Canada. Laws, Statutes, etc.

THE SENATE OF CANADA

18th Parliament, 1st Session
1936

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Bill No.

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
12877 1936

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, manufacturer, 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," hereinafter called "the Company".

Head office. **2.** The head office of the Company shall be in the city of Kitchener in the province of Ontario.

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

Classes of insurance authorized. **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;
(*d*) aviation insurance;
(*e*) bond insurance;

(*f*) burglary insurance;
(*g*) 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.

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.

Other classes of insurance.

(2) Except as otherwise provided by *The Canadian and 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.

"Surplus" defined.

(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.

Election of directors.

6. (1) There shall be elected at the first annual meeting 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.

Term of office.

(2) The Company shall, by by-law passed not less than three months prior to the holding of its first annual meeting 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 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.

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

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 one thousand dollars.

Voting at meetings.

8. 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 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 vote by proxy unless the proxy himself is a policyholder on the mutual system and entitled to vote.

Proxies.

Notice of meetings.

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 published at or near the place where the head office is located at least seven days previous to the day of the meeting.

Annual statement.

(2) The directors shall at least seven days prior to the date of the annual meeting send to every policyholder on 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.

Liability of assets for losses on policies.

10. All the assets of the Company, including the premium 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 upon his premium note and no more.

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

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 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 undertakings.

12. All premium notes and undertakings belonging to the Company shall be assessed under the direction of the 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 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 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; 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.

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 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.

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

15. If there be any loss on property insured by the 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 insured shall have the right to demand and receive such part of the retained sum as shall not have been assessed against.

Effect of insurance on cash plan.

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 member thereof beyond the cash premium agreed upon or give him any right to participate in the profits or surplus funds of the Company.

Distributions to policy holders on mutual system.

17. The directors may from time to time out of the earnings of the Company distribute equitably to the holders 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.

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 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 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.

Duties in such event.

Approval of Treasury Board.

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

Special application of Section Five of this Act.

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

Conditions for bringing this Act into force.

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 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 provincial Company has ceased to do business or will cease to do business forthwith upon a licence being issued to the Company.

Application of 1932, c. 46.

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

First Session, Eighteenth Parliament, 1 Edward VIII, 1936

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
11789 1936

1st Session, 18th Parliament, 1 Edward VIII, 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 Canada, enacts as follows:—

Incorporation.

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 city of Ottawa, province of Ontario, together with such persons as become shareholders in the company, are hereby incorporated under the name of "Domestic Finance Corporation", hereinafter called "the Company".

Corporate name.

(2) In the French language the Company may be designated under the name of "La Compagnie de Prêts domestiques".

Provisional directors.

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

Capital stock.

Shares.

3. The capital stock of the Company shall be five hundred thousand dollars, divided into five thousand shares of one hundred dollars each.

Head Office.

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

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 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;

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

(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*,—

Loans.

(i) lend money secured by assignment of choses-in-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 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 in advance as has not been earned, except a sum equal to the interest for three months;

Rate of interest.

Proviso.

Right to repay.

Refund.

Charges for expenses.

(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 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 advice, and for all necessary documents and papers, two per centum upon the principal sum loaned;

Additional charge.

(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) 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 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 exceeding the sum of ten dollars, shall 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 for 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;

Loans on real estate.

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

As principals or agents.

(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 in conjunction with others;

Borrowing power.

(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 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.

(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 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 prescribed by section ninety-eight of the *Loan Companies Act*.

Penalty.

Recovery and deposit.

R.S., c. 28.

Application of Loan Companies Act.

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 subsection 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, sixty-seven, eighty-two and eighty-eight, shall apply to the Company.

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.

First Session, Eighteenth Parliament, 1 Edward VIII, 1936

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.

OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
15602 1936

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

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.

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

Remarriage of divorced respondents.

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 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.

Remarriage punishable as bigamy.

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

First Session, Eighteenth Parliament, 1 Edward VIII, 1936

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
12341 1936

1st Session, 18th Parliament, 1 Edward VIII, 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 follows:—

1923, c. 89. **1.** Section three of chapter eighty-nine of the statutes of 1923, is hereby repealed and the following section is substituted therefor:—

Capital stock. "**3.** The capital stock of the Company shall be one 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."

First Session, Eighteenth Parliament, 1 Edward VIII, 1936

THE SENATE OF CANADA

BILL E.

An Act to incorporate United Credit Association.

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

HONOURABLE SENATOR LITTLE.

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

14515

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

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, enacts as follows:—

Incorporation. **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 company, are hereby incorporated under the name of "United Credit Association," hereinafter called "the Company."

Corporate name.

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

Capital stock. Shares. **3.** The capital stock of the Company shall be two hundred thousand dollars, divided into two thousand shares of one hundred dollars each.

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

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 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;

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

(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*,—

Loans.

(i) lend money secured by assignment of choses-in-action, chattel mortgages or such other evidence of indebtedness as the Company may require, and

Rate of interest.

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

Proviso. Right to repay.

repayments: Provided that the borrower shall have the right to repay the loan at any time before

Refund.

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 sum equal to the interest for three months;

Charges for expenses.

(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 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 advice, and for all necessary documents and papers, two per centum upon the principal sum loaned;

Additional charge.

(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) 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 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 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 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;

Loans on real estate.

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

pothecs upon freehold or leasehold real estate and for subrogation of taxes;

As principals or agents.

(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 in conjunction with others;

Borrowing power.

(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 of the Company.

Borrowing on bills of exchange.

(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.

Restrictions.

(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 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 prescribed by section ninety-eight of the *Loan Companies Act.*

Penalty.

Recovery and deposit.

R.S. c. 28.

Application of Loan Companies Act.

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-section one of section sixty-one, paragraph *(c)* of sub-section two of section sixty-one, sub-section three of section sixty-two, sections sixty-four, sixty-five, sixty-six, sixty-seven, eighty-two and eighty-eight, shall apply to the Company.

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.

First Session, Eighteenth Parliament, 1 Edward VIII, 1936

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 COTÉ.

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

13664

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

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), cc. 18, 32, 37; 1897, c. 62; 1901, c. 82; 1915, c. 55.

Preamble.

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 of Commons of Canada, enacts as follows:—

Lease of railway authorized.

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 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 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.

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 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 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 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.

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 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 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.

First Session, Eighteenth Parliament, 1 Edward VIII, 1936

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 COTÉ.

OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
13660 1936

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

Preamble.

WHEREAS 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 Commons of Canada, enacts as follows:—

Lease of railway authorized.

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 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 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.

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 anything 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, and in any other Act for the time being in force.

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 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.

First Session, Eighteenth Parliament, 1 Edward VIII, 1936

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
13656 1936

1st Session, 18th Parliament, 1 Edward VIII, 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 praying 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 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 prayer of the said petition, 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 Trust and Loan Company of Canada Act, 1936."

1910, c. 168, s. 13 repealed.

1920, c. 96.

2. *The Trust and Loan Company of Canada Act, 1910,* is amended by striking out therefrom section thirteen as substituted by section three of *The Trust and Loan Company of Canada Act, 1920,* and substituting the following instead:—

Substituting section 13—changing capital structure.

"**13.** (1) Subject to the provisions of subsection five of this section the capital of the Company shall be five million 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 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 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 £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 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 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 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 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 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 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 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 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 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 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 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 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, 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.

Retroactive effect of subsection one.

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

Saving as to effects of this Act.

(3) Except as expressly provided by this Act 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 of the Company by section ten or section twelve of *The Trust and Loan Company of Canada Act, 1910.*"

(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.

First Session, Eighteenth Parliament, 1 Edward VIII, 1936

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
12957 1936

1st Session, 18th Parliament, 1 Edward VIII, 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 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 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 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:—

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 any man whom she might lawfully marry if the said marriage with the said Samuel Shenkman had not been solemnized.

First Session, Eighteenth Parliament, 1 Edward VIII, 1936

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
12956 1936

1st Session, 18th Parliament, 1 Edward VIII, 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 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 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 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 if the said marriage with the said Stansfeld Tunstall Blaiklock had not been solemnized.

First Session, Eighteenth Parliament, 1 Edward VIII, 1936

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
12959 1936

1st Session, 18th Parliament, 1 Edward VIII, 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, 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 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 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 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 time hereafter marry any man whom she might lawfully marry if the said marriage with the said Archibald Mackintosh Rykert had not been solemnized.

First Session, Eighteenth Parliament, 1 Edward VIII, 1936

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 Chairman of the Committee on Divorce.

OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
12952 1936

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

Right to marry again.

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

First Session, Eighteenth Parliament, 1 Edward VIII, 1936

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
12960 1936

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

THE SENATE OF CANADA

BILL M.

An Act for the relief of Mary Kaydouh Massabky.

Preamble.

WHEREAS Mary Kaydouh Massabky, residing at the city of Outremont, in the province of Quebec, wife of Antoine George Massabky, financier, who is domiciled in Canada and residing at the said city of Outremont, has by her petition alleged that they were married on the 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; 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:—

Marriage dissolved.

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.

Right to marry again.

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

First Session, Eighteenth Parliament, 1 Edward VIII, 1936

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
12950 1936

1st Session, 18th Parliament, 1 Edward VIII, 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 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 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:—

Marriage dissolved.

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

First Session, Eighteenth Parliament, 1 Edward VIII, 1936

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
12947 1936

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

THE SENATE OF CANADA

BILL O.

An Act for the relief of Violet Charlotte Dyke Duiven.

Preamble.

WHEREAS Violet Charlotte Dyke Duiven, residing at 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 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 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:—

Marriage dissolved.

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.

Right to marry again.

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

First Session, Eighteenth Parliament, 1 Edward VIII, 1936

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
12948 1936

1st Session, 18th Parliament, 1 Edward VIII, 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 Lloyd 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 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 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 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 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 hereafter marry any man whom she might lawfully marry if the said marriage with the said Lloyd Rankin McKee had not been solemnized.

First Session, Eighteenth Parliament, 1 Edward VIII, 1936

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
12942 1936

1st Session, 18th Parliament, 1 Edward VIII, 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, 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 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 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 been solemnized.

First Session, Eighteenth Parliament, 1 Edward VIII, 1936

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
12946 1936

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

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 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: 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 Thomas John Howard Fox and Irene Owen, 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 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 not been solemnized.

First Session, Eighteenth Parliament, 1 Edward VIII, 1936

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

14273

1st Session, 18th Parliament, 1 Edward VIII, 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 Canada, enacts as follows:—

Incorporation.

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, manufacturer, 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 Life Insurance Company of Canada", hereinafter called "the Company".

Corporate name.

Provisional directors.

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

Capital stock.

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

Prior subscription.

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

Head office.

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

Contracts of insurance. 1932, c. 46.

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.

Commencement of business.

7. The Company shall not commence business until at 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.

Acquisition of certain rights and property.

8. The Company may acquire the whole or any part of the rights and property, and may assume the obligations 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 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.

Submission to Treasury Board.

(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.

Bringing this Act into force.

9. 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 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 provincial company has ceased to do business or will cease to do business forthwith upon a certificate of registry being 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.

First Session, Eighteenth Parliament, 1 Edward VIII, 1936

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
13106 1936

1st Session, 18th Parliament, 1 Edward VIII, 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 Corporation 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 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 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 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 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 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
15669 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*, 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 after the fourth day of May, one thousand nine hundred and ten."

Provisions applicable to all companies.

"(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 of this Act shall apply to every company irrespective of the date of incorporation."

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.

Subsections one and three at present read as follows:—

"**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."

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 word "seventy-seven".

SECTION 2.

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:—

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."

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 stock of other insurance companies.

5. Section sixty-one of the said Act as enacted by section twelve of chapter twenty-seven of the statutes of 1934, is amended by inserting after the word "in" in the first line 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.

8. 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".

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:—

"**80.** 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 sixty-three of this Act."

When certificate is not to be granted.

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:—

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

"(2) A majority of the board of directors, executive 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 balance sheet to be sent to policyholders.

10. Section ninety-three 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 "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."

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:—

"**88.** 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 clerical correction.

Assets, minimum amount of.

11. Subsection one of section ninety-nine 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 word "sixty-four" in the twelfth line thereof and substituting therefor the word "sixty-one".

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 "ninety-eight".

"Surplus" defined.

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 sixth line thereof and substituting therefor the word "ninety-eight".

Appropriation of profits for surplus.

(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 the word "ninety-nine".

SECTION 11.

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 twenty-five per cent of the profits of the company for the year last past."

* * * *

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 incorporated 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 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, 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 exceedng one thousand dollars in the case of a person acting on behalf of any company or any such corporation or society; and, in addition, 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 thirty-eight of the said Act (so renumbered by section fifty of chapter twenty-seven of the statutes of 1934), is amended 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;"

* * * *

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
12958 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 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 dissolved; 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 and House of Commons of Canada, enacts as follows:—

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 hereafter 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
12949 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 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 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 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 marriage with the said Douglas Daniels had not been solemnized.

First Session, Eighteenth Parliament, 1 Edward VIII, 1936

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
15430 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 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 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: 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 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.

Right to marry again.

2. The said Gerald Thompson Miltimore may at any 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
16013 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 Canada, enacts as follows:—

Incorporation.

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 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 of "Atlantic Loan and Finance Corporation" hereinafter called "the Company".

Corporate name.

Provisional directors.

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

Capital stock.

Shares.

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

Head office.

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

Powers.

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 security.

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

(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-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 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 be set forth in the loan contract, but no such interest or any portion thereof shall be charged or deducted in advance;

R.S., c. 135.

Rate of interest proviso.

Duration of loan.

(ii) in any such loan contract the Company may provide for repayment at the end of a fixed term 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 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;

Right to repay.

(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 to interest at the rate set forth in the contract for three months on the balance of principal owing on the date of repayment;

Loans on real estate, etc.

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

Act as principals or agents.

(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 in conjunction with others;

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 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.

(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 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 prescribed by section ninety-eight of the *Loan Companies Act.*

Penalty.

Recovery and deposit.

R.S., c. 28.

Acquisition of assets, rights and powers of other corporations.

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 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 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.

Limitations.

Approval by Treasury Board.

(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 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 agreement.

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 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.

8. 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.

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
12954 1936

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 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 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:—

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 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

14413

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, 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 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, 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 with the said Pearl Sherman had not been solemnized.

First Session, Eighteenth Parliament, 1 Edward VIII, 1936

THE SENATE OF CANADA

BILL B[2].

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
13360 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 Campbell 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 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 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 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
16301 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 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 Bridge Company*, is repealed and the following substituted in its stead:—

Construction and completion proviso.

"**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 such construction shall be completed within three years after such commencement, 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 construction of any bridge not so approved shall, as respects that bridge cease and be null and void."

Deposit pending completion.

"(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.

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 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.

2. The said Act is amended by adding at the end thereof, as sections twenty-two and twenty-three, the following:—

Company may assign, etc., to public authority.

"**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 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 such reservations, and for such period or periods of time, as the directors may deem fit and desirable."

Effect of assignment, etc.

"**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 event only,

Sections of this Act applicable to public authority, etc.

(a) sections seven, eight, nine, ten, thirteen, fourteen, seventeen, nineteen, twenty, twenty-two and twenty-three of this Act, but no others, shall be deemed to extend to, apply to and affect the public authority, 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 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 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

Authority, power and liability of public authority, etc.

Attorney to be appointed.

(b) the public authority, body or commission concerned 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."

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 State of Canada; and

Public authority to covenant with company.

(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 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 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, 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 of the instrument of assignment of covenant, shall forthwith file such attached instruments in the office of the Secretary of State of Canada; and

Company to assign covenant to His Majesty.

Issue of bonds, etc., to be approved.

(d) if such public authority, body or commission requires to issue bonds, debentures or other securities in aid of 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 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 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 and assigns therein, or in any of such works in the Dominion of Canada shall then cease and determine."

When bonds, etc., paid property in Canada to become that of Ontario.

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 three-fourths 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, machinery 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.

First Session, Eighteenth Parliament, 1 Edward VIII, 1936

THE SENATE OF CANADA

BILL D[2].

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
13358 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 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: 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 Hyman Stotland and Ruth Rudnikoff, 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 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 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 free foreign trade zones 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
17670 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.*

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

"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;

"Frontier port."

(b) "frontier port" means the first port in Canada at which a vehicle carrying goods to be entered pursuant 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;

"Goods."

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

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." (*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;

"Grantee." (*e*) "grantee" means a public authority to which a grant of the privilege of establishing, operating and maintaining a free foreign trade zone has been made under this Act;

"Minister." (*f*) "Minister" means the Minister of National Revenue;

(*g*) "port" means a place, whether or not adjacent to a sea, lake or river, where vessels or vehicles may discharge or load cargo;

"Province." (*h*) "province" includes the Yukon Territory;

"Public authority." (*i*) "public authority" means a province or a municipality or a lawfully authorized public agency of either of them;

"Vehicle." (*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 appurtenant to a vehicle;

"Vessel." (*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

"Zone." (*l*) "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 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 any frontier port of customs in Canada a free foreign trade zone as described in this Act.

One grant only in each province. (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 province part whereof is within the area of the port.

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 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 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

(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.

Location of zone.

7. The proposed location of the zone and its land and/or 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 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.

Entry into zone.

8. (1) Into every zone established under this Act vessels and vehicles may come and therein, except as otherwise 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 Canada, except such as, whether under this Act or otherwise, may be prohibited by law.

Treatment of goods in zone.

(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, distributed, sorted, refined, graded, cleaned, manufactured,

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.

Application of customs laws outside zone.

(3) Until a vessel or vehicle destined or in transit to a zone actually enters the limits thereof it shall, in every 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 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, and shall be treated in all respects, including liability to pay customs duties, as goods coming from out of Canada.

Burden of proof as to liability to customs dues.

(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 by any officer of Customs to be that which is applicable to such goods shall be upon the owner thereof.

Requirements of zones.

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

(a) adequate slips, docks, wharves and warehouses and 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 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 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 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 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

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.

Limitation.

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

Residence in zones.

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 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.

Remaining in zones.

(2) No person shall remain within any zone unless he is 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.

Exclusion from zones.

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

Retail trading in zones.

(4) No retail trade shall be conducted within any zone except the sale by permittees under a special licence of *(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 and apply.

Rates and charges subject to Railway Act.

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 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.

Regulations.

Zones to be public utilities.

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, however, to such treaties or commercial conventions applicable to Canada as may from time to time have the force of law in Canada.

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

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.

(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 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.

Additions or improvements to zones.

14. If and whenever additions or improvements to a 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.

Grants not transferable but surrenderable.

15. (1) The grant shall not be, nor shall it be capable of being, sold, conveyed, transferred, set over, assigned or 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 may by regulation prescribe, surrender such grant.

Effect of surrender of 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.

War or national emergency.

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 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.

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 containing a full statement of the affairs of its zone, including operations, receipts and expenditures.

Report to be laid before Parliament.

(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 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.

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 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.

This Act not to entail expenditure of monies of Canada.

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 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 Canada.

OPERATION SUSPENDED.

When Act to come into force.

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*.

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.

First Session, Eighteenth Parliament, 1 Edward VIII, 1936

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
12955 1936

1st Session, 18th Parliament, 1 Edward VIII, 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 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 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 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 marry if the said marriage with the said Catherine Marcella Vickers had not been solemnized.

First Session, Eighteenth Parliament, 1 Edward VIII, 1936

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
12953 1936

1st Session, 18th Parliament, 1 Edward VIII, 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, 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 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 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 if the said marriage with the said Henry William Chaplin had not been solemnized.

First Session, Eighteenth Parliament, 1 Edward VIII, 1936

THE SENATE OF CANADA

BILL H[2].

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
14409 1936

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

THE SENATE OF CANADA

BILL H[2].

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 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 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:—

Marriage dissolved.

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.

Right to marry again.

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

First Session, Eighteenth Parliament, 1 Edward VIII, 1936

THE SENATE OF CANADA

BILL I[2].

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
13359 1936

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

THE SENATE OF CANADA

BILL I[2].

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

First Session, Eighteenth Parliament, 1 Edward VIII, 1936

THE SENATE OF CANADA

BILL J[2].

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

12943

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

THE SENATE OF CANADA

BILL J[2].

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 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 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:—

Marriage dissolved.

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.

Right to marry again.

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

First Session, Eighteenth Parliament, 1 Edward VIII, 1936

THE SENATE OF CANADA

BILL K[2].

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
16370 1936

1st Session, 18th Parliament, 1 Edward VIII, 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 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 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 Madeleine St. Clair Peacock and Arthur Herbert Milroy, 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 Madeleine St. Clair Peacock may at any time hereafter marry any man whom she might lawfully marry if the said marriage with the said Arthur Herbert Milroy had not been solemnized.

First Session, Eighteenth Parliament, 1 Edward VIII, 1936

THE SENATE OF CANADA

BILL L[2].

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
15946 1936

1st Session, 18th Parliament, 1 Edward VIII, 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 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 Bessie Laurie, 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 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 Bessie Laurie and Morris Wozik, otherwise known as Morris Rabinovitch, 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 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 as Morris Rabinovitch, had not been solemnized.

First Session, Eighteenth Parliament, 1 Edward VIII, 1936

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
12945 1936

1st Session, 18th Parliament, 1 Edward VIII, 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. 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 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 Wright, 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 Hannah may at any time hereafter marry any man whom she might lawfully marry if the said marriage with the said Henry Wright had not been solemnized.

First Session, Eighteenth Parliament, 1 Edward VIII, 1936

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.

OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
15885 1936

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

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

Incorporation. **1.** Antonino Spada, agent, Enrico Perazzo, cook, Raffaele Rossi, carpenter, Vincenzo Martella, labourer, Francesco L'Oddo, typesetter, Salvatore Murano, cement finisher, 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, 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 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."

Corporate name.

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

Membership. **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.

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.

Powers.

5. (1) The Society shall have power throughout 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;

(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;

(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;

(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;

(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 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 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 otherwise, and to hold and dispose of, for the purposes of the Society, any monies;

Further powers under by-laws.

(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 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

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 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."

Government of Society.

6. (1) The Society shall be governed by The Supreme 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.

Supreme Lodge.

(2) The Supreme Lodge shall consist of:—

(a) the members of the Supreme Executive Council for 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 Lodge.

Supreme Executive Council.

(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 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 by-laws of the Society, all of whom shall be elected by the Supreme Convention, and a supreme medical officer who shall be appointed by the Supreme Executive Council.

Present officers and members continue as such.

(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 the Society, until their successors are elected pursuant to the provisions of this Act and of the by-laws of the Society.

By-laws.

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 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.

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.

General fund.

8. (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 fund including the expenses arising from the exercise of all of the powers conferred by subsection one of section five of this Act.

Deficiency in general fund.

(2) The Society may make provision in its by-laws whereby, in the event of there being a deficiency in the 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 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.

Notice of allocation to general fund.

(3) Notice of intention to make an allocation to the 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.

Exhaustion of general fund.

(4) If, at any time, the general fund, or the surplus in 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.

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 of premiums, or portions thereof.

Society may acquire rights and property of provincial society.

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 unperformed obligations and undischarged liabilities of that society and may give any receipt or discharge in connection with any right, obligation or liability thereof.

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 the Treasury Board, and the Treasury Board shall not approve it if it appears to that Board that more than one-third 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.

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 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 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.

First Session, Eighteenth Parliament, 1 Edward VIII, 1936

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
17304 1936

1st Session, 18th Parliament, 1 Edward VIII, 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 follows:—

Incorporation.

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, 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").

Corporate name.

Declaration.

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

Provisional directors.

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

Capital stock.

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

Head office.

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

Annual meeting.

6. The annual meeting of the shareholders shall be held on the second Tuesday in the month of March in each year 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.

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.

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

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

Calling of meetings.

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 upon any other business specified in the notice calling the meeting.

Number of directors.

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

Issue of securities.

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

Powers of Company.

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, 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 Tourmente on the north shore of the river St. Lawrence.

Power to enter into certain agreements.

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 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.

Power to issue bonds, debentures and shares.

14. As consideration for any agreements entered into 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 shares so issued and allotted in payment.

Electric and other power.

R.S., c. 170.

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.

Telegraph and telephone lines. R.S., c. 170.

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 public and to collect tolls therefor.

Additional powers.

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 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 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.

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 Canadian Pacific Railway Company and the Canadian National Railways or either of them.

First Session, Eighteenth Parliament, 1 Edward VIII, 1936

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
15593 1936

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

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 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 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:—

Marriage dissolved.

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.

Right to marry again.

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

First Session, Eighteenth Parliament, 1 Edward VIII, 1936

THE SENATE OF CANADA

BILL Q[2].

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
15942 1936

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

First Session, Eighteenth Parliament, 1 Edward VIII, 1936

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

16083

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

THE SENATE OF CANADA

BILL R2.

An Act for the relief of Milton Sandford Enoch Chase.

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 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: 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 Milton Sandford Enoch Chase and Ivy Frances Tofts, 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 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.

First Session, Eighteenth Parliament, 1 Edward VIII, 1936

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.

OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
15505 1936

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

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 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 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 Jobeth Dansky and Phillip Glazer, 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 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 solemnized.

First Session, Eighteenth Parliament, 1 Edward VIII, 1936

THE SENATE OF CANADA

BILL T[2].

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
16374 1936

1st Session, 18th Parliament, 1 Edward VIII, 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 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 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 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 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 hereafter marry any man whom she might lawfully marry if the said marriage with the said George Edward Webster had not been solemnized.

First Session, Eighteenth Parliament, 1 Edward VIII, 1936

THE SENATE OF CANADA

BILL U[2].

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
17054 1936

1st Session, 18th Parliament, 1 Edward VIII, 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, 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: 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 Harry Candlish Coughtry and Ada May Taylor, 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 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 been solemnized.

First Session, Eighteenth Parliament, 1 Edward VIII, 1936

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
15501 1936

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

THE SENATE OF CANADA

BILL V².

An Act for the relief of Jean Malkinson Goldenberg.

Preamble.

WHEREAS Jean Malkinson Goldenberg, residing at the 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, 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 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 Jean Malkinson and Max Goldenberg, 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 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 solemnized.

First Session, Eighteenth Parliament, 1 Edward VIII, 1936

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
17582 1936

1st Session, 18th Parliament, 1 Edward VIII, 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 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 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, enacts as follows:—

Marriage dissolved.

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.

Right to marry again.

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.

First Session, Eighteenth Parliament, 1 Edward VIII, 1936

THE SENATE OF CANADA

BILL X[2].

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
16355 1936

1st Session, 18th Parliament, 1 Edward VIII, 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 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 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:—

Marriage dissolved.

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 and purposes whatsoever.

Right to marry again.

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

First Session, Eighteenth Parliament, 1 Edward VIII, 1936

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
16018 1936

1st Session, 18th Parliament, 1 Edward VIII, 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 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 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 Albert Leonard Johnson and Frieda Fisher, 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 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 solemnized.

First Session, Eighteenth Parliament, 1 Edward VIII, 1936

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
13446 1936

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

THE SENATE OF CANADA

BILL Z[2].

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 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 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 henceforth null and void to all intents and purposes whatsoever.

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 solemnized.

First Session, Eighteenth Parliament, 1 Edward VIII, 1936

THE SENATE OF CANADA

BILL A[3].

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
12944 1936

1st Session, 18th Parliament, 1 Edward VIII, 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 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 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 follows:—

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 marry any man whom she might lawfully marry if the said marriage with the said George Atkinson had not been solemnized.

First Session, Eighteenth Parliament, 1 Edward VIII, 1936

THE SENATE OF CANADA

BILL B[3].

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
17578 1936

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

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

First Session, Eighteenth Parliament, 1 Edward VIII, 1936

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
18344 1936

1st Session, 18th Parliament, 1 Edward VIII, 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 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 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 Joseph Paul George Marcoux and May Enid Aileen Evans, 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 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 Evans had not been solemnized.

CANADA
HOUSE OF COMMONS

18th Parliament, 1st Session
1936

BILLS (First Reading)

- Railway Act amdt. (Rates on grain). Mr. Reid C- 2
- Dominion Franchise Act amdt. (Postponement of annual revision of lists for one year). Mr. Rinfret C- 3
- Indian Act amdt. Mr. Crerar C- 4
- Criminal Code amdt. (Fines and penalties). Mr. Church C- 5
- Economic Council of Canada. Mr. Pouliot C- 6
- Copyright Act amdt. Mr. Esling C- 7
- Post Office Act amdt. (Transportation of mail). Mr. Boulanger C- 8
- Civil Service Act amdt. (Vacancies; outside service; priority to returned soldiers). Mr. Boulanger C- 9
- Criminal Code amdt. (Abolition of hanging as death penalty). Mr. Blair C-10
- Customs Act amdt. (Changes necessary in view of supplementary note appended to trade agreement with United States; preventive service). Mr. Ilsley C-11
- Toronto Harbour Commissioners. Mr. Howe C-12
- Canada-United States Trade Agreement. Mr. Mackenzie King C-13
- Employment Commission (Administration of unemployment relief and provision for national advisory committee). Mr. Rogers C-14
- Salary Deduction Act amdt. Mr. Dunning C-15
- Income War Tax Act amdt. (Income tax of judiciary, military, naval and air forces and police). Mr. Dunning C-16
- National Harbours Board (Provision for administration and control of public harbours). Mr. Howe C-17
- Soldier Settlement Act amdt. (Extension of time for payment of arrears). Mr. Crerar C-18

First Session, Eighteenth Parliament, 1 Edward VIII, 1936

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
12710 1936

1st Session, 18th Parliament, 1 Edward VIII, 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 twenty-five of the *Railway Act*, chapter one hundred and seventy 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 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 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."

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 of railway west of Fort William to Fort William or Port Arthur over 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.

First Session, Eighteenth Parliament, 1 Edward VIII, 1936

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
12288 1936

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

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 the following is substituted therefor:—

Annual revision of lists.

"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 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."

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".

First Session, Eighteenth Parliament, 1 Edward VIII, 1936

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
12439 1936

1st Session, 18th Parliament, 1 Edward VIII, 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; 1934, c. 29.

HIS 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, 1927, is repealed and the following substituted therefor:—

Land devised or bequeathed to non-resident, to be sold.

"(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 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 adding thereto the following subsections:—

Laws for preventing diseases.

"(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 such regulations may prescribe, shall apply to Indians and Indian reserves within such province or such parts thereof as to him seems expedient.

Laws respecting motor vehicles.

(3) The Superintendent General may from time to time by public notice declare that the laws in force in any province 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."

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:—

Power of Governor in Council over expenditure of capital.

"(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 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 improvements upon the reserve of the band, or such works thereon or in connection therewith as, in his opinion, will be of permanent value to the band, or will, when completed, properly represent capital or in the making of loans to members of the band to promote progress, no such loan, 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:—

In case of an equality of votes.

"(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:—

Duties of the agent at meetings of the council.

"**99A.** (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 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;

(d) address the council and explain and advise the members thereof upon their powers and duties.

Not to vote.

(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 hundred and twenty-six of the said Act is repealed and the following substituted therefor:—

Having intoxicants in his possession.

"*(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 person on any reserve or special reserve, or on any other part of any reserve or special reserve; or"

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.

7. Subsection two of section one hundred and twenty-six of the said Act is repealed.

Commander of vessel where intoxicants are sold.

8. Subsection two of section one hundred and twenty-seven of the said Act is repealed.

Intoxicants.

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

Gambling, drinking, etc.

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 ot the informer."

Kegs for intoxicants, etc.

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

Intoxicants at council or meeting.

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 the said Act is repealed and the following substituted therefor:—

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

"**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 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 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 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.

Search warrants for goods.

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 or other officer or employee connected with the Department.

Seizure.

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.

Forfeiture.

On complaint before any judge, magistrate, justice of the peace or Indian agent, he may on evidence that this section has been violated, declare any such goods or articles forfeited, in which event they shall be disposed of as the Superintendent General may direct."

14. Section one hundred and seventy-four of the said Act is repealed and the following substituted therefor:—

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 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.

First Session, Eighteenth Parliament, 1 Edward VIII, 1936

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
13669 1936

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

THE HOUSE OF COMMONS OF CANADA.

BILL 5.

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.

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, 1927, is repealed, and the following is substituted therefor:—

Fine or penalty in discretion of court.

"**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 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 as the case may require."

Payment deferred or made by instalments.

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

Obligation to allow time for payment of fines.

"**1029A.** (1) A warrant committing a person to prison in respect of non-payment of a sum adjudged to be paid by 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 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.

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.

(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 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 allowed, that court may if it thinks fit forthwith issue a warrant committing him to prison.

Offenders between 16 and 21.

(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, 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 committing 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.

Allowance of further time.

"**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, 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.

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

"**1029C.** (1) Where a term of imprisonment is imposed by a court of summary jurisdiction in respect of the non-payment 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 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 of imprisonment would be reduced under this section, the first day of imprisonment shall not be taken into account.

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 may be made."

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

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

"**1057A.** Where a court of summary jurisdiction has power to pass a sentence of imprisonment, the court, in 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:

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 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.

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

"**1057B.** (1) No person shall be sentenced to imprisonment 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 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 authority for his detention in that place in accordance with the tenour thereof."

First Session, Eighteenth Parliament, 1 Edward VIII, 1936

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
13900 1936

1st Session, 18th Parliament, 1 Edward VIII, 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 necesssary 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.

First Session, Eighteenth Parliament, 1 Edward VIII, 1936

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
13865 1936

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

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, 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 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:—

Performing rights.

Lists of works to be filed.

(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

Statement of fees, charges and royalties.

(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:

Proviso.

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 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.

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 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 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.

8.

First Session, Eighteenth Parliament, 1 Edward VIII, 1936

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
13967 1936

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

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

Contracts in excess of $1,000 per year.

"**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.

Fixed rate per mile per day.

"**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 thirty-five cents and not over seventy cents per mile per day, unless so otherwise authorized by the Governor in Council.

Contracts may be amended.

"**69.** (1) Contracts awarded for the transportation of mail may be amended or repealed whenever conditions of the service change.

Present contracts cancelled.

(2) From the date of the coming into force of this Act, 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."

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 perform a contract for the transportation of mail, 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 shall 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:

Written agreements as guarantee.

"**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 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 the following is substituted therefor:—

Failure to give security.

"**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 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.

"**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 sureties 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 sureties; and the same may be immediately recovered in an action of debt, in the name of the Postmaster General, against the tenderer and his sureties, 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 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."

9.

First Session, Eighteenth 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.)

First reading, February 28, 1936.

Mr. BOULANGER.

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

13980

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.*

2. The *Civil Service Act*, chapter twenty-two of the Revised Statutes of Canada, 1927, is amended by adding thereto the following paragraph:—

"Outside service."

"*(g)* 'outside service' means and includes officers, clerks and employees as defined in paragraph *(a)* of this 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:—

Preference for persons on list of pensioners.

"(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 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 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

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 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 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:—

Definition.

"**49.** (1) Promotion is a change from one class to another with a higher maximum compensation.

Vacancies.

(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 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:—

Dismissal.

"**52.** Subject to the provisions of section three of this Act, nothing herein contained shall impair the power of the head of the department 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 permanent nature, shall be removed from office except by authority of the head of the department.

Positions in the ouside service.

7. The said Act is further amended by adding, immediately after section sixty-two thereof, the following headings and sections:—

"OUTSIDE SERVICE.

Positions in outside service excluded from the operation of the Act.

"**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.

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.

"**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 department, 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.

Not eligible for transfer.

(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."

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.

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

14293

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).

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 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, 1927, is repealed, and the following is substituted therefor:

Form of sentence of death.

"**1062.** In all cases 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 following the coming into force of this section, whether the crime for which the sentence is imposed was committed prior thereto or not."

Rules.

2. Provision may be made by rules under section five hundred and seventy-six of the *Criminal Code* for carrying out the intention of the previous section, and for establishing the conditions and circumstances under which executions by lethal gas may be carried out.

Coming into force.

3. This Act shall come into force three months after the date on which it is assented to.

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.*"

First Session, Eighteenth Parliament, 1 Edward VIII, 1936

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
13861 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.

HIS 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 Canada, 1927, is repealed and the following is substituted therefor:—

"Goods".

"*(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:—

"Territorial waters of Canada".

"*(u)* 'Territorial waters of Canada' shall mean 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."

3. The said Act is amended by adding thereto immediately after section seven thereof, the following section:—

Manifest.

"**7**A. (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,—

(a) the names of the ports and description of the places at which the goods comprising the cargo of the said

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 *(g)* 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 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 denomination, 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 shall so state;

(e) an account of what surplus stores remain on board.

Not to apply to certain vessels.

(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 the Dominion of Canada."

Entries by bill of sight.

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.

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:—

Cost plus reasonable profit.

"**36.** 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, such advance not to be greater than that which in the ordinary course of business under normal conditions of trade, is added, in 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."

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 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 unusual or peculiar manner or conditions;"

8. 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 the following subsection thereto as subsection three:—

Application to Tariff Board.

"(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 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 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 have force and effect upon the expiration of three months from the date of any such application to the 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:—

Importation when completed.

"*(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 the territorial waters of Canada, and if made by land, then from the time such goods were brought within the limits of Canada."

Marking of medicinal preparations.

10. Section one hundred and twenty-three of the said Act is repealed.

11. Subsection four of section one hundred and thirty-four A of the said Act, as enacted by section four of chapter twenty-nine of the statutes of 1931, is amended by adding thereto the following words:—

Witness failing to attend, etc.

"and not less than fifty dollars".

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 forty-three of the said Act is repealed and the following is substituted therefor:—

Officers and others may search and detain vessels and vehicles.

"**143.** (1) Every such officer or person as mentioned in the last preceding section, and every sheriff justice of the peace or person residing more than ten miles from the residence of any officer and thereunto authorized 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 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 description 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-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.

"**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 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 persons alleged to be guilty of such conspiracy, or the importer or exporter of such goods, 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 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, ledgers, day-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 for all other goods as aforesaid."

All invoices within six years.

Correspondence and papers.

Books.

15. The first paragraph *(b)* of section one hundred and eighty-four of the said Act is repealed and the following is substituted therefor:—

Or removed before examination and payment of duties, if any.

"*(b)* being brought by land or inland navigation into a port or place of entry where a Custom-house is so 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 paid and a permit given accordingly;"

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 memorandum 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.

"**217.** (1) If any person, whether the owner or not, 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 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."

Forfeiture.

17. Section two hundred and fifty-five of the said Act is repealed and the following is substituted therefor:—

Failure to produce upon demand.

"**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 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 collector 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-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."

Penalty.

18. Section two hundred and fifty seven of the said Act is repealed and the following is substituted therefor:—

Refusing to stop when required in King's name.

"**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 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."

Penalty.

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:—

Indictable offence. Summary conviction.

"**267B.** Any offence against the provisions of this Act which is declared to be an indictable offence and where 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."

20. Subsection one of section two hundred and seventy-nine of the said Act is repealed and the following is substituted therefor:—

Appeal from convictions by justices of the peace.

"**279.** (1) An appeal shall lie from a conviction or order dismissing an information or complaint made by any magistrate, 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,

Security.

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."

21. The said Act is amended by adding thereto immediately following section two hundred and eighty-three the following section:—

Imprisonment in default of payment of fine.

"**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 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 conviction."

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
14350 1936

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.*

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 twenty-six of the statutes of 1911, have always included and do include the power to borrow money from time to time for the 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 become 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 Trade 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

14599

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

1. This Act may be cited as *The Canada-United States of America Trade Agreement Act, 1936.*

Trade Agreement approved.

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.

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.

Coming into force.

4. This Act shall come into force on a day to be fixed by Proclamation of the Governor in Council.

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-favoured-nation 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 Item	Description of Article	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.p.....per 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.....	Free
55	Indian corn, n.o.p.....per bushel	20 cts.
57	Oatmeal and rolled oats.....per one hundred pounds	50 cts.
71a	Timothy seed.....per 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 manufacturing or blending operations.....	10 p.c.
Ex 75	Lettuce seed, non-germinating, when in packages weighing more than one pound each, imported for use exclusively in manufacturing 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.
	Eggplant.....	Free

SCHEDULE I—Continued

No. of Canadian Tariff 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.
	*(l) 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.	15 p.c.
	(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 prepared.....per pound	2 cts.
	(b) Corn and tomatoes.....per pound	2 cts.
	(c) Peas.....per pound	2 cts.
	(d) N.o.p.	27½ p.c.
92	Fruits, fresh, in their natural state:—	
	*(a) Apricots	15 p.c.
	*(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 included in the weight for duty.	
	*(d) Peaches	15 p.c.

SCHEDULE I—Continued

No. of Canadian Tariff 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 duty.....per 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.p.....each	2½ 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.p.....per pound	½ 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 pears.....per pound (b) Pineapples.....per pound (c) N.o.p.....per 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.....per pound	2 cts.

SCHEDULE I—Continued

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 salted.....per pound	1 ct.
Ex. 123	Lobsters, prepared or preserved.....	Free
Ex. 123a	Shrimps in sealed containers.....	27½ p.c.
124	Oysters, shelled, in bulk.....per 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.....	Free
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 be.....each	2 cts.
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.....	32½ 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.....	22½ p.c.
197a	Super-calendared or machine finish grades of book paper, not coated, when used exclusively in the production of magazines, newspapers and periodicals, printed, published or issued regularly, under regulations prescribed by the Minister.....	22½ 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; bichromate of soda; nitrate of soda or cubic nitre, n.o.p; sulphide of sodium; nitrite of soda; arseniate, binarseniate, chlorate, bisulphite and stannate of soda; prussiate of soda and sulphite of soda	15 p.c.
213	Acetic acid, containing by weight more than 65 per centum of acetic acid.....per pound	1¼ 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 combination one with another, but not stitched or otherwise manufactured; surgical trusses and suspensory bandages of all kinds; sanitary napkins, spinal braces and abdominal supports.....	25 p.c.

SCHEDULE I—Continued

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
256	Printing ink	17½ p.c.
263	Compounds of tetraethyl lead, in which tetraethyl lead is the preponderant constituent by weight	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 ammoniac 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	$3.00
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	27½ p.c.
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	30 p.c.
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	12½ p.c.

SCHEDULE I—Continued

No. of Canadian Tariff Item	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	12½ p.c.
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	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 foregoing	12½ p.c.
	(ii) Fruit and vegetable grading, washing and wiping machines and combination bagging and weighing machines, and complete parts therefor	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	12½ p.c.
409 g	Incubators for hatching eggs, brooders for rearing young fowl, and complete parts of all the foregoing	12½ p.c.
409 h	Hay presses and complete parts thereof	12½ p.c.
409 i	Scythes, sickles or reaping hooks, hay or straw knives, edging knives, hoes, pronged forks, rakes, n.o.p.	12½ p.c.
409 j	Fanning mills; peaviners; corn husking machines; threshing machine 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	12½ p.c.
Ex. 409 l Ex. 427	Traction ditching machines (not being ploughs) and complete parts thereof	Free
Ex. 409 m Ex. 409 n Ex. 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:—	
	Ex. (i) For the machinery enumerated in tariff item 409 e (ii)	5 p.c.
	(v) For the machinery enumerated in tariff item 409 k	10 p.c.
410 l	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 dump, or common or other carrier	15 p.c.

SCHEDULE I—Continued

No. of Canadian Tariff Item	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-engraving 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 lithography, 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 varnishing, when for use exclusively by printers, book-binders, manufacturers 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 in 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 manufacturers and scholastic or charitable institutions in such processes only	5 p.c.
414c	Adding, bookkeeping, calculating and invoicing machines and complete parts thereof, n.o.p.	20 p.c.
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:— (i) electric	30 p.c.
415b	Washing machines, domestic, with or without motive power incorporated 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 operations 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 foregoing	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	Free.

