	
	DREDGING		1.1
414{	Dredging—Maritime Provinces Dredging—Ontario and Quebec	75,000 00 25,000 00	
		100,000 00	
{	ROADS AND BRIDGES Ottawa—Paving Edmonton Low Level Bridge—Repairs and Improvements—	8,000 00	
415	The City of Edmonton and the Canadian National Rail- ways to contribute like amounts	1,300 00	
l	Ont., and Beaudette, MinnSurvey and investigation	20,000 00	
		29,300 00	
	TELEGRAPH AND TELEPHONE LINES		
	Saskatchewan and Alberta		
416	Meadow Lake—Ile à la Crosse telegraph Line—Reconstruction.	15,000 00	5,340,655
			14,956,585

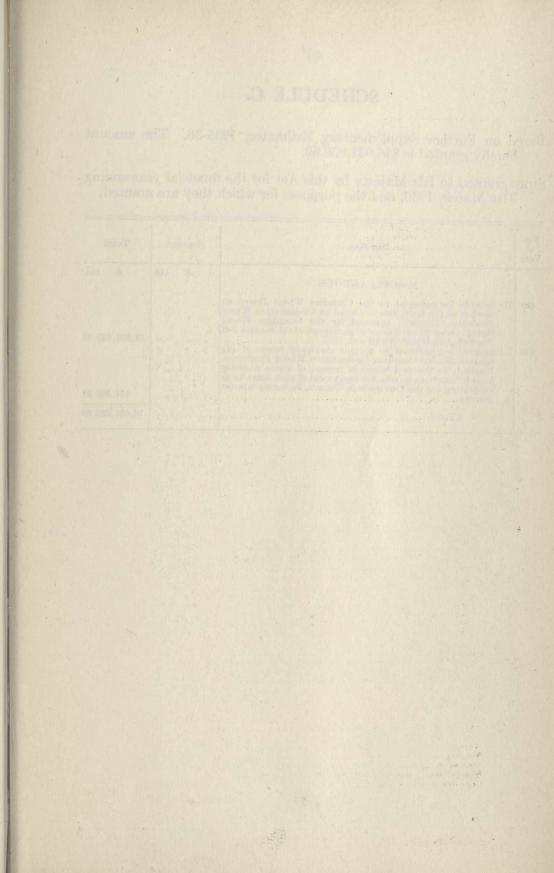


No		Philippipar T	
No. of Vote	Service ·	Amount	Total
	RAILWAYS AND CANALS	\$ cts.	\$ cts.
	PROJECTS ALREADY UNDERTAKEN		
417 418	 To provide for commitments incurred under the authority of Item 1, Schedule "A" of the Supplementary Public Works Construction Act, 1935 (Railway Grade Crossings) To provide for commitments incurred under authority of Item 5, Schedule "A" of the Supplementary Public Works 	958,416 51	
	Construction Act, 1935 (Canals—Repairs and improve- ments)	84,100 00	1,042,516
	Other Projects	4.479.48	
419	 To provide for reimbursement to the Canadian Pacific Railway Company and to the Canadian National Railway Company upon such terms and conditions as the Governor in Council may determine, of expenditures to be made by each of the said companies for: (a) Labour in the employment of certain unemployment relief forces on special work in extension of the said companies' programs of maintenance of way and bet- terment works during the year 1936; 		
	 (b) Workmen's Compensation liability relative to such labour; (c) Certain allowances for transportation of such labour; (d) Certain other expenditures for labour, material and overhead incurred by the railway companies if such expenditures are made during 1936 in preparation for or in completion of work expected to be performed by the unemployment relief forces but not performed because of shortage of unemployment relief forces, not exceeding in the aggregate 	3,100,000 00	
4 20	Amount to be applied by the Board of Railway Commissioners for Canada towards the cost of actual construction work for the protection, safety, and convenience of the public in re- spect of highway grade crossings of railways, as the Gover- nor in Council may from time to time determine		
421	To provide for repairs and improvements to the canals, har- bours, and elevators maintained and operated by the De- partment of Railways and Canals	167,600 00	4,267,600
	The second secon		5,310,116
	MISCELLANEOUS		
1 22	Veterans' Assistance Commission Act	500,000 00	1. 1. 1. 1.
123	National Battlefields Commission, for improvement of Cove Fields.	75,000 00	
124	Federal District Commission—Driveways, including extension of Western Driveway through Central Experimental Farm	100,000 00	675,000
125	To authorize, subject to the approval of the Governor in Council, appointment of such extra temporary officers, clerks and employees as may be necessary to carry out the purpose of any of the items in these Special Supplementary Estimates, payment therefore to be made from the particular item with respect to which such extra assistance is required or from any item providing in terms for salaries or administra- tion expenses.		Salar B.



SCHEDULE B—Concluded

No. of Vote	Service	Amount	Total
	RAILWAYS Deficit of Canadian National Railway Company	\$ cts.	\$ cts.
426	Amount not exceeding \$39,900,000 to be paid from time to time, under such conditions as the Minister of Finance may pre- scribe, to the Canadian National Railway Company (here- inafter called "the National Company") and to be applied by the National Company in payment of the net income deficits arising in the calendar year 1936, including such supplementary contribution to The Intercolonial and Prince Edward Island Railways Employees' Provident Fund as may be necessary to provide for payment in full of monthly allowances under the provisions of The Intercolonial and Prince Edward Island Railways Employees' Provident Fund Act, notwithstanding the limitation contained in section four of the said Act, and including such supple- mentary contribution to the Grand Trunk Railway of Canada Superannuation and Provident Fund as may be necessary to enable payment to be made of monthly allow- ances under the rules and regulations of the Fund, notwith- standing the limitation contained in section thirteen of chapter sixty-five of the Statutes of Canada 1874, and including profit and loss but not including non-cash items and including profit and loss but not including non-cash items and including profit and loss but not and Railways (as defined in Chap. 10 of the Statutes of Canada, 1929) or any Company controlled by stock ownership or otherwise by any Com- pany comprised in the Canadian National Railways or by the National Company in respect of any of the Canadian Government Railways entrusted to the National Company		39,900,000 00
427	To provide for advances by way of loans to the Canadian Pacific Railway Company and to the Canadian National Railway Company with interest at a rate to be fixed by the Governor in Council and upon such terms and conditions as the Governor in Council may determine of expenditures for wages to be paid by each of the said companies (other than wages to be reimbursed to the said companies as provided for in Vote No. 419) to employees engaged in special works in extension of the said companies' programs of maintenance of way and betterment works during the year 1936, and certain transportation allowances in respect of movements of the unemployment relief forces from point to point during the progress of the special works, not exceeding in the		
428	 aggregate. To provide for commitments incurred under the authority of section 9, Supplementary Public Works Construction Act, 1935, and that the Governor in Council may authorize the Minister of Finance to sell or lease the railway equipment so acquired to either or both the Canadian National Railway Company and the Canadian Pacific Railway Company under agreements whereby the railway company or railway companies shall reimburse His Majesty the full amount of the cost of the said equipment with interest except in respect of the first and second years covered by the agreement at a rate to be fixed by the Governor in Council and that such agreements shall provide that security be furnished to secure and indemnify His Majesty in respect of the debt due to His Majesty. 	1,109,400 00 5,363,000 00	6,412,400 00
	Total		*131,161,143 42

