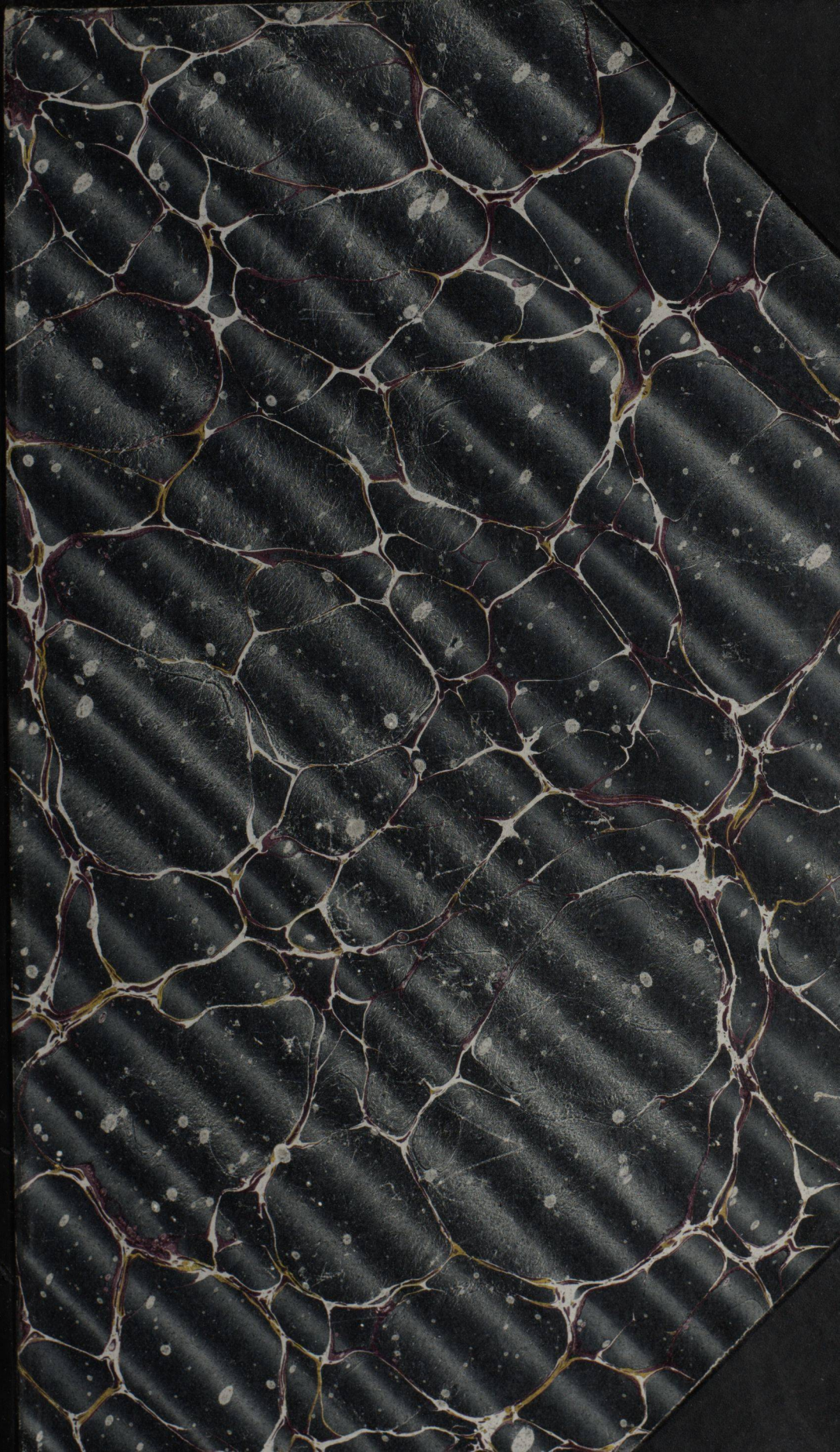

Rack O

Canada. Laws, Statutes, etc.

ack

THE SENATE OF CANADA

18th Parliament, 4th Session
1939

BILLS (First Reading)

- Canadian Pacific Railway	B
- Atkinson divorce bill	C
- Di Rosa divorce bill	D
- Ancient Foresters' Mutual Insurance Company	E
- Associated Canadian Travellers	F
- Roncari divorce bill	G
- United Church of Canada	H
- Presbyterian Church in Canada	I
- Royal College of Physicians and Surgeons of Canada	J
- Canada Board of Lutheran Church	K
- Baker divorce bill	L
- Cardwell divorce bill	M
- Butler divorce bill	N
- Blain divorce bill	O
- Coburn divorce bill	P
- Lamoureux divorce bill	Q
- Drennan divorce bill	R
- Martinsson divorce bill	S
- Association of Canadian Clubs	T
- Sterling Insurance Company	U
- Urquhart divorce bill	V
- Norman divorce bill	W
- Yuill divorce bill	X
- Drummond divorce bill	Y
- Small Loans	Z
- Pocock divorce bill	A^2
- Mayne divorce bill	B^2
- Bond divorce bill	C^2
- Molson divorce bill	D^2
- Grunau divorce bill	E^2
- Desnoyers divorce bill	F^2
- Universal Eucozone Limited	G^2
- New Brunswick Railway Company	H2
- Canadian National-Canadian Pacific Act, 1933, amdt.	I^2
- Pepin divorce bill	J^2

THE SENATE OF CANADA

18th Parliament, 4th Session
1939

BILLS (First Reading)

- Canadian Pacific Railway B
- Atkinson divorce bill C
- Di Rosa divorce bill D
- Ancient Foresters' Mutual Insurance Company E
- Associated Canadian Travellers F
- Rowell divorce bill G
- United Church of Canada H
- Presbyterian Church in Canada I
- Royal College of Physicians and Surgeons of Canada J
- Canada Board of Lutheran Church K
- Baker divorce bill L
- Cardwell divorce bill M
- Butler divorce bill N
- Allain divorce bill O
- Cooper divorce bill P
- Lamoureux divorce bill Q
- Drennan divorce bill R
- Martinuzzi divorce bill S
- Association of Canadian Clubs T
- Sterling Insurance Company U
- Durnford divorce bill V
- Benson divorce bill W
- Hall divorce bill X
- Drummond divorce bill Y
- Small Loans Z
- Pocock divorce bill A2
- Mayes divorce bill B2
- Pool divorce bill C2
- Nolan divorce bill D2
- Cruman divorce bill E2
- Beauvais divorce bill F2
- Universal Suggestion Limited G2
- New Brunswick Railway Company H2
- Canadian National-Canadian Pacific Act, 1933, amdt. I2
- Perin divorce bill J2

- Staroselsky divorce bill K^2
- Reddy divorce bill L^2
- Fox divorce bill M^2
- Durieux divorce bill N^2
- Farmers' Creditors Arrangement Act, 1934, amdt. O^2
- Yaun divorce bill P^2
- Atkinson divorce bill Q^2
- Bruck divorce bill R^2
- Soloway divorce bill S^2
- Miller divorce bill T^2
- Roberts divorce bill U^2
- Bell divorce bill V^2
- Rittner divorce bill W^2
- Aston divorce bill X^2
- Acena divorce bill Y^2
- Prescott and Ogdensburg Bridge Company Z^2
- Pozomick divorce bill A^3
- Oliver divorce bill B^3
- Casselman divorce bill C^3
- Higginbotham divorce bill D^3
- Bazar divorce bill E^3
- Williams divorce bill F^3
- Nilsson divorce bill G^3
- Feasey divorce bill H^3
- Peters divorce bill I^3
- Durrell divorce bill J^3
- Morris divorce bill K^3
- Collette divorce bill L^3
- Brown divorce bill M^3
- Hopson divorce bill N^3

LIST OF ACTS

86616 Part 2. 354

SESSION 1939

FOURTH SESSION, EIGHTEENTH PARLIAMENT, 3 GEORGE VI, 1939

LIST OF PUBLIC ACTS OF CANADA WITH CHAPTER NUMBERS AND DATES OF ASSENT

ASSENTED TO APRIL 5, 1939

CHAP.		BILL NO.
1.	Appropriation Act, No. 1	73
2.	Auditors for National Railways	22
3.	Food and Drugs Act	13
4.	Loan Companies Act	27
5.	Ottawa Agreement	25
6.	Penitentiary Act	34
7.	Prairie Farm Rehabilitation Act	36
8.	Technical Education Extension Act	33
9.	Trust Companies Act	28

ASSENTED TO MAY 2, 1939

10.	Canadian and British Insurance Companies Act	54
11.	Canadian Pacific Railway Company, agreement *re* joint use of tracks by Midland Railway Company of Manitoba	B-65
12.	Carriage by Air Act	61
13.	Cheese and Cheese Factory Improvement Act	88
14.	Chief Justice of Canada (extension of term of office)	91
15.	Dairy Industry Act	84
16.	Department of Transport Stores Act	39
17.	Dominion Trade and Industry Commission Act	60
18.	Foreign Insurance Companies Act	53
19.	Meat and Canned Foods Act	75
20.	National Film Act	35
21.	Pest Control Products Act	40
22.	Seals Act	76
23.	Small Loans Act	Z-97
24.	Toronto Harbour Commissioners Act	95
25.	Toronto Terminals Railway Company, conveyance to of property from Canadian National Railway Company, Ontario and Quebec Railway Company, and Canadian Pacific Railway Company	80
26.	Unemployment and Agricultural Assistance Act	96

ASSENTED TO MAY 19, 1939

27.	Appropriation Act, No. 2	140
28.	Agricultural Products Co-operative Marketing Act	89
29.	Canada-United States of America Trade Agreement Act	64
30.	Criminal Code	90
31.	Grain Futures Act	81
32.	Pension Act	6
33.	Rainy Lake Watershed Emergency Control Act	72
34.	Wheat Co-operative Marketing Act	82
35.	Youth Training Act	94

ASSENTED TO JUNE 3, 1939

CHAP.		BILL No.
36.	Canada Grain Act	62
37.	Canadian National-Canadian Pacific Act	12-138
38.	Canadian National Railways Financing and Guarantee Act	85
39.	Canadian Wheat Board Amendment Act	63
40.	Central Mortgage Bank Act	132
41.	Customs Tariff	141
42.	Defence Purchases, Profits Control and Financing Act	38
43.	Excise Act	143
44.	Fisheries Act	15
45.	Gold Clauses Act	87
46.	Income War Tax Act	142
47.	Live Stock and Live Stock Products Act	104
48.	Loan Act	93
49.	Official Secrets Act	92
50.	Prairie Farm Assistance Act	83
51.	Salt Fish Board Act	130
52.	Special War Revenue Act	144
53.	Appropriation Act, No. 3	146

LIST OF LOCAL AND PRIVATE ACTS OF CANADA WITH CHAPTER NUMBERS AND DATES OF ASSENT

ASSENTED TO APRIL 5, MAY 2 AND JUNE 3, 1939

Railway and Bridge Companies

54.	New Brunswick Railway Company	H2-103
55.	Prescott and Ogdensburg Bridge Company	Z2-139
56.	Quebec Railway, Light and Power Company	8

Insurance and Loan Companies

57.	Household Finance Corporation of Canada (name changed from "Central Finance Corporation")	20
58.	Sterling Insurance Company of Canada	U-67
59.	Toronto Mutual Life Insurance Company (name changed from "Ancient Foresters' Mutual Life Insurance Company")	E-55

Other Companies

60.	Associated Canadian Travellers	F-56
61.	Association of Canadian Clubs	T-101
62.	Canada Board of American Missions of The United Lutheran Church in America	K-66
63.	Royal College of Physicians and Surgeons of Canada	J-134
64.	Trustee Board of The Presbyterian Church in Canada	I-58
65.	United Church of Canada	H-57
66.	Universal Eucozone Limited	G2-102

DIVORCES

Chap.		Bill No.
67.	Acena, O., Anne Ver Trees Hart	Y2-119
68.	Aston, Ambrose Tibbitts	X2-118
69.	Atkinson, Edythe Marjorie Burke	C-41
70.	Atkinson, Lola Margaret Miller	Q2-111
71.	Baker, Gertrude Saul	L-45
72.	Bazar, Rose Edith Winer	E3-124
73.	Bell, Margaret Maud Turner	V2-116
74.	Blain, Anna Lasnier	O-48
75.	Bond, Leslie William	C2-79
76.	Brown, Muriel Suckling	M3-137
77.	Bruck, Zeno	R2-112
78.	Butler, Herbert John	N-47
79.	Cardwell, Mary Frances Todd Lister	M-46
80.	Casselman, Doris Mabel	C3-122
81.	Coburn, Annie March Breakey	P-49
82.	Collette, Philippe Emile	L3-136
83.	Desnoyers, Jeanne Beauregard	F2-100
84.	Di Rosa, Marie Louise Rossetti	D-42
85.	Drennan, Earl Keith	R-51
86.	Drummond, Zdenka Pauline Ottilie Josefine von Ehrenfeld-Pop, otherwise known as Yvonne Drummond	Y-71
87.	Durieux, Joseph Maurice	N2-109
88.	Durrell, Eva Clara Doe	J3-129
89.	Feasey, Ernest James	H3-127
90.	Fox, Myrtle Jane Ramsay	M2-108
91.	Grunau, Adele Adfeldt	E2-99
92.	Higginbotham, Kathleen Emma Gladys Smart	D3-123
93.	Hopson, Lucy Violet Siggins	N3-145
94.	Lamoureux, Mabel Gertrude Marks	Q-50
95.	Martinsson, Per Ernst	S-52
96.	Mayne, Edith Cecilia Shaw	B2-78
97.	Millar, Sarah Sherry	T2 114
98.	Molson, Helen Kerr Hogg	D2-98
99.	Morris, Harold	K3-135
100.	Nilsson, Winnifred May Routledge	G3-126
101.	Norman, Sarah Theresa	W-69
102.	Oliver, Elsie Victoria	B3-121
103.	Pepin, Blanche Anna Bousquet	J2-105
104.	Peters, Ethel Jean	I3-128
105.	Pocock, Constance Lillian Talbot Mais	A2-77
106.	Pozomick, Dorothy Boretsky	A3-120
107.	Reddy, Agnes Keating Bigelow	K2-106
108.	Rittner, Janni Kalmanowitz	W2-117
109.	Roberts, Roberta Copeland Cool	U2-115
110.	Roncari, Stefano Guilio Luciano	G-43
111.	Soloway, Esther Steinberg	S2-113
112.	Staroselsky, Ethel Rothpan	L2-107
113.	Urquhart, Jean Winifred Hunter	V-68
114.	Williams, Audry Elizabeth Logan	F3-125
115.	Yaun, Dorothy Gertrude Mary Huggins	P2-110
116.	Yuill, Helen Kathleen	X-70

Fourth Session, Eighteenth Parliament, 3 George VI, 1939.

THE SENATE OF CANADA

BILL B.

An Act to ratify and confirm the Agreement respecting the joint use by Canadian Pacific Railway Company and The Midland Railway Company of Manitoba of certain tracks and premises of Canadian Pacific Railway Company at Winnipeg, Manitoba.

Read a first time, Wednesday, 8th March, 1939.

Honourable Senator McMeans.

OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1939

72387

4th Session, 18th Parliament, 3 George VI, 1939.

THE SENATE OF CANADA

BILL B.

An Act to ratify and confirm the Agreement respecting the joint use by Canadian Pacific Railway Company and The Midland Railway Company of Manitoba of certain tracks and premises of Canadian Pacific Railway Company at Winnipeg, Manitoba.

Preamble.

WHEREAS Canadian Pacific Railway Company and The Midland Railway Company of Manitoba have by their petition prayed for the passing of an Act authorizing them to enter into an agreement for a period of ninety-nine years from the first day of October, 1935, covering the joint use of certain tracks and premises belonging to Canadian Pacific Railway Company at Winnipeg, Manitoba, 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:—

Agreement ratified and confirmed.

1. The agreement between Canadian Pacific Railway Company, of the first part, and The Midland Railway Company of Manitoba, of the second part, dated the first day of October, 1935, a copy of which forms the Schedule to this Act, is hereby ratified and confirmed and declared to be valid and binding on the parties thereto in all respects whatsoever, as fully and completely as if the said agreement were set out at length and enacted in this Act, and, subject to the provisions of the Railway Act, the parties to the said agreement are hereby authorized and empowered to do whatever may be necessary on their respective parts to give full effect to the provisions of the said agreement.

THIS AGREEMENT made and entered into this First day of October, A.D. 1935.

BETWEEN:—

CANADIAN PACIFIC RAILWAY COMPANY,
hereinafter called "The Owner" 5

Of the First Part,

and

THE MIDLAND RAILWAY COMPANY, of
Manitoba, hereinafter called "The User"

Of the Second Part, 10

WHEREAS the Owner owns and operates a line of railway known as its La Riviere Subdivision and a portion of the said subdivision crosses certain streets of the City of Winnipeg, in the Province of Manitoba, known as *Academy Road, Wellington Crescent* and *Portage Avenue*, and also crosses the 15 *Assiniboine River* within the boundaries of the City of Winnipeg aforesaid;

AND WHEREAS the User owns and operates a line of railway running substantially parallel to the said line of the Owner where it crosses said *Academy Road, Wellington* 20 *Crescent* and *Portage Avenue* and the said Assiniboine River;

AND WHEREAS the User desires to abandon its line of railway where same crosses the said streets and river and to have track connections between its railway and the railway of the Owner at the points indicated by the letters 25 "A" and "B" on the Plan hereto attached and to operate its trains over certain tracks of the Owner, as hereinafter mentioned;

AND WHEREAS the Owner has agreed thereto upon and subject to the terms and conditions hereinafter contained. 30

NOW THEREFORE THIS AGREEMENT WITNESSETH that, in consideration of the premises and of the mutual covenants and agreements herein contained, the parties hereto do hereby mutually covenant and agree each with the other as follows:— 35

1. *(a)* The words "Joint Section" wherever they occur in this Agreement shall mean and include that portion of the Right of Way and tracks of the La Riviere Sub-

division of the Owner extending from the point marked "A" to the point marked "B" as shown in pink and red on the said Plan hereto annexed, which said plan is hereby declared to be part of this Agreement, and all such additional lands, railway facilities and appurtenances as may, pursuant to paragraphs 6 and 7 hereof or by mutual agreement between the parties hereto, or by Order of the Board or other competent authority, be acquired, set apart, provided or constructed for the use and benefit of the parties hereto, upon and under the terms of this Agreement.

(b) The word "Board" wherever it occurs in this Agreement shall be taken to mean the Board of Railway Commissioners for Canada.

2. The Owner shall, subject to the approval of the Board and upon and subject to the terms and conditions herein contained and to the observance and performance thereof by the User, permit the User, during the continuance of this Agreement, to have its tracks connected with the track of the Owner at the said points marked "A" and "B" on the said Plan, and to operate its engines, cars and trains over the track of the Owner indicated in red on the said Plan.

3. The Owner shall, at the expense of the User, construct and maintain, in accordance with detailed Plans to be approved by the Board, the connections between the Joint Section and the railway of the User.

4. The Owner shall, at the expense of the User, do the work of installing, operating, maintaining, renewing and replacing any interlocking or other safety devices that may be at any time required by law or public authority or which may be deemed necessary by the Owner to be installed at the junctions of the Joint Section with the railways of the parties hereto. The User shall assume and pay the full cost of installing, operating, maintaining, renewing and replacing such connections and such interlocking or other safety devices required in connection with said connections, which shall include the wages of towermen and all telegraph and telephone operators required on account of such connections and interlockers or other safety devices.

5. The Owner shall have charge, supervision and control of the Joint Section and the maintenance and operation thereof, and shall pay the taxes thereon, if any, and shall maintain and at all times keep the Joint Section in good condition and repair, and suitable for the business of both parties hereto, and shall do all acts and things necessary and proper for the operation thereof, and shall comply with all the regulations prescribed by law or by any duly qualified public authority with respect thereto for the safety of the public or otherwise.

If the Owner at any time shall fail to keep the Joint Section in good condition and repair and shall fail to make such repairs, after reasonable written request by the User, the User may itself enter the Joint Section and make such necessary repairs, and the cost thereof shall be borne by the Owner and charged to maintenance of the Joint Section.

6. The Owner shall, from time to time during the continuance of this Agreement, acquire and set apart for the use and benefit of the parties hereto, upon and under the terms of this Agreement, such additional lands as in the opinion of the parties hereto may be required for the accommodation of the traffic and business of the parties hereto intended to be carried on and done hereunder on the Joint Section, as such traffic and business are hereinafter defined and limited, and the cost or determined value of such additional lands, including all expense of and incidental to the acquisition and setting apart thereof, shall, from the date of such acquisition and setting apart, be added to Capital Account and shall bear interest as hereinafter provided; PROVIDED that, should at any time there be any dispute or difference of opinion between the parties hereto as to the necessity or expediency of acquiring or setting apart any such additional lands, such dispute or difference shall be referred for settlement as provided by paragraph 40 hereof.

7. The Owner shall, from time to time during the continuance of this Agreement, provide or construct upon any land which shall at such time or times be comprised in the Joint Section, such additional railway facilities and appurtenances, including station and other buildings, as in the opinion of the parties hereto may be required for the operation and handling of the traffic and business of the parties hereto, as such traffic and business are hereinafter defined and limited, and shall rearrange, rebuild, alter or make such permanent improvements, additions or extensions to or substitutions for any railway facilities or appurtenances (including buildings and bridges) now or at any time hereafter comprised in the Joint Section, as in the opinion of the parties hereto may be so required, and shall provide, make and construct such works and things in connection with the Joint Section or any portion thereof as have been or may from time to time be ordered or required by the Board, or any other properly qualified authority and the cost of any and all such additional railway facilities and appurtenances, permanent improvements, buildings and rebuildings, alterations (not in the nature of repairs), extensions, additions, substitutions, works and things shall be added to Capital Account and shall bear interest as hereinafter provided; PROVIDED THAT, should at any time there by any dispute or difference

of opinion between the parties hereto as to the necessity or expediency of any work which either party may at any time desire to have done under the provisions of this paragraph for any of the purposes herein referred to, such dispute or difference shall be referred for settlement as provided by paragraph 40 hereof.

8. The Owner may hereafter construct and maintain on the Joint Section for its own exclusive use such additional tracks, structures, buildings, additions, betterments or facilities as it may decide are necessary, provided that the construction and maintenance of the same do not impair the use of the Joint Section by the User, but the cost of said tracks, structures, buildings, additions, betterments and facilities, when so constructed on the Joint Section, shall not be added to the cost thereof; PROVIDED, HOWEVER, that if the User desires to use any such tracks, structures, buildings, additions, betterments or facilities constructed by the Owner, it shall have the right to do so and from and after the commencement of such use by the User the reasonable value thereof, which shall be the actual cost of the construction of such tracks, structures, buildings, additions, betterments, or facilities (less a reasonable depreciation charge on buildings and other structures) shall be added to the cost of the Joint Section on which rental, or interest, is to be paid as hereinafter provided.

9. The Owner may maintain the industrial spurs existing at the date hereof and connected with the Joint Section and may hereafter construct and maintain additional industrial spurs directly connecting with the Joint Section. The Owner shall, subject as hereinafter provided, have the sole use of all such industrial spurs and shall have the sole right of serving all industries located thereon but such industrial spurs shall not, whilst used solely by the owner, be or form a portion of the Joint Section.

10. *(a)* The Owner shall from time to time make such reasonable rules and regulations for the operation of the Joint Section as are customary among railway companies.

(b) All rules, regulations and train schedules shall be equally just, fair and non-discriminatory as between the parties hereto, and, except as herein otherwise provided, each party shall have in every respect the same rights and privileges in the transaction of its business.

(c) All conductors, enginemen, trainmen and other employees of the User connected with its trains, engines and cars shall, while in or upon the Joint Section, be subject to the rules, regulations and orders hereinbefore referred to, and all trains, engines and cars shall move over and through the Joint Section under and in accordance with the orders of the Superintendent, Dispatchers and other officers of the Owner having authority in that behalf in matters relating

to the movement of trains, or in any way affecting the safe and proper working of the Joint Section. The trains of the User shall in every respect be given by the officers, agents and employees in charge or control of, or engaged in or upon the Joint Section, equality of right and privilege with the trains of a similar class of the Owner.

(d) Save as herein otherwise provided, the Owner shall employ all persons necessary for the operation of the Joint Section. The User shall have the right to be consulted in reference to the number of persons employed under this clause and their rates of remuneration. The Owner shall require all such employees to be neutral in the performance of their duties as between the parties hereto, and to do the business of the User without discrimination.

(e) The Owner shall carry on its rolls and pay the total salaries and wages of all employees referred to in Clause *(d)* of this paragraph. Upon request in writing of the User for good cause shown, the Owner will remove from employment in and about the Joint Section any such employee who may be unsatisfactory to the User.

11. The User shall operate its trains and cars upon the Joint Section with its own engines and train crews, and, its use of the Joint Section shall be confined to the operation of passenger, freight and work trains, engines and cars over the Joint Section in either direction without the privilege of stopping upon the Joint Section, except for operating purposes.