SCHEDULE I—Continued

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 depositors; 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 tunnel-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; travelling 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	15 p.c.
Ex. 427	Milk clarifiers and complete parts thereof	Free
Ex. 427	Wire stitchers and staplers, either hand or power type, but not including 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 foregoing	20 p.c.
427	All machinery composed wholly or in part of iron or steel, n.o.p, and complete parts thereof	25 p.c.
427b	Ball and roller bearings	27½ 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	27½ p.c.
438g	Motor cycles or side cars therefor, and complete parts of the foregoing	20 p.c.
439c	Farm wagons, farm sleds, logging wagons, logging sleds, and complete parts thereof	15 p.c.
443	Apparatus designed for cooking or for heating buildings:—	
	(1) For coal or wood	25 p.c.
	(2) For gas	25 p.c.
	(3) For electricity	25 p.c.
	(4) For oil	25 p.c.
	(5) N.o.p	25 p.c.

SCHEDULE I—Continued

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 complete 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 preserving 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.
Ex.	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. (ii) Mechanical toys of metal (iii) Juvenile construction sets of metal, consisting of various stampings, punched, and connections therefor; parts of the foregoing	30 p.c. 30 p.c. 30 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	Bristles, broom corn, and hair brush pads	Free
663	Fertilizers, compounded or manufactured, n.o.p.	7½ p.c.
Ex. 711	Rapeseed oil, blown, when for manufacturing purposes	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 Schedule, which are subject on the day of the signature of this Agreement to additional or separate ordinary 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 indicated 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	1½ 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	2½ 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 pulverized	2½ 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, powdered, 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	27½% *ad val.*

SCHEDULE II—Continued

United States Tariff Act of 1930 Paragraph	Description of Article	Rate of Duty
	NOTE: 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.	
302 (d)	Ferromanganese containing not less than 4 per centum of carbon, on the metallic magnanese contained therein	⅜ ct. per lb., plus 1½ times the lowest rate of ordinary customs duty provided for manganese ore containing in excess of 10 per centum of metallic manganese the product of any foreign country except Cuba, at the time such ferromanganese is entered or withdrawn from warehouse, for consumption; but not more than 1⅝ cents per pound.
302 (i)	Ferro silicon, containing 8 per centum or more of silicon and less than 30 per centum	1½ 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 unfinished, wholly or in chief value of metal, and not specially provided for	25% *ad val.*
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 consumption, 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	1½ 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	1½ 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:	

SCHEDULE II—Continued

United States Tariff Act of 1930 Paragraph	Description of Article	Rate of Duty
	Cattle, weighing less than 175 pounds each: ½ of 1 per centum of the average annual total number 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: ¾ of 1 per centum of the average annual total number of cattle (including 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 imported specially for dairy purposes: (20,000 head).	

SCHEDULE II—Continued

United States Tariff Act of 1930 Paragraph	Description of Article	Rate of Duty
707	Cream, fresh or sour	35 cts. per gal.
	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.	
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.
	Salmon	1½ cts. per lb.
	Swordfish (not including naturally or artificially frozen swordfish)	1½ cts. per lb.
	Eels	½ ct. per lb.
	Chubs, fresh-water mullet (*catostomus*), jacks, lake trout, saugers, tullibees, whitefish, and yellow pike	¾ 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 weighing with their contents not more than 15 pounds each):	
	Salmon	20% *ad val.*
	Alewives in bulk or in immediate containers weighing with their contents more than 15 pounds each	¾ ct. per lb. net weight.
720(a)	Smoked herring (except herring packed in oil or in oil and other substances and except herring packed in air-tight containers weighing with their contents not more than 15 pounds each):	
	Hard dry-smoked, when whole or beheaded, but not further advanced	⅝ ct. per lb.
	Boned, whether or not skinned	1½ 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.

SCHEDULE II—Continued

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	10% *ad val.*
731	Screenings, scalpings, chaff, or scourings of wheat, flaxseed, or other grains or seeds: Unground, or ground	10% *ad val.*
732	Cereal breakfast foods, and similar cereal preparations, by whatever name known, processed further than milling, and not specially provided for	15% *ad val.*
734	Apples, green or ripe	15 cts. per bu. of 50 lbs.
736	Strawberries in their natural condition or in brine	¾ 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	25% *ad val.*
737(1)	Cherries in their natural state	1 ct. per lb.
763	Grass seeds and other forage crop seeds: Alfalfa Alsike clover Sweet clover Timothy Bluegrass	 4 cts. per lb. 4 cts. per lb.. 2 cts. per lb. 1 ct. per lb. 2½ 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	2 cts. per lb.
771	White or Irish seed potatoes, certified by a responsible officer or agency of a foreign Government in accordance 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 consumption 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 consumption 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.	 60 cts. per 100 lbs. 45 cts. per 100 lbs.
773	Turnips and rutabagas	12½ 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 distilled spirits which have not been aged in wooden containers at least four years prior to the date the whiskey is entered, or withdrawn from warehouse, for consumption.	$2·50 per proof gal.

SCHEDULE II—Continued

United States Tariff Act of 1930 Paragraph	Description of Article	Rate of Duty
1402	Pulpboard in rolls for use in the manufacture of wallboard, 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 wallboard, 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 suitable for conversion into boots, shoes, or footwear.	10% *ad val.*
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	25% *ad val.*
1601	Sulphuric acid or oil of vitriol	Free
1604	Agricultural implements: Plough, tooth or disc harrows, headers, harvesters, reapers, combination harvesting and threshing machines, agricultural drills and planters, mowers, horse-rakes, and cultivators, whether in whole or in parts, including repair parts	Free
1616	Asbestos, unmanufactured, asbestos crudes, fibres, stucco, and sand and refuse containing not more than 15 per centum of foreign matter	Free
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, undressed: 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 NOTE: The existing customs classification treatment of gypsum which has been broken merely for	Free

SCHEDULE II—Continued

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 Decision 45725 (61 Treasury Decisions 1215), shall be continued during the effective period of this agreement.	
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 warehouse, 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 tongued 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.....	Free
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.....	$1.50 per thousand feet, board measure
	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) (6), 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.	

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 providing remunerative employment, thus reducing the numbers at present on relief, and lessening the burden of taxation; and whereas, to achieve a nation-wide co-operative effort in reducing the numbers on relief and in providing employment, it is necessary to have the effective 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 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 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 Commission Act, 1936.*

INTERPRETATION.

Definitions. "Commission".

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

(a) "Commission" means the National Employment Commission.

"Commissioner". (b) "Commissioner" means a member of the Commission.

"Minister". (c) "Minister" means the Minister of Labour.

Commission constituted. **3.** (1) There shall be a Commission to be called the National Employment Commission, consisting of seven members who shall be appointed by the Governor in Council.

Chairman and Vice-Chairman. (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.

Fees. (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.

Quorum. (4) Three Commissioners shall form a quorum.

Chairman to preside. (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.

Head Office. **4.** The head office of the Commission shall be in the city of Ottawa.

Secretary. **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.

Employees. (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.

Powers and duties. **6.** The Commission shall,

Registration and classification. (a) carry out as soon as possible a national registration and classification of persons on relief in co-operation with the provinces, municipalities and private and public bodies;

Conditions to be complied with. (b) recommend to the Minister conditions to be complied with by any province obtaining grants for relief purposes from the Government of Canada;

Mobilizing agencies for relief. (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 provision and auditing of expenditures of all moneys;

Proposals investigated. (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.

(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 their activities;

Co-operation with groups.

(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;

Apprenticeship.

(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 with the Veterans' Assistance Commission in its efforts to secure suitable employment for ex-soldiers';

National development plan.

(i) recommend to the Minister comprehensive measures constituting a long-range plan of national development which may be proceeded with or discontinued from time to time as conditions may determine;

Publicity.

(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.

Administrative duties.

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 time to time by the Governor in Council.

National Advisory Committee.

8. (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 representatives of industrial, occupational, philanthropic, and social service organizations.

Travelling expenses and living allowances.

(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 shall be paid travelling expenses and living allowances necessarily incurred in connection with the business of the Commission.

Women's Employment Committee.

9. (1) The Minister may appoint, from among the members of the Committee, a special Committee to be 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.

(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.

Honorary local advisory committees.

(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.

Orders and regulations.

10. The Governor in Council may from time to time make such orders and regulations as may be necessary to carry out the provisions of this Act.

Reports, etc. to be made available.

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 terms as the Minister may determine.

Laid before Parliament.

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 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.*

Definitions.

"Compensation."

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 or in kind, forming part of the remuneration attached to an office;

"Member of the public service of Canada."

(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 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, 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 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.

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.

3. (1) Notwithstanding the provisions of any statute or law, there shall, during the fiscal year ending the thirty-first 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 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 compensation during such fiscal year is not more than one thousand two hundred dollars.

Proviso.

Apportionment of deduction.

(2) The deduction at the rate aforesaid shall be made from the instalments of compensation as the same become payable.

Indemnities.

(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.

No duplication of deductions.

4. Where specific provision has been made by any Appropriation Act for the fiscal year ending the thirty-first 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 provided for, such reduction shall not operate to impose a deduction greater than provided for by the terms of this Act.

Basis of superannuation benefits not reduced.

R.S., 1927, c. 24; R.S., 1906, c. 17.

Penitentiary employees. R.S., c. 154.

5. Deductions made under the provisions of this Act from the compensation of a contributor under the provisions 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 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.

Regulations by Treasury Board.

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.

Duration of Act.

7. This Act shall expire on the thirty-first day of March, 1937.

16.

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

14900

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:—

Special Income Tax on certain salaries.

"**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 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.

Payable on salaries for 1936-1937.

(2) The Special tax imposed hereby shall apply only to 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, 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.

Interest on default.

(3) In case default is made in the payment of any instalment, the taxpayer shall thereafter be liable to pay interest at the rate of six per centum per annum upon such instalment to the time payment is made.

Special tax additional.

(4) The special tax imposed hereby shall be in addition to any other tax payable under this Act.

Deductions.

(5) Every payment made on account of the said special 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."

Taxpayer may elect to be subject to Salary Deduction Act.

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 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*, which shall apply, *mutatis mutandis*, to him in respect of the salary or pay so paid to him.

Manner and time of election.

(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 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.

When Act comes into force.

3. The provisions of this Act shall come into force on the first day of April, 1936.

First Session, Eighteenth Parliament, 1 Edward VIII, 1936

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
13857 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."
"Goods."
"Vessel."

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 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 other than vessels;

(f) "vessel" includes any ship, boat, barge, raft, dredge, floating elevator, scow or other floating craft.

Board constituted.

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 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, nine and eight years respectively.

Body corporate.
Agent of His Majesty.

(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.

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.

(3) The Board shall have the capacity to contract and to sue and be sued in the name of the Board.

Whole time to be devoted.

(4) Each Member shall devote his whole time to the business of the Board.

Salaries.

(5) Each Member shall be paid such sum for his services as the Governor in Council may from time to time determine.

Quorum.

(6) Two Members shall constitute a quorum.

Presiding officer.

(7) The Chairman, and in his absence the Vice-Chairman, shall preside at the meetings of the Board.

Majority to govern.

(8) In all proceedings of the Board the votes of the majority of the Members shall govern.

When two members only are present.

(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.

In case of vacancy.

(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.

In case of incapacity.

(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 substitute Member, upon such terms and conditions as the Governor in Council may prescribe.

In case of permanent incapacity.

Age limit.

(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.

Re-appointment.

(13) A Member, on the expiration of his term of office, and if not disqualified by age, shall be eligible for re-appointment.

Oath of office.

(14) Before any Member enters upon the execution of 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:—

> "I,.....solemnly and sincerely swear that I will faithfully and honestly fulfil the duties which devolve upon me as a Member of the National Harbours Board. So help me God".

Head Office.

(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.

Officers, clerks and employees.

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.

Government Employees' Compensation Act to apply.

R.S., c. 30.

(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 be deemed to be "employees" as defined by the said Act.

Civil Service Superannuation rights preserved.

R.S., c. 24.

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 twenty-four 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 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 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 or to receive the same benefits under the *Civil Service Superannuation Act* as if his office or position had been abolished.

Civil Service Act benefits preserved.

R.S., c. 22, s. 2.

(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 Service Act*, shall continue to retain and be eligible to receive all the benefits, except salary as a civil servant, he would have been eligible to receive had he remained under that Act.

Board to have jurisdiction over certain harbours, works and property.

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 administration, 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 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*.

As to jurisdiction over or control of private properties.

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.

Transfer to the Board of other harbours, works and property.

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.

Harbour headline.

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.

Acquisition of real estate or personal property.

Construction and operation of roads, railways, vessels, etc.

General powers.

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.

Property to be vested in His Majesty.

(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) 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.

Acquisition of lands, etc.

R.S., c. 64.

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 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.

Signature to plan and description.

(2) Any plan and description deposited under the provisions 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 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.

Property vested in His Majesty.

Ascertainment of compensation.

(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 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 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, 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 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 in Council.

By-laws.

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 harbours, works and property under its jurisdiction including:

Matters in connection with mooring, etc., of vessels and aircraft.

(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;

Use of harbours and facilities.

(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;

Construction and maintenance of wharves, etc.

(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;

Tolls on bridges.

(d) the imposition and collection of tolls for any use of any bridge under the administration, management and control of the Board;

Rates and tolls on vessels and aircraft and their cargoes, passengers, etc.

(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 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;

Regulation of loading and unloading plant.

(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 or sum of money thereon for the privilege of operating in the harbours, and to regulate and control charges for such services;

Pension and insurance funds and annuities.

(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;

Penalties.

(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 penalty and of the costs of conviction, imprisonment for a period not exceeding thirty days;

Generally.

(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 control of the harbours, works and properties under the jurisdiction of the Board.

By-laws to be transmitted to Minister.

(2) All such by-laws shall upon adoption thereof by the Board be transmitted forthwith to the Minister.

Domestic by-laws effective forthwith.

(3) Any such by-law relating only to the Members or to the officers or employees of the Board shall upon the adoption thereof by the Board have immediate force and effect.

When other by-laws effective.

(4) Any such by-law or so much thereof as affects any person other than the Members or the officers or employees of the Board shall have immediate force and effect and shall be published in the *Canada Gazette*.

Minister may disallow domestic by-laws.

Governor in Council may disallow other by-laws.

Notice.

(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 disallowance, 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 *Canada Gazette*.

Force and effect.

(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.

Proof of by-law.

(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.

Board may use reasonable force to enforce observance of by-laws.

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 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 thereof.

Rates and tolls.

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.

Rates paid by consignee, etc.

(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 security for payment accepted by the Board.

Clearance not to be granted before payment of tolls, etc.

(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 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

(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 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;

(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 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 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.

Cases coming under paragraphs *(c)* or *(d)*.

(2) In a case coming within paragraphs *(c)* or *(d)* of subsection one of this section, the vessel may be seized and detained until the damage 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; and for the amount of all such 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 all such 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 damages, expenses and costs.

Lien.

Board to have a lien.

(3) The Board shall have a lien upon any vessel and upon the proceeds thereof in preference to all other claims and demands whatsoever (saving and excepting the claims for wages of seamen, under the provisions of the *Canada Shipping Act*) for the payment of any rates, tolls or penalties due and payable with respect to such vessel or in respect of the acts of the master, owner or person in charge thereof.

Vessel may be sold.

(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.

Right to seize or sell not affected if vessel property of any other person.

(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 of or the property of any other person.

Seizure and detention of goods.

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

(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

(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.

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 incurred, together with all costs and charges incurred in

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.

Time of seizure or detention.

(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.

On whose order seizure may be effected.

(3) The seizure and detention may be effected upon the order of,—

(a) any judge;

(b) any magistrate having the power of two justices of the peace;

(c) the chief officer of customs at any port in the Dominion of Canada.

On application of the Board, etc.

(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.

Service of warrant, etc.

19. Service of any warrant, summons, writ, order, 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, or by affixing a copy thereof to some conspicuous part of the vessel.

Sale of goods at public auction.

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,—

Perishable goods, etc.

(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;

Other goods.

(b) at any time after the expiration of one month from 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.

Surplus.

(2) The Board shall pay or deliver the surplus, if any, 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.

Deficiency.

Penalties to be paid over to Board.

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.

Recovery of penalties.

R.S., c. 36.

22. All moneys due and 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*.

Revenues to be paid into chartered banks.

Trust Account.

23. All moneys received by the Board from whatever 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 trust account designated the "National Harbours Board Trust Account" hereinafter called the "Trust Account".

Expenditure of moneys.

1931, c. 27.

24. Notwithstanding the provisions of *The Consolidated 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 authorized officers, for the following purposes, or any of them:

Administration, management and control expenses.

(a) the payment of all necessary expenses incurred in the administration, management and control of the harbours, works, and properties under the jurisdiction of the Board;

Investments for reserve fund.

(b) the purchase of investments for a reserve fund hereinafter referred to;

Capital expenditures.

(c) the payment of capital expenditures;

Interest and principal of debentures, etc.

(d) the payment of the interest on and the principal of any debentures or other indebtedness of the Board.

Allocation of portion of revenues to reserve fund for replacement of fixed assets, etc.

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 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.

Annual budget.

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,

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 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.

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 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 moneys as are appropriated by Parliament for the purposes of this Act.

Advances for working capital.

Not exceeding at any time $1,000,000.00.

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 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.

Certificates of indebtedness.

Rates of interest.

29. The Board shall deposit with the Minister of Finance certificates of indebtedness in such form as he may prescribe 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 indebtedness.

Governor in Council may authorize cancellation of certain debentures and interest.

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 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.

Separate accounts for each harbour, work or property.

31. Separate accounts shall be kept for each harbour 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.

Annual report.

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.

Act to apply.

1931, c. 27.

33. Subject to the provisions of this Act, the Board shall be subject to the provisions of *The Consolidated Revenue and Audit Act, 1931.*

Audit of revenues and expenditures.

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.

Accounting officers, etc.

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 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.

(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.

Expenses of the Board.

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 Trust Account and charged to each harbour or public work administered by the Board in such equitable proportions, respectively, as the Board may determine.

Amalgamation.

37. The Corporations and the Board are hereby declared 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, 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, 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 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.

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.

Commencement of Act.

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.

Acts to be Repealed.

Year and Chapter.		Acts of the Dominion Parliament.
Respecting Halifax Harbour.		
17 George V,	Chap. 58.	An Act respecting the Halifax Harbour Commissioners.
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 further loan to the Halifax Harbour Commissioners.
Respecting Saint John Harbour.		
17 George V,	Chap. 67.	An Act relating to the Harbour of Saint John in the Province of New Brunswick.
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 further loan to the Saint John Harbour Commissioners.
Respecting Chicoutimi Harbour.		
16-17 George V,	Chap. 6.	An Act respecting the Chicoutimi Harbour Commissioners; and amending Acts.
17 George V,	Chap. 46.	An Act to provide for a loan to the Chicoutimi Harbour Commissioners.
19-20 George V,	Chap. 37.	An Act to provide for a further loan to the Chicoutimi Harbour Commissioners.
21-22 George V,	Chap. 25.	An Act to provide for a further loan to the Chicoutimi Harbour Commissioners.

Respecting Quebec Harbour.

62-63 Victoria,	Chap. 34.	An Act to amend and consolidate the Acts relating to the Quebec Harbour Commissioners; and amending Acts.
6 Edward VII,	Chap. 41.	An Act respecting the Quebec Harbour Commissioners.
6-7 Edward VII,	Chap. 36.	An Act to increase the borrowing powers of the Quebec Harbour Commissioners.
3-4 George V,	Chap. 41.	An Act to provide for further advances to the Quebec Harbour Commissioners.
4-5 George V,	Chap. 47.	An Act to provide for further advances to the Quebec Harbour Commissioners.
7-8 George V,	Chap. 4.	An Act to provide for further advances to the Quebec Harbour Commissioners.
12-13 George V,	Chap. 40.	An Act to provide for further advances to the Quebec Harbour Commissioners.
15-16 George V,	Chap. 51.	An Act to provide for further advances to the Quebec Harbour Commissioners.
18-19 George V,	Chap. 42.	An Act to provide for a loan to the Quebec Harbour Commissioners.

Respecting Three Rivers Harbour.

13-14 George V,	Chap. 71.	An Act respecting the Three Rivers Harbour Commissioners; and amending Acts.
19-20 George V,	Chap. 59.	An Act to provide for a loan to the Three Rivers Harbour Commissioners.
21-22 George V,	Chap. 56.	An Act to provide for a further loan to the Three Rivers Harbour Commissioners.

Year and Chapter.		Acts of the Dominion 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.
6 Edward VII	Chap. 35.	An Act to provide for further 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.
8-9 Edward VII,	Chap. 25.	An Act to provide for further advances to the Harbour Commissioners of Montreal.
9-10 Edward VII,	Chap. 40.	An Act to provide for further advances to the Harbour Commissioners of Montreal.
2 George V,	Chap. 36.	An Act to provide for further advances to the Harbour 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.

9-10 George V,	Chap. 53.	An Act respecting the Rate of Interest to be paid on Loans by His Majesty to the Harbour Commissioners of Montreal and Quebec.
12-13 George V,	Chap. 33.	An Act to provide for further advances to the Harbour Commissioners of Montreal.
13-14 George V,	Chap. 59.	An Act to provide for further advances to the Harbour Commissioners of Montreal.
17 George V,	Chap. 8.	An Act to provide for a loan to the Harbour Commissioners of Montreal.
19-20 George V,	Chap. 47.	An Act to provide for a further loan to the Harbour Commissioners of Montreal.

Respecting Vancouver Harbour.

3-4 George V,	Chap. 54.	An Act to incorporate the Vancouver Harbour Commissioners; 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 further loan to the Vancouver Harbour Commissioners.

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
16957 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."

"Goods."

"Vessel."

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 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 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, 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 lumber in boom or being towed.

Board constituted.

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 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, nine and eight years respectively.

Body corporate.

Agent of His Majesty.

(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.

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.

(3) The Board shall have the capacity to contract and to sue and be sued in the name of the Board.

Whole time to be devoted.

(4) Each Member shall devote his whole time to the business of the Board.

Salaries.

(5) Each Member shall be paid such sum for his services as the Governor in Council may from time to time determine.

Quorum.

(6) Two Members shall constitute a quorum.

Presiding officer.

(7) The Chairman, and in his absence the Vice-Chairman, shall preside at the meetings of the Board.

Majority to govern.

(8) In all proceedings of the Board the votes of the majority of the Members shall govern.

When two members only are present.

(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.

In case of vacancy.

(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.

In case of incapacity.

(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 substitute Member, upon such terms and conditions as the Governor in Council may prescribe.

In case of permanent incapacity.

Age limit.

(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.

Re-appointment.

(13) A Member, on the expiration of his term of office, and if not disqualified by age, shall be eligible for re-appointment.

Oath of office.

(14) Before any Member enters upon the execution of 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:—

"I,.....solemnly and sincerely swear that I will faithfully and honestly fulfil the duties which devolve upon me as a Member of the National Harbours Board. So help me God".

Head Office.

(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.

Officers, clerks and employees.

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

Preference.

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.

Government Employees' Compensation Act to apply.

R.S., c. 30.

(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 be deemed to be "employees" as defined by the said Act.

Civil Service Superannuation rights preserved.

R.S., c. 24.

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 twenty-four 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 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 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 or to receive the same benefits under the *Civil Service Superannuation Act* as if his office or position had been abolished.

Civil Service Act benefits preserved.

R.S., c. 22, s. 2.

(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 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.

Board to have jurisdiction over certain harbours, works and property.

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 administration, 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 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.

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.

Transfer to the Board of other harbours, works and property.

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.

Harbour headline.

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.

Acquisition of real estate or personal property.

Construction and operation of roads, railways, vessels, etc.

General powers.

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.

Property to be vested in His Majesty.

(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.

Acquisition of lands, etc.

R.S., c. 64.

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 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.

Signature to plan and description.

(2) Any plan and description deposited under the provisions 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 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.

Property vested in His Majesty.

Ascertainment of compensation.

(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 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 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, 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 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 in Council.

By-laws.

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 harbours, works and property under its jurisdiction including:

Matters in connection with mooring, etc., of vessels and aircraft.

(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;

Use of harbours and facilities.

(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;

Construction and maintenance of wharves, etc.

(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;

Tolls on bridges.

(d) the imposition and collection of tolls for any use of any bridge under the administration, management and control of the Board;

Rates and tolls on vessels and aircraft and their cargoes, passengers, etc.

(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 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;

Regulation of loading and unloading plant.

(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 or sum of money thereon for the privilege of operating in the harbours, and to regulate and control charges for such services;

Pension and insurance funds and annuities.

(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;

Penalties.

(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 of a pecuniary penalty and of the costs of conviction, imprisonment for a period not exceeding thirty days;

Generally.

(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 control of the harbours, works and properties under the jurisdiction of the Board.

By-laws to be transmitted to Minister.

(2) All such by-laws shall upon adoption thereof by the Board be transmitted forthwith to the Minister.

Domestic by-laws effective forthwith.

(3) Any such by-law relating only to the Members or to the officers or employees of the Board shall upon the adoption thereof by the Board have immediate force and effect.

When other by-laws effective.

(4) Any such by-law or so much thereof as affects any person other than the Members or the officers or employees of the Board shall have immediate force and effect and shall be published in the *Canada Gazette*.

Minister may disallow domestic by-laws.

Governor in Council may disallow other by-laws.

Notice.

(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 disallowance, 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 *Canada Gazette*.

Force and effect.

(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.

Proof of by-law.

(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.

Board may use reasonable force to enforce observance of by-laws.

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 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.

Rates and tolls.

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.

Rates paid by consignee, etc.

(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 security for payment accepted by the Board.

Clearance not to be granted before payment of tolls, etc.

(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 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

(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 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;

(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 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 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.

Cases coming under paragraphs *(c)* or *(d)*.

(2) In a case coming within paragraphs *(c)* or *(d)* of subsection one of this section, the vessel may be seized and detained until the injury so done has been repaired

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 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 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.

Lien.

Board to have a lien.

(3) The Board shall have a lien upon any vessel and upon the proceeds thereof in preference to all other claims and demands whatsoever (saving and excepting the claims for wages of seamen, under the provisions of the *Canada Shipping Act)* for the payment of any rates, tolls or penalties due and payable with respect to such vessel or in respect of the acts of the master, owner or person in charge thereof.

Vessel may be sold.

(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.

Right to seize or sell not affected if vessel property of any other person.

(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 of or the property of any other person.

Seizure and detention of goods.

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

(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

(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

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.

Time of seizure or detention.

(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.

On whose order seizure may be effected.

(3) The seizure and detention may be effected upon the order of,—

(a) any judge;

(b) any magistrate having the power of two justices of the peace;

(c) the chief officer of customs at any port in the Dominion of Canada.

On application of the Board, etc.

(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.

Service of warrant, etc.

19. Service of any warrant, summons, writ, order, 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, or by affixing a copy thereof to some conspicuous part of the vessel.

Sale of goods at public auction.

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,—

Perishable goods, etc.

(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;

Other goods.

(b) at any time after the expiration of one month from 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.

Surplus.

(2) The Board shall pay or deliver the surplus, if any, 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.

Deficiency.

Penalties to be paid over to Board.

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.

Recovery of penalties.

R.S., c. 36.

22. All moneys due and 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*.

Revenues to be paid into chartered banks.

Trust Account.

23. All moneys received by the Board from whatever 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 trust account designated the "National Harbours Board Trust Account" hereinafter called the "Trust Account".

Expenditure of moneys.

1931, c. 27.

24. Notwithstanding the provisions of *The Consolidated 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 authorized officers, for the following purposes, or any of them:

Administration, management and control expenses.

(a) the payment of all necessary expenses incurred in the administration, management and control of the harbours, works, and properties under the jurisdiction of the Board;

Investments for reserve fund.

(b) the purchase of investments for a reserve fund hereinafter referred to;

Capital expenditures.

(c) the payment of capital expenditures;

Interest and principal of debentures, etc.

(d) the payment of the interest on and the principal of any debentures or other indebtedness of the Board.

Allocation of portion of revenues to reserve fund for replacement of fixed assets, etc.

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 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.

Annual budget.

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,

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 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.

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 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 moneys as are appropriated by Parliament for the purposes of this Act.

Advances for working capital.

Not exceeding at any time $1,000,000.00.

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 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.

Certificates of indebtedness.

Rates of interest.

29. The Board shall deposit with the Minister of Finance certificates of indebtedness in such form as he may prescribe 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 indebtedness.

Governor in Council may authorize cancellation of certain debentures and interest.

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 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.

Separate accounts for each harbour, work or property.

31. Separate accounts shall be kept for each harbour 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.

Annual report.

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.

Act to apply.

1931, c. 27.

33. Subject to the provisions of this Act, the Board shall be subject to the provisions of *The Consolidated Revenue and Audit Act, 1931.*

Audit of revenues and expenditures.

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.

Accounting officers, etc.

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 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.

(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.

Expenses of the Board.

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 Trust Account and charged to each harbour or public work administered by the Board in such equitable proportions, respectively, as the Board may determine.

Amalgamation.

37. The Corporations and the Board are hereby declared 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, 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, 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 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.

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.

Commencement of Act.

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 Halifax Harbour Commissioners.
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 further loan to the Halifax Harbour Commissioners.
Respecting Saint John Harbour.		
17 George V,	Chap. 67.	An Act relating to the Harbour of Saint John in the Province of New Brunswick except sections 15, 16 and 17 thereof.
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 further loan to the Saint John Harbour Commissioners.
Respecting Chicoutimi Harbour.		
16-17 George V,	Chap. 6.	An Act respecting the Chicoutimi Harbour Commissioners; and amending Acts.
17 George V,	Chap. 46.	An Act to provide for a loan to the Chicoutimi Harbour Commissioners.
19-20 George V,	Chap. 37.	An Act to provide for a further loan to the Chicoutimi Harbour Commissioners.
21-22 George V,	Chap. 25.	An Act to provide for a further loan to the Chicoutimi Harbour Commissioners.

Respecting Quebec Harbour.

62-63 Victoria,	Chap. 34.	An Act to amend and consolidate the Acts relating to the Quebec Harbour Commissioners; and amending Acts.
6 Edward VII,	Chap. 41.	An Act respecting the Quebec Harbour Commissioners.
6-7 Edward VII,	Chap. 36.	An Act to increase the borrowing powers of the Quebec Harbour Commissioners.
3-4 George V,	Chap. 41.	An Act to provide for further advances to the Quebec Harbour Commissioners.
4-5 George V,	Chap. 47.	An Act to provide for further advances to the Quebec Harbour Commissioners.
7-8 George V,	Chap. 4.	An Act to provide for further advances to the Quebec Harbour Commissioners.
12-13 George V,	Chap. 40.	An Act to provide for further advances to the Quebec Harbour Commissioners.
15-16 George V,	Chap. 51.	An Act to provide for further advances to the Quebec Harbour Commissioners.
18-19 George V,	Chap. 42	An Act to provide for a loan to the Quebec Harbour Commissioners.

Respecting Three Rivers Harbour.

13-14 George V,	Chap. 71.	An Act respecting the Three Rivers Harbour Commissioners; and amending Acts.
19-20 George V,	Chap. 59.	An Act to provide for a loan to the Three Rivers Harbour Commissioners.
21-22 George V,	Chap. 56.	An Act to provide for a further loan to the Three Rivers Harbour Commissioners.

Year and Chapter.		Acts of the Dominion 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.
6 Edward VII	Chap. 35.	An Act to provide for further 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.
8-9 Edward VII,	Chap. 25.	An Act to provide for further advances to the Harbour Commissioners of Montreal.
9-10 Edward VII,	Chap. 40.	An Act to provide for further advances to the Harbour Commissioners of Montreal.
2 George V,	Chap. 36.	An Act to provide for further advances to the Harbour 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.

9-10 George V,	Chap. 53.	An Act respecting the Rate of Interest to be paid on Loans by His Majesty to the Harbour Commissioners of Montreal and Quebec.
12-13 George V,	Chap. 33.	An Act to provide for further advances to the Harbour Commissioners of Montreal.
13-14 George V,	Chap. 59.	An Act to provide for further advances to the Harbour Commissioners of Montreal.
17 George V,	Chap. 8.	An Act to provide for a loan to the Harbour Commissioners of Montreal.
19-20 George V,	Chap. 47.	An Act to provide for a further loan to the Harbour Commissioners of Montreal.

Respecting Vancouver Harbour.

3-4 George V,	Chap. 54.	An Act to incorporate the Vancouver Harbour Commissioners; 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 further 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
18649 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."

"Goods."

"Vessel."

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;

(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, Montreal 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, 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.

Board constituted.

3. (1) There shall be, under the direction of 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 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, 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.

(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.

Agent of His Majesty.

Board may contract, sue and be sued.

(3) The Board shall have the capacity to contract and to sue and be sued in the name of the Board.

Whole time to be devoted.

(4) Each Member shall devote his whole time to the business of the Board.

Salaries.

(5) Each Member shall be paid such sum for his services as the Governor in Council may from time to time determine.

Quorum.

(6) Two Members shall constitute a quorum.

Presiding officer.

(7) The Chairman, and in his absence the Vice-Chairman, shall preside at the meetings of the Board.

Majority to govern.

(8) In all proceedings of the Board the votes of the majority of the Members shall govern.

When two members only are present.

(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.

In case of vacancy.

(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.

In case of incapacity.

(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 substitute Member, upon such terms and conditions as the Governor in Council may prescribe.

In case of permanent incapacity.

Age limit.

(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.

Re-appointment.

(13) A Member, on the expiration of his term of office, and if not disqualified by age, shall be eligible for re-appointment.

Oath of office.

(14) Before any Member enters upon the execution of 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:—

"I,.....solemnly and sincerely swear that I will faithfully and honestly fulfil the duties which devolve upon me as a Member of the National Harbours Board. So help me God".

Head Office.

(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.

Officers, clerks and employees.

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

Preference.

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.

Government Employees' Compensation Act to apply.

R.S., c. 30.

(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 be deemed to be "employees" as defined by the said Act.

Civil Service Superannuation rights preserved.

R.S., c. 24.

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 twenty-four 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 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 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 or to receive the same benefits under the *Civil Service Superannuation Act* as if his office or position had been abolished.

Civil Service Act benefits preserved.

R.S., c. 22, s. 2.

(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 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.

Board to have jurisdiction over certain harbours,

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,

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.

Boundaries.

(2) The boundaries of the harbours of Halifax, Saint 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.

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.

Transfer to the Board of other harbours, works and property.

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.

Harbour headline.

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.

Acquisition of real estate or personal property.

Construction and operation of roads, railways, vessels, etc.

General powers.

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.

Property to be vested in His Majesty.

(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 concerned shall be deemed to continue to exist.

Acquisition of lands, etc.

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*, 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.

R.S., c. 64.

Signature to plan and description.

(2) Any plan and description deposited under the provisions 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 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.

Property vested in His Majesty.

Ascertainment of compensation.

(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 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.

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

(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.

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 in Council.

By-laws.

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 harbours, works and property under its jurisdiction including:

Matters in connection with mooring, etc., of vessels and aircraft.

(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;

Use of harbours and facilities.

(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;

Construction and maintenance of wharves, etc.

(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;

Tolls on bridges.

(d) the imposition and collection of tolls for any use of any bridge under the administration, management and control of the Board;

Rates and tolls on vessels and aircraft and their cargoes, passengers, etc.

(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 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;

Regulation of loading and unloading plant.

(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 or sum of money thereon for the privilege of operating in the harbours, and to regulate and control charges for such services;

Pension and insurance funds and annuities.

(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;

Penalties.

(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 of a pecuniary penalty and of the costs of conviction, imprisonment for a period not exceeding thirty days;

Generally.

(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 control of the harbours, works and properties under the jurisdiction of the Board.

By-laws to be transmitted to Minister.

(2) All such by-laws shall upon adoption thereof by the Board be transmitted forthwith to the Minister.

Coming into force.

(3) No by-law shall have force or effect until confirmed by the Governor in Council and published in the *Canada Gazette*, and upon such confirmation and publication any by-law made in accordance with this Act shall have the same force and effect as if enacted herein.

Board may use reasonable force to enforce observance of by-laws.

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 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.

Rates and tolls.

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.

Rates paid by consignee, etc.

(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 security for payment accepted by the Board.

Clearance not to be granted before payment of tolls, etc.

(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 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

(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 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;

(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 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 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.

Cases coming under paragraphs *(c)* or *(d)*.

(2) In a case coming within paragraphs *(c)* or *(d)* of subsection one of this section, the vessel may be seized and detained until the injury so done has been repaired 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 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 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.

Lien.

Board to have a lien.

(3) The Board shall have a lien upon any vessel and upon the proceeds thereof in preference to all other claims and demands whatsoever (saving and excepting the claims for wages of seamen, under the provisions of the *Canada Shipping Act)* for the payment of any rates, tolls or penalties due and payable with respect to such vessel or in respect of the acts of the master, owner or person in charge thereof.

Vessel may be sold.

(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.

Right to seize or sell not affected if vessel property of any other person.

(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 of or the property of any other person.

Seizure and detention of goods.

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

(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

(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 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.

Time of seizure or detention.

(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.

On whose order seizure may be effected.

(3) The seizure and detention may be effected upon the order of,—

(a) any judge;

(b) any magistrate having the power of two justices of the peace;

(c) the chief officer of customs at any port in the Dominion of Canada.

On application of the Board, etc.

(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.

Service of warrant, etc.

19. Service of any warrant, summons, writ, order, 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, or by affixing a copy thereof to some conspicuous part of the vessel.

Sale of goods at public auction.

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,—

Perishable goods, etc.

(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;

Other goods.

(b) at any time after the expiration of one month from 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.

Surplus.

Deficiency.

(2) The Board shall pay or deliver the surplus, if any, 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.

Penalties to be paid over to Board.

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.

Recovery of penalties.

R.S., c. 36.

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*.

Revenues to be paid into chartered banks.

Special Account.

23. All moneys received by the Board from whatever 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 Account".

Expenditure of moneys.

1931, c. 27.

24. Notwithstanding the provisions of *The Consolidated 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

Special Account on the requisition of the Board or its authorized officers, for the following purposes, or any of them:

Administration, management and control expenses.

(a) the payment of all necessary expenses incurred in the administration, management and control of the harbours, works, and properties under the jurisdiction of the Board;

Investments for reserve fund.

(b) the purchase of investments for a reserve fund hereinafter referred to;

Capital expenditures.

(c) the payment of capital expenditures;

Interest and principal of debentures, etc.

(d) the payment of the interest on and the principal of any debentures or other indebtedness of the Board.

Allocation of portion of revenues to reserve fund for replacement of fixed assets, etc.

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 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 of or guaranteed by the Government of Canada.

Annual budget.

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, 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 expenditures to be made therefrom. Such budget shall be submitted by the Minister to the Governor in Council.

Deficiency in revenues from each harbour, work or property to be included in separate items in estimates.

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 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 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

Not exceeding at any time $1,000,000.00.

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.

Certificates of indebtedness.

29. The Board shall deposit with the Minister of Finance certificates of indebtedness in such form as he may prescribe 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 indebtedness.

Rates of interest.

Governor in Council may authorize cancellation of certain debentures and interest.

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 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.

Separate accounts for each harbour, work or property.

31. Separate accounts shall be kept for each harbour 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.

Annual report.

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.

Act to apply.

1931, c. 27.

33. Subject to the provisions of this Act, the Board shall be subject to the provisions of *The Consolidated Revenue and Audit Act, 1931.*

Audit of revenues and expenditures.

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.

Accounting officers, etc.

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 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.

(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.

Expenses of the Board.

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 Special Account and charged to each harbour or public work administered by the Board in such equitable proportions, respectively, as the Board may determine.

Powers of Board.

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 any of them, may be or become entitled, and shall be liable for all lawful claims against, and obligations of the said corporations.

Liabilities.

Prior rights of persons not affected.

(2) Nothing in this Act contained shall prejudice or affect the rights of any person which may have existed at 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 continued against the Board.

Pending actions.

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 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.

1927, c. 67.

R.S., c. 169.

39. The *Quebec Harbour and River Police Act*, chapter 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 of *The Saint John Harbour Commissioners Act, 1927*, chapter sixty-seven of the Statutes of 1927, are hereby repealed.

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*.

SCHEDULE "A".

Acts Repealed.

		Title of Act.
Respecting Halifax Harbour.		
17 George V,	Chap. 58.	An Act respecting the Halifax Harbour Commissioners.
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 further loan to the Halifax Harbour Commissioners.
Respecting Saint John Harbour.		
17 George V,	Chap. 67.	An Act relating to the Harbour of Saint John in the Province of New Brunswick except sections 15, 16 and 17 thereof.
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 further loan to the Saint John Harbour Commissioners.
Respecting Chicoutimi Harbour.		
16-17 George V,	Chap. 6.	An Act respecting the Chicoutimi Harbour Commissioners; and amending Acts.
17 George V,	Chap. 46.	An Act to provide for a loan to the Chicoutimi Harbour Commissioners.
19-20 George V,	Chap. 37.	An Act to provide for a further loan to the Chicoutimi Harbour Commissioners.
21-22 George V,	Chap. 25.	An Act to provide for a further loan to the Chicoutimi Harbour Commissioners.

Respecting Quebec Harbour.

62-63 Victoria,	Chap. 34.	An Act to amend and consolidate the Acts relating to the Quebec Harbour Commissioners; and amending Acts.
6 Edward VII,	Chap. 41.	An Act respecting the Quebec Harbour Commissioners
6-7 Edward VII,	Chap. 36.	An Act to increase the borrowing powers of the Quebec Harbour Commissioners.
3-4 George V,	Chap. 41.	An Act to provide for further advances to the Quebec Harbour Commissioners.
4-5 George V,	Chap. 47.	An Act to provide for further advances to the Quebec Harbour Commissioners.
7-8 George V,	Chap. 4.	An Act to provide for further advances to the Quebec Harbour Commissioners.
12-13 George V,	Chap. 40.	An Act to provide for further advances to the Quebec Harbour Commissioners.
15-16 George V,	Chap. 51.	An Act to provide for further advances to the Quebec Harbour Commissioners.
18-19 George V,	Chap. 42	An Act to provide for a loan to the Quebec Harbour Commissioners.

Respecting Three Rivers Harbour.

13-14 George V,	Chap. 71.	An Act respecting the Three Rivers Harbour Commissioners; and amending Acts.
19-20 George V,	Chap. 59.	An Act to provide for a loan to the Three Rivers Harbour 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 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.
6 Edward VII	Chap. 35.	An Act to provide for further 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.
8-9 Edward VII,	Chap. 25.	An Act to provide for further advances to the Harbour Commissioners of Montreal.
9-10 Edward VII,	Chap. 40.	An Act to provide for further advances to the Harbour Commissioners of Montreal.
2 George V,	Chap. 36.	An Act to provide for further advances to the Harbour 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.

9-10 George V,	Chap. 53.	An Act respecting the Rate of Interest to be paid on Loans by His Majesty to the Harbour Commissioners of Montreal and Quebec.
12-13 George V,	Chap. 33.	An Act to provide for further advances to the Harbour Commissioners of Montreal.
13-14 George V,	Chap. 59.	An Act to provide for further advances to the Harbour Commissioners of Montreal.
17 George V,	Chap. 8.	An Act to provide for a loan to the Harbour Commissioners of Montreal.
19-20 George V,	Chap. 47.	An Act to provide for a further loan to the Harbour Commissioners of Montreal.

Respecting Vancouver Harbour.

3-4 George V,	Chap. 54.	An Act to incorporate the Vancouver Harbour Commissioners; 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 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.

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 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
19202 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." "Goods." "Vessel."

