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# H O U S E  O F  C O M M O N S

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## COPIES OF ALL HOUSE OF COMMONS BILLS INTRODUCED DURING THE SESSION 1 9 1 8.

DROPPED BILLS. Bills which were introduced in the House of Commons but which, for various reasons, did not pass both Houses, are listed at the beginning of this Volume.

# D R O P P E D  B I L L S

## HOUSE OF COMMONS

## 1 9 1 8

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Number

16 Customs, Temporary control Imports and Exports.

25 Bankruptcy Act.

26 Representation Act, 1914, To amend,

30 Indian Tribes of Canada.

31 Railway Act. To amend,

33 Brazeau Collieries, Limited.

35 Ottawa Gas Company.

62 Insurance Act, 1917. To amend,

68 Dominion Elections Act. To amend,

110 Public Service. To make provision for aged and infirm members of,

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# BILLS NOT INCLUDED IN THIS BOOK

The following Bills, although introduced in the House of Commons, originated in the Senate, and will be found in the Senate Billbook:-

| | | |
|---|---|---|
| 70 (A) | 89(E) | 99 (W) |
| 71 (B) | 90(I) | 100 (X) |
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| 88 (C) | 98(V) | |

First Session, Thirteenth Parliament, 8–9 George V, 1918.

THE HOUSE OF COMMONS OF CANADA

# BILL 2.

An Act to authorize Rearrangements and Transfers of duties in the Public Service.

First Reading, March 20, 1918.

The PRIME MINISTER.

OTTAWA
J. DE LABROQUERIE TACHÉ
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
36831—1 1918

1st Session, 13th Parliament, 8-9 George V, 1918.

THE HOUSE OF COMMONS OF CANADA.

# BILL 2.

An Act to authorize Rearrangements and Transfers of duties in the Public Service.

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

Transfers from one Minister to another and from one department to another.

Amalgamate departments.

**1.** (1) The Governor in Council shall have power,—

(*a*) to transfer any powers, duties or functions or the control or supervision of any part of the public service from one Minister of the Crown to any other Minister of the Crown, or from one Department or portion of the public service to any other Department or portion of the public service; or

(*b*) to amalgamate and combine any two or more Departments under one Minister of the Crown and under one Deputy Minister.

Orders hereunder to be laid before Parliament.

(2) All orders made by the Governor in Council under the provisions of this Act shall be laid before both Houses of Parliament within fifteen days after they are made if Parliament is then sitting, and if not, then within fifteen days from the commencement of the next ensuing session of Parliament.

First Session, Thirteenth Parliament, 8-9 George V, 1918.

THE HOUSE OF COMMONS OF CANADA

# BILL 2.

An Act to authorize Rearrangements and Transfers of duties in the Public Service.

**AS PASSED BY THE HOUSE OF COMMONS, 22nd MARCH, 1918.**

OTTAWA
J. DE LABROQUERIE TACHÉ
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
36831—1 1918

1st Session, 13th Parliament, 8-9 George V, 1918.

# THE HOUSE OF COMMONS OF CANADA.

# BILL 2.

An Act to authorize Rearrangements and Transfers of duties in the Public Service.

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

Transfers from one Minister to another and from one department to another.

Amalgamate departments.

Orders hereunder to be laid before Parliament.

**1.** (1) The Governor in Council shall have power,—

(*a*) to transfer any powers, duties or functions or the control or supervision of any part of the public service from one Minister of the Crown to any other Minister of the Crown, or from one Department or portion of the public service to any other Department or portion of the public service; or,

(*b*) to amalgamate and combine any two or more Departments under one Minister of the Crown and under one Deputy Minister.

(2) All orders made by the Governor in Council under the provisions of this Act shall be laid before both Houses of Parliament within fifteen days after they are made if Parliament is then sitting, and if not, then within fifteen days from the commencement of the next ensuing session of Parliament.

First Session, Thirteenth Parliament, 8-9 George V, 1918.

THE HOUSE OF COMMONS OF CANADA

# BILL 3.

An Act to confer the Electoral Franchise upon Women.

First Reading, March 20, 1918.

The PRIME MINISTER.

OTTAWA
J. DE LABROQUERIE TACHÉ
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1918

1st Session, 13th Parliament, 8-9 George V, 1918.

# THE HOUSE OF COMMONS OF CANADA.

# BILL 3.

An Act to confer the Electoral Franchise upon Women.

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

Women to be entitled to vote.

**1.** (1) Every female person shall be entitled to vote at a Dominion election who,—

Qualifcations.

(*a*) is a British subject;

(*b*) is of the full age of twenty-one years and upwards;

(*c*) has resided in the constituency in which she seeks to vote for a period of at least three months immediately preceding the date of the issue of the writ for an election in such constituency; and,

(*d*) is not disqualified on account of race, blood or original nationality to vote at elections for members of the Legislative Assembly of the province in which the constituency is situate in which such female person seeks to vote.

When a woman is a British subject for purposes of this Act.

(2) For the purposes of this Act a female person shall be deemed to be a British subject,—

(*a*) if she was born a British subject and is unmarried or is married to a British subject, and has not become a subject of any foreign power; or,

(*b*) if she has herself been personally naturalized as a British subject and has not since become the subject of a foreign power; or,

(*c*) if, being a married woman and previously an alien, she has become a British subject by marriage, or by the naturalization as a British subject of her father while she was a minor, and in either case has done nothing (other than in the second case by marriage) to forfeit or lose her status as a British subject, and obtains and presents to the official in charge of the the preparation or revision of the voters' lists of the said constituency a certificate under the signature of a judge or any court of record or of any superior

court, under the seal of the said court, certifying that such female person is of the full age of twenty-one years, has resided in Canada a sufficient length of time, and is possessed of all requirements necessary to entitle her, if unmarried, to become naturalized as a British subject, and that she has taken the oath of allegiance to His Majesty; or,

(*d*) if, notwithstanding she is married to an alien, she was at the time of such marriage a British subject by birth and has not herself sworn allegiance to any foreign power: Provided, however, that this paragraph shall not apply to the wife of an alien enemy.

Act to be construed one with the Dominion Elections Act and The War-time Elections Act.

**2.** This Act shall be construed as one with the *Dominion Elections Act*, chapter six of the Revised Statutes of Canada, 1906, and *The War-time Elections Act*, chapter thirty-nine of the statutes of 1917.

First Session, Thirteenth Parliament, 8-9 George V, 1918.

THE HOUSE OF COMMONS OF CANADA

# BILL 3.

An Act to confer the Electoral Franchise upon Women.

**(Reprinted as proposed to be amended.)**

The PRIME MINISTER.

OTTAWA
J. DE LABROQUERIE TACHÉ
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1918

1st Session, 13th Parliament, 8-9 George V, 1918.

THE HOUSE OF COMMONS OF CANADA.

# BILL 3.

An Act to confer the Electoral Franchise upon Women.

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

Women to be entitled to vote.

**1.** (1) Every female person shall be entitled to vote at a Dominion election who,—

Qualifications.

(*a*) is a British subject;

(*b*) is of the full age of twenty-one years and upwards;

(*c*) possesses the qualifications which would entitle a male person to vote at a Dominion Election in the province in which said female person seeks to vote: Provided that a married woman or an unmarried daughter living with her father or mother shall be deemed to have any necessary qualification as to property or income if the husband or either of the parents is so qualified.

When a woman is a British subject for purposes of this Act.

(2) For the purposes of this Act a female person shall be deemed to be a British subject,—

(*a*) if she was born a British subject and is unmarried or is married to a British subject, and has not become a subject of any foreign power; or,

(*b*) if she has herself been personally naturalized as a British subject and has not since become the subject of a foreign power; or,

(*c*) if she has become a British subject by marriage, or by the naturalization as a British subject of her parent while she was a minor, and in either case has done nothing (other than in the second case by marriage) to forfeit or lose her status as a British subject, and obtains and presents to the official in charge of the preparation or revision of the voters' lists of the said constituency while he is so engaged in such preparation or revision a certificate under the signature of a judge or any court of record or of any superior court, under the seal of the said court, certifying that such female person is of the full age of twenty-one

years, has resided in Canada a sufficient length of time, and is possessed of all requirements necessary to entitle her, if unmarried, to become naturalized as a British subject, and that she has taken the oath of allegiance to His Majesty; or,

(*d*) if, notwithstanding she is married to an alien, she was at the time of such marriage a British subject by birth and has not herself sworn allegiance to any foreign power: Provided, however, that this paragraph shall not apply to the wife of an alien enemy.

Act to be construed one with the Dominion Elections Act and The War-time Elections Act.

**2.** This Act shall be construed as one with the *Dominion Elections Act*, chapter six of the Revised Statutes of Canada, 1906, and *The War-time Elections Act*, chapter thirty-nine of the statutes of 1917, and in each of the said Acts the expression "person" or "male person," or any similar expression, shall include a female person, unless a different meaning is required by the context or by the terms of this Act.

First Session, Thirteenth Parliament, 8–9 George V, 1918.

THE HOUSE OF COMMONS OF CANADA

# BILL 3.

An Act to confer the Electoral Franchise upon Women.

**AS PASSED BY THE HOUSE OF COMMONS,**
**12th APRIL, 1918.**

OTTAWA
J. DE LABROQUERIE TACHÉ
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1918

1st Session, 13th Parliament, 8-9 George V, 1918.

THE HOUSE OF COMMONS OF CANADA.

# BILL 3.

An Act to confer the Electoral Franchise upon Women.

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

Women to be entitled to vote.

**1.** (1) Every female person shall be entitled to vote at a Dominion election who,—

Qualifications.

(*a*) is a British subject;

(*b*) is of the full age of twenty-one years and upwards;

(*c*) possesses the qualifications which would entitle a male person to vote at a Dominion Election in the province in which said female person seeks to vote: Provided that a married woman or an unmarried daughter living with her father or mother shall be deemed to have any necessary qualification as to property or income if the husband or either of the parents is so qualified.

When a woman is a British subject for purposes of this Act.

(2) For the purposes of this Act a female person shall be deemed to be a British subject,—

(*a*) if she was born a British subject and is unmarried or is married to a British subject, and has not become a subject of any foreign power; or,

(*b*) if she has herself been personally naturalized as a British subject and has not since become the subject of a foreign power; or,

(*c*) if she has become a British subject by marriage, or by the naturalization as a British subject of her parent while she was a minor, and in either case has done nothing (other than in the second case by marriage) to forfeit or lose her status as a British subject, and obtains and presents to the official or officials in charge of the preparation or revision of the voters' lists of the constituency while he is so engaged in such preparation or revision a certificate under the signature of a judge of any court of record or of any superior court, under the seal of the said court, certifying that such female person is of the full age of twenty-one

years, has resided in Canada a sufficient length of time, and is possessed of all requirements necessary to entitle her, if unmarried, to become naturalized as a British subject, and that she has taken the oath of allegiance to His Majesty; or,

(*d*) if, notwithstanding she is married to an alien, she was at the time of such marriage a British subject by birth and has not herself sworn allegiance to any foreign power: Provided, however, that this paragraph shall not apply to the wife of an alien enemy.

Act to be construed one with the Dominion Elections Act and The War-time Elections Act.

**2.** This Act shall be construed as one with the *Dominion Elections Act*, chapter six of the Revised Statutes of Canada, 1906, and *The War-time Elections Act*, chapter thirty-nine of the statutes of 1917, and in each of the said Acts the expression "person" or "male person," or any similar expression, shall include a female person, unless a different meaning is required by the context or by the terms of this Act.

New voters' lists for bye-elections in 1918 not required.

**3.** Notwithstanding anything in this Act contained, it shall not be necessary by reason of any of the provisions thereof, to prepare new voters' lists for the purpose of any bye-election to be held before the first day of January, 1919, and in the case of any such bye-election any lawful lists available therefor may be used for the purposes of such bye-election to the same extent and with the same validity as if this Act had not been passed.

First Session, Thirteenth Paliament, 8–9 George V, 1918.

THE HOUSE OF COMMONS OF CANADA

# BILL 4.

An Act to provide for the time in Canada being in advance of the Solar Mean Time during the Summer Months.

First Reading, March 20, 1918.

The MINISTER OF TRADE AND COMMERCE.

OTTAWA
J. DE LABROQUERIE TACHÉ
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
33832—1 1918

1st Session, 13th Parliament, 8-9 George V, 1918.

THE HOUSE OF COMMONS OF CANADA.

# BILL 4.

An Act to provide for the time in Canada being in advance of the solar mean time during the summer months.

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 Daylight Saving Act, 1918.*

Time advanced one hour.

**2.** During the prescribed period in each year in which this Act is in force, the time, for general purposes in Canada, shall be one hour in advance of the solar mean time.

Annual enforcement.

**3.** This Act shall be in force in each year during such time as may be prescribed by the Governor in Council.

Interpretation of expression of time.

**4.** Wherever any expression of time occurs in any statute, order in council, order, regulation, rule or by-law, or in any deed, time-table, notice, advertisement or other document, the fixing of the time with respect to which is within the legislative jurisdiction of the Parliament of Canada, the time mentioned or referred to shall be held during the prescribed period, to be the time as fixed by this Act.

Adjustment to meet special conditions.

Provided, that where, in consequence of this Act, it is expedient that any time fixed by any by-law, regulation or other instrument should be adjusted, and such adjustment cannot be effected except after the lapse of a certain interval or on compliance with certain conditions, the Governor in Council may, on the application of the body or person by whom the by-law, regulation or other instrument was made or is administered, make such adjustment from the time so fixed as in the circumstances may seem to the Governor in Council proper.

Power of Railway Board to

**5.** The Board of Railway Commissioners for Canada shall have power to advance by one hour the standard time

advance standard time one hour.

used by railway companies in Canada for such period as may be prescribed by the said Board, and to make such orders as may be necessary for the convenient carrying out of the provisions of this Act in so far as railway companies may be affected thereby.

First Session, Thirteenth Paliament, 8–9 George V, 1918.

THE HOUSE OF COMMONS OF CANADA

# BILL 4.

An Act to provide for the time in Canada being in advance of the accepted Standard Time during the Summer Months.

AS PASSED BY THE HOUSE OF COMMONS, 4th APRIL, 1918.

OTTAWA
J. DE LABROQUERIE TACHÉ
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
38271—1 1918

1st Session, 13th Parliament, 8-9 George V, 1918.

THE HOUSE OF COMMONS OF CANADA

# BILL 4.

An Act to provide for the time in Canada being in advance of the accepted Standard Time during the Summer Months.

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 Daylight Saving Act, 1918.*

Time advanced one hour.

**2.** During the prescribed period in each year in which this Act is in force, the time, for general purposes in Canada, in each province, shall be one hour in advance of the time which under the law of the province is the time prescribed for such province, and, if there is no time so prescribed, of the accepted standard time.

Annual enforcement.

**3.** This Act shall be in force during the present year for such time as may be prescribed by the Governor in Council.

Interpretation of expression of time.

**4.** Wherever any expression of time occurs in any statute, order in council, order, regulation, rule or by-law, or in any deed, time-table, notice, advertisement or other document, the fixing of the time with respect to which is within the legislative jurisdiction of the Parliament of Canada, the time mentioned or referred to shall be held during the prescribed period, to be the time as fixed by this Act.

Adjustment to meet special conditions.

Provided, that where, in consequence of this Act, it is expedient that any time fixed by any by-law, regulation or other instrument should be adjusted, and such adjustment cannot be effected except after the lapse of a certain interval or on compliance with certain conditions, the Governor in Council may, on the application of the body or person by whom the by-law, regulation or other instrument was made or is administered, make such adjustment from the time so

fixed as in the circumstances may seem to the Governor in Council proper.

Power of Railway Board to advance standard time one hour.