12. The User shall have the right to carry express and Express Messengers on the trains of the User upon and over the Joint Section and to enter into an Agreement with any Express Company which the User may at any time or times select for the purpose of carrying express and Express Messengers upon the trains of the User, provided, however, that nothing in this Agreement shall be construed to prohibit the Owner from carrying express and Express Messengers upon the trains of the Owner, nor to prohibit the Owner from entering into any Agreement with any Express Company which the Owner may at any time or times select for the purpose of carrying express and Express Messengers upon the trains of the Owner.

13. Schedules showing the times for the arrival and departure of trains over and upon the tracks of the Joint Section shall be made from time to time by joint action of the proper officers of the parties hereto. In the event of any dispute or inability on the part of such officers to arrange and agree upon said schedules or as to the speed of any trains in their movements upon or over the Joint Section, any question so arising shall, if an arrangement cannot be reached, be referred for settlement as provided by paragraph 40 hereof.

14. The Owner shall, during the currency of this Agreement, permit the User, if it so desires, to have the use of the telegraph poles situate on the Joint Section for the purpose of carrying its telegraph and telephone wires for operating purposes only upon the following terms and conditions:— 5

(a) The User shall furnish its own wire, crossarms and other fixtures and supplies, and shall attach its wires on the poles of the Owner.

(b) The User shall pay to the Owner for the privilege granted by this paragraph an annual rental of Five Cents 10 (5c.) per pin for each wire strung on the poles of the Owner, which rental shall include the cost of ordinary maintenance which shall be performed by the Owner, but the User shall be responsible for and shall bear the expense of all renewals of its crossarms, wires and other fixtures. 15

(c) The User shall give the Superintendent of Telegraphs of the Owner, having jurisdiction over that portion of the line, reasonable notice of its desire to do any work on the poles of the Owner in connection with construction, maintenance or operation of the telegraph and telephone wires 20 of the User, and all such work shall be subject to the supervision of the said Superintendent of the Owner.

15. In the event of any engine, train or car of the User being wrecked while upon the Joint Section, the wreck shall be picked up at once and removed by the Owner and 25 the User, except as herein otherwise provided, shall pay to the Owner the whole cost and expense of and incidental to such service.

16. All employees of the Owner (other than enginemen and trainmen) engaged in maintaining, repairing or operat- 30 ing the Joint Section, or in dispatching, giving orders for or directing the movement of trains, cars or engines thereon, or in the performance of any other service for the common benefit of the parties hereto, and enginemen and trainmen of any work train engaged upon the Joint Section in any 35 construction or maintenance work, shall, while engaged in such work, be deemed, for the purposes of this Agreement, joint employees of the parties hereto, but if any persons above mentioned or referred to are engaged partly in the maintenance, repair or operation of the Joint Section 40 and partly in service not connected therewith, then and in such case or cases they shall be considered as Joint Employees only when engaged in any work for the joint use and benefit of the parties hereto in connection with the Joint Section. 45

17. Save as herein otherwise provided, each of the parties hereto shall, as between themselves, be responsible for and shall assume all loss, damage, or injury to person or property which may occur on its engines, cars or trains, for all such loss, damage or injury which may be caused 50 by its engines, cars or trains (including damage by fire

originating therefrom) whether or not the condition or arrangement of the Joint Section or lands owned or leased by the Owner contributes in any manner or to any extent to such loss, damage or injury, and for all damage to its engines, cars or trains while on the Joint Section, except in the case of collision, in which event the provisions of paragraph 19 shall apply, and in the case of injury to or death of any joint employees, in which event the provisions of paragraph 20 shall apply, provided, however, that, under this paragraph, neither party shall be liable to reimburse the other for any amount paid by way of compensation for injury to or death of any sole employee of such other party, save only when such injury or death is due to the negligence of a sole employee or employees of such first mentioned party.

18. When any loss, damage or injury of whatsoever nature, other than such as is referred to in the next preceding paragraph hereof, is occasioned to any person who is lawfully upon the Joint Section by reason either directly or indirectly of the fact that the Joint Section or any part thereof is being used by one of the parties hereto for the purpose of handling its traffic, all responsibility for such loss, damage or injury shall, as between the parties hereto, be assumed and borne by such party.

19. The User and the Owner expressly covenant and agree each with the other that in case of a collision between their respective engines, cars or trains in or upon the Joint Section, the party whose sole employee or employees is or are alone at fault, or whose sole employee or employees together with a joint employee or employees is or are alone at fault, shall be solely responsible for and shall settle and pay all claims arising by reason thereof, and all loss and damage caused thereby, and shall indemnify and save the other party harmless therefrom; and in case any such collision is caused by the fault of sole employees of both of said parties or solely by the fault of any joint employee or employees of the said parties, or in case the cause of collision is so concealed that it cannot be determined whose employee or employees were at fault, each of said parties shall bear and pay all loss, damage and injury which its own property, or property in its custody or its passengers or its employees or others claiming through them may have suffered by reason or in consequence thereof, and a share of all damage to property jointly used hereunder apportioned in accordance with the provisions of paragraph 35 *(c)* hereof.

20. All claims or suits or liabilities arising under any statute for the protection or compensation of workmen arising out of injury to or death of any joint employee, and all claims or suits or liabilities arising out of loss of

or damage to property of any joint employee in or on the Joint Section shall be settled and paid in the first instance by the Owner. If such injury, death, loss, or damage is caused by the negligence of a sole employee or employees of the Owner either alone or in conjunction with that of a joint employee or employees, no claim shall be made therefor against the User. If such injury, death, loss or damage is caused by the negligence of a sole employee or employees of the User either alone or in conjunction with that of a joint employee or employees, the Owner shall forthwith render account to the User for the full amount paid in settlement of such claim, suit or liability, and the User shall pay to the Owner the amount of such account within thirty (30) days after the receipt thereof. If such injury, death, loss or damage is caused accidentally or by the joint negligence of the sole employees of both parties hereto, or by the sole negligence of joint employees, or in case the cause of injury, death, loss or damage cannot be determined, the Owner shall include the amount paid in settlement of such suits or claims in the operating expenses and the same shall be apportioned and borne by the parties hereto in accordance with the provisions of paragraph 35 *(c)* hereof.

21. In any case where loss, damage or injury has resulted to any person or property and such loss, damage or injury does not fall within the provisions of paragraphs 17, 18, 19 or 20 hereof or responsibility therefor cannot be satisfactorily determined, then and in all and each of such cases the damages and costs or either, and all loss thereby caused shall be charged to operating expenses and apportioned in accordance with the provisions of paragraph 35 *(c)* hereof.

22. Each party hereto covenants and agrees that it will forever indemnify and save harmless the other party, its successors and assigns, from and against all claims, liabilities or judgments by reason or on account of any injury to or death of any person or of any loss or damage to property, the liability for which is herein assumed by such first mentioned party, and such first mentioned party agrees to pay, satisfy and discharge any judgment that may be obtained by reason thereof, and all costs, charges and expenses payable thereunder.

23. In case a suit or suits or proceedings shall be commenced by any person or corporation against either party hereto, for or on account of any loss, damage or injury for which the other party hereto is liable under the provisions of this Agreement, the party so sued or proceeded against shall give to the other party reasonable notice in writing of the pendency of such suit or proceeding, and thereupon the other party shall assume the defence of such suit or

proceeding, and shall save and hold the party so sued harmless from all loss and costs by reason thereof. Neither party hereto shall be bound by any judgment against the other party unless it shall have had reasonable notice that it was required to defend and has reasonable opportunity to make such defence. When such notice and opportunity have been given, the party notified shall be bound by the judgment as to all matters that could have been litigated in such suit or proceedings.

24. Neither party hereto shall, under any circumstances, have any cause of action against the other for loss or damage of any kind caused by or resulting from interruption or delay to its business.

25. The parties shall settle, as between themselves, any claim for loss or damage according to the terms of this Agreement, notwithstanding any judgment or decree of any Court or other tribunal in a proceeding brought by other parties.

26. In case the parties hereto cannot agree under which of the provisions of this Agreement the loss, damage, injury or expense hereinbefore referred to shall be assumed, charged or borne, the questions as to how the said loss, damage, injury or expense was occasioned shall be referred for settlement in the manner provided in paragraph 40 hereof, and in all such cases the award upon such reference shall be final in determining the question in dispute and shall prevail over any contrary finding of a Court or jury in an action instituted by any third person or company in which both parties hereto are not represented; PROVIDED HOWEVER, that if both parties are represented, the finding of such Court or jury shall prevail.

27. The Owner shall, in the event of it admitting any other company to the use of the Joint Section, or any part thereof, insert or cause to be inserted in any Agreement admitting such other Company or Companies, the provisions of the foregoing paragraphs 16 to 26 inclusive respecting joint employees and liability for loss, damage and injury, for the benefit of the User when similar circumstances arise between the User and any such other Company or Companies, and such Agreement with any such other Company shall be construed as if it were signed by all the Railway Companies at one time in the joint use of the Joint Section or any part thereof.

28. If and as often as any of the buildings or other property forming part of the Joint Section be destroyed in whole or in part by fire or other casualty, the same shall be rebuilt or replaced without delay, either according to its former design or such other design, if any, as the parties hereto may agree upon, and such portion of the cost of so doing as is properly chargeable to Maintenance and Operation, less the amount of insurance, if any, which may be

received in respect of the damage or destruction thereof, shall be included in the account of Maintenance and Operation, and shall be apportioned between the parties hereto as provided by paragraph 35 *(c)* hereof, and the balance of such cost shall be included in the Capital Account, the interest on which the User shall bear an equal share, as provided by paragraph 35 *(b)* hereof:

PROVIDED, and it is understood and agreed that while it is the intention of the Owner to insure and keep insured in accordance with its usual practice, either in its own insurance Fund or with an Insurance Company or Companies, during the continuance of this Agreement against loss by fire all the buildings and other property forming part of the Joint Section, for such amounts from time to time as will in the opinion of its Insurance Commissioner reasonably protect the same against loss, no liability of any kind shall rest upon the Owner if such intention to insure and keep insured is not carried out, whether by reason of negligence or omission on the part of the Owner, its Insurance Commissioner, or otherwise, or by reason of breach of conditions of any policy or contract of insurance which would void the same or give the Insurance Company a defence to any action upon the policy or contract.

29. Neither party shall be required or be liable to insure any property of the other party, nor shall the operating expenses of the Joint Section include any outlay on account of insurance of cars, rolling stock, engines, or other property of any kind of either party or which may be in its charge, (except premiums on Insurance Policies on the Joint Premises).

30. It is understood and agreed that neither this Agreement nor anything herein contained shall in any way limit the right of the Owner to grant to any other Railway Company or Companies upon such terms as the Owner may deem proper, provided that such additional use shall not unduly interfere with the use of the Joint Section by the User, joint operating privileges in respect of the Joint Section, or any part thereof similar to those hereby given to the User; PROVIDED, HOWEVER, that upon the admission of any other Railway Company or Companies to the use or benefit of the Joint Section, or any portion thereof, in conjunction with the Owner and the User there shall, for the purpose of meeting the altered conditions, be an equitable re-adjustment of the terms and provisions of this Agreement including a re-adjustment of the payments to be made by the User for the use and enjoyment of the Joint Section as herein provided (due regard being had to the extent of the use and benefit of the Joint Section by the several Companies using the same). In the event of the parties hereto being unable to agree upon a proper re-adjustment of any or all of such terms and provisions,

the same shall be referred for settlement in the manner provided in paragraph 40 hereof, and the settlement and determination of the Arbitrator in respect thereof shall be final and binding upon the parties hereto; and the terms and provisions so agreed upon or so settled and determined shall thereafter constitute the Agreement between the parties in respect of the matters covered thereby as fully as if the same were set out herein and formed a part of this Agreement. It is further understood that upon readjustment of the rentals under the provisions of this paragraph, the rental payable by the User based upon the value of the lands comprised in the Joint Section is not to be increased or decreased by reason of any increased or decreased value in such lands after the date of this Agreement, nor is the User, upon any such readjustment, to have the benefit of any increase in the value of such lands, it being the intention that, upon any such readjustment, the Owner alone is to obtain the benefit of any increase which may take place in the value of such lands, and of any rental payable by any admitted Company, in respect of any increased value; PROVIDED, HOWEVER, that amalgamation of the Owner with any other Railway Company shall not be considered as an admission of such other Railway Company to the use of the Joint Section within the meaning of this paragraph: PROVIDED FURTHER that nothing herein contained shall be construed to confine or restrict the use and enjoyment of the Joint Section by the Owner to the operation of the lines now owned, leased, operated, controlled (by stock ownership or otherwise) or managed by the Owner, as the case may be, but the term "Owner" shall be deemed to extend to and include the owners of all such lines as may from time to time be operated as part of the Canadian Pacific Railway System.

31. The User shall not, except as a part of the sale, mortgage, transfer, assignment or lease of its railway in its entirety without the consent in writing of the Owner, assign or transfer any right or interest under this Agreement, or give or assume to give to any other Company or person any right or interest upon or in respect of the Joint Section or any part thereof; and any assignment, transfer or other instrument contrary to the provisions of this paragraph shall be void and of no effect.

32. Any lease to any outside party of any portion of the Joint Section, for exclusive occupation by such outside party shall be by and in the name of the Owner, as Lessor for the benefit of the parties to these presents, and the rentals and other payments arising therefrom shall be credited in their proper proportions to *(a)* interest on the Capital Account, and *(b)* the maintenance and operation account hereinafter provided for, and the parties hereto shall benefit thereby accordingly, and the responsibility

for collecting such rental shall be with the Owner; PROVIDED that no such lease shall be made of any portion of the Joint Section which shall at the time be required for the use of the parties hereto, or either of them under this Agreement.

33. The Owner shall keep a capital account to which shall be charged the sum of One hundred and forty thousand dollars ($140,000.00).....which sum is for the purposes hereof agreed upon as the value of the Joint Section as of the date hereof, and any expenditure incurred after said date in acquiring additional lands and in providing, making and constructing additional railway facilities and appurtenances, permanent improvements, buildings, alterations, extensions, additions, substitutions, works and things which may be acquired, provided, made or constructed under the provisions of paragraphs 6 and 7 hereof, and generally all such other sums, if any, not herein specified, as are properly chargeable to Capital as distinguished from Maintenance Account.

PROVIDED, HOWEVER, that, except as provided by paragraph 28 hereof, in case any facility forming part of the Joint Section shall be retired, the capital value of the building so retired, as shown in the capital account, shall be deducted from the capital account, and the amount so deducted shall be charged to maintenance and operating expenses, and in case any such facility shall be replaced by a new facility, the total cost of such new facility shall be added to the capital account on which rental is to be paid by the User as herein provided.

34. The Owner shall also keep one or more accounts of the expenses from time to time incurred in the maintenance and operation of the Joint Section, as may be required for the purpose of this Agreement. Such expenses shall consist of and include office and management expenses, salaries and wages of officers and employees, legal and other like expenses, materials, supplies, maintenance and repairs, furniture, equipment, heating and upkeep generally, including repairs and upkeep of signals, highway crossings, bridges, and other structures and also all culverts, ditches and fences, taxes (other than taxes on earnings) whether or not the User enjoys any exemption from taxes by Statute or otherwise, lighting, water supply, compensation for loss, damage, or injury which is to be borne jointly by the parties hereto under paragraphs 19, 20 and 21 hereof; the cost of compliance by either of the parties hereto with any Order of the Board or other duly qualified authority respecting the maintenance and operation of the Joint Section or any portion thereof, the cost of snow removal and generally all such other expenses, if any, as are usually chargeable to Maintenance and Operation, as distinct from Capital Account.

35. The User shall, in addition to all other payments herein provided for, pay, monthly, to the Owner during the continuance of this Agreement, by way of rental or compensation for its use and enjoyment of the Joint Section, and as its share of the cost of Maintenance and Operation thereof, the amounts hereinafter mentioned, that is to say:—

(a) The sum of Two Thousand, One hundred dollars ($2,100.00) per annum, payable monthly, in equal, monthly payments, during the currency of this Agreement.

(b) Interest at the rate of Five per cent (5%) per annum, payable monthly upon one half the net amount or net amounts from time to time hereafter added to the Capital Account under the terms and conditions hereof.

(c) Such proportions of the cost and expense of all sums paid by the Owner by way of premiums on any Insurance effected under the provisions of paragraph 28 hereof, and of the premiums at the same respective rates on all sums carried by the Owner in its own insurance fund, as provided by said paragraph and such proportions of the cost and expense of the maintenance, repair and operation of the Joint Section as the number of engines and cars of all classes, both loaded and empty of the User passing over the Joint Section or any portion thereof shall bear to the total number of engines and cars of all classes, both loaded and empty, passing over the Joint Section or any portion thereof, an engine and tender being counted as two cars. PROVIDED, and it is hereby understood and agreed that the minimum amount payable each month by the User under this sub-paragraph *(c)* shall be fifteen per cent (15%) of the total amount of the cost and expenses incurred by the Owner in the maintenance, repair and operation of the Joint Section during the month in respect of which the payment is due.

In determining the cost of Maintenance, repairs and renewals there shall be included, in addition to the assignable costs, ten (10) per cent of the actual cost of labour and fifteen (15) per cent of the actual cost of Material to cover supervision, use of tools and store expense.

(d) In determining the amount of increases and decreases in the cost of the Joint Section upon which rental is to be paid as provided for in paragraph 33 hereof, and in determining the amount of expenditures chargeable to maintaining, repairing and operating expenses to be apportioned among the parties using the Joint Section, as provided in paragraph 35 *(c)*, the usual rules of accounting adopted by Railway Companies shall govern.

36. The Owner shall, as soon after the first of each month as reasonably possible, render to the User a full and detailed statement showing the amounts payable by the User for the preceding month by way of or on account of interest on Capital Account, insurance and expenses of maintenance and operation and otherwise as aforesaid, and

within thirty (30) days after the rendering of any such statement, the User shall pay to the Owner at its office in Montreal, the amounts shown by such statement as payable by the User pursuant to the terms of this Agreement.

37. Subject to the proviso hereinafter contained, the Owner will, from time to time and at all times during the continuance of this Agreement, allow proper inspection by the User of all books, accounts, returns and vouchers for the purpose of checking or verifying any account or accounts rendered by the Owner to the User in pursuance of this Agreement, and the User shall have the right from time to time to employ an auditor or auditors to investigate the accuracy of any such account or accounts, and the Owner shall from time to time afford all proper facilities for such investigation; and neither the acceptance of any such account or accounts nor the payment thereof by the User shall prejudice its rights to an audit or verification; and if, upon any such audit or verification, it shall be found that the User has paid to the Owner any sum or sums of money which it was not liable to pay under the provisions of this Agreement, it shall be entitled to demand and collect the same from the Owner, and the Owner shall refund the same. Provided, however, that such right of inspection in respect of maintenance and operation charges shall be exercisable only within one year after the rendering of the account or accounts sought to be checked or verified and any account not found to be incorrect within such period of one year shall not thereafter be subject to objection or change, and further that the Owner shall not in any account make any charge in respect of any service performed or material furnished hereunder in connection with maintenance and operation prior to the period of one year before the rendering of such account, unless notice be given in respect of such adjustment before the expiry of that period.

38. If the User should fail to make any payment when due, which it is obliged by this contract to make, or fails in any other respect to perform the obligations on its part to be performed under this Agreement, and such default shall continue for sixty days after notice in writing shall have been given by the Owner to the User of an intention to terminate the contract, the Owner may, at its election, declare this Agreement terminated and may exclude the User from all use of the Joint Section. Provided that failure to make any payment which is the subject of arbitration or litigation between the parties shall not, pending such arbitration or litigation, be deemed cause of forfeiture hereunder.

39. Each of the parties hereto agrees to carry out and give effect to this Agreement in the most liberal and reason-

able manner, and to operate its business on the Joint Section so as to facilitate the business of the other party to the fullest extent compatible with safety and the convenient operation of the business of both parties.

40. In case any difference or dispute shall arise between the parties hereto in respect of the interpretation of this Agreement or of any matter in this Agreement mentioned, a settlement whereof is not otherwise herein provided for, it is mutually agreed by the parties hereto that the matter which may at any time be the subject of controversy shall be promptly referred to and determined by a single arbitrator to be mutually agreed upon by the parties hereto, whose decision shall be final and binding upon the parties hereto. In the event of the parties failing to agree upon such single arbitrator, the subject of controversy shall be promptly referred to and determined by the Board, whose decision shall be final and binding upon the parties hereto.

41. All notices to be given under this Agreement shall be in writing and may be served either personally or by mailing them postage prepaid and registered to the Secretary of the Owner at Montreal, Quebec, or to the General Superintendent of the User at Winnipeg, Manitoba, as the case may be.

42. If for any reason any covenant or agreement hereinbefore contained, not material to the right of the User to use the Joint Section or any portion thereof, shall be adjudged void by lawful authority, such adjudication shall not affect the validity, application or performance of any other covenant or agreement which is in itself valid. No controversy as to the construction or validity of any covenant or agreement shall delay the performance of any other covenant or agreement. In the event of the failure in law of any covenant or agreement herein contained, such steps shall be taken or such other Agreement or Agreements shall be made as shall be advised by Counsel to carry into effect the purposes and intents herein expressed.

43. This Agreement shall subject to the consent of the proper lawful authority and subject to the sooner termination thereof as hereinafter provided continue in force for the period of twenty-one years from the date hereof, provided however that the parties hereto will promptly join and cooperate in applying to Parliament for the necessary legislation making this Agreement effective during a term of ninety-nine years from the date hereof and when such authority is obtained this Agreement shall be and continue in force for the said term of ninety-nine years from the date hereof—subject to sooner termination as herein provided.

44. The User hereby covenants and agrees with the Owner to commence operation over the Joint Section within one year from the date of this Agreement; Provided further that in the event of the User, or its successors or

assigns abandoning its lines and ceasing to operate same in the City of Winnipeg, it may terminate this Agreement subject to the payment by the User to the Owner of a fair proportion of all expenditures made or incurred or which may hereafter be made or incurred by the Owner at any time by reason of or arising out of the use of the Joint Section by the User, by giving a notice in writing to the Owner of its intention so to do and naming in such notice a day at least six months from the giving of the same upon which the User will pay the amount of such expenditures to the Owner and upon such payment being made this Agreement shall *ipso facto* terminate. In arriving at the amount of such fair proportions to be paid by the User to the Owner consideration shall be given to the extent to which any grade crossing protection or grade separation that may be ordered by the Board, within the limits of the Joint Section, may have been brought about or influenced by the fact that the User has been or is at the time using the Joint Section for the accommodation of its traffic.

45. Upon such termination of this Agreement it is hereby understood and agreed that the User shall be at liberty to remove from the Joint Section all property including switch and other materials belonging to it at such time.

46. WHEREVER in this Agreement it is stipulated that anything shall be done or performed by either of the parties, it shall be assumed that such party has thereby entered into a covenant with the other party to do or perform the same, and that such covenant is entered into not only by, for and on behalf of the parties hereto, but is also entered into by, for and on behalf of their respective successors and assigns.

IN WITNESS WHEREOF this Agreement has been duly executed by the parties hereto.

CANADIAN PACIFIC RAILWAY COMPANY.

SEAL

D. C. COLEMAN,
Vice-President.

H. C. OSWALD,
Asst. Secretary.

THE MIDLAND RAILWAY COMPANY OF MANITOBA.

H. H. BROWN,
President.

F. L. PAETZOLD,
Asst. Secretary.

Fourth Session, Eighteenth Parliament, 3 George VI, 1939.

THE SENATE OF CANADA

BILL C.

An Act for the relief of Edythe Marjorie Burke Atkinson.

Read a first time, Wednesday, 8th March, 1939.

The Honourable the Chairman of the
Committee on Divorce.

OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1939

72306

4th Session, 18th Parliament, 3 George VI, 1939.

THE SENATE OF CANADA

BILL C.

An Act for the relief of Edythe Marjorie Burke Atkinson.

Preamble.

WHEREAS Edythe Marjorie Burke Atkinson, residing at the city of Montreal, in the province of Quebec, wife of William Stuart Atkinson, manager, who is domiciled in Canada and residing at the village of Pont Echemin, in the said province, has by her petition alleged that they were married on the fifteenth day of November, A.D. 1916, at the city of Westmount, in the said province, she then being Edythe Marjorie Burke, 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 Marjorie Burke and William Stuart 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 Edythe Marjorie Burke may at any time hereafter marry any man whom she might lawfully marry if the said marriage with the said William Stuart Atkinson had not been solemnized.

Fourth Session, Eighteenth Parliament, 3 George VI, 1939.

THE SENATE OF CANADA

BILL D.

An Act for the relief of Marie Louise Rossetti Di Rosa.

Read a first time, Wednesday, 8th March, 1939.

The Honourable the Chairman of the
Committee on Divorce.

OTTAWA
J. O. PATENAUDE, I.S.O
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1939

70790

4th Session, 18th Parliament, 3 George VI, 1939.