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;

(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, Montreal 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, 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.

Board constituted.

3. (1) There shall be, under the direction of 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 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, 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.

(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.

Agent of His Majesty.

Board may contract, sue and be sued.

(3) The Board shall have the capacity to contract and to sue and be sued in the name of the Board.

Whole time to be devoted.

(4) Each Member shall devote his whole time to the business of the Board.

Salaries.

(5) Each Member shall be paid such sum for his services as the Governor in Council may from time to time determine.

Quorum.

(6) Two Members shall constitute a quorum.

Presiding officer.

(7) The Chairman, and in his absence the Vice-Chairman, shall preside at the meetings of the Board.

Majority to govern.

(8) In all proceedings of the Board the votes of the majority of the Members shall govern.

When two members only are present.

(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.

In case of vacancy.

(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.

In case of incapacity.

(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 substitute Member, upon such terms and conditions as the Governor in Council may prescribe.

In case of permanent incapacity.

Age limit.

(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.

Re-appointment.

(13) A Member, on the expiration of his term of office, and if not disqualified by age, shall be eligible for re-appointment.

Oath of office.

(14) Before any Member enters upon the execution of 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:—

"I,.....solemnly and sincerely swear that I will faithfully and honestly fulfil the duties which devolve upon me as a Member of the National Harbours Board. So help me God".

Head Office.

(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.

Officers, clerks and employees.

Preference.

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.

Government Employees' Compensation Act to apply.

R.S., c. 30.

(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 be deemed to be "employees" as defined by the said Act.

Civill Service Superannuation rights preserved.

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 twenty-four 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 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 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 or to receive the same benefits under the *Civil Service Superannuation Act* as if his office or position had been abolished.

R.S., c. 24.

Civil Service Act benefits preserved.

R.S., c. 22, s. 2.

(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 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.

Board to have jurisdiction over certain harbours,

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,

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.

Boundaries.

(2) The boundaries of the harbours of Halifax, Saint 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.

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.

Transfer to the Board of other harbours, works and property.

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.

Harbour headline.

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.

Acquisition of real estate or personal property.

Construction and operation of roads, railways, vessels, etc.

General powers.

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.

Property to be vested in His Majesty.

(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.

Acquisition of lands, etc.

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*, 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.

R.S., c. 64.

Signature to plan and description.

(2) Any plan and description deposited under the provisions 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 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.

Property vested in His Majesty.

Ascertainment of compensation.

(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 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.

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

(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.

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 in Council.

By-laws.

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 of the several harbours, works and property under its jurisdiction including:

Matters in connection with mooring, etc., of vessels and aircraft.

(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;

Use of harbours and facilities.

(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;

Construction and maintenance of wharves, etc.

(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;

Tolls on bridges.

(d) the imposition and collection of tolls for any use of any bridge under the administration, management and control of the Board;

Rates and tolls on vessels and aircraft and their cargoes, passengers, etc.

(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 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;

Regulation of loading and unloading plant.

(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 or sum of money thereon for the privilege of operating in the harbours, and to regulate and control charges for such services;

Pension and insurance funds and annuities.

(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;

Penalties.

(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 of a pecuniary penalty and of the costs of conviction, imprisonment for a period not exceeding thirty days;

Generally.

(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 control of the harbours, works and properties under the jurisdiction of the Board.

Coming into force.

"(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."

Board may use reasonable force to enforce observance of by-laws.

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 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.

Rates and tolls.

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.

Rates paid by consignee, etc.

(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 security for payment accepted by the Board.

Clearance not to be granted before payment of tolls, etc.

(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 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

(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 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;

(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 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 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.

Cases coming under paragraphs *(c)* or *(d)*.

(2) In a case coming within paragraphs *(c)* or *(d)* of subsection one of this section, the vessel may be seized and detained until the injury so done has been repaired 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 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 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.

Lien.

Board to have a lien.

(3) The Board shall have a lien upon any vessel and upon the proceeds thereof in preference to all other claims and demands whatsoever (saving and excepting the claims for wages of seamen, under the provisions of the *Canada Shipping Act)* for the payment of any rates, tolls or penalties due and payable with respect to such vessel or in respect of the acts of the master, owner or person in charge thereof.

Vessel may be sold.

(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.

Right to seize or sell not affected if vessel property of any other person.

(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 of or the property of any other person.

Seizure and detention of goods.

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

(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

(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 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.

Time of seizure or detention.

(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.

On whose order seizure may be effected.

(3) The seizure and detention may be effected upon the order of,—

(a) any judge;

(b) any magistrate having the power of two justices of the peace;

(c) the chief officer of customs at any port in the Dominion of Canada.

On application of the Board, etc.

(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.

Service of warrant, etc.

19. Service of any warrant, summons, writ, order, 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, or by affixing a copy thereof to some conspicuous part of the vessel.

Sale of goods at public auction.

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,—

Perishable goods, etc.

(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;

Other goods.

(b) at any time after the expiration of one month from 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.

Surplus.

Deficiency.

(2) The Board shall pay or deliver the surplus, if any, 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.

Penalties to be paid over to Board.

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.

Recovery of penalties.

R.S., c. 36.

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*.

Revenues to be paid into chartered banks.

Special Account.

23. All moneys received by the Board from whatever 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 Account".

Expenditure of moneys.

1931, c. 27.

24. Notwithstanding the provisions of *The Consolidated 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

Special Account on the requisition of the Board or its authorized officers, for the following purposes, or any of them:

Administration, management and control expenses.

(a) the payment of all necessary expenses incurred in the administration, management and control of the harbours, works, and properties under the jurisdiction of the Board;

Investments for reserve fund.

(b) the purchase of investments for a reserve fund hereinafter referred to;

Capital expenditures.

(c) the payment of capital expenditures;

Interest and principal of debentures, etc.

(d) the payment of the interest on and the principal of any debentures or other indebtedness of the Board.

Allocation of portion of revenues to reserve fund for replacement of fixed assets, etc.

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 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 of or guaranteed by the Government of Canada.

Annual budget.

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, 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 expenditures to be made therefrom. Such budget shall be submitted by the Minister to the Governor in Council.

Deficiency in revenues from each harbour, work or property to be included in separate items in estimates.

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 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 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

Not exceeding at any time $1,000,000.00.

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.

Certificates of indebtedness.

29. The Board shall deposit with the Minister of Finance certificates of indebtedness in such form as he may prescribe 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 indebtedness.

Rates of interest.

Governor in Council may authorize cancellation of certain debentures and interest.

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 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.

Separate accounts for each harbour, work or property.

31. Separate accounts shall be kept for each harbour 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.

Annual report.

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.

Act to apply.

1931, c. 27.

33. Subject to the provisions of this Act, the Board shall be subject to the provisions of *The Consolidated Revenue and Audit Act, 1931.*

Audit of revenues and expenditures.

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.

Accounting officers, etc.

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 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.

(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.

Expenses of the Board.

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 Special Account and charged to each harbour or public work administered by the Board in such equitable proportions, respectively, as the Board may determine.

Powers of Board.

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

Liabilities.

any of them, may be or become entitled, and shall be liable for all lawful claims against, and obligations of the said corporations.

Prior rights of persons not affected.

(2) Nothing in this Act contained shall prejudice or affect the rights of any person which may have existed at 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

Pending actions.

action against the Board and any action or legal proceeding instituted before the coming into force of this Act may be continued against the Board.

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 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 said Ministers.

Acts repealed.

1927, c. 67.

R.S., c. 169.

39. The *Quebec Harbour and River Police Act,* chapter 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 of *The Saint John Harbour Commissioners Act, 1927,* chapter sixty-seven of the Statutes of 1927, are hereby repealed.

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.*

SCHEDULE "A".

ACTS REPEALED.

		Title of Act.
Respecting Halifax Harbour.		
17 George V,	Chap. 58.	An Act respecting the Halifax Harbour Commissioners.
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 further loan to the Halifax Harbour Commissioners.
Respecting Saint John Harbour.		
17 George V,	Chap. 67.	An Act relating to the Harbour of Saint John in the Province of New Brunswick except sections 15, 16 and 17 thereof.
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 further loan to the Saint John Harbour Commissioners.
Respecting Chicoutimi Harbour.		
16-17 George V,	Chap. 6.	An Act respecting the Chicoutimi Harbour Commissioners; and amending Acts.
17 George V,	Chap. 46.	An Act to provide for a loan to the Chicoutimi Harbour Commissioners.
19-20 George V,	Chap. 37.	An Act to provide for a further loan to the Chicoutimi Harbour Commissioners.
21-22 George V,	Chap. 25.	An Act to provide for a further loan to the Chicoutimi Harbour Commissioners.

Respecting Quebec Harbour.

62-63 Victoria,	Chap. 34.	An Act to amend and consolidate the Acts relating to the Quebec Harbour Commissioners; and amending Acts.
6 Edward VII,	Chap. 41.	An Act respecting the Quebec Harbour Commissioners
6-7 Edward VII,	Chap. 36.	An Act to increase the borrowing powers of the Quebec Harbour Commissioners.
3-4 George V,	Chap. 41.	An Act to provide for further advances to the Quebec Harbour Commissioners.
4-5 George V,	Chap. 47.	An Act to provide for further advances to the Quebec Harbour Commissioners.
7-8 George V,	Chap. 4.	An Act to provide for further advances to the Quebec Harbour Commissioners.
12-13 George V,	Chap. 40.	An Act to provide for further advances to the Quebec Harbour Commissioners.
15-16 George V,	Chap. 51.	An Act to provide for further advances to the Quebec Harbour Commissioners.
18-19 George V,	Chap. 42	An Act to provide for a loan to the Quebec Harbour Commissioners.

Respecting Three Rivers Harbour.

13-14 George V,	Chap. 71.	An Act respecting the Three Rivers Harbour Commissioners; and amending Acts.
19-20 George V,	Chap. 59.	An Act to provide for a loan to the Three Rivers Harbour 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 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.
6 Edward VII	Chap. 35.	An Act to provide for further 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.
8-9 Edward VII,	Chap. 25.	An Act to provide for further advances to the Harbour Commissioners of Montreal.
9-10 Edward VII,	Chap. 40.	An Act to provide for further advances to the Harbour Commissioners of Montreal.
2 George V,	Chap. 36.	An Act to provide for further advances to the Harbour 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.

9-10 George V,	Chap. 53.	An Act respecting the Rate of Interest to be paid on Loans by His Majesty to the Harbour Commissioners of Montreal and Quebec.
12-13 George V,	Chap. 33.	An Act to provide for further advances to the Harbour Commissioners of Montreal.
13-14 George V,	Chap. 59.	An Act to provide for further advances to the Harbour Commissioners of Montreal.
17 George V,	Chap. 8.	An Act to provide for a loan to the Harbour Commissioners of Montreal.
19-20 George V,	Chap. 47.	An Act to provide for a further loan to the Harbour Commissioners of Montreal.

Respecting Vancouver Harbour.

3-4 George V,	Chap. 54.	An Act to incorporate the Vancouver Harbour Commissioners; 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 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.

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
15082 1936

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

THE HOUSE OF COMMONS OF CANADA.

BILL 18.

An Act to amend the Soldier Settlement Act.

R.S., c. 188; 1928, c. 48; 1930, c. 42; 1931, c. 53; 1932, c. 53; 1932-33, c. 49; 1934, c. 41; 1935, c. 66;

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 seventy-three of the *Soldier Settlement Act*, chapter one hundred and eighty-eight of the 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:—

Time extended for additional credit on payments of arrears or instalments.

"**73.** (1) Any settler or person indebted in respect of any contract or agreement made prior to the first day of 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 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."

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
15005 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 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 unemployment; Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Short title.

1. This Act may be cited as *The Unemployment Relief and Assistance Act, 1936.*

Administration.

2. This Act shall be administered by the Minister of Labour.

Works and undertakings.

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 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 necessary and expedient.

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

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

THE HOUSE OF COMMONS OF CANADA.

BILL 19.

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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

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.

(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.

Minister may take action.

(4) The Minister may take such action as he may deem necessary and proper to ensure compliance with the provisions of subsections two and three of this section.

Agreements with provinces.

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 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 any agreement entered into under the authority of this Act.

Agreements with corporations, etc.

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.

To be approved by resolution of the House.

(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.

Renewals of loans, advances or guarantees.

5. The Governor in Council may renew or consolidate, for such periods and upon such terms as the Governor in 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 as may be approved by the Governor in Council.

1932, c. 36.
1932-33, c. 18.
1934, c. 15.
1935, c. 13.

Orders and regulations.

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.

Orders and regulations to have the force of law.

7. All orders and regulations of the Governor in Council 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 anything duly done thereunder shall be affected thereby, nor 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 shall be published in the next following issue of the *Canada Gazette.*

Appointment of officers, clerks and employees.

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.

Report to Parliament.

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 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 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

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
14822 1936

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 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 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.

First Session, Eighteenth Parliament, 1 Edward VIII, 1936

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.

OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
13593 1936

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.*

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:—

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.

"**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 whose powers, rights, privileges, immunities, duties, responsibilities and restrictions shall be as in and by this Act provided.

One of Directors to be Chairman of Board of Directors.

(3) The Governor in Council may appoint one of the directors of the National Company Chairman of the Board 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 re-election, a director of any company other than a company which is comprised in National Railways, or a company owned or controlled directly or indirectly, by stock ownership or otherwise, by His Majesty.

Pension rights preserved.

(4) Subject to the provisions of the next following section, the appointment of any officer or employee of any of the 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 and for all pension purposes he shall be deemed to be an officer or employee within the meaning of such pension Act and regulations.

Remuneration of Directors.

"**5.** (1) The directors shall be paid by the National Company such sums as may from time to time be fixed by the Governor in Council, and if any director 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.

Only one remuneration to each director.

(2) Each director, as such, shall be paid only such sum 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 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.

"**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.

that the Chairman of the Board of Directors, as such, shall be paid by the National Company such additional sum, salary or remuneration as may from time to time be fixed by the Governor in Council.

Tenure.

"**6.** (1) Three of the original directors, including the 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 terms of one year each from appointment.

Vacancies.

(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 any vacancy in the office of the Chairman of the Board of directors.

Appointments to fill casual vacancies.

(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 of the vacating director or the vacating Chairman of the Board of Directors, as the case may be.

Vacancies.

(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 years after the occurrence of the vacancy.

To act until successor appointed.

(7) Every director whose term has expired shall continue to act as such until his successor is appointed.

Powers of directors not impaired.

(8) A vacancy or vacancies or a continuance thereof among the directors shall not impair the powers of the directors.

Quorum.

(9) Four directors shall constitute a quorum.

Incapacity of Chairman.

(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 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 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 Governor in Council may approve.

"**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 co-trustee 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.

"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.

Other Companies.

(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.

On appointment of Directors direction and control vested in Board of Directors.

"8. (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 Board of Directors.

Board to have powers, etc., of former 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.

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.

(3) At the same time, by the same force and without more, the directors and the Chairman of the Board of 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 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-

"**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.)

"**8.** (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

sibilities and restrictions as those already in this section provided for with relation to the National Company:

Proviso.

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 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 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 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 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 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.

Appointment of President.

"**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 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.

President if not director to be Chief Executive Officer.

(2) In the event of the directors appointing a person, other than one of themselves, President of the National 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.

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 in Council may approve.

President of National Company to be President of all Canadian companies comprised in National Railways.

(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 the President, in the place and stead of, and in succession to, the President of every other company in Canada comprised in the National Railways and which has pursuant to the provisions of this Act the same Board of Directors as the National Company.

Only one remuneration as President.

(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 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.

Chief Operating Officer of National Railways to act until President appointed.

(5) Until the directors shall have appointed a President 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, notwithstanding anything in this Act or any other Act contained, continue to execute and perform such powers, authorities and duties on behalf of National Railways.

Meetings.

"**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 meeting decide or act by way of a written minute or concurrence signed by the directors or a majority of them.

Act of Quorum to be deemed act of board.

Annual Budget.

"**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 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.

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 not to be funded.

Income deficits shall not be funded.

Funds not to be diverted.

Amounts provided by Parliament to meet capital expenditures shall not be diverted to cover deficits in operation unless with the express authority of Parliament.

Continuous audit by independent auditors.

"**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 annually reporting to Parliament in respect of their audit.

Report to Parliament.

Their annual report shall call attention to any matters which in their opinion require consideration or remedial action.

Payment.

They shall be paid by the National Company such amounts as the Governor in Council shall from time to time approve.

Existing Auditors shall continue.

(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 commenced to perform their duties.

Annual Report to Parliament.

"**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 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.

Routing export freight through Canadian seaports.

(2) The Board of Directors 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.

Reports to Parliament.

"**15.** The annual reports of the Board of Directors and the auditors, respectively, shall be submitted to Parliament 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:—

Duty of C.N.R. and C.P.R. to meet by their proper officers and endeavour to arrange for co-operation.

"(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 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 as the said directors may name for the purpose."

Act to come into force on proclamation.

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
15228 1936

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 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-operative 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 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 Government 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

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 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 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 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, President, 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 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 Canadian 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 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 "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 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

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 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 payments 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 contracts 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, 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

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 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 to wheat, is due to primary producers of wheat, but on the contrary shows that the said operations of Canadian Co-operative 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 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 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, 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 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 fifty-five or fifty cents a bushel, basis No. 1 Northern, Fort 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 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 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.

2. In this Act "Minister" means the Minister of Trade and Commerce.

Payment not exceeding $6,600,000 to The Canadian Wheat Board.

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 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 Producers, Limited, in order to provide that,

Basis of payment per bushel for wheat other than Durum.

(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 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

Basis of payment per bushel for Durum wheat.

(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 forty-nine cents per bushel, basis No. 1 Amber Durum, 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 B to this Act.

Proviso.

Provided, however, that if any primary producer of wheat shall have assigned his right to receive any additional 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 proof by the assignee of the assignment in such manner as may be provided for by regulations to be made hereunder.

Payment of net credit balance in respect of barley, flax and rye.

4. The Governor in Council may authorize The Canadian Wheat Board to pay to Canadian Co-operative Wheat 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 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 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.

1935, c. 53.

Release and discharge of claims against the Board to be obtained.

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 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 Wheat Board Act, 1935.*

1935, c. 53.

Expenses for the carrying out of this Act.

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 hereof pay reasonable expenses incurred by the Minister or by The Canadian Wheat Board in carrying out the provisions of this Act.

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 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.

SCHEDULE A

Wheat Other than Durum Wheat

Grade of Wheat	Price per bushel
1 Hard	60·87500
1 Northern	60·00000
2 Northern	57·12900
3 Northern	53·50000
4 Northern	49·54707
5 Wheat	46·25000
6 Wheat	41·12500
Feed Wheat	38·12500
Tf. 1 Hard	57·30585
Tf. 1 Northern	56·43085
Tf. 2 Northern	53·18485
Tf. 3 Northern	49·80585
Tf. 4 Northern	46·35292
Tf. 5 Wheat	43·43285
Tf. 6 Wheat	38·41685
Tf. Feed	35·41685
Rej. 1 Hard	56·13281
Rej. 1 Northern	55·25781
Rej. 2 Northern	52·38681
Rej. 3 Northern	49·00781
Rej. 4 Northern	45·44207
Rej. 6 Wheat	37·39500
Sm. 1 Hard	54·88900
Sm. 1 Northern	54·38900
Sm. 2 Northern	51·51800
Sm. 3 Northern	47·63900
Sm. 4 Northern	44·18607
Sm. 5 Wheat	41·14000
Sm. Feed	35·39500
Tf. Rej. 2 Northern	49·50266
Tf. Rej. 3 Northern	46·37366
Tf. Rej. 4 Northern	43·30792
Tf. Sm. 1 Hard	52·37985
Tf. Sm. 1 Northern	51·87985
Tf. Sm. 2 Northern	48·63385
Tf. Sm. 3 Northern	45·00485
Tf. Sm. 4 Northern	42·05192
Tf. Sm. 5 Wheat	39·38285

SCHEDULE A—*Continued*

Grade of Wheat	Price per bushel
Sm. Rej. 2 Northern	47·77581
Sm. Rej. 5 Wheat	38·26500
Tf. Sm. Rej. 2 Northern	45·96066
Rej. 1 Nor. Xd. Htd	47·83250
Rej. 2 Nor. Xd. Htd	44·96150
Rej. 3 Nor. Xd. Htd	41·33250
Rej. 4 Nor. Xd. Htd	39·37957
Tf. Rej. 1 Nor. Xd. Htd	45·32335
Tf. Rej. 2 Nor. Xd. Htd	42·07735
Tf. Rej. 3 Nor. Xd. Htd—	38·69835
Sm. Rej. 1 Nor. Xd. Htd	43·20150
Tf. Sm. Rej. 1 Nor. Xd. Htd	41·69235
Tf. Sm. Rej. 2 Nor. Xd. Htd	37·75885
Rej. 5 Xd. Htd	37·08250
Tf. Cond. 2 Xd. Htd	19·97728
Damp 1 Northern	52·72196
Damp 2 Northern	49·75123
Damp 3 Northern	46·12223
Damp 4 Northern	41·80317
Damp 6 Wheat	35·52000
Damp Rej. 2 Northern	46·98904
Damp Rej. 3 Northern	43·61004
Damp Sm. 2 Northern	46·12023
Damp Sm. 3 Northern	42·24123
Dried 1 Northern	52·89500
Dried 2 Northern	51·28650
Dried 3 Northern	50·31170
Dried 4 Northern	49·56707
Dried 5 Wheat	46·27000
Dried Sm. 1 Northern	51·39500
Dried Sm. 3 Northern	46·13900
Dried Sm. 4 Northern	44·18607
Rej. 2 Nor. Sprouted	51·88681
Rej. 3 Nor. Sprouted	48·63281
Rej. 4 Nor. Sprouted	45·06707
Rej. 5 Sprouted	42·10710

SCHEDULE A—*Continued*

Grade of Wheat	Price per bushel
Tf. Rej. 2 Nor. Sprouted	48·30266
Tf. Rej. 3 Nor. Sprouted	45·99866
Tf. Rej. 4 Nor. Sprouted	42·93292
Damp Rej. 2 Nor. Sprouted	45·48904
Damp Rej. 3 Nor. Sprouted	42·23504
Damp Rej. 4 Nor. Sprouted	38·30317
Dried Rej. 2 Nor. Sprouted	47·02431
Special 4	45·86418
Special 5	42·44211
Special 6	38·14500
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	52·64381
Rej. 2 Hard White Spring	50·51134
Rej. 3 Hard White Spring	48·88281
Sm. 1 Hard White Spring	51·77500
Sm. 2 Hard White Spring	49·64253
1 Alberta Red Winter	51·95750
2 Alberta Red Winter	49·51150
3 Alberta Red Winter	48·49961
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	46·34650
Sm. 2 Alberta Red Winter	43·90050
Tf. Sm. 1 Alberta Red Winter	43·99348
1 Mixed Wheat	49·62543
2 Mixed Wheat	42·62543
3 Mixed Wheat	47·83703
4 Mixed Wheat	42·02000
5 Mixed Wheat	53·00043
Rej. 3 Mixed Wheat	43·71203
Sm. 3 Mixed Wheat	42·45603

SCHEDULE A—*Concluded.*

WHEAT OTHER THAN DURUM WHEAT—*Concluded.*

Grade of Wheat.	Price per Bushel.
Sm. 5 Mixed Wheat	48·75043
Tf. Sm. 3 Mixed Wheat	40·32188
Sm. Rej. 5 Mixed Wheat	45·55043
1 Mixed Grain	35·14500
3 Mixed Grain	22·75783
Tf. 1 Mixed Grain	29·62185
Sample Wheat Xd. Htd	24·00043
Tf. Sample Wheat Xd. Htd	21·97728
Rej. 1 Xd. Fireburnt	45·93250
Rej. 1 Xd. Gravel	45·93250
Rej. 4 Xd. Gravel	37·37957
Coal Dust & Wheat	20·00043
Broken Grain	30·00043
Broken Wheat	30·00043
Cond. 1 Xd. Htd	24·00043
Wheat, Hulled Oats and Rye	35·14500
Wheat, Barley and Oats	35·14500
Spring and Durum	44·83703
Rej. 1 Nor. and Durum	43·71203
Red and White Spring	46·12543
Sm. Rej. 3 Xd. Fireburnt	36·45150
Sm. Rej. 2 Nor. Xd. Htd	40·35050
Tf. Sm. Rej. 3 Nor. Xd. Htd	34·12985
Tf. Rej. 5 Sprouted	40·37310
Tf. Sm. Rej. 2 Nor. Sprouted	45·58710
Rej. Special 4 Sprouted	42·36418
Rej. Special 5 Sprouted	39·27921
Tf. 5 Xd. Wheat	50·47728
Rej. 5 Xd. Wheat	48·80043
Rej. 1 Xd. Wheat Sprouted	45·37543
Rej. 1 Xd. Grain Heated	31·14500
Tf. 1 Nor. Musty	52·39681
1 Nor. Xd. A. Durum	47·83703
2 Nor. Xd. A. Durum	47·83703
Tf. Rej. 1 Nor. Xd. Fireburnt	43·32335
Rej. 1 Nor. Xd. Coal	47·93250
Tf. Rej. 2 Xd. Rotten Kernels	42·93835
Smutty Rej. 3 Nor	44·14681
Tf. Rej. 4 Nor. Xd. Htd	37·24542

SCHEDULE B

Durum Wheat

Grade of Wheat	Price per bushel
1 Amber Durum	66·27000
2 Amber Durum	62·27000
3 Amber Durum	57·64500
4 Amber Durum	52·46445
5 Amber Durum	45·25612
6 Amber Durum	39·14500
Tf. 2 Amber Durum	59·74685
Tf. 3 Amber Durum	55·12185
Tf. 4 Amber Durum	49·94130
Rej. 1 Amber Durum	60·19310
Rej. 2 Amber Durum	56·69969
Rej. 3 Amber Durum	52·34500
Rej. 4 Amber Durum	48·26445
Sm. 1 Amber Durum	60·18210
Sm. 2 Amber Durum	56·27000
Sm. 3 Amber Durum	52·16680
Sm. 4 Amber Durum	48·21445
Tf. Sm. 1 Durum	58·65895
Sm. Rej. 1 Durum	55·10520
Sm. Rej. 2 Durum	51·69969
Sm. Rej. 3 Durum	47·86680
Rej. 2 Durum Xd. Htd	50·08250
Rej. 2 Durum Sprouted	55·69969
Tf. Rej. 2 Durum Sprouted	54·17654
1 Durum & Spring	53·00043
Rej. 1 Durum & Spring	48·80043
Rej. 3 Durum Xd. Htd	45·45750
Rej. 1 Durum Rej. Xd. Htd	48·00560
Rej. 3 Durum Xd. Fireburnt	44·45750
2 Durum & Spring	53·00043
3 Durum & Spring	53·00043
Rej. 2 Red Durum	38·14500
Tf. 1 Amber Durum	63·74685
Tf. Rej. 2 Amber Durum	55·17654
Sm. Rej. 4 Amber Durum	45·01445
Sm. Rej. 2 Amber Durum Xd. Htd	45·45150
Rej. 1 Durum Xd. Stones	54·08250
Smutty Red Durum	38·14500
Durum & Barley	35·14500

First Session, Eighteenth Parliament, 1 Edward VIII, 1936

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.

OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
15253 1936

Total loans guaranteed not to exceed $4,000,000.

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).

Dominion and provincial guarantees to be separate and successive.

Primary liability on province.

4. (1) No guarantee shall be given under the authority of this Act, unless provision is made that the liability of the 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 province of Saskatchewan is unable to implement its guarantee in respect of the same loan.

Province to cover Dominion payments of loans with Treasury bills or other securities.

(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 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 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.

Orders and regulations.

5. The Governor in Council shall have full power to make all such orders and regulations as may be deemed necessary or desirable to carry out the purposes and intention of this Act.

Orders in Council and regulations to be laid before House of Commons.

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 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*.

First Session, Eighteenth 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.

AS PASSED BY THE HOUSE OF COMMONS, 27th MARCH, 1936.

OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
15801 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 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 enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, that:—

Short title.

1. This Act may be cited as *The Appropriation Act, No. 1, 1936.*

$33,862,485.15 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 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 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 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 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 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.

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
		$ cts.	$ cts.
	LEGISLATION		
	SENATE		
34	Salaries and contingent expenses		184,309 75
	HOUSE OF COMMONS		
35	Salaries	130,816 25	
	Expenses of Committees, etc	15,000 00	
	Clerical Assistance, etc	124,146 87	
	Contingencies	47,409 00	
	Publishing debates, including salaries of amanuenses, etc	63,000 00	
	Estimates of the Sergeant-at-Arms	206,091 13	
			586,463 25
	LIBRARY OF PARLIAMENT		
36	Salaries, and to authorize payment of M. C. MacCormac from April 1, 1936 to September 30, 1936	45,429 00	
	Books for the General Library, including binding	17,000 00	
	Books for the Library of American History	1,000 00	
	Contingencies	12,500 00	
	To provide for the cost of printing reports	1,000 00	
			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 00
	OCEAN AND RIVER SERVICE		
117	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	406,700 00	
124	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	
			2,297,600 00
	PUBLIC WORKS		
	(Chargeable to Capital)		
	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		1,138,400 00

SCHEDULE—*Continued*

No. of Vote	Service	Amount	Total
		$ cts.	$ cts.
	LIGHTHOUSE AND COAST SERVICE		
130	Construction, maintenance and supervision of aids to navigation, including salaries and allowances to light-keepers.....	1,731,700 00	
133	Marine Signal Service.....	96,000 00	
134	Administration of Pilotage.....	90,600 00	
			1,918,300 00
	FISHERIES		
145	Salaries and disbursements of Fishery Officers and Guardians, Fisheries Patrol and Fisheries Protection Services.....	878,600 00	
148	Fish Culture.....	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 explorers, topographers and others.....	.....	350,000 00
	LABOUR		
159	International Labour Conference.....	.....	15,000 00
	ROYAL CANADIAN MOUNTED POLICE		
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, miscellaneous (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		
181	Pensions payable to men on active service, Northwest Rebellion 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.....	80,000 00	
224	Expenses of litigated matters, Department of Justice.....	25,000 00	
229	Battlefields Memorials.....	84,950 00	
252	Employment and Social Insurance Act.....	20,000 00	
			209,950 00
	NATIONAL REVENUE		
257	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.....	6,465,000 00	
	Salaries and travelling expenses of officers of the Inspection, Investigation, Audit, and the Preventive Service Undervaluation Services.....	1,025,000 00	

SCHEDULE—*Concluded*

No. of Vote	Service	Amount	Total
		$ cts.	$ cts.
	NATIONAL REVENUE—*Concluded*		
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 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	Electricity and Gas Inspection Service.....	220,300 00	
277	Weights and Measures Inspection Service.....	383,300 00	
			1,337,000 00
	Total.....	.....	25,228,452 00

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.

OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
15106 1936

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, 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 paragraph *(a)* the following paragraph:—

"Appeal Division."

"*(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 one of chapter forty-five of the statutes of 1932-33, and substituting the following therefor:—

"Court."

"*(d)* 'Court' means the Pension Appeal Court, heretofore existing under that name."

(3) The said section is further amended by repealing 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."

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 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, but not limited 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.

Canadian Pension Commission continued.

Members of the Court to be Commissioners.

(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 Commissioners 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 removable for cause by the Governor in Council.

Chairman and Vice-Chairman.

(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.

Acting chairman may be appointed.

(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 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.

Tenure of office of Commissioners.

(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 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 additional *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.

(6) A Commissioner shall cease to hold office upon reaching the age of seventy years.

Eligibility for re-appointment.

(7) A Commissioner, on the expiry of his term of office, shall, if not disqualified by age, be eligible for re-appointment.

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.

(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.

Salaries.

(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 of any unappropriated moneys forming part of the Consolidated Revenue Fund of Canada.

No other occupation.

(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 the Governor in Council may declare to be inconsistent with the performance of his duties under this Act.

Authority of Chairman.

(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 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.

Proceedings to continue in force.

(11) Subject to the provisions of the amending Act of 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 to their tenor.

Applications to be continued.

(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.

Funds in trust.

(13) Any funds held in trust or administered by the Board of Pension Commissioners for Canada shall be continued and held in trust or administered by the Commission.

Duties to be vested in 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 thousand nine hundred and thirty-three, shall be vested in and exercisable by the Commission.

Officers and employees.

(15) All officers, clerks and employees on the staff of the Canadian Pension Commission, immediately prior to the

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.

Residence.

(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.

President of court to be chairman of commission.

(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 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 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:—

Commission attached to Department.

"**4.** (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 moneys provided by Parliament as the Minister may direct, and the Department shall provide suitable offices for the Commission and 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 of chapter forty-five of the statutes of 1932-33, is repealed and the following is substituted therefor:—

Jurisdiction of Commission.

"**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

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."

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 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."

Provisos.

Procedure.

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 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.

Powers under Inquiries Act, R.S., c. 99.

(2) The Chairman of the Commission, or such member or members of the Commission as shall be designated by him, 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.

Power to take evidence on oath.

(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 Chairman, different sittings of the Commission may be held at the same time.

Where sittings may be held.

(4) Except as herein otherwise expressly provided, for the purpose of exercising and performing the powers, authorities and functions vested in the Commission, as 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."

Commission to consist of two or more commissioners. Quorum.

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:

"**8.** The Commission may, with the approval of the Governor in Council, make regulations not inconsistent

Regulations.

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.

Subsection three at present reads as follows:—

"**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:—

"**8.** 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 and the following is substituted therefor:

Appeal Division of the Commission.

"**9.** (1) There shall be an Appeal Division of the Commission which shall be composed of two or more Commissioners to be selected from time to time by the Chairman, which shall hear appeals as provided in section sixty-one of this Act and shall have all the powers and jurisdiction conferred on it by this Act.

Composed of members of the Commission.

(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 appealed.

Chairman to preside.

(3) The Chairman, or such other Commissioner as he shall designate from time to time, shall preside over the Appeal Division."

Sections repealed.

8. Sections 10 and 10A of the said Act, as enacted by 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.*"

8. 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:

When pension may be granted.

"**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 salary to which he was entitled as such Commissioner.

R.S., c. 24.

Service of a judge to be counted.

(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 Commissioner 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 section provided.

Appointment of civil servants.

R.S., c. 24.

"**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 appointment 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 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 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 benefits under the said Act as if his office as a member of the Commission had been abolished.

(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 10D of the Bill transfers the Registrar of the Pension Appeal Court to the staff of the Department.

"**10D.** (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.

"**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."

Sections repealed.

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 **12A**:—

When disability pension not to be awarded.

"**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 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 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, is repealed and the following is substituted therefor:—

Fees and charges to be approved.

"**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 Pension 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 section nine of chapter forty-five of the statutes of 1932-33, is further amended by adding thereto the following subsection:—

In case of relief or retroactive increase.

"(9) If any person who is or has been in receipt of relief or unemployment assistance from the Department is or 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 shall be a first charge upon the accumulated unpaid instalments of such pension and shall be withheld accordingly."

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.

"**10F.** 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:—

Compassionate 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.

Amount of pension or allowance.

(2) The amount of any compassionate pension or allowance under this section shall be such sum as the Appeal Division 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 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 cent of 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 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 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:—

Date from which disability pension is payable.

Retroactive limitation.

"**27.** Pensions awarded for disabilities shall be paid 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 was granted."

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 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 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 and thirty.

Limitation.

Provided, 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."

19. Section **32**A 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:

Pension to widow married before grant of pension or before 1st of January, 1930.

"**32**A. (1) The widow of a member of the forces whose death results from an injury or disease or aggravation thereof 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.

Limitation.

(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 section twenty-seven of chapter thirty-eight of the statutes of 1928, is repealed and the following is substituted therefor:

Pension payable from day after death.

"**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

Where parents not wholly or substantially dependent, date to be fixed.

(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;

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.

Posthumous child, from date of birth.

(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;

If pension awarded to widow or child on application.

(c) in the case in which a pension is awarded to a widow or child of a member of the forces on application, in 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, 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.

Limitation.

(2) Nothing in this section shall be deemed to authorize 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:

Notification of refusal of pension.

"**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 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.

Applicant may have assistance of Chief Pensions Advocate.

(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 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.

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."

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.

"(4) An application heretofore disposed of by the Federal 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, is repealed and the following is substituted therefor:

Witnesses.

"**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 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 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:

Pronouncement of decision by a quorum of the Commission.

"**58.** (1) The decision upon an application shall be 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 therefor.

If members not in agreement.

(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 the members of the quorum and such member of the Commission."

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.

23. 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:

Action on finding of reviewing officer.

"(2) If the reviewing officer concurs in the decision upon 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 Appeal Division and the Commission shall notify the applicant of such appeal with full reasons 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 following is substituted therefor:

Appeals.

"**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 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 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.

(2) The Appeal Division shall have power, in its discretion, to grant leave to appeal notwithstanding the expiry of the time limit.

Notices to be given by the Commission.

(3) The Commission 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.

Chief Pensions Advocate to assist applicant on appeal.

"**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 preparation 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.

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.

"**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.

Disposal of appeals.

"**64.** The Appeal Division 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.

Appealable questions.

"**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 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 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 Appeal Division, submitted by any applicant; the procedure on such reference or submission shall be as prescribed by the Appeal Division.

Cancellation of pensions.

(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 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 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.

Public and private sittings.

"**66.** The sittings of the Appeal Division shall be public except in cases in which the Appeal Division 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.

"**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.

Procedure on disagreement.

(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.

Review of decision on question of law.

(3) If a decision of a quorum of the Appeal Division 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 over by the Chairman.

Powers as to amendment and further evidence.

"**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 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.

Notice.

(2) Such notice of the time and place of examination as is prescribed in the order shall be given to the Counsel and Advocate appearing on the appeal.

Remission of case for amendment or re-hearing.

"**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 Commission for amendment or for re-hearing by a quorum of the Commission sitting at Ottawa or elsewhere in Canada.

Decision to be final.

"**70.** (1) Except as hereinafter otherwise provided, every decision of the Appeal Division in favour of an applicant or dismissing an application shall be final.

Leave to renew application.

(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 Appeal Division and subject to the rules of procedure prescribed by the Appeal Division, and the Appeal Division 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.

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.

Decision of the Appeal Division.

(4) In every case the Commission shall notify each party to an appeal of the decision of the Appeal Division.

Judgment of the Appeal Division.

(5) A copy of the formal judgment of 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 by the Board of Pension Commissioners for Canada, by the Pension Tribunal or the Commission or a quorum thereof, in disposing of any application.

(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 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 Commission, the Appeal Division, the Pension Tribunal or the Department."

Records of Court and appeals pending.

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 determined by the Appeal Division.

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

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
14622 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 the following is substituted therefor:—

War Veterans' Allowance Board.

"**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 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, as his alternate, the Assistant Deputy Minister, and one other person who is not on the staff of the Department.

Board to be substituted for Committee.

(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 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".

Quorum.

(3) Two members of the Board shall constitute a quorum.

Chairman and members of Committee to continue to hold office.

(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.

Members eligible to become contributors under R.S., 1927, c. 24.

(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-*

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.

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 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* as if his office or position had been abolished.

R.S., 1927, c. 24.

R.S., 1927, c. 24.

Governor in Council may grant a pension in certain cases.

(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 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 as such member."

2. The said Act is amended by adding thereto the following section immediately after section three thereof:—

Powers of the Board.

"**3A.** Subject to the provisions of this Act the Board shall consider and abjudicate upon all questions relating 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."

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

To whom allowances paid.

"**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 commencement 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, incapable of maintaining himself".

Proviso.

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.

4. Section seven of the said Act is repealed and the following is substituted therefor:—

Certain deductions not to be made.

"**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 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-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".

5. The said Act is amended by adding the following subsection to section thirteen thereof:—

Part of the allowance continued to dependents.

"(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 his dependents."

6. The said Act is amended by adding immediately after section fifteen the following section:—

Information from the Bureau of Statistics.

"**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 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".

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.

OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
20354 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 the following is substituted therefor:—

War Veterans' Allowance Board.

"**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 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, as his alternate, the Assistant Deputy Minister, and one other person who is not on the staff of the Department.

Board to be substituted for Committee.

(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 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".

Quorum.

(3) Two members of the Board shall constitute a quorum.

Chairman and members of Committee to continue to hold office.

(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.

Members eligible to become contributors under R.S., 1927, c. 24.

(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*

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.

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 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* as if his office or position had been abolished.

R.S., 1927, c. 24.

R.S., 1927, c. 24.

Governor in Council may grant a pension in certain cases.

(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 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 as such member."

2. The said Act is amended by adding thereto the following section immediately after section three thereof:—

Powers of the Board.

"**3A.** Subject to the provisions of this Act the Board shall consider and adjudicate upon all questions relating 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."

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

To whom allowances paid.

"**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 commencement 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 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.

4. Section seven of the said Act is repealed and the following is substituted therefor:—

Certain deductions not to be made.

"**7.** No deduction shall be made from any allowance by reason of,—

(a) Any sum payable to the veteran under the provisions 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 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."

5. Section thirteen of the said Act is repealed, and the following substituted therefor:—

Supension of allowance.

"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 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.

Part of allowance continued to dependents.

(2) The Board may, in its discretion, continue payment of any part of any such allowance to the dependents of any 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."

6. The said Act is amended by adding immediately after section fifteen the following section:—

Information from the Bureau of Statistics.

"**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 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:—

"**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."

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

15110

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.*

Definitions.

2. In this Act and in any regulations made under the provisions of this Act,

"Commission."

(a) "Commission" means the Veterans' Assistance Commission;

"Department."

(b) "Department" means the Department of Pensions and National Health;

"Minister."

(c) "Minister" means the Minister of the Department of Pensions and National Health.

"Veteran."

(d) "veteran" means any person who served in the naval, military or air forces of Canada in the Great War.

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 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.

Chairman.

(2) The Governor in Council may appoint one of the Commissioners to be Chairman of the Commission.

Remuneration.

(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.

Head Office at Ottawa.

4. The head office of the Commission shall be in the city of Ottawa.

Cost of administration.

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.

Department to provide staff.

(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.

Duties of Commission.

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 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 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 provisions, the following:—

(i) hobby employment,

(ii) repair employment,

(iii) allotment gardening in the outskirts of towns and cities,

(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,

(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.

7. (1) The Commission shall from time to time recommend 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.

Minister to replace Commission.

(2) After the term of office of the Commissioners will 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,

(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 Minister, co-operate with any commission, department, government agency, association, group or organization referred to in subsection one of this section.

Powers under *Inquiries Act.*

R.S., c. 99.

9. For the purposes of sections six and eight of this Act, the Commission shall have all the powers and authority conferred upon a Commissioner appointed under the *Inquiries Act*, chapter ninety-nine of the Revised Statutes of Canada, 1927.

Orders and regulations.

10. The Governor in Council may from time to time make such orders and regulations as may be necessary to carry out the provisions of this Act.

Report of Commissioners.

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 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
15848 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 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 enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, that:—

Short title.

1. This Act may be cited as *The Appropriation Act, No. 2, 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 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.