**5.** The Board of Railway Commissioners for Canada shall have power to advance by one hour the standard time used by railway companies, including Government railways, in Canada for such period as may be prescribed by the said Board, and to make such orders as may be necessary for the convenient carrying out of the provisions of this Act in so far as railway companies may be affected thereby.

First Session, Thirteenth Parliament, 8–9 George V, 1918.

THE HOUSE OF COMMONS OF CANADA

# BILL 5.

An Act to amend The Dominion Lands Act.

First Reading, March 20, 1918.

The MINISTER OF THE INTERIOR.

OTTAWA
J. DE LABROQUERIE TACHÉ
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
36940—1 1918

1st Session, 13th Parliament, 8-9 George V, 1918.

THE HOUSE OF COMMONS OF CANADA.

# BILL 5.

An Act to amend The Dominion Lands Act.

1908, c. 20; 1909, c. 11; 1914, cc. 27, 28.

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

**1.** Subsection five of section eleven of *The Dominion Lands Act*, chapter twenty of the statutes of 1908, is repealed and the following is substituted therefor:—

Declaration as to improvements prior to entry, and valuation by homestead inspector.

"5. A person applying for entry for a homestead, a preemption, or a purchased homestead, shall declare, before being granted entry, what improvements, if any, there are upon the land with respect to which his application is made, and shall pay the value of such improvements, except those made by himself, subject to valuation of same by a Homestead Inspector: Provided that—

Adjustment of payments.

"(*a*) if the improvements are found by a Homestead Inspector to be of less value than the amount paid by the entrant, the surplus paid shall be refunded to him; but if the improvements are found to be of greater value, the balance unpaid shall be paid by the entrant within a period of time satisfactory to the Minister;

"(*b*) should the declaration made by the entrant as aforesaid be found incorrect in material particulars, or should the entrant fail to pay the full amount due for improvements, his entry shall be liable to cancellation in the discretion of the Minister;

Liability of applicant for seed grain, fodder and other relief indebtedness.

"(*c*) where at the time an application for entry is made there is a charge against the land for Seed Grain, Fodder, or other Relief advanced by His Majesty to any previous entrant or holder of the land, exceeding the value of the improvements which are then on the land, an applicant for entry shall, in addition to paying the value of the improvements, pay also the difference between the value of the improvements and the Seed Grain or other indebtedness of the

former entrant or holder of the land as aforesaid ; and where there are no improvements the full amount of such indebtedness shall be paid by the new entrant in a manner satisfactory to the Minister;

Former entrant not relieved from liability.

" (*d*) the payment by a new entrant of any amount, or amounts, on account of Seed Grain, Fodder, Relief, or other indebtedness of the former entrant or holder of such land, shall not relieve such former entrant or holder from his indebtedness to the Minister, and when subsequently such indebtedness is collected from the party by whom it was originally incurred, it may be credited to the new entrant."

Cancellation and compensation for improvements.

**2.** Subsection two of section fifteen of the said Act is amended by repealing all the words after the word " determine " in the sixth line thereof and substituting the following therefor: " provided that where improvements have been made on any parcel of Dominion Lands either by a person whose entry for such parcel of land has been cancelled for any reason, or by any other person who held or occupied the same land, the Minister may, at his discretion, pay to the person who made the improvements, or to any dependent or dependents of such person adjudged by the Minister to be entitled thereto, in whole or in part, the moneys collected on account of such improvements from any subsequent entrant for the same land or from any subsequent purchaser of such land."

Requirements for homestead letters patent.

**3.** Section sixteen of the said Act is amended by repealing the words " from the date of entry " in the fourth line thereof, and the words " from the date of entry, or the date of commencement of residence " in the sixth and seventh lines thereof.

Computation of period for performance of requirements.

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

" **17.** The period fixed by this Act for the performance of the residence and other requirements prescribed for obtaining letters patent for a homestead may be computed as follows: (*a*) from date of entry, (*b*) from date of commencement of residence either before or after date of entry, (*c*) six months' residence in each of three calendar years, (*d*) six months' residence in each of three years, either homestead years or calendar years. (*c*) The date of commencement of the various terms of residence may be shifted from year to year as may appear most to the advantage of the settler in dealing with his application for patent:

Effect of re-entry by wife.

" Provided that where an entry for a homestead is cancelled and re-entry is granted to the homesteader's wife, such homestead may be deemed to have been held by the wife of the entrant as aforesaid for her sole use and benefit

during any period throughout which such homestead was held by her husband for his sole use and benefit.

Holding for sole use and benefit.

"Provided also that in other cases where there is a doubt as to whether a homestead was held by the entrant for his sole use and benefit during any period either before or after date of entry, the Minister shall decide as to whether the homestead was so held by the entrant during any such period.

Absence on military or naval service, and for three months after discharge, to be counted as residence.

**5.** Sections twenty-two and twenty-three of the said Act are repealed and the following are substituted therefor:—

"**22.** Notwithstanding anything in this Act, the time during which an entrant is absent from his homestead, pre-emption, purchased homestead or land located by him under any land warrant or scrip while he is a member of a military force enrolled under the authority of the Minister of Militia and engaged as a member of that force in the suppression of an outbreak or insurrection in any part of the British Empire, or in the defence of the British Empire against a foreign power, or is a member of a company or contingent of Canadian volunteers enrolled under the authority of the Minister of Militia for active service, or a member of any military or naval force of His Majesty, or of any of His Majesty's allies in the present European War, and also a period not exceeding three months after his discharge as a member of the said force, company or contingent, to permit him to resume his residence upon his homestead, pre-emption, purchased homestead or land located by him under any land warrant or scrip, may be counted as residence within the meaning of this Act.

Issue of letters patent to disabled member of forces.

"**23.** If it is established to the satisfaction of the Minister that an entrant, while on active service as a member of any such force, company or contingent, is so disabled by wounds received in battle, or because of illness resulting therefrom, or from any other cause, after his enrolment as a member of such force, company or contingent, and up to the date of his discharge therefrom, that it is not possible for him, because of such wounds, illness or other cause, to resume occupation of his homestead or purchased homestead, or pre-emption, or land located by him under any land warrant or scrip, to complete the conditions of his entry therefor, the Minister may forthwith issue letters patent for such land in his name, or in the event of his death before the issue of letters patent for such land, in the name of the deceased in accordance with the provisions of section ninety-one of this Act:

Payment of purchase price and interest.

Provided that where one of the conditions prescribed by this Act for obtaining letters patent for such land is a payment of purchase price and interest, the payment of such purchase price and interest, if any, must be made in

full before letters patent may issue under the provisions of this section."

Issue of letters patent to British subjects only.

**6.** Subsection three of section twenty-five of the said Act is repealed and the following is substituted therefor:—

"(3) Letters patent for a homestead shall not issue to any person who is not a subject of His Majesty by birth or naturalization: Provided that, on completion of the requirements for the obtaining of letters patent for a homestead in accordance with the provisions of this Act, or where the completion of such requirements has been dispensed with in accordance with the provisions of this Act or any amendments thereto, letters patent may issue to,—

Exceptions as to alien entrants.

(*a*) an alien legal representative of any deceased entrant whether such entrant was a British subject or not;

(*b*) an alien entrant who has become insane or mentally incapable;

(*c*) an alien entrant who has died while on active service during the European war in progress at the time of the passing of this Act, with any of the military or naval forces of His Majesty or of any of the Allies of His Majesty;

(*d*) an alien entrant who is unable to obtain a certificate of naturalization as a British subject owing to his inability to comply with the conditions of *The Naturalization Act, 1914*, by reason of the said alien being on active service during the said war with any of the military or naval forces of His Majesty or of the Allies of His Meajesty;

(*e*) an alien female entrant who has been granted entry for a homestead under subsection two of section nine of this Act and who is prevented by the provisions of *The Naturalization Act, 1914*, from becoming a British subject."

Pre-emption.

**7.** Subsection one of section twenty-seven of the said Act is amended by striking out the last four lines thereof, and substituting the following therefor:—

Area of cultivation may be reduced.

"Provided further that where the surface of both the homestead and pre-emption, is of a wooded, rocky or broken character, the Minister may in his discretion reduce the area of cultivation which is required under this section."

Portion of cultivation to be done annually.

"Provided also that if the entrant for a pre-emption has completed the requirements requisite to obtaining letters patent for his homestead, he shall do in each year, until he obtains letters patent for his pre-emption or certificate of recommendation therefor, such portion of the cultivation required to be performed in connection with the pre-emption as may be satisfactory to the Minister."

Holder may obtain patent by extra payments where he is in default for residence duties solely.

**8.** Subsection one of section twenty-seven of the said Act, as amended by section two of chapter twenty-seven of the statutes of 1914, is further amended by adding the following proviso thereto:

"Provided also that where any holder of a pre-emption entry is unable to obtain patent for his pre-emption under the preceding paragraph solely by reason of his residence duties being in default, he may secure patent for same by paying in addition to the usual purchase price of his pre-emption together with accrued interest, the extra price of three dollars per acre."

**9.** Subsection three of section twenty-seven of the said Act, as enacted by section three of chapter twenty-seven of the statutes of 1914, is amended by adding the following proviso thereto:

Certificate of recommendation to holder of entry for a pre-emption on completing all duties except payment.

"Provided also that on the completion of the requirements under this section for obtaining letters patent for a pre-emption other than the payment for the same in the manner aforesaid, an application for letters patent may be made without immediately tendering payment in full, and in such a case the holder of the entry may, on application to the Minister, receive a certificate of recommendation in the Form "J" in the Schedule to this Act, countersigned by the Commissioner of Dominion Lands, setting forth that if within the period of time during which the certificate of recommendation is in force, payment is made in full of the purchase price of the pre-emption together with accrued interest, letters patent shall issue in the name of the holder of the entry; and such certificate shall entitle the holder of the entry during such period of time to mortgage, assign or transfer his interest in the land with respect to which the certificate of recommendation is issued; provided that at the expiration of one year from the date of the issue of such certificate of recommendation the same shall become null and void, but the operation of it may be extended in the discretion of the Minister."

Rights of holder.

Entry for purchased homestead.

**10.** Subsection one of section twenty-eight of the said Act is amended by striking out the last four lines thereof and substituting the following proviso therefor:—

Area of cultivation may be reduced.

"Provided that when the surface of the purchased homestead is of a wooded, rocky, or broken character, the Minister may in his discretion reduce the area of cultivation which is required under this subsection."

**11.** Subsection five of section twenty-eight of the said Act, as enacted by section four of chapter twenty-seven of the statutes of 1914, is amended by adding the following proviso thereto:—

Certificate of recommendation to holder of entry for purchased homestead on completing all duties except payment.

" Provided also that on the completion of the requirements under this section for obtaining letters patent for a purchased homestead other than the payment for the same in the manner aforesaid, an application for letters patent therefor may be made without immediately tendering payment in full, and in such a case the holder of the entry may, on application to the Minister, receive a certificate of recommendation in the form " J " in the Schedule to this Act, countersigned by the Commissioner of Dominion Lands, and setting forth that if within the period of time during which the certificate of recommendation is in force, payment is made in full of the purchase price of the purchased homestead together with accrued interest, letters patent may issue in the name of the holder of the entry; and such certificate of recommendation shall, notwithstanding, anything to the contrary in this Act, entitle the holder of the entry during such period of time to mortgage, assign or transfer his interest in the land with respect to which the certificate is issued: Provided that at the expiration of one year from the date of the issue of such certificate of recommendation the same shall become null and void, but the operation of it may be extended at the discretion of the Minister."

Rights of holder.

Sale of agricultural lands to entrant prevented from completing duties but with equitable claim.

**12.** Section thirty-two of the said Act is hereby amended by adding thereto the following proviso:—

" Provided also that in case an entrant for a homestead, who has faithfully and to the best of his ability, endeavoured to perform the duties required of him, but who from some unpreventable cause or physical incapacity, has failed to complete those duties, or who through some technicality is held to have failed in fulfilling the requirements of this Act, but yet has an equitable claim entitling him, in the opinion of the Minister, to favourable consideration, the Minister may sell the homestead to the entrant at a price to be not less than one dollar an acre to be fixed by the Minister."

Sale or lease of lands unsuitable for cultivation.

**13.** Section thirty-four of the said Act is amended by inserting in each case after the word " irrigation " in the second and third lines thereof, the words " or drainage."

Regulations to control disposal of timber and pulpwood berths.

**14.** Section fifty-one of the said Act is repealed and the following is substituted therefor:—

" **51.** The Governor in Council may make regulations for the disposal by public competition of the right to cut timber on berths to be defined in the public notice of such competition: Provided that (*a*) no berth shall exceed an area of twenty-five square miles, excepting a timber berth granted for the cutting thereon of pulpwood, which pulp-

wood berth shall be of such area as may be determined by the Governor in Council; (*b*) no berth shall be awarded except to the person who offers the highest bonus or bid therefor; and (*c*) no offer by tender shall be accepted unless accompanied by the full amount of the bonus."

Conditions of licenses.

Erection of mills.

**15.** Paragraph (*a*) of section fifty-four of the said Act is amended by adding immediately after the word " license " in the seventh line thereof the words " provided that the grantee of a pulpwood berth shall erect a mill or mills of such capacity and character, and at such point or points, and at such time or times as the Minister may decide."

Withdrawal of portion of timber berth from license, after notice.

**16.** Section fifty-seven of the said Act is repealed and the following section is substituted therefor:—

" **57.** (1) When, in the opinion of the Minister any portion of a timber berth has not a sufficient quantity of the kind and dimensions of timber specified in the license for such berth to make it profitable to remove the timber upon such portion of the berth, and when, in the opinion of the Minister, such portion of the berth is not necessary for the proper working of the remainder of the berth, the Minister may withdraw such portion from the berth, but in no case shall such withdrawal be made until the expiration of sixty days after a notice in writing of the proposed withdrawal has been given to the lessee or to his legal representative by the Minister or by someone thereto authorized by the Minister.

Reduction of rent.

(2) Upon the withdrawal of any portion of a timber berth, the rental to be paid under the license shall be reduced in proportion to the area withdrawn."

Licenses for timber berths in Forest Reserves or Dominion Parks subject to regulations.

**17.** Section fifty-eight of the said Act is hereby repealed and the following section is substituted therefor:—

" **58.** Licenses issued under the authority of this Act for a timber berth situated within the boundaries of a Dominion Forest Reserve or of a Dominion Park established under the provisions of chapter ten of the statutes of 1911, or of any Act passed amending that Act, shall be subject to such provisions of the said Acts, and to such regulations as are made by the Governor in Council thereunder as provide for the protection of Dominion Forest Reserves, of Dominion Forest Parks, and the protection of game, birds, fish or other animals therein, and the prevention of fires therein, and the preservation and reproduction of timber."

Permits to cut timber.

**18.** Subsection one of section fifty-nine of the said Act is amended by adding thereto the following paragraph:— "(*h*) for pulpwood."

Pulpwood included and area of tract extended.

**19.** Paragraph (*b*) of subsection two of section fifty-nine of the said Act is amended by adding immediately after the word " cordwood " in the first line thereof the word " pulpwood," and by striking out the words " one quarter of a " in the third line thereof and substituting therefor the word " one."

Forfeiture of license.

**20.** Subsection four of section sixty of the said Act is hereby amended by striking out the word " thirty " where it appears in the second line of the said subsection, and substituting therefor the word " ninety."

Entrant for homestead.

**21.** Paragraph (*l*) of section seventy-six of the said Act is repealed.

No department employee to purchase lands.

**22.** (1) Subsection one of section eighty-four of the said Act is amended by inserting after the word " therein " in the fourth line thereof the words " by homestead entry or otherwise."

Other employees.

(2) Subsection two of the said section eighty-four is repealed.