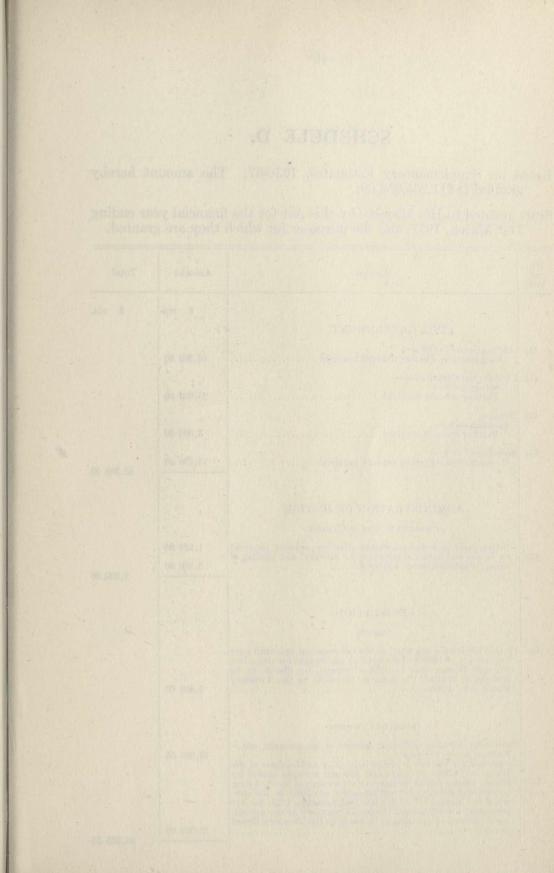


SCHEDULE C.

Based on Further Supplementary Estimates, 1935-36. The amount hereby granted is \$16,031,028.69.

SUMS granted to His Majesty by this Act for the financial year ending 31st March, 1936, and the purposes for which they are granted.

No. of Vote	Service	Amount	Total
	MISCELLANEOUS	\$ cts.	\$ cts.
	 To provide for payment to the Canadian Wheat Board on account of the liabilities of Canadian Co-operative Wheat Producers, Limited, assumed by the Canadian Wheat Board, under the authority of paragraph (f) of Section 7 of the Canadian Wheat Board Act, 1935 To provide for payment to certain chartered banks of the amount due by Canadian Co-operative Wheat Producers, Limited, to the said banks in respect of losses resulting from transactions in oats, the repayment of such sums being guaranteed by the Governor in Council, including interest thereon. 		15,856,645 35 174,383 34
5	Total		16,031,028 69

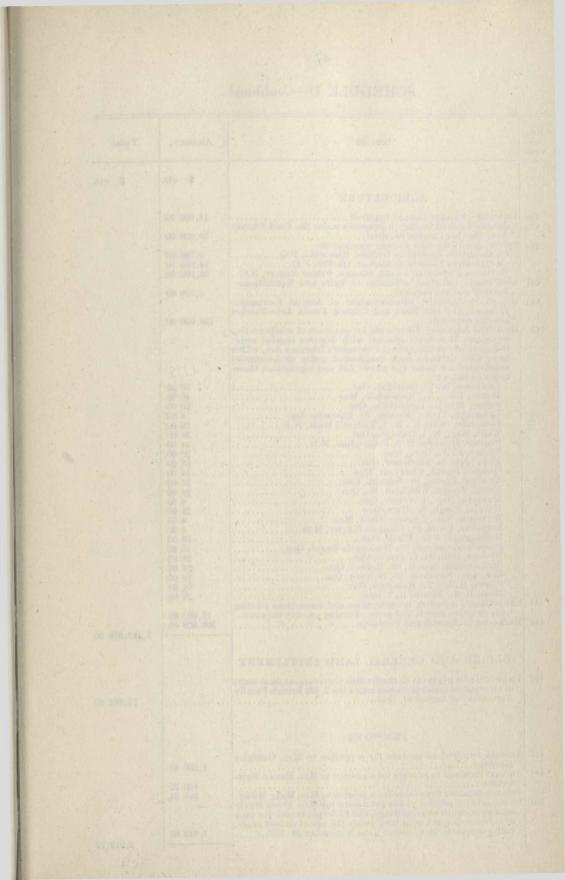


SCHEDULE D.

Based on Supplementary Estimates, 1936-37. The amount hereby granted is \$11,265,959.09.

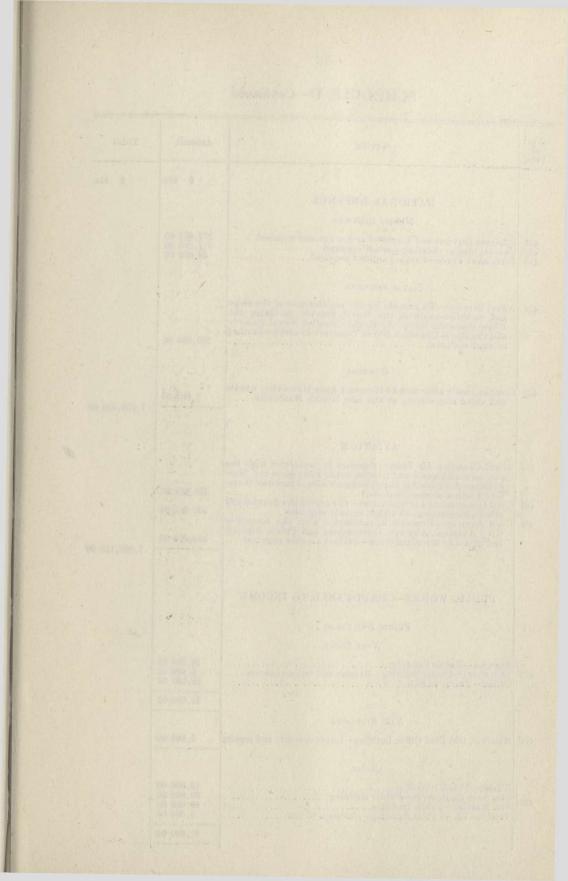
Sums granted to His Majesty by this Act for the financial year ending 31st March, 1937, and the purposes for which they are granted.

No. of Vote	Service	Amount	Total
		\$ cts.	\$ cts.
	CIVIL GOVERNMENT		
431	Auditor General's Office— Contingencies—Further amount required	16,500 00	
432	Civil Service Commission— Contingencies— Further amount required	25,000 00	
433	Mines— Contingencies— Further amount required	5,000 00	
434	Secretary of State— Contingencies—Further amount required	. 15,800 00	62,300 00
	ADMINISTRATION OF JUSTICE		
	SUPREME COURT OF CANADA		
435	Contingencies and disbursements—Further amount required Law books and books of reference for Library, and binding of	1,700 00	
l	same—Further amount required	2,500 00	4,200 00
	LEGISLATION		
	Senate		
436	To provide for the payment of the full sessional indemnity for the session of 1936 to Members of the Senate for days lost through absence due to public business, by illness, or on account of death. Payment to be made as the Treasury		
	Board may direct	5,500 00	
	House of Commons		
437	Publishing debates, including salaries of amanuenses, etc.— Further amount required To provide for the full sessional indemnity to Members of the House of Commons—days lost through absence caused by illness, official public business, or on account of death during the present session—Notwithstanding anything to the con- trary in Chapter 147 of the Revised Statutes, 1927, An Act respecting the Senate and House of Commons, or any amend-	13,095 55	
	ment thereto. Payments to be made as the Treasury Board may direct.	12,000 00	
		[30,595 55