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 thirty-six, 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

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
		$ cts.	$ cts.
	LEGISLATION		
	HOUSE OF COMMONS		
	Clerical Assistance, etc.—Further amount required	33,343 62	
	Contingencies—Further amount required	5,507 17	
	Sergeant-at-Arms—Further amount required	9,250 00	
284	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	603 10	
			48,703 89
	RAILWAYS AND CANALS		
	(Chargeable to Capital)		
285	Welland Ship Canal—To provide for a grant, upon the authority of the Governor in Council, to P. Lyall and Sons Construction 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 Company, 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		173,521 24
	RAILWAYS AND CANALS		
	DEFICIT OF CANADIAN NATIONAL RAILWAYS		
286	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	41,795,757 24	
	Eastern Lines, excluding Prince Edward Island Car Ferry and Terminals	5,265,373 20	
	Prince Edward Island Car Ferry and Terminals	360,334 36	
			47,421,464 80

SCHEDULE—*Continued*

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	River St. Lawrence Ship Channel Dredging—*(a)* To provide for contract dredging—Further amount required	511,401 76	
290	To provide for the maintenance and repair of retaining dams in the St. Lawrence River—Further amount required	61,360 00	572,761 76
	LABOUR		
291	Annuities Act—Further amount required	40,000 00	
292	Administration, Employment Offices Co-ordination Act—Further amount required	300 00	
293	Industrial Disputes Investigation Act—Further amount required	1,600 00	41,900 00
	PUBLIC PRINTING AND STATIONERY		
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		
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 Bridge—Further amount required	52,000 00	
298	Amount required to provide for grant to be made to the Province of British Columbia	750,000 00	

SCHEDULE—*Concluded*

No. of Vote	Service	Amount	Total
		$ cts.	$ cts.
	MISCELLANEOUS—*Concluded*		
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 overtime—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 expenditures	444,000 00	
302	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 expenditures	455,000 00	
303	Amount required for payment to Halifax Harbour Commissioners to be applied in liquidation of bank loans obtained by the said Commissioners in respect of operations in the calendar years 1928 to 1935, inclusive, including interest on said loans	580,000 00	
304	Amount required for payment to Quebec Harbour Commissioners to be applied in liquidation of bank loans obtained by the said Commissioners in respect of operations in the calendar years 1934 and 1935, including interest on said loans	515,000 00	
305	Amount required for payment to Chicoutimi Harbour Commissioners to be applied in liquidation of bank loans outstanding 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		
	(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 maintenance and the revenues accruing from operation during the year ending March 31, 1936	.....	20,000 00
	Total	.....	51,167,229 11

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
16359 1936

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.

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

Definitions.

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:—

"Minor waters of Canada".

"(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 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 Act is repealed and the following substituted therefor:—

Rules as to certificates of sale.

"(xi) If, on a sale being made to a person not 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 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 therefor:—

Grades of certificates of competency.

"(4) In the other grades certificates may be granted for the following classes:—

(a) Steamship;

(b) Cargo steamship;

(c) Tug;

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 substituted therefor:—

Requirements for certificates of service as masters and mates.

"**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 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:—

Requirements for certificates of service as masters of certain non-passenger steamships.

"**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 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 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;

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, 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:—

Load line ships.

"**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 subsections two or three of this section exempted from the provisions of this Part of this Act relating to load lines,

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 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.

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:—

Application of load line provisions.

423A. (1) Subject to the provisions of this section the provisions of sections four hundred and twenty-three to 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 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 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 and conditions of the voyages make it unreasonable or impracticable to apply the provisions of this section to ships so plying.

Proviso.

Proviso.

Regulations

(2) The Governor in Council may, in respect of ships employed in making such voyages on lakes or rivers, by 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 Canada and which are not marked with load lines.

Definitions.

(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:—

"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 twenty-three 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".

(*b*) "proceed to sea" where used in this Part of this Act, shall mean proceeding from one place to another place.

Local load line certificate to be issued.

(4) A local load line certificate in lieu of a Load Line Convention certificate provided for in subsection one of 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:—

Certain ships exempted.

476. (1) Subject to the provisions of subsection two of this section steamships in excess of five tons, gross 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.

If propelled by steam power.

(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 section.

9. Subsection four of section four hundred and seventy-six of the said Act is repealed and the following substituted therefor:—

If not propelled by steam power.

"(4) In respect of steamships not propelled by steam 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, 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."

8. 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 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 concerning 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 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 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 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*.

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

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.

AS PASSED BY THE HOUSE OF COMMONS, 23rd APRIL, 1936.

OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
15883 1936

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.

1920, c. 15; 1924, c. 59; 1925, c. 21; 1931, c. 43; 1932, c. 11; 1932-33, c. 17; 1934, c. 7; 1935, c. 7.

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.

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 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.

First Session, Eighteenth Parliament, 1 Edward VIII, 1936

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
15797 1936

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 and the following section substituted therefor:—

Infringement of copyright.

"**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:—

Performance without private profit.

"(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.

At agricultural exhibitions or fairs.

(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 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."

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 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 dramatico-musical or musical works in which copyright subsists, shall, 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 performance of such works in Canada.

Tariffs of fees, charges or royalties to be filed annually.

(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 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.

No action or proceeding to be commenced or continued if non-compliance.

(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 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.

"**10A.** (1) As soon as practicable after the receipt of the 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 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.

Objections to be lodged with the Minister.

Statements to be referred to the Board.

(2) As soon as practicable after the date fixed in said notice as aforesaid the Minister shall refer the statements and any objection received in response to the notice to a Board to be known as the "Copyright Appeal Board".

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 or musical works in which copyright subsists, 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 lawfully 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 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.

"**10B.** (1) The Copyright Appeal Board shall consist of three members, who shall be appointed by the Governor in Council.

Chairman and members.

(2) One of the members of the Copyright Appeal Board shall be a person who holds or has held high judical office 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.

Travelling and living expenses.

(3) No fees or emoluments of any kind shall be payable to, or received by, any member of the Board in connection 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.

Rules and provisions.

(4) Subject to the provisions of this Act, the Copyright 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 and the management of its internal affairs.

Aid in advisory capacity.

(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 remuneration and actual travelling and living expenses as may be approved by the Minister.

Board to consider statements and objections.

(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 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 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.

Board may make alterations.

(7) Upon the conclusion of its consideration, the Copyright Appeal Board shall make such alterations in the 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* and furnish the society, association or company concerned with a copy of them.

Fees, charges and royalties which may be collected.

(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, association 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.

Right of of action barred if approved fees, charges or royalties have been tendered or paid.

(9) No such society, association or company shall have any right of action or any right to enforce any civil or 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 approved as aforesaid.

Governor in Council may prescribe the fees, etc.

"**10c.** (1) The Governor in Council on the recommendation of the Minister is authorized to prescribe the fees, charges or royalties which any such society, association or company may lawfully sue for or collect in respect of the 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 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 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 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*.

Proviso.

Proviso.

Right of action barred when fees paid or tendered.

(2) 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 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 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 Act of 1936 shall continue to be effective until the Governor in Council has prescribed the fees, charges or royalties as aforesaid."

"**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 society, 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.

OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
17166 1936

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.

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

Sale of butter.

1. Paragraph *(a)* of subsection three of section six of the *Dairy Industry Act*, chapter forty-five of the Revised Statutes of Canada, 1927, is repealed and the following is substituted therefor:—

Character and weight.

"*(a)* any butter moulded or cut into prints, blocks, squares or pats, unless such prints, blocks, squares or pats are of the full net weight of one-quarter pound, one-half pound, one pound or multiples thereof, but nothing in this paragraph shall be held to apply to butter in rolls or lumps, of indiscriminate weight, manufactured by individual farmers and sold by 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 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."

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
17252 1936

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

THE HOUSE OF COMMONS OF CANADA.

BILL 57.

An Act to amend the Criminal Code.

R.S., c. 36; 1930, c. 11; 1931, c. 28; 1932, cc. 7, 8, 9, 28; 1932-33, cc. 25, 59; 1934, cc. 11, 47; 1935, cc. 36, 56.

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 after section two hundred and eighty-three the following section:—

Level crossing stop.

"**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 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.

Tramways and protected stops.

Provided, this section shall not apply in the case of 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 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:—

Driving while under influence of alcohol or narcotic.

"(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,"

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 thereto the following subsections:—

Racing and cutting in.

"(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 automobile or motor vehicle upon a street, road, highway 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 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.

Causing death in a culpably negligent manner.

"(7) Any person who, by the operation or use of any 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 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 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.

Person having caused death not to drive for two years.

"(8) Everyone is guilty of an indictable offence and 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 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:—

Trial of female person.

"**922A.** On the trial of any female person by a jury 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."

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:—

Charge of manslaughter arising out of operation of motor vehicle, criminal or culpable negligence proved.

"(3) Upon the charge of manslaughter arising out of 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 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:—

Jury to decide whether guilty or not guilty.

"**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 to the jury to decide the question of fact as to whether the accused is guilty or not guilty on the evidence adduced."

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.

OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
17504 1936

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 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 enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, that:—

Short title.

1. This Act may be cited as *The Appropriation Act, No. 3, 1936.*

$21,860,190.57 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 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 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 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.

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 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 of each of the several items to be voted set forth in Schedule A to this Act.

Additional interim vote of $315,683.33 granted for 1936-37 on certain items.

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 exceeding 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, 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.

Additional interim vote of $28,868.33 granted for 1936-37 on certain items.

5. 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 twenty-eight thousand, eight hundred and sixty-eight 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, 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.

Additional interim vote of $4,801,637.44 granted for $1936-37 on certain items.

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 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 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
		$ cts.	$ cts.
	INTERIOR		
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	110,000 00	
	Salaries, wages, arthitects' fees and travelling	40,712 00	
			150,712 00
	PUBLIC WORKS		
	PUBLIC BUILDINGS		
	Quebec		
379	Montreal—Public building addition and alterations	540,000 00	
	Ontario		
380	Hamilton—Public building	715,000 00	
	Saskatchewan		
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.

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.
	PUBLIC WORKS		
	PUBLIC BUILDINGS		
	Quebec		
379	Montreal—Postal Terminal Building	430,000 00	
	Ontario		
380	London—Public building	445,000 00	
	Ottawa—Postal Terminal Building	410,000 00	
	Ottawa—Justice Building	525,000 00	
			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 improvements)		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
		$ cts.	$ cts.
	NATIONAL DEFENCE		
344	Calgary, Alta.—Barracks for Permanent Force—Sewers.....	55,005 00	
345	Kingston, Ont.—Royal Military College—New Mess and Recreation Building—Equipment and fittings.....	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.

No. of Vote	Service	Amount	Total
		$ cts.	$ cts.
	INDIAN AFFAIRS		
316	To provide for completion of the Qu'Appelle Indian Hospital at Fort Qu'Appelle, Saskatchewan		30,000 00
	INTERIOR		
320	National Parks— Relief—Single homeless men		50,000 00
	NATIONAL DEFENCE		
	Calgary, Alta.—Barracks for Permanent Force—		
	Mess building No. 6	15,350 00	
	Grading Landing Field	18,670 00	
344	Administration building No. 1	35,712 00	
	Garage and forage barn	4,856 40	
	Electric underground distribution system	7,892 00	
	Married Officers' Quarters	4,640 00	
346	Montreal, P.Q.—Armoury for the 17th Duke of York's Royal Canadian Hussars	1,444 24	
348	Vancouver, B.C.—Armoury for Seaforth Highlanders	19,433 25	
354	Winnipeg—Fort Osborne Barracks—Erection of garage	15,500 00	
356	To provide for expenses in connection with the continuance of unemployment relief projects now organized and conducted for the relief of single homeless men	2,770,687 00	
			2,894,184 89
	NATIONAL HARBOURS BOARD		
371	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	26,500 00	
	Mahone Bay—Public building	2,000 00	
	New Brunswick		
378	Moncton—Public building	44,500 00	
	Quebec		
	Brownsburg—Public building	12,000 00	
379	Rouyn—Public building	10,000 00	
	Valois—Public building	5,000 00	

SCHEDULE D—*Continued*

No. of Vote	Service	Amount	Total
		$ cts.	$ cts.
	PUBLIC WORKS—*Continued*		
	PUBLIC BUILDINGS—*Concluded*		
	Ontario		
	Bradford—Public building	11,500 00	
	Cochrane—Public building	54,000 00	
	Fort William—Public building	4,000 00	
	Galt—Public building	40,000 00	
	Guelph—New public building	23,000 00	
	New Toronto—Public building	8,000 00	
380	Ottawa—Central Experimental Farm—Storage Building (Cereal Division)	1,500 00	
	Ottawa—Royal Canadian Mint	83,000 00	
	St. Catharines—Public building—Additions and alterations	13,000 00	
	Thorold—Public building	3,500 00	
	Toronto—New Postal Station "D"	29,000 00	
	Toronto—Customs Building	75,000 00	
	Trenton—Public building—Alterations and additions	4,000 00	
	Manitoba		
381	Winnipeg—New public building	255,000 00	
	Winnipeg—Post Office addition	20,000 00	
	British Columbia		
	Huntingdon—Building for Immigration and Customs purposes	4,500 00	
383	Pacific Highway—Building for Customs and Immigration purposes	29,000 00	
	Vernon—Public building—Alterations and improvements	3,500 00	
	HARBOURS AND RIVERS		
	Nova Scotia		
	Avonport—Repairs to roadway and wharf	2,500 00	
	Barrington Passage—Wharf repairs	600 00	
	Big Island (Merigamish)—Wharf	800 00	
	Boularderie Centre—Repairs to wharf and road approach	600 00	
	Brule—Wharf repairs	2,600 00	
	Burke's Head (North Ingonish)—Wharf repairs	7,000 00	
	Carr's Brook—Wharf repairs	4,500 00	
	Chester Ironbound—Breakwater	6,100 00	
	Church Point—Groynes	1,600 00	
	Five Islands—Wharf and vessel bed repairs	3,000 00	
	Flat Mud Island—Breakwater	2,300 00	
	Framboise—Breakwater	800 00	
	Iona—Wharf repairs	800 00	
384	Jordan Ferry—Breakwater	900 00	
	Little Harbour—Roadway with cribwork retaining wall	1,000 00	
	Long Pond—Dredging	1,000 00	
	Lower Jordan Bay—Hand dredging	700 00	
	Neil's Harbour—Breakwater repairs	7,500 00	
	North Ingonish, McLeod's Cove—Breakwater repairs	3,400 00	
	Port Hood—Closing northern entrance	2,200 00	
	Port Medway—Breakwater extension	2,000 00	
	Swim's Point—Wharf repairs	1,000 00	
	Trout Cove—Breakwater repairs	1,400 00	
	Wadden's Cove—Hoisting equipment	700 00	
	West Advocate—Breakwater improvements	3,000 00	
	Wreck Cove—Pier	1,700 00	
	Yarmouth Harbour—Sweeping, to complete	1,000 00	

SCHEDULE D—*Continued*

No. of Vote	Service	Amount	Total
		$ cts.	$ cts
	PUBLIC WORKS—*Continued*		
	HARBOURS AND RIVERS—*Concluded*		
	Prince Edward Island		
385	Annandale—Wharf repairs	2,500 00	
	Georgetown—Repairs to warehouse flooring	5,000 00	
	Lower Montague—Wharf repairs	600 00	
	Rocky Point—Breakwater repairs	4,300 00	
	Tignish—Beach protection	800 00	
	New Brunswick		
386	Indian Island—Wharf	2,700 00	
	St. Thomas (Cocagne Bar)—Bridge reconstruction	1,500 00	
	Quebec		
387	Anse St. Jean—Wharf repairs	7,600 00	
	Bonaventure—Wharf repairs	1,500 00	
	Bromptonville—Protection work repairs	1,400 00	
	Dundee—Dredging	7,400 00	
	Grand Ruisseau—Completion of approach	2,000 00	
	Ile du Pads—Wharf	800 00	
	Ste. Anne du Lac—Wharf	2,200 00	
	St. Romuald—Protection wall	3,700 00	
	Tobin—Wharf	12,000 00	
	Ontario		
388	Gananoque—Dredging, Clarence Street wharf	3,680 00	
	Hudson—Construction of scow for aeroplane landing	710 00	
	Keewatin—Wharf reconstruction	5,650 00	
	Michipicoten River—Wharf extension	2,000 00	
	Parry Sound (Two, Five and Seven Mile Narrows)—Dredging	12,800 00	
	Port McDiarmid—Breakwater	13,050 00	
	Rondeau—East Pier reconstruction	4,400 00	
	Tiffin (Midland)—Dredging	16,000 00	
	Manitoba		
389	Dredge *Winnipegosis*—Transferring machinery	800 00	
	Selkirk—Bridge over Red River	146,000 00	
	Wanipigow River—Operation and repairs to Dredge "202"	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	800 00	
	Courtenay River—Protection work replacement	5,700 00	
	Esquimalt Dry Dock—Completion of fill behind wharf	1,100 00	
	Gorge Harbour—Float and approach	2,500 00	
	Gowland Harbour—Float and approach	4,200 00	
	Kelowna—Breakwater	4,000 00	
	Kingcome Inlet—Float and freight shed	2,000 00	
	Okanagan Lake—Survey	1,000 00	
	Port Alberni Assembly Wharf—Improvements	5,300 00	
	Shalalth—Floating landing	5,200 00	
	Taku River—Improvements	1,000 00	
	Tachi River—Improvement of Grand and Austin Rapids	600 00	
			1,309,090 00

SCHEDULE D—*Concluded*

No. of Vote	Service	Amount	Total
		$ cts.	$ cts.
	LOANS AND INVESTMENTS		
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 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		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.

An Act to amend the Criminal Code (Trial of young persons.)

First reading, May 8, 1936.

Mr. CHURCH.

OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
17756 1936

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.)

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 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, immediately after section six hundred and forty-four, the following section:—

Trial of young persons.

"**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 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."

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
18508 1936

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.

His 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 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 substitgtutin he following therefor:—

"Officer".

"*(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 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:—

"*(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 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 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 are proposed which will have the effect of aiding officers in the prevention of smuggling by sea.

1. The present paragraph (*l*)reads as follows,—

"*(l)* '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;

(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 or of Canadian waters temporarily restricted, pursuant to the provisions of the preceding paragraph (iii).

"Canadian customs waters."

"*(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."

3. The said Act is amended by adding after section seven thereof and following the sub-title "Report and Entry Inwards", the following section:—

Master shall have manifest on board.

"**7A.** (1) The master of any vessel arriving in or found within Canadian waters or of any vessel registered in Canada 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 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,—

What manifest shall contain.

(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;

(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, 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 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;

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.

(e) an account of what surplus stores remain on board.

Exemption.

(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."

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 thirty-eight of the statutes of 1932-33, is repealed, and the following is substituted therefor:—

Application of section.

"**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 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.

Hovering vessel.

(2) Any vessel which has, in Canadian waters or, subject 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 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,

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 or indirectly, with the smuggling into Canada of dutiable or prohibited goods, or the breach of any laws or regulations in force in Canada.

May be boarded and brought into port.

(3) If any hovering vessel is found or observed in Canadian waters or, subject to the provisions of subsection 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;

Refusal to comply or answer questions.

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.

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 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 provided shall throw overboard, stave or destroy any part of the cargo, or any papers or documents relating to the vessel or cargo.

(6) 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 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 of which into Canada is prohibited are found on board, such vessel with her apparel, 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.

(4) Any vessel in Canadian waters or, subject to the provisions of subsection one of this section, in Canadian 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.

Otherwise may be fired into after signal of a gun.

(5) On any such 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.

Officer indemnified.

(6) 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.

No throwing overboard or destruction of cargo.

(7) 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. Any such action shall render the vessel and cargo subject to forfeiture.

Evidence of location.

(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.

Officer may board vessel and search and examine manifest and cargo.

(9) Any officer may at any time go on board any vessel at any place in Canadian waters or, subject to the provisions of subsection one of this section, in Canadian customs 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,

Seizure and forfeiture of vessel, stores and cargo.

(10) Any vessel which is a hovering vessel within the 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:

Exemptions.

(a) goods respecting which there has not been any 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 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 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.

(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 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.

Where powers may be exercised and provisions of subsections 4 to 11 apply.

(12) The powers conferred by subsection three of this 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 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 susbsequently enters a Canadian port.

Sec. 207 repealed.

5. Section two hundred and seven of the said Act is 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
18517 1936

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:—

Short title.

1. This Act may be cited as *The Water Carriage of Goods Act, 1936.*

Rules relating to bills of lading.

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 in Canada to any other port whether in or outside Canada.

Contract not to imply seaworthy ship.

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.

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.

Article VI of Rules.

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 the proviso to the second paragraph of the said Article were omitted.

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.

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, 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 shipment shall not be deemed to have been guaranteed by the shipper.

This Act not to affect sections 456, 457 and 649-658 of 1934; c. 44, or other Act limiting liability of owner of vessel.

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 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.

Date of application of Rules to contracts to be fixed by O. in C.

(2) The Rules shall not by virtue of this Act apply to any contract for the carriage of goods by water made before 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 as aforesaid.

Repeal.

8. The *Water Carriage of Goods Act*, chapter two hundred and seven of the Revised Statutes of Canada, 1927, is hereby repealed.

Coming into force.

9. This Act shall come into force on a date to be fixed 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.

8. 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:—

"Carrier." *(a)* "carrier" includes the owner or the charterer who enters into a contract of carriage with a shipper;

"Contract of carriage." *(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;

"Goods." *(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;

"Ship." *(d)* "ship" means any vessel used for the carriage of goods by water;

"Carriage of 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 wood-goods." 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 ship-owner'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.

8. 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;

(l) 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.

(l) *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[illegible]urse of trade, but only to other shipments where the [illegible] condition of the property to be carried or t[illegible] stances, terms and conditions under which the ca[illegible] be performed, are such as reasonably to justif[illegible] 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 speciall 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.

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.

OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
19355 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 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 enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, that:—

Short title.

1. This Act may be cited as *The Appropriation Act, No. 4, 1936.*

$16,931,242.58 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 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 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 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.

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 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 of each of the several items to be voted set forth in Schedule A to this Act.

Additional interim vote of $75,866.66 granted for 1936-37 on certain item.

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 exceeding 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 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 the item to be voted set forth in Schedule B to this Act.

Additional interim vote of $265,605.75 granted for 1936-37 on certain items.

5. 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 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 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.

Additional interim vote of $4,233.33 granted for 1936-37 on certain item.

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 thirty-three dollars and thirty-three cents towards defraying 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-third of the amount of the item to be voted set 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 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 this Act.

Account to be rendered in detail.

8. 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 $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 administration of Soldier Settlement staff, performing investigations 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 Betterments (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*

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, 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.	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	To provide for an investigation into the life history of the 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	
			213,300 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 explorers, topographers and others	.....	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.	.....	1,049,600 00

SCHEDULE A—*Continued*

No. of Vote	Service	Amount	Total
		$ cts.	$ cts.
	EXTERNAL AFFAIRS		
	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 anything to the contrary in the Civil Service Act, or any of its amendments.....	77,000 00	
	TOKYO		
186	Representation, including salaries and allowances for Minister Plenipotentiary, Secretaries and staff, notwithstanding anything 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
		$ cts.	$ cts.
	MISCELLANEOUS		
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		
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.

No. of Vote	Service	Amount	Total
		$ cts.	$ cts.
	LEGISLATION		
	SENATE		
34	Salaries and contingent expenses	184,309 75	
	HOUSE OF COMMONS		
35	Salaries	130,816 25	
	Expenses of committees, etc	15,000 00	
	Clerical assistance, etc	124,146 87	
	Contingencies	47,409 00	
	Publishing debates, including salaries of amanuenses, etc	63,000 00	
	Estimates of the Sergeant-at-Arms	206,091 13	
			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		
	(Chargeable to Capital)		
	MARINE DEPARTMENT		
128	To provide for the investigation of water levels in the St. Lawrence 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
		$ cts.	$ cts.
	PUBLIC WORKS		
	(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. of Vote	Service	Amount	Total
		$ cts.	$ cts.
	PUBLIC WORKS		
	(Chargeable to Income)		
	PUBLIC BUILDINGS		
	Ontario		
91	Belleville—New Gun Shed	1,500 00	
	London—Royal School Building	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

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.

OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
19352 1936

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 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 enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, that:—

Short title.

1. This Act may be cited as *The Appropriation Act, No. 5, 1936.*

$10,930,095.28 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 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 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 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 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 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.

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.

No. of Vote	Service	Amount	Total
		$ cts.	$ cts.
	MINES		
342	To continue geological surveys and investigations in the Northwest Territories and elsewhere in Canada, uncompleted in 1935		200,000 00
	Total		*200,000 00

*Net Total $33,333.33.

First Session, Eighteenth Parliament, 1 Edward VIII, 1936

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
18155 1936

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

THE HOUSE OF COMMONS OF CANADA.

BILL 71.

An Act to amend the Customs Tariff.

R.S., c. 44, 1928, c. 17; 1929, c. 39; 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.

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, as enacted by chapter thirty of the statutes of 1931, is repealed and the following substituted therefor:—

Under-valuation.

"**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 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

R.S. c. 42.

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 forty-one of the *Customs Act*, or is less than the fair market value thereof as fixed under the provisions of section forty-three of the *Customs Act*, there shall, in addition to the duties otherwise established, be levied, collected and paid on such

Special or dumping duty.

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 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.

Exemptions from dumping duty.

Provided that when it is established that any articles though of a class or kind made or produced in Canada are 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.

Not to exceed 50% *ad val.* exemptions.

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 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:

Articles of class or kind made in Canada.

"(10) For the purposes of this Act articles shall not be 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 consumption and may in such Order fix such percentage."

French version corrected.

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 substituting thereof the word "crosses".

Schedule A.

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 (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 twenty-eight of the statutes of 1935, is further amended by striking 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 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, 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 opposite each of the said items, and by inserting the following items, enumerations and rates of duty in said Schedule A:—

Tariff Item	—	British Preferential Tariff	Intermediate Tariff	General Tariff
9c	Horse meat, tripe and other animal offal, ground or unground, unfit for human consumption; 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.....	Free	Free	Free
9d	Baby chicks, n.o.p.....each	Free	4 cts.	5 cts.
16	Eggs in the shell.....per dozen.	2 cts.	5 cts.	10 cts.
	Provided that, if any foreign country imposes 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.			
28	Coffee, green, imported direct from the country of growth and production, or purchased in bond in the United Kingdom...per pound	Free	3 cts.	5 cts.
	Provided, that coffee, green, shall be entitled to entry under the British Preferential Tariff upon evidence satisfactory to the Minister that such coffee has been produced wholly in the British dominions, colonies or possessions, and not otherwise.			
28a	Tea, imported direct from the country of growth and production, or purchased in bond in the United Kingdom or in any British possession.....per pound	4 cts.	8 cts.	8 cts.
	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 the British dominions, colonies or possessions, and not otherwise.			
28b	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.....	Free	.....	.....
	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, and not otherwise.			
29	Coffee, green, n.o.p.....per pound	2¼ cts.	3 cts.	5 cts.
	and	7½ p.c.	10 p.c.	10 p.c.
35	Hops.....per pound	6 cts.	10 cts.	16 cts.
79b	Flowers and foliage, natural, cut, whether in designs or bouquets or not, n.o.p.....	Free	Free	40 p.c.
	Provided that, if any foreign country imposes 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.			
83	Potatoes, as hereunder defined:—			
	(a) In their natural state..... .....per one hundred pounds	Free	Free	75 cts.
	Provided that, if any foreign country imposes 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.			

Tariff Item	—	British Preferential Tariff	Intermediate Tariff	General Tariff
99c	Raisins and dried currants.....per 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:—			
	(*a*) Of the type commonly known as Turkish:—			
	(i) Unstemmed.....per pound	20 cts.	40 cts.	40 cts.
	(ii) Stemmed.....per pound	30 cts.	60 cts.	60 cts.
	(*b*) N.O.P.:—			
	(i) Unstemmed.....per pound	40 cts.	40 cts.	40 cts.
	(ii) Stemmed.....per pound	60 cts.	60 cts.	60 cts.
	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.			
147	(*a*) Ale and beer, when imported in bottles .....per gallon	30 cts.	50 cts.	50 cts.
	(*b*) Porter and stout, when imported in bottles.....per gallon	15 cts.	50 cts.	50 cts.
	Provided, that six quart bottles or twelve pint bottles shall be held to contain one gallon.			
163a	Prune wine, not sparkling, when containing not more than thirty-eight per centum of proof spirit.....per gallon	25 cts.	.....	.....
	Provided, that six quart bottles or twelve pint bottles be held to contain a gallon for duty purposes under this item.			
168	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.....per pound	.....	5 cts.	10 cts.
	and	25 p.c.	30 p.c.	35 p.c.
173	Books for the instruction of the deaf or dumb.	Free	Free	Free
178	Advertising and printed matter, viz.:—Advertising 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, chromotypes, 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, including advertising bills, folders and posters, or other similar artistic work, lithographed, printed or stamped on paper or cardboard for business or advertisement purposes, n.o.p.....per pound	5 cts.	12½ cts.	15 cts.
	Provided, that on importations under the Intermediate or the General Tariff, the rate of duty shall be not less than.....	.....	27½ p.c.	35 p.c.
180a	Photographs for use only as news illustrations, under regulations by the Minister.....	Free	Free	Free
180d	Photographs, paintings, pastels, drawings and other art work and illustrations of all kinds, n.o.p., whether originals, copies or proofs, for reproduction in periodical publications enjoying second-class mailing privileges.....	Free	10 p.c.	25 p.c.
	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.			

Tariff Item	—	British Preferential Tariff	Intermediate 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 publications entered for mailing purposes as second-class matter	Free	Free	Free
197d	Tissue paper made from mulberry pulp, not coated nor impregnated, when imported by manufacturers of stencils for duplicating machines for use exclusively in the manufacture of such stencils in their own factories.	Free	10 p.c.	25 p.c.
199b	Containers wholly or partially manufactured from fibreboard or paperboard....per pound	1 ct.	1¼ cts.	1½ cts.
	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 manufactures of regenerated cellulose or of cellulose acetate, n.o.p.	20 p.c.	30 p.c.	35 p.c.
206	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 of; quinine, salts of; cochineal; ferment cultures to be used in butter-making	Free	Free	Free
206a	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 products, animal or vegetable, n.o.p., for parenteral administration in the diagnosis or treatment of diseases of animals or poultry, when imported under permit of the veterinary director general	Free	Free	Free
208h	Ethylene glycol, when imported by manufacturers of anti-freezing compounds, to be used exclusively in the manufacture of anti-freezing compounds in their own factories..			
	.....until September 1, 1936	Free	Free	Free
	Thereafter	Free	15 p.c.	15 p.c.
208i	Animal glands and animal glandular organs, and extracts thereof, wet or dry, (whether alcoholic or not), when imported by manufacturers of pharmaceutical or medicinal preparations for use exclusively in the manufacture of such preparations in their own factories	Free	Free	Free
219d	Sulphuric ether; chloroform, n.o.p.; preparations 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	Free
224	Sealing wax	15 p.c.	22½ p.c.	25 p.c.
259	Lard oil and neat's foot oil	15 p.c.	22½ p.c.	25 p.c.
259a	Sesame seed oil, crude	Free	22½ p.c.	25 p.c.
259b	Rapeseed oil, crude or refined	Free	Free	Free
267	Crude petroleum not subjected to any other process than natural weathering and removal of foreign matter and water, when imported by oil refiners to be refined in their own factories:—			
	(i) ·8155 specific gravity (42·0 A.P.I.) or heavier at 60 degrees Fahrenheit	Free	Free	Free
	(ii) Lighter than ·8155 specific gravity (42·0 A.P.I.) at 60 degrees Fahrenheit			
	.....per gallon	½ ct.	½ ct.	1 ct.
267a	Crude petroleum, n.o.p.....per gallon	⅓ ct.	½ ct.	1 ct.

Tariff Item	—	British Preferential Tariff	Intermediate Tariff	General Tariff
267b	Petroleum tops; blends of petroleum tops or petroleum products with crude petroleum: all the foregoing ·7249 specific gravity (63·7 A.P.I.) or heavier, at 60 degrees Fahrenheit, when imported by oil refiners to be refined in their own factories.....per gallon	Free	1 ct.	2 cts.
268	Natural casinghead, compression or absorption gasoline, lighter than ·6690 specific gravity (80·0 A.P.I.) at 60 degrees Fahrenheit, when imported by refiners of crude petroleum for blending with gasoline wholly produced in Canada.....	Free	Free	Free
269	Products of petroleum, n.o.p.—			
	(i) Lighter than ·8236 specific gravity (40·3 A.P.I.) at 60 degrees Fahrenheit..per gallon	¾ ct.	1 ct.	2 cts.
	(ii) ·8236 specific gravity (40·3 A.P.I.) or heavier at 60 degrees Fahrenheit..per gallon	⅓ ct.	½ ct.	1 ct.
269a	Petroleum oil known as engine distillate ·8017 specific gravity (45·0 A.P.I.) or heavier at 60 degrees Fahrenheit.....per gallon	⅓ ct.	½ ct.	1 ct.
270	Oil when imported by miners or mining companies or concerns to be used in the concentration of ores of metal in their own concentrating establishments, under regulations prescribed by the Minister.....	Free	Free	Free
271	Lubricating oils composed wholly or in part of petroleum:—			
	(a) valued at less than 25 cents per gallon.....per gallon	1½ cts.	2¼ cts.	2½ cts.
	(b) n.o.p.....	12½ p.c.	17½ p.c.	20 p.c.
272	Refined petroleum jellies and oils, for toilet, medicinal, edible, or similar purposes.....	15 p.c.	22½ p.c.	25 p.c.
272a	Petroleum greases and lubricating greases, n.o.p.....	12½ p.c.	17½ p.c.	20 p.c.
272b	Paraffin wax.....	15 p.c.	22½ p.c.	25 p.c.
273	Asphalt or asphaltum, solid or not.....	Free	10 p.c.	10 p.c.
273a	Asphaltum oil for use only for paving purposes	Free	Free	Free
274	Petroleum coke.....	Free	Free	Free
275	Liquefied petroleum gases for heating, cooking or illuminating purposes, when imported in containers.....	10 p.c.	15 p.c.	25 p.c.
284	Drain pipes, sewer pipes and earthenware fittings therefor, chimney linings or vents, chimney tops and inverted blocks, glazed or unglazed, n.o.p.; earthenware tiles, n.o.p....	25 p.c.	32½ p.c.	35 p.c.
286	Earthenware and stoneware, viz.:—demijohns, churns or crocks, n.o.p.....	25 p.c.	30 p.c.	35 p.c.
288	Earthenware and stoneware, brown or coloured and Rockingham ware, n.o.p.; "C.C." or cream-coloured ware, decorated, printed or sponged, n.o.p.; and all earthenware, n.o.p.....	25 p.c.	35 p.c.	35 p.c.
288a	Chemical stoneware composed of a non-absorbent vitrified body specially compounded to resist acids or other corrosive reagents.....	Free	35 p.c.	35 p.c.
288b	Hand forms of porcelain, when imported by manufacturers for use exclusively in the manufacture of rubber gloves in their own factories.....	Free	35 p.c.	35 p.c.
311a	Blackboards, solid, of slate or of paper composition.....	Free	10 p.c.	25 p.c.
312a	Asbestos in any form other than crude, and all manufactures thereof, when made from crude asbestos of Empire origin, n.o.p.....	Free	22½ p.c.	25 p.c.
323	Silvered glass, bevelled or not and framed or not, n.o.p.....	22½ p.c.	30 p.c.	35 p.c.
326a	Manufactures of glass, n.o.p.....	15 p.c.	20 p.c.	22½ p.c.

Tariff Item	—	British Preferential Tariff	Intermediate 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 silverware to be used in receptacles made of or electro-plated with precious metals, in their own factories	Free	10 p.c.	22½ p.c.
326f	Hollow shapes of glass, moulded, when imported to be used by manufacturers of electric light fixtures in the production of such fixtures in their own factories	Free	15 p.c.	32½ p.c.
326g	High thermal shock resisting glassware	Free	25 p.c.	32½ p.c.
326h	Fresnel or dioptric lenses, sections and globes	Free	Free	30 p.c.
346a	Zinc slugs or discs, when imported by manufacturers of electric storage batteries, for use exclusively in the manufacture of seamless cups or shells for such batteries, in their own factories	Free	10 p.c.	25 p.c.
362	Articles consisting wholly or in part of sterling or other silverware, n.o.p.; manufactures of gold or silver, n.o.p	30 p.c.	37½ p.c.	45 p.c.
362c	Nickel-plated ware, gilt or electro-plated ware, n.o.p	17½ p.c.	33⅓ p.c.	45 p.c.
392b	Forgings of steel, rough machined and fitted or not, and handles of steel or of metal alloy in the rough, when imported by manufacturers of surgical and dental instruments for use in the manufacture of such instruments in their own factories	Free	27½ p.c.	30 p.c.
398a	Pipes and tubes of iron or steel, seamless, cold drawn, plain ends, polished, valued at not less than five cents per pound	Free	20 p.c.	30 p.c.
400	Fittings and couplings of iron or steel, of every description, for iron or steel pipes and tubes; complete parts thereof	20 p.c.	27½ p.c.	30 p.c.
404	(b) For the running gear of other vehicles, n.o.p	22½ p.c.	30 p.c.	35 p.c.
409b	Cultivators, harrows, seed-drills, horse-rakes, horse-hoes, scufflers, manure spreaders, garden seeders, weeders, and complete parts of all the foregoing	Free	7½ p.c.	25 p.c.
409c	Ploughs; farm, field, lawn or garden rollers; soil packers; complete parts of all the foregoing	Free	7½ p.c.	25 p.c.
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	Free	7½ p.c.	25 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 foregoing	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 aluminum parts	Free	5 p.c.	10 p.c.
	(iii) Complete parts of aluminum for egg-graders	Free	15 p.c.	30 p.c.
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			

Tariff Item	—	British Preferential Tariff	Intermediate Tariff	General Tariff
	other agricultural implements or agricultural machinery, n.o.p., and complete parts of all the foregoing	Free	7½ p.c.	25 p.c.
409g	Incubators for hatching eggs, brooders for rearing young fowl, and complete parts of all the foregoing	Free	7½ p.c.	25 p.c.
409h	Hay presses and complete parts thereof	Free	7½ p.c.	25 p.c.
409i	Scythes, sickles or reaping hooks, hay or straw knives, edging knives, hoes, pronged forks, rakes, n.o.p.	Free	7½ p.c.	25 p.c.
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	Free	7½ p.c.	25 p.c.
409k	Windmills and complete parts thereof, not including shafting	Free	7½ p.c.	25 p.c.
409l	Traction ditching machines (not being ploughs) and complete parts thereof	Free	Free	Free
409m	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	Free	Free
409n	Portable engines with boilers, in combination, for farm purposes; horse powers; complete parts of all the foregoing	Free	15 p.c.	25 p.c.
410d	Well-drilling machinery and apparatus, and complete parts thereof, of a class or kind not made in Canada, and seamless iron or steel tubing over eight inches in diameter, for use exclusively for drilling for water, natural gas and oil, and in prospecting for minerals, but not to include motive power; well packers and complete parts thereof, for oil and gas wells	Free	Free	Free
410i	(ii) Combustible gas indicators, for detecting explosive gases or vapors; methane detectors; carbon monoxide detectors and continuous 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 monoxide poisoning; pocket gas respirators, dust respirators, paint and lacquer spray respirators, 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, foundrymen and other industrial workers employed 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 conveyors for use with newspaper printing presses	Free	Free	Free
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			

Tariff Item	—	British Preferential Tariff	Intermediate Tariff	General Tariff
	and apparatus, including photo-engraving apparatus, and other plate-making apparatus, used in the manufacture of printing plates of all kinds; machines and apparatus for graining metal plates; machines and apparatus for sensitizing, grinding or polishing metal plates; machines and apparatus including cameras and camera equipment, lens, prisms, camera and printing lamps, screens, and vacuum frames for transferring by photographic processes, or direct, to plates or rolls for use in lithography, rotogravure and printing; shading apparatus; machines and apparatus for addressing and/or wrapping newspapers, magazines, periodicals, pamphlets and catalogues; machines and apparatus for embossing or stamping or producing embossed or engraved effects, book-binding, looping, stitching, sewing, gathering, inserting, bronzing, dusting, creasing, scoring, cutting, perforating, drilling, punching, slitting, re-winding, glueing, pasting, gumming, waxing, varnishing, carbon coating, patching, numbering, ruling, jogging, sheet piling, tying, bundling, tube-making, metal mounting, eye-letting, staying or stripping, reinforcing and box-covering; complete parts, not to include saws, knives and motive power; all the foregoing when for use exclusively by, and in their capacities as printers, lithographers, book-binders, manufacturers of stereotypes, electrotypes and printing plates or rolls, paper converters, or by manufacturers of 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 asphalt road finishing machines; form graders; sub-graders; combination cable-controlled excavating and transporting scraper units; back-filling machines and equipment, mounted on self-propelling wheels or crawling traction, semi- or full-revolving boom and scraper type; steam or air driven pile hammers or extractors; well-points; truck turntables; all the foregoing of a class or kind not made in Canada, and complete parts thereof.....	Free	10 p.c.	12½ p.c.
424	Fire engines and other fire extinguishing machines and chassis for same; complete parts 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 thereof.....	10 p.c.	27½ p.c.	35 p.c.
427a	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 foregoing.....	Free	27½ p.c.	35 p.c.
427e	Automatic machines for making and packaging cigarettes, not to include tobacco-preparing machines.....	Free	27½ p.c.	35 p.c.
427f	Machines for the manufacture of veneers and ply-woods, viz.:—veneer clippers, veneer clipper knife jointers, veneer glue spreaders, veneer jointers, veneer lathes and veneer taping machines.....	Free	10 p.c.	35 p.c.
427g	Power-driven centrifugal oil purifiers or extractors, 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.

Tariff Item	—	British Preferential Tariff	Intermediate 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	Free	7½ p.c.	10 p.c.
	(g) Razor blades; razors and complete parts thereof	Free	30 p.c.	30 p.c.
430	Nuts and bolts with or without threads, washers, rivets, of iron or steel, coated or not, n.o.p.; nut and bolt blanks, of iron or steel.. ..per one hundred pounds..	50 cts.	50 cts.	75 cts.
	and	10 p.c.	20 p.c.	25 p.c.
430a	Hinges and butts, of iron or steel, coated or not, n.o.p.; hinge and butt blanks, of iron or steel.....per one hundred pounds	75 cts.	75 cts.	75 cts.
	and	10 p.c.	27½ p.c.	30 p.c.
431c	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 clamps and other clamps and vises used by toolmakers for precision work, precision tools and measuring instruments, n.o.p.....	Free	10 p.c.	15 p.c.
431d	Engineers', surveyors' and draftsmen's precision instruments and apparatus, viz.:alidades; altazimuth surveying instruments; aneroid barometers, engineering, military and surveying; angle prisms; boards, military sketching; box sextants; clinometers; compasses; cross staff heads; curves, adjustable, irregular, railroad and ship; curvimeters; drafting instruments of all kinds, including fitted cases containing the same; dipping needles; drafting machines; heliographs; integrators; levels, tripod and hand or pocket types; levelling rods; liners, section; meters, portable for hydraulic engineering; pantographs; planimeters; protractors; parallel rulers; parallel ruling attachments; poles, ranging; pedometers and paceometers; plane tables, military and topographic; scales, flat and triangular; slide rules; splines; straight edges, steel and wooden; tacheometers; 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	Free	10 p.c.	15 p.c.
431e	Measuring rules and tapes of all kinds.....	15 p.c.	25 p.c.	30 p.c.
435	Locomotives and motor cars for railways, of a class or kind not made in Canada, and complete parts thereof, for use exclusively in mining or metallurgical operations.....	Free	15 p.c.	20 p.c.
438a	Automobiles and motor vehicles of all kinds, n.o.p.; chassis for the foregoing; chassis for electric trackless trolley buses..... Provided that machines or other articles mounted on the foregoing or attached thereto for purposes other than for loading or unloading the vehicle shall be valued separately and duty assessed under the tariff items regularly applicable thereto.	Free	17½ p.c.	27½ p.c.
438b	Bearings, clutch release; bearings, graphite; bearings, steel backed non-ferrous; bushings, graphited or oil impregnated; ceramic insulator spark plug cores, not further manufactured than burned and glazed, printed or decorated or not, without fittings; commutator copper segments; commutator insul-			

Tariff Item	—	British Preferential Tariff	Intermediate 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 assemblies 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 manufacture of parts thereof, or for the replacement or repair of automobiles, motor vehicles or chassis enumerated in tariff items 438a and 424.....	Free	Free	30 p.c.
438c	Ammeters; arm rests and wheel housing lining of indurated fibre, pressed to shape; axle housings, one piece welded, machined or not; carburetors and parts thereof; chassis frames; cigar and cigarette lighters, including 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 bezel assemblies and parts thereof; instrument board lamps; locks, electric ignition, steering gear, transmission, 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 decorative moulding; radiator ornaments, unplated; radiator shutter assemblies, automatic; radiator water gauges; radiator shells, not plated, nor metal finished in any degree; shackles, bearing spring and parts thereof; speedometers and parts thereof; spring covers of metal and closing strips or shapes therefor; stampings, body, cowl, hood, fender and instrument board, of metal, in the rough, trimmed or not, but not metal finished in any degree; starter switch assembly 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 enumerated 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 tariff items 438a and 424.....	Free	20 p.c.	30 p.c.