Cancellation of letters patent or recommendation issued in error.

**23.** Section ninety-two of the said Act is amended by inserting the words " or certificate or recommendation " immediately after the words " letters patent " wherever they occur in the said section, and by inserting immediately after the word " grant " in the fifth line of the said section the words " or certificate."

Power to stay delivery of patents not sent out, on evidence of fraud, improvidence or error.

**24.** Section ninety-four of the said Act is amended by adding the following proviso thereto:—

" Provided that while letters patent, leases or other instruments respecting lands are still in the possession of the Department, information is received by the Minister that the same have issued through fraud, or improvidence, or in error, the Minister may order that the delivery of such letters patent, leases, or other instruments be stayed, and direct that an enquiry be made into the facts of the case by a competent officer or officers of the Department, and if it is established to the satisfaction of the Minister that such letters patent, leases, or other instruments have issued through fraud, or improvidence, or in error, he may declare such letters patent, leases, or other instruments to be void and thereupon the same shall be cancelled."

Power to cancel if fact established.

**25.** Subsections one and five of section fourteen of the Act to amend *The Dominion Lands Act*, chapter twenty-seven of the statutes of 1914, are repealed and the following are respectively substituted therefor:—

Stock in lieu of cultivation in case of certain quarter sections.

"**14.** (1) Notwithstanding anything to the contrary in the said *The Dominion Lands Act*, if a report from a homestead inspector shows that a quarter-section held as a homestead, or purchased homestead, or a half-section held as a homestead and pre-emption, does not contain arable land to the extent necessary to fulfil the requirements of the said Act with respect to cultivation, the person holding entry for such land shall be entitled to patent therefor on furnishing evidence that he has fulfilled the other conditions attached to his entry and proving to the satisfaction of the Minister that, in lieu of cultivation, he has complied with the requirements with respect to stock as hereunder provided.

Stock required for homestead or purchased homestead.

In the case of a homestead or purchased homestead, the entrant shall show that he has had upon such land stock solely owned by him, during the first year of performance of duties to the number of five head; during the second year to the number of ten head, and during the third year and in each of the subsequent years to the date of his application for patent, to the number of sixteen head.

Stock required for pre-emption.

In the case of a pre-emption, the entrant shall be required to show when making application for patent that he has had upon his homestead or pre-emption, or on both, stock to the number of at least five head, during the first year of performance of duties for such homestead and pre-emption; during the second year stock to the number of at least ten head, and after the expiration of the second year and up to the date of his application for patent for his pre-emption, stock to the number of at least twenty-four head, and that he has complied to the satisfaction of the Minister with the other requirements of this Act.

Reduction on smaller areas.

In the case of a quarter-section having a smaller area than one hundred and sixty acres, the number of stock required to be owned and kept thereon may be proportionately reduced.

Buildings for stock.

"(5) Substantial buildings for the accommodation of the whole number of stock to be kept in any year, as hereinbefore provided, shall be erected and maintained to the satisfaction of the Minister during the whole period such stock is to be kept and solely owned by the settler as hereinbefore specified; and such buildings shall be erected upon the homestead, pre-emption, purchased homestead, or upon any land upon which the settler is entitled to reside under the provisions in that behalf contained in this Act."

Patent to be issued in name of deceased entrant in certain cases.

**26.** Notwithstanding anything contained in *The Dominion Lands Act* or the amendments thereto, in the event of the decease of any settler before the issue of patent for the land held by him under entry, if the law of the Province within which such land is situated makes no

provision for administering the estate by personal representative, the patent for such land may be issued in the name of the deceased entrant on proof, satisfactory to the Minister of the Interior, being filed that the requirements of the law have been fulfilled.

Certificate of recommendation.

**27.** The Schedule of *The Dominion Lands Act* is amended by adding thereto the following form:—

FORM "J."

I certify that.....
who is a holder of a pre-emption entry (or purchased homestead entry, as the case may be) for (here describe land), has furnished evidence that he has completed the requirements of the law for obtaining letters patent for the said land, excepting the payment of the purchase price, and that I have, therefore, recommended the issue of letters patent in the name of the said.....
upon payment being made in full of the purchase price, together with the interest thereon, provided such payment is made within the period of time during which this certificate is in operation.

Local agents.

(Place....., date.....)

This certificate will expire on the.....day of.....19.., but is renewable in the discretion of the Minister of the Interior.

Countersigned,

Commissioner of Dominion Lands.

The operation of this certificate is hereby extended until.....

Commissioner of Dominion Lands.

First Session, Thirteenth Parliament, 8-9 George V, 1918.

THE HOUSE OF COMMONS OF CANADA

# BILL 5.

An Act to amend The Dominion Lands Act.

AS PASSED BY THE HOUSE OF COMMONS,
9th APRIL, 1918.

OTTAWA
J. DE LABROQUERIE TACHÉ
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
38533—1 1918

1st Session, 13th Parliament, 8-9 George V, 1918.

THE HOUSE OF COMMONS OF CANADA.

# BILL 5.

An Act to amend The Dominion Lands Act.

1908, c. 20; 1909, c. 11; 1914, cc. 27, 28.

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

**1.** Subsection five of section eleven of *The Dominion Lands Act*, chapter twenty of the statutes of 1908, is repealed and the following is substituted therefor:—

Declaration as to improvements prior to entry, and valuation by homestead inspector.

"5. A person applying for entry shall declare, before being granted entry, what improvements, if any, there are upon the land with respect to which his application is made, and shall pay the value of such improvements, except those made by himself, subject to valuation of same by a Homestead Inspector: Provided that—

Adjustment of payments.

"(*a*) if the improvements are found by a Homestead Inspector to be of less value than the amount paid by the entrant, the surplus paid shall be refunded to him; but if the improvements are found to be of greater value, the balance unpaid shall be paid by the entrant within a period of time satisfactory to the Minister;

"(*b*) should the declaration made by the entrant as aforesaid be found incorrect in material particulars, or should the entrant fail to pay the full amount due for improvements, his entry shall be liable to cancellation in the discretion of the Minister;

Liability of applicant for seed grain, fodder and other relief indebtedness.

"(*c*) where at the time an application for entry is made there is a charge against the land for Seed Grain, Fodder, or other Relief advanced by His Majesty to any previous entrant or holder of the land, exceeding the value of the improvements which are then on the land, an applicant for entry shall, in addition to paying the value of the improvements, pay also the difference between the value of the improvements and the Seed Grain or other indebtedness of the

former entrant or holder of the land as aforesaid ; and where there are no improvements the full amount of such indebtedness shall be paid by the new entrant in a manner satisfactory to the Minister;

Former entrant not relieved from liability.

" (*d*) the payment by a new entrant of any amount, or amounts, on account of Seed Grain, Fodder, Relief, or other indebtedness of the former entrant or holder of such land, shall not relieve such former entrant or holder from his indebtedness to the Minister, and when subsequently such indebtedness is collected from the party by whom it was originally incurred, it may be credited to the new entrant."

Cancellation and compensation for improvements.

**2.** Subsection two of section fifteen of the said Act is amended by repealing all the words after the word " determine " in the sixth line thereof and substituting the following therefor: " provided that where improvements have been made on any parcel of Dominion Lands either by a person whose entry for such parcel of land has been cancelled for any reason, or by any other person who held or occupied the same land, the Minister may, at his discretion, pay to the person who made the improvements, or to any dependent or dependents of such person adjudged by the Minister to be entitled thereto, in whole or in part, the moneys collected on account of such improvements from any subsequent entrant for the same land or from any subsequent purchaser of such land."

Requirements for homestead letters patent.

**3.** Section sixteen of the said Act is amended by repealing the words " from the date of entry " in the fourth line thereof, and the words " from the date of entry, or the date of commencement of residence " in the sixth and seventh lines thereof.

Computation of period for performance of requirements.

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

" **17.** The period fixed by this Act for the performance of the residence and other requirements prescribed for obtaining letters patent for a homestead may be computed as follows: (*a*) from date of entry, (*b*) from date of commencement of residence either before or after date of entry, (*c*) six months' residence in each of three calendar years, (*d*) six months' residence in each of three years, either homestead years or calendar years. (*e*) The date of commencement of the various terms of residence may be changed from year to year as may appear most to the advantage of the settler in dealing with his application for patent:

Effect of re-entry by wife.

" Provided that where an entry for a homestead is cancelled and re-entry is granted to the homesteader's wife, such homestead may be deemed to have been held by the wife of the entrant as aforesaid for her sole use and benefit

during any period throughout which such homestead was held by her husband for his sole use and benefit.

Holding for sole use and benefit.

"Provided also that in other cases where there is a doubt as to whether a homestead was held by the entrant for his sole use and benefit during any period either before or after date of entry, the Minister shall decide as to whether the homestead was so held by the entrant during any such period."

Absence on military or naval service, and for three months after discharge, to be counted as residence.

**5.** Sections twenty-two and twenty-three of the said Act are repealed and the following are substituted therefor:—

"**22.** Notwithstanding anything in this Act, the time during which an entrant is absent from his homestead, pre-emption, purchased homestead or land located by him under any land warrant or scrip while he is a member of a military force enrolled under the authority of the Minister of Militia and engaged as a member of that force in the suppression of an outbreak or insurrection in any part of the British Empire, or in the defence of the British Empire against a foreign power, or is a member of a company or contingent of Canadian volunteers enrolled under the authority of the Minister of Militia for active service, or a member of any military or naval force of His Majesty, or of any of His Majesty's allies in the present European War, and also a period not exceeding three months after his discharge as a member of the said force, company or contingent, to permit him to resume his residence upon his homestead, pre-emption, purchased homestead or land located by him under any land warrant or scrip, may be counted as residence within the meaning of this Act.

Issue of letters patent to disabled member of forces.

"**23.** If it is established to the satisfaction of the Minister that an entrant, while on active service as a member of any such force, company or contingent, is so disabled by wounds received in battle, or because of illness resulting therefrom, or from any other cause, after his enrolment as a member of such force, company or contingent, and up to the date of his discharge therefrom, that it is not possible for him, because of such wounds, illness or other cause, to resume occupation of his homestead or purchased homestead, or pre-emption, or land located by him under any land warrant or scrip, to complete the conditions of his entry therefor, the Minister may forthwith issue letters patent for such land in his name, or in the event of his death before the issue of letters patent for such land, in the name of the deceased in accordance with the provisions of section ninety-one of this Act:

Payment of purchase price and interest.

"Provided that where one of the conditions prescribed by this Act for obtaining letters patent for such land is a payment of purchase price and interest, the payment of such purchase price and interest, if any, must be made in

full before letters patent may issue under the provisions of this section."

Issue of letters patent to British subjects only.

**6.** Subsection three of section twenty-five of the said Act is repealed and the following is substituted therefor:—

"(3) Letters patent for a homestead shall not issue to any person who is not a subject of His Majesty by birth or naturalization: Provided that, on completion of the requirements for the obtaining of letters patent for a homestead in accordance with the provisions of this Act, or where the completion of such requirements has been dispensed with in accordance with the provisions of this Act or any amendments thereto, letters patent may issue to,—

Exceptions as to alien entrants.

"(*a*) an alien legal representative of any deceased entrant whether such entrant was a British subject or not;

(*b*) an alien entrant who has become insane or mentally incapable;

"(*c*) an alien entrant who has died while on active service during the European war in progress at the time of the passing of this Act, with any of the military or naval forces of His Majesty or of any of the Allies of His Majesty;

"(*d*) an alien entrant who is unable to obtain a certificate of naturalization as a British subject owing to his inability to comply with the conditions of *The Naturalization Act, 1914*, by reason of the said alien being on active service during the said war with any of the military or naval forces of His Majesty or of the Allies of His Majesty;

"(*e*) an alien female entrant who has been granted entry for a homestead under subsection two of section nine of this Act and who is prevented by the provisions of *The Naturalization Act, 1914*, from becoming a British subject."

Pre-emption.

**7.** Subsection one of section twenty-seven of the said Act is amended by striking out the last four lines thereof, and substituting the following therefor:—

Area of cultivation may be reduced.

"Provided further that where the surface of both the homestead and pre-emption is of a wooded, rocky, flooded or broken character, the Minister may in his discretion reduce the area of cultivation which is required under this section.

Portion of cultivation to be done annually.

"Provided also that if the entrant for a pre-emption has completed the requirements requisite to obtaining letters patent for his homestead, he shall do in each year, until he obtains letters patent for his pre-emption or certificate of recommendation therefor, such portion of the cultivation required to be performed in connection with the pre-emption as may be satisfactory to the Minister."

Holder may obtain patent by extra payments where he is in default for residence duties solely.

**8.** Subsection one of section twenty-seven of the said Act, as amended by section two of chapter twenty-seven of the statutes of 1914, is further amended by adding the following proviso thereto:

"Provided also that where any holder of a pre-emption entry is unable to obtain patent for his pre-emption under the preceding paragraph solely by reason of his residence duties being in default, he may secure patent for same by paying in addition to the usual purchase price of his pre-emption together with accrued interest, the extra price of three dollars per acre."

**9.** Subsection three of section twenty-seven of the said Act, as enacted by section three of chapter twenty-seven of the statutes of 1914, is amended by adding the following proviso thereto:

Certificate of recommendation to holder of entry for a pre-emption on completing all duties except payment.

"Provided also that on the completion of the requirements under this section for obtaining letters patent for a pre-emption other than the payment for the same in the manner aforesaid, an application for letters patent may be made without immediately tendering payment in full, and in such a case the holder of the entry may, on application to the Minister, receive a certificate of recommendation in the Form "J" in the Schedule to this Act, countersigned by the Commissioner of Dominion Lands, setting forth that if within the period of time during which the certificate of recommendation is in force, payment is made in full of the purchase price of the pre-emption together with accrued interest, letters patent shall issue in the name of the holder of the entry; and such certificate shall entitle the holder of the entry during such period of time to mortgage, assign or transfer his interest in the land with respect to which the certificate of recommendation is issued; provided that at the expiration of one year from the date of the issue of such certificate of recommendation the same shall become null and void, but the operation of it may be extended in the discretion of the Minister."

Rights of holder.

Entry for purchased homestead.

**10.** Subsection one of section twenty-eight of the said Act is amended by striking out the last four lines thereof and substituting the following proviso therefor:—

Area of cultivation may be reduced.

"Provided that when the surface of the purchased homestead is of a wooded, rocky, flooded or broken character, the Minister may in his discretion reduce the area of cultivation which is required under this subsection."

**11.** Subsection five of section twenty-eight of the said Act, as enacted by section four of chapter twenty-seven of the statutes of 1914, is amended by adding the following proviso thereto:—

Certificate of recommendation to holder of entry for purchased homestead on completing all duties except payment.

" Provided also that on the completion of the requirements under this section for obtaining letters patent for a purchased homestead other than the payment for the same in the manner aforesaid, an application for letters patent therefor may be made without immediately tendering payment in full, and in such a case the holder of the entry may, on application to the Minister, receive a certificate of recommendation in the form " J " in the Schedule to this Act, countersigned by the Commissioner of Dominion Lands, and setting forth that if within the period of time during which the certificate of recommendation is in force, payment is made in full of the purchase price of the purchased homestead together with accrued interest, letters patent may issue in the name of the holder of the entry; and such certificate of recommendation shall, notwithstanding, anything to the contrary in this Act, entitle the holder of the entry during such period of time to mortgage, assign or transfer his interest in the land with respect to which the certificate is issued: Provided that at the expiration of one year from the date of the issue of such certificate of recommendation the same shall become null and void, but the operation of it may be extended at the discretion of the Minister."

Rights of holder.

Sale of agricultural lands to entrant prevented from completing duties but with equitable claim.