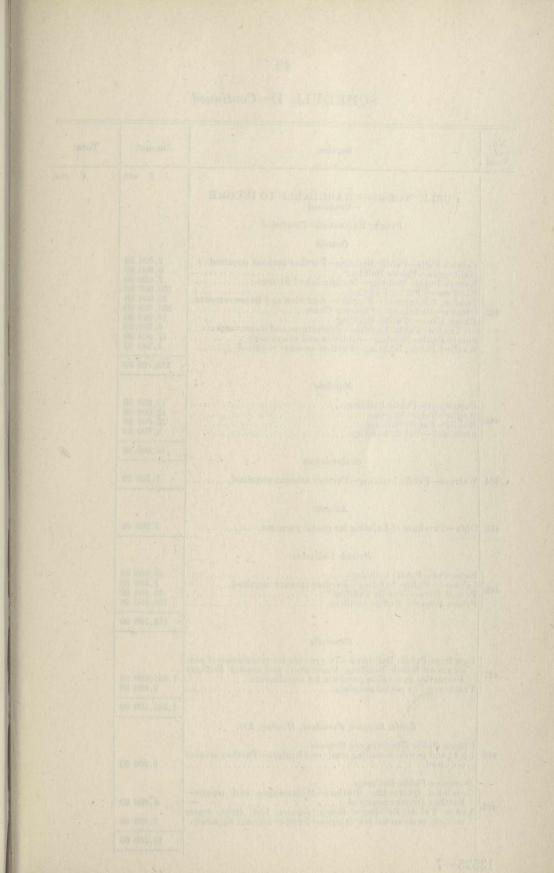


SCHEDULE D-Continued

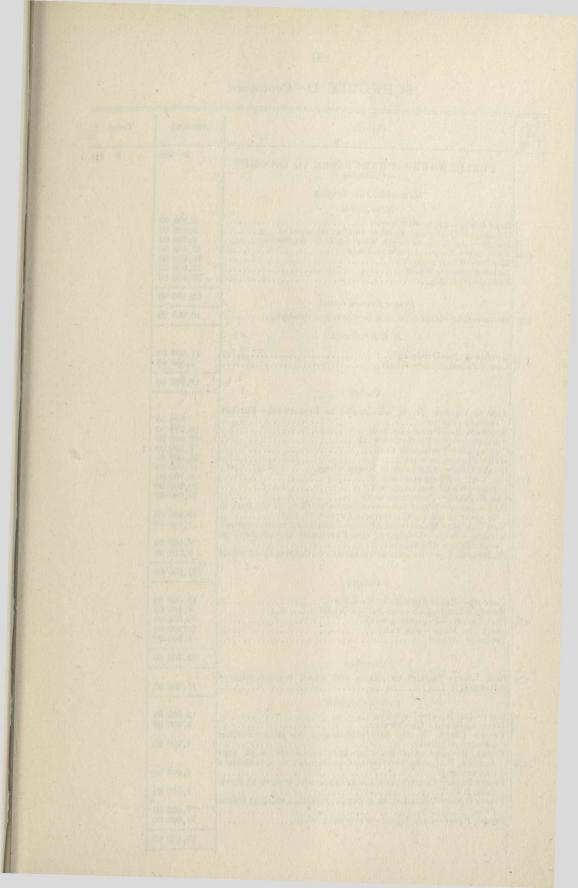
No. of Vote	Service	Amount _	Total
	and the second sec	\$ cts.	\$ cts
	AGRICULTURE		
	Dairying—Further amount required Subsidies for cold storage warehouses under the Cold Storage	16,000 00	
A. C. RAN	Act—Further amount required	50,000 00	
110	Co-Operative Fédérée de Québec, Rimouski, P.Q Co-Operative Fédérée de Québec, Quebec, P.Q	5,100 00 18,000 00	
441	Northern Fishermen's Cold Storage, Prince Rupert, B.C Live stock, including assistance to Fairs and Exhibitions—	30,000 00	
	Further amount required	8,300 00	
	Diseases Act and Meat and Canned Foods Act-Further amount required	750,000 00	
443	Health of Animals—To provide for payment of compensation to owners of animals affected with diseases coming under		
	the operation of the Animal Contagious Diseases Act, which have died or have been slaughtered under circumstances		
	unprovided for under the above Act and regulations there- under as follows:		
	Lawrence, N. F., Sheridan, Ont	$ \begin{array}{cccccccccccccccccccccccccccccccccccc$	
	Suitor, Roy L., Lennoxville, Que Lamarche, Victor (Estate), St. Eustache, Que Lourabury, Foal K. B. 1. Killow 'a Millow N. B.	$ \begin{array}{r} 50 & 00 \\ 8 & 00 \\ 20 & 00 \end{array} $	
	Lounsbury, Earl K., R. 1, Killam's Mills, N.B Wells, Wm., R. 1, Oakville, Ont Prosent Howard P. 2 Partiteodian N.B.	$ \begin{array}{c} 20 & 00 \\ 38 & 00 \\ 54 & 00 \end{array} $	
101	Prosser, Howard, R. 3, Petitcodiac, N.B Stokes, E. A., Bury, Que Eby, Irvin S., Kitchener, Ont	20 00	
	Quintal, David, Clairvaux, Que Trottier, Lucien, St. Nazaire, Que	14 00 24 00	
	Petrin, Joseph, Wickham, W., Que. Manseau, Nap., L'Avenir, Que.		
	Harpin, Joseph, St. Ours, Que Wyttinck, Vic., Cypress River, Man	28 00 8 00	
	Lamothe, Louis, St. François Xavier, Man McLaughlin, Wm., Finch, Ont	8 00 50 00	
	Parenteau, Conrad, St. Nazaire de Bagot, Que Nadeau, Onil, St. Germain, Que	18 00 28 00	
	St. Germain, Jean B, St. Robert, Que Lariviere, Napoleon, St. Bernard, Que	$ \begin{array}{cccccccccccccccccccccccccccccccccccc$	
	Peters, Hilton T., Hampton, Ont Rose, Rod., Picton, R. 4, Ont		
1000	Entomology, including investigations and inspections relating to destructive insects and pests—Further amount required.	15,000 00	
445	Marketing of Agricultural Products	300,000 00	1,193,078 0
	SOLDIER AND GENERAL LAND SETTLEMENT		
446	To provide for payment to the British Government on account of ascertained losses sustained under the 3,000 British Family	S. Samala	
	Agreement of August 20, 1924		74,866 8
	PENSIONS		
447	Amount required to provide for a pension to Mrs. Georgina	1 000 84	
448	Harrison. Amount required to provide for a pension to Mrs. Eunice Wain-	1,000 84 896 32	
	wright. Amount required to provide for a pension to Mrs. Mary Miller. To provide for pension of \$35 per month for Mrs. Doris Ryck-	890 32 975 54	
100	man until death or remarriage, and \$7.50 per month for each of her four children until they attain the age of sixteen years.		
	such pensions to be effective from November 30, 1935	1,040 00	3,912