Tariff Item	—	British Preferential Tariff	Intermediate Tariff	General Tariff
	(1) Provided, that if the above articles 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 does not exceed ten thousand complete 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 this item shall be.....	Free	Free	25 p.c.
	(2) Provided, that if the above articles 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 automobiles, motor vehicles or chassis, not to include duties and taxes, is incurred in the British Empire, the rates of duty under this item shall be.....	Free	Free	25 p.c.
	Provided that from and after March 31st, 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.			
438d	Front and rear axles; brakes; clutches; internal 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 vehicles or chassis enumerated in tariff items 438a and 424 for use only in the manufacture of motor trucks or motor truck chassis....	Free	17½ p.c.	27½ p.c.
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 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.	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, n.o.p.....	Free	25 p.c.	35 p.c.
	(3) Parts, n.o.p., not electro-plated, whether finished or not.....	Free	30 p.c.	40 p.c.

Tariff Item	—	British Preferential Tariff	Intermediate Tariff	General Tariff
438f	Hot rolled strip of iron or steel with rolled or mill edge, not being of greater value than 2⅝ 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 manufacture of such automobiles, motor vehicles or chassis, or parts thereof, in their own factories.....per ton	Free	$4.00	$8.00
438h	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 prescribed by the Minister.....	Free	Free	Free
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.....	5 p.c.	6 p.c.	6 p.c.
	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.			
445a	Electric head, side and tail lights, n.o.p.; electric torches or flashlights and complete parts therefor.....	20 p.c.	30 p.c.	30 p.c.
445f	Electric dynamos or generators and transformers, and complete parts thereof, n.o.p..	25 p.c.	33⅓ p.c.	37½ p.c.
445g	Electric motors, and complete parts thereof, n.o.p.....	25 p.c.	33⅓ p.c.	37½ p.c.
445k	Electric apparatus and complete parts thereof, n.o.p.....	15 p.c.	25 p.c.	30 p.c.
445m	Flame proof electric switch gear, for use underground 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.; speedometers, 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 commercial photo-finishers in their own business, as follows:—			
	Cameras for professional purposes, for making negatives 4¾ inches by 6½ 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 carriages, reducing backs, reversible adapter backs, lantern slide attachments, film sheaths, combination paper and plate holders, kits, carrying cases, camera stands,			

Tariff Item	—	British Preferential Tariff	Intermediate Tariff	General Tariff
	camera tripods, camera tripod tops, vignetters, diffusion disks, diffusion disk holders, colour filters, colour filter holders, polarizing screens, polarizing screen holders and backgrounds. Printers, enlargers, heaters, dryers, mounting presses, print washers, automatic film processers, printing frames and tanks for developing, fixing and washing	Free	Free	Free
463	Magic lanterns and slides therefor, n.o.p.	Free	20 p.c.	25 p.c.
473	Plates for printing in two or more colours, including electrotypes, nickeltypes and all engravings on steel or other metal, for use exclusively in printing, n.o.p.	Free	15 p.c.	20 p.c.
473a	Printing plates of all kinds for periodical publications enjoying second-class mailing privileges, the pages of which are regularly bound, wire-stitched or otherwise fastened together, and matrices, metal bases and copper shells therefor, but not to include printing plates and other articles covered by tariff item 475	Free	7½ p.c.	25 p.c.
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	Free	Free	Free
494b	Cork blocks, boards, planks, slabs, rods or tubes, produced from cork waste or from granulated or ground cork, when for use in Canadian manufactures	Free	Free	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, n.o.p.	17½ p.c.	22½ p.c.	25 p.c.
505a	Hardwood flooring, tongued and/or grooved, or jointed, viz.:—beech, birch, maple and oak	17½ p.c.	22½ p.c.	25 p.c.
522	Rovings, yarns and warps wholly of cotton, not more advanced than singles, n.o.p.	12½ p.c.	15 p.c.	22½ p.c.
	and, per pound	.....	3½ cts.	4 cts.
522c	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, generally known as tinsel thread	15 p.c.	22½ p.c.	25 p.c.
	and, per pound	.....	3½ cts.	4 cts.
523	Woven fabrics, wholly of cotton, not bleached, mercerized nor coloured, n.o.p., and seamless cotton bags	15 p.c.	20 p.c.	25 p.c.
	and, per pound	.....	3½ cts.	4 cts.
523a	Woven fabrics, wholly of cotton, bleached or mercerized, not coloured, n.o.p.	20 p.c.	22½ p.c.	27½ p.c.
	and, per pound	.....	3½ cts.	4 cts.
523b	Woven fabrics, wholly of cotton, printed, dyed or coloured, n.o.p.	22½ p.c.	27½ p.c.	32½ p.c.
	and, per pound	.....	3½ cts.	4 cts.
529	Embroideries, lace, nets, nettings, bobinet, n.o.p., fringes and tassels, wholly of cotton.	20 p.c.	27½ p.c.	30 p.c.
	and, per pound	.....	3½ cts.	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	7½ p.c.	12½ p.c.	20 p.c.

Tariff Item	—	British Preferential Tariff	Intermediate Tariff	General Tariff
532	Clothing, wearing apparel and articles made from woven fabrics, and all textile manufactures, wholly or partially manufactured, composed wholly of cotton, n.o.p.; fabrics wholly of cotton, coated or impregnated, n.o.p.	25 p.c.	30 p.c.	35 p.c.
	and, per pound	.....	1½ cts.	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 regulations as the Minister may prescribe:			
	(a) Produced from cellulose acetate	5 p.c.	30 p.c.	35 p.c.
	Provided that, in no case, shall the duty under the Intermediate or the General Tariff be less than.....per pound	.....	28 cts.	28 cts.
	(b) N.o.p.	20 p.c.	30 p.c.	35 p.c.
	Provided that, in no case, shall the duty under the Intermediate or the General Tariff be less than.....per pound	.....	28 cts.	28 cts.
558d	Rovings, yarns and warps wholly or in part of artificial silk or similar synthetic fibres produced by chemical processes, n.o.p., including threads, cords or twist for sewing, embroidering 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	7½ p.c.	30 p.c.	35 p.c.
	Provided that, in no case, shall the duty under the Intermediate or the General Tariff be less than.....per pound	.....	28 cts.	28 cts.
	(b) N.o.p.	25 p.c.	30 p.c.	35 p.c.
	Provided that, in no case, shall the duty under the Intermediate or the General Tariff be less than.....per pound	.....	28 cts.	28 cts.
561	Woven fabrics wholly or in part of artificial silk or similar synthetic fibres produced by chemical processes, not to contain wool, not including fabrics in chief part by weight of silk, n.o.p.	30 p.c.	40 p.c.	45 p.c
	and, per pound	.....	40 cts.	40 cts.
564a	Irish poplin, composed wholly of silk and wool, 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 manufacturers of neckties, scarves or mufflers for use exclusively in the manufacture of such articles in their own factories	20 p.c.	.....	.....
567a½	Clothing, wearing apparel and articles, made from woven fabrics and all textile manufactures, wholly or partially manufactured, 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.	50 p.c.
	and, per ounce	.....	5 cts.	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 made in Canada	Free	Free	Free

Tariff Item	—	British Preferential Tariff	Intermediate 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 less than .....per dozen	10 p.c.	15 p.c.	15 p.c. 72 cts.
607 Part 2	Leather, consisting of beef-cattle hides, horse-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 manufacturing gloves or leather clothing in their own factories.....	5 p.c.	15 p.c.	20 p.c.
618a	Comb blanks of hard rubber, not further manufactured than pressed and vulcanized, when imported by manufacturers of hard rubber combs for use exclusively in the manufacture of such hard rubber combs in their own factories.....	Free	7½ p.c.	10 p.c.
657	Mouthpieces of hard rubber in the rough, aluminum pipe fitments, pipe bowls moulded from briarwood dust, and briarwood bowls not further processed than frazed, when imported by manufacturers of tobacco pipes for use exclusively in the manufacture of such pipes in their own factories.....	Free	15 p.c.	25 p.c.
657a	Cinematograph or moving picture films, positives, one and one-eighth of an inch in width and over, n.o.p.....per linear foot	1½ cts.	3 cts.	3 cts.
663c	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 feeds or fertilizers in their own factories....	Free	Free	Free
663d	Soya bean oil meal and soya bean flour, when imported by manufactures of glues or adhesives for use exclusively in the manufacture of such glues or adhesives, in their own factories.....	Free	Free	Free
663e	Sea-weeds or sea-plants, charred, whether powdered or not, for use exclusively in the feeding of animals.....	Free	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.	22½ p.c.	25 p.c.
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.....	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 Educational Character; subject to such regulations as the Minister may prescribe.....	Free	Free	Free
698	All articles specially designed for the use of the blind, whether for educational, recreational, 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 blind.....	Free	Free	Free

Tariff Item	—	British Preferential Tariff	Intermediate Tariff	General Tariff
703	(a) Travellers' baggage, under regulations prescribed by the Minister.....	Free	Free	Free
	(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.....	Free	Free	Free
	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.			
802	Materials and parts as hereunder specified, when imported by manufacturers of umbrellas, parasols, sunshades, walking sticks or canes, under such regulations as the Minister may prescribe, for use in the manufacture of such articles in their own factories:—			
	(a) Mounts, sticks, rods, ribs, runners, rings, caps, notches, tips, ferrules and assembled frames.....	Free	5 p.c.	20 p.c.
	(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 or without natural selvedges.....	Free	10 p.c.	20 p.c.
805	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 manufacture of such glass in their own factories.....	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 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	Rhinestones, settings for rhinestones, metal spots and beads.	When imported by manufacturers of dress trimmings and used exclusively in their own factories in the manufacture of dresses and dress trimmings..	99 p.c.
1017	Lapwelded tubing of iron or steel, not less than four inches in diameter, threaded and coupled or not; iron or steel couplings therefor and complete parts of such couplings.	When used in casing water, oil and natural gas wells, or for the transmission of natural gas under high pressure from gas wells to points of distribution.....	50 p.c.
1018	Seamless iron or steel tubing over four inches in diameter; iron or steel couplings therefor and complete parts of such couplings.	When used in the transmission of natural gas under high pressure from the gas wells to points of distribution....	50 p.c.
1025	Hot rolled hexagon bars of Bessemer 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.....	When used exclusively in the manufacture of articles enumerated in Tariff Item 236.....	50 p.c.
	(b) Woven fabrics, wholly of cotton, not bleached, mercerized nor coloured, weighing not more than seven and one-half pounds per one hundred square yards.	When imported under the British Preferential Tariff and used exclusively in the manufacture of articles enumerated in Tariff item 236.....	99 p.c.
1052	Machinery, new or used, of a class or kind not made in Canada.	When imported by manufacturers of automobiles and motor vehicles or of automobile and motor vehicle parts to be used in the production of such automobiles and motor vehicles or automobile and motor vehicle parts.	99 p.c.
1060	Paper of all kinds.....	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, wire-stitched or otherwise fastened together.....	50 p.c.

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 resale; *(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 force.

8. 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 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
19753 1936

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.

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 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:—

Company rate of tax.

"C. Rate of tax applicable to corporations and joint stock companies, except as hereinafter provided:

On the income of the company

fifteen per centum.

Rate on consolidated corporation incomes.

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:

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 paragraph:—

Rate on "Non-resident-Owned Investment Corporations".

"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

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 paragraph:—

EXPLANATORY NOTES.

1. (C) The Corporate rate of tax is increased from 13½ 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 Corporation".

"*(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 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 conforming 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, 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."

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 by section one of chapter twenty-four of the statutes of 1930, are repealed and the following substituted therefor:—

Business and assets situate abroad.

"*(k)* The income of incorporated companies (except personal corporations)

(i) whose business operations are of an industrial, 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 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

(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 (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 any register outside of Canada.

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, 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 filing fee.

Dividends received by one corporation from another.

"*(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."

5. Paragraph *(g)* of subsection one of section five of the said Act is repealed and the following substituted therefor:—

Deductions for superannuation or pension fund.

"*(g)* The amount not exceeding three hundred dollars actually retained by an employer from the remuneration 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 by section eight of chapter forty of the statutes of 1935, is further amended by adding thereto the following subsection:—

Non-Resident-Owned Investment Corporation Elects.

"(4) A Non-Resident-Owned Investment Corporation which elects within such time, effective from such date in 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 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:—

Five per cent tax on non-residents.

"*(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."

8. Sub-paragraph (ii) of paragraph (*e*) of subsection two 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:—

(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.

8. 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, 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:—

Dividends of Non-Resident-Owned Investment Corporations.

"(12) *(a)* Dividends paid or deemed to be paid by Non-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 subsection 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 shall be deemed to have been a distribution of income earned after such period.

Interest of Non-Resident-Owned Investment Corporations.

(c) Interest payable by Non-Resident-Owned Investment Corporations and falling due after the effective date of election under subsection four of section nine of this Act shall not be subject to the tax imposed by this section.

Redemption of shares, bonds, etc.

(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 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 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 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 proviso:—

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 non-residents.

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 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, 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:—

Surplus distribution taxable.

"**19.** (1) On the winding up, discontinuance or reorganization 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.

Corporation tax to be paid if through sale or winding-up the dividend deemed to be paid thereby is paid to a corporation.

"(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 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 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:—

"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;

Deductions not allowed.

(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 referred to in paragraph *(b)* of subsection one of section

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 winding-up.

(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. 22A. (1)

(a) Interest, and taxes paid abroad are to be added to the net income for taxation purposes.

eight of this Act in respect of income of the company derived from sources therein.

Deductions allowed.

(b) the following deductions shall be allowed:—

(i) dividends and interest received from another such Non-Resident-Owned Investment Corporation 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 in Canada.

Proportion of taxes paid abroad allowable as deduction from tax.

(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 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.

Allowable deduction from tax.

(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 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 adding thereto the following subsection:—

Transfers in trust.

"(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 lifetime 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 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.

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.

Periods affected.

(2) The provisions of the said sections forty-eight and forty-nine as amended by subsection one of this section

(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 following substituted therefor:—

One-third tax to be forwarded with return, balance within four months with interest.

"**48.** Every person liable to pay any tax under this Act (except any tax payable under section eighty-eight hereof) shall estimate the amount of tax payable by him and shall send with the return of the income upon which such tax is 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 making such return to the time payment is made."

Penalty for short payment.

"**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 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 payment."

16. Subsection three of section fifty-four of the said Act is repealed and the following subsections substituted therefor:—

Interest.

"(3) Unless otherwise provided, all taxes found due and 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.

Penalty for delay in payment.

(4) If the taxpayer fails to pay such additional tax within one month from the date of the mailing of the notice of 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 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."

Proviso.

17. The said Act is further amended by inserting therein, immediately after section seventy-six thereof, the following section:—

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.

Agreements with Provincial Governments.

"**76A.** (1) Notwithstanding anything contained in this Act, the Governor-in-Council may from time to time enter 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 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.

Regulations. Commissioner of Income Tax to exercise authorized powers.

(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 Minister, be conveniently exercised by the Commissioner of Income Tax.

Payments to Provinces.

(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 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 is substituted therefor:—

Date payable.

"(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 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:—

Exemption from gift tax.

"*(f)* gifts to or payments made on behalf of any one person which in the aggregate to or for such person do not exceed one thousand dollars in any year.

Aggregate not affected.

(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 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.

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.

(2) The Minister, having regard to the production of ore in reasonable commercial quantities, shall determine which mines, whether new or old, qualify under subsection one hereof.

Certificate.

(3) The Minister shall issue a certificate stating the date upon which any mine is deemed to have come into production and establish such fiscal periods of twelve months each, during which the income derived from any such mine shall be exempt hereunder.

Regulations.

(4) The Minister may make any regulations deemed necessary for carrying this section into effect."

Interest on increased corporation tax.

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.

Taxation periods affected.

22. Sections one, two, three, four, six, seven, eight, nine, ten, eleven, twelve, thirteen and sixteen of this Act shall be applicable to the income of the year 1935 and fiscal periods ending therein and of all subsequent periods.

Sections 15, 18 and 19.

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 periods.

Coming into force of sections 17 and 20.

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.

First Session, Eighteenth Parliament, 1 Edward VIII, 1936

THE HOUSE OF COMMONS OF CANADA.

BILL 76.

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
15439 1936

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

THE HOUSE OF COMMONS OF CANADA.

BILL 76.

R.S., c. 179; 1928, c. 50; 1929, c. 57; 1930, c. 43; 1931, c. 54; 1932, c. 54; 1932-33, c. 50; 1934, c. 42; 1935, c. 33.

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 follows:—

Definitions.

1. Section two of the *Special War Revenue Act*, chapter one hundred and seventy-nine of the Revised Statutes of Canada, 1927, is repealed and the following substituted therefor:—

"**2.** Unless the context otherwise requires,

"Minister". *(a)* "Minister" means

(i) in or in relation to Parts I, II and III, the Minister of Finance; and

(ii) in or in relation to Parts IV-XIV, inclusive, the Minister of National Revenue;

"Person". *(b)* "person" in Parts XI, XII, XIII and XIV includes any body corporate or association, syndicate, trust 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;

"Manufacturer or producer". *(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 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 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."

1934, c. 24.

2. Part VII of the said Act as enacted by section one 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 therefor:—

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.

"**58.** (1) In this Part, unless the context otherwise requires:—

"Bond".

(a) "bond" includes a debenture and a share of debenture stock;

"Share."

(b) "share" means a share of the capital stock of any 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 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.

Excise tax on change of ownership of bonds and shares.

(2) There shall be imposed, levied and collected upon 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 one-tenth of one per cent of the price or value of the said share in excess of $150.

(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 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.

Fixing of value in difficult cases.

(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.

Change of ownership otherwise than by sale.

"**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 value of the aforesaid share.

2.

"**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 representing 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 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 less than one dollar per share.

2. *The words "share of stock" in paragraphs (b) to (h) of the last preceding subsection 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."

Fixing of value in certain cases.

(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.

Payable in excise tax stamps. Regulations.

"**60.** The said tax shall be payable in excise tax stamps 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.

Exemption from tax.

"**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 corporation 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 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;

(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.

First issue.

(2) For the purposes of the last preceding subsection, the firm underwriting of a bond, or the first transaction whereby ownership or control is established, shall be deemed to be a first issue thereof.

Books and records to be kept and to be open to inspection.

"**62.** (1) Every person liable under this Part or under regulations made hereunder to collect or pay the tax imposed 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 persons authorized by the Minister to inspect the same.

Obstructing inspection.

(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

Refusal to produce books.

any person who being liable to keep such records and books 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.

Penalty.

"**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.

(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 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.

Penalty.

Regulations.

"**63.** (1) The Governor in Council may make regulations for the purpose of determining what constitutes a sale, transfer or assignment under this Part.

Penalty for neglect or refusal to pay tax or violation of Act or regulations.

(2) Any person who, being thereto liable, neglects or 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."

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:—

Excise tax on cigarette paper tubes made in or imported into Canada.

"(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 tubes or fraction of one hundred cigarette paper tubes contained in each such package."

Definitions.

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 therefor:—

"Producer or manufacturer".

"*(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:—

Consumption or sales tax of eight per cent.

"**86.** (1) There shall be imposed, levied and collected a consumption or sales tax of eight per cent on the sale price of all goods,—

Goods produced or manufactured in Canada.

(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.

"**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 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 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 said goods passes to the purchaser thereof.

Proviso.

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 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 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.

(b) imported into Canada, payable by the importer or transferee who takes the goods out of bond for consumption at the time when the goods are imported or taken out of warehouse for consumption; or

Goods sold by licensed wholesalers.

(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 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:—

Further articles exempted.

"(3) The taxes imposed by Parts X to XIII, inclusive, of this Act shall not apply to goods imported under customs tariff item 703."

7. Subsections two and three of section ninety-six of the said Act are repealed and the following are substituted therefor:—

Licensee to give security.

"(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 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 dollars."

Regulations.

8. Section ninety-nine of the said Act is amended by adding thereto the following subsection as subsection four thereof:—

Oaths and declarations.

"(4) Any person designated by the Minister may receive 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."

Monthly returns of taxable sales.

9. Subsection one of section one hundred and six of the 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.

Procedure.

10. Section one hundred and eight of the said Act as 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 thereof:—

Payment of tax on moneys received on account of book debts.

"(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 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.

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.

8. This subsection is new.

The Act itself only requires one declaration, that is in subsection 1 of section 106 which reads as follows:—

"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 affidavits.*"

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.

Penalties for neglect or failure to pay taxes.

(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 forty-two of the statutes of 1934, is repealed and the following substituted therefor:—

Additional penalties.

"**111.** (1) Every person who, being thereto liable, neglects, 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 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." 10 15

12. Section one hundred and sixteen of the said Act, as enacted by section thirteen of chapter forty-two of the statutes of 1934, is repealed and the following substituted therefor:— 20

Officers who may make inquiry.

"**116.** The Commissioner of Excise, the Assistant Commissioner of Excise, the Superintendent of Excise Tax 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 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 under Part I of the *Inquiries Act*." 25 30 35

R.S., c. 99.

13. The said Act is further amended by adding to Part XIV thereof, the following sections as sections 120A, 120B, 120C and 120D thereof:—

Action against officers in the exercise of their duties.

Conditions.

"**120A** (1) No writ shall be issued against, nor any 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 abode of the person who intends to bring such action, and the name of his attorney, solicitor or agent. 40 45

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 action a verdict or judgment and costs.

Time and place of action.

"**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.

Defendant's plea.

(2) The defendant may plead the general issue, and give the special matter in evidence.

Costs.

(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 costs, and have such remedy for the same as any defendant has in other cases where costs are given.

Officer may tender amends.

"**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, 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 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 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.

Judgment.

If defendants acted upon probable cause.

"**120D.** If, in any such action, the court or judge before 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."

French version corrected

14. Subsection three of section eighty-six of the French version of the said Act is repealed and the following substituted therefor:—

"(3) Si une personne qui n'est pas le fabricant, producteur, importateur, cessionnaire, ni le marchand en gros patenté ou le commissionnaire ci-dessus mentionnés, acquiert de 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.

ou en conséquence d'une transaction non sujette à l'impôt établi au présent article, la vente de ces marchandises par cette personne est imposable comme si elle était faite par le fabricant, le producteur, l'importateur, le cessionnaire, ou par le marchand en gros patenté ou le commissionnaire, selon le cas, et la personne qui vend ainsi est assujettie au paiement de la taxe."

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 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;

(b) valued at more than six hundred and fifty dollars, on the amount in excess of six hundred and fifty dollars.....five per cent.

Provided that the tax collected under paragraph *(b)* above shall in no case exceed two hundred and 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;

(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 repealed and the following is substituted therefor:—

"SCHEDULE II

1. Cigars:—

(a) valued at not more than forty dollars per thousand, per thousand.....fifty cents;

(b) valued at more than forty dollars per thousand and not more than one hundred and ten dollars per thousand, per thousand.....three dollars;

(c) valued at more than one hundred and ten dollars per thousand and not more than one hundred and fifty dollars per thousand, per thousand.....seven dollars;

(d) valued at more than one hundred and fifty dollars per thousand and not more than two hundred dollars per thousand, per thousand.....ten dollars;

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 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), 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 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.

3. Tires and Tubes:—

(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 any of the said vehicles.....two cents per pound;

(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 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 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 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 "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.

Bread; bakers' cake and pies not to include biscuits, cookies or other similar articles; flour, not including self-raising 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;

Farm and forest.

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 yarn 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;

Mines and quarries.

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;

Marine and fisheries.

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;

Charitable, health, etc.

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;

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 semi-monthly 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;

Diplomatic. 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;

Coverings. 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;

Miscellaneous. 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'

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, horse-hoes, 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 2·0; 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;

(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:—

"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, 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 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.

1934, c. 52; 1935, c. 29.

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

Schedule amended.

1. The Schedule to *The Excise Act 1934*, chapter fifty-two of the statutes of 1934 as amended by section two of 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:—

Spirits distilled in Canada.

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;

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 made for 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.

Imported spirits.

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;

(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 pound .....six 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 pound .....ten 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 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

18992

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.

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:—

Polling divisions.

"**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 and thirty-five."

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

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 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 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 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 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:—

Supply of election materials.

"(3) Two days at least before polling day the returning officer shall furnish

Copy of the revised list.

(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 such list of electors shall, whenever possible, be stamped by the returning officer with the official stamp;

Ballot boxes, etc.

(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 such other stationery as may be authorized by the Chief Electoral Officer;

List of deputies.

(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 or polling station at which each is to act."

(D) By striking out subsections four and six of section thirty-three and substituting the following therefor:—

Lists for urban polling stations.

"(4) If the polling division is urban, the returning officer shall prepare from the geographical list of electors

(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."

"(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 list as contains his name, and not otherwise."

Where elector to vote.

(E) By striking out subsection three of section thirty-eight of the said Act.

(F) By inserting, immediately after section forty-six, the following as section forty-six A thereof:—

Vote by elector whose name is not entered in the certified complete copy of the list of electors for a rural polling division.

Manner of voting.

"**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 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 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 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 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 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."

Absentee voter.

(G) By striking out sections ninety-nine to one hundred and five, inclusive, of the said Act.

Forms.

(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.

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 such list applies, 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	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		
		Name	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
.....	.....
.....	.....
.....	.....

"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 by-election 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).

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."

"FORM No. 44

AFFIDAVIT OF PRINTER. (Sec. 29 (6))

I,.....of the.....of
....., make oath and say:—
(occupation)

1. I am.....
(Insert "the sole member" or "one of the members of the firm of" or
.....
"the.....of the.....Co. Ltd.", or as the case may be.)
hereinafter called "the printer" by whom or by which ballots have been printed for the pending election in the electoral district of.....for a member to serve in the House of Commons of Canada.

2. That sheets for ballots numbered as follows, namely:
.....
were delivered to the said printer by the returning officer for the printing of the said ballots which were printed with the names of.....candidates, each
(Insert number of candidates)
of the said sheets thus cutting into.....ballots.
(Insert number of ballots)

3. That the number of ballots properly printed and delivered to the said returning officer was.....
and that no other ballot papers have been supplied to any other person.

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.

6. *The ballots having been printed with the names of .....candidates, the cut off portions of all the sheets out of which ballots were cut have been returned to the said returning officer for return to the Chief Electoral Officer, the same being arranged in numerical order according to the numbers printed thereon.

SWORN *(or affirmed)* before me
at....., in the Province
of....., this.....
day of....., 19....

.....
(Signature of printer)

.....,
*(Returning Officer, Justice of the Peace
or, as the case may be)*

*Strike out this paragraph unless six, eight, nine, ten, twelve or more candidates are running.

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

15384

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.

R.S., c. 83; R.S., c. 96; R.S., c. 98; R.S., c. 103.

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 Department of Mines, Resources and Colonization Act.*

Definitions.

"Department."

"Minister."

"Deputy Minister."

2. In this Act unless the context otherwise requires,

(a) "Department" means the Department of Mines, Resources and Colonization;

(b) "Minister" means the Minister of Mines, Resources and Colonization;

(c) "Deputy Minister" means the Deputy Minister of Mines, Resources and Colonization.

Department constituted.

3. (1) There shall be a department of the Government of Canada which shall be called the Department of Mines, Resources and Colonization, over which the Minister of Mines, Resources and Colonization for the time being appointed by commission under the Great Seal of Canada shall preside.

Administration.

(2) The Minister shall have the management and direction of the Department, and shall hold office during pleasure.

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.

Chief officer.

4. (1) The Governor in Council may appoint an officer 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.

Branches of the Department.

(2) The Governor in Council may, with respect to the 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

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.

Officers, clerks and employees.

(3) Such other officers, clerks and employees as are necessary for the proper conduct of the business of the Department shall be appointed or employed in the manner authorized by law and shall hold office during pleasure.

Transfer from one branch to another.

(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.

Duties, powers and functions of the Minister.

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 Immigration and Colonization and the Superintendent General of Indian Affairs.

As to boards, public bodies, etc.

6. 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 the control, regulation, management and supervision.

Organization of the Department.

R.S., c. 22.

7. (1) Notwithstanding the provisions of the *Civil Service 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; 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 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 Department of Indian Affairs and such persons so appointed shall hold office during pleasure.

Provision in Appropriation Acts for expenses of the public service.

(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 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 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

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.

Duties, powers and functions vested in, performed and exercised by the officers of the Department.

8. 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 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 thereof as may be named by the Minister.

Department, Minister and Deputy Minister substituted.

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 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 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 and the Deputy Minister of Mines, Resources and Colonization, respectively.

Indian Affairs.

(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 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.

Territories and Crown Lands.

10. The Minister shall have the control and management 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 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 **8**—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.

Acts repealed.
R.S., c. 103.
R.S., c. 96.

11. (1) The *Department of the Interior Act*, chapter one hundred and three of the Revised Statutes of Canada, 1927; and the *Department of Immigration and Colonization Act*, chapter ninety-six of the Revised Statutes of Canada, 1927, are hereby repealed;

Sections repealed.
R.S., c. 83.
R.S., c. 98.

(2) Sections three, six, seven and nine of the *Geology and Mines Act*, chapter eighty-three of the Revised Statutes 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.

Coming into force.

12. This Act shall come into force on a date to be fixed by proclamation of the Governor in Council published in the *Canada Gazette*.

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
15665 1936

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

THE HOUSE OF COMMONS OF CANADA.

BILL 80.

An Act respecting the Department of Transport.

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 Department of Transport 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 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".

Substituted titles of the departments, ministers and deputy ministers, R. and C. and Marine.

3. (1) Wherever in the said Act or in any other Act of the Parliament of Canada, heretofore or hereafter enacted, or 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 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.

Salary of minister.

(2) Notwithstanding the provisions of subsection one of 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.

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 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 Minister of Transport, respectively.

Civil Aviation Branch transferred to Department of Transport.

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 transferred 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:—

Minister of Marine, powers exercisable by Minister.

"(2) The Minister shall have and may exercise all and 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.

Minister to have supervision over Civil Aviation, boards, etc.

(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 the control, regulation, management and supervision."

Governor in Council may make regulations.

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 management, 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.

8. (1) Notwithstanding the provisions of the *Civil Service 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 section four of the *Department of Railways and Canals Act*

R.S., c. 171.

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.

8. 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.

(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 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.

Provision in Appropriation Acts for expenses of the public service.

(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, 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 classification 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.

Officer to perform duties under Act or contract.

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 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.

Repeal. 1930, c. 31.

10. *The Department of Marine Act,* chapter thirty-one of the statutes of 1930, is repealed.

Coming into force.

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.*

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.

First Session, Eighteenth Parliament, 1 Edward VIII, 1936

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
19074 1936

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.*

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 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 section four of the said Act and substituting the following therefor:—

Qualifications.

"*(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 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 and III of the said Act and substituting as Part II thereof sections numbered fourteen, fifteen and sixteen following:—

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 registration 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 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 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 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;

(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."

1934, c. 50.

"Public Notice by the Registrar of Electors of a Registration of Electors for a By-election."

Notice and form.

"**15.** (1) Immediately upon receipt of notice from the 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 at the same time notify in writing each postmaster of the provisions of subsection four of this section.

Contents of notice.

(2) The notice shall indicate:—

(a) that a registration of electors for a by-election has been ordered;

(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 to such registration;

(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.

Inadvertent omissions.

(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 one-tenth of the postmasters within an electoral district, shall not be deemed to be non-compliance with the provisions of this section.

Posting in post office.

(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, 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.

Notice to candidates.

(5) The Registrar of Electors shall, on the same day as 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."

"Preparation of Lists of Electors."

Commencement of registration.

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 and/or rural polling divisions into which that electoral district is at the time, pursuant to *The Dominion Elections Act, 1934*, divided.

1934, c. 50.

Polling division.

(2) 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 and thirty-five.

Urban and rural respectively.

(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 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.

Enumerators.

(4) Every Registrar of Electors shall immediately after 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

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 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 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 subsection 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 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 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.

(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 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 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)* 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 extent.

Oath.

(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.

Record of revising officers and enumerators.

(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 divisions 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 the whole period of the registration a copy of such record.

Urban and rural lists.

(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 in Schedule B to this section.

Enumerators in urban divisions.

Duties.

(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 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 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 subsequent 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 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

SCHEDULE A TO SECTION 17.

Rule 1.—The only change in this Rule is, the fixing of the day by the Commissioner 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 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 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 dwelling place in their polling division at least twice—once between the hours of nine o'clock in the forenoon and six o'clock in the afternoon and once between the hours of seven o'clock in the afternoon and ten o'clock in the afternoon (unless, as to any dwelling place, they are satisfied that no qualified electors living therein may remain unregistered).

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) 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.

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 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 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 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 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 3.)*

Rule. 4.—The enumerators shall, in such list, after the 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 4.)*

Rule 5.—Upon completion of performance of the foregoing 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 *(Rule 5.)*

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 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 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 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 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 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 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 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

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 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. *(Rule 6.)*

Urban Revision

Rule 9.—Before commencing the revision the Registrar 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 *(Rule 7.)*

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.

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 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 available 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 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 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 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. 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.

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 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.)*

Rule 8.—The Registrar of Electors in each electoral 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.)*

Rule 10.—Every revisal office notified by the Registrar 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. *(Rule 11.)*

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

(b) of objections on oath made under Rule 20 of these rules;

(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 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 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 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 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.

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 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 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

Rule 11.—At the several sittings for revision in the 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— *(Rule 12.)*

(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 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 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.* No change.

Rule 13.—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 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.)* Only change is the numbering of the Form.

Rule 14.—Wherever the language of the applicant is not understood by the Revising Officer an interpreter may be sworn and may act. *(Rule 15.)* No change.

Rule 15.—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 16.)* No change

Rule 16.—If the Revising Officer decides that the applicant 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.)*

Rule 17.—Notwithstanding anything in these rules, if 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 *(Rule 18.)* No change

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 19.—If the relative by blood or marriage or the employer so appearing substantiates *(a)* the cause for the 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 concerned, 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 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 disqualification 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. 15 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.

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 employer so appearing substantiates *(a)* the cause for the non-appearance of the person immediately concerned to 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.)* Only change the reference Rule No.

Rule 19.—If any elector whose name appears in the list 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 disqualification 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 20.)*

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 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 22.—In the case of any objection to the inclusion of a name in the list of electors of which notice has been 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 23.—During or before his sittings for revision the 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 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 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 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.)*

Rule 21.—In the case of any objection to the inclusion of a name in the list of electors of which notice has been 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.)* No change.

Rule 22.—During or before his sittings the Revising Officer 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 23.)*

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 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 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 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 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 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 representatives, 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 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 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.)*

Rule 24.—The Revising Officer shall also prepare in 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.)*

Rule 25.—If at any time the number of applications for 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 26.)*

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 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 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 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, 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 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 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 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 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 a Revising Officer, have any right to take part or intervene in the proceedings. *(Rule 27.)* No change.

Rule 27.—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 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.)* No change.

Rule 28.—Forthwith after compliance with Rule 23 of 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 29.)*

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 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 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 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 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 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 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 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 contained, 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.)*

Rule 2.—An enumerator who has been appointed to 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 3.)*

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 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 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 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 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."

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 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 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.)*

Rule 4.—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. 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.)*

Rule 5.—After the name of every woman elector whose 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.)*

Rule 6.—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 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 7.)*

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; 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.

Rule 9.—The enumerator at any time after the posting 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 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 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 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 compliance 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.)*

Rule 8.—The enumerator at any time after the posting 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 *(Rule 9.)*

(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.

Rule 10.—Every correction made as aforesaid by the enumerator in the preliminary list of electors in the index book, by the addition, deletion 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 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 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 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.

Rule 9.—Every correction made as aforesaid by the 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.)*

Rule 10.—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 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 11.)*

Rule 10A.—The enumerator 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 representative shall, except with the permission of the enumerator, have any right to take part or intervene in the proceedings. *(Rule 12.)* No change. Renumbered.

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 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, 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 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 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 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 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 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 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 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 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 13.)*

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 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 15.)*

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 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 17.—The Registrar of Electors shall, forthwith 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, furnish to each of the candidates or their representatives, one copy of such preliminary list of electors or statement of changes 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 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 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 respects abide by and perform the directions of Registrars 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 16.) No change.

Rule 14.—The Registrar of Electors shall, forthwith 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.

(Rule 17.)

PART IV.

Appeals to a Judge.

32. (1) Any person who, being an elector of the applicable 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—

Right of appeal.

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, 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 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 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 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

(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.

(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, means— Meaning of "a judge".

(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 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; No change.

(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; No change.

(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 electoral district lies; No change.

(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 No change.

(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. No change.

(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 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 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 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.

(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 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 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 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 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

(3) Within five days after the date on which the ruling 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. Notice of appeal.

(4) Such appeals shall be heard at such time and place 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 appeals which remain on that day not disposed of shall be deemed for the purposes of this Act to have been dismissed. Informal. Notice of hearing.

(5) The judge shall report in writing to the Registrar of Electors the result of all such appeals as relate to such 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. Report of Judge.

(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 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 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

(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 Registrar of Electors as required by or under this Act; or

(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 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 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 hundred dollars and not exceeding one thousand dollars.

Offences by Franchise Officers.

(E)

39. Any Registrar of Electors who, Liability of Registrars of Electors.

(a) wilfully refuses or neglects to make out any list of 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 disqualified 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.

Printing of Lists of Electors.

King's Printer to print lists.

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.

Candidate entitled to copies.

(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.

(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 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 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 Commissioner, shall print or cause to be printed the then 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. May print in any or all districts.

(2) Every candidate shall be entitled on demand to twenty copies of the lists of his electoral district, free of 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. Free copies to candidates.

(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; 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. Imprint of King's Printer.

(F) Section 49 of the Act reads as follows:

49. (1) Any Registrar of Electors may administer any oath or affirmation, including that to any affidavit or 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 magistrate, or a commissioner for taking affidavits having authority or jurisdiction within the place where the oath or affirmation is administered. Who may administer oaths, etc.

(2) All oaths and affirmations which are authorized or required by this Act shall be administered gratuitously. Gratis.

(G) By inserting the following as Section 53 of the said Act:—

Vote under Canada Temperance Act. R.S., c. 196.

"**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 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 that compliance with the procedure laid down is not necessary.

Changes in procedure Commissioner to be gazetted.

(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 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:—

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 concerned.

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:—

(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 .....19...., at.....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.....
Province of.....

Pursuant to instruction of the Dominion Franchise Commissioner bearing date the.....day of..... 19...., I am commanded to cause a registration of electors entitled to vote at a Dominion by-election in the electoral district above named, and I accordingly give public notice:—

1. That the registration of electors for a by-election in the above mentioned electoral district will commence on..... the.....day of.....19.... and will end on the.....day of.....19....

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.

3. That *(the registrar of electors will alter the wording of this paragraph to suit the circumstances)* the territory comprised within the city of.....will be urban polling divisions for which the lists of electors will be prepared and completed under the rules set forth in Schedule A to Section 16 of The Dominion By-elections Franchise Act, 1936, and that the polling divisions in the remainder of the electoral district will be rural polling divisions, for which the list of electors will be prepared and completed under the rules set forth in Schedule B to the said Section 16 of the said Act.

Of which all persons are required to take notice and act accordingly.

Given under my hand at.....this.....
day of....., 19....

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)* .

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 an enumerator of polling division No.....
in the said electoral district to prepare a preliminary list of electors resident in the said polling division 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. 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 the.....day 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. *(Insert occupation)*
Address *(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.

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.	Apartment No.	Name of Elector *(family name first)*	Occupation	Consecutive number
Bay St.	219	1	Johnson, Alfred	Painter	1
	219	1	Johnson, Mrs. Alfred	Married woman	2
	219	2	Fischer, James	Rly. employee	3
	219	3	Carroll, Ernest	Bookkeeper	4
	220	.....	McMillan, John	Civil Servant	5
	221	.....	Osborne, John	Printer	6
	222	.....	Payne, Charles	Printer	7
	223	.....	Paynter, Mrs. Henry	Married woman	8
Bronson Ave.	103	.....	Smith, Henry	Civil Servant	9
	104	.....	Henderson, Peter	Tinsmith	10
	105	.....	Stewart, Nelson	Mechanic	11
	105	.....	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	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
	456	.....	Murphy, Mrs. Peter	Married woman	26
	459	1	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	.....	Johnson, Isaac	Civil Servant	34
Lyon Street	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
	215	.....	Russell, John	Civil Servant	41
	215	.....	Russell, Miss Dorothy	Spinster	42
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
	12	.....	Peters, James	Merchant	49
	12	.....	Peters, Mrs. James	Married woman	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

We, the undersigned urban enumerators appointed to prepare a preliminary list of electors for polling division No. ..... of the Electoral District of .....do severally

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

This revisal district consists of urban polling divisions numbers .....of the above mentioned electoral district and its....
(state numbers)
boundaries are as follows.....
(state the boundaries of 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

.....and.....

days of the week fixed for the revision)

the....., ...

and.....days of.....

(here insert the dates of the month fixed for the revision)

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)

This notice is given under my hand at.....

this.....day of....., 19.....

A.B.

Registrar of Electors.

for the Electoral District of.....

FORM No. 10. *(Sec. 16, Sched. A, Rule 9).*

APPOINTMENT OF REVISING OFFICER.

To.....
(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.....

Province 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)*.

In testimony whereof I hereunto sign my name at.....
this..... day of ....., 19....

.....
(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.....day of....., 19.....
applied to me for registration as an elector in polling division No.....
in the electoral district of....., and that I refused his application for the following reasons:
.....
(insert reasons for refusal to register)
.....
.....
Given under my hand at.....
this.....day of....., 19.....
.....
.....
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)*.

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.....
.....
this.....day of.....
19.....

.....
(Deponent to sign here)

.....
Revising Officer for
Revisal District No.....

Grounds of Disqualification Which May be Set Out in the Affidavit

(1) "Is dead."

(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).*

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 desire your name to remain on the list of electors mentioned in such affidavit you must appear before the revising officer at his sitting to be held at No..... street in the *(City or Town)* of..... on the.....day of....., 19..., where he may be found from two o'clock until five o'clock and from seven o'clock until ten o'clock in the afternoon of that day.