**12.** Section thirty-two of the said Act is hereby amended by adding thereto the following proviso:—

" Provided also that in case an entrant for a homestead, who has faithfully and to the best of his ability, endeavoured to perform the duties required of him, but who from some unpreventable cause or physical incapacity, has failed to complete those duties, or who through some technicality is held to have failed in fulfilling the requirements of this Act, but yet has an equitable claim entitling him, in the opinion of the Minister, to favourable consideration, the Minister may sell the homestead to the entrant at a price to be not less than one dollar an acre to be fixed by the Minister."

Sale or lease of lands unsuitable for cultivation.

**13.** Section thirty-four of the said Act is amended by inserting in each case after the word " irrigation " in the second and third lines thereof, the words " or drainage."

Payment for school lands.

**14.** Section forty-one of the said Act is amended by striking out the word " five " in the fourth line thereof and substituting therefor the word " six," and by adding the following proviso thereto:—

" Provided that all instalments or any portion of any instalment in arrear, whether of principal or interest, shall bear interest at the rate of seven per cent per annum: Provided, however, that as to sales of school lands made

prior to the first day of April, 1918, the Minister may with the consent of the purchaser or registered assignee increase the rate of interest on arrears to seven per cent per annum."

Regulations to control disposal of timber and pulpwood berths.

**15.** Section fifty-one of the said Act is repealed and the following is substituted therefor:—

"**51.** The Governor in Council may make regulations for the disposal by public competition of the right to cut timber on berths to be defined in the public notice of such competition: Provided that (*a*) no berth shall exceed an area of twenty-five square miles, excepting a timber berth granted for the cutting thereon of pulpwood, which pulpwood berth shall be of such area as may be determined by the Governor in Council; (*b*) no berth shall be awarded except to the person who offers the highest bonus or bid therefor; and (*c*) no offer by tender shall be accepted unless accompanied by the full amount of the bonus."

Conditions of licenses.

Erection of mills.

**16.** Paragraph (*a*) of section fifty-four of the said Act is amended by adding immediately after the word "license" in the seventh line thereof the words "provided that the grantee of a pulpwood berth shall erect a mill or mills of such capacity and character, and at such point or points, and at such time or times as the Minister may decide."

Withdrawal of portion of timber berth from license, after notice.

**17.** Section fifty-seven of the said Act is repealed and the following section is substituted therefor:—

"**57.** (1) When, in the opinion of the Minister any portion of a timber berth has not a sufficient quantity of the kind and dimensions of timber specified in the license for such berth to make it profitable to remove the timber upon such portion of the berth, and when, in the opinion of the Minister, such portion of the berth is not necessary for the proper working of the remainder of the berth, the Minister may withdraw such portion from the berth, but in no case shall such withdrawal be made until the expiration of sixty days after a notice in writing of the proposed withdrawal has been given to the lessee or to his legal representative by the Minister or by someone thereto authorized by the Minister.

Reduction of rent.

"(2) Upon the withdrawal of any portion of a timber berth, the rental to be paid under the license shall be reduced in proportion to the area withdrawn."

Licenses for timber berths in Forest Reserves or Dominion Parks subject to regulations.

**18.** Section fifty-eight of the said Act is hereby repealed and the following section is substituted therefor:—

"**58.** Licenses issued under the authority of this Act for a timber berth situated within the boundaries of a Dominion Forest Reserve or of a Dominion Park established under the provisions of chapter ten of the statutes of 1911, or of any Act passed amending that Act, shall be

subject to such provisions of the said Acts, and to such regulations as are made by the Governor in Council thereunder as provide for the protection of Dominion Forest Reserves, of Dominion Forest Parks, and the protection of game, birds, fish or other animals therein, and the prevention of fires therein, and the preservation and reproduction of timber."

Permits to cut timber.

**19.** Subsection one of section fifty-nine of the said Act is amended by adding thereto the following paragraph:—

"(*h*) for pulpwood."

Pulpwood included and area of tract extended.

**20.** Paragraph (*b*) of subsection two of section fifty-nine of the said Act is amended by adding immediately after the word " cordwood " in the first line thereof the word " pulpwood," and by striking out the words " one quarter of a " in the third line thereof and substituting therefor the word " one."

Forfeiture of license.

**21.** Subsection four of section sixty of the said Act is hereby amended by striking out the word " thirty " where it appears in the second line of the said subsection, and substituting therefor the word " ninety."

Entrant for homestead.

**22.** Paragraph (*l*) of section seventy-six of the said Act is repealed.

No department employee to purchase lands.

**23.** (1) Subsection one of section eighty-four of the said Act is amended by inserting after the word " therein " in the fourth line thereof the words " by homestead entry or otherwise."

Other employees.

(2) Subsection two of the said section eighty-four is repealed.

Cancellation of letters patent or recommendation issued in error.

**24.** Section ninety-two of the said Act is amended by inserting the words " or certificate or recommendation " immediately after the words " letters patent " wherever they occur in the said section, and by inserting immediately after the word " grant " in the fifth line of the said section the words " or certificate."

Power to stay delivery of patents not sent out, on evidence of fraud, improvidence or error.

**25.** Section ninety-four of the said Act is amended by adding the following proviso thereto:—

" Provided that while letters patent, leases or other instruments respecting lands are still in the possession of the department, information is received by the Minister that the same have issued through fraud, or improvidence, or in error, the Minister may order that the delivery of such letters patent, leases, or other instruments be stayed, and direct that an enquiry be made into the facts of the case by a competent officer or officers

Power to cancel if fact established.

of the department, and if it is established to the satisfaction of the Minister that such letters patent, leases, or other instruments have issued through fraud, or improvidence, or in error, he may declare such letters patent, leases, or other instruments to be void and thereupon the same shall be cancelled."

**26.** Subsections one and five of section fourteen of the Act to amend *The Dominion Lands Act*, chapter twenty-seven of the statutes of 1914, are repealed and the following are respectively substituted therefor:—

Stock in lieu of cultivation in case of certain quarter sections.

"**14.** (1) Notwithstanding anything to the contrary in the said *The Dominion Lands Act*, if a report from a homestead inspector shows that a quarter-section held as a homestead, or purchased homestead, or a half-section held as a homestead and pre-emption, does not contain arable land to the extent necessary to fulfil the requirements of the said Act with respect to cultivation, the person holding entry for such land shall be entitled to patent therefor on furnishing evidence that he has fulfilled the other conditions attached to his entry and proving to the satisfaction of the Minister that, in lieu of cultivation, he has complied with the requirements with respect to stock as hereunder provided.

Stock required for homestead or purchased homestead.

In the case of a homestead or purchased homestead, the entrant shall show that he has had upon such land stock solely owned by him, during the first year of performance of duties to the number of five head; during the second year to the number of ten head, and during the third year and in each of the subsequent years to the date of his application for patent, to the number of sixteen head.

Stock required for pre-emption.

In the case of a pre-emption, the entrant shall be required to show when making application for patent that he has had upon his homestead or pre-emption, or on both, stock to the number of at least five head, during the first year of performance of duties for such homestead and pre-emption; during the second year stock to the number of at least ten head, and after the expiration of the second year and up to the date of his application for patent for his pre-emption, stock to the number of at least twenty-four head, and that he has complied to the satisfaction of the Minister with the other requirements of this Act.

Reduction on smaller areas.

In the case of a quarter-section having a smaller area than one hundred and sixty acres, the number of stock required to be owned and kept thereon may be proportionately reduced.

Buildings for stock.

"(5) Substantial buildings for the accommodation of the whole number of stock to be kept in any year, as hereinbefore provided, shall be erected and maintained to the, satisfaction of the Minister during the whole period such

stock is to be kept and solely owned by the settler as hereinbefore specified; and such buildings shall be erected upon the homestead, pre-emption, purchased homestead, or upon any land upon which the settler is entitled to reside under the provisions in that behalf contained in this Act."

Patent to be issued in name of deceased entrant in certain cases.

**27.** Notwithstanding anything contained in *The Dominion Lands Act* or the amendments thereto, in the event of the decease of any settler before the issue of patent for the land held by him under entry, if the law of the province within which such land is situated makes no provision for administering the estate by personal representative, the patent for such land may be issued in the name of the deceased entrant on proof, satisfactory to the Minister of the Interior, being filed that the requirements of the law have been fulfilled.

Privileges of pre-emption entry and purchased homestead entry withdrawn.

**28.** (1) The privilege of pre-emption entry on Dominion Lands as provided for by section twenty-seven of *The Dominion Lands Act*, chapter twenty of the statutes of 1908, as amended by sections two and three of chapter twenty-seven of the statutes of 1914, is hereby withdrawn.

(2) The privilege of purchased homestead entry as provided for by section twenty-eight of chapter twenty of the statutes of 1908, as amended by section four of chapter twenty-seven of the statutes of 1914, is hereby withdrawn.

Provision for homesteaders on active military service, and persons under notice.

(3) Where land has been reserved for pre-emption entry for any homesteader who is on active military service, or where notice has been issued to any person allowing him a specified time within which to appear and secure pre-emption or purchased homestead entry for a given quarter-section, such land may be sold to the homesteader or to the person so notified, at the rate of three dollars per acre, subject to the duties, terms and conditions which would have obtained if the pre-emption and purchased homestead privilege had not been withdrawn.

Retroactive effect.

(4) This section shall be deemed to have come into operation on the twentieth day of March, 1918.

Certificate of recommendation.

**29.** The Schedule of *The Dominion Lands Act* is amended by adding thereto the following form:—

FORM "J."

I certify that.....
who is a holder of a pre-emption entry (or purchased homestead entry, as the case may be) for (here describe land), has furnished evidence that he has completed the requirements of the law for obtaining letters patent for the said land, excepting the payment of the purchase price,

and that I have, therefore, recommended the issue of letters patent in the name of the said.....
upon payment being made in full of the purchase price, together with the interest thereon, provided such payment is made within the period of time during which this certificate is in operation.

Local agents.

(Place....., date.....)

This certificate will expire on the.....day of.....19.., but is renewable in the discretion of the Minister of the Interior.

Countersigned,

Commissioner of Dominion Lands.

The operation of this certificate is hereby extended until.....

Commissioner of Dominion Lands.

First Session, Thirteenth Parliament, 8–9 George V, 1918.

THE HOUSE OF COMMONS OF CANADA

# BILL 6.

An Act respecting The Burrard Inlet Tunnel and Bridge Company.

First reading, March 21, 1918.

(PRIVATE BILL).

Mr. STEVENS.

OTTAWA
J. DE LABROQUERIE TACHÉ,
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
36520—1 1918

1st Session, 13th Parliament, 8-9 George V, 1918.

THE HOUSE OF COMMONS OF CANADA.

# BILL 6.

An Act respecting The Burrard Inlet Tunnel and Bridge Company.

1910, c. 74; 1913, c. 80; 1914, c. 73; 1916, c. 34.

WHEREAS The Burrard Inlet Tunnel and Bridge 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:—

Extension of time for construction.

**1.** The Burrard Inlet Tunnel and Bridge Company may commence the construction of a tunnel under the First Narrows of Burrard Inlet and a bridge over the Second Narrows of Burrard Inlet for foot passengers, carriages, street railways and railway purposes with the necessary approaches, and also certain lines of railway, as authorized by sections eight and nine of chapter seventy-four of the statutes of 1910, and expend fifteen per cent of the amount of its capital stock thereon, within two years after the passing of this Act, and may complete the said bridge, tunnel and lines of railway and put them in operation, within five years after the passing of this Act; and if the said bridge, tunnel and lines of railway are not so commenced and such expenditure is not so made, or if the said bridge, tunnel or lines of railway are not completed and put in operation, within the said periods respectively, the powers of construction conferred upon the said company by Parliament shall cease and be null and void as respects so much of the said bridge, tunnel or lines of railway, as then remains uncompleted.

Repeal.

**2.** Section one of chapter thirty-four of the statutes of 1916 is repealed.

First Session, Thirteenth Parliament, 8-9 George V, 1918.

THE HOUSE OF COMMONS OF CANADA

# BILL 6.

An Act respecting The Burrard Inlet Tunnel and Bridge Company.

**AS PASSED BY THE HOUSE OF COMMONS, 22nd APRIL, 1918.**

OTTAWA
J. DE LABROQUERIE TACHÉ,
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
39420—1 1918

1st Session, 13th Parliament, 8-9 George V, 1918.

THE HOUSE OF COMMONS OF CANADA

# BILL 6.

An Act respecting The Burrard Inlet Tunnel and Bridge Company.

1910, c. 74; 1913, c. 80; 1914, c. 73; 1916, c. 34.

WHEREAS The Burrard Inlet Tunnel and Bridge 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:—

Extension of time for construction.

**1.** The Burrard Inlet Tunnel and Bridge Company may commence the construction of a tunnel under the First Narrows of Burrard Inlet and a bridge over the Second Narrows of Burrard Inlet for foot passengers, carriages, street railways and railway purposes with the necessary approaches, and also certain lines of railway, as authorized by sections eight and nine of chapter seventy-four of the statutes of 1910, and expend fifteen per cent of the amount of its capital stock thereon, within two years after the passing of this Act, and may complete the said bridge, tunnel and lines of railway and put them in operation, within five years after the passing of this Act; and if the said bridge, tunnel and lines of railway are not so commenced and such expenditure is not so made, or if the said bridge, tunnel or lines of railway are not completed and put in operation, within the said periods respectively, the powers of construction conferred upon the said company by Parliament shall cease and be null and void as respects so much of the said bridge, tunnel or lines of railway, as then remains uncompleted.

Repeal.

**2.** Section one of chapter thirty-four of the statutes of 1916 is repealed.

First Session, Thirteenth Parliament, 8-9 George V, 1918.

THE HOUSE OF COMMONS OF CANADA

# BILL 7.

An Act resepcting The Canadian Indemnity Company.

First reading March 21, 1918.

(PRIVATE BILL).

MR. ALLAN.

OTTAWA
J. DE LABROQUERIE TACHÉ,
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
36521—1 1918

1st Session, 13th Parliament, 8-9 George V, 1918.

THE HOUSE OF COMMONS OF CANADA.

# BILL 7.

An Act respecting The Canadian Indemnity Company.

1916, c. 52.

WHEREAS The Canadian Indemnity 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:—

Extension of time.

**1.** Notwithstanding anything in section seventy-four of *The Insurance Act, 1917*, or in the Act incorporating The Canadian Indemnity Company, chapter fifty-two of the statutes of 1916, the said chapter shall be deemed not to have expired and ceased to be in force after the twenty-second day of March, 1918, but to have continued and to be in force for all purposes thereof whatsoever until the twenty-third day of March, 1920; and the Minister of Finance may at any time not later than the twenty-second day of March, 1920, and subject to all other provisions of *The Insurance Act, 1917*, grant to the said company the license necessary for carrying on business.

1917, c. 29.

Limitation.

**2.** If the company has not obtained the said license before the twenty-third day of March, 1920, the said chapter fifty-two of the statutes of 1916 shall then expire and cease to be in force thereafter, except for the sole purpose of winding up the company's business, but otherwise shall remain in full force and effect for all purposes thereof whatsoever.

7.

First Session, Thirteenth Parliament, 8–9 George V, 1918.

THE HOUSE OF COMMONS OF CANADA

# BILL 7.

An Act resepcting The Canadian Indemnity Company.

**AS PASSED BY THE HOUSE OF COMMONS, 22nd APRIL, 1918.**

OTTAWA
J. DE LABROQUERIE TACHÉ
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1918

1st Session, 13th Parliament, 8-9 George V, 1918.

THE HOUSE OF COMMONS OF CANADA

# BILL 7.

An Act respecting The Canadian Indemnity Company.

1916, c. 52.

WHEREAS The Canadian Indemnity 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:—

Extension of time.