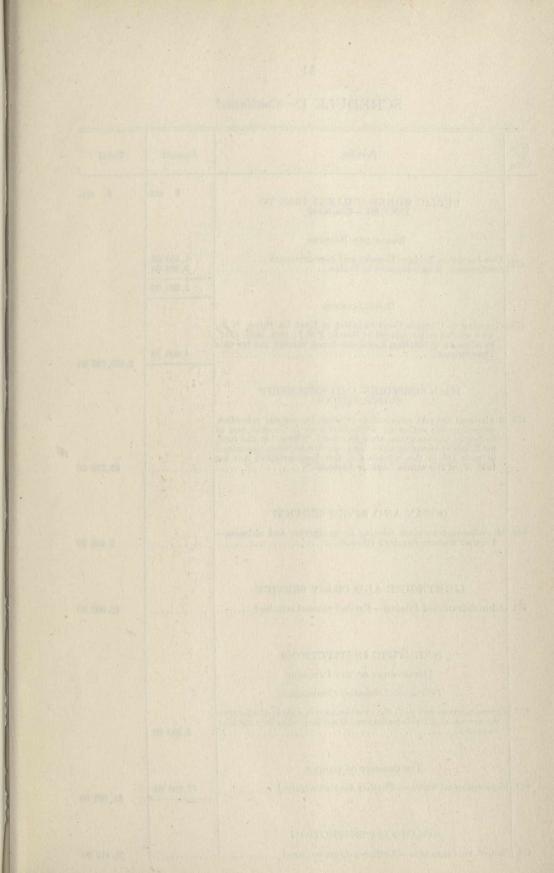
No. of Vote	Service	Amount	Total
		\$ cts.	\$ cts.
	NATIONAL DEFENCE		
	MILITIA SERVICES		
451 452 453	Engineer Services and Works—Further amount required General Stores—Further amount required Permanent Force—Further amount required	$\begin{array}{c} 273,000 & 00 \\ 712,800 & 00 \\ 66,626 & 00 \end{array}$	
	NAVAL SERVICES		
454	Naval Services—To provide for the maintenance of the ships and establishments of the Naval Service, including the Royal Canadian Navy, the Royal Canadian Naval Reserve and the Royal Canadian Naval Volunteer Reserve—Further amount required.	245,000 00	
	GENERAL		Martin Real Providence
455	Compassionate allowance to Rose and Anna Moscovitz, widow and child respectively of the late Himan Moscovitz	2,000 00	1,299,426-00
			-11
	AVIATION		
456 457 458	Royal Canadian Air Force—Expenses in connection with the general maintenance and training of the Permanent and Non- Permanent Active Air Force, and provision of facilities there- for—Further amount required Civil Government Air Operations—For preventive Service and other air operations—Further amount required Civil Aviation—Expenses in connection with the control of Civil Aviation, Airways, Government and Public Airports and grants to aeroplane clubs—Further amount required	555,028 00 106,687 00 346,400 00	
			1,008,115 0
	PUBLIC WORKS-CHARGEABLE TO INCOME		
	Public Buildings		Sing and
	Nova Scotia		
459	Berwick—Public building. Lunenburg—Public building—Repairs and improvements Oxford—Public building	$\begin{array}{c} 18,000 & 00 \\ 5,000 & 00 \\ 26,000 & 00 \end{array}$	
		49,000 00	
	New Brunswick	4	
460	Moncton, Old Post Office building—Improvements and repairs	5,500 00	
	Quebec	in the second	
461	L'Islet—Public Building. Ste. Anne de Beaupre—Public Building. Ste. Martine—Public Building. Victoriaville—Public Building—Addition to site	$\begin{array}{cccccc} 10,000 & 00\\ 30,000 & 00\\ 15,000 & 00\\ 6,000 & 00\end{array}$	
		61,000 00	P. S. Starten