THE SENATE OF CANADA

BILL D.

An Act for the relief of Marie Louise Rossetti Di Rosa.

Preamble.

WHEREAS Marie Louise Rossetti Di Rosa, residing at the city of Sudbury, in the province of Ontario, waitress, wife of Antonio Di Rosa, machine shop foreman, 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 twenty-seventh day of November, A.D. 1913, at the said city of Montreal, she then being Marie Louise Rossetti, 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 Louise Rossetti and Antonio Di Rosa, 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 Louise Rossetti may at any time hereafter marry any man whom she might lawfully marry if the said marriage with the said Antonio Di Rosa had not been solemnized.

Fourth Session, Eighteenth Parliament, 3 George VI, 1939.

THE SENATE OF CANADA

BILL E.

An Act to change the name of Ancient Foresters' Mutual Life Insurance Company to Toronto Mutual Life Insurance Company.

Read a first time, Wednesday, 8th March, 1939.

Honourable Senator LYNCH-STAUNTON.

OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1939

70951

4th Session, 18th Parliament, 3 George VI, 1939.

THE SENATE OF CANADA

BILL E.

An Act to change the name of Ancient Foresters' Mutual Life Insurance Company to Toronto Mutual Life Insurance Company.

Preamble.

WHEREAS Ancient Foresters' Mutual Life Insurance 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:— 5

Change of name.

1934, c. 67.

Existing rights saved.

1. The name of Ancient Foresters' Mutual Life Insurance Company, incorporated by chapter sixty-seven of the statutes of 1934, hereinafter called "the Company," is hereby changed to "Toronto Mutual Life Insurance Company," but such change in name shall not in any way impair, alter or affect the rights, obligations or liabilities of the Company, nor in any way affect any suit or proceeding now pending, or judgment now existing, either by, or in favour of, or against the Company, which, notwithstanding such change in the name of the Company, may be prosecuted, continued, completed and enforced as if this Act had not been passed, and any suit or legal proceeding that might have been commenced or continued by or against the Company by its former name may be commenced or continued by or against it by its new name. 10 15 20

Fourth Session, Eighteenth Parliament, 3 George VI, 1939.

THE SENATE OF CANADA

BILL F.

An Act to incorporate The Associated Canadian Travellers.

Read a first time, Wednesday, 8th March, 1939.

Honourable Senator GRIESBACH.

OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1939

73465

4th Session, 18th Parliament, 3 George VI, 1939.

THE SENATE OF CANADA

BILL F.

An Act to incorporate The Associated Canadian Travellers.

Preamble.

WHEREAS the persons hereinafter named have, by their petition, prayed that they may be incorporated as a fraternal benefit society, under the name of The Associated Canadian Travellers, 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. Roy Cecil Darnbrough, commercial traveller, of the city of Vancouver, in the province of British Columbia, and Mark Anderson, commercial traveller, of the city of Saskatoon, in the province of Saskatchewan, and John Albrecht Eoll, commercial traveller, and Herbert Edgar Dial, commercial traveller, and Alfred Sidney Thomas Holtby, commercial traveller, and James Moore Loudfoot, commercial traveller, and Thomas Lumley, commercial traveller, and Cecil Andrew Scott, commercial traveller, and Wilfred Cain, commercial traveller, and Clarence Edgar Sage, travelling superintendent, and Charles Quinton Bown, manufacturer's agent, and John Theodore Berrington, secretary treasurer, and Cyril William Chorley, sales supervisor, and James N. T. Spence, commercial traveller, all of the city of Calgary, in the province of Alberta, together with such other persons as become members of the society hereby incorporated, are incorporated under the name of "The Associated Canadian Travellers", in this Act called "the Association".

Head office.

2. The head office of the Association shall be at the city of Calgary, in the province of Alberta.

Fraternal benefit society.

3. The Association shall be a fraternal benefit society carrying on its benefit and insurance work solely for the protection of its members, their families and beneficiaries, and not for profit.

Qualifications for membership.

4. Any white male person over the full age of eighteen years may, subject to the terms of the duly enacted by-laws of the Association from time to time in effect, become a member of the Association, provided that the Association shall, upon the acquisition of the affairs of the Letters Patent Association mentioned in the next following section, admit all persons who are at the time of such acquisition members in good standing of the said Letters Patent Association as then constituted.

Powers of the Association.

5. (1) The Association shall have power:

(a) To organize, establish and carry on local branches of the Association, which branches shall be called "clubs".

(b) To propagate and develop among the members of the Association, a spirit of mutual co-operation, assistance, and friendship.

(c) To advance and protect the interests of all commercial travellers, and in particular, the members of the Association, and for such purpose to negotiate agreements and co-operate with any government, corporation, society, person or persons, whenever such agreements and co-operation may be calculated either directly or indirectly to assist or promote the welfare or convenience of commercial travellers.

(d) To establish insurance benefit funds as follows:

(i) A fund for providing death benefits and endowment benefits within the powers in that behalf conferred on fraternal benefit societies under *The Canadian and British Insurance Companies Act 1932;* and

1932, c. 46.

(ii) A personal accident and sickness fund for providing benefits in the event of death from any cause whatever, or of injury by accident, of a member, and for providing indemnity during the incapacity of a member arising out of accident or sickness.

Acquisition of Letters Patent Association.

(2) Subject to sections thirteen and fourteen of this Act, the Association may acquire the whole or any part of the rights and property, and may assume the obligations and the liabilities of the Associated Canadian Travellers, a company incorporated by Letters Patent issued under the *Companies Act* of Canada, on the twentieth day of October, A.D. 1921, hereinafter called "the Letters Patent Association".

R.S. 1906, c. 79.

Dominion Council.

6. The Dominion Council of the Association which shall be constituted as provided in the constitution and bylaws of the Association, shall be the final legislative and governing body of the Association.

Dominion Council Executive.

7. The Dominion Council Executive which shall be constituted as provided in the constitution and bylaws of

the Association, shall in the interval between the meetings of the Dominion Council manage and direct the affairs of the Association.

Temporary officers and members.

8. The present officers and members of the Dominion Council and of the Dominion Council Executive of the Letters Patent Association shall, respectively, be the officers and members of the Dominion Council and the Dominion Council Executive of the Association until their successors are elected pursuant to the provision of this Act and the constitution and bylaws of the Association.

Temporary constitution and bylaws.

9. (1) The existing constitution and bylaws of the Letters Patent Association, so far as they are applicable and subject to the provisions herein shall govern the affairs of the Association, and the members thereof, from the date of its incorporation until and including the date of the first meeting of the Dominion Council of the Association.

Constitution and bylaws.

(2) The Dominion Council of the Association shall have power from time to time to make, amend, and repeal the constitution and bylaws of the Association.

General fund.

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

Disposition of surplus of benefit fund.

11. The Association may make provision in its constitution and bylaws whereby such portion of the surplus above all liabilities in any benefit fund as shall be approved by the Actuary of the Association may be applied to grant new or additional benefits to the members of the Association, or to the remission of premiums, or portions thereof, or to the allotment of bonuses.

Ownership and control of property.

12. (1) All property purchased with the funds of the Association shall be that of, and shall be vested in the Association, and shall be administered, managed and controlled by the Executive of the Dominion Council.

Property of defunct clubs.

(2) Whenever under the provisions of the constitution and bylaws of the Association any club authorized under the said constitution and bylaws becomes defunct, the property of such club shall become vested in the Association and the proceeds of all such property shall be applied first in liquidation of the debts and liabilities of such club, and the surplus, if any, shall form part of the general fund of the Association.

Property of Letters Patent Association.

13. (1) The Association, by agreement with the Letters Patent Association, may acquire the whole or any part of the rights and property of any kind whatsoever now belonging to the Letters Patent Association, and, in the event of such acquisition, the Association shall assume, perform and discharge all unperformed obligations and undischarged liabilities of the Letters Patent Association in respect to the rights and property acquired and may give any receipt or discharge in connection with any right, obligation or liability thereof.

Approval of Treasury Board.

(2) No agreement between the Association and the Letters Patent Association in connection with the acquisition of the rights and property of the Letters Patent Association, and with the assumption of its obligations and liabilities, shall become effective until such agreement has been submitted to and approved by the Treasury Board of Canada, and such Board shall not approve the agreement if it appears to it that more than one-third of the members of the Association present and voting at a meeting called for the purpose of considering such agreement, are opposed to it.

Bringing this Act into force.

14. 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 Association, present and voting at a meeting called for the purpose of considering such resolution, 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 Letters Patent Association has ceased to do business, or will cease to do business, forthwith upon a certificate of registry being issued to the Association, except such business as is necessary for the fulfilment of the terms of any agreement made under the provisions of section thirteen of this Act, and will forthwith upon the issue of the said certificate, surrender its charter under the provisions of *The Companies Act, 1934*.

1934, c. 33.

1932, c. 46.

15. *The Canadian and British Insurance Companies Act, 1932*, so far as applicable, shall apply to the Association.

Fourth Session, Eighteenth Parliament, 3 George VI, 1939.

THE SENATE OF CANADA

BILL G.

An Act for the relief of Stefano Guilio Luciano Roncari.

Read a first time, Thursday, 9th March, 1939.

The Honourable the Chairman of the
Committee on Divorce.

OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1939

70786

4th Session, 18th Parliament, 3 George VI, 1939.

THE SENATE OF CANADA

BILL G.

An Act for the relief of Stefano Guilio Luciano Roncari.

Preamble.

WHEREAS Stefano Guilio Luciano Roncari, domiciled in Canada and residing at the city of Montreal, in the province of Quebec, hotel-keeper, has by his petition alleged that on the seventeenth day of November, A.D. 1925, at the city of Ottawa, in the province of Ontario, he and Emilie Leocadie Martin, who was then of the said city of Ottawa, 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 Stefano Guilio Luciano Roncari and Emilie Leocadie Martin, 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 Stefano Guilio Luciano Roncari may at any time hereafter marry any woman whom he might lawfully marry if the said marriage with the said Emilie Leocadie Martin had not been solemnized.

Fourth Session, Eighteenth Parliament, 3 George VI, 1939.

THE SENATE OF CANADA

BILL H.

An Act respecting The United Church of Canada.

Read a first time, Thursday, 9th March, 1939.

The Right Honourable Senator MEIGHEN, P.C.

OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1939

73473

4th Session, 18th Parliament, 3 George VI, 1939.

THE SENATE OF CANADA

BILL H.

An Act respecting The United Church of Canada.

Preamble.

WHEREAS The United Church of Canada 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:— 5

1924, c. 100.

1. Chapter one hundred of the statutes of 1924, being *An Act incorporating The United Church of Canada*, is amended by adding the following as section thirty:—

Use of name "The Presbyterian Church in Canada."

"**30.** Notwithstanding anything contained in this Act, 10 congregations, members and adherents of The Presbyterian Church in Canada who did not on the tenth of June, 1925, become part of The United Church of Canada and those persons who have since that date joined or may hereafter join with them as members or adherents may use the name 15 'The Presbyterian Church in Canada'; but this shall not in any way prejudice or affect the rights or powers of The United Church of Canada or of any constituent part thereof or of any corporation, board, committee or other body created by or under the government or control of or 20 in connection with The United Church of Canada or of any congregation thereof."

Coming into force.

2. This Act shall come into force upon such date as the Governor in Council may by proclamation, published in the *Canada Gazette*, appoint. 25

Explanatory Note.

By the Act incorporating The United Church of Canada (14-15 George V, Chapter 100) it was provided that those congregations of The Presbyterian Church in Canada, the Methodist Church and the Congregational Churches of Canada which did not become part of the United Church of Canada might use to designate the said congregations any names other than the names of the said Churches.

The United Church of Canada now seeks by this Bill to have the said United Church of Canada Act amended to provide that the congregations of The Presbyterian Church in Canada and the members and adherents of the said Church who did not become part of the United Church of Canada when the Act came into force on the 10th of June, 1925, and those persons who have since that date joined with them as members or adherents may use the name "The Presbyterian Church in Canada" without prejudice to the rights of the United Church of Canada under the said Act.

Fourth Session, Eighteenth Parliament, 3 George VI, 1939.

THE SENATE OF CANADA

BILL I.

An Act to incorporate The Trustee Board of The Presbyterian Church in Canada.

Read a first time, Thursday, 9th March, 1939.

Honourable Senator DUFF.

OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1939

74037

4th Session, 18th Parliament, 3 George VI, 1939.

THE SENATE OF CANADA

BILL I.

An Act to incorporate The Trustee Board of The Presbyterian Church in Canada.

Preamble.

1939, c.—

WHEREAS by an Act passed by the Parliament of Canada, being Chapter A of the Statutes of Canada, 1939, it is provided that congregations, members and adherents of The Presbyterian Church in Canada who did not on the tenth day of June, 1925, become part of the United Church of Canada and those persons who since that date had joined or might after the passing of the said Act join with them as members or adherents might use the name "The Presbyterian Church in Canada" but that such use should be without prejudice to the rights or powers of the United Church of Canada as set forth in the said Act; and

WHEREAS The Presbyterian Church in Canada as defined in section one of this Act has by petition represented that it desires to have incorporated a trustee board to acquire, take, hold and deal with real and personal property, 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:—

Definition of "The Presbyterian Church in Canada."

1. The words "The Presbyterian Church in Canada" occurring in this Act subsequent to this section mean and include only the congregations, members and adherents of The Presbyterian Church in Canada who did not on the tenth day of June, 1925, become part of The United Church of Canada and those persons who have since that date joined or may hereafter join with them as members or adherents.

Incorporation of "The Trustee Board of The Presbyterian Church in Canada."

2. John Forbes Michie, merchant, Gilbert Laurie Sutherland, real estate broker, Ernest William McNeill, manager, John Andrew McLeod, banker, James Wilson, clergyman, and John Gibson Inkster, clergyman, all of the city of

Explanatory Note.

The Presbyterian Church in Canada (as defined in this Bill) is unincorporated and the property of the Church is now held by an unincorporated Board of Trustees. This sometimes causes inconvenience and delay in dealing with the securities and properties of the Church, *e.g.*, in the event of the absence, illness or death of a trustee transfers of property may be delayed, causing serious financial loss. To overcome difficulties of this nature the Church seeks to have a Trustee Board incorporated which will be able to hold and deal as a corporation with the real and personal property of the Church.

Toronto in the province of Ontario, and William Barclay, clergyman, of the city of Hamilton in the said province of Ontario, and their successors to be appointed from time to time as hereinafter provided, shall be and they are hereby constituted a body politic and corporate by the name of "The Trustee Board of The Presbyterian Church in Canada," and the said body politic and corporate is hereinafter in this Act referred to as "the Board."

Corporate seal.

3. The Board shall have and use a common seal and may from time to time change, alter, or make new, such seal, as the Board may think fit.

Chairman.

4. (1) The Board shall from time to time elect a chairman who shall preside at all meetings at which he is present. In case of the absence of the chairman from any meeting the members of the Board then present shall elect a chairman for that meeting.

Meetings.

(2) Meetings of the Board may be held at such place or places and at such dates or times as may be decided by the Board from time to time, and the business at such meetings shall be dealt with in such order and in such manner as the Board shall from time to time prescribe.

Quorum.

(3) Three members of the Board shall form a quorum and questions arising at any meeting shall be decided by a majority of votes. Each member of the Board including the chairman shall have one vote only.

Power to acquire property.

5. The Board shall at all times hereafter be entitled to purchase, lease, acquire, have, take, hold, receive, and enjoy, all or any property real and personal whatsoever in the most full and ample manner that may be allowed by law.

Property vested in Board.

6. Save as otherwise provided in this Act, all gifts, devises, deeds, conveyances, transfers or leases of any real property or of any interest therein and all gifts, bequests, assignments or transfers of any personal property or of any interest therein which have been or shall hereafter be made to or intended for, The Presbyterian Church in Canada or any of the trusts in connection with the said church, or any of the institutions, organizations, schemes or funds of the said church, shall vest in the Board as fully and effectually as if any such gift, devise, deed, conveyance, transfer, lease, bequest or assignment had been made to the Board and shall be held and administered by the Board for the general benefit of the said church, unless intended for the specific benefit of any trust, institution, organization, scheme, or fund of the said church, when the same shall be held and administered by the Board for such specific

benefit, but nothing in this Act contained shall vest in the Board any real or personal property or any interest therein which the Board shall decide not to accept.

Property vested in Board subject to trusts.

7. All property, real and personal, which shall be vested in or held by the Board for any general or special purposes or trusts of or in any way connected with The Presbyterian Church in Canada shall be held for the purposes and trusts, and with, under and subject to the same powers and provisions, as are in force or declared under any deed, instrument or statute affecting such property respectively.

Property held by trustees to be transferred to Board.

8. Save as otherwise provided in this Act, every person in whom any property, real or personal, or any interest therein, shall have become vested heretofore, or shall become vested from time to time hereafter, by statute, or by order of a commission, or by gift, devise, deed, conveyance, transfer, lease, bequest, or assignment, or in any other manner, upon trust for The Presbyterian Church in Canada, or any of the trusts in connection with the said church, or any of the institutions, organizations, schemes or funds of the said church, shall, upon the request of the Board and at the Board's expense, forthwith assign, convey or otherwise transfer such property or interest therein to the Board, and shall sign and execute all such deeds and instruments, and do all such acts, as may be necessary for that purpose.

Release of former trustees.

9. When any property, real or personal, or any interest therein, shall have been assigned, conveyed or otherwise transferred to the Board as aforesaid all rights, powers, and liabilities of the person or persons in whom the same was theretofore vested shall cease and determine and he or they shall thenceforth be wholly released and discharged from the performance of the trusts and the exercise of the rights, powers or duties, previously imposed upon or exercisable by him or them: Provided that nothing herein shall be deemed to prevent any such person from being called on to account for any moneys received or expended, or for the doing or non-performance of any act, matter, or thing in relation to the trust, prior to the assignment, conveyance or transfer of such property as aforesaid.

Board to have power to enforce existing contracts.

10. All contracts of every kind in existence at the date of the incorporation of the Board under this Act, and which could be enforced by or against the trustees of any property affected by the operation of this Act, or any committee or other persons or body in whom any such property may have been vested at the date aforesaid, and all rights, remedies, and powers in existence or which may afterwards exist or

arise upon or in respect of any such contract or in relation thereto, shall be exercised and enforced only by or against the Board.

Income from funds held by Board.

11. The Board shall at all times on the request of the General Assembly of The Presbyterian Church in Canada, or on the request of the Board of Administration of The Presbyterian Church in Canada, or other board or committee which may from time to time be charged with the management of the trusts, institutions, organizations, schemes and funds, respectively, of The Presbyterian Church in Canada, pay the rents, income or produce of any real property or interests therein, and of any personal property, or interests therein, to the treasurer of The Presbyterian Church in Canada for the benefit of the said trusts, institutions, organizations, schemes, and funds respectively, and shall also at the like request sell and convert into money the real property, or interests therein, and the personal property, or interests therein, subject to the trusts on which the same may be held, and shall pay the proceeds of the said sales to the said treasurer for the benefit of the said trusts, institutions, organizations, schemes, and funds respectively: Provided, and it is hereby expressly declared, that no purchaser from the Board shall be bound to see that the said request shall have been made, or to inquire as to the application of the said purchase money, or the regularity of the appointment or proceedings of the Board; and the execution of any grant, deed, conveyance, transfer, lease, assignment, release, discharge, or other instrument, shall be deemed sufficient and conclusive when executed as hereinafter set forth.

Property conveyed to Board for congregations to be formed.

12. All purchases, gifts, devises, deeds, conveyances, transfers or leases of lands which may be made for or to The Presbyterian Church in Canada as a site for a church, manse, school, or cemetery, for the use of a congregation not then organized, shall vest in the Board in trust to convey the same to the trustees of such congregation when it shall have been organized under the sanction of the presbytery within the bounds of which it is situate, or in default of such organization in trust to sell the same and pay the proceeds of such sale to the treasurer of The Presbyterian Church in Canada, for such trusts, institutions, organizations, schemes or funds thereof as may be determined from time to time by the General Assembly of the said church.

Property of congregations ceasing to exist.

13. All lands and premises and personal property and assets which have been, or shall hereafter at any time, be held by any trustee or trustees for any congregation of The Presbyterian Church in Canada which shall have ceased to exist shall vest in the Board upon trust to sell, get in and

realize the same and to pay the proceeds to the treasurer of The Presbyterian Church in Canada for such trusts, institutions, organizations, schemes or funds thereof as may be determined from time to time by the General Assembly of the said Church. 5

Act not to apply to certain trusts.

14. Except as provided by sections twelve and thirteen nothing in this Act contained shall affect or apply to the trustees of, or the trust property under, or the administration of, any trusts upon which any property, real or personal, or any interest therein, is now held for the benefit 10 of, or in connection with, any congregation of The Presbyterian Church in Canada under any statute, instrument, will, trust deed or otherwise, or held by such trustees upon any congregational trusts whatsoever, and nothing in this Act contained shall affect or apply to any gift, devise, 15 deed, conveyance, transfer or lease of any real property or any interest therein or any gift, bequest, assignment or transfer of personal property or any interest therein which shall hereafter be made to or intended for the benefit of any congregation of The Presbyterian Church in Canada. 20

Incidental powers of Board.

15. In addition to and without in any way limiting the powers exercisable by the Board under this Act or under any other law or statute applicable to it, it is hereby declared that the Board shall possess and may exercise from time to time the following incidental and ancillary 25 powers:—

Investments.

(a) Power to invest and reinvest or lend moneys in or upon any securities real or personal in which a life insurance company carrying on business in Canada may from time to time invest or lend moneys, and the Board shall have all 30 such rights and remedies for the collection and enforcement or repayment of an investment or loan as any individual would have;

Borrowing.

(b) Power to borrow money for its purposes upon its credit and to mortgage, hypothecate or pledge any property, 35 real or personal, vested in or held by it as security for any loan;

Negotiable instruments.

(c) Power to make, accept, draw, endorse, and execute, bills of exchange, promissory notes, orders for the payment of money, and other negotiable instruments; 40

Annuities.

(d) Power to receive and hold for the benefit of The Presbyterian Church in Canada, or any of the trusts in connection with the said church, or any of the institutions, or organizations, schemes, or funds, of the said church, sums of money in consideration of the payment, during the 45 life of the donor or during any other period, of interest thereon at such rate as may from time to time be agreed upon, or in consideration of the payment of an annuity or

annuities to any person or persons in respect thereof. But this power shall not authorize the Board to engage in the business of insurance.

No personal liability on members of Board.

16. No personal liability shall attach to any of the members of the Board for the failure of any investment or security which may be made or taken by the Board as authorized by this Act.

Execution of documents under seal.

17. All grants, conveyances, deeds, transfers, leases, assignments, releases, discharges, and other instruments, shall be made and executed by the Board under its corporate seal, attested by the signatures of any two members of the Board, and when so made and executed shall be sufficient and conclusive.

Vacancies on Board.

18. (1) If any member of the Board shall die, or resign his office, or refuse or neglect to act, or shall cease to reside in Canada for more than twelve months in succession, or shall become mentally incompetent, he shall be deemed to have vacated his office as a member of the Board.

Filling vacancies on Board.

(2) In the case of a vacancy or vacancies occurring in the membership of the Board at any time the Board of Administration of The Presbyterian Church in Canada or the Executive Committee thereof may fill any or all of such vacancies and the person or persons so appointed shall hold office until the next meeting of the General Assembly of The Presbyterian Church in Canada and until their successors are appointed. At its next meeting the General Assembly of the said church shall appoint members to fill such vacancies and the members temporarily appointed by the Board of Administration or the Executive Committee thereof shall be eligible for appointment by the said General Assembly.

Power of General Assembly to remove members of Board.

19. The General Assembly of The Presbyterian Church in Canada may also at any time, by resolution passed by such Assembly, remove any member of the Board from office, without having or alleging any cause for such removal, and may appoint some person as a member of the Board in his place and stead.

Reports to General Assembly.

20. The Board shall present to the General Assembly of The Presbyterian Church in Canada at each meeting thereof a report in which shall be set forth fully the various moneys, securities, and property, real and personal, which shall have come into its hands since its last preceding report, and the moneys, securities, and property still held by it, and in which shall also be set forth fully the disposition made by the Board since its last preceding report of any moneys, securities, and property, and the income thereof.

Power of General Assembly etc., to make regulations, etc.

21. The General Assembly of The Presbyterian Church in Canada may from time to time make, amend and repeal by-laws, resolutions, rules and regulations for the government and control of the Board, and may from time to time delegate to the Board of Administration of The Presbyterian Church in Canada, or to the Executive Committee thereof, or to any specially appointed committee thereof, all or any part of its powers as to, and jurisdiction over, the Board. Until the said General Assembly makes by-laws, resolutions, rules or regulations for the government and control of the Board, the Board shall be subject to the government and control of the said Board of Administration.

Copies of documents to be evidence.