**1.** Notwithstanding anything in section seventy-four of *The Insurance Act, 1917*, or in the Act incorporating The Canadian Indemnity Company, chapter fifty-two of the statutes of 1916, the said chapter shall be deemed not to have expired and ceased to be in force after the twenty-second day of March, 1918, but to have continued and to be in force for all purposes thereof whatsoever until the twenty-third day of March, 1920; and the Minister of Finance may at any time not later than the twenty-second day of March, 1920, and subject to all other provisions of *The Insurance Act, 1917*, grant to the said company the license necessary for carrying on business.

1917, c. 29.

Limitation.

**2.** If the company has not obtained the said license before the twenty-third day of March, 1920, the said chapter fifty-two of the statutes of 1916 shall then expire and cease to be in force thereafter, except for the sole purpose of winding up the company's business, but otherwise shall remain in full force and effect for all purposes thereof whatsoever.

First Session, Thirteenth Parliament, 8–9 George V, 1918.

THE HOUSE OF COMMONS OF CANADA

# BILL 8.

An Act respecting The Cosmos Cotton Company.

First reading, March 21, 1918.

(PRIVATE BILL.)

Mr. SPINNEY.

OTTAWA
J. DE LABROQUERIE TACHÉ
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
37540—1 1918

1st Session, 13th Parliament, 8-9 George V, 1918.

THE HOUSE OF COMMONS OF CANADA.

# BILL 8.

An Act respecting The Cosmos Cotton Company.

1902, c. 56.

WHEREAS The Cosmos Cotton Company, hereinafter called "the 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:—

**1.** Section six of chapter fifty-six of the statutes of 1902, incorporating the Company, is hereby repealed and the following is substituted therefor:—

Election of directors.

"**6.** At each annual general meeting of the Company, the shareholders shall choose from among their number such number of persons, not less than three or more than nine, as may from time to time be fixed and determined either by a by-law or by a resolution of the shareholders, to be directors of the Company, the majority of whom shall be a quorum and one or more of whom may be paid directors; and notwithstanding anything to the contrary in the Companies Clauses, Part II of the *Companies Act*, the majority of the directors need not be resident in Canada nor British subjects."

Alien directors.

R.S., c. 79.

8.

First Session, Thirteenth Parliament, 8-9 George V, 1918.

THE HOUSE OF COMMONS OF CANADA

# BILL 8.

An Act respecting The Cosmos Cotton Company.

**AS PASSED BY THE HOUSE OF COMMONS, 15th APRIL, 1918.**

OTTAWA
J. DE LABROQUERIE TACHÉ
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
38937—1 1918

1st Session, 13th Parliament, 8-9 George V, 1918.

THE HOUSE OF COMMONS OF CANADA.

# BILL 8.

An Act respecting The Cosmos Cotton Company.

1902, c. 56.

WHEREAS The Cosmos Cotton Company, hereinafter called "the 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:—

**1.** Section six of chapter fifty-six of the statutes of 1902, incorporating the Company, is hereby repealed and the following is substituted therefor:—

Election of directors.

"**6.** At each annual general meeting of the Company, the shareholders shall choose from among their number such number of persons, not less than three or more than nine, as may from time to time be fixed and determined either by a by-law or by a resolution of the shareholders, to be directors of the Company, the majority of whom shall be a quorum and one or more of whom may be paid directors; and notwithstanding anything to the contrary in section one hundred and twenty-seven of the *Companies Act*, the majority of the directors need not be resident in Canada nor British subjects."

Alien directors.

R.S., c. 79.

First Session, Thirteenth Parliament, 8–9 George V, 1918.

THE HOUSE OF COMMONS OF CANADA.

# BILL 9.

An Act respecting Fraser Lumber Company, Limited, and Fraser Companies, Limited.

First reading, March 21, 1918.

(PRIVATE BILL).

MR ELKIN.

OTTAWA
J. DE LABROQUERIE TACHÉ,
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1918

1st Session, 13th Parliament, 8-9 George V, 1918.

THE HOUSE OF COMMONS OF CANADA.

# BILL 9.

1898, c. 116; 1908, c. 162.

An Act respecting Fraser Lumber Company, Limited, and Fraser Companies, Limited.

Preamble.

WHEREAS Fraser Lumber Company, Limited, has by its petition represented that it was incorporated by chapter one hundred and sixteen of the statutes of 1898 under the name of "The Tobique Manufacturing Company, Limited," and that by chapter one hundred and sixty-two of the statutes of 1908 its said name was changed to "Fraser Lumber Company, Limited," and that it has by agreement dated the first day of September, 1917, sold and transferred as a going concern the whole of its undertakings, properties, business, assets, franchises and liabilities to Fraser Companies, Limited, a company incorporated by letters patent dated the twenty-seventh day of June, 1917, under the provisions of Part I of the *Companies Act*, chapter seventy-nine of the Revised Statutes of Canada, 1906; and whereas Fraser Companies, Limited, and Fraser Lumber Company, Limited, have by their petitions prayed that the said sale and purchase be ratified and confirmed, and that the powers, privileges, franchises and immunities of the said Fraser Lumber Company, Limited, granted under the provisions of chapter one hundred and sixteen of the statutes of 1898 and of chapter one hundred and sixty-two of the statutes of 1908, be vested in the said Fraser Companies, Limited, 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:—

R.S. c. 79.

Agreement of sale and transfer confirmed.

**1.** The agreement dated the first day of September, 1917, a copy of which is filed in the office of the Secretary of State of Canada, for the sale and transfer by Fraser Lumber Company Limited, unto Fraser Companies, Limited, of the whole of the undertakings, properties, business, assets, franchises and liabilities of the said Fraser Lumber Company, Limited, to Fraser Companies, Limited, is hereby ratified and confirmed and declared to be valid and binding on the parties thereto, subject to the assumption by

Rights saved.

Fraser Companies, Limited, of the duties, obligations, and liabilities of Fraser Lumber Company, Limited, with respect to the business, rights and property so acquired as are not performed or discharged by Fraser Lumber Company, Limited.

Charter rights vested in new company.

**2.** Subject to the provisions of section one of this Act, all the powers, privileges, franchises and immunities vested in Fraser Lumber Company, Limited, by chapter one hundred and sixteen of the statutes of 1898 and by chapter one hundred and sixty-two of the statutes of 1908, are hereby declared to be and are hereby vested in Fraser Companies, Limited, its successors and assigns.

9.

First Session, Thirteenth Parliament, 8–9 George V, 1918.

THE HOUSE OF COMMONS OF CANADA

# BILL 9.

An Act respecting Fraser Lumber Company, Limited, and Fraser Companies, Limited.

AS PASSED BY THE HOUSE OF COMMONS, 15th APRIL, 1918.

OTTAWA
J. DE LABROQUERIE TACHÉ
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1918

1st Session, 13th Parliament, 8-9 George V, 1918.

THE HOUSE OF COMMONS OF CANADA.

# BILL 9.

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R.S. c. 79.

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Rights saved.

Fraser Companies, Limited, of the duties, obligations, and liabilities of Fraser Lumber Company, Limited, with respect to the business, rights and property so acquired as are not performed or discharged by Fraser Lumber Company, Limited.

Charter rights vested in new company.

**2.** Subject to the provisions of section one of this Act, all the powers, privileges, franchises and immunities vested in Fraser Lumber Company, Limited, by chapter one hundred and sixteen of the statutes of 1898 and by chapter one hundred and sixty-two of the statutes of 1908, are hereby declared to be and are hereby vested in Fraser Companies, Limited, its successors and assigns.

9.

First Session, Thirteenth Parliament, 8–9 George V, 1918.

THE HOUSE OF COMMONS OF CANADA

# BILL 9.

An Act respecting Fraser Lumber Company, Limited, and Fraser Companies, Limited.

AS PASSED BY THE HOUSE OF COMMONS, 15th APRIL, 1918.

OTTAWA
J. DE LABROQUERIE TACHÉ
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1918

1st Session, 13th Parliament, 8-9 George V, 1918.

THE HOUSE OF COMMONS OF CANADA.

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1898, c. 116; 1908, c. 162.

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Preamble.

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R.S. c. 79.

Agreement of sale and transfer confirmed.

**1.** The agreement dated the first day of September, 1917, a copy of which is filed in the office of the Secretary of State of Canada, for the sale and transfer by Fraser Lumber Company, Limited, unto Fraser Companies, Limited, of the whole of the undertakings, properties, business, assets, franchises and liabilities of the said Fraser Lumber Company, Limited, to Fraser Companies, Limited, is hereby ratified and confirmed and declared to be valid and binding on the parties thereto, subject to the assumption by

Rights saved.

Fraser Companies, Limited, of the duties, obligations, and liabilities of Fraser Lumber Company, Limited, with respect to the business, rights and property so acquired as are not performed or discharged by Fraser Lumber Company, Limited.

Charter rights vested in new company.

**2.** Subject to the provisions of section one of this Act, all the powers, privileges, franchises and immunities vested in Fraser Lumber Company, Limited, by chapter one hundred and sixteen of the statutes of 1898 and by chapter one hundred and sixty-two of the statutes of 1908, are hereby declared to be and are hereby vested in Fraser Companies, Limited, its successors and assigns.

First Session, Thirteenth Parliament, 8–9 George V, 1918.

THE HOUSE OF COMMONS OF CANADA.

# BILL 10.

An Act to enable the Western Power Company of Canada, Limited, to own and operate the Railway of the Western Canada Power Company, Limited.

First reading, March 21, 1918.

(PRIVATE BILL).

MR. STEACY.

OTTAWA
J. DE LABROQUERIE TACHÉ,
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1918

1st Session, 13th Parliament, 8-9 George V, 1918.

# THE HOUSE OF COMMONS OF CANADA.

# BILL 10.

An Act to enable the Western Power Company of Canada, Limited, to own and operate the Railway of the Western Canada Power Company, Limited.

1910, c. 175.

WHEREAS the Western Power Company of Canada, Limited, a company incorporated by letters patent dated the twenty-seventh day of September, 1916, under the provisions of Part I of the *Companies Act*, chapter seventy-nine of the Revised Statutes of Canada, 1906, and the Western Canada Power Company, Limited, 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:—

R.S. c. 79.

Power to hold and operate railway.

**1.** Subject to the provisions of the *Railway Act*, the Western Power Company of Canada, Limited, may hold, operate and run the railway of the Western Canada Power Company, Limited, as fully and effectually as the said Western Canada Power Company, Limited, was hitherto authorized to do under the provisions of chapter one hundred and seventy-five of the statutes of 1910.

R.S. c. 37.

10.

First Session, Thirteenth Parliament, 8–9 George V, 1918.

THE HOUSE OF COMMONS OF CANADA

# BILL 10.

An Act to enable the Western Power Company of Canada, Limited, to own and operate the Railway of the Western Canada Power Company, Limited.

**AS PASSED BY THE HOUSE OF COMMONS, 22nd APRIL, 1918.**

OTTAWA
J. DE LABROQUERIE TACHÉ
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1918

1st Session, 13th Parliament, 8-9 George V, 1918.

# THE HOUSE OF COMMONS OF CANADA.

# BILL 10.

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1910, c. 175.

WHEREAS the Western Power Company of Canada, Limited, a company incorporated by letters patent dated the twenty-seventh day of September, 1916, under the provisions of Part I of the *Companies Act*, chapter seventy-nine of the Revised Statutes of Canada, 1906, and the Western Canada Power Company, Limited, 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:—

R.S. c. 79.

Power to hold and operate railway.

R.S. c. 37.

**1.** Subject to the provisions of the *Railway Act*, and subject to the assumption by the Western Power Company of Canada, Limited, of the duties, obligations and liabilities of the Western Canada Power Company, Limited, with respect to the railway in this section mentioned as are not performed or discharged by the Western Canada Power Company, Limited, the Western Power Company of Canada, Limited, may hold, operate and run the railway of the Western Canada Power Company, Limited, as fully and effectually as the said Western Canada Power Company, Limited, was hitherto authorized to do under the provisions of chapter one hundred and seventy-five of the statutes of 1910.

Consent of municipality or other authority.

**2.** The Company shall not construct or operate its railway along 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 or other public place, and if there is no such municipality, then without first obtaining the consent of the authority having jurisdiction over such highway, street or other public place, and upon the terms to be agreed upon with such municipality, or such other authority.

11.

First Session, Thirteenth Parliament, 8–9 George V, 1918.

THE HOUSE OF COMMONS OF CANADA

# BILL 11.

An Act respecting the Department of Immigration and Colonization.

First reading, March 21, 1918.

THE PRIME MINISTER.

OTTAWA
J. DE LABROQUERIE TACHÉ,
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1918

1st Session, 13th Parliament, 8-9 George V, 1918.

THE HOUSE OF COMMONS OF CANADA.

# BILL 11.

An Act respecting the Department of Immigration and Colonization.

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

Short title.

**1.** This Act may be cited as *The Department of Immigration and Colonization Act.*

Department constituted.

**2.** (1) There shall be a Department of the Government of Canada which shall be called "The Department of Immigration and Colonization," over which the Minister of Immigration and Colonization shall preside.

Minister.

(2) The Minister shall hold office during pleasure, and shall have the management and direction of the Department.

Deputy Minister.

**3.** (1) The Governor in Council may appoint an officer who shall be called "the Deputy Minister of Immigration and Colonization", who shall be the deputy head of the Department, and who shall hold office during pleasure.

Clerks, etc.

(2) Such other officers, clerks and employees as are necessary for the proper conduct of the business of the Department may be appointed, all of whom shall hold office during pleasure.

Duties.

**4.** The duties and powers of the Minister of Immigration and Colonization shall extend to the administration of the *Immigration Act* and the *Chinese Immigration Act* and of all Orders of the Governor in Council passed thereunder and of all Orders of the Governor in Council passed under *The War Measures Act, 1914,* referring to immigration matters or the duties of immigration officials, and all the powers and duties of any Minister of the Crown under either of the said Acts or under any of the said Orders in Council are hereby transferred to and conferred upon the Minister of Immigration and Colonization.

Previous action confirmed.

**5.** The exercise or performance by the Minister of Immigration and Colonization since the twelfth day of October, one thousand nine hundred and seventeen, of any power or duty conferred upon any Minister of the Crown by either of the said Acts or by any of the said Orders in Council is hereby sanctioned, ratified and confirmed.

Report to Parliament.

**6.** The Minister shall annually lay before Parliament within ten days after meeting thereof a report of the business, transactions and affairs of the Department during the year then next preceding.

First Session, Thirteenth Parliament, 8–9 George V, 1918.

THE HOUSE OF COMMONS OF CANADA

# BILL 11.

An Act respecting the Department of Immigration and Colonization.

**AS PASSED BY THE HOUSE OF COMMONS, 25th MARCH, 1918.**

OTTAWA
J. DE LABROQUERIE TACHÉ,
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1918

1st Session, 13th Parliament, 8-9 George V, 1918.

# THE HOUSE OF COMMONS OF CANADA.

# BILL 11.

An Act respecting the Department of Immigration and Colonization.

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

Short title.

**1.** This Act may be cited as *The Department of Immigration and Colonization Act.*

Department constituted.

**2.** (1) There shall be a Department of the Government of Canada which shall be called "The Department of Immigration and Colonization," over which the Minister of Immigration and Colonization shall preside.

Minister.

(2) The Minister shall hold office during pleasure, and shall have the management and direction of the Department.

Deputy Minister.

**3.** (1) The Governor in Council may appoint an officer who shall be called "the Deputy Minister of Immigration and Colonization", who shall be the deputy head of the Department, and who shall hold office during pleasure.

Clerks, etc.

(2) Such other officers, clerks and employees as are necessary for the proper conduct of the business of the Department may be appointed, all of whom shall hold office during pleasure.

Duties.