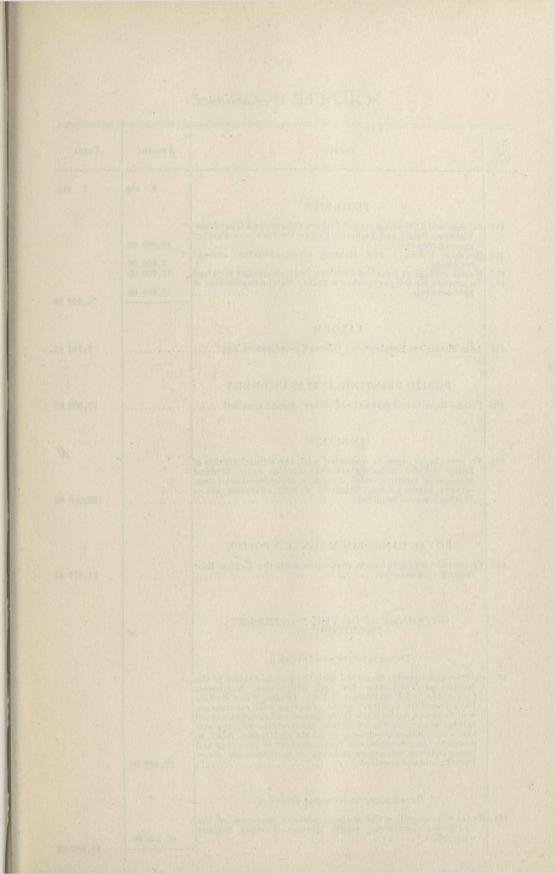
PUBLIC WORKS-CHARGEABLE TO INCOME -Continued \$ cts \$ cts PUBLIC WORKS-CHARGEABLE TO INCOME -Continued \$ voic \$ voic \$ voic Public Building-Further amount required 2,000 00 \$ voic \$ voic Hailburton-Public Building-Further amount required \$ voic \$ voic \$ voic Atta Fenctor Falls-Public Building-Attentions and improvements. \$ voic \$ voic \$ voic Atta Samia Public Building-Attentions and improvements. \$ voic \$ voic \$ voic Atta Maintoba \$ voic \$ voic \$ voic \$ voic Atta Maintoba \$ voic \$ voic< \$ voic \$ voic	No. of Vote	Service	Amount	Total
-Continued Public Burlinitiss Public Burlinitiss Primer Burlinitiss Primer Public Building Freeloor Falls Public Burlinitiss Primer Public Building Public Building Primer Rupert <tr< td=""><td></td><td></td><td>\$ cts.</td><td>\$ ets</td></tr<>			\$ cts.	\$ ets
Ontario 2,000 00 Haliburton—Public Building—Turther amount required. 2,000 00 Kenera Public Building—Installation of fittings. 7,000 00 London, Westmister Hospital—Addition and improvements. 00,000 00 Ottawa—Building for Supreme Court. 250,000 00 Reiner, Public Building—Atterations and improvements. 6,000 00 St. Thomas Public Building—Atterations and improvements. 7,000 00 Manitola 12,000 00 Meita—Public building. 12,000 00 Steinbach—Public building 12,000 00 Steinbach—Public building—Further amount required. 1,500 00 Alberta 0 466 Olds—Purchase of building. 40,000 00 Ililwoet—Public building. 100,000 00 Frace Rupert—Public building. 100,000 00 Ililwoet-Public building. 1,521,000 00 Powell River—Public building. 1,533,500 00 Prince Rupert—Public Building and Grounds				
Feneton Falls—Public Building—Turther amount required 2,000 00 Kenera Public Building—Installation of fittings. 7,600 00 Kitchener—Public Building—Installation of fittings. 7,600 00 Vittawa—Building for Supreme Court. 250,000 00 St. Thomas Public Building—Atterations and improvements. 5,000 00 St. Thomas Public Building—Atterations and improvements. 6,600 00 Starnia Public Building—Atterations and improvements. 1,000 00 Starnia Public Building—Atterations and improvements. 6,600 00 Starnia Public Building—Atterations and improvements. 1,000 00 Starnia Public Building—Atterations and improvements. 1,000 00 Manitola 13,000 00 Manitola 13,000 00 Manitola 12,000 00 Manitola 1400 Manitola 1400 Manitola 1400		PUBLIC BUILDINGS-Concluded		
Haliburton—Public Building.8,000 00Kitchenen—Public Building.100,000 00London, Westmister Hospital—Addition and improvements.30,000 00402Citawa—Building for Supreme Court.250,000 00Sarnia Public Building.15,000 00Sarnia Public Building.16,000 00Sarnia Public Building.17,000 00Sarnia Public Building.17,000 00Manitoba436,700 00Manitoba13,000 00Manitoba12,000 00Manitoba12,000 00Manitoba12,000 00Steinbach—Public building.12,000 00Roblin—Public building.12,000 00Steinbach—Public building.5,000 00Steinbach—Public building.5,000 00Steinbach—Public building.5,000 00Alborta25,000 00British Columbia40,000 00British Columbia40,000 00Lillword-Public building.15,000 00British Columbia152,500 00British Columbia152,500 00British Columbia152,500 00British Columbia152,500 00British Columbia1,531,000 00Commison Public Building.10,000 00British Columbia1,531,000 00British Columbia1,531,000 00Commison Public Building.1,531,000 00British Columbia1,532,000 00British Columbia1,533,000 00British Columbia1,531,000 00British Columbia1,531,000 00British Columbia1,532,000 00 <td></td> <td>Ontario</td> <td></td> <td></td>		Ontario		
Manitoba443Heausejour-Public building13,000 00Roblin-Public building12,000 00Roblin-Public building12,000 00Steinbach-Public building12,000 00Steinbach-Public building45,000 00Steinbach-Public building-Further amount required1,500 00Alberta45,000 00British Columbia40,000 00British Columbia1,520 00Cenerally182,500 00British Columbia1,531,000 00British Columbia1,533,500 00British Columbia1,533,500 00British Columbia1,533,500 00British Columbia1,533,500 00British Columbia1,533,000 00British Columbia1,533,000 00British Columbia1,500,00 00British Columbia1,500,00 00British Columbia1,500,00 00British C	462{	Haliburton—Public Building Kenora Public Building—Installation of fittings Kitchener—Public Building London, Westminster Hospital—Addition and improvements Ottawa—Building for Supreme Court Rainy River—Public Building. St. Thomas Public Building—Alterations and improvements Sarnia Public Building—Addition and alterations	$\begin{array}{c} 8,000 & 00 \\ 7,000 & 00 \\ 100,000 & 00 \\ 30,000 & 00 \\ 250,000 & 00 \\ 15,000 & 00 \\ 6,600 & 00 \\ 17,000 & 00 \end{array}$	
463Beausejour—Public building13,000 00 $Meltra—Public building12,000 00Roblin—Public building12,000 00Steinbach—Public building12,000 00Steinbach—Public building45,000 00Steinbach—Public building—Further amount required1,500 00Alberta45465Olds—Purchase of building for postal purposes5,000 00British Columbia40,000 00British Columbia40,000 00British Columbia40,000 00British Columbia40,000 00British Columbia100,000 00British Columbia100,000 00British Columbia40,000 00British Columbia100,000 00British Columbia100,000 00British Columbia1,531,000 00British Columbia1,533,500 00British Columbia1,500 00British Columbia1,500 00British Columbia1,500 00British Columbia1,500 00$			436,700 00	
463 Melita—Public building 12,000 00 Roblin—Public building 8,000 00 Steinbach—Public building 8,000 00 Steinbach—Public building 45,000 00 Steinbach—Public building 45,000 00 Alberta 464 465 Olds—Purchase of building for postal purposes. 5,000 00 British Columbia 40,000 00 British Columbia 100,000 00 British Columbia 40,000 00 British Columbia 100,000 00 British Columbi		Manitoba		
Saskatchewan 464 Watrous—Public building—Further amount required. 1,500 00 Alberta 1,500 00 465 Olds—Purchase of building for postal purposes. 5,000 00 British Columbia 40,000 00 Lillwoet—Public building—Further amount required. 2,500 00 Powell River—Public building. 40,000 00 Prince Rupert—Public building. 100,000 00 British Columbia 100,000 00 Generally 100,000 00 British Columbia 1,531,000 00 Generally 1,531,000 00 Borninion Public Building, Vancouver, and sundry Military Properties now under purchase by instalments. 1,531,000 00 Tractors—For postal purposes. 2,500 00 Rents, Repairs, Furniture, Heating, Etc. 1,533,500 00 Rents, Repairs, Furniture, Heating, Etc. 1,533,500 00 Dominion Public Buildings and Grounds 5,000 00 Light and power, including roads and bridges—Further amount 5,000 00 Dominion Quarantine Stations—Maintenance and repairs— Structher amount required. 8,000 00 Yukon Public Buildings—Rents, repairs, fuel, light, water service, and caretakers' salaries—Further amount required. 2,000 00 <td>463</td> <td>Melita—Public building Roblin—Public building</td> <td>$\begin{array}{c} 12,000 \ 00 \\ 12,000 \ 00 \end{array}$</td> <td></td>	463	Melita—Public building Roblin—Public building	$\begin{array}{c} 12,000 \ 00 \\ 12,000 \ 00 \end{array}$	
464 Watrous—Public building—Further amount required		Saskatchevan	45,000 00	
465 Olds—Purchase of building for postal purposes. 5,000 00 British Columbia 40,000 00 466 Keloowna—Public building. 40,000 00 Lillwoet—Public building. 40,000 00 Prince Rupert—Public building. 40,000 00 Prince Rupert—Public building. 100,000 00 Is2,500 00 182,500 00 Generally 1,531,000 00 467 Dominion Public Buildings.—To provide for completion of payments on Winch Building, Vancouver, and sundry Military Properties now under purchase by instalments. 1,531,000 00 Tractors—For postal purposes. 1,533,500 00 1,533,500 00 Rents, Repairs, Furniture, Heating, Etc. 1,533,500 00 1,533,500 00 Mean Dominion Public Buildings and Grounds 5,000 00 1,500 00 Light and power, including roads and bridges—Further amount required. 5,000 00 1,530,000 00 Dominion Public Buildings Dominion Quarantine Stations—Maintenance and repairs—Further amount required. 8,000 00 Yukon Public Buildings—Rents, repairs, fuel, light, water service, and caretakers' salaries—Further amount required. 2,000 00	464		1,500 00	
465 Olds—Purchase of building for postal purposes. 5,000 00 British Columbia 40,000 00 466 Keloowna—Public building. 40,000 00 Lillwoet—Public building. 40,000 00 Prince Rupert—Public building. 40,000 00 Prince Rupert—Public building. 100,000 00 Is2,500 00 182,500 00 Generally 1,531,000 00 467 Dominion Public Buildings.—To provide for completion of payments on Winch Building, Vancouver, and sundry Military Properties now under purchase by instalments. 1,531,000 00 Tractors—For postal purposes. 1,533,500 00 1,533,500 00 Rents, Repairs, Furniture, Heating, Etc. 1,533,500 00 1,533,500 00 Mean Dominion Public Buildings and Grounds 5,000 00 1,500 00 Light and power, including roads and bridges—Further amount required. 5,000 00 1,530,000 00 Dominion Public Buildings Dominion Quarantine Stations—Maintenance and repairs—Further amount required. 8,000 00 Yukon Public Buildings—Rents, repairs, fuel, light, water service, and caretakers' salaries—Further amount required. 2,000 00	1	Alberta		
460 Keloowna—Public building. 40,000 00 460 Lillwoet—Public building. 2,500 00 Powell River—Public building. 40,000 00 Prince Rupert—Public building. 100,000 00 Image: Prince Rupert—Public building. 100,000 00 Generally 182,500 00 467 Generally Poperties now under purchase by instalments. 1,531,000 00 Tractors—For postal purposes. 2,500 00 I,533,500 00 1,533,500 00 Rents, Repairs, Furniture, Heating, Etc. 1,533,500 00 Ottawa Public Buildings and Grounds 1,530 00 Light and power, including roads and bridges—Further amount required. 5,000 00 Dominion Public Buildings S,000 00 Dominion Public Buildings 8,000 00 Method Public Buildings 8,000 00 Yukon Public Buildings—Rents, repairs, fuel, light, water service, and caretakers' salaries—Further amount required. 2,000 00	465		5,000 00	
466 Keloowna—Public building. 40,000 00 2,500 00 2,500 00 Powell River—Public building. 40,000 00 Prince Rupert—Public building. 100,000 00 Image: Prince Rupert—Public building. 100,000 00 Generally 182,500 00 467 Generally Poperties now under purchase by instalments. 1,531,000 00 Tractors—For postal purposes. 2,500 00 I,533,500 00 1,533,500 00 Rents, Repairs, Furniture, Heating, Etc. 1,533,500 00 Cominion Public Buildings and Grounds 1,530 00 Light and power, including roads and bridges—Further amount required. 5,000 00 Dominion Public Buildings S,000 00 Dominion Quarantine Stations—Maintenance and repairs—Further amount required. 8,000 00 Yukon Public Buildings—Rents, repairs, fuel, light, water service, and caretakers' salaries—Further amount required. 2,000 00			The second second	
Generally 467 Dominion Public Buildings—To provide for completion of payments on Winch Building, Vancouver, and sundry Military Properties now under purchase by instalments	466	Keloowna—Public building Lillwoet—Public building—Further amount required Powell River—Public building	2,500 00 40,000 00	
467 Dominion Public Buildings—To provide for completion of payments on Winch Building, Vancouver, and sundry Military Properties now under purchase by instalments		A second s	182,500 00	
467 ments on Winch Building, Vancouver, and sundry Military Properties now under purchase by instalments		Generally		
Rents, Repairs, Furniture, Heating, Etc. 468 Light and power, including roads and bridges—Further amount required. 5,000 00 Dominion Public Buildings Dominion Quarantine Stations—Maintenance and repairs— Further amount required. 469 469 Yukon Public Buildings—Rents, repairs, fuel, light, water service, and caretakers' salaries—Further amount required. 2,000 00	467	ments on Winch Building, Vancouver, and sundry Military Properties now under purchase by instalments		
468 Ottawa Public Buildings and Grounds Light and power, including roads and bridges—Further amount required			1,533,500 00	
468 Light and power, including roads and bridges—Further amount required		Rents, Repairs, Furniture, Heating, Etc.		R. Marga
469 Dominion Quarantine Stations—Maintenance and repairs— Further amount required. 8,000 00 Yukon Public Buildings—Rents, repairs, fuel, light, water service, and caretakers' salaries—Further amount required. 2,000 00	468	Light and power, including roads and bridges-Further amount	5,000 00	
15,000 00	469	Dominion Quarantine Stations—Maintenance and repairs— Further amount required Yukon Public Buildings—Rents, repairs, fuel, light, water	10 10 1	
		and the second	15,000 00	