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.*

Dated at.....this.....

day of....., 19

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.	Apartment No.	Name of Elector *(family name first)*	Occupation	Consecutive number
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
	221	.....	Osborne, John	Printer	7
	222	.....	Payne, Charles	Printer	8
	223	.....	Paynter, Mrs. Henry	Married woman...	9
Bronson Ave.	103	.....	Smith, Harry	Civil Servant	10
	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...	24
Laurier Ave. West.	456	.....	Murphy, Peter	Builder	25
	456	.....	Murphy, Mrs. Peter	Married woman...	26
	459	1	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	Woods, Peter	Clerk	31
	459	4	Collings, Joseph	Motorman	32
	530	.....	Delaney, Walter	Carpenter	33
	541	.....	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
	215	.....	Russell, John	Civil Servant	41
	215	.....	Russell, Miss Dorothy	Spinster	42
Percy St.	3	.....	Henderson, Edward	Carpenter	43
	4	1	Fisher, Howard	Clerk	44
	4	2	Johnson, James	Civil Servant	45
	4	3	Blackburn, John	Contractor	46
	4	3	Blackburn, Mrs. John.	Married woman...	47
	11	.....	Smith, Henry	Blacksmith	48
	12	.....	Peters, James	Merchant	49
	12	.....	Peters, Mrs. James	Married woman...	50

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 Franchise Act, 1936.*

Sworn *(or affirmed)* before me at.....
this.....day of.....
....., 19

.....
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.

Dated at....., this.....
day of....., 19

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.	Apartment 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.	Apartment 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.	Apartment 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.

Dated at....., this.....
day of....., 19....

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.

Given under my hand at.....
this.....day of....., 19...

A. B.,
Registrar of Electors.

FORM No. 21 *(Sec. 16, Sched. B, Rule 3).*

NOTICE OF RURAL ENUMERATION OF ELECTORS.

Electoral District of.....
Rural Polling Division No.....

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.....day of the month of....., 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.

Dated at..... this.....
day of....., 19....

A.B.,
Enumerator.

FORM No. 22. *(Sec. 16, Sched. B, Rule 5.)*

INDEX BOOK.

Form for first page.

Electoral District of.....
Polling Division No.....comprising *(giving limits).*
.....
.....

Name *(Family name first)*	Occupation	Residence *(Street and Number where possible)*	Remarks

FORM No. 23 *(Sec. 16, Sched. B, Rule 7).*

LIST OF ELECTORS.

Electoral District of.....
Polling Division No.....comprising *(giving the limits)*
.....

No.	Name (Family name first)	Occupation	Post Office Address	Remarks
1	Allan, John.....	Farmer.....	Westboro, Ont....	
2	Allan, Mrs. John.....	Married woman...	Westboro, Ont....	
3	Carter, Miss Mary.....	Civil servant.....	Westboro, Ont....	
4	Carson, John.....	Clerk.....	Westboro, Ont....	
5	Dawes, Henry.....	Carpenter.....	Westboro, Ont....	
6	Dawes, Mrs. Henry.....	Married woman...	Westboro, Ont....	
7	Egan, Paul.....	Farmer.....	Westboro, Ont....	
8	Egan, Mrs. Paul.....	Widow.....	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.

Dated at.....this.....day of....., 19...

A. B.,
Rural Enumerator.

FORM No. 24 *(Sec. 16, Sched. B, Rule 13).*

STATEMENT OF CHANGES AND ADDITIONS MADE BY THE RURAL ENUMERATOR 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.

Dated at..... this.....day of....., 19....

A. B.,
Enumerator.

The following names have been added to the preliminary list of electors:—

No.	Name	Occupation	Residence

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

FORM No. 25 (Sec. 16, Schd. B, Rule 13)

CERTIFICATE OF RURAL ENUMERATOR

I,.....of.....
(Insert name of enumerator)
in the province of.....duly appointed as rural enumerator for polling division No.....in the Electoral District of..... do hereby declare that this Index Book contains as complete a list of the qualified electors in the said polling division as I have been able to prepare.

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.

Dated at.....this.....
day of....., 19....

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.....

To.....Registrar of Electors for the
(Insert name of Registrar of Electors)
Electoral District of.....*take notice* that the undersigned is appealing to a Judge, as defined by Section Thirty-two of *The Dominion By-Elections Franchise Act, 1936*, from the ruling made on the.....day of....., 19...
by..... at his sitting as Revising Officer for the
(Insert name of Revising Officer)

revision of the list of electors for revisal district No....., of the above-mentioned Electoral District, on the following grounds:—

.....

(State grounds of appeal)

.....

.....

.....

Dated at.....this..... day of....., 19....

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 affection, and in every respect according to law. SO HELP ME GOD.

.....
Barrister-at-law.

Certificate of Oath of Barrister Appointed by Judge to Hear Appeal.

I, the undersigned, hereby certify that on the..... day of.....19,.., the above named.....
(Insert name of barrister)
made and subscribed before me the above set forth oath (or affirmation).

.....
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.

82.

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
14782 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.*

Definitions.

2. (1) Section two of the *Bank of Canada Act*, chapter forty-three of the statutes of 1934, is amended by striking out paragraph *(c)* and substituting the following therefor:—

"Director".

"*(c)* 'Director' means a member of the Board of Directors other than the Governor or the Deputy Governor or 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:—

"Dominion notes".

"*(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."

(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 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 therefor:—

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:—

"(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 corporate.*"

Body politic and corporate.

"(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:—

Board of Directors.

"**5.** (1) The Bank shall be under the management of a 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."

5. Subsection two of section six of the said Act is amended by striking out paragraph *(d)* and substituting the following therefor:—

Persons disqualified for appointments.

"*(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"

6. Section nine of the said Act is repealed and the following is substituted therefor:—

Directors.

"**9.** (1) The following persons shall be directors of the Bank:

(i) directors holding office at the date of the coming 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 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;

(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 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 general meeting in 1942 and one at each annual general meeting thereafter;

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 composed 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 shareholders. The said first or provisional directors shall serve without remuneration.*

(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 annual general meeting respectively.*

(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 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 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 by shareholders in office.

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.

Number of votes.

(4) In the transaction of the business of the Bank, each 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.

(5) The directors shall on the expiration of their terms of office be eligible for re-election or re-appointment."

7. Section ten of the said Act is repealed and the following is substituted therefor:

Qualifications.

"**10.** (1) No person except the registered holder of ten 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.

Directors to represent diversified occupations.

(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 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.

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.

Persons disqualified to be directors.

(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 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.

Removal if permanently incapacitated.

(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."

8. Section twelve of the said Act is repealed and the following is substituted therefor:—

Chairman.

"**12.** The Governor shall be Chairman of the Board of Directors."

9. Section fourteen of the said Act is repealed and the following is substituted therefor:—

Governor's veto.

"**14.** (1) The Governor, or in the event of his absence 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 writing of the circumstances and the Minister shall submit the veto to the Governor in Council who may confirm or disallow the veto.

To be submitted to Governor in Council.

View of director or member of the Executive.

(2) Any director or member of the Executive Committee may inform the Minister in writing of his view of the 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:—

Capital

"**17.** (1) The capital of the Bank shall be ten million 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

(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."

8. 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.

(2) The capital shall be divided into shares of fifty dollars each.

Class "B" shares.

(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 election of directors.

Limited liability.

(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.

British subjects only to hold shares.

(5) Class "A" shares may be held only by or for the 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 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 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.

Registry Offices.

(6) The Bank shall open and maintain one or more share registry offices at places to be designated by the Board."

11. Section nineteen of the said Act is repealed and the following is substituted therefor:

Transfer or disposal of shares held in excess of fifty or by person ineligible.

"**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 shareholder 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 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 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 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 months, as may be fixed 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 each 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.

Commencement of business.

12. Section twenty of the said Act is repealed.

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.

"*(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, from the date of acquisition by the Bank;

Investments.

(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 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 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 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 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.

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;

Incidental powers

(p) do any other banking business incidental to or consequential upon the provisions of this Act and not prohibited by this Act."

14. Subsection three of section twenty-three of the said Act is repealed and the following is substituted therefor:—

Dominion Government cheques to be paid or negotiated at par.

"(3) The Bank shall not make any charge for cashing 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 department thereof and tendered for deposit in the Consolidated Revenue Fund."

15. (1) Subsections three and four of section twenty-four of the said Act are repealed and the following are substituted therefor:—

Denominations.

"(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.

Form and material.

"(4) The form and material of the notes shall be subject to approval by the Minister; Provided, however, that each said note shall be printed in both the English and the French languages."

Notes printed before to be valid obligation of the Bank.

(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, 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 involves "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 Council *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 handwriting 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 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 over to Bank.

Repayment of advances under Finance Act.

16. Subsections three, five and six of section twenty-five of the said Act are repealed; Provided, however, that the authority to pay the principal of and interest on securities issued to the Bank under the aforesaid subsections three and six shall continue.

Power to issue securities.

Reserve defined.

"Foreign exchange".

17. Paragraph *(b)* of subsection two of section twenty-six 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 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 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 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 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 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 price into exportable gold;

(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 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.

18. Subsection five of section twenty-seven of the said Act is repealed and the following is substituted therefor:—

Inspection.

"(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 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, 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 obstruction or delay continues."

Profits of the Bank.

19. Paragraphs *(a)*, *(b)* and *(c)* of section thirty-one of the said Act are repealed the the following are substituted therefor:—

Application of profits.

"*(a)* If the rest fund of the Bank is less than one-half 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 less than the paid-up capital but 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 the following is substituted therefor:—

Appointment of auditors.

"**32.** (1) For the purpose of auditing the affairs of the Bank, the Governor in Council shall, on the recommendation of the Minister, not later than January thirty-first each year, 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.

Vacancies.

(2) If any vacancy occurs in the office of auditor of the Bank, notice thereof shall forthwith be given by the Bank

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 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 funds 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 serve until *the next annual general meeting.*

(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.

Persons who may not act.

(3) 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.

Reports to Minister.

(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 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.

Copies of reports to be sent to Minister.

(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 Act is repealed and the following is substituted therefor:—

Declarations.

"(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

Schedule C.

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 Deputy Governor or the Assistant Deputy Governor."

22. Subsection two of section thirty-four of the said Act is repealed and the following is substituted therefor:—

Yearly statement of accounts.

"(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 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."

(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
18845 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:—

R.S., c. 105; 1930, c. 27; 1931, c. 37; 1932, cc. 16, 48.

1. Section eight of the *Judges Act*, chapter one hundred and five of the Revised Statutes of Canada, 1927, is repealed and the following substituted therefor:—

Salaries of judges of Supreme Court of Ontario.

"**8.** (1) The salaries of the judges of the Supreme Court of Ontario shall be as follows:

	Per annum.
(a) The Chief Justice of Ontario	$ 10,000.00
(b) The Chief Justice in 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.

(2) Upon a vacancy occurring in the office of Chief Justice in Appeal, the salary of such Chief Justice shall cease and 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.
(a) The Chief Justice of Ontario	$ 10,000.00
(b) Seven Justices of Appeal, each	9,000.00"

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

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
16331 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.

1931, c. 22; 1932, c. 25; 1932-33, c. 34; 1934, c. 28; 1935, c. 17.

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 *Canadian National Railways Loan Act, 1936*.

Power to issue notes for refunding and capital expenditures.

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 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, 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 companies, 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 obligations 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.

Minister of Finance may make loans for refunding and capital expenditures.

3. The Minister of Finance, with the approval of the Governor in Council, may make loans to the National 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 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 Company 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.

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:—

(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 companies, upon or without any security, at discretion.

89.

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
19577 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 of 1935, is repealed and the following substituted therefor:—

Summary trials.

"**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, except when an adult is dealt with under the provisions of section four of this Act: Provided, further, that the provisions of section one thousand one hundred and forty of the *Criminal Code* shall, *mutatis mutandis*, apply to all proceedings in the Juvenile Court."

R.S. c. 36.

Proviso.

Proviso.

2. Section thirty-three of the said Act as amended by section three of chapter forty-one of the statutes of 1935, is repealed and the following substituted therefor:—

Adults liable who contribute to delinquency.

"**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

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 thirty-three 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.

(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 dollars or to imprisonment for a period not exceeding two years or to both fine and imprisonment.

Penalty.

Liability of parents and guardians.

(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 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 exceeding two years or to both fine and imprisonment.

Penalty.

Adjournment.

(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 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.

Conditions may be imposed.

No defence if child does not become delinquent.

(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.

Limitation.

(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 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
20004 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:—

Power to construct and complete line described in schedule.

1. The Governor in Council may provide for the construction and completion prior to the thirty-first day of 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.

Issue of securities and guarantee thereof.

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 interest of such securities.

Certificates of Minister as to mileage.

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 estimated mileage, a final certificate being ultimately issued by the Minister to accord with the miles and fractions of miles actually constructed.

Mileage and costs are estimates only.

4. While the mileage of the said line of railway and the amount to be expended on the construction thereof and the 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

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.

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 railway without first obtaining the approval of Parliament.

Nature and form of securities to be approved by the Governor in Council and signed by the Minister of Finance.

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, 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 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.

Tenders.

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;

(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 prices or terms.

Temporary financing.

(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 and the terms thereof.

Advances pending issue of guaranteed securities.

8. 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 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 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 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.

Location	Mileage	Estimates	
		To be expended	Average expenditure per mile
		$	$
From Senneterre on the National Transcontinental Railway southwesterly, thence westerly to Rouyn on the line of railway of the National Transcontinental Railway Branch Lines Company, in the Province of Quebec.....	99	5,940,000	60,000

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
19853 1936

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

THE HOUSE OF COMMONS OF CANADA.

BILL 96.

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.

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 follows:—

Unlawful associations.

1. Section ninety-eight of the *Criminal Code*, chapter thirty-six of the Revised Statutes of Canada, 1927, is repealed.

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 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:

"or who, not having such permit and notwithstanding any other provisions contained in this Act,

Sawed-off shotgun.

(c) has in his possession a sawed-off shotgun or rifle having a barrel of less than twenty inches in length."

Permits.

3. Subsection one of section one hundred and twenty of the said Act, as enacted by section one of chapter twenty-five of the statutes of 1932-33, is repealed and the following substituted therefor:

Persons who may issue permits.

"**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

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:

"**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.

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 province in which such club is organized."

Seditious offences.

4. Section one hundred and thirty-three of the said Act is amended by adding thereto as subsection four the following:

Seditious intention.

"(4) Without limiting the generality of the meaning of 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 accomplishing any governmental change."

Parent or guardian procuring defilement of girl.

5. Subsection six of section two hundred and fifteen of the said Act, as enacted by section three of chapter fifty-three of the statutes of 1932-33, is repealed and the following substituted therefor:

At whose instance prosecution to be instituted.

"(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."

Nuisances.

6. Section two hundred and twenty-three of the said Act is repealed and the following substituted therefor:

Non-criminal common nuisances.

"**223.** Any one convicted upon any indictment or information for any common nuisance other than those 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."

7. Paragraph *(d)* of subsection one of section two hundred and twenty-seven of the said Act is repealed and the following substituted therefor:

Common betting place.

"*(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 any contingencies or events, of horse-races, or other races, fights, games or sports, or in any other manner, whether

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, nor shall any such 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.

8. Paragraph *(b)* of section two hundred and thirty-eight of the said Act is repealed and the following substituted therefor:

Not maintaining family.

"*(b)* being able to work and thereby or by other means to maintain himself or family, wilfully refuses or neglects to do so;"

Motor cars.

9. Subsection three of section two hundred and eighty-five of the said Act is repealed and the following substituted therefor:

Unlawfully taking motor car.

"(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 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."

Possession of instruments or disguise.

10. Paragraph *(a)* of section four hundred and sixty-four of the said Act is repealed and the following substituted therefor:

Having housebreaking or safebreaking instruments by night.

"*(a)* having in his possession by night, without lawful excuse, the proof of which shall lie upon him, any instrument of housebreaking or safebreaking; or"

Weapons.

11. Section six hundred and twenty-two of the said Act is repealed and the following substituted therefor:

Disposal of weapon.

"**622.** The court or justice before whom any person 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 two of the said section one hundred and twenty-six."

8. 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 possesssion 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 twenty-six 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.

12. Subsection two of section six hundred and thirty-two of the said Act is repealed and the following substituted therefor:

Disposal of counterfeit coin.

"(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 be disposed of pursuant to the provisions of subsection two of section five hundred and sixty-nine."

Appeals.

13. Paragraph *(f)* of subsection one of section seven hundred and forty-nine of the said Act is repealed and the following substituted therefor:

Saskatchewan.

"*(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 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;"

Proviso.

Appeals.

14. Subsection one of section seven hundred and forty-nine of the said Act is amended by adding immediately after paragraph *(f)* thereof the following paragraph:

Alberta.

"*(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 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 for the hearing of such appeal on the application of any party to it;"

Proviso.

Procedure on appeals.

15. Paragraph *(b)* of section seven hundred and fifty of the said Act is repealed and the following substituted therefor:

Notice of appeal.

"*(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 sub-judicial district in which the cause of the information 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

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 be defaced or otherwise 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 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 days;"

Trial with consent.

16. Paragraph *(a)* of section seven hundred and seventy-three 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:

Theft.

"*(a)* with theft, or obtaining money or property by false 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;"

Summary trial in certain cases.

17. Subsection one of section seven hundred and seventy-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.

"*(f)* in the province of Prince Edward Island before a stipendiary magistrate for the province or for any county or counties in the said province;"

Trial with consent.

18. Subsection one of section seven hundred and seventy-six of the said Act, as enacted by section ten of chapter fifty-three of the statutes of 1932-33, is repealed and the following substituted therefor:—

Theft, false pretences and receiving stolen property exceeding $25.00.

"**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 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 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."

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:

"**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 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 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.

19. Subsection six of section eight hundred and twenty-five of the said Act is repealed and the following substituted therefor:—

Notice by accused of desire to make election.

"(6) A person accused of any offence within subsection one of this section who has been committed for trial or who 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 section eight hundred and twenty-six."

20. Section nine hundred and fifty-seven of the said Act is repealed and the following substituted therefor:—

Destroying counterfeit coin.

"**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."

Defence of insanity.

21. Subsection two of section nine hundred and sixty-seven of the said Act is repealed and the following substituted therefor:—

Trial of issue.

"(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."

Interpretation in Part XX.

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:—

Definition "court" in ss. 1081, 1082 and 1083.

"**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 Part 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
19849 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, as enacted by section seventeen of chapter fifty-four of the statutes of 1935, is repealed and the following substituted therefor:—

No person excused from giving evidence on ground of incrimination.

"**24.** No person shall be excused from attending and giving evidence and producing books, papers or records, 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 proceedings thereafter instituted against him, other than a prosecution for perjury in the giving of such evidence."

Protection from oral evidence only.

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 therefor:—

Person failing to attend when summoned guilty of an offence.

"**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 payment 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 thing as required by the said order, he shall, unless he shows that there was good and sufficient cause for such failure,

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
20179 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 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 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 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 and the interest thereon shall be a charge upon and payable out of the Consolidated Revenue Fund.

First Session, Eighteenth Parliament, 1 Edward VIII, 1936

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
20288 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;

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 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 of *The Canadian National-Canadian Pacific Act, 1933*, of the accounts of National Railways as defined in the said Act.

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
19313 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 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 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 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 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
17326 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.*

PART I.

NOVA SCOTIA PARK.

Lands set apart as a National Park in N.S.

1930, c. 33.

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 statutes of 1930.

Addition of lands to the park.

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 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.

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.

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 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.

1930, c. 33.

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°50′30″);

Thence due north (astronomical) to north latitude forty-six degrees, thirty-six minutes and thirty seconds (46°36′30″);

Thence due east (astronomical) to the west longitude sixty degrees and thirty-eight minutes (60° 38′);

Thence due north (astronomical) to north latitude forty-six degrees, thirty-eight minutes and thirty seconds (46° 38′ 30″);

Thence due east (astronomical) to west longitude sixty degrees and thirty-five minutes (60° 35′);

Thence due north (astronomical) to north latitude forty-six degrees, forty-two minutes and thirty seconds (46° 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
19909 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.*

Definitions.

"Broadcasting".

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 by means of Hertzian waves, intended to be received by the public either directly or through the medium of relay stations.

"Channel".

(b) "channel" means a wavelength or frequency authorized to be used for broadcasting;

"Corporation".

(c) "Corporation" means the Canadian Broadcasting Corporation;

"Minister".

(d) "Minister" means the Minister of Transport;

"Private station".

(e) "private station" means any broadcasting station licensed to a person other than the Corporation;

"Corporation station".

(f) "Corporation station" means any broadcasting station owned or operated by the Corporation;

"Station".

(g) "station" means any station licensed under the *Radiotelegraph Act* as a broadcasting station.

Corporation constituted.

3. (1) There shall be a Corporation to be known as 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.

(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.

Tenure of office.

(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.

Re-appointment.

(4) Retiring Governors shall be eligible for re-appointment.

May be removed for cause.

(5) Each Governor shall hold office during good behaviour for the period of his appointment, but may be removed for cause at any time by the Governor in Council.

In case of vacancy.

(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 replaced.

Honorarium.

(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 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.

Expenses.

(8) All Governors shall be entitled to receive and be paid their actual disbursements for expenses necessarily incurred by them in connection with the discharge of their duties under this Act.

Quorum.

(9) Four Governors shall constitute a quorum.

Oath of Office.

(10) Each Governor shall, before acting as such, take 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, 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 otherwise, in broadcasting or, in the manufacture or distribution of radio apparatus. So help me God."

Body corporate.

4. The Corporation shall be a body corporate having capacity to contract and to sue and be sued in the name of the Corporation.

Head office.

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.

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.

Assistant general manager.

7. There shall be an assistant general manager of the Corporation who shall be appointed by the Governor in Council on the recommendation of the Corporation.

Objects of the Corporation.

8. The Corporation shall carry on a national broadcasting service within the Dominion of Canada and for that purpose may:—

(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;

(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 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 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;

(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 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;

(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;

(l) make arrangements or agreements with any organization 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 purchase;

(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;

(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 the objects or the exercise of any of the powers of the Corporation.

Concessions from other governments.

9. The Corporation shall not seek any concession, right or privilege from, or enter into any negotiations or arrangement with any British or foreign government with regard thereto, without having first obtained the consent in writing of the Minister.

Approval of Governor in Council necessary respecting certain expenditures and disposal 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:—

(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 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.

Acquisition of property.

11. (1) No real property or private station shall be 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 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 Corporation.

Deposit of plans and description.

(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 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 for such limited time or such limited estate or interest shall be and become vested in the Corporation;

R.S., c. 64.

Compensation payable.

(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 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 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.

R.S., c. 64.

Cancellation or refusal of licence.

(4) If the Minister decides that the cancellation or refusal 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 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.

No allowance for value of licence.

(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 hereafter 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.

By-laws.

12. *(a)* The Corporation may make such bylaws as 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 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 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.

Civil Service Superannuation rights preserved.

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 twenty-four 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 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 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 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 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 circumstances from the position in the civil service which he held immediately prior to his appointment to the staff of the Corporation.

R.S., c. 24.

Civil Service Act benefits preserved.

(2) Any employee of the Corporation, 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 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 Act.

R.S., c. 22, s. 2.

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 broadcasting 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 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 Fund.

Corporation to retain moneys received.

(2) The Corporation shall retain for the purposes of this Act all moneys received by it arising out of its business.

Corporation to administer funds.

15. The Corporation may administer all funds which may be placed to its credit in the Bank of Canada or in a 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 constituted.

Working capital advances not to exceed $100,000.

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 Consolidated 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.

17. (1) The Governor in Council may authorize the 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 Consolidated 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.

Interest and amortization.

(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.

First charge on revenue.

(3) The interest and amortization charges on the moneys so advanced shall be a first charge on the revenues of the Corporation.

Minister of Finance to deposit licence fees.

18. For the fiscal year 1936-37 the Minister of Finance shall deposit to the credit of the Corporation the net amount 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.

Corporation to render detailed accounts.

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 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.

Annual audit.

20. The accounts of the Corporation shall be audited by the Auditor General of Canada and a statement of such accounts shall be included in the annual report of the Corporation.

Chain or network.

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 by, the Corporation.

Regulations 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 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 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 Corporation and by private stations, and to assign such time on an equitable basis to all parties and rival candidates.

Minister may fix fair and reasonable amount.

(2) If the Corporation is unable to agree with the licensee of a private station as to the amount of compensation, if 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.

Political Broadcasts.

(3) Dramatized political broadcasts are hereby prohibited.

Sponsors.

(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.

Political Broadcasts prohibited on the two days preceding election day.

(5) Political broadcasts on any dominion, provincial or municipal election day and on the two days immediately preceding any such election day are hereby prohibited.

Penalty.

(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 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 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.

Regulations prohibiting interfering equipment.

23. (1) The Governor in Council may make regulations 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 penalties shall not exceed fifty dollars per day for each day during which such violation or non-observance continues.

Publication and date effective.

(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 regulations, and shall have the same force and effect as if enacted herein.

Recommendations regarding private stations to be made by Corporation.

24. (1) The Minister shall, before dealing with any application for licence to establish a new private station or for increase in power, change of channel, or change of 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.

Review of the activities of private stations.

(2) The Corporation shall, each year, prior to the renewal or issue of the licences for private stations by the Minister review the activities of such private stations, and shall

make such recommendations to the Minister in regard to their working, broadcasting or any other matter concerning such stations as it may deem desirable.

Assets and liabilities of Radio Commission.

25. The Corporation shall, from the date of the coming into force of this Act, take possession of all property and assets and assume all the obligations and liabilities of the Canadian Radio Broadcasting Commission.

Annual report.

26. The Corporation shall through the Minister submit an annual report to Parliament in such form as the Minister may prescribe.

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 whole or in part shall come into force on a date or dates to be fixed by proclamation of the Governor in Council.

First Session, Eighteenth 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.

AS PASSED BY THE HOUSE OF COMMONS, 23rd JUNE, 1936.

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

13525

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 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 public service: May it therefore please Your Majesty that it may be enacted, and be it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, that:—

Short title.

1. This Act may be cited as *The Appropriation Act, No. 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 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 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.

$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 eighty-one 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 amount of each of the several items to be voted set forth in Schedule B to 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 granted for 1935-36.

4. From and out of the Consolidated Revenue Fund 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 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.

Amounts chargeable to year ended March 31, 1936.

5. Notwithstanding any provision of *The Consolidated Revenue and Audit Act, 1931*, the amounts appropriated by 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 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 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.

S. 4 of ch. 59 of 1934, and s. 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.

S. 8 of ch. 23 of 1935 repealed.

8. Section eight of *The Prairie Farm Rehabilitation Act*, chapter twenty-three of the statutes of 1935, is repealed.

Authority to pay and discharge certain obligations cancelled. 1930 (2nd Sess.), c. 1. 1931, c. 58. 1932, c. 13. 1932, c. 36. 1932-33, c. 18. 1934, c. 15. 1935, c. 13.

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 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.

Power to raise loan of $200,000,000.00 for public works and general purposes.

1931, c. 27.

10. (1) The Governor in Council may, in addition to the 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 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 addition such sum or sums of money as may be required to pay and redeem treasury bills outstanding from time to time.

Chargeable to Consolidated Revenue Fund.

(2) The principal raised by way of loan under this Act and the interest thereon shall be a charge upon and payable out of the Consolidated Revenue Fund.

Lapse of prior borrowing powers.

(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.

Account to be rendered in detail.

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.
	Printing, advertising, inspection, express, etc.	45,549 50	
	Commission for payment of interest on Public Debt, purchase of sinking funds, auditing, bill stamps and postage, etc.	151,481 00	
1	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 staff, fix their rates of remuneration and otherwise wholly regulate their services without reference to and notwithstanding anything in the Civil Service Act	14,000 00	211,030 50
	CIVIL GOVERNMENT		
2	Office of the Secretary to the Governor General—		
	Salaries	30,589 50	
	Contingencies, including allowance of $2,500 per annum to the Secretary to the Governor General	69,500,00	
3	Agriculture—		
	Salaries	798,997 75	
	Contingencies	77,200 00	
4	Auditor General's Office—		
	Salaries	330,520 75	
	Contingencies	66,000 00	
5	Civil Service Commission—		
	Salaries	209,062 50	
	Contingencies	55,000 00	
6	External Affairs—		
	Salaries, including the appointment of L. C. Christie as Counsellor at $6,000 per annum	100,007 00	
	Contingencies	69,500 00	
7	Finance—		
	Salaries, and to increase the salaries of the Commissioner of Tariff and the Assistant Deputy Minister of Finance by the sums of $2,000 and $1,500, respectively, in lieu of allowances now being paid	342,328 50	
	Contingencies	39,160 00	
	Inspector General of Banks—		
	Salaries and Contingencies	22,905 00	
8	Fisheries—		
	Salaries	113,331 00	
	Contingencies	20,000 00	
9	Immigration and Colonization—		
	Salaries	196,049 25	
	Contingencies	16,300 00	
10	Indian Affairs—		
	Salaries	130,743 00	
	Contingencies	18,000 00	
11	Insurance—		
	Salaries	105,323 56	
	Contingencies	62,920 00	
12	Interior—		
	Salaries	533,782 50	
	Contingencies	20,000 00	
13	Justice—		
	Salaries	230,265 25	
	Contingencies	45,000 00	

SCHEDULE A—*Continued*

No. of Vote	Service	Amount	Total
		$ cts.	$ cts.
	CIVIL GOVERNMENT—*Concluded*		
14	Labour—		
	Salaries	210,770 50	
	Contingencies	26,000 00	
15	Marine—		
	Salaries, including the Assistant Deputy Minister at $6,000 per annum	273,813 00	
	Contingencies	46,800 00	
16	Mines—		
	Salaries	530,152 75	
	Contingencies	20,000 00	
17	National Defence—		
	Salaries	441,082 00	
	Contingencies	52,600 00	
18	National Revenue—		
	Salaries	946,240 00	
	Contingencies	75,000 00	
19	Office of the Prime Minister—		
	Salaries	41,901 00	
20	Post office—		
	Salaries, including amounts required to pay allowances to Office Appliance Operators, Grade 2, operating mechanical 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 regulations approved by Order in Council; and to pay allowances 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	
	Contingencies	155,920 00	
21	Privy Council Office—		
	Salaries	46,838 25	
	Contingencies	5,000 00	
22	Public Archives—		
	Salaries, and to provide for the continuance in office of J. B. Noble, Senior Bookbinder, from April 1, 1936	92,020 00	
	Contingencies	9,200 00	
23	Public Printing and Stationery—		
	Salaries	34,461 25	
	Contingencies	9,000 00	
24	Public Works—		
	Salaries	508,536 00	
	Contingencies	50,000 00	
25	Railways and Canals—		
	Salaries	179,526 00	
	Contingencies	23,000 00	
26	Royal Canadian Mounted Police—		
	Salaries	17,499 00	
	Contingencies	13,300 00	
27	Secretary of State—		
	Salaries	312,838 75	
	Contingencies	74,190 00	
28	Trade and Commerce—		
	Salaries	605,120 50	
	Contingencies	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	

SCHEDULE A—*Continued*

No. of Vote	Service	Amount	Total
		$ cts.	$ cts
	ADMINISTRATION OF JUSTICE—*Concluded*		
	Supreme Court of Canada		
	Contingencies and disbursements, including books, magazines, etc., for judges, not exceeding $350.00	3,300 00	
30	Law books and books of reference for Library, and binding of same	4,500 00	
	Printing, binding and distributing Supreme Court Reports	7,500 00	
	Exchequer Court of Canada		
31	Contingencies—Judges' and Court officials' travelling expenses; remuneration to sheriffs, etc., printing stationery, etc.; and $150.00 for judges books	6,200 00	
	Printing, binding and distributing Court Reports	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, purchase 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		
	SENATE		
34	Salaries and contingent expenses	184,309 75	
	HOUSE OF COMMONS		
	Salaries	130,816 25	
	Expenses of committees, etc	15,000 00	
	Clerical assistance, etc	124,146 87	
35	Contingencies	47,409 00	
	Publishing debates, including salaries of amanuenses, etc	63,000 00	
	Estimates of the Sergeant-at-Arms	206,091 13	
	LIBRARY OF PARLIAMENT		
	Salaries, and to authorize payment of M.C. MacCormac from April 1, 1936 to September 30, 1936	45,429 00	
	Books for the General Library, including binding	17,000 00	
36	Books for the Library of American History	1,000 00	
	Contingencies	12,500 00	
	To provide for the cost of printing reports	1,000 00	
	GENERAL		
37	Printing, printing paper and binding, including salaries of staff in joint distribution office	75,000 00	
			922,702 00
	AGRICULTURE		
38	Dairying	256,000 00	
39	Subsidies for cold storage warehouses under The Cold Storage Act	39,506 39	
40	Fruit, including grant of $4,750 to Canadian Horticultural Council	460,200 00	

SCHEDULE A—*Continued*

No. of Vote	Service	Amount	Total
		$ cts.	$ cts.
	AGRICULTURE—*Concluded*		
41	Seed, feed and fertilizer control, including grants to seed fairs, etc., also grant of $18,900 to Canadian Seed Growers Association	407,200 00	
42	Live Stock, including assistance to Fairs and Exhibitions	1,490,700 00	
43	Experimental Farms, including investigations concerning plant diseases	2,015,900 00	
44	Health of Animals, administration of Animal Contagious Diseases Act and Meat and Canned Foods Act	1,900,400 00	
45	Entomology, including investigations and inspections relating to destructive insects and pests	400,100 00	
46	Publicity and Extension	70,400 00	
47	Farm Economics, including agricultural co-operative marketing	38,400 00	
48	International Institute of Agriculture	12,000 00	
49	Contributions to Empire Bureaux	21,535 00	
50	Advisory Committee on Agricultural Services, travelling expenses, etc.	5,000 00	
			7,117,341 39
	IMMIGRATION AND COLONIZATION		
51	Immigration Salaries and Contingencies	1,181,000,00	
52	Empire Settlement Scheme	6,800 00	
53	Relief of Distressed Canadians	1,500 00	
			1,189,300 00
	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 administration of Soldier Settlement staff, performing investigations for the War Veterans Allowance Committee and Farmers' Creditors Arrangement Act	786,300 00	
			786,300 00
	PENSIONS		
55	Annuity to Sir Frederick G. Banting	7,500 00	
56	Annuity to Sir Charles E. Saunders	5,000 00	
	Pensions to—		
57	The unmarried sister of the late Col. Harry Baker, M.P.	700 00	
58	J. Langlois Bell	600 00	
59	James Elliott	672 00	
60	Alice Morson Smith	600 00	
61	Elizabeth Swinford	600 00	
62	Mounted Police, Prince Albert Volunteers and Police Scouts on account of the Rebellion of 1885	806 65	
63	Families of members of the Mounted Police Force who lost their lives while on duty—		
	Mrs. Mary Emma Bossange	456 25	
	Mrs. Margaret Johnson Brooke	821 25	
	Mrs. Margaret Cox	470 63	
	Mrs. Elizabeth Fitzgerald	525 00	
	Mrs. Letitia Kennedy	423 50	
	Mrs. Nora Jean Massan	300 00	
	Mrs. Margaret Nicholson	607 50	
	Mrs. Catharine Mildred Ralls	795 25	
	Mrs. Myrtle L. Richards	900 00	
	Mrs. Doris Freda Sampson	816 00	
	Mrs. Amy Lillian Searle	406 98	
	Mrs. Madeleine Mary Shoebothom	810 00	
			23,811 01

SCHEDULE A—*Continued*

No. of Vote	Service	Amount	Total
		$ cts.	$ cts.
	SUPERANNUATION		
64	To provide for retiring allowances to former employees of the Department of Public Printing and Stationery	6,432 00	
			6,432 00
	NATIONAL DEFENCE		
	MILITIA SERVICES		
65	Cadet Services	150,000 00	
66	Contingencies	28,800 00	
67	Engineer Services and Works	676,100 00	
68	General Stores	1,838,400 00	
69	Non-Permanent Active Militia	2,358,100 00	
70	Permanent Force	5,546,700 00	
71	Royal Military College	368,400 00	
	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	269 52	
	Life pension to Walter Pettipas	515 90	
	Life pension to Florence Walker	360 00	
	Life pension to Arnold Truman Townsend	420 00	
	Life pension to Michael Mountain	420 00	
			13,377,985 42
	AVIATION		
74	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 thereior	4,130,000 00	
75	Civil Government Air Operations—For Preventive Service and other Air Operations	408,300 00	
76	Civil Aviation—Expenses in connection with the Control of Civil Aviation, Airways, Government and Public Airports and Grants to Aeroplane Clubs	1,262,800 00	
			5,801,100 00
	RAILWAYS AND CANALS		
	(Chargeable to Capital)		
	RAILWAYS		
77	Hudson Bay Railway and Terminals; Construction and Betterments (including E. B. Jost at $2,375)	217,500 00	
	CANALS		
78	Welland Ship Canal—		
	Construction and Betterments	60,000 00	
			277,500 00

SCHEDULE A—*Continued*

No. of Vote	Service	Amount	Total
		$ cts.	$ cts.
	RAILWAYS AND CANALS		
	(Chargeable to Income)		
	CANALS		
79	Improvements	270,100 00	
	MISCELLANEOUS		
80	Board of Railway Commissioners— Maintenance and Operation	230,000 00	
81	Miscellaneous Services	38,500 00	
82	Printing and Stationery	5,000 00	
83	Railway Employees' Provident Fund— To supplement pension allowances under the provisions of the Intercolonial and Prince Edward Island Railway 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	
	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 Company, New Brunswick Coal & Railway Company, Cumberland Railway & Coal Company, Dominion Atlantic Railway, Maritime Coal, Railway & Power Company, Sydney & Louisburg Railway, Témiscouata Railway Company	800,000 00	
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 auditors of the said Company and certified by the said Auditors 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 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		
86	Amount to provide for the payment from time to time to The 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 control 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

SCHEDULE A—*Continued*

No. of Vote	Service	Amount	Total
		$ cts.	$ cts.
	PUBLIC WORKS		
	(Chargeable to Income)		
	PUBLIC BUILDINGS		
	Nova Scotia		
87	Bridgetown—Public building	5,000 00	
	Halifax—Maintenance of Immigration quarters	25,000 00	
	New Waterford—Public building	9,500 00	
		39,500 00	
	New Brunswick		
88	Perth—Public building	9,000 00	
	Rexton—Public building	2,500 00	
	St. Andrews—Public building	13,000 00	
	St. George—Public building	19,500 00	
	Saint John Quarantine Station—Partridge Island—Improvements, alterations and repairs	7,000 00	
		51,000 00	
	Maritime Provinces Generally		
89	Dominion Public Buildings—Improvements and repairs	50,000 00	
	Quebec		
90	Bagotville—Public building	4,000 00	
	Bedford—Public building	26,000 00	
	Dolbeau—Public building	9,000 00	
	Dominion Public Buildings—Improvements and repairs	100,000 00	
	Gross Isle Quarantine Station—Improvements, alterations and repairs	10,500 00	
	Montreal Immigration Building—Improvements and repairs	7,500 00	
	Montreal—Instalment on purchase of armoury	15,900 00	
	Montreal Postal Terminal Building—Additional amount required	250,000 00	
	Quebec Citadel—Improvements and maintenance	19,000 00	
	Stanstead—Public building	10,500 00	
	Westmount—Instalment on purchase of armoury	12,700 00	
		465,100 00	
	Ontario		
91	Belleville—Building for Entomological Branch	36,500 00	
	Belleville—New gun shed	1,500 00	
	Campbellford—Public building	6,000 00	
	Dominion Public Buildings—Improvements and repairs	125,000 00	
	Dunnville—Public building	17,000 00	
	Fenelon Falls—Public building	5,000 00	
	Fort Erie—Public building	72,000 00	
	Hamilton—Addition to armoury	30,000 00	
	Kingston—R.S.A. and Brigade building	55,000 00	
	Kingsville—Public building	14,500 00	
	Kirkland Lake—Public building	75,500 00	
	London—Royal School Building	15,500 00	
	Meaford—Public building	5,500 00	
	Ottawa Central Heating Plant—Improvements	6,900 00	

SCHEDULE A—*Continued*

No. of Vote	Service	Amount	Total
		$ cts.	$ cts.
	PUBLIC WORKS—*Continued*		
	(Chargeable to Income)—Continued		
	PUBLIC BUILDINGS—*Continued*		
	Ontario—Concluded		
91	Ottawa Departmental Buildings—Fittings, etc.	55,000 00	
	Ottawa—To provide for the acquisition of the Hope property at the corner of Sparks and Elgin Streets	155,000 00	
	Powassan—Public building	16,000 00	
	Richmond Hill—Public building	29,500 00	
	Toronto—Instalment on purchase of armoury	29,400 00	
	Watford—Public building	14,000 00	
		764,800 00	
	Manitoba		
92	Dominion Public Buildings—Improvements and repairs	25,000 00	
	Elkhorn—Public building	6,500 00	
	Rivers—Public building	5,000 00	
	Russell—Public building	23,500 00	
		60,000 00	
	Saskatchewan		
93	Dominion Public Buildings—Improvements and repairs	25,000 00	
	Kindersley—Public building	32,000 00	
	Regina—Instalment on purchase of armoury	30,500 00	
	Watrous—Public building	6,000 00	
	Whitewood—Public building	3,500 00	
		97,000 00	
	Alberta		
94	Calgary—Instalment on purchase of property for ordnance stores	9,000 00	
	Dominion Public Buildings—Improvements and repairs	17,000 00	
	Peace River—Public building	31,500 00	
	Red Deer—Addition to armoury	1,500 00	
		59,000 00	
	British Columbia		
95	Dominion Public Buildings—Improvements and repairs	35,000 00	
	Hollyburn—Public building	37,000 00	
	Lillooet—Public building	6,500 00	
	Mission City—Public building	6,000 00	
	Penticton—Public building	65,000 00	
	Salmon Arm—Public building	23,500 00	
	Sidney—Public building	24,000 00	
	Vancouver—Instalment on purchase of armoury	14,000 00	
	Vancouver Public Building—To meet one year's interest at 5% on mortgage of $400,000	20,000 00	
		231,000 00	
	Generally		
96	Experimental Farms—Replacements, repairs and improvements	100,000 00	
	Flags for Dominion Public Buildings	4,500 00	
	Military Buildings—Repairs, fittings and additions	25,000 00	
	Military Hospitals—Repairs, improvements and alterations	80,000 00	
	Post Office equipment	14,000 00	
	Public Buildings generally	30,000 00	
		253,500 00	

SCHEDULE A—*Continued*

No. of Vote	Service	Amount	Total
	PUBLIC WORKS—*Continued*	$ cts.	$ cts.
	(Chargeable to Income)—Continued		
	PUBLIC BUILDINGS—Concluded		
	Rents, Repairs, Furniture, Heating, etc.		
	Ottawa Public Buildings and Grounds—		
	Elevator attendants	124,000 00	
	Departments Generally—Char Service, including $150 for firing noon gun	461,000 00	
	Heating, including salaries of engineers, firemen and watchmen	408,000 00	
97	Light and Power, including roads and bridges	190,000 00	
	Repairs, improvements, additions and maintenance	353,000 00	
	Rideau Hall—Allowance for fuel and light	19,000 00	
	Rideau Hall—Improvements, furniture and maintenance	42,000 00	
	Telephone Service	88,000 00	
	Water	67,000 00	
	Dominion Public Buildings—		
	Dominion Immigration Buildings—Repairs, improvements, additions and furniture	10,000 00	
	Dominion Quarantine Stations—Maintenance and repairs	13,000 00	
	Fittings and furniture	100,000 00	
	Heating	463,000 00	
98	Light and power	332,000 00	
	Rents	1,570,000 00	
	Salaries of caretakers, engineers, firemen, etc.	1,320,000 00	
	Supplies for caretakers, engineers, firemen, etc.	54,000 00	
	Water	83,000 00	
	Yukon Public Buildings—Rents, repairs, fuel, light, water service and caretakers' salaries	22,500 00	
		5,719,500 00	
	HARBOURS AND RIVERS		
	Nova Scotia		
	Under Contract—		
	Dingwall (Aspy Bay) Harbour improvements	6,600 00	
	North West Cove (Scatari Island) breakwater	10,500 00	
	Essential Undertakings—		
99	Halifax—Repairs and improvements to wharfs and buildings at R.C.N. Barracks and H.M.C. Dockyards	75,000 00	
	Harbours and Rivers Generally—For maintenance of services, no new works to be undertaken	250,000 00	
		342,100 00	
	Prince Edward Island		
100	Harbours and Rivers Generally—For maintenance of services, no new works to be undertaken	75,000 00	
	New Brunswick		
	Under Contract—		
	Campbellton—Dredging	21,000 00	
	Caraquet (Young Wharf)—Enlargement and repairs	14,000 00	
	Little Shippigan—Breakwater wharf	25,000 00	
	Lower Caraquet—Wharf repairs	20,000 00	
101	Miramichi Bay—Dredging	26,000 00	
	Newcastle—Wharf	5,000 00	
	Essential Undertakings—		
	St. John (Negro Point)—Repairs to harbour works	20,000 00	
	Harbours and Rivers Generally—For maintenance of services, no new works to be undertaken	100,000 00	
		231,000 00	

SCHEDULE A—*Continued*

No. of Vote	Service	Amount	Total
		$ cts.	$ cts.
	PUBLIC WORKS—*Continued*		
	(Chargeable to Income)—Continued		
	HARBOURS AND RIVERS—*Continued*		
	Quebec		
	Under Contract—		
	Anse à Beaufils—Repairs to harbour works	6,600 00	
	Anse au Griffon (River)—Extension to breastwork	6,300 00	
	Baie Lavallière—Dredging	5,000 00	
	Black Cape (Howatson's Point)—Wharf	25,000 00	
	Cape Cove (Anse du Cap)—Wharf reconstruction	37,500 00	
	Carleton—Wharf reconstruction	29,000 00	
	Doucet's Landing (Ste. Angèle de Laval)—Dredging	14,500 00	
	Dune du Sud, M.I.—Breakwater	6,800 00	
	Grand Entrée, M.I.—Wharf extension and reconstruction of breastwork	18,000 00	
	Havre Aubert, M.I.—Strengthening and widening wharf	31,000 00	
	Havre St. Pierre—Wharf reconstruction	65,000 00	
	Manicouagan—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	140,000 00	
102	New Carlisle—Wharf reconstruction	7,700 00	
	Port Daniel East—Wharf reconstruction	27,000 00	
	Richelieu River—Improvements	122,000 00	
	Rivière du Loup—Wharf enlargement	90,000 00	
	Rivière la Guerre—Contribution towards completion of improvement, the Provincial Government to bear a like amount	36,300 00	
	Roberval—Breakwater	6,000 00	
	St. Juste du Lac—Wharf extension	2,000 00	
	Sept Iles—Wharf	60,000 00	
	Essential Undertakings—		
	Little River St. Lambert—Dredging—The Provincial Government to contribute a like amount	4,000 00	
	Rimouski—Rebuilding track foundation to wharf	66,000 00	
	Harbours and Rivers Generally—For maintenance of services, no new works to be undertaken	300,000 00	
		1,105,700 00	
	Ontario		
	Under Contract—		
	Collingwood—Removal of dock	17,000 00	
	Fort William—Harbour improvements	134,000 00	
	Kingsville—Harbour improvements	27,000 00	
	Little Castor River and Annable Creek—Contribution to the Municipality of the Township of Winchester towards dredging, the Provincial Government to contribute a like amount	1,850 00	
103	Midland—Harbour repairs and improvements	10,000 00	
	Owen Sound—Harbour improvements—To complete	19,000 00	
	Port Arthur—Harbour improvements	68,000 00	
	Windsor—Warehouse extension	35,000 00	
	Essential Undertakings—		
	Toronto—Maintenance of Eastern Channel	12,000 00	
	Harbours and Rivers Generally—For maintenance of services, no new works to be undertaken	200,000 00	
		523,850 00	
	Manitoba		
104	Harbours and Rivers Generally—For maintenance of services, no new works to be undertaken	40,000 00	

SCHEDULE A—Continued.