**4.** The duties and powers of the Minister of Immigration and Colonization shall extend to the administration of the *Immigration Act* and the *Chinese Immigration Act*, and of all Orders of the Governor in Council passed thereunder, and of all Orders of the Governor in Council passed under *The War Measures Act, 1914*, referring to immigration matters or the duties of immigration officials, and all the powers and duties of any Minister of the Crown under either of the said Acts or under any of the said Orders in Council are hereby transferred to and conferred upon the Minister of Immigration and Colonization.

Previous action confirmed.

**5.** The exercise or performance by the Minister of Immigration and Colonization since the twelfth day of October, one thousand nine hundred and seventeen, of any power or duty conferred upon any Minister of the Crown by either of the said Acts or by any of the said Orders in Council is hereby sanctioned, ratified and confirmed.

Report to Parliament.

**6.** The Minister shall annually lay before Parliament within ten days after meeting thereof a report of the business, transactions and affairs of the Department during the year then next preceding.

12.

First Session, Thirteenth Parliament, 8–9 George V, 1918.

THE HOUSE OF COMMONS OF CANADA

# BILL 12.

An Act respecting the Department of Soldiers' Civil Re-establishment.

First reading, March 21, 1918.

The PRIME MINISTER.

OTTAWA
J. DE LABROQUERIE TACHÉ
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1918

1st Session, 13th Parliament, 8-9 George V, 1918

# THE HOUSE OF COMMONS OF CANADA.

# BILL 12.

An Act respecting the Department of Soldier's Civil Re-establishment.

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

Short title.

**1.** This Act may be cited as *The Department of Soldiers' Civil Re-establishment Act.*

Department constituted.

**2.** (1) There shall be a Department of the Government of Canada to be called "The Department of Soldiers' Civil Re-establishment" over which the Minister of Soldiers' Civil Re-establishment shall preside.

Minister.

(2) The Minister shall hold office during pleasure, and shall have the management and direction of the Department.

Parliamentary Secretary.

**3.** The Governor in Council may appoint a Senator or a Member of the House of Commons to be Parliamentary Secretary of the Department of Soldiers' Civil Re-establishment, who shall have and perform such powers and duties as the Governor in Council may from time to time prescribe.

Deputy Minister.

**4.** (1) The Governor in Council may appoint an officer who shall be called "The Deputy Minister of Soldiers' Civil Re-establishment", who shall be the deputy head of the Department, and who shall hold office during pleasure.

Clerks, etc.

(2) Such other officers, clerks and employees as are necessary for the proper conduct of the business of the Department may be appointed, all of whom shall hold office during pleasure.

Duties.

**5.** The Minister shall have the management and control of all matters relating to the re-establishment in civil life and activities of all persons who have served in the naval or military forces of His Majesty or any of His Majesty's

allies during the present war, and the dependents of such persons, and the administration of any statutes or of any regulations or orders enacted or made by the Governor in Council for such purpose.

Report to Parliament.

**6.** The Minister shall annually lay before Parliament within ten days of the meeting thereof a report of the business, transactions and affairs of the Department during the year then next preceding.

Previous action confirmed.

**7.** The exercise or performance by the Minister of Soldiers' Civil Re-establishment since the twenty-first day of February, one thousand nine hundred and eighteen, of any power or duty conferred upon him by any Order in Council is hereby sanctioned, ratified and confirmed.

First Session, Thirteenth Parliament, 8–9 George V, 1918.

THE HOUSE OF COMMONS OF CANADA

# BILL 12.

An Act respecting the Department of Soldiers' Civil Re-establishment.

**AS PASSED BY THE HOUSE OF COMMONS, 11th APRIL, 1918.**

OTTAWA
J. DE LABROQUERIE TACHÉ
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1918

1st Session. 13th Parliament, 8-9 George V. 1918

THE HOUSE OF COMMONS OF CANADA.

# BILL 12.

An Act respecting the Department of Soldiers' Civil Re-establishment.

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

Short title.

**1.** This Act may be cited as *The Department of Soldiers' Civil Re-establishment Act.*

Department constituted.

**2.** (1) There shall be a Department of the Government of Canada to be called "The Department of Soldiers' Civil Re-establishment" over which the Minister of Soldiers' Civil Re-establishment shall preside.

Minister.

(2) The Minister shall hold office during pleasure, and shall have the management and direction of the Department.

Parliamentary Secretary.

**3.** The Governor in Council may appoint a Senator or a Member of the House of Commons to be Parliamentary Secretary of the Department of Soldiers' Civil Re-establishment, who shall have and perform such powers and duties as the Governor in Council may from time to time prescribe.

Deputy Minister.

**4.** (1) The Governor in Council may appoint an officer who shall be called "The Deputy Minister of Soldiers' Civil Re-establishment", who shall be the deputy head of the Department, and who shall hold office during pleasure.

Clerks, etc.

(2) Such other officers, clerks and employees as are necessary for the proper conduct of the business of the Department may be appointed, all of whom shall hold office during pleasure.

Duties.

**5.** The Minister shall have the management and control of all matters relating to the re-establishment in civil life and activities of all persons who have served in the naval or military forces of His Majesty or any of His Majesty's

allies during the present war, and the dependents of such persons, and the administration of any statutes or of any regulations or orders enacted or made by the Governor in Council for such purpose: Provided, however, that nothing in this Act shall be deemed in any way to affect the powers or duties of the Board of Pension Commissioners for Canada.

Report to Parliament.

**6.** The Minister shall annually lay before Parliament within ten days of the meeting thereof a report of the business, transactions and affairs of the Department during the year then next preceding.

Previous action confirmed.

**7.** The exercise or performance by the Minister of Soldiers' Civil Re-establishment since the twenty-first day of February, one thousand nine hundred and eighteen, of any power or duty conferred upon him by any Order in Council is hereby sanctioned, ratified and confirmed.

First Session, Thirteenth Parliament, 8–9 George V, 1918.

THE HOUSE OF COMMONS OF CANADA

# BILL 13.

An Act to amend the Salaries Act and the Provisions for preserving the Independence of Parliament.

First Reading, March 21, 1918.

The PRIME MINISTER.

OTTAWA
J. DE LABROQUERIE TACHÉ
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
37073—1 1918

1st Session, 13th Parliament, 8-9 George V, 1918.

# THE HOUSE OF COMMONS OF CANADA.

# BILL 13.

An Act to amend the Salaries Act and the Provisions for preserving the Independence of Parliament.

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

Salaries.

**1.** (1) Subsection one of section four of the *Salaries Act*, Revised Statutes of Canada, 1906, chapter four, as amended by subsection one of section three of chapter thirty-five of the statutes of 1917, is further amended by adding, after the words " The Minister of the Overseas Military Forces, $7,000,00 per annum," the following:—

Secretary of State for External Affairs.

" The Secretary of State for External Affairs, $7,000.00 per annum,

Minister of Immigration and Colonization.

" The Minister of Immigration and Colonization, $7,000.00 per annum,

Parliamentary Secretary of Soldiers' Civil Re-establishment

" The Minister of Soldiers' Civil Re-Establishment, $7,000.00 per annum."

Minister of Soldiers' Civil Re-Establishment.

(2) Subsection two of section five of the said Act, as enacted by chapter thirty-five of the statutes of 1917, is amended by inserting after the words "External Affairs", in the third line thereof, the words "and of the Parliamentary Secretary of the Department of Soldiers' Civil Re-establishment."

Ministers not ineligible to be Members or sit in House of Commons.

(3) Nothing in the *Dominion Elections Act* or in the *Senate and House of Commons Act*, Revised Statutes of Canada, 1906, chapters six and ten respectively, or in any other statute or law, shall render ineligible any person accepting or holding any of the said offices of Secretary of State for External Affairs, Minister of Immigration and Colonization, Minister of Soldiers' Civil Re-Establishment, and Parliamentary Secretary of the Department of Soldiers' Civil Re-establishment as a Member of the House of Commons, or shall disqualify him for sitting or voting therein.

Salaries to be paid from first appointment.

(4) The several persons holding the said offices shall each be paid out of the Consolidated Revenue Fund of Canada

the several salaries prescribed by section one of this Act for the several periods during which they have, respectively, held the said offices, and the salaries for the said offices shall be paid from the following dates, that is to say:—

The Secretary of State for External Affairs, on and from the twelfth day of October, one thousand nine hundred and seventeen;

The Minister of Immigration and Colonization, on and from the twelfth day of October, one thousand nine hundred and seventeen;

The Minister of Soldiers' Civil Re-Establishment, on and from the twenty-third day of February, one thousand nine hundred and eighteen; and

The Parliamentary Secretary of the Department of Soldiers' Civil Re-establishment on and from the twenty-third day of February, one thousand nine hundred and eighteen.

and such payments shall not render the persons receiving the same ineligible as Members of the House of Commons or disqualify them for sitting or voting therein.

Three additional Ministers may receive salaries if same voted by Parliament.

**2.** In addition to the Ministers, members of the King's Privy Council for Canada, mentioned in section four of the said *Salaries Act* as amended by chapter thirty-five of the statutes of 1917, one or more other Ministers, not exceeding three, Members of the King's Privy Council for Canada who may be named by the Governor in Council, may be paid such salaries or other remuneration as Parliament may from time to time provide, and they shall not, by reason of anything contained in the Acts mentioned in subsection two of section one of this Act or in any other statute or law, or by reason of being paid or receiving the said salaries or remuneration so provided by Parliament, be ineligible as Members of the House of Commons, or disqualified to sit or vote therein.

(2) The provisions of this section shall only continue in operation during the present war and for one year thereafter.

First Session, Thirteenth Parliament, 8–9 George V, 1918.

THE HOUSE OF COMMONS OF CANADA

# BILL 13.

An Act to amend the Salaries Act and the Provisions for preserving the Independence of Parliament.

**AS PASSED BY THE HOUSE OF COMMONS, 23rd APRIL, 1918.**

OTTAWA
J. DE LABROQUERIE TACHÉ
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
39206—1 1918

1st Session, 13th Parliament, 8-9 George V, 1918.

THE HOUSE OF COMMONS OF CANADA

# BILL 13.

An Act to amend the Salaries Act and the Provisions for preserving the Independence of Parliament.

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

Salaries.

**1.** (1) Subsection one of section four of the *Salaries Act*, Revised Statutes of Canada, 1906, chapter four, as amended by subsection one of section three of chapter thirty-five of the statutes of 1917, is further amended by adding, after the words "The Minister of the Overseas Military Forces, $7,000,00 per annum," the following:—

Secretary of State for External Affairs.

"The Secretary of State for External Affairs, $7,000.00 per annum,

Minister of Immigration and Colonization.

"The Minister of Immigration and Colonization, $7,000.00 per annum,

Minister of Soldiers' Civil Re-establishment.

"The Minister of Soldiers' Civil Re-establishment, $7,000.00 per annum."

Parliamentary Secretary of Soldiers' Civil Re-establishment

(2) Subsection two of section five of the said Act, as enacted by chapter thirty-five of the statutes of 1917, is amended by inserting after the words "External Affairs", in the third line thereof, the words "and of the Parliamentary Secretary of the Department of Soldiers' Civil Re-establishment."

Present ministers not ineligible to be members or sit in House of Commons.

(3) Nothing in the *Dominion Elections Act* or in the *Senate and House of Commons Act*, Revised Statutes of Canada, 1906, chapters six and ten respectively, or in any other statute or law, shall render ineligible any person now holding any of the said offices of Secretary of State for External Affairs, Minister of Immigration and Colonization, Minister of Soldiers' Civil Re-establishment, and Parliamentary Secretary of the Department of Soldiers' Civil Re-establishment, as a member of the House of Commons, or shall disqualify him from sitting or voting therein.

Salaries to be paid from first appointment.

(4) The several persons now holding the said offices shall each be paid out of the Consolidated Revenue Fund of

Canada the several salaries prescribed by section one of this Act for the several periods during which they have, respectively, held the said offices, and the salaries for the said offices shall be paid from the following dates, that is to say:—

The Secretary of State for External Affairs, on and from the twelfth day of October, one thousand nine hundred and seventeen;

The Minister of Immigration and Colonization, on and from the twelfth day of October, one thousand nine hundred and seventeen;

The Minister of Soldiers' Civil Re-establishment, on and from the twenty-third day of February, one thousand nine hundred and eighteen; and,

The Parliamentary Secretary of the Department of Soldiers' Civil Re-establishment on and from the twenty-third day of February, one thousand nine hundred and eighteen;

and such payments shall not render the persons receiving the same ineligible as members of the House of Commons or disqualify them from sitting or voting therein.

Ministers not ineligible to be members or sit in House of Commons.

**2.** Nothing in the *Dominion Elections Act* or in the *Senate and House of Commons Act*, Revised Statutes of Canada, 1906, chapters six and ten respectively, or in any other statute or law, shall render ineligible any person hereafter accepting and holding any of the said offices of Secretary of State for External Affairs, Minister of Immigration and Colonization, Minister of Soldiers' Civil Re-establishment, and Parliamentary Secretary of the Department of Soldiers' Civil Re-establishment, as a member of the House of Commons, or shall disqualify him from sitting or voting therein if he is elected while he holds such office and is not otherwise disqualified.

Three additional Ministers may receive salaries if same voted by Parliament.

**3.** (1) In addition to the Ministers, members of the King's Privy Council for Canada, mentioned in section four of the said *Salaries Act* as amended by chapter thirty-five of the statutes of 1917, one or more other Ministers, not exceeding three, members of the King's Privy Council for Canada, who may be named by the Governor in Council, may be paid such salaries or other remuneration as Parliament may from time to time authorize, and they shall not, by reason of anything contained in the Acts mentioned in subsection three of section one of this Act or in any other statute or law, or by reason of being paid or receiving the said salaries or remuneration so authorized by Parliament, be ineligible as members of the House of Commons, or disqualified to sit or vote therein.

Chairman of Sub-Committee on Labour Problems and Vice-Chairman of Reconstruction and Development Committee.

(2) The provisions of this section shall be deemed to have come into operation on the twenty-third day of October, one thousand nine hundred and seventeen, and to apply and extend to the Chairman of the Sub-Committee on Labour Problems and to the Vice-Chairman of the Reconstruction and Development Committee, and they shall be deemed to have been named by the Governor in Council under the provisions of this section on the said date, and shall each receive a salary of seven thousand dollars per annum.

Limited operation.

(3) The provisions of this section shall only continue in operation during the present war and for one year thereafter.

First Session, Thirteenth Parliament, 8–9 George V, 1918.

THE HOUSE OF COMMONS OF CANADA.

# BILL 14.

An Act to confirm an agreement between His Majesty the King and the Van Buren Bridge Company.

First Reading, March 21, 1918.

The MINISTER OF RAILWAYS AND CANALS.

OTTAWA
J. DE LABROQUERIE TACHÉ
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
36833—1 1918

1st Session, 13th Parliament, 8-9 George V, 1918

# THE HOUSE OF COMMONS OF CANADA.

# BILL 14.

An Act to confirm an agreement between His Majesty the King and the Van Buren Bridge Company.

1913, c. 203; 1915, c. 77.

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

Agreement of 8 March, 1918, with Van Buren Bridge Company confirmed.

**1.** The agreement dated the eighth day of March one thousand nine hundred and eighteen, between His Majesty the King and the Van Buren Bridge Company, 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, and the parties to the said agreement are and each of them is hereby authorized and empowered to do whatsoever may be necessary to give full effect to the provisions of the said agreement.

## SCHEDULE.

This Agreement made this eighth day of March, A.D. 1918. Between The Van Buren Bridge Company, hereinafter called the "Lessor" of the first part, and, His Majesty the King, represented herein by the Minister of Railways and Canals of Canada and acting under and by virtue of an Order in Council, dated the 26th day of January, A.D. 1918, and hereinafter called the "Lessee" of the second part.