22. All copies of any by-laws, resolutions, rules or regulations, or any amendments or alterations thereto purporting to be made under the provisions of this Act, purporting to be under the seal of the Board, and to be signed by any two members of the Board, shall be *prima facie* evidence in all courts of the contents thereof without proof of the authenticity of such seal or signatures.

Fourth Session, Eighteenth Parliament, 3 George VI, 1939.

THE SENATE OF CANADA

BILL J.

An Act to amend An Act to incorporate The Royal College of Physicians and Surgeons of Canada.

Read a first time, Tuesday, 14th March, 1939.

Honourable Senator KING.

OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1939

71181

4th Session, 18th Parliament, 3 George VI, 1939.

THE SENATE OF CANADA

BILL J.

An Act to amend An Act to incorporate The Royal College of Physicians and Surgeons of Canada.

1929, c. 97.

WHEREAS The Royal College of Physicians and Surgeons of Canada, a corporation incorporated by chapter ninety-seven of the statutes of 1929, has presented a petition 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:—

1. Subsection two of section eight of the said Act is repealed and the following is substituted therefor:—

Admittance to fellowship.

"(2) A candidate wishing to be examined in either the English or the French language for fellowship in the College shall be a graduate of not less than three years standing of a Medical School or University approved by the Council, and shall hold a licence to practise medicine in at least one of the provinces of Canada, or shall be a licentiate of the Medical Council of Canada."

2. The said Act is amended by inserting as section ten A between sections ten and eleven, the following:

Special certificates.

"**10A.** The Council shall have power to provide for and hold special examinations for physicians and surgeons in Canada and make such by-laws, rules and regulations concerning the nature of the said examinations and the qualifications of candidates as the Council in its sole discretion may from time to time consider expedient and the Council shall have power to grant special certificates to persons who shall have shown such degree of proficiency in such examinations as the Council may consider entitles them to such special certificates, provided that the granting of such special certificates shall in no way qualify such persons to be Fellows of the College."

Explanatory Notes.

Section 1.

The intention is to extend the qualifications of candidates to include licentiates of the Medical Council of Canada.

The subsection proposed to be repealed reads as follows:—

"(2) All candidates wishing to be examined in either the English or the French language, for fellowship in the College shall be graduates of not less than three years standing of a Medical School or University approved by the Council, and shall hold license to practice medicine in at least one of the Provinces of Canada."

Section 2.

The intention is to provide for special certificates to be granted by the Council, which do not necessarily entitle the Candidates to become Fellows of the College.

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

By-laws.

"**11.** The Council may make such by-laws, rules and regulations not inconsistent with the provisions of this Act as it may deem necessary or advisable for the government and management of its business and affairs and especially with respect to the qualifications, classification, admission and expulsion of Fellows, and provide for examinations and the granting of certificates pursuant to section ten A hereof, the fees and dues which it may deem advisable to impose, and the number, constitution, powers, duties and mode of election of the Council or any sub-committees thereof, and of the officers of the College, and may from time to time alter or repeal all or any of such by-laws or rules as it may see fit."

Section 3.

This amendment enables the Council to make by-laws for granting the special certificates as provided in Section 2 as well as for the purposes formerly provided.

The section proposed to be repealed reads as follows:—

"**11**. The Council may make such by-laws, rules and regulations not inconsistent with the provisions of this Act as it may deem necessary or advisable for the government and management of its business and affairs and especially with respect to the qualifications, classification, admission and expulsion of Fellows, the fees and dues which it may deem advisable to impose, and the number, constitution, powers, duties and mode of election of the Council or any sub-committees thereof, and of the officers of the College, and may from time to time alter or repeal all or any of such by-laws or rules as it may see fit."

Fourth Session, Eighteenth Parliament, 3 George VI, 1939.

THE SENATE OF CANADA

BILL K.

An Act to incorporate The Board of American Missions of The United Lutheran Church in America (Canada).

Read a first time, Tuesday, 14th March, 1939.

Honourable Senator KING.

OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1939

70955

4th Session, 18th Parliament, 3 George VI, 1939.

THE SENATE OF CANADA

BILL K.

An Act to incorporate The Board of American Missions of The United Lutheran Church in America (Canada).

Preamble.

WHEREAS a Petition has been presented by the members of the Executive Committee of the Board of Directors of The Board of American Missions of The United Lutheran Church in America, a body duly incorporated under the laws of the State of Pennsylvania, one of the United States of America, with Offices at present in the City of Philadelphia, in the said State of Pennsylvania, and in this Act called the "American Corporation", praying that the said members be incorporated by the Parliament of Canada for certain purposes set forth in the said Petition; 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:—

Directors of corporation.

1. The members of the Executive Committee of the Board of Directors of The Board of American Missions of The United Lutheran Church in America, namely, Dr. Henry J. Pflum, Jr., Buffalo, New York; Mr. A. H. Durboraw Narberth, Pennsylvania; Mr. H. Torrey Walker, Philadelphia, Pennsylvania; Dr. E. W. Weber, Pottsville, Pennsylvania; Dr. C. S. Simonton, Harrisburg, Pennsylvania; Dr. J. E. Harms, Hagerstown, Maryland; Mr. William Eck, Albany, New York; Dr. J. J. Scherer, Richmond, Virginia; Rev. Franklin Clark Fry, Akron, Ohio; all of the United States of America; and Rev. John Schmieder, Kitchener, Ontario, Canada; and such persons as may hereafter be appointed directors of the Corporation, are hereby incorporated under the name of "The Board of American Missions of The United Lutheran Church in America (Canada)", in this Act called the "Corporation".

Incorporation.

Corporate name.

Objects of corporation.

2. The objects of the Corporation shall be:

(a) To carry on, superintend and promote in the Dominion of Canada all the work of Home Missions and Church Extension of The United Lutheran Church in America in accordance with the doctrinal basis, constitution, acts and rulings of said The United Lutheran Church in America. 5

(b) The maintenance and carrying on of charities and missions, and the erection, maintenance and conduct of churches, schools, colleges, orphanages and hospitals in any of the Provinces of Canada. 10

(c) The advancement in other ways of education, religion, charity and benevolence.

(d) The businesses of printing and publishing in furtherance of the lawful objects of the Corporation. 15

Management.

3. The affairs of the Corporation shall be managed by a Board of Directors consisting of not more than twenty-one members who shall be appointed by the American Corporation at such time and place and in such manner as said American Corporation may from time to time determine and who shall hold office during the pleasure of the American Corporation. The first Board of Directors of the Corporation shall consist of the persons presently in office as the Executive Committee of the Board of Directors of the American Corporation. All vacancies occurring by death, removal, resignation or otherwise shall be filled by the said American Corporation as aforesaid. 20 25

Incidental powers.

4. The Corporation may do all such lawful acts and things as are incidental or as may be conducive to the attainment of its objects. 30

Committees.

5. The Corporation may exercise all the said powers by and through such Committees as the Corporation may from time to time by By-law appoint.

Rules, regulations and by-laws.

6. The Corporation shall have full power and authority to make such rules, regulations and by-laws as by the Corporation may be considered necessary for the exercise of the powers conferred or which may hereafter be conferred on the Corporation under this or any other Act relating to the Corporation which are not contrary to law nor inconsistent with this Act, including rules, regulations and by-laws for: 35 40

(a) The administration, management and control of the property, affairs and business of the Corporation.

(b) The appointment, powers, duties, quorum, term of office and method of election of an Executive Committee. 45

(c) The appointment of other Committees and the designation of their duties.

(d) The appointment, functions, duties and remuneration of all officers, agents and servants of the Corporation. 5

(e) The calling of Meetings, regular or special, of the Board of Directors of the Corporation and of Meetings, periodical or special, of the Executive Committee and other Committees.

(f) The fixing of the necessary quorum and procedure 10 in all things at such Meetings of the Board of Directors of the Corporation or of the Executive Committee or other Committees.

(g) Generally for the carrying out of the objects and purposes of the Corporation. 15

Capacity to acquire and hold property.

7. (1) The Corporation may purchase, take, have, hold, receive, possess, retain and enjoy property, real and personal, corporeal or incorporeal, whatsoever, and for any or every estate or interest whatsoever given, granted, devised, bequeathed to it or appropriated, purchased or acquired 20 by it in any manner or way whatsoever to, for or in favor of the ecclesiastic and eleemosynary uses and purposes of the Corporation or to, for or in favor of any religious, educational, eleemosynary or other institution established or intended to be established by, under the management of, 25 or in connection with the uses, purposes or work of the Corporation.

(2) The Corporation may also hold for the uses and purposes aforesaid such real property or estate therein as is bona fide mortgaged to it by way of security or con- 30 veyed to it in satisfaction of debts or judgments recovered.

Various powers.

8. Subject always to the terms of any trust relating thereto, the Corporation may also sell, convey, exchange, alienate, mortgage, lease or demise any real property held by the Corporation, whether by way of investment 35 for the uses and purposes of the Corporation or not, and may also from time to time, invest all or any of its funds or moneys and all or any funds or moneys vested in or acquired by it for the use and purposes aforesaid, in and upon any security by way of mortgage, hypothec or charge 40 upon real property in any part of Canada; and for the purposes of such investment may take, receive and accept mortgages or assignments thereof, whether made and executed directly to the Corporation or to any corporation, body, company or person in trust for it; and may sell, 45 grant, assign and transfer such mortgages or assignments either wholly or partly.

Duration of holding of unrequired land and disposal thereof.

9. (1) No parcel of land or interest therein at any time acquired by the Corporation and not required for its actual use and occupation, and not held by way of security, shall be held by the Corporation, or by any trustee on its behalf, for a longer period than ten years after the acquisition thereof, or for a longer period than ten years after it shall have ceased to be required for actual use and occupation by the Corporation, as the case may be, but shall, at or before the expiration of such period, be absolutely sold or disposed of, so that the Corporation shall no longer retain any interest or estate therein, except by way of security.

(2) The Secretary of State may direct that the time for the sale or disposal of any such parcel of land, or any estate or interest therein, shall be extended for a further period or periods not to exceed five years.

(3) The whole period during which the Corporation may hold any such parcel of land, or any estate or interest therein, under the foregoing provision of this section, shall not exceed fifteen years after the date of the acquisition thereof, or after it shall have ceased to be required for actual use or occupation by the Corporation.

(4) Any such parcel of land, or any estate or interest therein, not within the exceptions hereinbefore mentioned, which has been held by the Corporation for a longer period than authorized by the foregoing provisions of this section without being disposed of shall be forfeited to His Majesty for the use of Canada.

(5) The Corporation shall give the Secretary of State, when required, a full and correct statement of all lands, at the date of such statement, held by the Corporation, or in trust for it, and subject to the provisions of this section.

Mortmain.

10. In regard to any real property which, by reason of its situation or otherwise, is subject to the legislative authority of the Parliament of Canada, a licence in mortmain shall not be necessary for the exercise of the powers granted by this Act; but otherwise, the exercise of the said powers shall in any province of Canada be subject to the laws of such province as to the acquisition and holding of lands by religious corporations, insofar as such laws apply to the Corporation.

Transfers to the corporation.

11. In so far as authorization by the Parliament of Canada is necessary, any person or corporation in whose name any property, real or personal, is held in trust or otherwise, for the use and purposes aforesaid, or any such person or corporation to whom any such property devolves, may, subject always to the terms and conditions of any trust relating to such property, transfer such property, or any part thereof to the Corporation.

Mode of execution of deeds, etc.

12. Any deed or other instrument relating to real estate vested in the Corporation or to any interest in such real estate, shall, if executed within the jurisdiction of the Parliament of Canada, be deemed to be duly executed if there are affixed thereto the seal of the Corporation and the signature of any officer of the Corporation duly authorized for such purpose or his lawful attorney.

Power to make gifts and loans of property.

13. The Corporation may make a gift of or loan any of its property whether real or personal for or to assist in the erection or maintenance of any building or buildings deemed necessary for any church, college, manse, school or hospital or for any other religious, charitable, educational, congregational or social purpose upon such terms and upon such conditions it may deem expedient.

Power to borrow, etc.

14. (1) The Directors of the Corporation may from time to time for the purposes of the Corporation:

(a) Borrow money upon the credit of the Corporation.

(b) Limit or increase the amount to be borrowed.

(c) Make, draw, accept, endorse or become party to promissory notes and bills of exchange, and it shall not be necessary to have the Seal of the Corporation affixed to any such note or bill

(d) Issue bonds, debentures or other securities of the Corporation.

(e) Pledge or sell such bonds, debentures or other securities for such sums and at such prices as may be deemed expedient.

(f) Mortgage, hypothecate, charge or pledge all or any of the real and personal property, undertaking and rights of the Corporation to secure any such bonds, debentures or other securities or any money borrowed or any other liability of the Corporation.

(2) Nothing in this section shall be construed to authorize the Corporation to issue any note or bill payable to bearer thereof, or any promissory note intended to be circulated as money or as the note or bill of a bank, or to engage in the business of banking or insurance.

Head Office.

15. (1) The Head Office of the Corporation shall be at the City of Kitchener in the Province of Ontario or at such other place in the Dominion of Canada as may be decided upon by the said Corporation.

(2) Notice in writing shall be given by the Corporation of any change of the Head Office to the Secretary of State and a copy of such Notice shall be published in the *Canada Gazette*.

Power to invest.

16. The Corporation may also invest and reinvest any of its funds and money,—

(a) in any bonds or debentures of any municipality or public school corporation or district in the Dominion of Canada, in bonds, stock and debentures or other securities of the Dominion of Canada or of any province thereof or in any security the payment of which is guaranteed by the Dominion of Canada or any province thereof; or

(b) in first mortgages or freehold property in Canada and for the purposes of the same may take mortgages or assignments thereof whether such mortgages or assignments be made directly to the Corporation in its own corporate name or to some company or person in trust for it and may sell and assign the same.

(c) in any securities in which life insurance companies are authorized from time to time by Parliament to invest funds.

Extra-territorial powers.

17. The Corporation may exercise its functions throughout the Dominion of Canada or elsewhere, and Meetings of the Board of Directors of the Corporation and of the Executive Committee and any other Committees of the Board of Directors may be held at any place other than the Head Office of the Corporation and either within or without the Dominion of Canada.

Fourth Session, Eighteenth Parliament, 3 George VI, 1939.

THE SENATE OF CANADA

BILL L.

An Act for the relief of Gertrude Saul Baker.

Read a first time, Tuesday, 14th March, 1939.

The Honourable the Chairman of the
Committee on Divorce.

OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1939

70780

4th Session, 18th Parliament, 3 George VI, 1939.

THE SENATE OF CANADA

BILL L.

An Act for the relief of Gertrude Saul Baker.

Preamble.

WHEREAS Gertrude Saul Baker, residing at the city of Outremont, in the province of Quebec, stenographer, wife of Joseph Baker, salesman, who is domiciled in Canada and residing at the said city of Outremont, has by her petition alleged that they were married on the fourteenth day of June, A.D. 1931, at the city of Montreal, in the said province, she then being Gertrude Saul, 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 Gertrude Saul and Joseph Baker, 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 Gertrude Saul may at any time hereafter marry any man whom she might lawfully marry if the said marriage with the said Joseph Baker had not been solemnized.

Fourth Session, Eighteenth Parliament, 3 George VI, 1939.

THE SENATE OF CANADA

BILL M.

An Act for the relief of Mary Frances Todd Lister Cardwell.

Read a first time, Tuesday, 14th March, 1939.

The Honourable the Chairman of the Committee on Divorce.

OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1939

72305

4th Session, 18th Parliament, 3 George VI, 1939.

THE SENATE OF CANADA

BILL M.

An Act for the relief of Mary Frances Todd Lister Cardwell.

Preamble.

WHEREAS Mary Frances Todd Lister Cardwell, residing at the city of Montreal, in the province of Quebec, book-keeper, wife of Cyrill Law Cardwell, clerk, who is domiciled in Canada and residing at the said city, has by her petition alleged that they were married on the fourth day of December, A.D. 1928, at the said city, she then being Mary Frances Todd Lister, 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 Frances Todd Lister and Cyrill Law Cardwell, 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 Frances Todd Lister may at any time hereafter marry any man whom she might lawfully marry if the said marriage with the said Cyrill Law Cardwell had not been solemnized.

Fourth Session, Eighteenth Parliament, 3 George VI, 1939.

THE SENATE OF CANADA

BILL N.

An Act for the relief of Herbert John Butler.

Read a first time, Tuesday, 14th March, 1939.

The Honourable the Chairman of the
Committee on Divorce.

OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1939

70783

4th Session, 18th Parliament, 3 George VI, 1939.

THE SENATE OF CANADA

BILL N.

An Act for the relief of Herbert John Butler.

Preamble.

WHEREAS Herbert John Butler, domiciled in Canada and residing at the city of Montreal, in the province of Quebec, clerk, has by his petition alleged that on the ninth day of August, A.D. 1921, at the city of Cardiff, in the principality of Wales, he and Gwendoline Emily Porter, who was then of the town of Penarth, in Glamorganshire, in the said principality, 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 Herbert John Butler and Gwendoline Emily Porter, 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 Herbert John Butler may at any time hereafter marry any woman whom he might lawfully marry if the said marriage with the said Gwendoline Emily Porter had not been solemnized.

Fourth Session, Eighteenth Parliament, 3 George VI, 1939.

THE SENATE OF CANADA

BILL O.

An Act for the relief of Anna Lasnier Blain.

Read a first time, Tuesday, 14th March, 1939.

The Honourable the Chairman of the
Committee on Divorce.

OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1939

70787

4th Session, 18th Parliament, 3 George VI, 1939.

THE SENATE OF CANADA

BILL O.

An Act for the relief of Anna Lasnier Blain.

Preamble.

WHEREAS Anna Lasnier Blain, residing at the city of Montreal, in the province of Quebec, saleswoman, wife of Joseph Antoine Blain, salesman, who is domiciled in Canada and residing at the town of Ile Perrot, in the district of Montreal, in the said province, has by her petition alleged that they were married on the fourth day of September, A.D. 1922, at the city of Granby, in the said province, she then being Anna Lasnier, 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 Anna Lasnier and Joseph Antoine Blain, 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 Anna Lasnier may at any time hereafter marry any man whom she might lawfully marry if the said marriage with the said Joseph Antoine Blain had not been solemnized.

Fourth Session, Eighteenth Parliament, 3 George VI, 1939.

THE SENATE OF CANADA

BILL P.

An Act for the relief of Annie March Breakey Coburn.

Read a first time, Tuesday, 14th March, 1939.

The Honourable the Chairman of the
Committee on Divorce.

OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1939

70789

4th Session, 18th Parliament, 3 George VI, 1939.

THE SENATE OF CANADA

BILL P.

An Act for the relief of Annie March Breakey Coburn.

Preamble.

WHEREAS Annie March Breakey Coburn, residing at the city of Montreal, in the province of Quebec, wife of Frederick Harold Douglas Coburn, mechanical draughtsman, 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 May, A.D. 1924, at the said city, she then being Annie March Breakey, 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 Annie March Breakey and Frederick Harold Douglas Coburn, 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 Annie March Breakey may at any time hereafter marry any man whom she might lawfully marry if the said marriage with the said Frederick Harold Douglas Coburn had not been solemnized.

Fourth Session, Eighteenth Parliament, 3 George VI, 1939.

THE SENATE OF CANADA

BILL Q.

An Act for the relief of Mabel Gertrude Marks Lamoureux.

Read a first time, Tuesday, 14th March, 1939.

The Honourable the Chairman of the Committee on Divorce.

OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1939

70781

4th Session, 18th Parliament, 3 George VI, 1939.

THE SENATE OF CANADA

BILL Q.

An Act for the relief of Mabel Gertrude Marks Lamoureux.

Preamble.

WHEREAS Mabel Gertrude Marks Lamoureux, residing at the city of Montreal, in the province of Quebec, office assistant, wife of Wilfrid Lamoureux, picture framer, who is domiciled in Canada and formerly resided at the said city, has by her petition alleged that they were married on the eighth day of August, A.D. 1924, at the said city, she then being Mabel Gertrude Marks, 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 Mabel Gertrude Marks and Wilfrid Lamoureux, 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 Mabel Gertrude Marks may at any time hereafter marry any man whom she might lawfully marry if the said marriage with the said Wilfrid Lamoureux had not been solemnized.

Fourth Session, Eighteenth Parliament, 3 George VI, 1939.

THE SENATE OF CANADA

BILL R.

An Act for the relief of Earl Keith Drennan.

Read a first time, Thursday, 16th March, 1939.

The Honourable the Chairman of the
Committee on Divorce.

OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1939

70785

4th Session, 18th Parliament, 3 George VI, 1939.

THE SENATE OF CANADA

BILL R.

An Act for the relief of Earl Keith Drennan.

Preamble.

WHEREAS Earl Keith Drennan, domiciled in Canada and residing at the town of Hampstead, in the province of Quebec, salesman, has by his petition alleged that on the twenty-ninth day of July, A.D. 1915, at the city of Outremont, in the said province, he and Dorothy Winnifred Hubbell, who was then of the city of Montreal, 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 Earl Keith Drennan and Dorothy Winnifred Hubbell, 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 Earl Keith Drennan may at any time hereafter marry any woman whom he might lawfully marry if the said marriage with the said Dorothy Winnifred Hubbell had not been solemnized.

Fourth Session, Eighteenth Parliament, 3 George VI, 1939.

THE SENATE OF CANADA

BILL S.

An Act for the relief of Per Ernst Martinsson.

Read a first time, Thursday, 16th March, 1939.

The Honourable the Chairman of the
Committee on Divorce.

OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1939

74060

4th Session, 18th Parliament, 3 George VI, 1939.

THE SENATE OF CANADA

BILL S.

An Act for the relief of Per Ernst Martinsson.

Preamble.

WHEREAS Per Ernst Martinsson, domiciled in Canada and residing at the city of Montreal, in the province of Quebec, woods superintendent, has by his petition alleged that on the twenty-fifth day of November, A.D. 1933, at the town of Pointe-aux-Trembles, in the said province of Quebec, he and Juana Louisa Monrad, who was then of the city of Ottawa, in the province of Ontario, 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 Per Ernst Martinsson and Juana Louisa Monrad, 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 Per Ernst Martinsson may at any time hereafter marry any woman whom he might lawfully marry if the said marriage with the said Juana Louisa Monrad had not been solemnized.

Fourth Session, Eighteenth Parliament, 3 George VI, 1939.

THE SENATE OF CANADA

BILL T.

An Act to incorporate The Association of Canadian Clubs.

Read a first time, Tuesday, 21st March, 1939.

Honourable Senator HUGESSEN.

OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1939

73714

4th Session, 18th Parliament, 3 George VI, 1939.

THE SENATE OF CANADA

BILL T.

An Act to incorporate The Association of Canadian Clubs.

Preamble.

WHEREAS for thirty years the Canadian Clubs of the various centres throughout Canada have supported a national organization known as The Association of Canadian Clubs, hereinafter called "the unincorporated Association," which has, since the year 1925, maintained a central national executive office at Ottawa;

AND WHEREAS the persons hereinafter named, being members of the Executive Committee of the unincorporated Association, have by their petition prayed that a charter be granted to them as a corporation having among its objects to encourage the organization, federation and affiliation of Canadian Clubs throughout Canada, 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. Boisdore Panet-Raymond, one of His Majesty's counsel, Juliette Ramsey, married woman, both of the city of Montreal, in the province of Quebec, Colonel John Alexander Cooper, president, Lena MacAlpine, married woman, both of the city of Toronto, in the province of Ontario, Colonel Charles Robert McCullough, gentleman, of the city of Hamilton, in the province of Ontario, Watson Sellar, civil servant, Theodore Howell Leggett, physician, Henry Marshall Tory, doctor of laws, the Honourable James Duncan Hyndman, civil servant, Arnott Grier Mordy, manager, Edna Louise Inglis, civil servant, Jean Hay Coleman, married woman, Ella Thorburn, married woman, Cuthbert Scott, barrister, all of the city of Ottawa, in the province of Ontario, and such other persons, corporate bodies, or unincorporated bodies as may become associated with them for the purposes of this Act, are incorporated under the name of "The Association of Canadian Clubs," hereinafter called "the Association."

Objects.

2. The purposes of the Association are to promote and carry out the following objects:—

(a) To foster and encourage a national public opinion and spirit, to stimulate intelligent citizenship, to awaken interest in public affairs, and to cultivate an attachment to the institutions and soil of Canada;

(b) To foster friendly and equitable relationships between the two great races of the Dominion in the full recognition that each race is equally entitled to express and preserve its identity and culture;

(c) To establish a faith in the position of the Canadian Nation in association under the Crown with the other nations of the British Commonwealth;

(d) To support the participation of the Dominion of Canada in the League of Nations, and in the work of establishing a stable and peaceful world society;

(e) To assist new Canadians to become part of the life of the Dominion and to encourage them to become acquainted with Canadian institutions, and to contribute to the common weal their particular racial culture;

(f) To encourage the study of the arts, literature and history of Canada, its economic organization and its problems generally, and its tradition of British justice and liberty;

(g) And otherwise to assist in making Canada a strong nation united from sea to sea;

(h) And to these ends, to encourage the organization of Canadian Clubs, to facilitate the interchange of club privileges and the transfer of membership among Canadian Clubs, to exchange information and publications and generally to promote the influence and effectiveness of the Canadian Clubs.