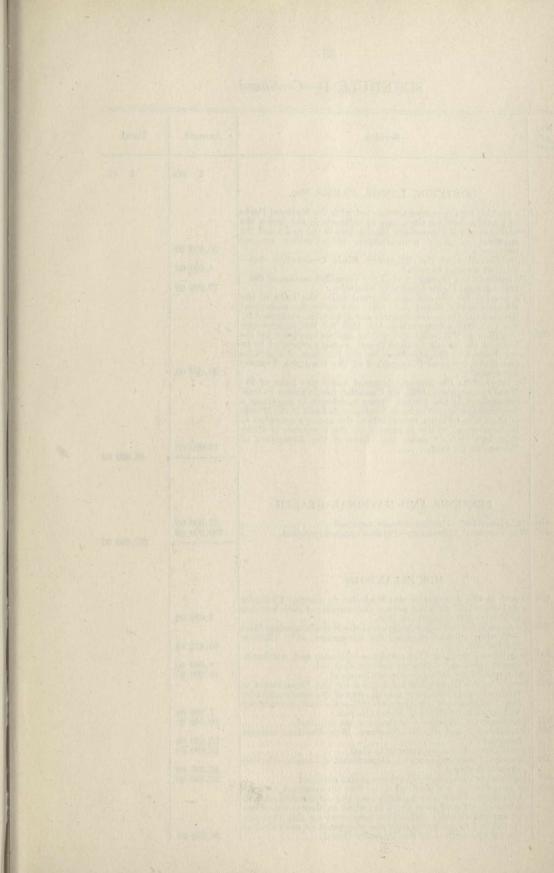
No. of Vote	Service	Amount	Total
	PUBLIC WORKS-CHARGEABLE TO INCOME -Continued	\$ cts.	\$ cts
	HARBOURS AND RIVERS		
	Nova Scotia		
470	Bear River—Protection work Brooklyn—Dredging—Further amount required Hatifax—Addition to North Wing—R.C.N. Barracks Hantsport—To purchase warehouse Morden—Wharf repairs North Sydney—Wharf Pictou—Dredging	$\begin{array}{c} 3,200 & 00 \\ 2,500 & 00 \\ 9,500 & 00 \\ 12,500 & 00 \\ 16,600 & 00 \\ 15,000 & 00 \\ 29,500 & 00 \end{array}$	
	Prince Edward Island	88,800 00	
471	Summerside—Improvements to wharf and dredging	10,000 00	
	New Brunswick		
472{	Grande Anse—Dredging Upper Pokemouche—Wharf	$11,000 00 \\ 3,500 00$	
	Quebec	14,500 00	
473-	Anse au Griffon (River)—Extension to Breastwork—Further amount required. Boucherville—Protection work. Bromptonville—Protection work. Champlain—Protection work. Hull—Protection work. Ile aux Grues—Extension to North wharf. Isle Verte—Wharf extension. L'Islet—Wharf reconstruction.	$\begin{array}{cccccc} 500 & 00\\ 20,000 & 00\\ 10,000 & 00\\ 7,500 & 00\\ 25,000 & 00\\ 17,000 & 00\\ 6,700 & 00\\ 75,000 & 00\\ 75,000 & 00\end{array}$	
	Lac Megantic—Protection work Manicouagan—Wharf improvements—One-third of the cost to be contributed by the Ontario Paper Co., Ltd New Carlisle—Wharf reconstruction—Further amount required Riviere Cachee—Dredging, the Provincial Government to contribute a like amount St. Juste du Lac—Repairs and extension to Central Road wharf	$\begin{array}{c} 12,000 \ 00 \\ 47,500 \ 00 \\ 1,600 \ 00 \\ 4,000 \ 00 \\ 5,100 \ 00 \end{array}$	
		231,900 00	
474	Ontario Cobourg—Reconstruction of East Pier Dalseg's Landing (Nestor Falls)—Wharf Fort Francis—Protection work. Sault Ste. Marie—Sea wall Torrance—Wharf.	$\begin{array}{c} 40,000 & 00 \\ 6,000 & 00 \\ 10,000 & 00 \\ 13,000 & 00 \\ 3,500 & 00 \end{array}$	
Ì		72,500 00	
475	Manitoba Red River—Repairs to jetties and wharf reconstruction— Revote	11,000 00	
(British Columbia Courtenay River—Dredging Denman Island—Breakwater Fraser River (North Arm)—Extension to jetty—Further amount required	$\begin{array}{c} 13,000 & 00 \\ 4,000 & 00 \\ 1,300 & 00 \end{array}$	
476	like amount Fraser River—Contribution towards protection work at Rose-	4,000 00	N.M.
	dale, B.C Fraser River—Contribution towards protection work at Canoe	1,000 00	
	Pass Fraser River—Lulu Island—Protection work	8,000 00 32,000 00	
		63,300 00	and the second