Whereas the Lessee has applied to the Lessor for a lease of certain lands, situate, lying and being in the Parish of St. Leonards, in the County of Madawaska, and Province of New Brunswick, and lying between the International Railway and the National Transcontinental Railway.

And Whereas the Lessor has agreed to grant such lease in consideration of the rents, covenants, provisoes and conditions hereinafter set out;

Now Therefore this agreement witnesseth that the Lessor in consideration of the rents, covenants, provisoes and condi-

tions hereinafter reserved and contained, hath demised and leased unto the Lessee all those three certain several pieces or parcels of land situate, lying and being in the Parish of St. Leonards, in the County of Madawaska and Province of New Brunswick, and lying between the International Railway and the National Transcontinental Railway as aforesaid and hereinafter more particularly bounded, set out and described, as follows:—

PARCEL NO. 1.

The Point of Beginning being at the point where the Centre Line of the said Van Buren Bridge Company's Railway intersects the Easterly Boundary of the right of way of the National Transcontinental Railway (a portion of the aforesaid Canadian Government Railways); thence north 4° 32′ east, along this last noted Boundary, fifty-five and five-tenths (55·5) feet, more or less, to a point thereon distant fifty (50) feet from the said Centre Line, measured at right angles North-Westerly therefrom; thence north 68° 45′ east, parallel to the said Centre Line, and distant therefrom fifty (50) feet, measured at right angles North-Westerly therefrom fifteen hundred and twenty-three and nine-tenths (1523·9) feet, more or less, to the Westerly boundary of the highway leading to St. Leonards aforesaid; thence South 3° 25′ West, along this last mentioned highway boundary, one hundred and ten (110) feet, more or less, to a point thereon distant fifty (50) feet from the said Centre Line, measured at right angles South-Easterly therefrom; thence South 68° 45′ West parallel to the said centre line, and distant therefrom fifty (50) feet, measured at right angles South-Easterly therefrom, fifteen hundred and twenty-six and three-tenths (1526·3) feet, more or less, to the aforesaid Easterly boundary of the right of way of the National Transcontinental Railway; thence North 4° 32′ East, along this last mentioned boundary, fifty-five and five-tenths (55·5) feet, more or less, to the aforesaid point of beginning.

Containing the said Parcel No. 1, so described, an area of three and five hundred and one-thousandths (3·501) acres, more or less, as shown outlined in red on the aforesaid accompanying plan No. 4240.

PARCEL NO. 2.

The Point of Beginning at the point where the Centre Line of the said Van Buren Bridge Company's Railway intersects the Easterly Boundary of the highway leading to St. Leonards aforesaid; thence North 3° 25′ East, along this said highway Boundary, fifty-five (55) feet, more or less, to a point thereon distant fifty (50) feet from the said

Centre Line, measured at right angles North-Westerly therefrom; thence North 68° 45′ East, parallel to the said Centre Line, and distant therefrom fifty (50) feet, measured at right angles North-Westerly therefrom two hundred and ninety-seven (297) feet, more or less, to the Westerly Boundary of the Right-of-Way of the Canadian Pacific Railway; thence South 7° 43′ West along this last noted Boundary, one hundred and fourteen and three-tenths (114.3) feet, more or less, to a point thereon distant fifty (50) feet from the said Centre Line, measured at right angles South Easterly therefrom; thence South 68° 45′ West, parallel to the said Centre Line, and distant therefrom fifty (50) feet, measured at right angles South Easterly therefrom, two hundred and eighty-seven and six-tenths (287.6) feet, more or less, to the aforesaid Easterly Boundary of the Highway to St. Leonards; thence North 3° 25′ East along this last noted Boundary, fifty-five (55) feet, more or less, to the aforesaid point of beginning.

Containing the said Parcel No. 2 so described, an area of six hundred and seventy-one thousandths (0.671) of an acre, more or less, as shown outlined in red on the said accompanying plan No. 4240.

PARCEL NO. 3.

The Point of Beginning being at the point where the Centre Line of the aforesaid Van Buren Bridge Company's Railway intersects the Easterly Boundary of the Right of Way of the Canadian Pacific Railway, thence North 7° 43′ East along this last noted Boundary fifty-seven and fifteen-hundredths (57.15) feet, more or less, to a point thereon distant fifty (50) feet, from the said Centre Line, measured at right angles North-Westerly therefrom; thence North 68° 45′ East, parallel to the said Centre Line and distant therefrom fifty (50) feet measured at right angles North-Westerly therefrom; two hundred and forty-three (243) feet to a point opposite and fifty (50) feet distant at right angles North-Westerly from station 51+48.7 thereof; thence parallel to the Centre Line of the said Van Buren Bridge Company's Railway as originally laid down,—(that is, the said Centre Line being on a 4° curve left, beginning at the said station 51+48.7—containing a total angle of 52° 02′ or an arc of 1300.84 feet and terminating at station 64+49.5 thereof, which latter station is distant thirteen (13) feet, at right angles North-Westerly, from station 83+98 of the Centre Line of the aforesaid International Railway; and which last said parallel boundary is distant from this last above described Centre Line of the said Van Buren Bridge Company's Railway fifty (50) feet measured radially North-Westerly and Westerly therefrom, to a point opposite at right angles Westerly from the said station 83+98 of the

International Railway's Centre Line, and distant sixty-three (63) feet therefrom, thence South 73° 17′ East, thirteen (13) feet to the Westerly Boundary of the right of way of the said International Railway; thence South 16° 43′ West along this last noted Boundary, five hundred and one and seven-tenths (501.7) feet, more or less, to a point thereon distant fifty (50) feet from the last described Centre Line of the said Van Buren Bridge Company's Railway, measured at right angles Easterly therefrom, thence parallel to the last said Centre Line and distant therefrom fifty (50) feet, measured radially South-Easterly therefrom, on a curve of 1482.69 feet radius, eight hundred and thirty-six (836) feet, to a point opposite and distant fifty (50) feet, at right angles South-Easterly from the before noted station 51+48.7 of the said Centre Line; thence South 68° 45′ West, parallel to the said Centre Line and distant therefrom fifty (50) feet, measured at right angles South-Easterly therefrom, two hundred and ninety-eight and four-tenths (298.4) feet, more or less, to the aforesaid Easterly Boundary of the right of way of the Canadian Pacific Railway; thence North 7° 43′ East, along this last noted Boundary, fifty-seven and fifteen one-hundredths (57.15) feet, more or less to the aforesaid Point of Beginning.

Containing, the said Parcel No. 3, so described, an area of three and nine hundred and thirty-six one-thousandths (3.936) acres, more or less, as shown outlined in red on the aforesaid accompanying plan No. 4240.

Together with all the railway tracks now constructed upon the above described parcels of land as shown in red on the said plan hereto annexed, and (a) the tower and all appurtenances used for the purpose of and in connection with the interlocking plant, the said tower though located upon the right of way of the National Transcontinental Railway being the property of the Lessor, (b) any and all additional tracks which may hereafter under the provisions of this lease be constructed upon the said parcels of land or any of them, (c) all railway tracks of the Lessor constructed upon public highways crossing any of the said parcels of land, (d) all railway tracks of the Lessor constructed along over or across the right of way of the Canadian Pacific Railway as shown on the said plan, (e) all railway tracks of the Lessor constructed along, over or across the right of way of the National Transcontinental Railway as shown on the said plan, and (f) all easements, interest, rights and privileges which the Lessor holds or enjoys in respect of such public highways, and the said crossings of the Canadian Pacific Railway and the National Transcontinental Railway.

The said lands, tracks, tower and any additions or improvements thereto and all other buildings, structures appliances and facilities now or hereafter during the said

term constructed or erected upon the said lands, with their appurtenances, and the said easements, rights, interests and privileges are hereinafter referred to as the "demised premises."

To have and to hold the demised premises unto and to the use of the Lessee from the 1st day of May, 1918, until the 31st day of August, 1934, yielding and paying therefor to the Lessor in lawful money of Canada, the sum of twelve Hundred Dollars ($1,200.00) yearly in each and every year during the term hereby demised. The said rental shall be paid in half-yearly payments of six hundred dollars ($600.00) each on the first day of March and thirty-first day of August in each year and shall be payable to the Lessor at its offices in the City of Bangor, in the State of Maine, one of the United States of America; the first payment of rental shall be made on the thirty-first day of August, A.D. 1918, for the portion of the semi-annual term then expired, and the last payment of rental shall be made on the 30th day of August, 1934.

The said rental shall be in addition to any sums payable by the Lessee under the provisions of clause 5 hereof.

That it is agreed and understood that the word "Lessor" or other words relative thereto when used herein shall mean the party hereto of the first part and shall include the successors and assigns of the said party of the first part; the word "Lessee" or other words relative thereto shall mean the Sovereign, and shall include the successors and assigns of the Sovereign; "General Manager" shall mean the person named for the time being by the Lessee for the managing of the Government Railways.

And it is further agreed by and between the said parties hereto that these presents are made and executed upon and subject to the covenants, provisoes, conditions and reservations hereinafter set forth and contained, and that the same and every of them representing and expressing the exact intention of the parties are to be strictly observed, performed and complied with, namely:—

1. That the Lessee will pay all rental herein reserved at the time and in the manner in these presents set forth without any abatement or deduction whatever.

2. That the Lessor will pay or cause to be paid all rates, taxes or assessments of whatsoever description that may at any time during the existence of these presents be lawfully imposed or become due and payable upon or in respect of the demised premises or any part thereof.

3. That if the Lessee at any time during the continuance of this lease shall determine it necessary for the purposes of the Lessee to have new connecting tracks at the junction of the Lessor's line of railway with the International Railway or with the National Transcontinental Railway, or at both points, or necessary to have an interchange track

with the Canadian Pacific Railway, together with such interlocking appliances as may be necessary, the location of such connecting and interchange tracks and of such interlocking appliances as are to be constructed upon the demised premises, or upon other lands of the Lessor, shall be mutually agreed upon by the parties hereto subject to the necessary approval of legislative or other authority having jurisdiction over the Lessor. The cost of all such new construction including the interlocking appliances shall be at the sole cost and expense of the Lessee, and the Lessee at its pleasure during the continuance of this lease, or at the termination thereof, may remove such new construction including such interlocking appliances, but shall restore the tracks, towers and interlocking appliances, of the Lessor to their original condition and leave the same in the same proper condition for operation as they now are, ordinary wear and tear excepted; provided however, that the Lessor at the termination of the lease may at its option elect to purchase from the Lessee all new construction or any part thereof on the demised premises or appurtenant thereto, including interlocking appliances, at a price to be mutually agreed upon between the Lessor and the Lessee or his duly authorized representatives, and in event said parties are unable to agree upon the price at which the Lessor may take over such new construction including interlocking appliances, the price to be paid by the Lessor to the Lessee shall be determined by arbitration, such arbitration to be conducted in the manner hereinafter in this instrument set forth.

Nothing in this clause shall operate or be held as releasing the Lessor from paying an equitable proportion (to be determined by the parties hereto) of the cost of constructing, also maintaining such facilities at the junction between the Canadian Government Railways (National Transcontinental Railway) and the Lessor, as in the judgment of the parties hereto may be required from time to time to facilitate the interchange of traffic between the parties hereto.

4. That if a connecting or interchange track be made with any railway or railways other than the International Railway or the National Transcontinental Railway, the Lessee shall not of its own accord route or in any way canvass, assist or be a party to the routing of any traffic originating at or destined to points on the Bangor and Aroostook Railroad on the United States side of the St. John River, via such other railway or railways; but in event any such traffic should be routed or transported via any such other railway or railways, the Lessee will not accept a lower charge than three dollars ($3.00) for each car switched in either direction over that portion of the tracks forming part of the demised premises which may be used for such switching movement, such charge of three dollars

($3.00) per car to include the movement one way of an empty car; but in the event that complaint is made to the Board of Railway Commissioners for the Dominion of Canada in connection with any such charge or charges, the determination of said Board with reference to such charge or charges shall be final and binding upon both parties hereto, subject to rights of appeal from any decision of such Board.

5. That the entire operation and maintenance cost of the tracks and interlocking appliances demised and leased to the Lessee and the additional tracks and interlocking appliances constructed by the Lessee as in this lease provided, shall be borne by the Lessee.

6. That it is understood and agreed between the parties hereto that in the event of the Lessee transferring the International Railway or the National Transcontinental Railway by lease or sale or by other arrangements as to operation thereof, then and in such any case these presents may be terminated by either party upon sixty days notice in writing to the other to that end.

7. That it is understood and agreed that the Lessee shall have the right and privilege to use the demised premises under this lease for any and all desired railway purposes, and will at all times during the term thereof, at the Lessee's own cost and expense, keep up, amend, renew and maintain the demised premises and every portion thereof in good and substantial order and repair and in a thoroughly efficient working condition, and shall, upon the expiration of this lease, return the said demised premises together with the Railway appurtenances thereon and appurtenant thereto, to the Lessor in as good condition as when taken over by the Lessee under the terms of this lease, ordinary wear and tear excepted.

8. That during the term of this lease all traffic interchanged between the Lessor or Bangor and Aroostook Railroad Company, and the International Railway or the National Transcontinental Railway, shall be interchanged at the junction of the Lessor's said line of railway with the National Transcontinental Railway, but the Lessee shall not thereby be or become entitled to any increase in the rates or divisions heretofore allowed to the International Railway on interchange traffic, it being distinctly understood and agreed that such interchange at the junction of the National Transcontinental Railway shall be made upon the same terms as to rates and divisions and in all other respects as heretofore applied to and governing the interchange at the junction with the International Railway.

9. That the Lessee shall bear and pay all claims and assume and take charge of the defence of all suits, actions, complaints and proceedings brought against either of the parties hereto, upon or in respect of any cause of action

arising during the continuance of this lease in connection with or by reason of the railway operations on the demised premises by the Lessee and that the Lessee shall at all times wholly indemnify and save harmless the Lessor against all such claims and amount of judgments, costs and expenses which may be recovered in any such action, suit, or proceeding; and the Lessor shall at all times during the term of this lease protect and save harmless the Lessee in his right to use, occupy and enjoy the demised premises as in this lease provided, and the Lessor shall at all times wholly indemnify and save harmless the Lessee against all damages, costs and expenses which may be recovered in any action, suit or other proceeding based upon such use, occupation or enjoyment; and the Lessor shall be responsible for all claims for damages resulting from the operation of its trains or engines by its employees or the employees of the Bangor and Aroostook Railroad Company, in or upon the demised premises.

10. That the Lessee shall not during the said term assign, transfer or set over, or otherwise by any act or deed procure the demised premises or any portion thereof to be assigned, set over, or sublet to any Company, corporation or person whomsoever, without the consent in writing of the Lessor first had and obtained; provided however, if the Lessor shall decline to give its consent in writing to assignment, transfer or sublease of the demised premises or any portion thereof, the Lessee may file with the Board of Railway Commissioners for the Dominion of Canada a petition asking for authority so to assign, transfer or sublet, and if said Board of Railway Commissioners after notice to the Lessor and full hearing, shall find, in a writing setting forth in full reasons for said finding, that the assignment, transfer or sublease of the demised premises or any portion thereof is in the public interest, and not detrimental to the business of the Van Buren Bridge Company, or to the business of Bangor and Aroostook Railroad Company, then the Lessor forthwith shall give its consent in writing to such assignment, transfer or sublease; and provided further, that if (after a finding by said Board of Railway Commissioners that the assignment, transfer or sublease is in the public interest and not detrimental to the business of the aforesaid Companies); the Lessor shall be of opinion that the assignee, transferee or sublessee is operating or using the demised premises or any portion thereof, in a manner detrimental to the business of the Van Buren Bridge Company or to the business of the Bangor and Aroostook Railroad Company, the Lessor may file with the said Board of Railway Commissioners a petition setting forth the facts, and if, after notice to the Lessee and after full hearing, said Board of Railway Commissioners shall find that the assignee, transferee or sublessee is operating or using the

demised premises or any portion thereof, in a manner detrimental to the business of Van Buren Bridge Company or to the business of Bangor and Aroostook Railroad Company, said Board shall require cancellation and termination of the assignment, transfer or sublease, and thereafter this indenture shall be in full force and effect as if such assignment, transfer or sublease had not been executed.