Head office.

3. The head office of the Association shall be at the city of Ottawa, in the province of Ontario, or at such other place as the Association may determine by bylaw from time to time.

Executive Committee.

4. The affairs of the Association shall be managed by an Executive Committee of not less than fourteen persons who shall be elected at such time, in such manner and for such term as the Association may prescribe by bylaw from time to time.

5. Subject to the control of the Association in general meeting the Executive Committee may exercise all the rights and powers of the Association with the exception of those which are by this Act, by law or by the bylaws of the Association expressly required to be exercised by the Association in general meeting.

Bylaws and regulations.

6. The Executive Committee may enact, amend or repeal bylaws and regulations for any and all purposes of the Association and, without limiting the generality of the foregoing, for defining and regulating:

(a) The terms and conditions of membership in the Association, and the rights, duties and privileges of the members; 5

(b) The number, powers and duties of the officers of the Association, and the constitution, powers, duties, quorum, term of office, and method of election of an Executive Committee; 10

(c) The time and place for holding in Canada general meetings of the Association, and the notice and other requirements thereof;

(d) The calling of regular and special meetings of the Executive Committee, the notice to be given thereof and the quorum and procedure in all respects at or concerning such meetings; 15

(e) The amount and times of payment of members' dues, assessments or other charges; 20

(f) The administration and management of the affairs of the Association in all respects;

provided that any such enactment, amendment or repeal shall have force and effect only until the next general meeting of the Association unless approved thereat with or without modification. 25

Provisional Executive Committee.

7. The persons named in section 1 shall be the provisional Executive Committee of the Association and, until the first general meeting of the Association, may exercise on its behalf all the powers conferred upon it by this Act. 30

Additional powers.

8. In addition to the general powers accorded to it by law and to those set forth elsewhere in this Act, the Association shall have power:—

(a) To acquire the whole or any part of the rights and properties owned or held by, for or on behalf of the unincorporated Association; 35

(b) To purchase, take on lease or in exchange, hire and acquire by gift, grant, devise, legacy or otherwise and to own and hold any estate, property or rights, real or personal, moveable or immoveable, or any title or interest therein, and to alienate, sell, exchange, manage, develop, lease, hypothecate, mortgage or otherwise deal therewith in such manner as the Association may determine; 40 45

(c) To borrow money for the purposes of the Association;

(d) To found, administer or support institutions for, and to assist individuals in, the study of Canadian affairs, to organize, manage or co-operate with lecture bureaus, discussion groups and other similar organizations which directly or indirectly shall be conducive to the benefit of the Association and the attainment of its objects;

(e) To acquire, print, publish and distribute or otherwise deal with any book, pamphlet, work of art, music, journal, periodical, bulletin, newspaper or other publication, acquire, produce, exhibit, lease or otherwise deal with moving and still pictures, use broadcasting and the radio, and generally to acquire and use all other property and means, directly or indirectly, conducive to the benefit of the Association and the attainment of its objects;

(f) To enter into any arrangements with any government or authority, municipal, local or otherwise, that may seem conducive to the Association's objects, or any of them, and to obtain from any such government or authority any rights, privileges and concessions which the Association may think it desirable to obtain, and to carry out, exercise and comply with any such arrangements, rights, privileges and concessions;

(g) To establish and support or aid in the establishment and support of associations, institutions, funds and trusts organized or incorporated for educational, scientific, artistic, national or patriotic purposes, and to subscribe or guarantee money for any of the above purposes;

(h) To draw, make, accept, endorse, discount, execute and issue promissory notes, bills of exchange and other negotiable or transferable instruments;

(i) To apply for, secure, acquire by grant, legislative enactment, assignment, transfer, purchase or otherwise, and to exercise, carry out and enjoy any charter, licence, power, authority, franchise, concession, right or privilege, which any government or authority or any corporation or other public body may be empowered to grant, and to pay for, aid in and contribute towards carrying the same into effect;

(j) To invest and deal with the moneys of the Association not immediately required in such manner as may from time to time be determined;

(k) To apply for, promote and obtain any statute, ordinance, order, regulation or other authorization or enactment which may seem calculated directly or indirectly to benefit the Association; and to oppose any proceedings or application which may seem calculated directly or indirectly to prejudice the Association's interests;

(l) To carry out all or any of the objects of the Association and do all or any of the above things as principal, agent, contractor, or otherwise, and either alone or in conjunction with others;

(m) To do all such other things as are incidental or conducive to the attainment of the objects and the exercise of the powers of the Association; 5

(n) To provide for the administration and management of the affairs of the Association and the furthering of its objects and purposes and to delegate such of its powers as it may deem expedient to any committee or person. 10

First general meeting.

9. The first general meeting of the Association shall be held within one year after the passing of this Act, at such place and time as the provisional Executive Committee may determine. 15

Seal.

10. The Association may adopt and use a corporate seal in such form as may be deemed expedient.

Membership.

11. The Association may elect to membership, organizations having objects generally similar to those of the Association, and unless so elected no such organization which comes into existence after the coming into force of this Act shall use the words "Canadian Club" as its name or title, or part of its name or title. 20

Emblems.

12. The Association shall have the sole and exclusive right to have and use any emblem, badge, decoration, descriptive or designing mark and title hereafter adopted by the Association for carrying out its purposes, provided that a statement and description of such emblem, badge, decoration, descriptive or designing mark, words or phrases, are filed with and approved by the Secretary of State or other Minister administering *The Unfair Competition Act, 1932.* 25 30

1932, c. 38.

Fourth Session, Eighteenth Parliament, 3 George VI, 1939.

THE SENATE OF CANADA

BILL U.

An Act respecting the Sterling Insurance Company of Canada.

Read a first time, Wednesday, 22nd March, 1939.

Honourable Senator PARENT.

OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1939

73469

4th Session, 18th Parliament, 3 George VI, 1939.

THE SENATE OF CANADA

BILL U.

An Act respecting the Sterling Insurance Company of Canada.

Preamble.

WHEREAS the Sterling Insurance Company of Canada has by its petition prayed that an Act be passed extending the time during which the Minister of Finance may grant to the said Company a certificate of registry, 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:—

1932, c. 46.
1937, c. 50.

1. Notwithstanding anything in *The Canadian and British Insurance Companies Act, 1932*, or in chapter fifty of the statutes of 1937, *An Act to incorporate the Sterling Insurance Company of Canada*, the said Act to incorporate the said Company shall be deemed not to have expired and ceased to be in force after the thirtieth day of March, 1939, but to have continued and to be in force for all its purposes whatsoever until the thirty-first day of March, 1941, and the Minister of Finance may at any time not later than the thirtieth day of March, 1941, and subject to all other provisions of *The Canadian and British Insurance Companies Act, 1932*, grant to the said Company a certificate of registry.

Extension of time.

Limitation.

1937, c. 50.

2. If the Company shall not have obtained the said certificate of registry before the thirty-first day of March, 1941, the said chapter fifty of the statutes of 1937 shall then expire and cease to be in force thereafter, except for the sole purpose of winding up the Company's business, but otherwise it shall remain in full force and effect for all its purposes whatsoever.

Explanatory Note.

This Bill is designed merely to obtain an extension of time for completion of the organization of the Company.

Fourth Session, Eighteenth Parliament, 3 George VI, 1939.

THE SENATE OF CANADA

BILL V.

An Act for the relief of Jean Winifred Hunter Urquhart.

Read a first time, Tuesday, 28th March, 1939.

The Honourable the Chairman of the
Committee on Divorce.

OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1939

73548

4th Session, 18th Parliament, 3 George VI, 1939.

THE SENATE OF CANADA

BILL V.

An Act for the relief of Jean Winifred Hunter Urquhart.

Preamble.

WHEREAS Jean Winifred Hunter Urquhart, residing at the city of Westmount, in the province of Quebec, practical nurse, wife of John Grant Urquhart, salesman, who is domiciled in Canada and residing at the said city, has by her petition alleged that they were married on the eighteenth day of September, A.D. 1929, at the said city, she then being Jean Winifred Hunter, 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 Winifred Hunter and John Grant Urquhart, 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 Winifred Hunter may at any time hereafter marry any man whom she might lawfully marry if the said marriage with the said John Grant Urquhart had not been solemnized.

Fourth Session, Eighteenth Parliament, 3 George VI, 1939.

THE SENATE OF CANADA

BILL W.

An Act for the relief of Sarah Theresa Norman.

Read a first time, Tuesday, 28th March, 1939.

The Honourable the Chairman of the
Committee on Divorce.

OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1939

73857

4th Session, 18th Parliament, 3 George VI, 1939.

THE SENATE OF CANADA

BILL W.

An Act for the relief of Sarah Theresa Norman.

Preamble.

WHEREAS Sarah Theresa Norman, residing at the city of Ottawa, in the province of Ontario, saleswoman, wife of Eric Barr Norman, magazine salesman, who is domiciled in Canada and formerly resided at the city of Montreal, in the province of Quebec, has by her petition alleged that they were married on the twenty-first day of September, A.D. 1921, at the said city of Ottawa, she then being Sarah Theresa Byers, 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 Sarah Theresa Byers and Eric Barr Norman, 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 Sarah Theresa Byers may at any time hereafter marry any man whom she might lawfully marry if the said marriage with the said Eric Barr Norman had not been solemnized.

Fourth Session, Eighteenth Parliament, 3 George VI, 1939.

THE SENATE OF CANADA

BILL X.

An Act for the relief of Helen Kathleen Yuill.

Read a first time, Tuesday, 28th March, 1939.

The Honourable the Chairman of the Committee on Divorce.

OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1939

72467

4th Session, 18th Parliament, 3 George VI, 1939.

THE SENATE OF CANADA

BILL X.

An Act for the relief of Helen Kathleen Yuill.

Preamble.

WHEREAS Helen Kathleen Yuill, residing at the city of Toronto, in the province of Ontario, wife of Charles Hector Yuill, cap cutter, 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 twenty-first day of April, A.D. 1914, at the town of Truro, in the province of Nova Scotia, she then being Helen Kathleen McMullen, 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 Kathleen McMullen and Charles Hector Yuill, 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 Kathleen McMullen may at any time hereafter marry any man whom she might lawfully marry if the said marriage with the said Charles Hector Yuill had not been solemnized.

Fourth Session, Eighteenth Parliament, 3 George VI, 1939.

THE SENATE OF CANADA

BILL Y.

An Act for the relief of Zdenka Pauline Ottilie Josefine von Ehrenfeld-Pop Drummond, otherwise known as Yvonne Drummond.

Read a first time, Tuesday, 28th March, 1939.

The Honourable the Chairman of the Committee on Divorce.

OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1939

72469

4th Session, 18th Parliament, 3 George VI, 1939.

THE SENATE OF CANADA

BILL Y.

An Act for the relief of Zdenka Pauline Ottilie Josefine von Ehrenfeld-Pop Drummond, otherwise known as Yvonne Drummond.

Preamble.

WHEREAS Zdenka Pauline Ottilie Josefine von Ehrenfeld-Pop Drummond, otherwise known as Yvonne Drummond, residing at city of Lausanne, in the Republic of Switzerland, wife of George Arthur Drummond, company director, 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 twenty-ninth day of May, A.D. 1935, at the city of London, England, she then being Zdenka Pauline Ottilie Josefine von Ehrenfeld-Pop; 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 disolved.

1. The said marriage between Zdenka Pauline Ottilie Josefine von Ehrenfeld-Pop and George Arthur Drummond, 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 Zdenka Pauline Ottilie Josefine von Ehrenfeld-Pop may at any time hereafter marry any man whom she might lawfully marry if the said marriage with the said George Arthur Drummond had not been solemnized.

Fourth Session, Eighteenth Parliament, 3 George VI, 1939.

THE SENATE OF CANADA

BILL Z.

An Act respecting Small Loans.

Read a first time, Tuesday, 28th March, 1939.

Honourable Senator DANDURAND.

OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1939

75504

4th Session, 18th Parliament, 3 George VI, 1939.

THE SENATE OF CANADA

BILL Z.

An Act respecting Small Loans.

Preamble.

WHEREAS it has become the common practice for money-lenders to make charges against borrowers claimed as discount, deduction from an advance, commission, brokerage, chattel mortgage and recording fees, fines and penalties, or for inquiries, defaults or renewals, which, in truth and substance are, in whole or in part, compensation for the use of money loaned or for the acceptance of the risk of loss or are so mixed with such compensation as to be indistinguishable therefrom and are, in some cases, charges primarily payable by the lender but required by the lender to be paid by the borrowers; and whereas the result of these practices is to add to the cost of the loan without increasing the nominal rate of interest charged so that the provisions of the law relating to interest and usury have been rendered ineffective: Therefore His Majesty, by and with the advice and consent of the Senate and the House of Commons of Canada, enacts as follows:—

Short title.

1. This Act may be cited as *The Small Loans Act, 1939.*

Definitions.

"Cost."

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

(a) "cost" of a loan means the whole of the cost of the loan to the borrower whether the same is called interest or is claimed as discount, deduction from an advance, commission, brokerage, chattel mortgage and recording fees, fines, penalties or charges for inquiries, defaults or renewals or otherwise, and whether paid to or charged by the lender or paid to or charged by any other person, and whether fixed and determined by the loan contract itself, or in whole or in part by any other collateral contract or document by which the charges, if any, imposed under the loan contract or the terms of the repayment of the loan are effectively varied.

"Licensee."

(b) "licensee" means a person licensed under this Act;

"Loan."

(c) "loan" means a loan made by a money-lender of not more than five hundred dollars and includes the consideration for a wage assignment: Provided that if, after deducting all payments whether on account of interest, expenses or principal, made by the borrower to the money-lender at or about the same time as a loan is made, the amount retained by the borrower is five hundred dollars or less, the transaction or transactions shall be deemed to have resulted in a loan of the amount so retained by the borrower notwithstanding that nominally a loan for a larger sum has been made;

"Minister."

(d) "Minister" means the Minister of Finance;

"Money-lender."

(e) "money-lender" means any person other than a chartered bank who carries on the business of money-lending or advertises himself, or holds himself or itself out in any way, as carrying on that business, but does not include a registered pawnbroker as such;

"Small loans company."

(f) "small loans company" means a company incorporated by special Act of Parliament and authorized to lend money on promissory notes or other personal security and on chattel mortgages;

"Superintendent."

(g) "Superintendent" means the Superintendent of Insurance;

"Wage assignment."

(h) "wage assignment" means a sale, assignment, transfer or order for payment of wages, salary, commissions or other remuneration for services whether earned or to be earned when made or given in consideration of the payment of five hundred dollars or less in money, credit or choses in action, and the amount whereby the assigned remuneration exceeds the amount of the consideration actually paid therefor shall for the purposes of this Act be deemed to be the cost of the loan.

PART I.

Money-lenders

Limitation as to powers of money-lenders.

3. (1) No money-lender shall, in respect of any loan, directly or indirectly, charge, exact or receive, or stipulate for the payment by the borrower of, a sum of money as a result of the payment of which the cost of the loan exceeds an amount equivalent to the amount or rate prescribed by subsection two of this section, and any money-lender who enters into a transaction in contravention of the provisions of this section, shall be guilty of an indictable offence and liable, if an individual, to imprisonment for a term not exceeding one year and to a penalty not exceeding one thousand dollars and, if a corporation, to a penalty not exceeding five thousand dollars.

Not more than 2% per month.

(2) The cost of the loan mentioned in subsection one of this section shall, for a loan for a period of fifteen months or less, not exceed two per centum per month on the amount

actually advanced to the borrower and monthly balances thereof from time to time outstanding, and, for a loan for a period greater than fifteen months, the cost of the loan shall not exceed one per centum per month on the amount actually advanced to the borrower and monthly balances thereof from time to time outstanding and in addition thereto such proportion of one per centum per month on the said amount and balances as fifteen is of the period of the loan expressed in months.

Reduction if term of loan more than 15 months.

Relief of borrower in certain cases.

4. In any suit, action or other proceeding concerning a loan wherein it is alleged that the cost of the loan paid or claimed exceeds the rate of cost prescribed by the next preceding section, the court may re-open the transaction and take an account between the parties and may, notwithstanding any statement or settlement of account, or any contract purporting to close previous dealings and create a new obligation, re-open any account already taken between the parties and relieve the borrower of any obligation to pay any sum on account of the cost of the loan in excess of an amount equivalent to the said rate; and if any such excess has been paid or allowed, may order the money-lender to repay it and may set aside, either in whole or in part, or revise, or alter, any security given in respect of the transaction.

LICENCES.

Licences.

5. (1) No person shall transact the business of a money-lender unless such person has first obtained from the Minister a licence: Provided, however, that this section shall not apply to a money-lender the cost of whose loans does not in any case exceed an amount equivalent to twelve per centum per annum upon the amount actually received by the borrower.

Proviso.

Conditions.

(2) The Minister may issue a licence to any person upon being satisfied that the experience, character, and general fitness of such person or, if such person is a corporation, of the officers and directors of the corporation, are such as to warrant the belief that the applicant will, if granted a licence, carry on with efficiency, honesty and fairness to borrowers the business of money-lending pursuant to this Act.

Form.

(3) The licence may be in such form as may be, from time to time, determined by the Minister, and may contain any limitations or conditions which the Minister may, consistently with the provisions of this Act, deem proper.

Expiration and renewal.

(4) The licence shall expire on the thirty-first day of March in each year, but may be renewed from year to year or for any term less than a year subject, however, to any qualification or limitation which the Minister may, consistently with the provisions of this Act, deem proper.

Publication of list.

(5) The Minister shall cause to be published in the first issue of the *Canada Gazette* in the month of April in each year a list of all persons to whom licences have been issued as aforesaid, and if any licence is issued or cancelled during the interval between the publication of two such lists, notice thereof shall be caused to be given in the *Canada Gazette* by the Minister.

Appeal.

(6) If any person makes application to the Minister for the issue of a licence under the provisions of this section or for the renewal of such licence, and such application is refused by the Minister, the applicant shall have the right of appeal to the Governor in Council against the decision of the Minister, and the Governor in Council, after such hearing as is deemed necessary or desirable, shall render a decision on the appeal, which decision shall be final.

Loans how repayable

6. (1) Every loan shall be repayable in approximately equal instalments of principal or of principal and cost of the loan at intervals of not more than one month each, and on default in the payment of any instalment, interest shall accrue thereon from the date of default at the rate fixed by the contract as the cost of the loan: Provided, however, that if default in the payment of any instalment continues beyond the date on which the last instalment of the loan falls due, interest shall accrue thereon at a rate not exceeding twelve per centum per annum from such date.

Proviso.

No compounding or deduction in advance.

(2) The cost of any such loan or any part thereof or any interest accruing after default shall not be compounded or deducted or received in advance.

Repayment before maturity.

(3) The borrower may repay any such loan or any part thereof before maturity on the date on which any instalment thereof falls due, without notice, bonus or penalty, provided that the borrower shall, when making such repayment, pay the portion of the cost of the loan accrued and unpaid up to the date of such repayment.

INSPECTION.

Inspection of chief place of business.

7. (1) The Superintendent shall inspect personally or cause a duly qualified member of his staff to inspect, at least once in each year, the chief place of business of every licensee, and to examine carefully into the conduct of the business of every licensee.

Branch offices.

(2) Similarly, the Superintendent may inspect or authorize the inspection of any of the branch offices of the licensees.

Statement.

(3) To facilitate such inspection every licensee shall on or before the first day of March in each year prepare and file with the Minister a statement in respect of the conduct of the business of the licensee in such form as the Minister

Books to be open for inspection.

may require and the licensee and his or its officers, agents and servants shall cause the books of the licensee at the principal or any branch office to be open for inspection and shall facilitate such inspection.

Examination under oath.

(4) The Superintendent may examine under oath the licensee or its officers, agents and servants for the purpose of obtaining any information which he deems necessary for the purposes of his inspection.

Annual report.

(5) The Superintendent shall prepare and submit to the Minister an annual report disclosing full particulars of the conduct of the business of every licensee.

Special report.

8. (1) If as a result of the inspection aforesaid the Superintendent believes that the licensee has failed to comply with any of the provisions of this Act, he shall make a special report to the Minister.

Suspension or cancellation of licence.

(2) If the Minister, after a reasonable time has been given to the licensee to be heard, and upon such further enquiry and investigation as he sees fit to make, reports to the Governor in Council that he agrees with the opinion of the Superintendent, the Governor in Council may suspend or cancel the licence of the licensee.

Investigation of loans and business of unlicensed money-lenders.

9. For the purpose of ascertaining whether the provisions of this Act have been complied with, the Superintendent may at any time investigate the loans and business of any money-lender not licensed under this Act, and every such money-lender shall afford to the Superintendent free access to the offices and places of business, books, accounts, papers and records of such money-lender and failure on the part of any such money-lender to comply with the provisions of this section shall constitute an offence against this Act.

Bona fide holder may recover.

11. The *bona fide* holder, before maturity of a negotiable instrument given to secure the repayment of a loan discounted by a preceding holder at such rate of interest that the discount exceeds in amount the cost of the loan permitted by this Act, may nevertheless recover the amount thereof, but the party discharging such instrument may reclaim from the money-lender any amount paid thereon for interest or discount in excess of the cost of the loan permitted by this Act.

Annual assessment.

10. The Superintendent shall annually cause an assessment to be prepared against each licensee under this Act for the purpose of meeting the expense incurred by the Government for or in connection with the administration of this Act, and the provisions of sections six and eight of *The Department of Insurance Act,* chapter forty-five of the statutes of 1932, shall *mutatis mutandis* apply in the case of every such licensee to the same extent as if the title of this Act were inserted in the Schedule to *The Department of Insurance Act.*

PART II.

Small Loans Companies

Application of Part II.

12. This Part of this Act shall apply to every small loans company and may be administered separately from Part One.

Incorporation by way of Model Bill.

13. (1) Every small loans company incorporated by special Act of the Parliament of Canada in the form set forth in Schedule One to this Act, or in that form varied as such special Act shall provide, shall be a body corporate by the name contained in its Act of incorporation, and be invested with all the powers, privileges and immunities, be subject to all the liabilities and obligations, and, generally, be governed by the provisions set forth in this Act, and the provisions of sections five, seven, eight, ten and eleven of this Act shall extend and apply to every small loans company as if those provisions were here re-enacted and made applicable in terms thereto with the substitution of the expression "small loans company" for the word "person", and every such company is hereinafter called "the Company".

Application of *Loan Companies Act*

(2) Except as provided by subsection three of this section all provisions of the *Loan Companies Act*, chapter twenty-eight of the Revised Statutes of Canada, 1927, which are not inconsistent with those of this Act or with those of the special Act of the Company shall extend and apply to the Company.

Certain provisions not to apply.

(3) Subsection two of section twenty-one, paragraph *(f)* of subsection one, and paragraph *(c)* of subsection two of section sixty-one, subsection three of section sixty two, paragraph *(c)* of section sixty-three, sections sixty-four to seventy-two inclusive, eighty-two and eighty-eight of the *Loan Companies Act*, shall not apply to the Company.

Powers of Company.

Lending on security.

14. The Company may—

(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;

Limitation as to amount, time and cost of loan.

(b) lend money in sums not exceeding five hundred dollars in amount and may charge, exact or receive or stipulate for the payment by the borrower of a sum of money as the cost of a loan which shall not exceed an amount equivalent to the amounts or rates herein prescribed, namely, in the case of a loan for a period of fifteen months or less, two per centum per month on the amount actually advanced to the borrower and monthly balances thereof from time to time outstanding, and in the case of a loan for a period greater than fifteen months, one per centum per month on the amount actually advanced to the borrower and monthly balances thereof from time to time outstanding and in addition thereto such proportion of one per centum per month on the said amount and balances as fifteen is of the period of the loan expressed in months: Provided, however, that every loan shall be repayable in approximately equal instalments of principal or of principal and cost of the loan at intervals of not more than one month each, and on default in the payment of any instalment, interest shall accrue thereon from the date of default at the rate fixed by the contract as the cost of the loan, but if default in the payment of any instalment continues beyond the date on which the last instalment of the loan falls due, interest shall accrue thereon at a rate not exceeding twelve per centum per annum from such date: Provided, further, that the cost of the loan or any part thereof or any interest accruing after default shall not be compounded or deducted or received in advance: and Provided, further, that the borrower may repay the loan or any part thereof before maturity on the date on which any instalment thereof falls due, without notice, bonus or penalty, but the borrower shall, when making such repayment, pay the portion of the cost of the loan accrued and unpaid up to the date of such repayment.

Repayments.

Cost not to be compounded or deducted.

Prepayment.

Borrowing powers of company.

15. 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 of the Company may from time to time,—

(a) borrow money upon the credit of the Company;

(b) limit or increase the amount to be borrowed;

(c) 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.

No issue of bonds, debentures, etc.

16. The Company shall not issue any bonds, debentures or other securities for money borrowed, nor shall it accept deposits.