No. of Vote.	Service.	Amount.	Total.
	PUBLIC WORKS—Continued.		
	Harbours and Rivers—Continued.		
106	Harbours and Rivers Generally—For maintenance of services	£ 16,000	£
	Public Buildings.		
107	Public Buildings—For maintenance of services	10,000	
108	Public Buildings—For new works to be undertaken	100,000	
	Roads.		
109	Roads—For maintenance of services	30,000	
	Railways.		
110	Railways—For maintenance of services	820,000	
	Tramways and Trolley Omnibuses.		
111	Tramways and Trolley Omnibuses—For maintenance of services	16,100	
	Telegraphs and Telephones.		
112	Telegraphs and Telephones—For maintenance of services	16,000	
	Miscellaneous.		
113	Miscellaneous—For maintenance of services	16,000	
	TRADING SERVICES.		
	Electricity.		
114	Electricity—For maintenance of services	16,000	
	Gas.		
115	Gas—For maintenance of services	16,000	
	Water Supply.		
116	Water Supply—For maintenance of services	16,000	
	Miscellaneous.		
117	Miscellaneous—For maintenance of services	16,000	

SCHEDULE A—*Continued*

No. of Vote	Service	Amount	Total
		$ cts.	$ cts.
	PUBLIC WORKS—*Continued*		
	(Chargeable to Income)—Continued		
	HARBOURS AND RIVERS—*Continued*		
	Saskatchewan, Alberta and Northwest Territories		
	Under Contract—		
	Cowan River—Replacement of dam	3,000 00	
105	Harbours and Rivers Generally—For maintenance of services, no new works to be undertaken	15,000 00	
		18,000 00	
	British Columbia		
	Under Contract—		
	Esquimalt R.C.N. Barracks and H.M.C. Dockyard—New buildings, repairs and improvements	100,000 00	
	Essential Undertakings—		
106	Fraser, Skeena and Naas Rivers—Operation and maintenance of snagboats	37,500 00	
	Harbours and Rivers Generally—		
	For maintenance of services, no new works to be undertaken	100,000 00	
		237,500 00	
	Yukon		
	Essential Undertakings—		
107	Stewart and Yukon Rivers—Improvements	5,000 00	
	Generally		
108	Harbours and Rivers Generally—For maintenance of services, no new works to be undertaken	30,000 00	
	DREDGING		
	Dredging—Maritime Provinces	300,000 00	
109	Dredging—Ontario and Quebec	320,000 00	
	Dredging—Manitoba, Saskatchewan and Alberta	50,000 00	
	Dredging—British Columbia	185,000 00	
		855,000 00	
	ROADS AND BRIDGES		
	Burlington Channel Bridge—Maintenance and repairs	15,000 00	
	Calumet-Bryson Bridge—Improvements and repairs	6,900 00	
	Dominion Roads and Bridges—Generally	5,000 00	
110	Great Bear River Rapids—Improvement of portage road and dock	16,500 00	
	Kingston—Wharves and bridges—Maintenance and repairs	13,000 00	
	Ottawa—Maintenance and repairs to bridges and approaches	8,400 00	
	Perley Bridge over Ottawa River at Hawkesbury	10,900 00	
	Selkirk—Bridge—Maintenance and repairs	3,000 00	
		78,700 00	
	TELEGRAPH AND TELEPHONE LINES		
	Quebec		
111	Reconstruction of North Shore St. Lawrence Telegraph System from Shelter Bay eastward—Under construction	10,000 00	

SCHEDULE A—*Continued*

No. of Vote	Service	Amount	Total
		$ cts.	$ cts.
	PUBLIC WORKS—*Concluded*		
	(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		
113	British Columbia Northern District—Repairs and improvements	6,000 00	
	British Columbia Vancouver Island District—Repairs and improvements	9,000 00	
		15,000 00	
	Yukon		
114	Yukon Telegraph System—Repairs and improvements	15,000 00	
	MISCELLANEOUS		
115	Architectural Branch—Salaries of Architects, Clerks of Works Inspectors, Draftsmen, Clerks and Messengers of outside service	72,000 00	
	Engineering Branch—Salaries of Engineers, Clerks, etc., of outside service	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	
	National Gallery of Canada	75,000 00	
	National Monument on Connaught Place	100,000 00	
	Surveys and inspections	65,000 00	
	Balance of expenditure for works already authorized provided amount for any one work does not exceed $200	5,000 00	
	Miscellaneous works not otherwise provided for, not more than $3,000 to be expended upon any one work	50,000 00	
		809,000 00	
			12,196,250 00
	MAIL SUBSIDIES AND STEAMSHIP SUBVENTIONS		
	ATLANTIC OCEAN		
	Canada and the United Kingdom, on the Atlantic, service between	250,000 00	
	Canada and South Africa, service between	112,500 00	
	PACIFIC OCEAN		
	British Columbia and China, service between	118,800 00	
	British Columbia and South Africa, service between	84,000 00	
116	Canada, China and Japan, service between	600,000 00	
	Canada and New Zealand, on the Pacific, service between	300,000 00	
	Prince Rupert, B.C., and Queen Charlotte Islands, service between	12,000 00	
	Vancouver and the British West Indies, service between	33,000 00	
	Vancouver and Northern ports of British Columbia, service between	18,000 00	
	Victoria, Vancouver, way ports and Skagway, service between	12,000 00	
	Victoria and West Coast Vancouver Island, service between	10,000 00	

SCHEDULE A—*Continued*

No. of Vote	Service	Amount	Total
	MAIL SUBSIDIES AND STEAMSHIP SUBVENTIONS—*Concluded*	$ cts.	$ cts.
	LOCAL SERVICES		
	Baddeck and Iona, service between	8,000 00	
	Charlottetown and Pictou, service between	20,000 00	
	Charlottetown, Victoria, and Hollidays Wharf, service between	6,000 00	
	Chester and Tancook Island, winter service between	1,600 00	
	Grand Manan and the Mainland, service between	33,000 00	
	Halifax and Bay St. Lawrence, service between	2,000 00	
	Halifax, Canso and Guysboro, service between	6,750 00	
	Halifax and Sherbrooke, service between	900 00	
	Halifax, La Have and LaHave River ports, service between	2,000 00	
	Halifax, South Cape Breton and Bras d'Or Lake ports, service between	3,500 00	
	Halifax, Spry Bay and Cape Breton ports, service between	4,000 00	
	Halifax and West Coast of Cape Breton, service between	4,000 00	
	Ile-aux-Coudres and Les Eboulements, service between	1,100 00	
	Mulgrave, Arichat and Canso, service between	33,750 00	
	Mulgrave and Guysboro, calling at intermediate ports, service between	9,500 00	
	Murray Bay and North Shore, winter service between	40,000 00	
	Parrsboro, Kingsport and Wolfville, service between	1,500 00	
	Pelee Island and the Mainland, service between	8,250 00	
	Pictou, Mulgrave and Cheticamp, service between	11,000 00	
	Pictou, Souris and the Magdalen Islands, service between	37,500 00	
	Quebec, Natashquan and Harrington, service between	85,000 00	
116	Quebec, or Montreal, and Gaspe, calling at way ports, service between	60,000 00	
	Rimouski and Matane and points on the North Shore of the St. Lawrence, service between	50,000 00	
	Riviere-du-Loup and Tadoussac, and other North Shore ports, service between	8,000 00	
	St. Catharine's Bay and Tadoussac, service between	3,500 00	
	St. John, Bear River, Annapolis and Granville and other way ports, service between	1,500 00	
	St. John and Bridgetown, service between	800 00	
	St. John and Margaretville, and other ports on the Bay of Fundy, service between	2,500 00	
	St. John and Minas Basin ports, service between	5,000 00	
	St. John and St. Andrews, calling at way ports, service between	3,000 00	
	St. John, Westport and Yarmouth, and other way ports, service between	13,000 00	
	St. John and Weymouth, service between	1,000 00	
	Summerville, Burlington and Windsor, N.S., service between	500 00	
	Sydney and Bay St. Lawrence, calling at way ports, service between	25,000 00	
	Sydney and Bras d'Or Lake Ports and West Coast of Cape Breton, and Prince Edward Island, service between	22,500 00	
	Sydney and Whycocomagh, service between	16,000 00	
	Inspection of subsidized steamship services	4,900 00	
			2,086,850 00
	OCEAN AND RIVER SERVICE		
117	Maintenance and repairs to Dominion Steamers and Icebreakers	1,327,900 00	
118	Miscellaneous services relating to Navigation and Shipping	32,100 00	
119	Amount required to reimburse the British Board of Trade for expenditure incurred in the relief of distressed Canadian seamen not authorized by the Canada Shipping Act	300 00	
120	To provide subsidies for wrecking plants—Quebec and British Columbia	45,000 00	
121	Miscellaneous and Unforeseen Expenses	25,000 00	
122	Life Saving Service, including rewards for saving life	44,300 00	
123	Hydrographic and Tidal and Current Surveys, and to provide for the maintenance and repair of Hydrographic Steamers	406,700 00	

SCHEDULE A—*Continued*

No. of Vote	Service	Amount	Total
		$ cts.	$ cts.
	OCEAN AND RIVER SERVICE—*Concluded*		
124	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	
125	Radio Service—to provide for the suppression of local electrical interferences and for the issue of radio receiving licences	275,000 00	
126	To provide for compassionate allowance to Lawrence Larson, formerly employed as Caretaker at the Esquimalt Workshop of the Radiotelegraph Service	500 00	
			2,719,800 00
	PUBLIC WORKS		
	(Chargeable to Capital)		
	MARINE DEPARTMENT		
127	River St. Lawrence Ship Channel Dredging—		
	(a) To provide for contract dredging in St. Lawrence River and Montreal Harbour	2,000,000 00	
	(b) To provide for the maintenance and operation of the Government Ship Channel Fleet and the Government Shipyard, including all necessary repairs and reconditioning	1,138,400 00	
128	To provide for the investigation of water levels in the St. Lawrence 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 Workmen's Compensation Board of British Columbia in continuation 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 was killed while in the performance of his duties	420 00	
133	Marine Signal Service	96,000 00	
134	Administration of Pilotage	90,600 00	
135	Maintenance and repairs to wharves	7,500 00	
136	To provide for breaking ice in Thunder Bay, Lake Superior, and other points deemed advisable in the interests of navigation	30,000 00	
137	Amount required to pay pensions to pilots—Barthelemi Lachance, Alphonse Gosselin, Alphonse Pouliot, John I. Irvine, Treffle Delisle, Ajutor Baillergeon, J. Alphonse Lachance, Joseph Pouliot, Raoul Lachance, Arthur Baillergeon, Phileas Lachance, J. H. Talbot, Jules Asselin, Joseph Vezina	4,200 00	
			2,162,920 00

SCHEDULE A—*Continued*

No. of Vote	Service	Amount	Total
		$ cts.	$ cts.
	SCIENTIFIC INSTITUTIONS		
	DEPARTMENT OF THE INTERIOR		
	Dominion Observatory		
138	Expenses connected with the Dominion Observatory at Ottawa.	46,800 00	
	Dominion Astrophysical Observatory		
139	Expenses connected with the Dominion Astrophysical Observatory at Victoria, B.C.	20,000 00	
	Topographical and Air Survey Bureau		
140	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.	104,600 00	
	Amount required to provide for the purchase of air photographs or negatives for adding to the National Air Photographic Library	5,000 00	
	Amount required to pay fees of the Board of Examiners for D.L.S., of the Secretary and of the Sub-examiners and for travelling expenses, stationery, printing, rent of room and furniture, etc. (the fees of Messrs. F. H. Peters, W. M. Tobey and Harry Parry, Members of the Board and J. A. Cote, Secretary, are to be paid out of this sum)	820 00	
	To assist in printing the publications of the Canadian Institute of Surveying (formerly the Association of Dominion Lands Surveyors)	350 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	
	To recoup the Temiskaming and Northern Ontario Railway Commission in connection with their claim for injury to John Hedin	240 00	
	International Boundary Commission		
142	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

SCHEDULE A—*Continued*

No. of Vote	Service	Amount	Total
		$ cts.	$ cts.
	STEAMBOAT INSPECTION		
144	Steamboat Inspection	128,700 00	128,700 00
	FISHERIES		
145	Salaries and Disbursements of Fishery Officers and Guardians, Fisheries Patrol and Fisheries Protection Services	878,600 00	
146	Building Fishways and Clearing Rivers	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	Fish Culture	240,000 00	
149	Oyster Culture	16,000 00	
150	To provide for an investigation into the life history of the 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 00
	MINES		
	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 technology; wages, and expenses of testing and research laboratories; for publications, English and French; for purchase of books and instruments; for miscellaneous assistance and contingencies; and for investigations by the Dominion Fuel Board, including salaries and all other expenses	250,000 00	
	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	350,000 00	
	For maintenance of offices and museum; for purchase of instruments, chemicals, books of reference, museum equipment and specimens, and related supplies; for expenses of the Geographic Board of Canada; and for miscellaneous assistance and contingencies	85,000 00	693,000 00
	LABOUR		
155	Annuities Act	150,000 00	
156	Conciliation and Labour Act	30,000 00	
157	Fair Wages and Inspection	11,000 00	
158	Industrial Disputes Investigation Act	10,000 00	
159	International Labour Conference	15,000 00	
160	Limitation of Hours of Work Act, Weekly Rest in Industrial Undertakings Act, and the Minimum Wages Act	10,000 00	226,000 00

SCHEDULE A—*Continued*

No. of Vote	Service	Amount	Total
		$ cts.	$ cts.
	PUBLIC PRINTING AND STATIONERY		
161	Printing, Binding, etc., the Annual Statutes	8,500 00	
162	Canada Gazette	23,000 00	
163	Plant—Repairs and Renewals	10,000 00	
164	Distribution of Official Documents	39,000 00	
165	Printing and binding official publications for sale and distribution to Departments and the public	40,000 00	
			120,500 00
	INDIANS		
166	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., and a grant of $100,000 approved by Parliament in session of 1926-27	4,241,100 00	
			4,241,100 00
	ROYAL CANADIAN MOUNTED POLICE		
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, miscellaneous (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	
168	To compensate members of the Royal Canadian Mounted Police for injuries received in the performance of duty	11,000 00	
			5,594,800 00
	GOVERNMENT OF THE NORTHWEST TERRITORIES		
	DEPARTMENT OF THE INTERIOR		
169	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 maintenance 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	
	DEPARTMENT OF NATIONAL DEFENCE		
170	*Radio Services*—For the maintenance and operation of the Northwest Territories Radio System	229,400 00	
			417,100 00

SCHEDULE A—*Continued*

No. of Vote	Service	Amount	Total
		$ cts.	$ cts.
	GOVERNMENT OF THE YUKON TERRITORY		
	Salaries and expenses connected with the administration of the Territory, including surveys	42,000 00	
171	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; 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 00
	DOMINION LANDS AND PARKS		
	Dominion Lands, Seed Grain, Mining Lands, Ordnance, Admiralty and Public Lands, Salaries and expenses, etc	87,824 00	
	Advancement of forest conservation; national inventory of forest resources; investigation of forest conditions and rates of growth, and development of scientific management methods; forest protection studies, technical and economic investigations of forest industries; the operation of forest experiment stations, demonstration forests, and forest products laboratories; co-operative undertakings in forestry and forest products, etc	266,300 00	
	Grant to Canadian Forestry Association	1,620 00	
	Investigation of Water and Power Resources and of International Waterway Problems, the Dominion Hydrometric Survey and for the Administration of the Dominion Water Power and Irrigation Acts, etc	162,600 00	
172	Amount required to meet expenses of Lake of the Woods Control Board	7,288 00	
	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	1,049,600 00	
	Administration of the Migratory Birds Convention Act	32,600 00	
	Salaries of Revenue Staff	9,348 00	
	Costs of Litigation and Legal Expenses	4,000 00	
	Amount to provide for expenses in connection with determination of location and boundaries of Ordnance and Admiralty lands in the Province of British Columbia	3,000 00	
	Amount required to cover the payment of retiring leave to officials other than those on Civil Government	6,000 00	1,630,180 00
	PENSIONS AND NATIONAL HEALTH		
173	Care of patients, medical examination respecting pensions, hospital allowances, and sheltered employment	3,000,000 00	
174	Salaries—Staff	3,428,000 00	
175	Unemployment assistance	2,600,000 00	
176	Administration expense—Department and Canadian Pension Commission	681,758 00	
177	Employers' liability compensation	40,000 00	
178	Grant to Canadian Legion	9,000 00	
179	Grant to Last Post Fund	60,000 00	
180	War Veterans' Allowances	3,200,000 00	
181	Pensions payable to men on active service, North-west rebellion 1885, and general pensions	20,000 00	
182	European War Pensions—Naval, Militia, and Air Forces after the war	41,650,000 00	54,688,758 00

SCHEDULE A—*Continued*

No. of Vote	Service	Amount	Total
		$ cts.	$ cts.
	EXTERNAL AFFAIRS		
	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 anything 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 anything to the contrary in the Civil Service Act, or any of its amendments.....	77,000 00	
	TOKYO		
186	Representation, including salaries and allowances for Minister Plenipotentiary, Secretaries and staff, notwithstanding anything 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	
188	Canada's contribution to the expenses of the League of Nations for 1936, including Secretariat, International Labour Organization and Permanent Court of International Justice.....	194,390 00	
189	Expenses of Canadian Delegates to the Assembly, Conferences and Commissions of the League of Nations.....	12,500 00	
190	Publications of League of Nations for distribution to Members of Parliament and a grant to the League of Nations Society in Canada.....	3,000 00	
			614,890 00
	MISCELLANEOUS		
191	Natural Products Marketing Act, 1934.....	106,600 00	
192	To provide for hospitality in connection with visitors from abroad.....	5,000 00	
193	Canada's contribution to the expenses of the International Commission for Air Navigation for 1936.....	1,650 00	
194	Expenses of Wheat Advisory Committee for 1936, Canada's assessment.....	1,955 00	
195	Amount required to meet loss on exchange, subject to approval of the Treasury Board.....	200,000 00	
196	Canada's portion of expenditure of the Imperial Economic Committee and Imperial Shipping Committee and the Executive Council of the Imperial Agricultural Bureau for 1936..	18,690 00	
197	Advertising and publicity in the United Kingdom and Europe.	250,000 00	
198	Expenses in connection with the negotiation of treaties.....	12,000 00	
199	To 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., to the tribunal constituted pursuant to the provisions of the Convention signed at Ottawa the 15th April, 1935.....	25,000 00	

SCHEDULE A—*Continued*

No. of Vote	Service	Amount	Total
	MISCELLANEOUS—*Continued*	$ cts.	$ cts.
200	Grant to the Canadian General Council of the Boy Scouts Association	9,000 00	
201	Subscriptions to publications of the Empire Parliamentary Association to be distributed to Members of the House of Commons	2,000 00	
202	Grant to the Dominion Council of the Girl Guides	4,860 00	
203	Contribution to aid in carrying on the work of the Royal Astronomical Society	1,620 00	
204	Royal Canadian Academy of Arts	2,025 00	
205	Grant to the Royal Society of Canada	4,500 00	
206	Grant to the Montreal Association for the Blind	4,050 00	
207	Grant to l'Institut Nazareth de Montreal to assist in work with the blind	4,050 00	
208	Grant to l'Association Canadienne-Française des Aveugles to assist in work with the Blind	4,050 00	
209	Amounts required to provide for grants to be made to the Provinces of—		
	Nova Scotia	1,300,000 00	
	New Brunswick	900,000 00	
	Prince Edward Island	275,000 00	
	British Columbia	750,000 00	
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	
211	To provide for expenses of the Comptroller of the Treasury's office and to empower the Civil Service Commission to 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 rates effective at the time of transfer	1,719,883 00	
212	To provide for the administration of the Royal Canadian Mint, including salaries, contingencies, retiring and other allowances, and general expenses	230,000 00	
213	To provide for the maintenance of the Dominion of Canada Assay Office, Vancouver, B.C.	18,797 00	
214	To provide for salaries and expenses of the Tariff Board, including additional provision by reason of the increased jurisdiction under the Dominion Trade and Industry Commission Act—Payments may be made notwithstanding anything in the Civil Service Act or regulations	180,000 00	
215	To provide for the administration of the Bankruptcy Act	37,762 50	
216	Administration of the Old Age Pensions Act	12,000 00	
217	Federal District Commission—To provide for maintenance and improvement of properties under the control of the Federal District Commission	121,400 00	
218	To provide for the expenses of work in the interests of fire prevention to be carried on by the Department of Insurance	12,000 00	
219	To provide for salaries and expenses of the office of the Salvage Officer, including L. H. Beer at $4,750	11,275 00	
220	Chief Electoral Officer—Salaries and contingencies of office	16,270 00	
221	Dominion Franchise Commissioner—Salaries and contingencies of office, etc	15,899 00	
222	To pay Mrs. E. B. Hutcheson as Matron, notwithstanding the fact that, owing to advanced age, she may not be able to continue the regular performance of such duties, in recognition of the valuable services rendered by her late husband as Exhibition Commissioner	1,200 00	
223	Grant to John Thomas (Jack) Miner to assist him in his wild life conservation work	4,000 00	
224	Expenses of litigated matters—Department of Justice	25,000 00	
225	Annual contribution to the Canadian Law Library, London, England	500 00	
226	Canadian Radio Broadcasting Service	1,500,000 00	
227	To reimburse Peter R. Jack and Chas. A. Ackhurst, one-time Harbour Commissioners at Halifax, for expenses incurred by them in connection with the inquiry into the administration of the Halifax Harbour Commission in 1930	3,855 10	

SCHEDULE A—*Continued*

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	Battlefields Memorials	84,950 00	
230	To provide for the Book of Remembrance of members of the Canadian Forces, and Canadians in the Forces of the British Empire who lost their lives in the Great War	8,000 00	
231	Grant to the Canadian Council on Child and Family Welfare	13,100 00	
232	Grant to the Canadian National Committee for Mental Hygiene	10,000 00	
233	Grant to the Canadian Social Hygiene Council	5,000 00	
234	Grant to the Canadian National Institute for the Blind	18,000 00	
235	Grant to the Canadian Tuberculosis Association	20,250 00	
236	Grant to the Victorian Order of Nurses	13,100 00	
237	Grant to assist the Canadian Branch of the St. John Ambulance Association	4,050 00	
238	Grant to the Canadian Red Cross Society	8,100 00	
239	Grant to the Canadian Dental Hygiene Council	750 00	
240	To provide for payment of salaries and expenses in connection with the St. Lawrence Ship Canal Surveys and Investigations, 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 conditions of Orders in Council P.C. 1462 and P.C. 1533 of June 7, 1935, respecting orders of steel rails for the Canadian National Railway Company (Revote $25,000)	70,000 00	
243	Grant to the Chief Constables Association of Canada	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	67,600 00	
247	To provide for salaries and expenses of the Bureau for Translations	241,455 75	
248	Expenses under the Naturalization Act	23,720 00	
249	Expenses under the Canada Temperance Act	5,000 00	
250	To provide for report on cultural conditions in Canada (literature, 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 permanent, 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 an Act to amend the Canada Grain Act, whereby a statutory grade was established for Garnet wheat, and the statutory grade "No. 2 Manitoba Northern" was revised to exclude Garnet wheat by substituting "Marquis or equal to Marquis" for "red spring wheat of good milling quality" and to facilitate the efficient and orderly marketing 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	
	Adjustment of War Claims		
255	National Defence	68,971 00	
256	Secretary of State	10,000 00	
			14,445,038 35

SCHEDULE A—*Continued*

No. of Vote	Service	Amount	Total
		$ cts.	$ cts.
	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	6,465,000 00	
	Salaries and travelling expenses of officers of the Inspection, Investigation, Audit, and the Preventive Service Undervaluation Services	1,025,000 00	
	Miscellaneous, including printing and stationery; subscriptions to commercial papers; flags; dating stamps; locks; instruments; express charges on samples; premiums on guarantee bonds; uniforms for Customs-Excise Officers; laboratory equipment and supplies; etc	600,000 00	
257	Amount to be paid to the Department of Justice to be disbursed by and accounted for to it for Customs-Excise Secret Investigation Service	15,000 00	
	To provide for the 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 statutory deduction) for the Commissioner of Income Tax	2,135,000 00	
	Amount to be paid to the Department of Justice to be disbursed by and accounted for to it for the Income Tax Secret Investigation Service	10,000 00	
			10,250,000 00
	RAILWAYS AND CANALS		
	(Chargeable to Collection of Revenue)		
	RAILWAYS		
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, HARBOURS AND ELEVATORS		
259	Canals and Harbours: Operation and Maintenance	2,145,100 00	
260	Elevators: Operation and Maintenance	327,000 00	
			2,808,600 00
	PUBLIC WORKS		
	(Chargeable to Collection of Revenue)		
	GRAVING DOCKS		
261	Champlain Graving Dock	75,000 00	
	Esquimalt Graving Dock	73,000 00	
	Lorne Graving Dock	37,000 00	
	Selkirk—Repair slip	3,000 00	

SCHEDULE A—*Continued*

No. of Vote	Service	Amount	Total
		$ cts.	$ cts.
	PUBLIC WORKS—*Concluded*		
	(Chargeable to Collection of Revenue)		
	TELEGRAPH AND TELEPHONE LINES		
	Land and Cable Telegraph Lines, Lower St. Lawrence and Maritime Provinces, including working expenses of vessels for cable service	133,400 00	
	Alberta and Saskatchewan	88,100 00	
262	British Columbia—Northern District	63,000 00	
	British Columbia—Vancouver Island District	91,250 00	
	Yukon System—Main line	102,000 00	
	Telegraph and Telephone Services Generally	5,500 00	
			671,250 00
	POST OFFICE—OUTSIDE SERVICE		
	Salaries and allowances	16,063,627 50	
	Mail services, including mail service by air	13,874,500 00	
263	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 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 50
	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, Administration of	600 00	
265	The Canada Grain Act, including management, operation and maintenance, also equipment of Elevators, Administration of	1,927,200 00	
266	Commercial Intelligence Service, including miscellaneous expenditure in connection with Canada's trade	733,400 00	
267	Dominion Bureau of Statistics	375,200 00	
268	Exhibitions and Fairs	166,400 00	
269	Electricity and Fluid Exportation Act, Administration of	750 00	
270	Electricity and Gas Inspection Service	220,300 00	
271	International Customs Tariffs Bureau	2,700 00	
272	Motion Picture Bureau	40,800 00	
273	National Research Council	500,000 00	
274	The Precious Metals Marking Act, Administration of	5,393 00	
275	Printing of Departmental Publications	95,000 00	
276	Publicity and Advertising in Canada and Abroad	54,100 00	
277	Weights and Measures Inspection Service	383,300 00	
278	Port of London Authority	2,233 82	
279	International Bureau of Exhibitions	1,200 00	
			4,508,576 82
	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 Cartier Bridge	443,000 00	

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 payment 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, 1927	99,458 67	
282	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 ending December 31, 1936 (revote $17,000)	29,450 00	
283	To provide for Soldier Land Settlement Advances and for Advances under the British Family Schemes recoverable 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
		$ cts.	$ cts.
	AGRICULTURE		
	PROJECTS ALREADY UNDERTAKEN		
307	Prairie Farm Rehabilitation Act—		
	Experimental projects and large scale demonstrations therefrom	214,000 00	
	Water development projects	234,000 00	
308	Western Conservation Works—		
	Southern Alberta Storage Dam, Wild Horse, Alberta	6,953 63	
	Middle Creek Reservoir, Govenlock, Saskatchewan	11,368 69	
	Dam construction at Adams Lake, Govenlock, Saskatchewan	7,500 00	
	Construction of dams in the Municipality of Edwards, Manitoba	6,000 00	
	Waskana Reclamation Project, Municipality of Lajord, Saskatchewan	7,300 00	
	Val Marie Irrigation Project, Val Marie, Saskatchewan	121,187 28	
	Eastend Irrigation Project, Eastend, Saskatchewan	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	170,000 00	
	Miscellaneous and contingencies	132,000 00	
311	Western Conservation Works—		
	Development of a gas well at Red Deer River, Atlee, Alberta	8,000 00	
	Wood River Stock Watering Dams, Coderre, Saskatchewan	7,500 00	
	Berry Creek Water Storage Project, Berry Creek, Alberta.	25,000 00	
	Sundry projects	105,531 09	
312	Buildings and Improvements—		
	Extension of Botanical Greenhouses for arboretum and botanical gardens at Central Experimental Farm	4,528 60	
	Replacement of Director's residence, Central Experimental Farm	12,000 00	
	Addition to Fibre Mill and plant, Central Experimental Farm	2,300 00	
	Farm Machinery Building, including general workroom, laboratory space, etc., in connection with Field Husbandry, Central Experimental Farm	60,697 00	
	Erection of field laboratory, necessary repairs to existing buildings on property, erection of fencing, installation of telephone, repairs to road, and certain equipment at Kamloops, British Columbia	7,000 00	

SCHEDULE B—*Continued*

No. of Vote	Service	Amount	Total
		$ cts.	$ cts.
	AGRICULTURE—*Concluded*		
	OTHER PROJECTS—*Concluded*		
313	Brandon Winter Fair and Live Stock Association Building—Repairs and alterations	25,000 00	
			559,556 69
			1,296,442 24
	FISHERIES		
	OTHER PROJECTS		
314	To aid, in co-operation with Provincial Governments concerned, in re-establishment of needy fishermen	300,000 00	
315	To aid in expanding the sale of the products of Canadian fishermen in foreign and domestic markets	200,000 00	
			500,000 00
	INDIAN AFFAIRS		
	PROJECT ALREADY UNDERTAKEN		
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 projects relating to Indian administration	135,708 00	
318	To provide for erection of Indian Schools	70,700 00	
319	To provide for construction of roads, bridges and other engineering works on Indian Reserves	24,512 00	
			230,920 00
			260,920 00
	INTERIOR		
	PROJECTS ALREADY UNDERTAKEN		
320	National Parks—		
	Administration building at Banff, Alta	38,000 00	
	Other Buildings—Construction and repairs	115,500 00	
	Landing fields—Construction	5,000 00	
	Municipal services—Construction, improvements and extensions	27,500 00	
	Recreational Areas—Extensions and improvements	9,200 00	
	Roads—Construction and repairs	109,000 00	
	Townsite development—Kootenay Park	2,500 00	
	Engineering supervision and general	12,500 00	
	Relief—Permanent residents of the Parks	102,000 00	
	Relief—Single homeless men	50,000 00	
321	Forest Service—Water supply system, building construction 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	
			549,500 00

SCHEDULE B—*Continued*

No. of Vote	Service	Amount	Total
		$ cts.	$ cts.
	INTERIOR—*Concluded*		
	OTHER PROJECTS		
324	National Parks—		
	Buildings—Construction and repairs, including buffalo abattoir, $20,000	100,000 00	
	Forest and game conservation works	25,000 00	
	Municipal services—Construction, extensions and improvements	25,000 00	
	Recreational areas—extension and improvements	25,000 00	
	Roads—Construction and repairs, including Golden-Revelstoke Highway and improvements to main tourist routes from international boundary to Banff, Yoho and Kootenay Parks	850,000 00	
	Townsite development	25,000 00	
	Wharves and beach protection works	13,200 00	
	Development of new parks—Maritime provinces	140,000 00	
	Miscellaneous	25,000 00	
325	Forest Service—Development of Experimental Stations and Forestry Research	75,000 00	
326	Topographical and Air Surveys Bureau—Ground and aerial surveys and mapping	20,000 00	
327	Geodetic Surveys—To provide for the establishment of control points and base lines at various points	10,000 00	
328	Water Power and Hydrometric Bureau—International Gauging Station on the Columbia River near Birchbank, B.C.	10,375 00	1,343,575 00
			1,893,075 00
	LABOUR		
	PROJECTS ALREADY UNDERTAKEN		
329	Amount required to provide for Agricultural Settlement and Re-settlement	500,000 00	
330	Amount required to provide for commitments arising out of agreements with the Provinces—		
	Trans-Canada Highway	3,527,125 00	
	Provincial Highways and Roads	1,534,197 00	
	Municipal Works	634,252 00	
	Greater Winnipeg Sewage Disposal Scheme	900,000 00	
	Direct Relief	190,541 00	
	Other commitments, including farm placement	259,000 00	
331	Amount required to provide for administration expenses generally, including salaries and travelling expenses	175,000 00	7,720,115 00
	OTHER PROJECTS		
332	Amount required to provide for expenses of the National Employment Commission, including salaries and travelling expenses	125,000 00	
333	Amount required to provide for Farm Placement Scheme	1,000,000 00	
334	Amount required to provide for Agricultural Settlement and Re-settlement	1,000,000 00	
335	Amount required for new works to be undertaken in co-operation with the Provinces	9,200,000 00	
336	Amount required to provide for unforeseen contingencies	500,000 00	11,825,000 00
			19,545,115 00
	GRANTS IN AID		
337	Amount required to provide for monthly Grants-in-Aid to the Provinces	.....	26,000,000 00

SCHEDULE B—*Continued*

No. of Vote	Service	Amount	Total
		$ cts.	$ cts.
	MARINE		
	OTHER PROJECTS		
338	To provide for the construction, repair and replacement of aids to navigation and buildings and structures used in connection therewith	379,875 00	
339	To provide for the reconditioning and conversion of Government steamers	175,000 00	
340	To provide for the removal of derelicts in the harbours of Canada, particularly Port Arthur, Fort William, Sarnia, South Bay and Richelieu River	70,000 00	
			624,875 00
	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 00
	OTHER PROJECTS		
342	To continue geological surveys and investigations in the Northwest Territories and elsewhere in Canada, uncompleted in 1935	200,000 00	
343	To assist in provision of transportation facilities into mining areas	1,500,000 00	
			1,700,000 00
			1,850,000 00
	NATIONAL DEFENCE		
	PROJECTS ALREADY UNDERTAKEN		
344	Calgary, Alta.—Barracks for Permanent Force—		
	Officers' Mess and Single Officers' Quarters	110,000 00	
	Veterinary Sick Lines	10,000 00	
	Surfacing permanent roads	40,000 00	
	Grading, seeding and terracing	10,000 00	
	Interior fittings, including telephone system	8,988 00	
	Mess building No. 6	15,350 00	
	Sewers	55,005 00	
	Grading Landing Field	18,670 00	
	Administration building No. 1	35,712 00	
	Garage and forage barn	4,856 40	
	Electric underground distribution system	7,892 00	
	Married Officers' Quarters	4,640 00	
	Salaries, wages, architects' fees and travelling in connection with Calgary Barracks and any other works and buildings included in the several votes in these estimates for National Defence	40,712 00	
	Miscellaneous	14,941 74	
345	Kingston, Ont.—Royal Military College—		
	South wing to Fort Frederick Dormitory and connecting passage to new Mess and Recreation Building	150,000 00	
	New Mess and Recreation Building—Equipment and fittings	31,600 00	
	Grading, turfing, sidewalks, roads and incidentals, including extras in connection with main contract	14,039 55	
	Miscellaneous, including general repairs to existing buildings and grounds, etc	10,334 72	
346	Montreal, P.Q.—Armoury for the 17th Duke of York Royal Canadian Hussars	1,444 24	
347	Ottawa, Ont.—New Photographic Building at the Royal Canadian Air Force Station	939 82	
348	Vancouver, B.C.—Armoury for Seaforth Highlanders	19,433 25	

SCHEDULE B—*Continued*

No. of Vote	Service	Amount	Total
		$ cts.	$ cts.
	NATIONAL DEFENCE—*Concluded*		
	PROJECTS ALREADY UNDERTAKEN—*Concluded*		
349	Barriefield, Ont.—Royal Canadian Corps of Signals Depot—		
	Administration building	75,000 00	
	Barrack Block No. 2	130,000 00	
	Training building	115,000 00	
	Single Officers building	100,000 00	
	Sergeants Mess	40,000 00	
350	Ottawa, Ont.—Royal Canadian Air Force Station—Landplane Hangar	50,000 00	
351	Valcartier, P.Q.—Dominion Arsenal Buildings for Filling and Ammunition Groups	200,000 00	
352	Dartmouth, N.S.—Workshop and Stores Building, Royal Canadian Air Force	140,000 00	
353	Quebec, P.Q.—Rebuilding City Walls	100,000 00	
354	Winnipeg—Fort Osborne Barracks—Erection of garage	15,500 00	
355	Public Buildings Generally—Improvements, additions and maintenance	3,126 00	
356	To provide for expenses in connection with the continuance of unemployment relief projects now organized and conducted for the relief of single homeless men	2,770,687 00	
			4,343,871 72
	OTHER PROJECTS		
	EXTENSION OF EXISTING FACILITIES		
357	Trenton, Ont.—Royal Canadian Air Force Station—		
	Single Officers Building	160,000 00	
	Married Airmen's Quarters	160,000 00	
	Married Officers' Quarters	110,000 00	
358	Ottawa, Ont.—Rockcliffe Air Station, Royal Canadian Air Force—Men's Barrack Building	160,000 00	
359	St. Johns, P.Q.—		
	Garage at Permanent Force Barracks	22,000 00	
	Administration Building	100,000 00	
360	London, Ontario—		
	Garage for Royal Canadian Army Service Corps vehicles at Wolseley Barracks	20,000 00	
362	Halifax, N.S.—		
	Building for the Royal Canadian Engineers at Wellington Barracks	50,000 00	
363	Fredericton, N.B.—		
	Armoury—Reconstruction	40,000 00	
364	Esquimalt, B.C.—		
	Joint Service Magazine	125,000 00	
366	Esquimalt, B.C.—H.M.C. Dockyard—Extension of jetty	20,000 00	
367	Prince Rupert, B.C.—		
	Increased accommodation at the R.C.N.V.R. Headquarters	7,000 00	
			974,000 00
			5,317,871 72
	NATIONAL HARBOURS BOARD		
	PROJECTS ALREADY UNDERTAKEN		
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—		
	Road to make connection between dock and new bridge and connecting dock sidings with Roberval and Saguenay terminal	13,663 52	

SCHEDULE B—*Continued*

No. of Vote	Service	Amount	Total
		$ cts.	$ cts.
	NATIONAL HARBOURS BOARD—*Concluded*		
	PROJECTS ALREADY UNDERTAKEN—*Concluded*		
371	Quebec Harbour Improvements—		
	To provide for payment of amounts retained in connection with certain contracts	6,866 71	
	New Quay Wall—To widen west side, Pier No. 1, Princess Louise Docks	808,202 73	
	Bituminous Macadam road, Gilmour Hill—Provision for payment of claim for additional work done under contract	7,177 92	
	Dredging at Wolfe's Cove terminal	179,906 70	
	Dredging St. Charles River and Louise Basin	203,355 81	
	Resurfacing Wolfe's Cove yard	18,159 53	
	Repairs to wharves and sheds, Princess Louise Docks	17,000 00	
372	Three Rivers Harbour Improvements—		
	New transit shed on new wharves	145,000 00	
	Reconstruction of old wooden wharves, roads, railway tracks and lighting system	137,600 00	
373	Montreal Harbour Improvements—		
	Raising wharf, Sections 38 to 40	20,971 31	
	Reconstruction of raceways in Windmill Point area	180,990 95	
	Laurier Pier, reconstruction	85,375 30	
	Sutherland Pier, reconstruction and extension	655,904 24	
	Alexandra Pier, reconstruction	847,000 00	
	Raising wharf and railroad tracks, Sections 35-40	47,290 74	
	Extension of Marine Tower Jetty, Elevator 3	35,557 42	
	Reconstruction of Windmill Point Wharf—Up-stream section	1,000,000 00	
			6,229,522 88
	OTHER PROJECTS		
374	Halifax Harbour Improvements—		
	New sheds, Pier "B"—Provision of cargo handling and fire prevention equipment	6,400 00	
375	Chicoutimi Harbour Improvements—		
	Improvement of roadways	17,000 00	
376	Montreal 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 07
			6,618,742 95
	PUBLIC WORKS		
	PROJECTS ALREADY UNDERTAKEN		
	PUBLIC BUILDINGS		
	Nova Scotia		
377	Amherst—New public building	26,500 00	
	Halifax—New public building	901,000 00	
	Mahone Bay—Public building	2,000 00	
	Shelburne public building—Repairs and improvements	4,000 00	
		933,500 00	
	New Brunswick		
378	Centreville—Customs building on boundary	12,160 00	
	Fredericton—Entomological laboratories	8,000 00	
	Moncton—Public building	44,500 00	
	St. Stephen—Building for Customs and Immigration purposes	137,000 00	
		201,660 00	