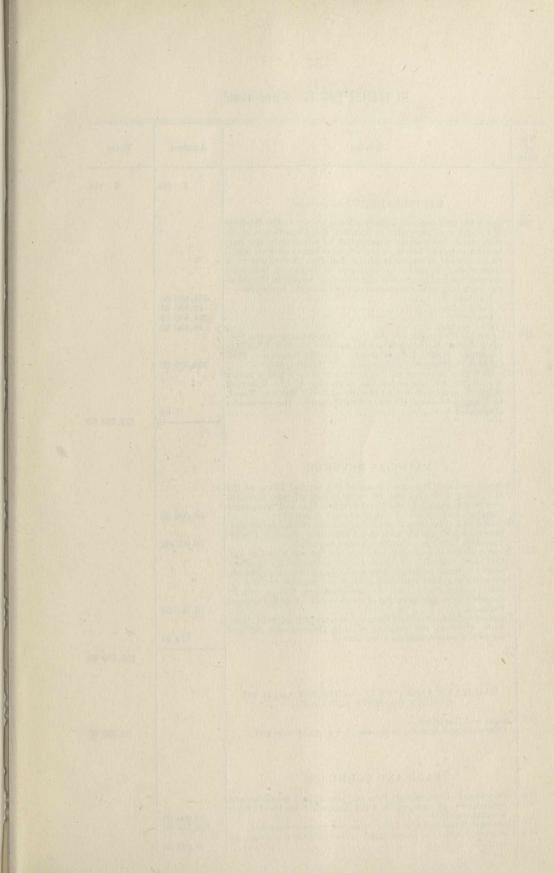
No. of Vote	Service	Amount	Total
	PUBLIC WORKS—CHARGEABLE TO INCOME—Concluded	\$ cts.	\$ cts.
	ROADS AND BRIDGES		
477{	Des Joachims Bridge—Repairs and improvements Shellmouth, Man.—Repairs to bridge	$\begin{array}{c} 1,800 & 00 \\ 3,200 & 00 \end{array}$	
		5,000 00	
	Miscellaneous	1	
478	Gratuity to Captain Cecil Spindler of East La Have, N.S., who was seriously injured at Souris, P.E.I., Oct. 18th, 1934. as a result of blasting operations being carried out by this	4 000 00	
	Department	4,000 00	2,835,700 00
	MAIL SUBSIDIES AND STEAMSHIP SUBVENTIONS		
479	Additional amount required to provide for coastal subsidies, subject to the authority of the Governor in Council; and to authorize the insertion, after the word "China" in the item for British Columbia and China, service between, contained in vote 116 in the Schedule of the Appropriation Act for		7
	1936-37, of the words "and/or Australia"		22,250 00
	OCEAN AND RIVER SERVICE		
480	Miscellaneous services relating to navigation and shipping— Further amount required (Revote)		2,400 0
	LIGHTHOUSE AND COAST SERVICE		
481	Administration of Pilotage-Further amount required		10,000 0
	The second s	1.4.9	
	SCIENTIFIC INSTITUTIONS	Street years and	
	DEFARTMENT OF THE INTERIOR	i i ne san	
	International Boundary Commission		
482	Expenses connected with the maintenance in a state of effective demarcation of the International Boundary—Further amount required	4,500 00	
	DEFARTMENT OF MARINE	in appendie	
483	Meteorological Service—Further amount required	77,000 00	81,500 00
1. OK.	STEAMBOAT INSPECTION	N. S. B. B. Mark	



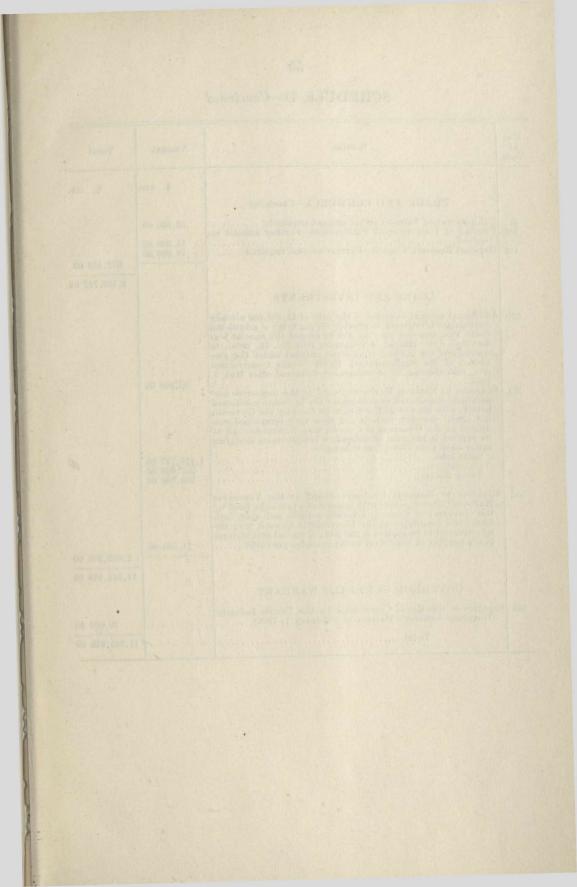
No. of Vote	Service	Amount	Total
485 486 487 488	FISHERIES Salaries and Disbursements of Fishery Officers and Guardians, Fisheries Patrol and Fisheries Protection Services—Further amount required. Building fishways and clearing rivers—Further amount required. Marine Biological Board of Canada—Further amount required To provide for the payment of a bounty for the destruction of harbour seals.	40,000 00	
489	LABOUR Administration, Employment Offices Co-ordination Act		71,000 00 9,750 00
490	PUBLIC PRINTING AND STATIONERY Plant—Repairs and renewals—Further amount required INDIANS		11,000 00
491	To provide for expenses connected with the administration of Indian Affairs, including salaries, supplies, relief, medical attendance, hospitalization, dwellings, agricultural activities, surveys, roads, bridges, irrigation, dyking, education, etc.— Further amount required.		130,000 00
492	ROYAL CANADIAN MOUNTED POLICE To provide for legal fees in connection with the Regina Riot Inquiry Commission		21,576 45
493	GOVERNMENT OF THE NORTHWEST TERRITORIES DEPARTMENT OF THE INTERIOR Salaries and expenses connected with the administration of the Northwest Territories Act and Ordinances, Northwest Game Act and Regulations, Eskimo Affairs, Wood Buffalo Park, reindeer industry, game preserves and sanctuaries, wolf bounties, exploration, investigation and development of natural resources, fire protection, construction and mainte- nance of buildings, schools, hospitals and roads, relief to destitute, maintenance and transportation of prisoners and insane patients, equipment and supplies, contingencies, etc.— Further amount required.	in n	
494	DEPARTMENT OF NATIONAL DEFENCE Radio Services—For the maintenance and operation of the Northwest Territories Radio System—Further amount required		89,800 00