Bills of exchange, etc.

17. Nothing in this Act 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.

Dissolution and winding-up.

18. If the Company shall, in respect of any transaction of loan, directly or indirectly charge, impose upon, or demand or receive from or through, any borrower, as the cost of any loan, an amount or rate in excess of the amount or rate authorized by this Act, the Company shall, in addition to its liability to any other penalty or to any other consequence, otherwise provided, be liable to be wound up and to be dissolved if the Attorney General of Canada, upon receipt of a certificate of the Minister setting forth his opinion that the Company has so charged, imposed, demanded or received, applies to a Court of competent jurisdiction for an order that the Company be wound up under the provisions of the *Winding-Up Act*, which provisions shall in such case apply to the Company, as nearly as may be, as if it were an insolvent insurance company.

Application of act to already incorporated companies.

19. (1) The provisions of this Act shall apply to each and all of the companies, already incorporated by special Acts of the Parliament of Canada, which are named in Schedule Two to this Act.

Company deemed incorporated as in Schedule One.

(2) With relation to each of the companies so named it shall be deemed that at the time when it was incorporated this Act was in force and that the company was incorporated by special Act of the Parliament of Canada in the form set out in Schedule One to this Act.

How Acts amended and consolidated.

(3) The terms of the respective Acts of incorporation of such companies and amendments thereto are repealed, and such Acts are amended and consolidated, to conform to the provisions of this Act, as and to such extent as in and by such Schedule Two is made to appear, and each of such Acts of incorporation, as so amended and consolidated, shall be deemed to have been enacted pursuant to, and to comply with the requirements of, subsection two of this section.

Companies to be small loans companies.

(4) The said companies, and each of them, shall, from the time when this Act comes into force, be, and for all the purposes of this Act be deemed to be, small loans companies.

Continuity of corporate existence.

(5) It shall be deemed with respect to each of such companies, that, notwithstanding anything in this Act contained, there has been no breach of continuity of the corporate existence of the company as originally incorporated;

and that loans made before the coming into force of this Act in accordance with the law applicable thereto may continue in force subject to their own terms and be collectible as if this Act had not been passed.

PART III.

GENERAL.

Offence and penalty.

20. Every person who transacts the business of a money-lender without a licence, contrary to the provisions of this Act, or who in any other respect contravenes the provisions of this Act, shall be guilty of an offence and if no other penalty is provided be liable on summary conviction to a fine not exceeding one thousand dollars. 5 10

Regulations.

21. The Governor in Council may make regulations deemed necessary for the efficient enforcement and operation of this Act and for carrying out its provisions according to their true intent and meaning and for the better attainment of its objects. 15

Coming into force.

22. This Act shall come into force on the first day of January, 1940.

SCHEDULE ONE.

Model Bill.

(For incorporation of a Small Loans Company).

An Act to incorporate the *(state the name of the company)*.

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.

Corporate name.

1. *(State name, description and place of residence of each of the persons applying for incorporation)* together with such other persons as become shareholders in the company are incorporated under the name of *(state name of company)* hereinafter called "the Company."

Provisional directors.

2. The persons named in section one of this Act *(or as the case may be)* shall be the provisional directors of the Company. *(If other directors are desired state name, description and place of residence of each of such directors.)*

Capital stock.

3. The capital stock of the Company shall be..... dollars.

Head office.

4. The head office of the Company shall be in the .....of..... in the province of.....

The Small Loans Act, 1939.

5. The Company is incorporated pursuant to Part Two of *The Small Loans Act, 1939*, and to it all the provisions of that Act shall extend and apply.

SCHEDULE TWO.

1.—Names and dates of incorporation of the companies referred to in subsection one of section nineteen of this Act.

(A) An Act to incorporate Central Finance Corporation. Incorporated the 11th day of June, 1928, by chapter 77 of the statutes of 1928.

(B) An Act to incorporate Industrial Loan and Finance Corporation. Incorporated the 30th day of May, 1930, by chapter 68 of the statutes of 1930.

(C) An Act to incorporate The Discount and Loan Corporation of Canada. Incorporated the 23rd day of May, 1933, by chapter 63 of the statutes of 1932-33.

2 (A) CENTRAL FINANCE CORPORATION.

Act of incorporation of Central Finance Corporation, being chapter seventy-seven of the statutes of Canada, 1928, as amended and consolidated pursuant to section nineteen of this Act.

An Act to incorporate Central Finance Corporation.

[*Assented to 11th June, 1928.*]

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. Joseph Singer, barrister-at-law, Lawrence Kert, barrister-at-law, David Sher, student-at-law, Catherine Gallagher, stenographer, Margaret Hand, stenographer, all of the city of Toronto, in the county of York, and province of Ontario, together with such other persons as become shareholders in the company are incorporated under the name "Central 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.

3. The capital stock of the Company shall be five hundred thousand dollars divided into shares of one hundred dollars each and may be increased, from time to time, to an amount not to exceed five million dollars divided into shares of one hundred dollars each.

Head office.

4. The head office of the Company shall be in the city of Toronto in the province of Ontario.

The Small Loans Act, 1939.

5. The Company is incorporated pursuant to Part Two of *The Small Loans Act, 1939*, and to it all the provisions of that Act shall extend and apply.

Extent to which the terms of this Company's Act of incorporation are affected by this Act:—

Sections five and six of chapter seventy-seven of the statutes of Canada, 1928, and the whole of chapter ninety-four of the Statutes of Canada, 1929, are repealed and section five of the next preceding amended and consolidated Act is substituted therefor.

2 (B) INDUSTRIAL LOAN AND FINANCE CORPORATION.

Act of Incorporation of Industrial Loan and Finance Corporation, being chapter sixty-eight of the statutes of Canada, 1930, as amended pursuant to section nineteen of this Act.

An Act to incorporate Industrial Loan and Finance Corporation.

[*Assented to 30th May, 1930.*]

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) James Penrose Anglin, contractor, Nathan Lande, financier, Gordon Murphy Webster, barrister, all of the city and district of Montreal in the province of Quebec, together with such other persons as become shareholders of the Company , are hereby incorporated under the name of "Industrial Loan and Finance Corporation" hereinafter called "the Company."

Corporate name.

In French.

(2) In the French language the Company may be designated as "La Compagnie des Prets et Finance Industrielle."

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 five hundred thousand dollars, divided into five thousand shares of one hundred dollars each, and may be increased from time to time to an amount not to exceed two million dollars, divided into shares of one hundred dollars each.

Head office.

4. The head office of the Company shall be at the city of Montreal in the province of Quebec.

Powers of company.

5. (1) The Company may acquire the whole or any part of the assets of and may assume the obligations and liabilities of Industrial Loan and Investment Corporation, incorporated by Letters Patent under the law of the province of Quebec, and of The People's Thrift and Finance Company, Limited, incorporated by Letters Patent under the law of the province of Ontario; and may also acquire and exercise such of the rights and powers of the said corporations, or

either of them, 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.

(2) An agreement between the Company and either of the corporations 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 vote 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.

The Small Loans Act, 1939.

6. The Company is incorporated pursuant to Part Two of *The Small Loans Act, 1939*, and to it all the provisions of that Act shall extend and apply.

Extent to which the terms of this Company's Act of incorporation are affected by this Act:—

Sections five, seven and eight of chapter sixty-eight of the statutes of Canada, 1930, are repealed and section six of the next preceding amended Act is substituted therefor.

2 (c) The Discount and Loan Corporation of Canada.

Act of incorporation of The Discount and Loan Corporation of Canada, being chapter sixty-three of the Statutes of Canada, 1932-33, as amended and consolidated pursuant to section nineteen of this Act.

An Act to incorporate The Discount and Loan Corporation of Canada.

[*Assented to 23rd May, 1933.*]

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. Joseph Alberic Beaudry, physician, Lionel Percy Villeneuve, commercial traveller, Joseph Stanislas Beaudry, physician, Omer Langlois, journalist, Jean Eugene Laurin, financier, all of the city of Montreal, in the province of Quebec, together with such persons as become shareholders in the company, are incorporated under the name of "The Discount and Loan Corporation of Canada" and under the name of "La Corporation de Prets et d'Escomptes du 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 one million dollars divided into ten thousand shares of one hundred dollars each.

Head office.

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

The Small Loans Act, 1939.

5. The Company is incorporated pursuant to Part Two of *The Small Loans Act, 1939,* and to it all the provisions of that Act shall extend and apply.

Extent to which the terms of this Company's Act of incorporation are affected by this Act:—

Sections five, six and seven of chapter sixty-three of the statutes of Canada, 1932-33, as amended by chapter sixty-eight of the statutes of Canada, 1934, are repealed and section five of the next preceding amended and consolidated Act is substituted therefor.

Fourth Session, Eighteenth Parliament, 3 George VI, 1939.

THE SENATE OF CANADA

BILL A[2].

An Act for the relief of Constance Lillian Talbot Mais Pocock.

Read a first time, Wednesday, 29th March, 1939.

The Honourable the Chairman of the Committee on Divorce.

OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1939

72309

4th Session, 18th Parliament, 3 George VI, 1939.

THE SENATE OF CANADA

BILL A2.

An Act for the relief of Constance Lillian Talbot Mais Pocock.

Preamble.

WHEREAS Constance Lillian Talbot Mais Pocock, residing at the city of Westmount, in the province of Quebec, designer, wife of Arthur Innes Pocock, salesman, who is domiciled in Canada and residing at the said city, has by her petition alleged that they were married on the twelfth day of July, A.D. 1919, at the city of Kingston, on the Island of Jamaica, British West Indies, she then being Constance Lillian Talbot Mais, 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:— 5 10 15

Marriage dissolved.

1. The said marriage between Constance Lillian Talbot Mais and Arthur Innes Pocock, 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 Constance Lillian Talbot Mais may at any time hereafter marry any man whom she might lawfully marry if the said marriage with the said Arthur Innes Pocock had not been solemnized. 20

Fourth Session, Eighteenth Parliament, 3 George VI, 1939.

THE SENATE OF CANADA

BILL B[2].

An Act for the relief of Edith Cecilia Shaw Mayne.

Read a first time, Wednesday, 29th March, 1939.

The Honourable the Chairman of the
Committee on Divorce.

OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
72308 1939

4th Session, 18th Parliament, 3 George VI, 1939.

THE SENATE OF CANADA

BILL B[2].

An Act for the relief of Edith Cecilia Shaw Mayne.

Preamble.

WHEREAS Edith Cecilia Shaw Mayne, residing at the city of Westmount, in the province of Quebec, wife of Hugh Cecil Mayne, clerk, 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 June, A.D. 1913, in the parish of Dalkey, in the county of Dublin, Ireland, she then being Edith Cecilia Shaw, 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 Cecilia Shaw and Hugh Cecil Mayne, 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 Cecilia Shaw, may at any time hereafter marry any man whom she might lawfully marry if the said marriage with the said Hugh Cecil Mayne had not been solemnized.

Fourth Session, Eighteenth Parliament, 3 George VI, 1939.

THE SENATE OF CANADA

BILL C[2].

An Act for the relief of Leslie William Bond.

Read a first time, Wednesday, 29th March, 1939.

The Honourable the Chairman of the
Committee on Divorce.

OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1939

70788

4th Session, 18th Parliament, 3 George VI, 1939.

THE SENATE OF CANADA

BILL C2.

An Act for the relief of Leslie William Bond.

Preamble.

WHEREAS Leslie William Bond, domiciled in Canada and residing at the city of Montreal, in the province of Quebec, bank manager, has by his petition alleged that on the ninth day of December, A.D. 1930, at the city of Dundee, Scotland, he and Isobel Maxwell, who was then of the said city of Dundee, 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 Leslie William Bond and Isobel Maxwell, 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 Leslie William Bond may at any time hereafter marry any woman whom he might lawfully marry if the said marriage with the said Isobel Maxwell had not been solemnized.

Fourth Session, Eighteenth Parliament, 3 George VI, 1939.

THE SENATE OF CANADA

BILL D[2].

An Act for the relief of Helen Kerr Hogg Molson.

Read a first time, Wednesday, 5th April, 1939.

The Honourable the Chairman of the
Committee on Divorce.

OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
72307 1939

4th Session, 18th Parliament, 3 George VI, 1939.

THE SENATE OF CANADA

BILL D[2].

An Act for the relief of Helen Kerr Hogg Molson.

Preamble.

WHEREAS Helen Kerr Hogg Molson, residing at the city of Montreal, in the province of Quebec, wife of Hartland de Montarville Molson, corporation official, who is domiciled in Canada, and residing at the said city of Montreal, has by her petition alleged that they were married on the seventh day of February, A.D. 1931, at the city of New York, in the state of New York, one of the United States of America, she then being Helen Kerr Hogg, 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 Kerr Hogg and Hartland de Montarville Molson, 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 Kerr Hogg, may at any time hereafter marry any man whom she might lawfully marry if the said marriage with the said Hartland de Montarville Molson had not been solemnized.

Fourth Session, Eighteenth Parliament, 3 George VI, 1939.

THE SENATE OF CANADA

BILL E[2].

An Act for the relief of Adele Adfeldt Grunau.

Read a first time, Wednesday, 5th April, 1939.

The Honourable the Chairman of the
Committee on Divorce.

OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
74380 1939

4th Session, 18th Parliament, 3 George VI, 1939.

THE SENATE OF CANADA

BILL E[2].

An Act for the relief of Adele Adfeldt Grunau.

Preamble.

WHEREAS Adele Adfeldt Grunau, residing at the city of Montreal, in the province of Quebec, weaving instructress, wife of Martin Grunau, bartender, who is domiciled in Canada and residing at the said city of Montreal, has by her petition alleged that they were married on the fifteenth day of November, A.D. 1930, at the city of Winnipeg, in the province of Manitoba, she then being Adele Adfeldt, 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 Adele Adfeldt and Martin Grunau, 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 Adele Adfeldt may at any time hereafter marry any man whom she might lawfully marry if the said marriage with the said Martin Grunau had not been solemnized.

Fourth Session, Eighteenth Parliament, 3 George VI, 1939.

THE SENATE OF CANADA

BILL F[2].

An Act for the relief of Jeanne Beauregard Desnoyers.

Read a first time, Wednesday, 5th April, 1939.

The Honourable the Chairman of the
Committee on Divorce

OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1939

72468

4th Session, 18th Parliament, 3 George VI, 1939

THE SENATE OF CANADA

BILL F[2].

An Act for the relief of Jeanne Beauregard Desnoyers.

Preamble.

WHEREAS Jeanne Beauregard Desnoyers, residing at the city of Outremont, in the province of Quebec, beauty parlour employee, wife of Edouard Desnoyers, painter, 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-fourth day of July, A.D. 1926, at the city of Yonkers, in the state of New York, one of the United States of America, she then being Jeanne Beauregard, 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 Jeanne Beauregard and Edouard Desnoyers, 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 Jeanne Beauregard may at any time hereafter marry any man whom she might lawfully marry if the said marriage with the said Edouard Desnoyers had not been solemnized.

Fourth Session, Eighteenth Parliament, 3 George VI, 1939.

THE SENATE OF CANADA

BILL G2.

An Act to incorporate Universal Eucozone Limited.

Read a first time, Wednesday, 19th April, 1939.

The Right Honourable SENATOR MEIGHEN, P.C.

OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1939

76858

4th Session, 18th Parliament, 3 George VI, 1939.

THE SENATE OF CANADA

BILL G2.

An Act to incorporate Universal Eucozone Limited

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 the House of Commons of Canada, enacts as follows:— 5

Incorporation.

1. Robert Michael Willes Chitty, Roland Roy McMurtry, James Edwin Ganong, Jr., Ernest Joel Robert Wright, barristers, and Charlotte Isabelle Lawson, secretary, all of the city of Toronto in the province of Ontario, together 10 with such persons as become shareholders in the Company hereby incorporated are hereby constituted a body corporate under the name of "Universal Eucozone Limited", hereinafter called "the Company".

Corporate name.

Provisional directors.

2. The said Robert Michael Willes Chitty, Roland Roy 15 McMurtry, Ernest Joel Robert Wright and Charlotte Isabelle Lawson named in section one of this Act are constituted the provisional directors of the Company.

Head office.

3. The head office of the Company shall be at the city of Toronto in the province of Ontario. 20

Capital stock.

4. The capital stock of the Company shall consist of seven hundred and fifty thousand shares divided into two hundred and fifty thousand class "A" shares of five per centum cumulative preference stock having a par value of ten dollars for each share and five hundred thousand shares 25 of class "B" stock having no nominal or par value.

Powers.

5. The Company may,

(a) manufacture, sell and distribute proprietary or patent pharmaceutical products of whatsoever kind or nature

and particularly the product known as Eucozone and its kindred and allied products.

(b) own, purchase, sell and in any manner deal with or in patents granted in respect of proprietary or patent pharmaceutical products and particularly patents granted in regard to Eucozone and its kindred and allied products. 5

Ancillary powers of company.

6. The Company shall also have all the ancillary powers set out in section fourteen of *The Companies Act, 1934*, as if the same were set out herein. 10

Application of The Companies Act, 1934. 1934, c. 33.

Application of Proprietary or Patent Medicine Act, R.S. c. 151.

7. Parts III, V and VI of *The Companies Act, 1934*, shall apply to the Company, but otherwise *The Companies Act, 1934*, shall not apply to the Company. The powers granted the Company under this Act shall be subject to the provisions of the *Proprietary or Patent Medicine Act*. 15

96

Fourth Session, Eighteenth Parliament, 3 George VI, 1939.

THE SENATE OF CANADA

BILL H[2].

An Act respecting the New Brunswick Railway Company.

Read a first time, Thursday, 20th April, 1939.

The Honourable SENATOR ROBINSON.

OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1939

76979

4th Session, 18th Parliament, 3 George VI, 1939.

THE SENATE OF CANADA

BILL H[2].

An Act respecting the New Brunswick Railway Company.

Preamble.

WHEREAS the New Brunswick Railway Company has by its petition represented that it was incorporated by chapter forty-nine of the Acts of the legislature of the province of New Brunswick of the year 1870.

1881, c. 42.

AND WHEREAS by chapter forty-two of the Acts of the Parliament of Canada of the year 1881, the work of the said company was declared to be a work for the general advantage of Canada;

AND WHEREAS the said company has by its said petition prayed that it be given power to issue bonds, debentures or other securities secured on lands and properties owned by it and not used for the purpose of operating its railways 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:—

Further power to issue bonds, etc.

1. In addition to any securities heretofore authorized to be issued, the said company may make and issue bonds, debentures or other securities to an amount not exceeding seven hundred and fifty thousand dollars, provided that the charge or lien securing such bonds, debentures or other securities shall not extend to any of the lands and properties owned by the said company now or hereafter used for the purpose of operating its railways or the appurtenances thereto.

Explanatory Note.

The purpose of the present Act is to enable the company to issue bonds, debentures or other securities, to the extent of seven hundred and fifty thousand dollars, secured on lands and properties owned by the company and not used for the purpose of operating its railways.

Fourth Session, Eighteenth Parliament, 3 George VI, 1939.

THE SENATE OF CANADA

BILL I[2].

An Act to amend The Canadian National-Canadian Pacific Act, 1933.

Read a first time, Friday, 21st April, 1939.

Hon. Senator DANDURAND.

OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1939

76863

4th Session, 18th Parliament, 3 George VI, 1939.

THE SENATE OF CANADA

BILL I[2].

An Act to amend The Canadian National-Canadian Pacific Act, 1933.

1933, c. 33; 1936, c. 25.

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, 1939.*

2. Subsection one of section two of *The Canadian National-Canadian Pacific Act, 1933,* chapter thirty-three of the statutes of 1932-33, is repealed and the following substituted therefor:—

Act binding on His Majesty. Acts deemed not inconsistent.

"**2** (1) The provisions of this Act shall bind His Majesty and shall prevail over all inconsistent provisions of all other Acts, but so that,—

(a) the provisions of the *Maritime Freight Rates Act;*

R.S., c. 79.

(b) the provisions of any statute of Canada which confirm any contract or enact or provide for any specific or special freight rate, toll or tariff or for the ascertainment of any one freight rate, toll or tariff by reference to any other and the making of deductions or allowances; and,

R.S., c. 112.

(c) the provisions of the *Industrial Disputes Investigation Act,*

shall not be deemed to be inconsistent with the provisions of this Act or to be in any manner affected thereby."

3. Section sixteen of the said Act as amended by section four of chapter twenty-five of the statutes of 1936, is further amended by adding at the end thereof the following subsection:—

Schedule to apply.

"(7) The provisions of the Schedule to this Act shall apply in the case of every co-operative measure, plan or arrangement which is agreed to, after the date of the coming into force of this subsection, by the National Company and the Pacific Company pursuant to the provisions of this Part or settled upon or made in consequence of an order of a Tribunal under Part III of this Act."

Explanatory Notes.

The purpose of this Bill is to provide for the payment of compensation by the employing company to railway employees who are deprived of employment or adversely affected by co-operative measures undertaken by the Canadian National Railway Company and the Canadian Pacific Railway Company pursuant to the provisions of The Canadian National-Canadian Pacific Act, 1933.

Clause 2. The amendment in effect repeals only paragraph *(a)*, which reads as follows:—

"*(a)* that part of section one hundred and seventy-nine of the *Railway Act* which relates to compensation of employees for financial loss caused to them by removal, closing or abandonment of any railway station or divisional point;"

Clause 3. This added subsection makes applicable the provisions of the Schedule added by this Bill and found at the end thereof.

4. The said Act is further amended by adding thereto the following Schedule:

"SCHEDULE.

The following provisions shall apply in respect of persons who are employees of National Railways or Pacific Railways and who shall not, prior to the effective date of any co-operative measure, plan or arrangement directly affecting such employees agreed to by the National Company and the Pacific Company pursuant to the provisions of Part II of this Act or settled upon or made in consequence of an order of a Tribunal under Part III of this Act, have become pensioners or annuitants in accordance with the rules of any railway pension or superannuation plan or fund of which they may be members, or have voluntarily retired or have been removed from their employment by reason of misconduct or incapacity,—

(1) in this Schedule, unless the context otherwise requires:—

"employee" means any person in the service of National Railways or Pacific Railways for compensation at the date of the coming into force of this Schedule, and shall include any person who shall have been in the service of National Railways or Pacific Railways for compensation at any time during the period of twelve months immediately preceding the date of the coming into force of this Schedule, seasonally or intermittently, excepting any person engaged in temporary work not being part of regular operation.

"representatives of interested employees" means the authorized representatives of employees' organizations holding working agreements with National Railways and/or Pacific Railways, relative to wages and working conditions, and applicable to the class or classes of employees affected by any co-operative measure, plan or arrangement.

(2) *(a)* Every employee who is deprived of his employment as a result of any such measure, plan or arrangement shall be accorded by National Railways or Pacific Railways, as the case may be, in whose service he was last employed preceding the effective date of such measure, plan or arrangement, an adjustment allowance as compensation for the loss of his employment, based on length of service (being not less than one year), which shall be a monthly allowance equivalent in each instance to sixty per cent (60%) of the average monthly compensation of such employee during the last twelve months of his employment immediately preceding the effective date of the measure, plan or arrangement which deprived him of his employment, such adjustment allowance to be paid the employee while unemployed by National Railways and/or Pacific Railways and/or any

new company referred to in paragraph *(a)* of subsection two of section sixteen of this Act during a period beginning at the date when he is first deprived of employment as a result of such measure, plan or arrangement and continuing in each instance for a length of time determined and limited by the following table:—

Length of Service			Period of Payment	
1 year and less than		2 years	6	months
2 years	"	3 years	12	"
3 years	"	5 years	18	"
5 years	"	10 years	36	"
10 years	"	15 years	48	"
15 years and over			60	"

(b) For the purpose of this Schedule the length of service of the employee shall be determined from the date he last acquired an employment status with National Railways or Pacific Railways, as the case may be, and he shall be given credit for one month's service for each month in which he performed any service (in any capacity whatsoever) and twelve such months shall be credited as one year's service. The employment status of an employee shall not be interrupted by furlough in instances where the employee has a right to and returns to service when called. In determining length of service of an employee acting as an officer or other official representative of an employee organization he will be given credit for performing service while so engaged on leave of absence from the service of the employing company.

(c) An employee receiving an adjustment allowance shall be subject to call to return to work after being notified in accordance with the working agreement, and such employee may be required to return to the service of the employing company for other reasonably comparable employment for which he is physically and mentally qualified if his return does not infringe on the employment rights of other employees.

(d) If an employee who is receiving an adjustment allowance returns to work the adjustment allowance shall cease while he is so re-employed, and the period of time during which he is so re-employed shall be deducted from the total period for which he is entitled to receive an adjustment allowance. During the time of such re-employment, however, he shall be entitled to the protection afforded by the provisions of paragraphs (3), (5) and (6) of this Schedule to employees who are continued in employment.

(e) If an employee who is receiving an adjustment allowance obtains temporary employment with National Railways and/or Pacific Railways and/or any new company referred to in paragraph *(a)* of subsection two of section sixteen of this Act, his adjustment allowance shall be

reduced by the amount of compensation earned by him in such temporary employment during the period that the adjustment allowance is payable.