SCHEDULE B—*Continued*

No. of Vote	Service	Amount	Total
		$ cts.	$ cts.
	PUBLIC WORKS—*Continued*		
	PROJECTS ALREADY UNDERTAKEN—*Continued*		
	PUBLIC BUILDINGS—*Concluded*		
	Quebec		
	Brownsburg—Public building	12,000 00	
	Cantic—Building for Immigration and Customs purposes	16,500 00	
	Coaticook public building—Addition and improvements	8,500 00	
	Farnham—Public building	68,000 00	
379	Montreal—Public building addition and alterations	540,000 00	
	Montreal—Postal Terminal Building	430,000 00	
	Quebec West—Public building	11,500 00	
	Rouyn—Public building	10,000 00	
	Valois—Public building	5,000 00	
		1,101,500 00	
	Ontario		
	Blackwell—Onion warehouse	14,250 00	
	Bradford—Public building	11,500 00	
	Cobalt—Public building	54,000 00	
	Cochrane—Public building	54,000 00	
	Fort William—Public building	4,000 00	
	Galt—Public building	40,000 00	
	Guelph—New public building	23,000 00	
	Guelph—Public building	30,000 00	
	Hamilton—Public building	715,000 00	
	London—Public building	445,000 00	
	New Toronto—Public building	8,000 00	
	Ottawa—Central Experimental Farm—Administration Building	33,000 00	
380	Ottawa—Central Experimental Farm—Storage Building (Cereal Division)	1,500 00	
	Ottawa—National Research Buildings—Improvements	57,500 00	
	Ottawa—Postal Terminal Building	410,000 00	
	Ottawa—Record Storage Building	450,000 00	
	Ottawa—Justice Building	525,000 00	
	Ottawa—Royal Canadian Mint	83,000 00	
	St. Catharines—Public building—Additions and alterations	13,000 00	
	Thorold—Public building	3,500 00	
	Toronto—New Postal Station "D"	29,000 00	
	Toronto—Customs Building	75,000 00	
	Trenton—Public building—Alterations and additions	4,000 00	
		3,083,250 00	
	Manitoba		
381	Winnipeg—New public building	255,000 00	
	Winnipeg—Post Office addition	20,000 00	
		275,000 00	
	Saskatchewan		
382	Regina—New public building	440,000 00	
	British Columbia		
	Huntingdon—Building for Immigration and Customs purposes	4,500 00	
383	Pacific Highway—Building for Customs and Immigration purposes	29,000 00	
	Vancouver—Public building	960,000 00	
	Vernon—Public building—Alterations and improvements	3,500 00	
		997,000 00	

SCHEDULE B—*Continued*

No. of Vote	Service	Amount	Total
		$ cts.	$ cts.
	PUBLIC WORKS—*Continued*		
	PROJECTS ALREADY UNDERTAKEN—*Continued*		
	HARBOURS AND RIVERS		
	Nova Scotia		
	Avonport—Repairs to roadway and wharf	2,500 00	
	Barrington Passage—Wharf repairs	600 00	
	Big Island (Merigamish)—Wharf	800 00	
	Boularderie Centre—Repairs to wharf and road approach	600 00	
	Brooklyn—Breakwater extension	40,000 00	
	Brule—Wharf repairs	2,600 00	
	Burke's Head (North Ingonish)—Wharf repairs	7,000 00	
	Carr's Brook—Wharf repairs	4,500 00	
	Chester Ironbound—Breakwater	6,100 00	
	Cheticamp—Dredging	40,000 00	
	Church Point—Groynes	1,600 00	
	Dingwall—Dredging	2,000 00	
	East River—Dredging	30,200 00	
	Finlay Point—Dredging	600 00	
	Five Islands—Wharf and vessel bed repairs	3,000 00	
	Flat Mud Island—Breakwater	2,300 00	
	Framboise—Breakwater	800 00	
	Iona—Wharf repairs	800 00	
	Jordan Ferry—Breakwater	900 00	
	Little Harbour—Roadway with cribwork retaining wall	1,000 00	
384	Lockeport—Breakwater	22,000 00	
	Long Pond—Dredging	1,000 00	
	Lower Jordan Bay—Hand dredging	700 00	
	Malagash—Wharf extension	6,100 00	
	Neil's Harbour—Breakwater repairs	7,500 00	
	North Ingonish, McLeod's Cove—Breakwater repairs	3,400 00	
	Pictou Island—Dredging	2,700 00	
	Port Hood—Closing northern entrance	2,200 00	
	Port Medway—Breakwater extension	2,000 00	
	Port Mouton—Dredging	10,500 00	
	Pugwash—Wharf extension and repairs	26,500 00	
	Scotch Cove—Breakwater repairs	19,000 00	
	Swim's Point—Wharf repairs	1,000 00	
	Trout Cove—Breakwater repairs	1,400 00	
	Wadden's Cove—Hoisting equipment	700 00	
	West Advocate—Breakwater improvements	3,000 00	
	Wreck Cove—Pier	1,700 00	
	Yarmouth Harbour—Sweeping, to complete	1,000 00	
	Purchase of creosoted materials for District No. 1, Halifax	5,000 00	
	To provide for completion of works already undertaken, the amount allocated to any one work not to exceed $500	10,000 00	
		275,300 00	
	Prince Edward Island		
	Annandale—Wharf repairs	2,500 00	
	Georgetown—Repairs to warehouse flooring	5,000 00	
	Lower Montague—Wharf repairs	600 00	
	Montague River—Dredging	7,700 00	
385	St. Mary's Bay—Dredging	25,900 00	
	Rocky Point—Breakwater repairs	4,300 00	
	Tignish—Beach protection	800 00	
	To provide for completion of works already undertaken, the amount allocated to any one work not to exceed $500	1,000 00	
		47,800 00	

SCHEDULE B—*Continued*

No. of Vote	Service	Amount	Total
		$ cts.	$ cts.
	PUBLIC WORKS—*Continued*		
	PROJECTS ALREADY UNDERTAKEN—*Continued*		
	HARBOURS AND RIVERS—*Continued*		
	New Brunswick		
386	Cape Bald—Dredging	5,000 00	
	Escuminac—Breakwater extension	23,100 00	
	Indian Island—Wharf	2,700 00	
	St. Thomas (Cocagne Bar)—Bridge reconstruction	1,500 00	
	Shippigan—Dredging—Repairs to Dredge No. 4	1,900 00	
	To provide for completion of works already undertaken, the amount allocated to any one work not to exceed $500	3,000 00	
		37,200 00	
	Quebec		
387	Anse St. Jean—Wharf repairs	7,600 00	
	Berthierville—Dredging	12,000 00	
	Bonaventure—Wharf repairs	1,500 00	
	Bromptonville—Protection work repairs	1,400 00	
	Cap aux Meules, M.I.—Wharf reconstruction and improvements	81,300 00	
	Cap aux Os (The Gulch)—Landing	3,300 00	
	Chambly Basin—Protection wall	21,000 00	
	Chateauguay River—Concrete dam	9,100 00	
	Dundee—Dredging	7,400 00	
	Ferme Neuve—Protection work	2,500 00	
	Grande Rivière—Rebuilding wharf	25,400 00	
	Grand Ruisseau—Completion of approach	2,000 00	
	Ile du Pads—Wharf	800 00	
	Lacolle River—Survey and dredging	7,300 00	
	Laval sur le Lac—Dredging	5,200 00	
	Norton Creek—Improvements	3,000 00	
	Petite Rivière au Renard—Extension of south jetty	10,300 00	
	Petite Rivière Est—Construction of fishing harbour	42,000 00	
	Pointe au Pic (Murray Bay)—Wharf extension	1,400 00	
	Portage du Cap—Dredging and repairs to sand pump	1,600 00	
	Richmond—Protection wall	6,500 00	
	Rivière Ouelle—Wharf reconstruction	23,500 00	
	Rivière St. François—Dredging	39,000 00	
	Ruisseau LeBlanc—Dredging	24,000 00	
	St. Barthélémi—Dredging	1,400 00	
	Ste. Anne du Lac—Wharf	2,200 00	
	Ste. Geneviève—Dredging	4,700 00	
	St. Romuald—Protection wall	3,700 00	
	Sorel—Dredging	41,000 00	
	Sorel—Repairs to wharf	11,500 00	
	Tobin—Wharf	12,000 00	
	To provide for completion of works already undertaken, the amount allocated to any one work not to exceed $500	3,000 00	
		418,600 00	
	Ontario		
388	Byng Inlet—Dredging	43,400 00	
	Gananoque—Dredging, Clarence street wharf	3,680 00	
	Green Island—Dredging	1,400 00	
	Hudson—Construction of scow for aeroplane landing	710 00	
	Keewatin—Wharf construction	5,650 00	
	Michipicoten River—Wharf extension	2,000 00	
	Parry Sound (Two, Five and Seven Mile Narrows)—Dredging	12,800 00	
	Penetanguishene—Wharf extension	7,850 00	
	Port Elgin—Dredging	15,000 00	
	Port McDiarmid—Breakwater	13,050 00	
	Rondeau—East pier reconstruction	4,400 00	
	Sault Ste. Marie—Dredging	6,800 00	

SCHEDULE B—*Continued*

No. of Vote	Service	Amount	Total
		$ cts.	$ cts.
	PUBLIC WORKS—*Continued*		
	PROJECTS ALREADY UNDERTAKEN—*Continued*		
	HARBOURS AND RIVERS—*Continued*		
	Ontario—Concluded		
	South Bay Mouth—Property acquisition and legal services	980 00	
	Tiffin (Midland)—Dredging	16,000 00	
	Toronto—Completion of ship channel walls	144,000 00	
388	Toronto—New dock at Marginal way	149,200 00	
	Toronto—Tunnel	127,800 00	
	To provide for completion of works already undertaken, the amount allocated to any one work not to exceed $500	3,000 00	
			557,720 00
	Manitoba		
	Dredge *Winnipegosis*—Transferring machinery	800 00	
	Selkirk—Bridge over Red River	146,000 00	
389	Wanipigow River—Operation and repairs to Dredge "202"	1,900 00	
	To provide for completion of works already undertaken, the amount allocated to any one work not to exceed $500	1,000 00	
			149,700 00
	Saskatchewan		
390	Bridge at Ceepee	240,000 00	
	Outlook—Bridge across the South Saskatchewan River	186,600 00	
			426,600 00
	Alberta		
	Lac la Biche—Breakwater	3,900 00	
391	To provide for completion of works already undertaken, the amount allocated to any one work not to exceed $500	1,000 00	
			4,900 00
	Northwest Territories		
	Fort Resolution—Breakwater wharf extension and repairs	45,000 00	
392	To provide for completion of works already undertaken, the amount allocated to any one work not to exceed $500	1,000 00	
			46,000 00
	British Columbia		
	Columbia River Narrows—Dredge *Arrow Lakes*—Maintenance and operation	800 00	
	Courtenay River—Protection work replacement	5,700 00	
	Esquimalt Dry Dock—Completion of fill behind wharf	1,100 00	
	Fraser River—Improvements	211,700 00	
	Gorge Harbour—Float and approach	2,500 00	
	Gowland Harbour—Float and approach	4,200 00	
	Kelowna—Breakwater	4,000 00	
393	Kingcome Inlet—Float and freight shed	2,000 00	
	Nanaimo Assembly wharf—Travelling crane	27,500 00	
	Naramata—Breakwater	2,500 00	
	New Westminster—Fisheries Station	11,500 00	
	Okanagan Lake—Survey	1,000 00	
	Port Alberni Assembly Wharf—Improvements	5,300 00	
	Shalalth—Floating landing	5,200 00	
	Prince Rupert—Improvements	18,400 00	
	Sidney—Float extension	1,000 00	

SCHEDULE B—*Continued*

No. of Vote	Service	Amount	Total
		$ cts.	$ cts.
	PUBLIC WORKS *Continued*		
	PROJECTS ALREADY UNDERTAKEN—*Concluded*		
	HARBOURS AND RIVERS—*Concluded*		
	British Columbia—Concluded		
393	Sidney—Breakwater repairs	7,200 00	
	Taku River—Improvements	1,000 00	
	Tachi River—Improvement of Grand and Austin Rapids	600 00	
	To provide for completion of works already undertaken, the amount allocated to any one work not to exceed $500	1,000 00	
		314,200 00	
	Generally		
394	Harbours and Rivers Generally—Surveys and inspections in connection with above mentioned works	31,000 00	
	Miscellaneous		
395	Additional staff	75,000 00	
	To provide for balance required to complete any of the above projects, no new works to be undertaken	200,000 00	
		275,000 00	
			9,615,930 00
	OTHER PROJECTS		
	PUBLIC BUILDINGS		
	Nova Scotia		
396	Guysboro Public Building—Alterations and improvements	2,500 00	
	Halifax Customs Building—Repairs and improvements	7,700 00	
		10,200 00	
	New Brunswick		
397	St. John—Customs building—Improvements and alterations	9,000 00	
	St. John—Old Post Office building—Repairs and improvements	4,000 00	
		13,000 00	
	Quebec		
398	Cap de la Madeleine—Public building	49,000 00	
	Ontario		
399	Belleville—Building for Entomological Branch	5,000 00	
	Burlington—Public building	23,000 00	
	Kingsville—Public Building	11,500 00	
	Mildmay—Public building	10,000 00	
	Ottawa Connaught Building—Alterations	16,600 00	
	Ottawa East Block—Improvements and reconstruction	250,000 00	
	Ottawa Forest Products Laboratory—Improvements	15,000 00	
	Ottawa Parliament Building	15,000 00	
	Ottawa Victoria Memorial Museum—Improvements	17,000 00	
	Ottawa West Block—Improvements	23,500 00	
	Toronto Post Office—Fittings and alterations	13,000 00	
	Toronto—Postal Station "K"	172,000 00	
		571,600 00	

SCHEDULE B—*Continued*

No. of Vote	Service	Amount	Total
		$ cts.	$ cts.
	PUBLIC WORKS—*Continued*		
	OTHER PROJECTS—*Continued*		
	PUBLIC BUILDINGS—*Concluded*		
	Manitoba		
400	Dominion Public Buildings—Improvements and repairs	15,000 00	
	Saskatchewan		
401	Dominion Public Buildings—Improvements and repairs	15,000 00	
	Alberta		
402	Calgary—Barracks—Guard room, meter building and airplane hangar	175,000 00	
	Dominion Public Buildings—Improvements and repairs	15,000 00	
		190,000 00	
	British Columbia		
403	Dominion Public Buildings—Improvements and repairs	15,000 00	
	Vancouver—Addition and alterations to R.C.N.V.R. Building	9,000 00	
		24,000 00	
	Generally		
404	Tractors, replacements and equipment, for postal purposes	20,000 00	
	HARBOURS AND RIVERS		
	Nova Scotia		
405	Big Bras d'Or—Wharf extension	6,000 00	
	Broad Cove Marsh—Breakwater extension	7,100 00	
	Brooklyn—Dredging—Revote	20,000 00	
	Caribou Harbour—Breakwater	10,000 00	
	Crescent Beach—Protection work	2,800 00	
	Digby—Harbour improvements	45,000 00	
	Dingwall (Aspy Bay)—Harbour improvements	10,000 00	
	Drum Head—Dredging	15,700 00	
	East River Locks—Removal of walls	36,100 00	
	Freeport (North East Cove)—Breakwater	9,500 00	
	Gabarus—Dredging	10,000 00	
	Iona—Wharf extension	13,500 00	
	Liverpool—Dredging	20,000 00	
	Moose Harbour—Improvements	3,900 00	
	Pictou Landing—Wharf improvements	20,100 00	
	Port Hood—Closing northern entrance	25,000 00	
	Seal Island—Breakwater	12,300 00	
	Sydney—Wharf extension and warehouse	75,000 00	
	Yarmouth Harbour—Dredging	143,000 00	
		485,000 00	
	Prince Edward Island		
406	Murray Harbour—Improvements, including purchase of wharf	13,000 00	
	Savage Harbour—Wharf	7,200 00	
	Southport—Wharf repairs	4,000 00	
	Summerside—Dredging	19,000 00	
	Victoria—Wharf repairs	4,500 00	
		47,700 00	

SCHEDULE B—*Continued*

No. of Vote	Service	Amount	Total
	PUBLIC WORKS—*Continued*	$ cts.	$ cts.
	OTHER PROJECTS—*Continued*		
	HARBOURS AND RIVERS—*Continued*		
	New Brunswick		
	Barachois—Wharf extension	7,000 00	
	Bathurst—Dredging	22,700 00	
	Black's Harbour—Improvements	3,500 00	
	Campbellton—Wharf improvements	20,000 00	
	Durham—Wharf extension	25,000 00	
	Fort Dufferin—Breastwork repairs	33,000 00	
407	Harvey Bank—Wharf extension	24,000 00	
	Ingall's Head—Breakwater extension	60,000 00	
	Little Cape—Breakwater extension	5,000 00	
	Little Chockfish—Breastworks and breakwaters	5,000 00	
	Little Lameque—Wharf repairs	13,000 00	
	Portage Island—Breastworks	10,000 00	
	St. John (Negro Point)—Repairs to harbour works	50,000 00	
	Tracadie Harbour—Dredging	40,000 00	
		318,200 00	
	Quebec		
	Amos—Wharf extension	3,325 00	
	Anse à Beaufils—Repairs to harbour works	15,000 00	
	Anse à Brillant—Fishing Harbour	45,000 00	
	Belœil—Protection work	7,700 00	
	Black River—Dredging—The Provincial Government to contribute a like amount	4,000 00	
	Bonaventure—Protection work	9,000 00	
	Cape Chat—Protection work	7,700 00	
	Chandler—Wharf repairs	7,000 00	
	Cross Point—Dredging	12,000 00	
	Etang du Nord, M.I.—Harbour improvements	25,000 00	
	Granby—Protection work	6,000 00	
	Gros Cap, M.I.—Landing pier	3,100 00	
	Havre aux Maisons, M.I.—Wharf	6,500 00	
	Lac Duparquet—Wharf	2,600 00	
	Lac Rouyn (Mercier)—Wharf	2,300 00	
	Lanoraie—Extension to protection wall	2,800 00	
	Laprairie—Icebreakers	4,200 00	
	Laprairie—Repairs to dyke	28,000 00	
	Lavaltrie—Extension to protection wall	3,100 00	
	Lévis—Wharf	50,000 00	
408	Malbaie—Small landing pier	1,780 00	
	Matane—Extension to east breakwater	60,000 00	
	Mont Louis—Protection work	5,600 00	
	Moffette—Wharf	3,500 00	
	Moisie—Protection wall extension and repairs	2,500 00	
	New Richmond—Protection work	7,000 00	
	Notre Dame de Pierreville—Protection wall	16,000 00	
	Notre Dame de Pierreville (Chenal Tard'f)—Ice breaker	3,200 00	
	Notre Dame du Portage—Wharf repairs	10,000 00	
	Paspébiac—Wharf extension	46,000 00	
	Peninsula—Wharf extension	2,600 00	
	Petite Rivière St. François—Wharf extension	15,000 00	
	Petite Vallée—Wharf extension	27,000 00	
	Pointe Claire—Completion of roach	2,000 00	
	Pointe du Lac—Protection fishing harbour	10,000 00	
	Pointe Jaune...—Improvement harbour	27,000 00	
	Pointe St. Pierre—Wharf reconstruction	12,500 00	
	Richelieu River—Improvement River and Chambly Canal System	500,000 00	
	Rimouski—Harbour improvements	150,000 00	
	Rivière au Rats—Wharf	4,900 00	
	Rivière Beaudette—Protection work	2,600 00	
	Rivière Blondelle—Protection work	5,200 00	
	Rivière des Hurons—Contribution towards dredging, the balance of cost to be borne by the Province	75,000 00	
	Ruisseau Pariseau—Contribution towards dredging, the balance of cost to be borne by the Province	15,000 00	

SCHEDULE B—*Continued*

No. of Vote	Service	Amount	Total
	PUBLIC WORKS—*Continued*	$ cts.	$ cts.
	OTHER PROJECTS—*Continued*		
	HARBOURS AND RIVERS—*Continued*		
	Quebec—Concluded		
	Ste. Anne des Monts (River)—Extension of training pier	8,000 00	
	St. Antoine de Tilly—Wharf reconstruction	17,000 00	
	St. Etienne de Malbaie (Casgrain wharf)—Fill spans	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	1,800 00	
	St. Omer—Raising protection work	4,400 00	
	Ste. Rose—Protection wall	4,900 00	
408	St. Simeon de Bonaventure—Protection work	12,200 00	
	Saguenay River—Dredging	200,000 00	
	Sorel—Harbour improvements	85,000 00	
	Tadoussac (Anse Tadoussac)—Wharf improvements	15,000 00	
	Val Barette—Protection work	3,000 00	
	Varennes—Protection wall	15,000 00	
	Vercheres—Protection wall	10,000 00	
	Victoriaville—Protection work	5,000 00	
	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 Hudson River	20,000 00	
			1,694,055 00
	Ontario		
	Amherstburg—Reconstruction of Marine Wharf	26,000 00	
	Amherst Island (Long Point)—Breakwater	2,500 00	
	Burlington Channel—Reconstruction of South Pier	150,000 00	
	Byng Inlet—Dredging	10,000 00	
	Chenal Ecarte—Dredging	22,500 00	
	Cobb Lake—Dredging, an equal amount to be contributed by the Provincial Government	5,000 00	
	Cobourg—Maintenance dredging	21,000 00	
	Honey Harbour—Dredging East of Roberts Island	16,000 00	
	Honey Harbour—Wharf extension	9,000 00	
	Kingsville—Reconstruction of East Pier	18,000 00	
	Kingsville—Harbour repairs and improvements	8,500 00	
	Lake Wahnapetei (Massey Bay)—Wharf	1,900 00	
	Lake Wahnapetei (Portage Bay)—Wharf	2,000 00	
	Little Current—Wharf extension	3,000 00	
	Oshawa—To replace old West Pier	50,000 00	
409	Owen Sound—Harbour improvements	4,600 00	
	Penetanguishene—Wharf reconstruction	21,200 00	
	Port Arthur—Harbour improvements	180,000 00	
	Port Hope—Rebuild pierhead East Pier	15,500 00	
	Port Stanley—Repairs and reconstruction of Harbour works	36,000 00	
	Rondeau—Repairs to West Pier	28,000 00	
	Sarnia—Dredging	23,000 00	
	Saugeen River—Extension to North Pier	18,000 00	
	Sombra—Wharf repairs	3,000 00	
	Thames River (Chatham)—Protection work	7,000 00	
	Thames River Mouth—Dredging	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	5,000 00	
	Wolfe Island (Horne's Point)—Wharf	16,300 00	
			861,500 00
	Manitoba		
410	Assiniboine River—Dyking and repairing present dykes	20,000 00	
	Herb Lake—Wharf	2,000 00	
			22,000 00

SCHEDULE B—*Continued*

No. of Vote	Service	Amount	Total
		$ cts.	$ cts.
	PUBLIC WORKS—*Concluded*		
	OTHER PROJECTS—*Concluded*		
	HARBOURS AND RIVERS—*Concluded*		
	Saskatchewan, Alberta and Northwest Territories		
411	Meadow and Beaver Rivers, Sask.—Improvements	4,000 00	
	Prince Albert, Sask.—Reconstruction of retaining wall	55,000 00	
		59,000 00	
	British Columbia		
412	Esquimalt—Drydock improvements	8,500 00	
	Fraser River (North Arm)—Extension to jetty	26,000 00	
	Fraser River (North Arm)—Dredging	65,000 00	
	New Massett—Wharf and shed extension and repairs	6,000 00	
	Port Alberni—Harbour improvements and repairs	15,000 00	
	Port Alberni—Extension to Assembly wharf	71,000 00	
	Port Clements—Breakwater extension and repairs	4,500 00	
	Savary Island—Wharf enlargement and improvements	9,000 00	
	Snagboat *Samson*—Reconstruction	60,500 00	
	Stewart (Bear River)—Retaining wall	15,600 00	
	Takla Landing—Wharf	3,000 00	
	Tachi River—Improvements	3,000 00	
	Trail—Retaining wall	10,000 00	
	Vaucroft—To purchase and reconstruct wharf	4,000 00	
		301,100 00	
	Generally		
413	Harbours and Rivers Generally—Improvements, maintenance of services, repairs and additions	500,000 00	
	DREDGING		
414	Dredging—Maritime Provinces	75,000 00	
	Dredging—Ontario and Quebec	25,000 00	
		100,000 00	
	ROADS AND BRIDGES		
415	Ottawa—Paving	8,000 00	
	Edmonton Low Level Bridge—Repairs and Improvements—The City of Edmonton and the Canadian National Railways to contribute like amounts	1,300 00	
	Rainy River—International Bridge between Rainy River, Ont., and Beaudette, Minn.—Survey 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 00
			14,956,585 00

SCHEDULE B—*Continued*

No. of Vote	Service	Amount	Total
		$ cts.	$ cts.
	RAILWAYS AND CANALS		
	PROJECTS ALREADY UNDERTAKEN		
417	To provide for commitments incurred under the authority of Item 1, Schedule "A" of the Supplementary Public Works Construction Act, 1935 (Railway Grade Crossings).....	958,416 51	
418	To provide for commitments incurred under authority of Item 5, Schedule "A" of the Supplementary Public Works Construction Act, 1935 (Canals—Repairs and improvements).....	84,100 00	
			1,042,516 51
	OTHER PROJECTS		
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 betterment 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	
420	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 respect of highway grade crossings of railways, as the Governor in Council may from time to time determine.....	1,000,000 00	
421	To provide for repairs and improvements to the canals, harbours, and elevators maintained and operated by the Department of Railways and Canals.....	167,600 00	
			4,267,600 00
			5,310,116 51
	MISCELLANEOUS		
422	Veterans' Assistance Commission Act.....	500,000 00	
423	National Battlefields Commission, for improvement of Cove Fields.....	75,000 00	
424	Federal District Commission—Driveways, including extension of Western Driveway through Central Experimental Farm	100,000 00	
			675,000 00
425	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 administration expenses.		

SCHEDULE B—*Concluded*

No. of Vote	Service	Amount	Total
		$ cts.	$ cts.
	RAILWAYS		
	DEFICIT OF CANADIAN NATIONAL RAILWAY COMPANY		
426	Amount not exceeding $39,900,000 to be paid from time to time, under such conditions as the Minister of Finance may prescribe, to the Canadian National Railway Company (hereinafter 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 supplementary contribution to the Grand Trunk Railway of Canada Superannuation and Provident Fund as may be necessary to enable payment to be made of monthly allowances under the rules and regulations of the Fund, notwithstanding 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 interest on Dominion Government advances, of the National Company or of any other or others of the Companies comprised in the Canadian National Railways (as defined in Chap. 10 of the Statutes of Canada, 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	.....	39,900,000 00
	LOANS AND INVESTMENTS		
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 aggregate	1,109,400 00	
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 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	5,363,000 00	6,412,400 00
	Total	.....	*131,161,143 42

Net Total, $90,772,525.81.

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
		$ cts.	$ cts.
	MISCELLANEOUS		
429	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		15,856,645 35
430	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		174,383 34
	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	1,700 00	
	Law books and books of reference for Library, and binding of 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	13,095 55	
	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 contrary in Chapter 147 of the Revised Statutes, 1927, An Act respecting the Senate and House of Commons, or any amendment 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
		$ cts.	$ cts.
	AGRICULTURE		
438	Dairying—Further amount required	16,000 00	
439	Subsidies for cold storage warehouses under the Cold Storage Act—Further amount required	50,000 00	
440	Special grants for cold storage warehouses—		
	Co-Operative Fédérée de Québec, Rimouski, P.Q.	5,100 00	
	Co-Operative Fédérée de Québec, Quebec, P.Q.	18,000 00	
	Northern Fishermen's Cold Storage, Prince Rupert, B.C.	30,000 00	
441	Live stock, including assistance to Fairs and Exhibitions—Further amount required	8,300 00	
442	Health of Animals, administration of Animal Contagious 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 thereunder as follows:		
	Lawrence, N. F., Sheridan, Ont.	36 00	
	Henry, Robt. T., Rossendale, Man.	40 00	
	Suitor, Roy L., Lennoxville, Que.	50 00	
	Lamarche, Victor (Estate), St. Eustache, Que.	8 00	
	Lounsbury, Earl K., R. 1, Killam's Mills, N.B.	20 00	
	Wells, Wm., R. 1, Oakville, Ont.	38 00	
	Prosser, Howard, R. 3, Petitcodiac, N.B.	54 00	
	Stokes, E. A., Bury, Que.	20 00	
	Eby, Irvin S., Kitchener, Ont.	64 00	
	Quintal, David, Clairvaux, Que.	14 00	
	Trottier, Lucien, St. Nazaire, Que.	24 00	
	Petrin, Joseph, Wickham, W., Que.	24 00	
	Manseau, Nap., L'Avenir, Que.	6 00	
	Harpin, Joseph, St. Ours, Que.	28 00	
	Wyttinck, Vic., Cypress River, Man.	8 00	
	Lamothe, Louis, St. François Xavier, Man.	8 00	
	McLaughlin, Wm., Finch, Ont.	50 00	
	Parenteau, Conrad, St. Nazaire de Bagot, Que.	18 00	
	Nadeau, Onil, St. Germain, Que.	28 00	
	St. Germain, Jean B, St. Robert, Que.	24 00	
	Lariviere, Napoleon, St. Bernard, Que.	26 00	
	Peters, Hilton T., Hampton, Ont.	64 00	
	Rose, Rod., Picton, R. 4, Ont.	26 00	
444	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 00
	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 Agreement of August 20, 1924	.....	74,866 59
	PENSIONS		
447	Amount required to provide for a pension to Mrs. Georgina Harrison	1,000 84	
448	Amount required to provide for a pension to Mrs. Eunice Wainwright	896 32	
449	Amount required to provide for a pension to Mrs. Mary Miller	975 54	
450	To provide for pension of $35 per month for Mrs. Doris Ryckman 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 70

SCHEDULE D—*Continued*

No. of Vote	Service	Amount	Total
		$ cts.	$ cts.
	NATIONAL DEFENCE		
	MILITIA SERVICES		
451	Engineer Services and Works—Further amount required	273,000 00	
452	General Stores—Further amount required	712,800 00	
453	Permanent Force—Further amount required	66,626 00	
	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		
455	Compassionate allowance to Rose and Anna Moscovitz, widow and child respectively of the late Himan Moscovitz	2,000 00	
			1,299,426 00
	AVIATION		
456	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—Further amount required	555,028 00	
457	Civil Government Air Operations—For preventive Service and other air operations—Further amount required	106,687 00	
458	Civil Aviation—Expenses in connection with the control of Civil Aviation, Airways, Government and Public Airports and grants to aeroplane clubs—Further amount required	346,400 00	
			1,008,115 00
	PUBLIC WORKS—CHARGEABLE TO INCOME		
	PUBLIC BUILDINGS		
	Nova Scotia		
459	Berwick—Public building	18,000 00	
	Lunenburg—Public building—Repairs and improvements	5,000 00	
	Oxford—Public building	26,000 00	
		49,000 00	
	New Brunswick		
460	Moncton, Old Post Office building—Improvements and repairs	5,500 00	
	Quebec		
461	L'Islet—Public Building	10,000 00	
	Ste. Anne de Beaupre—Public Building	30,000 00	
	Ste. Martine—Public Building	15,000 00	
	Victoriaville—Public Building—Addition to site	6,000 00	
		61,000 00	

SCHEDULE D—*Continued*

No. of Vote	Service	Amount	Total
		$ cts.	$ cts.
	PUBLIC WORKS—CHARGEABLE TO INCOME —*Continued*		
	PUBLIC BUILDINGS—*Concluded*		
	Ontario		
462	Fenelon Falls—Public Building—Further amount required	2,000 00	
	Haliburton—Public Building	8,000 00	
	Kenora Public Building—Installation of fittings	7,000 00	
	Kitchener—Public Building	100,000 00	
	London, Westminster Hospital—Addition and improvements	30,000 00	
	Ottawa—Building for Supreme Court	250,000 00	
	Rainy River—Public Building	15,000 00	
	St. Thomas Public Building—Alterations and improvements	6,600 00	
	Sarnia Public Building—Addition and alterations	17,000 00	
	Watford Public Building—Further amount required	1,100 00	
		436,700 00	
	Manitoba		
463	Beausejour—Public building	13,000 00	
	Melita—Public building	12,000 00	
	Roblin—Public building	12,000 00	
	Steinbach—Public building	8,000 00	
		45,000 00	
	Saskatchewan		
464	Watrous—Public building—Further amount required	1,500 00	
	Alberta		
465	Olds—Purchase of building for postal purposes	5,000 00	
	British Columbia		
466	Keloowna—Public building	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	
		182,500 00	
	Generally		
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	2,500 00	
		1,533,500 00	
	Rents, Repairs, Furniture, Heating, Etc.		
	Ottawa Public Buildings and Grounds		
468	Light and power, including roads and bridges—Further amount required	5,000 00	
	Dominion Public Buildings		
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	
		15,000 00	

SCHEDULE D—*Continued*

No. of Vote	Service	Amount	Total
		$ cts.	$ cts.
	PUBLIC WORKS—CHARGEABLE TO INCOME —*Continued*		
	HARBOURS AND RIVERS		
	Nova Scotia		
470	Bear River—Protection work	3,200 00	
	Brooklyn—Dredging—Further amount required	2,500 00	
	Halifax—Addition to North Wing—R.C.N. Barracks	9,500 00	
	Hantsport—To purchase warehouse	12,500 00	
	Morden—Wharf repairs	16,600 00	
	North Sydney—Wharf	15,000 00	
	Pictou—Dredging	29,500 00	
		88,800 00	
	Prince Edward Island		
471	Summerside—Improvements to wharf and dredging	10,000 00	
	New Brunswick		
472	Grande Anse—Dredging	11,000 00	
	Upper Pokemouche—Wharf	3,500 00	
		14,500 00	
	Quebec		
473	Anse au Griffon (River)—Extension to Breastwork—Further amount required	500 00	
	Boucherville—Protection work	20,000 00	
	Bromptonville—Protection work	10,000 00	
	Champlain—Protection work	7,500 00	
	Hull—Protection work	25,000 00	
	Ile aux Grues—Extension to North wharf	17,000 00	
	Isle Verte—Wharf extension	6,700 00	
	L'Islet—Wharf reconstruction	75,000 00	
	Lac Megantic—Protection work	12,000 00	
	Manicouagan—Wharf improvements—One-third of the cost to be contributed by the Ontario Paper Co., Ltd	47,500 00	
	New Carlisle—Wharf reconstruction—Further amount required	1,600 00	
	Riviere Cachee—Dredging, the Provincial Government to contribute a like amount	4,000 00	
	St. Juste du Lac—Repairs and extension to Central Road wharf	5,100 00	
		231,900 00	
	Ontario		
474	Cobourg—Reconstruction of East Pier	40,000 00	
	Dalseg's Landing (Nestor Falls)—Wharf	6,000 00	
	Fort Francis—Protection work	10,000 00	
	Sault Ste. Marie—Sea wall	13,000 00	
	Torrance—Wharf	3,500 00	
		72,500 00	
	Manitoba		
475	Red River—Repairs to jetties and wharf reconstruction—Revote	11,000 00	
	British Columbia		
476	Courtenay River—Dredging	13,000 00	
	Denman Island—Breakwater	4,000 00	
	Fraser River (North Arm)—Extension to jetty—Further amount required	1,300 00	
	Fraser River—Contribution towards protection work near Agassiz, B.C., the Provincial Government to contribute a like amount	4,000 00	
	Fraser River—Contribution towards protection work at Rosedale, B.C.	1,000 00	
	Fraser River—Contribution towards protection work at Canoe Pass	8,000 00	
	Fraser River—Lulu Island—Protection work	32,000 00	
		63,300 00	

SCHEDULE D—*Continued*

No. of Vote	Service	Amount	Total
		$ cts.	$ cts.
	PUBLIC WORKS—CHARGEABLE TO INCOME—*Concluded*		
	ROADS AND BRIDGES		
477	Des Joachims Bridge—Repairs and improvements	1,800 00	
	Shellmouth, Man.—Repairs to bridge	3,200 00	
		5,000 00	
	MISCELLANEOUS		
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 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 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 00
	LIGHTHOUSE AND COAST SERVICE		
481	Administration of Pilotage—Further amount required	.....	10,000 00
	SCIENTIFIC INSTITUTIONS		
	DEPARTMENT OF THE INTERIOR		
	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	
	DEPARTMENT OF MARINE		
483	Meteorological Service—Further amount required	77,000 00	
			81,500 00
	STEAMBOAT INSPECTION		
484	Steamboat Inspection—Further amount required	.....	21,416 00

SCHEDULE D—*Continued*

No. of Vote	Service	Amount	Total
		$ cts.	$ cts.
	FISHERIES		
485	Salaries and Disbursements of Fishery Officers and Guardians, Fisheries Patrol and Fisheries Protection Services—Further amount required	40,000 00	
486	Building fishways and clearing rivers—Further amount required	3,000 00	
487	Marine Biological Board of Canada—Further amount required	13,000 00	
488	To provide for the payment of a bounty for the destruction of harbour seals	15,000 00	
			71,000 00
	LABOUR		
489	Administration, Employment Offices Co-ordination Act	.....	9,750 00
	PUBLIC PRINTING AND STATIONERY		
490	Plant—Repairs and renewals—Further amount required	.....	11,000 00
	INDIANS		
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
	ROYAL CANADIAN MOUNTED POLICE		
492	To provide for legal fees in connection with the Regina Riot Inquiry Commission	.....	21,576 45
	GOVERNMENT OF THE NORTHWEST TERRITORIES		
	DEPARTMENT OF THE INTERIOR		
493	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 maintenance 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	22,500 00	
	DEPARTMENT OF NATIONAL DEFENCE		
494	Radio Services—For the maintenance and operation of the Northwest Territories Radio System—Further amount required	67,300 00	
			89,800 00

SCHEDULE D—*Continued*

No. of Vote	Service	Amount	Total
		$ cts.	$ cts.
	DOMINION, LANDS, PARKS, ETC.		
495	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.—Further amount required	50,000 00	
	Administration of the Migratory Birds Convention Act—Further amount required	4,000 00	
	To assist in the development of the Canadian section of the International Peace Garden in Manitoba	12,000 00	
	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 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	
	To provide for the expenses incurred under the Lake of the Woods Convention, 1925, for Canadian participation in legal proceedings in the United States incidental to acquiring a flowage easement over lands bordering on Lake of the Woods in the United States, two-thirds of the moneys expended to be reimbursed to the Dominion by the Provinces of Manitoba and Ontario under the terms of the Agreement of November 15, 1922	10,000 00	
			96,000 00
	PENSIONS AND NATIONAL HEALTH		
496	Salaries—Staff—Further amount required	37,000 00	
497	War Veterans' Allowances—Further amount required	200,000 00	
			237,000 00
	MISCELLANEOUS		
498	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	
499	To provide for the administration of the Royal Canadian Mint —Further amount required for equipment, etc. (Revote $50,461.80)	60,461 80	
500	Dominion Franchise Commissioner—Salaries and contingencies of office, etc.—Further amount required	6,000 00	
501	Public Archives—Further amount required	10,000 00	
502	Trent Canal—To provide for a grant by the Department of 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)	7,500 00	
503	Negotiation of Treaties—Further amount required	10,000 00	
504	Employment and Social Insurance Act—Further amount required	25,000 00	
505	Royal Commission on Anthracite Coal	15,000 00	
506	Expenses of litigated matters, Department of Justice—Further amount required	10,000 00	
507	Battlefields Memorials—Further amount required	37,500 00	
508	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	20,000 00	

SCHEDULE D—*Continued*

No. of Vote	Service	Amount	Total
		$ cts.	$ cts.
	MISCELLANEOUS—*Concluded*		
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 harbours 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 calendar year 1936 in the operation of the following harbours:—		
	Halifax	178,600 00	
	Saint John	59,300 00	
	Quebec	268,900 00	
	Chicoutimi	16,500 00	
510	To provide for expenses of the Royal Commission on the Textile Industry, including honoraria as follows:—A. S. Whiteley, Secretary, $1,000; Robert Rene, Assistant Secretary, $350; Gordon E. Hooper, Adviser on Tariff Matters, $500	100,000 00	
511	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 of the said Act	1 00	
			829,762 80
	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	50,000 00	
	Salaries and travelling expenses of officers of the Inspection, Investigation, Audit and the Preventive Service Undervaluation Services—Further amount required	25,000 00	
512	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	60,060 00	
	To provide for payment to Edmond Martin of Rimouski, Que., who, while in the employ of this Department suffered injuries, a compassionate allowance of	450 00	
			135,510 00
	RAILWAYS AND CANALS—CHARGEABLE TO COLLECTION OF REVENUE		
513	Canals and Harbours— Operation and maintenance—Further amount required	.....	30,000 00
	TRADE AND COMMERCE		
514	Commercial Intelligence Service, including miscellaneous expenditure in connection with Canada's trade—Further amount required	10,000 00	
515	Dominion Bureau of Statistics—Further amount required	778,548 00	
516	Electricity and Gas Inspection Service—Further amount required	9,000 00	

SCHEDULE D—*Concluded*

No. of Vote	Service	Amount	Total
		$ cts.	$ cts.
	TRADE AND COMMERCE—*Concluded*		
517	Exhibitions and Fairs—Further amount required	50,000 00	
518	Printing of Departmental Publications—Further amount required	15,000 00	
519	National Research Council—Further amount required	10,000 00	
			872,548 00
			9,183,707 09
	LOANS AND INVESTMENTS		
520	Additional amount in excess of the sum of $5,303,000 already 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 provisions of the Supplementary Public Works Construction Act, 1935 (Section 9) on equipment delivered after May 1, 1936	55,000 00	
521	Advances to National Harbours Board or the respective corporations 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 conditions 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:—		
	Saint John	1,435,752 00	
	Chicoutimi	257,000 00	
	Three Rivers	303,000 00	
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 determine, and to be applied in payment of capital expenditures in the harbour of Vancouver in the calendar year 1936	11,500 00	
			2,062,252 00
			11,245,959 09
	GOVERNOR GENERAL'S WARRANT		
523	Expenses of the Royal Commission on the Textile Industry (Governor General's Warrant of February 1, 1936)		20,000 00
	Total		11,265,959 09