No. of Vote	Service	Amount	Total
	DOMINION, LANDS, PARKS, ETC. To provide for the expenses connected with the National Parks of Canada, historic sites, care of indigents in the parks, the	\$ cts.	\$ cts.
	 appointment of Stipendiary Magistrates in the parks and the payment of their remuneration, etc.—Further amount required. Administration of the Migratory Birds Convention Act—Further amount required. To assist in the development of the Canadian section of the International Peace Garden in Manitoba. To provide for the expenses incurred under the Lake of the Woods Control Board Act, 1921, and under the agreement between the Dominion, Ontario and Manitoba, confirmed by the Lac Seul Conservation Act, 1928, for the construction 	50,000 00 4,000 00 12,000 00	
495	of a dam at the outlet of Lac Seul and its operation by the Lake of the Woods Control Board, moneys expended to be reimbursed to the Dominion by the Province of Manitoba under the terms of Paragraph 8 of the Manitoba Transfer Agreement	20,000 00	
		10,000 00	96,000 00
496 497	PENSIONS AND NATIONAL HEALTH Salaries—Staff—Further amount required War Veterans' Allowances—Further amount required	37,000 00 200,000 00	237,000 00
	MISCELLANEOUS		
498 499	Grant to the Association des Medecins de Langue Francaise de l'Amerique du Nord toward the expenses of their meeting in Montreal in September, 1936	5,000 00	
500 501 502	\$50,461.80) Dominion Franchise Commissioner—Salaries and contingen- cies of office, etc.—Further amount required Public Archives—Further amount required Trent Canal—To provide for a grant by the Department of Resilvers and Consolity of the control the content of	60,461 80 6,000 00 10,000 00	
503 504	Railways and Canals towards the cost of the construction by the Corporation of the Town of Orillia of a dam, powerhouse and log slide on the Gull River (Revote)	$\begin{array}{c} 7,500 & 00 \\ 10,000 & 00 \\ 25,000 & 00 \end{array}$	
505 506	required. Royal Commission on Anthracite Coal Expenses of litigated matters, Department of Justice—Further	15,000 00	
507 508	amount required. Battlefields Memorials—Further amount required. To provide for a contribution to the Government Officers Guarantee Fund and to authorize the establishment and administration of such Fund including payments therefrom in accordance with regulations prescribed by the Treasury Board and to authorize payment of interest on such fund at the rate prescribed by the Treasury Board	10,000 00 37,500 00 20,000 00	



No. of Vote	Service	Amount	Total
	MISCELLANEOUS-Concluded	\$ cts.	\$ cts
509	To provide for payment, under such conditions as the Minister of Finance may prescribe, to National Harbours Board or the respective corporations constituted to administer the har- bours mentioned herein, of the amounts hereinafter set forth, to be applied in payment of the deficits (after payment of interest due the public but exclusive of interest on Dominion Government advances and depreciation) arising in the calen- dar year 1936 in the operation of the following harbours:-		
510	Halifax. Saint John. Quebec. Chicoutimi. To provide for expenses of the Royal Commission on the Tex- tile Industry, including honoraria as follows:—A. S. Whiteley,	$\begin{array}{c} 178,600 & 00 \\ 59,300 & 00 \\ 268,900 & 00 \\ 16,500 & 00 \end{array}$	•
511	Secretary, \$1,000; Robert Rene, Assistant Secretary, \$350; Gordon E. Hooper, Adviser on Tariff Matters, \$500 To authorize payment of the insurance money under policy No. 16736, written under the authority of the Returned Soldiers' Insurance Act on the life of Percy William Roper, to Maggie Amanda Roper, notwithstanding the provisions	100,000 00	
	of the said Act	1 00	829,762 8
512	 NATIONAL REVENUE Salaries and contingent expenses of the several Ports of the Dominion, including pay for overtime of officers, notwithstanding anything in the Civil Service Act, and temporary buildings and rentals—Further amount required. Salaries and travelling expenses of officers of the Inspection, Investigation, Audit and the Preventive Service Undervaluation Services—Further amount required. To provide for the administration of the Income War Tax Act, 1917, and amendments thereof, and authority for this purpose to create positions and make appointments, notwithstanding anything contained in the Civil Service Act and the said positions and staff so appointed are hereby wholly excluded from the operation of the said Act—Further amount required. To provide for payment to Edmond Martin of Rimouski, Que., who, while in the employ of this Department suffered injuries, a compassionate allowance of. 	50,000 00 25,000 00 60,060 00 450 00	135,510 0
513	RAILWAYS AND CANALS—CHARGEABLE TO COLLECTION OF REVENUE Canals and Harbours— Operation and maintenance—Further amount required		30,000 0
514	TRADE AND COMMERCE Commercial Intelligence Service, including miscellaneous expenditure in connection with Canada's trade—Further		
$\begin{array}{c} 515\\ 516\end{array}$	amount required Dominion Bureau of Statistics—Further amount required Electricity and Gas Inspection Service—Further amount re- quired.	$\begin{array}{c} 10,000 & 00 \\ 778,548 & 00 \\ 9,000 & 00 \end{array}$	



SCHEDULE D—Concluded

No. of ote	Service	Amount	Total
		\$ cts.	\$ ct
	TRADE AND COMMERCE—Concluded		
517 518	Exhibitions and Fairs—Further amount required Printing of Departmental Publications—Further amount re-	50,000 00	
519	quired National Research Council—Further amount required	$\begin{array}{c} 15,000 & 00 \\ 10,000 & 00 \end{array}$	
			872,548 0
	LOANS AND INVESTMENTS		9,183,707
	Additional amount in excess of the sum of \$5,303,000 already	1.8 5	
520	appropriated, required to provide for payment of additional Sales Tax, imposed by "An Act to amend the Special War Revenue Act" (House of Commons Bill No. 76, 1936), to contractors for railway equipment ordered under the pro- visions of the Supplementary Public Works Construction Act, 1935 (Section 9) on equipment delivered after May 1,		
521	1936. Advances to National Harbours Board or the respective cor- porations constituted to administer the harbours mentioned herein, with interest at the rate to be fixed by the Governor in Council, for such periods and upon such terms and con- ditions as the Governor in Council may determine, and to be applied in payment of debenture indebtedness maturing in the fiscal year 1936-37, as follows:—	55,000 00	
	Saint John. Chicoutimi. Three Rivers.	$\begin{array}{c}1,435,752 \\257,000 \\303,000 \\0\end{array}$	
522	Advances to National Harbours Board or the Vancouver Harbour Commissioners with interest at a rate to be fixed by the Governor in Council, for such periods and upon such terms and conditions as the Governor in Council may de- termine, and to be applied in payment of capital expenditures	-area	
	in the harbour of Vancouver in the calendar year 1936	11,500 00	2,062,252
-			11,245,959
	GOVERNOR GENERAL'S WARRANT		
523	Expenses of the Royal Commission on the Textile Industry (Governor General's Warrant of February 1, 1936)		20,000
	Total		11,265,959

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