(f) An adjustment allowance shall cease prior to the expiration of its prescribed period in the event of:— 5

i. Failure without good cause to return to work in accordance with working agreement after being notified of position for which he is eligible and as provided in paragraph *(c)*.

ii. Resignation. 10

iii. Death.

iv. Retirement on pension or on account of age or disability in accordance with the current rules and practices applicable to employees generally.

v. Dismissal for justifiable cause. 15

(3) *(a)* No employee who is continued in employment shall, for a period not exceeding five years following the effective date of such measure, plan or arrangement, be placed, as a result of such measure, plan or arrangement, in a worse position with respect to compensation and rules 20 governing the working conditions than he occupied at the effective date of such measure, plan or arrangement, so long as he is unable in the normal exercise of his seniority rights under existing agreements, rules and practices to obtain a position producing compensation equal to or exceeding the 25 compensation of the position held by him at the effective date of the particular measure, plan or arrangement, except however, that if he fails to exercise his seniority rights to secure another available position which does not require a change of residence, to which he is entitled under the 30 working agreement and which carries a rate of pay and compensation exceeding that of the position which he elects to retain, he shall thereafter be treated for the purposes of this paragraph as occupying the position which he elects to decline. 35

(b) The protection afforded by this paragraph shall be made effective, whenever, appropriate, by the payment to such employee by National Railways or Pacific Railways, as the case may be, in whose service such employee is employed, of a displacement allowance which shall be a 40 monthly allowance determined in each instance by computing the total compensation received by the employee and his total time paid for during the last twelve months in which he performed service immediately preceding the date of his displacement, and by dividing separately the 45 total compensation and the total time paid for by twelve, thereby producing the average monthly compensation and average monthly time paid for, which shall be the minimum amounts used to guarantee the displaced employee, and if the compensation in his current position is less in any 50

month in which he performs work than the aforesaid average compensation he shall be paid the difference, less compensation for any time lost on account of voluntary absences to the extent that he is not available for service equivalent to his average monthly time during the said period of twelve months preceding his displacement, but he shall be compensated in addition thereto at the rate of the position filled for any time worked in excess of the average monthly time paid for during the said period; Provided that at the end of each year there shall be made a recapitulation of the total compensation received by employees in receipt of displacement allowances payable under this paragraph, and the necessary adjustment shall be made in respect to each displacement allowance payable hereunder so that no employee entitled to receive a displacement allowance shall by reason thereof be entitled to receive compensation in respect to his employment during any such year greater than the total compensation paid to him during the last twelve months immediately preceding the date of his displacement.

(4) An employee who is eligible to receive an adjustment allowance under paragraph (2) of this Schedule may, at his option, to be exercised within thirty days after the effective date of any such measure, plan or arrangement, resign and (in lieu of an adjustment allowance and all other benefits and protections provided in this schedule) accept in a lump sum a separation allowance determined in accordance with the following table:—

Length of Service			Separation Allowance	
1 year and less than		2 years.....	3 months' pay	
2 years	"	3 years.....	6	"
3 years	"	5 years.....	9	"
5 years	"	10 years.....	12	"
10 years	"	15 years.....	12	"
15 years and over.....			12	"

One month's pay shall be computed by multiplying by 30 the daily rate of pay applicable to the position last occupied prior to the date of the measure, plan or arrangement.

(5) No employee who is continued in employment and who is transferred from one place to another place or from the service of National Railways to Pacific Railways, or *vice versa*, or to any new company referred to in paragraph *(a)* of subsection two of section sixteen of this Act, shall, by reason of any such measure, plan or arrangement, be deprived of his pension rights, but such pension rights shall continue as if such transfer had not been made, and any such employee may continue to contribute to the pension fund under the pension plan of the company by which he was formerly employed and upon retirement shall be entitled to receive his pension from that company.

(6) *(a)* Notwithstanding the provisions of section one hundred and seventy-nine of the *Railway Act* which relate to compensation of employees for financial losses caused to them by removal, closing or abandonment of any railway station or divisional point, any employee who is continued in employment and who is required by the employing company to change his place of residence as a direct result of any such measure, plan or arrangement shall be compensated by National Railways or Pacific Railways, as the case may be, in whose service he is employed:—

i. For all reasonable travelling and moving expenses of such employee and his family and for working time lost as a consequence thereof;

ii. For financial loss suffered in the sale of his home for less than its fair value, and in each case the fair value of the home in question shall be determined as of a date sufficiently prior to the measure, plan or arrangement to be unaffected thereby, and the employing company shall in each instance be afforded an opportunity to purchase the home at such fair value before it is sold by the employee to any other party;

iii. For financial losses suffered by reason of such employee holding an unexpired lease of the dwelling occupied by him as his home.

(b) No claim for compensation shall be made in respect to changes in place of residence subsequent to the initial change caused by such measure, plan or arrangement and which grow out of the normal exercise of seniority in accordance with working agreements.

(c) No claim for expenses or financial loss shall be paid unless presented within three years after the effective date of such measure, plan or arrangement.

(d) In case of a dispute arising in respect to the value of a home, the loss sustained in its sale, the loss under an agreement of sale and purchase, loss and cost in securing termination of lease, or any other question in connection with such matters, the dispute shall be referred for settlement to the Committee of Adjustment, referred to in paragraph (7) of this Schedule, and, in the event that the said Committee is unable to settle the dispute, either party may apply to the judge of the county court of the county in which the home is situate, or in the province of Quebec or in any other part of Canada where there is no county court to a judge of the superior court for the district or place in which the home is situate, to determine the compensation to be paid as aforesaid, and in such case the judge shall proceed to ascertain such compensation in such way as he deems best, and his decision shall be final and conclusive.

(7) The representatives of the National Company and the Pacific Company and the representatives of the interested employees shall form a permanent Committee of Adjustment which shall meet from time to time when occasion arises for the purpose of enquiring into all matters in connection with the interpretation, application or enforcement of the provisions of this Schedule with respect to any such measure, plan or arrangement, and in the event that any dispute or difference arises in connection with any particular measure, plan or arrangement, including the interpretation, application or enforcement of any of the provisions of this Schedule, such dispute or difference shall be referred to such Committee which shall endeavour to bring about a settlement of the dispute or difference and to this end shall carefully enquire into all matters affecting the merits and right settlement thereof.

(8) *(a)* In the event that any dispute or difference, referred to in paragraph (7), (except a dispute under paragraph (6)) is not settled within thirty days after the same has been referred to the said Committee of Adjustment, such dispute or difference shall be referred to a Board of three arbitrators to be named, one by the representatives of the interested employees and one by the representatives of the National Company and the Pacific Company and the third by the two so named, or in case the two arbitrators so named fail to agree on the selection of the third arbitrator the Minister of Labour shall make such selection, and thereupon the Board of Arbitrators shall be constituted, and shall have exclusive jurisdiction to enquire into, hear and determine all matters and questions arising in connection with such dispute or difference, and shall, in such manner as it thinks fit, proceed to enquire into the dispute or difference and all matters affecting the merits and right settlement thereof, and the award of the arbitrators or a majority of them shall be the award of the Board and shall be final and conclusive and shall not be open to question or review in any court, and no proceedings by or before the Board shall be restrained by injunction, prohibition or other process or proceeding in any court or be removable by certiorari or otherwise into any court, and the award of the Board, on the application of either party, shall be enforceable in the same manner as a judgment or order of a court of record.

(b) The costs and expenses of the Board shall be borne equally by the parties to the proceedings."

Fourth Session, Eighteenth Parliament, 3 George VI, 1939.

THE SENATE OF CANADA

BILL J[2].

An Act for the relief of Blanche Anna Bousquet Pepin.

Read a first time, Monday, 24th April, 1939.

The Honourable the Chairman of the
Committee on Divorce.

OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1939

73723

4th Session, 18th Parliament, 3 George VI, 1939.

THE SENATE OF CANADA

BILL J[2].

An Act for the relief of Blanche Anna Bousquet Pepin.

Preamble.

WHEREAS Blanche Anna Bousquet Pepin, residing at the city of Montreal, in the province of Quebec, saleswoman, wife of Arthur Hoyt Pepin, farm labourer, who is domiciled in Canada and residing at the city of Granby, in the said province, has by her petition alleged that they were married on the fourteenth day of September, A.D. 1926, at the city of Pittsfield, in the Commonwealth of Massachusetts, one of the United States of America, she then being Blanche Anna Bousquet, 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 Blanche Anna Bousquet and Arthur Hoyt Pepin, 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 Blanche Anna Bousquet may at any time hereafter marry any man whom she might lawfully marry if the said marriage with the said Arthur Hoyt Pepin had not been solemnized.

Fourth Session, Eighteenth Parliament, 3 George VI, 1939.

THE SENATE OF CANADA

BILL K[2].

An Act for the relief of Ethel Rothpan Staroselsky.

Read a first time, Monday, 24th April, 1939.

The Honourable the Chairman of the Committee on Divorce.

OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1939

72907

4th Session, 18th Parliament, 3 George VI, 1939.

THE SENATE OF CANADA

BILL K[2].

An Act for the relief of Ethel Rothpan Staroselsky.

Preamble.

WHEREAS Ethel Rothpan Staroselsky, residing at the city of Montreal, in the province of Quebec, clerk, wife of Jack Staroselsky, otherwise known as Jack Starr, salesman, 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 January, A.D. 1933, at the said city, she then being Ethel Rothpan, 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 Rothpan and Jack Staroselsky, otherwise known as Jack Starr, 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 Rothpan may at any time hereafter marry any man whom she might lawfully marry if the said marriage with the said Jack Staroselsky, otherwise known as Jack Starr, had not been solemnized.

Fourth Session, Eighteenth Parliament, 3 George VI, 1939.

THE SENATE OF CANADA

BILL L[2].

An Act for the relief of Agnes Keating Bigelow Reddy.

Read a first time, Monday, 24th April, 1939.

The Honourable the Chairman of the
Committee on Divorce.

OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
72904 1939

4th Session, 18th Parliament, 3 George VI, 1939.

THE SENATE OF CANADA

BILL L[2].

An Act for the relief of Agnes Keating Bigelow Reddy.

Preamble.

WHEREAS Agnes Keating Bigelow Reddy, residing at the city of Montreal, in the province of Quebec, wife of Eric Beresford Fleming Reddy, salesman, who is domiciled in Canada and residing at the said city, has by her petition alleged that they were married on the fourteenth day of October, A.D. 1927, at the said city, she then being Agnes Keating Bigelow, 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 Keating Bigelow and Eric Beresford Fleming Reddy, 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 Keating Bigelow may at any time hereafter marry any man whom she might lawfully marry if the said marriage with the said Eric Beresford Fleming Reddy had not been solemnized.

Fourth Session, Eighteenth Parliament, 3 George VI, 1939.

THE SENATE OF CANADA

BILL M[2].

An Act for the relief of Myrtle Jane Ramsay Fox.

Read a first time, Monday, 24th April, 1939.

The Honourable the Chairman of the
Committee on Divorce.

OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1939

73728

4th Session, 18th Parliament, 3 George VI, 1939.

THE SENATE OF CANADA

BILL M2.

An Act for the relief of Myrtle Jane Ramsay Fox.

Preamble.

WHEREAS Myrtle Jane Ramsay Fox, residing at the city of Montreal, in the province of Quebec, cook, wife of William James Leslie Fox, salesman, who is domiciled in Canada and residing at the city of Verdun, in the said province, has by her petition alleged that they were married on the twelfth day of March, A.D. 1920, at the said city of Verdun, she then being Myrtle Jane Ramsay, 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 Myrtle Jane Ramsay and William James Leslie Fox, 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 Myrtle Jane Ramsay may at any time hereafter marry any man whom she might lawfully marry if the said marriage with the said William James Leslie Fox had not been solemnized.

Fourth Session, Eighteenth Parliament, 3 George VI, 1939.

THE SENATE OF CANADA

BILL N2.

An Act for the relief of Joseph Maurice Durieux.

Read a first time, Monday, 24th April, 1939.

The Honourable the Chairman of the Committee on Divorce.

OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1939

72908

4th Session, 18th Parliament, 3 George VI. 1939.

THE SENATE OF CANADA

BILL N2.

An Act for the relief of Joseph Maurice Durieux.

Preamble.

WHEREAS Joseph Maurice Durieux, domiciled in Canada and residing at the city of Montreal, in the province of Quebec, musician, has by his petition alleged that on the twenty-eighth day of May, A.D. 1931, at the said city, he and Marie Laurence Eliane Aurette Lavoie, 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 disolved.

1. The said marriage between Joseph Maurice Durieux and Marie Laurence Eliane Aurette Lavoie, 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 Maurice Durieux may at any time hereafter marry any woman whom he might lawfully marry if the said marriage with the said Marie Laurence Eliane Aurette Lavoie had not been solemnized.

Fourth Session, Eighteenth Parliament, 3 George VI, 1939.

THE SENATE OF CANADA

BILL O[2].

An Act to amend The Farmers' Creditors Arrangement Act, 1934.

Read a first time, Monday, 24th April, 1939.

Honourable SENATOR HUGHES.

OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
77364 1939

4th Session, 18th Parliament, 3 George VI, 1939.

THE SENATE OF CANADA

BILL O[2].

An Act to amend The Farmers' Creditors Arrangement Act, 1934.

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

1934, c. 53.
1938, c. 47.
Repeal of proviso.

1. Subsection three of section eleven of *The Farmers' Creditors Arrangement Act, 1934*, as enacted by section nine of chapter forty-seven of the statutes of 1938, is amended by striking out of that subsection the proviso at the end thereof. 5

Fourth Session, Eighteenth Parliament, 3 George VI. 1939.

THE SENATE OF CANADA

BILL P[2].

An Act for the relief of Dorothy Gertrude Mary Huggins Yaun.

Read a first time, Wednesday, 26th April, 1939.

The Honourable the Chairman of the Committee on Divorce.

OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1939

72902

4th Session, 18th Parliament, 3 George VI, 1939.

THE SENATE OF CANADA

BILL P2.

An Act for the relief of Dorothy Gertrude Mary Huggins Yaun.

Preamble.

WHEREAS Dorothy Gertrude Mary Huggins Yaun, residing at the city of Montreal, in the province of Quebec, stenographer, wife of Dave Yaun, clerk, who is domiciled in Canada and residing at the said city, has by her petition alleged that they were married on the twentieth day of February, A.D. 1932, at the said city, she then being Dorothy Gertrude Mary Huggins, 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 Dorothy Gertrude Mary Huggins and Dave Yaun, 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 Dorothy Gertrude Mary Huggins may at any time hereafter marry any man whom she might lawfully marry if the said marriage with the said Dave Yaun had not been solemnized.

Fourth Session, Eighteenth Parliament, 3 George VI, 1939.

THE SENATE OF CANADA

BILL Q[2].

An Act for the relief of Lola Margaret Miller Atkinson.

Read a first time, Wednesday, 26th April, 1939.

The Honourable the Chairman of the
Committee on Divorce.

OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
73727 1939

4th Session, 18th Parliament, 3 George VI, 1939.

THE SENATE OF CANADA

BILL Q[2].

An Act for the relief of Lola Margaret Miller Atkinson.

Preamble.

WHEREAS Lola Margaret Miller Atkinson, residing at the city of Sault Ste. Marie, in the province of Ontario, wife of Frederick Temple Atkinson, purchasing agent, who is domiciled in Canada and residing at the city of Quebec, in the province of Quebec, has by her petition alleged that they were married on the twenty-seventh day of December, A.D. 1930, at the said city of Sault Ste. Marie, she then being Lola Margaret Miller, 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 Lola Margaret Miller and Frederick Temple 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 Lola Margaret Miller may at any time hereafter marry any man whom she might lawfully marry if the said marriage with the said Frederick Temple Atkinson had not been solemnized.

Fourth Session, Eighteenth Parliament, 3 George VI, 1939.

THE SENATE OF CANADA

BILL R[2].

An Act for the relief of Zeno Bruck.

Read a first time, Wednesday, 26th April, 1939.

The Honourable the Chairman of the
Committee on Divorce.

OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1939

76304

4th Session, 18th Parliament, 3 George VI, 1939.

THE SENATE OF CANADA

BILL R[2].

An Act for the relief of Zeno Bruck.

Preamble.

WHEREAS Zeno Bruck, domiciled in Canada and residing at the city of Montreal, in the province of Quebec, painter, has by his petition alleged that on the second day of September, A.D. 1933, at the said city, he and Yvette Taillefet, 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 Zeno Bruck and Yvette Taillefet, 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 Zeno Bruck may at any time hereafter marry any woman whom he might lawfully marry if the said marriage with the said Yvette Taillefet had not been solemnized.

Fourth Session, Eighteenth Parliament, 3 George VI, 1939.

THE SENATE OF CANADA

BILL S[2].

An Act for the relief of Esther Steinberg Soloway.

Read a first time, Wednesday, 26th April, 1939.

The Honourable the Chairman of the
Committee on Divorce.

OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
74381 1939

4th Session, 18th Parliament, 3 George VI, 1939.

THE SENATE OF CANADA

BILL S[2].

An Act for the relief of Esther Steinberg Soloway.

Preamble.

WHEREAS Esther Steinberg Soloway, residing at the city of Montreal, in the province of Quebec, tailoress, wife of Moe Soloway, tailor, 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 January, A.D. 1926, at the said city, she then being Esther Steinberg, 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 Steinberg and Moe Soloway, 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 Steinberg may at any time hereafter marry any man whom she might lawfully marry if the said marriage with the said Moe Soloway had not been solemnized.

Fourth Session, Eighteenth Parliament, 3 George VI, 1939.

THE SENATE OF CANADA

BILL T[2].

An Act for the relief of Sarah Sherry Miller.

Read a first time, Wednesday, 26th April, 1939.

The Honourable the Chairman of the
Committee on Divorce.

OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
72909 1939

4th Session, 18th Parliament, 3 George VI, 1939.

THE SENATE OF CANADA

BILL T[2].

An Act for the relief of Sarah Sherry Miller.

Preamble.

WHEREAS Sarah Sherry Miller, residing at the city of Montreal, in the province of Quebec, domestic servant, wife of Norman Leslie Miller, electrician, who is domiciled in Canada and residing at the said city of Montreal, has by her petition alleged that they were married on the thirteenth day of November, A.D. 1926, at the city of Lachine, the said province, she then being Sarah Sherry, 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 Sarah Sherry and Norman Leslie Miller, 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 Sarah Sherry may at any time hereafter marry any man whom she might lawfully marry if the said marriage with the said Norman Leslie Miller had not been solemnized.

Fourth Session, Eighteenth Parliament, 3 George VI, 1939.

THE SENATE OF CANADA

BILL U2.

An Act for the relief of Roberta Copeland Cool Roberts.

Read a first time, Friday, 28th April, 1939.

The Honourable the Chairman of the Committee on Divorce.

OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
73721 1939

4th Session, 18th Parliament, 3 George VI, 1939.

THE SENATE OF CANADA

BILL U[2].

An Act for the relief of Roberta Copeland Cool Roberts.

Preamble.

WHEREAS Roberta Copeland Cool Roberts, residing at the city of Montreal, in the province of Quebec, wife of Clarence MacGregor Roberts, chief 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 twenty-sixth day of December, A.D. 1924, at the city of St. John, in the province of New Brunswick, she then being Roberta Copeland Cool, 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 Roberta Copeland Cool and Clarence MacGregor Roberts, 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 Roberta Copeland Cool may at any time hereafter marry any man whom she might lawfully marry if the said marriage with the said Clarence MacGregor Roberts had not been solemnized.

Fourth Session, Eighteenth Parliament, 3 George VI, 1939.

THE SENATE OF CANADA

BILL V[2].

An Act for the relief of Margaret Maud Turner Bell.

Read a first time, Friday, 28th April, 1939.

The Honourable the Chairman of the
Committee on Divorce.

OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1939

73725

4th Session, 18th Parliament, 3 George VI, 1939.

THE SENATE OF CANADA

BILL V[2].

An Act for the relief of Margaret Maud Turner Bell.

Preamble.

WHEREAS Margaret Maud Turner Bell, residing at the city of Montreal, in the province of Quebec, wife of William Bell, well driller, who is domiciled in Canada and residing at the city of Verdun, in the said province, has by her petition alleged that they were married on the sixteenth day of June, A.D. 1897, at the said city of Montreal, she then being Margaret Maud Turner, 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 Margaret Maud Turner and William Bell, 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 Margaret Maud Turner may at any time hereafter marry any man whom she might lawfully marry if the said marriage with the said William Bell had not been solemnized.

Fourth Session, Eighteenth Parliament, 3 George VI, 1939.

THE SENATE OF CANADA

BILL W[2].

An Act for the relief of Janni Kalmanowitz Rittner.

Read a first time, Friday, 28th April, 1939.

The Honourable the Chairman of the
Committee on Divorce.

OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
73722 1939

4th Session, 18th Parliament, 3 George VI, 1939.

THE SENATE OF CANADA

BILL W2.

An Act for the relief of Janni Kalmanowitz Rittner.

Preamble.

WHEREAS Janni Kalmanowitz Rittner, residing at the city of Montreal, in the province of Quebec, saleswoman, wife of Hymie Rittner, salesman, 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 November, A.D. 1931, at the said city, she then being Janni Kalmanowitz, 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 Janni Kalmanowitz and Hymie Rittner, 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 Janni Kalmanowitz may at any time hereafter marry any man whom she might lawfully marry if the said marriage with the said Hymie Rittner had not been solemnized.

Fourth Session, Eighteenth Parliament, 3 George VI, 1939.

THE SENATE OF CANADA

BILL X[2].

An Act for the relief of Ambrose Tibbitts Aston.

Read a first time, Friday, 28th April, 1939.

The Honourable the Chairman of the
Committee on Divorce.

OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
74233 1939

4th Session, 18th Parliament, 3 George VI, 1939.

THE SENATE OF CANADA

BILL X[2].

An Act for the relief of Ambrose Tibbitts Aston.

Preamble.

WHEREAS Ambrose Tibbitts Aston, domiciled in Canada and residing at the city of Sherbrooke, in the province of Quebec, knitter, has by his petition alleged that on the twenty-third day of September, A.D. 1915, at the said city, he and Jessie May Petts, 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 Ambrose Tibbitts Aston and Jessie May Petts, 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 Ambrose Tibbitts Aston may at any time hereafter marry any woman whom he might lawfully marry if the said marriage with the said Jessie May Petts had not been solemnized.

Fourth Session, Eighteenth Parliament, 3 George VI, 1939.

THE SENATE OF CANADA

BILL Y[2].

An Act for the relief of Anne Ver Trees Hart Acena, O

Read a first time, Friday, 28th April, 1939.

The Honourable the Chairman of the
Committee on Divorce.

OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1939

74382

4th Session, 18th Parliament, 3 George VI, 1939.

THE SENATE OF CANADA

BILL Y2.

An Act for the relief of Anne Ver Trees Hart Acena, O.

Preamble.

WHEREAS Anne Ver Trees Hart Acena, O., residing at the city of Montreal, in the province of Quebec, wife of Jose Guillermo Acena, O., civil engineer, who is domiciled in Canada and residing at the said city, has by her petition alleged that they were married on the fourth day of February, A.D. 1938, at the said city, she then being Anne Ver Trees Hart, 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 Anne Ver Trees Hart and Jose Guillermo Acena, O., 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 Anne Ver Trees Hart may at any time hereafter marry any man whom she might lawfully marry if the said marriage with the said Jose Guillermo Acena, O. had not been solemnized.

Fourth Session, Eighteenth Parliament, 3 George VI, 1939.

THE SENATE OF CANADA

BILL Z².

An Act to incorporate Prescott and Ogdensburg Bridge Company.

Read a first time, Tuesday, 2nd May, 1939.

Honourable Senator LITTLE.

OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
77839 1939

4th Session, 18th Parliament, 3 George VI, 1939.

THE SENATE OF CANADA

BILL Z[2].

An Act to incorporate Prescott and Ogdensburg Bridge Company.

Preamble.

WHEREAS a petition has been presented praying that the persons hereinafter mentioned may be constituted a corporation for the purposes and with the powers hereinafter stated, 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. William Mossman Dubrule, barrister-at-law, Joseph Gerald Dubrule, company manager, Frank Windella Dubrule, company manager, Hildred Louise Dubrule, clerk, and Patrick Kernan Halpin, barrister-at-law, all of the town of Prescott, in the county of Grenville in the said province of Ontario, together with such persons as become shareholders in the company are hereby incorporated under the name of "Prescott and Ogdensburg Bridge Company" hereinafter called "the Company".

Declaratory.

2. The works and undertaking of the Company are declared to be for the general advantage of Canada.

Provisional directors.

3. William Mossman Dubrule, Joseph Gerald Dubrule, Frank Windella Dubrule, Hildred Louise Dubrule and Patrick Kernan Halpin named in section one are constituted the provisional directors of the Company, and they shall have all the powers which are conferred upon directors elected by the shareholders.

Capital stock.

4. The capital stock of the Company shall be five hundred dollars of common stock divided into shares of one hundred dollars each and may be called up by the directors from time to time as they deem necessary.

Head office.

5. The head office of the Company shall be at the town of Prescott, in the county of Grenville, in the province of Ontario, but any general meeting of the shareholders whether annual or special may be held elsewhere in Canada than at the head office of the Company. 5

Annual meeting.

6. The annual meeting of the shareholders shall be held on the first Tuesday in February in each year.

Number of directors.

7. The number of directors shall be five.

Powers to contruct bridge.

8. The Company may construct, maintain and operate a bridge across the St. Lawrence River for the passage 10 of pedestrians, vehicles and carriages and for any other like purpose with all necessary approaches, roads and works, from a point in the town of Prescott, or from a point in the township of Augusta, not more than five miles westerly from the westerly limits of the town of Prescott, or from 15 a point in the township of Edwardsburg not more than five miles easterly from the easterly limits of the town of Prescott, all in the county of Grenville, in the province of Ontario, or from all of the said points over the St. Lawrence River to a point or points in the city of Ogdensburg, or 20 the county of St. Lawrence, in the state of New York, one of the United States of America, so as not to interfere with navigation, and may purchase, acquire and hold such real estate including lands for sidings, bridge heads and other equipment required for the convenient working 25 of traffic to, from and over the said bridge as the Company thinks necessary for any of the said purposes; but the Company shall not commence actual construction of the said bridge nor exercise any of the powers hereunder until an Act of Congress of the United States or other competent 30 authority in the United States of America has been passed authorizing or approving such bridging of the said river, but the Company may in the meantime acquire the lands, submit its plans to the Governor in Council and do all other things authorized by this Act. 35

Expropriation.

9. The Company may:—

(a) Expropriate and take any lands actually required for the construction, maintenance and operation of the bridge or may expropriate and take an easement in, over, under or through such lands without the 40 necessity of acquiring a title in fee simple thereto after the plan of such lands has been approved by the Governor in Council; and all provisions of the *Railway Act* applicable to such taking and acquisition shall apply as if they were included in this Act; and all 45 the provisions of the *Railway Act* which are applicable shall in like manner apply to the ascertainment and

R.S. c. 170.

the payment of the compensation for or damages to land arising out of such taking and acquisition or the construction or maintenance of the works of the Company;

Abandonment of land to reduce damage, and assessment and award of damages.

(b) in reduction of the damage or injury to any lands taken or affected by such authorized works, abandon or grant to the owner or party interested therein, any portion of such lands, or any easement or interest therein, or make any structures, works or alterations in or upon its works for such purposes. And if the Company by its notice of expropriation or some subsequent notice, prior to the first meeting of the arbitrators, specify its decision to take only such easement or undertake to abandon or grant such lands or easement or interest in lands, or to make such structures or works or alterations, the damages (including damages, if any, resulting from the change in the notice of expropriation) shall be assessed by the arbitrator or arbitrators appointed pursuant to the provisions of the *Railway Act*, in view of such specified decisions or undertaking, and the arbitrator or arbitrators shall declare the basis of their award accordingly, and such award, as well as such specified decision or undertaking of the Company, may be enforced by The Board of Transport Commissioners for Canada;

Right of entry and compensation for damages.

(c) enter into and upon any lands, buildings or structures proximate to the said bridge for the purpose of ascertaining the state of repair thereof, and for devising the best means of avoiding any possible damage which the execution of the authorized works might occasion thereto, and make upon or in connection therewith any works, repairs or renewals, for the purpose of preventing or mitigating any such damage, and the Company shall make compensation in the manner specified in the *Railway Act*, to all persons interested for the damage sustained by them (if any) by reason of the exercise of the powers in this clause contained; and section two hundred and thirty-nine of the *Railway Act*, shall apply to the exercise of the powers in this clause granted so far as is necessary to enable the Company to carry them into effect.

R.S. c. 170.

Location of bridge.

Approval of plans by Governor in Council.

10. Subject to the provisions of section eight as to location, the said bridge 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 the bridge, 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 shall not be built or commenced; and if any change is made in the plans of the said bridge during its construction, 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.

Bonding powers.

11. (1) The Company may issue bonds, debentures or other securities in aid of the construction herein mentioned, to an amount not exceeding four and one-half million dollars.

Mortgages.

(2) For the purpose of securing the issue of such bonds the Company may execute a mortgage or mortgages, not inconsistent with law or with the provisions of this Act, in such form and containing such provisions as are approved by a resolution passed at a special meeting of the shareholders called for the purpose.

Tolls and revenues.

(3) The Company may charge and bind the tolls and revenues of the property to which any such mortgage relates in the manner and to the extent therein specified.

Interest, on bonds, etc.

(4) The bonds, debentures and other securities of the Company, or any of the companies referred to in sections sixteen and seventeen may, pursuant to any arrangement in that behalf, be made payable at such times and in such manner and at such place or places in Canada, or elsewhere, and may bear such rate of interest not exceeding seven per centum per annum as the directors think proper.

Power to issue shares as paid-up stock in payment of required properties.

12. 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 director; and any such issue or allotment of stock shall be binding upon the Company and such stock shall be not 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.

May accept grants.

13. The Company may receive by grant from any government, municipality or persons, as aid in the construction, equipment and maintenance of the said bridge and works connected therewith, any real or personal estate or property, or any sums of money, debentures or subsidies,

either as gifts by way of bonus or guarantee, or in payment or as subventions for services and may dispose thereof, and may alienate such of the said property as is not required for the purposes of the Company in carrying out the provisions of this Act. 5

Tolls.
R.S. c. 170.

14. Subject to the provisions of the *Railway Act*, the Company may charge tolls for the use of the said bridge, approaches and facilities and may regulate the tolls to be charged.

Amalgamation with other companies.

15. The Company may make agreements with any 10 company, body or commission, incorporated or created under the laws of Canada or under the laws of the United States, or the state of New York, respecting the financing, controlling, construction, maintenance and use of the said bridge and its appurtenances and acquiring the 15 approaches and lands therefor in New York, as well as in Canada, and may unite with any such company, body or commission in financing, controlling, building, working, managing, maintaining and using the said bridge, terminals and approaches, and may amalgamate with any such com- 20 pany, body or commission on such terms and conditions as may be agreed upon and subject to such restrictions as the directors deem fit, and may assign, transfer and convey to any such company, body, or commission at any time before the completion of said bridge, such part, if any, 25 of the said bridge as may then have been constructed, and all rights and powers acquired by the Company, including those rights and powers acquired under this Act, and also all the franchises, surveys, plans, works, plant, machinery and other property to it belonging, 30 upon such terms and conditions as may be agreed upon by the directors; provided that such agreement or agreements, amalgamation, union, assignment, transfer or conveyance shall have been first approved by the holders of two-thirds of the shares at a special general meeting of the shareholders, 35 duly called for the purpose of considering it, at which meeting shareholders representing at least two-thirds in number of the subscribed shares of the Company are present, or represented by proxy, and that such agreement or agreements, amalgamation, union, assignment, transfer or 40 conveyance shall also have received the sanction of the Governor in Council and certified copies thereof shall be filed forthwith in the office of the Secretary of State for Canada.

Agreement for amalgamation.

16. Upon an amalgamation agreement being sanc- 45 tioned by the Governor in Council under the last preceding section, the companies or parties to such agreement,

shall be amalgamated, and shall form one company or body under the name and upon the terms and conditions in such agreement provided; and the amalgamated companies or parties shall possess and be vested with the undertakings, powers, rights, privileges, franchises and properties, real, personal and mixed, belonging to, possessed by, or vested in the companies or parties to such agreement, or either of them, or to which they or either of them may be or become entitled, and shall be liable for all claims, debts, obligations, works, contracts, agreements or duties, to as full an extent as the said companies or parties were or either of them was at the time the said amalgamation took effect.

Borrowing powers.

17. Subject to the approval of the Governor in Council, the said new or amalgamated company or body may from time to time borrow such sums of money, not exceeding four and one-half million dollars, as may be necessary for constructing and completing the said bridge, and for the acquiring of the necessary lands therefor, and may mortgage its property, assets, rents and revenues, present and future, or such portion thereof as may be described in the mortgage deed, to secure the payment thereof.

Securing payment of bonds.

18. The Company, in lieu of issuing its own bonds or other securities, shall have power to mortgage, pledge or hypothecate all its assets and undertakings, rights, franchises, and privileges, both present and future, jointly and in conjunction with any of the companies or bodies referred to in sections fifteen, sixteen and seventeen of this Act, to secure payment of any bonds or other securities issued by such other company or body for the joint purposes of the Company and such other company or body in connection with the construction of the said bridge under any arrangement which may be entered into between the Company and such other company or body in respect thereof, and to execute and deliver mortgages or deeds of trust by way of mortgage to secure such payment; provided always that the Company shall not mortgage, pledge or hypothecate its assets, undertakings, rights, franchises and privileges or secure payment of any bonds or other securities to a greater amount than four and one-half million dollars.

Time for commencement and completion of bridge.

19. The bridge shall be commenced within three years after the Governor in Council and the Executive of the United States or other competent authority therein, have 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 the undertaking as then remains uncompleted: 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 the said bridge shall cease and be null and void. 5

Proviso.

When property, etc. to be conveyed to Dominion.

20. When the corporate obligations and stock of the Company and of any of the companies or bodies mentioned in sections fifteen, sixteen, seventeen and eighteen of this Act, with which this Company shall join or unite in the construction of said bridge, have been retired, in the manner 10 prescribed in their by-laws, then such bridge and the approaches thereto and all appurtenant structures, property, property rights and franchises, so far as the same are located within the United States, shall be conveyed by the said Company, its successors and assigns, without 15 costs or expense to the state of New York or to such municipality or agency of the state of New York as the legislature of said state may designate, and so far as the same is situated within the Dominion of Canada shall be conveyed, without cost or expense, to the Dominion of Canada 20 or to such province, municipality or agency thereof as the Governor in Council may designate, and all rights, title, and interest of said Company, its successors and assigns, therein shall then cease and determine: Provided always that the period for payment of the obligations of the com- 25 panies or bodies and the retirement of their capital stock and any extension thereof and the provisions of the companies, or bodies by-laws in respect thereof shall have been previously approved by the Governor in Council.

Proviso.

Rights of municipalities saved.

21. Notwithstanding anything in this Act the Com- 30 pany shall not locate, construct or operate any of the works mentioned in this Act upon or connect the same with any highway, street or other public place, without first obtaining the consent expressed by by-law, of the municipality having jurisdiction over such highway, street 35 or other public place, and upon terms to be agreed upon with such municipality, and failing such consent, within sixty days from the date of the request made in writing by the Company for such consent to the said municipality, then upon such terms as are fixed by The Board of Trans- 40 port Commissioners for Canada.

Labour and materials.

22. The employment of labour in the construction, maintenance and supervision of the said bridge so far as the Canadian section is concerned, shall be subject to the terms and conditions of *The Fair Wages and Hours of* 45 *Labour Act, 1935.*

Canadian materials and labour must be used in the construction of the said bridge so far as the Canadian

section is concerned, and a certified statement shall be sent weekly to the Department of Labour giving the names and addresses of firms supplying materials and the quantity thereof.

"Bridge" defined.

23. Whenever in this Act the expression "the said bridge" occurs, it means the bridge, approaches, lands, works and facilities hereby authorized. 5

The Companies Act, 1934, to apply.

1934, c. 33.

24. *The Companies Act, 1934,* shall so far as it is not inconsistent with the provisions of this Act apply to the Company. 10

Fourth Session, Eighteenth Parliament, 3 George VI, 1939.

THE SENATE OF CANADA

BILL A[3].

An Act for the relief of Dorothy Boretsky Pozomick.

Read a first time, Tuesday, 2nd May, 1939.

The Honourable the Chairman of the
Committee on Divorce.

OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1939

72310

4th Session, 18th Parliament, 3 George VI, 1939.

THE SENATE OF CANADA

BILL A[3].

An Act for the relief of Dorothy Boretsky Pozomick.

Preamble.

WHEREAS Dorothy Boretsky Pozomick, residing at the city of Outremont, in the province of Quebec, stenographer, wife of Hy David Pozomick, otherwise known as Hy David Singer, furrier, 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 Dorothy Boretsky, 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 Dorothy Boretsky and Hy David Pozomick, otherwise known as Hy David Singer, 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 Dorothy Boretsky may at any time hereafter marry any man whom she might lawfully marry if the said marriage with the said Hy David Pozomick, otherwise known as Hy David Singer had not been solemnized.

Fourth Session, Eighteenth Parliament, 3 George VI, 1939.

THE SENATE OF CANADA

BILL B³.

An Act for the relief of Elsie Victoria Oliver.

Read a first time, Tuesday, 2nd May, 1939.

The Honourable the Chairman of the
Committee on Divorce.

OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
72905 1939

4th Session, 18th Parliament, 3 George VI, 1939.

THE SENATE OF CANADA

BILL B[3].

An Act for the relief of Elsie Victoria Oliver.

Preamble.

WHEREAS Elsie Victoria Oliver, residing at the city of Toronto, in the province of Ontario, clerk, wife of Archie Oliver, pressman, who is domiciled in Canada and formerly resided at the city of Montreal, in the province of Quebec, has by her petition alleged that they were married on the seventh day of February, A.D. 1921, at the city of Detroit, in the state of Michigan, one of the United States of America, she then being Elsie Victoria Knee, 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 Elsie Victoria Knee and Archie Oliver, 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 Elsie Victoria Knee may at any time hereafter marry any man whom she might lawfully marry if the said marriage with the said Archie Oliver had not been solemnized.

Fourth Session, Eighteenth Parliament, 3 George VI, 1939.

THE SENATE OF CANADA

BILL C[3].

An Act for the relief of Doris Mabel Casselman.

Read a first time, Tuesday, 2nd May, 1939.

The Honourable the Chairman of the Committee on Divorce.

OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1939

73741

4th Session, 18th Parliament, 3 George VI, 1939.

THE SENATE OF CANADA

BILL C[3].

An Act for the relief of Doris Mabel Casselman.

Preamble.

WHEREAS Doris Mabel Casselman, residing at the city of Liverpool, England, wife of Alfred Farlinger Casselman, accountant, 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 twenty-fifth day of November, A.D. 1919, at the said city of Liverpool, she then being Doris Mabel Simpson, 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 Doris Mabel Simpson and Alfred Farlinger Casselman, 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 Doris Mabel Simpson may at any time hereafter marry any man whom she might lawfully marry if the said marriage with the said Alfred Farlinger Casselman had not been solemnized.

Fourth Session, Eighteenth Parliament, 3 George VI, 1939.

THE SENATE OF CANADA

BILL D³.

An Act for the relief of Kathleen Emma Gladys Smart Higginbotham.

Read a first time, Tuesday, 2nd May, 1939.

The Honourable the Chairman of the Committee on Divorce.

OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1939

74807

4th Session, 18th Parliament, 3 George VI, 1939.

THE SENATE OF CANADA

BILL D[3].

An Act for the relief of Kathleen Emma Gladys Smart Higginbotham.

Preamble.

WHEREAS Kathleen Emma Gladys Smart Higginbotham, residing at the city of Montreal, in the province of Quebec, wife of Frederick Norman Higginbotham, bookkeeper, 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 May, A.D. 1922, at the said city, she then being Kathleen Emma Gladys Smart, 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 Kathleen Emma Gladys Smart and Frederick Norman Higginbotham, 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 Kathleen Emma Gladys Smart may at any time hereafter marry any man whom she might lawfully marry if the said marriage with the said Frederick Norman Higginbotham had not been solemnized.

Fourth Session, Eighteenth Parliament, 3 George VI, 1939.

THE SENATE OF CANADA

BILL E³.

An Act for the relief of Rose Edith Winer Bazar.

Read a first time, Tuesday, 2nd May, 1939.

The Honourable the Chairman of the
Committee on Divorce.

OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
74811 1939

4th Session, 18th Parliament, 3 George VI, 1939.

THE SENATE OF CANADA

BILL E³.

An Act for the relief of Rose Edith Winer Bazar.

Preamble.

WHEREAS Rose Edith Winer Bazar, residing at the city of Outremont, in the province of Quebec, wife of Lewis W. Bazar, merchant, 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 thirtieth day of January, A.D. 1923, at the said city of Montreal, she then being Rose Edith Winer, 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 Rose Edith Winer and Lewis W. Bazar, 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 Rose Edith Winer may at any time hereafter marry any man whom she might lawfully marry if the said marriage with the said Lewis W. Bazar had not been solemnized.

Fourth Session, Eighteenth Parliament, 3 George VI, 1939.

THE SENATE OF CANADA

BILL F³.

An Act for the relief of Audrey Elizabeth Logan Williams.

AS PASSED BY THE SENATE, 4th MAY, 1939.

OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1939

76008

4th Session, 18th Parliament, 3 George VI, 1939.

THE SENATE OF CANADA

BILL F[3].

An Act for the relief of Audrey Elizabeth Logan Williams.

Preamble.

WHEREAS Audrey Elizabeth Logan Williams, residing at the city of Montreal, in the province of Quebec, wife of John Harold Williams, carrier of merchandise, who is domiciled in Canada and residing at the said city, has by her petition alleged that they were married on the fourth day of May, A.D. 1926, at the said city, she then being Audrey Elizabeth Logan, 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 Audrey Elizabeth Logan and John Harold Williams, 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 Audrey Elizabeth Logan may at any time hereafter marry any man whom she might lawfully marry if the said marriage with the said John Harold Williams had not been solemnized.

Fourth Session, Eighteenth Parliament, 3 George VI, 1939.

THE SENATE OF CANADA

BILL G³.

An Act for the relief of Winnifred May Routledge Nilsson.

AS PASSED BY THE SENATE, 4th MAY, 1939.

OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
72731 1939

4th Session, 18th Parliament, 3 George VI, 1939.

THE SENATE OF CANADA

BILL G³.

An Act for the relief of Winnifred May Routledge Nilsson.

Preamble.

WHEREAS Winnifred May Routledge Nilsson, residing at the city of Montreal, in the province of Quebec, stenographer, wife of Finn Deleuran Nilsson, 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 eighteenth day of September, A.D. 1931, at the city of Westmount, in the said province, she then being Winnifred May Routledge, 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 Winnifred May Routledge and Finn Deleuran Nilsson, 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 Winnifred May Routledge may at any time hereafter marry any man whom she might lawfully marry if the said marriage with the said Finn Deleuran Nilsson had not been solemnized.

127

Fourth Session, Eighteenth Parliament, 3 George VI, 1939.

THE SENATE OF CANADA

BILL H³.

An Act for the relief of Ernest James Feasey.

AS PASSED BY THE SENATE, 4th MAY, 1939.

OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
74817 1939

4th Session, 18th Parliament, 3 George VI, 1939.

THE SENATE OF CANADA

BILL H[3].

An Act for the relief of Ernest James Feasey.

Preamble.

WHEREAS Ernest James Feasey, domiciled in Canada and residing at the city of Westmount, in the province of Quebec, engineer, has by his petition alleged that on the twenty-third day of December, A.D. 1919, at the city of London, England, he and Florence Sarah Skepper, who was then of the said city of London, 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 Ernest James Feasey and Florence Sarah Skepper, 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 Ernest James Feasey may at any time hereafter marry any woman whom he might lawfully marry if the said marriage with the said Florence Sarah Skepper had not been solemnized.

Fourth Session, Eighteenth Parliament, 3 George VI, 1939.

THE SENATE OF CANADA

BILL I[3].

An Act for the relief of Ethel Jean Peters.

AS PASSED BY THE SENATE, 4th MAY, 1939.

OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1939

74391

4th Session, 18th Parliament, 3 George VI, 1939.

THE SENATE OF CANADA

BILL I[3].

An Act for the relief of Ethel Jean Peters.

Preamble.

WHEREAS Ethel Jean Peters, residing at the city of London, England, wife of Paul Ernest Vieregge Peters, management engineer, 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 tenth day of January, A.D. 1925, at the city of Ottawa, in the province of Ontario, she then being Ethel Jean Southam, 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 Jean Southam and Paul Ernest Vieregge Peters, 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 Jean Southam may at any time hereafter marry any man whom she might lawfully marry if the said marriage with the said Paul Ernest Vieregge Peters had not been solemnized.

Fourth Session, Eighteenth Parliament, 3 George VI, 1939.

THE SENATE OF CANADA

BILL J³.

An Act for the relief of Eva Clara Doe Durrell.

AS PASSED BY THE SENATE, 4th MAY, 1939.

OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
72922 1939

4th Session, 18th Parliament, 3 George VI, 1939.

THE SENATE OF CANADA

BILL J³.

An Act for the relief of Eva Clara Doe Durrell.

Preamble.

WHEREAS Eva Clara Doe Durrell, residing at the village of Fulford, in the county of Brome, in the district of Bedford, in the province of Quebec, wife of Harry William Durrell, railway employee, who is domiciled in Canada and residing in the said district of Bedford, has by her petition alleged that they were married on the fourteenth day of May, A.D. 1912, at the town of Troy, in the state of Vermont, one of the United States of America, she then being Eva Clara Doe, 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 Eva Clara Doe and Harry William Durrell, 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 Eva Clara Doe may at any time hereafter marry any man whom she might lawfully marry if the said marriage with the said Harry William Durrell had not been solemnized.

Fourth Session, Eighteenth Parliament, 3 George VI, 1939.

THE SENATE OF CANADA

BILL K³.

An Act for the relief of Harold Morris.

AS PASSED BY THE SENATE, 8th MAY, 1939.

OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
72919 1939

4th Session, 18th Parliament, 3 George VI, 1939.

THE SENATE OF CANADA

BILL K³.

An Act for the relief of Harold Morris.

Preamble.

WHEREAS Harold Morris, domiciled in Canada and residing at the city of Montreal, in the province of Quebec, musician, has by his petition alleged that on the fifth day of March, A.D. 1929, at the city of Westmount, in the said province, he and Jennette Gold, who was then of the said city of Montreal, 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 Harold Morris and Jennette Gold, 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 Harold Morris may at any time hereafter marry any woman whom he might lawfully marry if the said marriage with the said Jennette Gold had not been solemnized.

Fourth Session, Eighteenth Parliament, 3 George VI, 1939.

THE SENATE OF CANADA

BILL L³.

An Act for the relief of Philippe Emile Collette.

AS PASSED BY THE SENATE, 8th MAY, 1939.

OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
77362 1939

4th Session, 18th Parliament, 3 George VI, 1939.

THE SENATE OF CANADA

BILL L³.

An Act for the relief of Philippe Emile Collette.

Preamble.

WHEREAS Philippe Emile Collette, domiciled in Canada and residing at the city of Montreal, in the province of Quebec, manufacturer, has by his petition alleged that on the twenty-ninth day of April, A.D. 1920, at the said city, he and Laure Ernestine Gauthier, 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 Philippe Emile Collette and Laure Ernestine Gauthier, 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 Philippe Emile Collette may at any time hereafter marry any woman whom he might lawfully marry if the said marriage with the said Laure Ernestine Gauthier had not been solemnized.

Fourth Session, Eighteenth Parliament, 3 George VI, 1939.

THE SENATE OF CANADA

BILL M³.

An Act for the relief of Muriel Suckling Brown.

AS PASSED BY THE SENATE, 8th MAY, 1939.

OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
77937 1939

4th Session, 18th Parliament, 3 George VI, 1939.

THE SENATE OF CANADA

BILL M3.

An Act for the relief of Muriel Suckling Brown.

Preamble.

WHEREAS Muriel Suckling Brown, residing at the city of Westmount, in the province of Quebec, wife of James Howard Brown, clerk, 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 sixteenth day of August, A.D. 1930, at the said city of Montreal, she then being Muriel Suckling, 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 Muriel Suckling and James Howard 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 Muriel Suckling may at any time hereafter marry any man whom she might lawfully marry if the said marriage with the said James Howard Brown had not been solemnized.

Fourth Session, Eighteenth Parliament, 3 George VI, 1939.

THE SENATE OF CANADA

BILL N³.

An Act for the relief of Lucy Violet Siggins Hopson.

AS PASSED BY THE SENATE, 23rd MAY, 1939.

OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
74643 1939

4th Session, 18th Parliament, 3 George VI, 1939.

THE SENATE OF CANADA

BILL N3.

An Act for the relief of Lucy Violet Siggins Hopson.

Preamble.

WHEREAS Lucy Violet Siggins Hopson, residing at the city of Ottawa, in the province of Ontario, stenographer, wife of Albert Hopson, contractor, who is domiciled in Canada and residing at the village of Val Tetreau, in the county of Hull, in the province of Quebec, has by her petition alleged that they were married on the seventeenth day of July, A.D. 1913, at the said city, she then being Lucy Violet Siggins, 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 Lucy Violet Siggins and Albert Hopson, 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 Lucy Violet Siggins may at any time hereafter marry any man whom she might lawfully marry if the said marriage with the said Albert Hopson had not been solemnized.