11. That should the Lessee make default in payment as and when the same is payable of the rental hereby reserved or any portion thereof, or of any other sum payable by the Lessee hereunder, and such default continue for sixty days after demand in writing for payment shall have been made by the Lessor, or in case of the breach or non-performance of any of the covenants or agreements herein contained on the part of the Lessee, then in any such event these presents shall at the option of the Lessor forthwith be and become wholly null and void and the Lessor may forthwith re-enter into and upon the demised premises and any or every portion thereof and again have, re-possess and enjoy the same as of its former estate and interest anything herein contained notwithstanding, and shall be entitled to receive the same from the Lessee in the condition provided for in clause three hereof, and also to be forthwith paid by the Lessee any sum found to be payable under any of the terms hereof. The exercise by the Lessor of any such remedy shall however be without prejudice to any other or further remedies or rights to which the Lessor may be entitled by reason of any breach of any of the covenants and agreements herein entered into by or on the part of the Lessee.

12. That any notice to be given under this lease to the Lessee shall be deemed sufficiently given if posted in any post office in Canada or the United States in a registered envelope prepaid and addressed to the General Manager at Moncton in the Province of New Brunswick, and any notice to be given under this lease to the Lessor shall be deemed sufficiently given if posted in any post office in Canada or in the United States in a registered envelope prepaid and addressed to the Lessor at Bangor, in the State of Maine, one of the United States of America. Any notice so posted shall be deemed to have been received on the day when in the ordinary course the same would reach its destination.

13. That any difference which may arise under this agreement either as to its construction or respecting the carrying out of the same according to the true intent and meaning thereof, shall, if it cannot be amicably adjusted by the parties hereto, be submitted to arbitration in the following manner:—

The party desiring such reference shall appoint an arbitrator and give notice in writing to the other party of such appointment and of intention to submit such difference

to arbitration and such other party within thirty days after receipt of such notice shall appoint in its behalf, an arbitrator, and in default of such appointment within said thirty days, an arbitrator may be appointed, on behalf of such other party, by the Judge of the Exchequer Court of Canada, upon the application of the party desiring such arbitration after ten days notice in writing to the other party. The two arbitrators so appointed or selected shall select a third, and the award of the said three arbitrators or the majority of them, made after due notice in writing to both parties of the time and place of hearing, in the matter so submitted for arbitration as aforesaid, and after hearing the party or parties who may attend, shall be final and binding on both parties to this agreement, and the parties expressly agree to abide thereby. In case the two arbitrators first appointed fail to appoint a third within ten days after they have been appointed, then the third arbitrator may be appointed by the Judge of the Exchequer Court of Canada, on application of either party after ten days notice in writing to the other.

In case any arbitrator appointed or selected hereunder should die or refuse to act, or be unable to act through any cause whatsoever, or if for any cause whatsoever the office of any arbitrator should become vacant, then and in any such event his successor shall be appointed in the manner provided for his appointment in the first instance unless the parties otherwise agree.

IN WITNESS WHEREOF, the Lessor has caused these presents to be signed by its President, and countersigned by its Secretary, and its corporate seal to be hereto affixed; and the Minister so representing the Lessee herein as aforesaid and the Secretary of the Department of Railways and Canals have hereunto set their hands and the seal of the said Department has been hereto affixed the day and year first above written.

Signed, sealed and delivered by the Lessor in manner aforesaid in presence of
(Sgd) ROY H. MACCREADY,

THE VAN BUREN BRIDGE COMPANY.
(Sgd) PERCY R. TODD,
President.

[SEAL]

Attest: WINGATE F. CRAM,
Clerk.

H. P. HINCKLEY.

(Sgd) J. D. REID.
Minister of Railways and Canals.

Signed, sealed and delivered by the Lessee in manner aforesaid in presence of
(Sgd) JOSEPH PROULX.

(Sgd) J. W. PUGSLEY,
Secretary.

[SEAL]

Approved as to form
(Sgd) HENRY J. HART,
General Counsel.

First Session, Thirteenth Parliament, 8–9 George V, 1918.

THE HOUSE OF COMMONS OF CANADA

# BILL 14.

An Act to confirm an agreement between His Majesty the King and the Van Buren Bridge Company.

**AS PASSED BY THE HOUSE OF COMMONS, 9th APRIL, 1918.**

OTTAWA
J. DE LABROQUERIE TACHÉ
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
38531—1 1918

1st Session, 13th Parliament, 8-9 George V, 1918

# THE HOUSE OF COMMONS OF CANADA.

# BILL 14.

An Act to confirm an agreement between His Majesty the King and the Van Buren Bridge Company.

1913, c. 203; 1915, c. 77.

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

Agreement of 8 March, 1918, with Van Buren Bridge Company confirmed.

**1.** The agreement dated the eighth day of March one thousand nine hundred and eighteen, between His Majesty the King and the Van Buren Bridge Company, 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, and the parties to the said agreement are and each of them is hereby authorized and empowered to do whatsoever may be necessary to give full effect to the provisions of the said agreement.

## SCHEDULE.

This Agreement made this eighth day of March, A.D. 1918. Between The Van Buren Bridge Company, hereinafter called the "Lessor" of the first part, and, His Majesty the King, represented herein by the Minister of Railways and Canals of Canada and acting under and by virtue of an Order in Council, dated the 26th day of January, A.D. 1918, and hereinafter called the "Lessee" of the second part.

Whereas the Lessee has applied to the Lessor for a lease of certain lands, situate, lying and being in the Parish of St. Leonards, in the County of Madawaska, and Province of New Brunswick, and lying between the International Railway and the National Transcontinental Railway.

And Whereas the Lessor has agreed to grant such lease in consideration of the rents, covenants, provisoes and conditions hereinafter set out;

Now Therefore this agreement witnesseth that the Lessor in consideration of the rents, covenants, provisoes and condi-

tions hereinafter reserved and contained, hath demised and leased unto the Lessee all those three certain several pieces or parcels of land situate, lying and being in the Parish of St. Leonards, in the County of Madawaska and Province of New Brunswick, and lying between the International Railway and the National Transcontinental Railway as aforesaid and hereinafter more particularly bounded, set out and described, as follows:—

PARCEL NO. 1.

The Point of Beginning being at the point where the Centre Line of the said Van Buren Bridge Company's Railway intersects the Easterly Boundary of the right of way of the National Transcontinental Railway (a portion of the aforesaid Canadian Government Railways); thence north 4° 32′ east, along this last noted Boundary, fifty-five and five-tenths (55·5) feet, more or less, to a point thereon distant fifty (50) feet from the said Centre Line, measured at right angles North-Westerly therefrom; thence north 68° 45′ east, parallel to the said Centre Line, and distant therefrom fifty (50) feet, measured at right angles North-Westerly therefrom fifteen hundred and twenty-three and nine-tenths (1523·9) feet, more or less, to the Westerly boundary of the highway leading to St. Leonards aforesaid; thence South 3° 25′ West, along this last mentioned highway boundary, one hundred and ten (110) feet, more or less, to a point thereon distant fifty (50) feet from the said Centre Line, measured at right angles South-Easterly therefrom; thence South 68° 45′ West parallel to the said centre line, and distant therefrom fifty (50) feet, measured at right angles South-Easterly therefrom, fifteen hundred and twenty-six and three-tenths (1526·3) feet, more or less, to the aforesaid Easterly boundary of the right of way of the National Transcontinental Railway; thence North 4° 32′ East, along this last mentioned boundary, fifty-five and five-tenths (55·5) feet, more or less, to the aforesaid point of beginning.

Containing the said Parcel No. 1, so described, an area of three and five hundred and one thousandths (3·501) acres, more or less, as shown outlined in red on the aforesaid accompanying plan No. 4240.

PARCEL NO. 2.

The Point of Beginning at the point where the Centre Line of the said Van Buren Bridge Company's Railway intersects the Easterly Boundary of the highway leading to St. Leonards aforesaid; thence North 3° 25′ East, along this said highway Boundary, fifty-five (55) feet, more or less, to a point thereon distant fifty (50) feet from the said

Centre Line, measured at right angles North-Westerly therefrom; thence North 68° 45′ East, parallel to the said Centre Line, and distant therefrom fifty (50) feet, measured at right angles North-Westerly therefrom two hundred and ninety-seven (297) feet, more or less, to the Westerly Boundary of the Right-of-Way of the Canadian Pacific Railway; thence South 7° 43′ West along this last noted Boundary, one hundred and fourteen and three-tenths (114.3) feet, more or less, to a point thereon distant fifty (50) feet from the said Centre Line, measured at right angles South Easterly therefrom; thence South 68° 45′ West, parallel to the said Centre Line, and distant therefrom fifty (50) feet, measured at right angles South Easterly therefrom, two hundred and eighty-seven and six-tenths (287.6) feet, more or less, to the aforesaid Easterly Boundary of the Highway to St. Leonards; thence North 3° 25′ East along this last noted Boundary, fifty-five (55) feet, more or less, to the aforesaid point of beginning.

Containing the said Parcel No. 2 so described, an area of six hundred and seventy-one thousandths (0.671) of an acre, more or less, as shown outlined in red on the said accompanying plan No. 4240.

PARCEL NO. 3.

The Point of Beginning being at the point where the Centre Line of the aforesaid Van Buren Bridge Company's Railway intersects the Easterly Boundary of the Right of Way of the Canadian Pacific Railway, thence North 7° 43′ East along this last noted Boundary fifty-seven and fifteen-hundredths (57.15) feet, more or less, to a point thereon distant fifty (50) feet, from the said Centre Line, measured at right angles North-Westerly therefrom; thence North 68° 45′ East, parallel to the said Centre Line and distant therefrom fifty (50) feet measured at right angles North-Westerly therefrom; two hundred and forty-three (243) feet to a point opposite and fifty (50) feet distant at right angles North-Westerly from station 51+48.7 thereof; thence parallel to the Centre Line of the said Van Buren Bridge Company's Railway as originally laid down,—(that is, the said Centre Line being on a 4° curve left, beginning at the said station 51+48.7—containing a total angle of 52° 02′ or an arc of 1300.84 feet and terminating at station 64+49.5 thereof, which latter station is distant thirteen (13) feet, at right angles North-Westerly, from station 83+98 of the Centre Line of the aforesaid International Railway; and which last said parallel boundary is distant from this last above described Centre Line of the said Van Buren Bridge Company's Railway fifty (50) feet measured radially North-Westerly and Westerly therefrom, to a point opposite at right angles Westerly from the said station 83+98 of the

International Railway's Centre Line, and distant sixty-three (63) feet therefrom, thence South 73° 17′ East, thirteen (13) feet to the Westerly Boundary of the right of way of the said International Railway; thence South 16° 43′ West along this last noted Boundary, five hundred and one and seven-tenths (501.7) feet, more or less, to a point thereon distant fifty (50) feet from the last described Centre Line of the said Van Buren Bridge Company's Railway, measured at right angles Easterly therefrom, thence parallel to the last said Centre Line and distant therefrom fifty (50) feet, measured radially South-Easterly therefrom, on a curve of 1482.69 feet radius, eight hundred and thirty-six (836) feet, to a point opposite and distant fifty (50) feet, at right angles South-Easterly from the before noted station 51+48.7 of the said Centre Line; thence South 68° 45′ West, parallel to the said Centre Line and distant therefrom fifty (50) feet, measured at right angles South-Easterly therefrom, two hundred and ninety-eight and four-tenths (298.4) feet, more or less, to the aforesaid Easterly Boundary of the right of way of the Canadian Pacific Railway; thence North 7° 43′ East, along this last noted Boundary, fifty-seven and fifteen one-hundredths (57.15) feet, more or less to the aforesaid Point of Beginning.

Containing, the said Parcel No. 3, so described, an area of three and nine hundred and thirty-six one-thousandths (3.936) acres, more or less, as shown outlined in red on the aforesaid accompanying plan No. 4240.

Together with all the railway tracks now constructed upon the above described parcels of land as shown in red on the said plan hereto annexed, and (a) the tower and all appurtenances used for the purpose of and in connection with the interlocking plant, the said tower though located upon the right of way of the National Transcontinental Railway being the property of the Lessor, (b) any and all additional tracks which may hereafter under the provisions of this lease be constructed upon the said parcels of land or any of them, (c) all railway tracks of the Lessor constructed upon public highways crossing any of the said parcels of land, (d) all railway tracks of the Lessor constructed along over or across the right of way of the Canadian Pacific Railway as shown on the said plan, (e) all railway tracks of the Lessor constructed along, over or across the right of way of the National Transcontinental Railway as shown on the said plan, and (f) all easements, interest, rights and privileges which the Lessor holds or enjoys in respect of such public highways, and the said crossings of the Canadian Pacific Railway and the National Transcontinental Railway.

The said lands, tracks, tower and any additions or improvements thereto and all other buildings, structures appliances and facilities now or hereafter during the said

term constructed or erected upon the said lands, with their appurtenances, and the said easements, rights, interests and privileges are hereinafter referred to as the "demised premises."

To have and to hold the demised premises unto and to the use of the Lessee from the 1st day of May, 1918, until the 31st day of August, 1934, yielding and paying therefor to the Lessor in lawful money of Canada, the sum of twelve Hundred Dollars ($1,200.00) yearly in each and every year during the term hereby demised. The said rental shall be paid in half-yearly payments of six hundred dollars ($600.00) each on the first day of March and thirty-first day of August in each year and shall be payable to the Lessor at its offices in the City of Bangor, in the State of Maine, one of the United States of America; the first payment of rental shall be made on the thirty-first day of August, A.D. 1918, for the portion of the semi-annual term then expired, and the last payment of rental shall be made on the 30th day of August, 1934.

The said rental shall be in addition to any sums payable by the Lessee under the provisions of clause 5 hereof.

That it is agreed and understood that the word "Lessor" or other words relative thereto when used herein shall mean the party hereto of the first part and shall include the successors and assigns of the said party of the first part; the word "Lessee" or other words relative thereto shall mean the Sovereign, and shall include the successors and assigns of the Sovereign; "General Manager" shall mean the person named for the time being by the Lessee for the managing of the Government Railways.

And it is further agreed by and between the said parties hereto that these presents are made and executed upon and subject to the covenants, provisoes, conditions and reservations hereinafter set forth and contained; and that the same and every of them representing and expressing the exact intention of the parties are to be strictly observed, performed and complied with, namely:—

1. That the Lessee will pay all rental herein reserved at the time and in the manner in these presents set forth without any abatement or deduction whatever.

2. That the Lessor will pay or cause to be paid all rates, taxes or assessments of whatsoever description that may at any time during the existence of these presents be lawfully imposed or become due and payable upon or in respect of the demised premises or any part thereof.

3. That if the Lessee at any time during the continuance of this lease shall determine it necessary for the purposes of the Lessee to have new connecting tracks at the junction of the Lessor's line of railway with the International Railway or with the National Transcontinental Railway, or at both points, or necessary to have an interchange track

with the Canadian Pacific Railway, together with such interlocking appliances as may be necessary, the location of such connecting and interchange tracks and of such interlocking appliances as are to be constructed upon the demised premises, or upon other lands of the Lessor, shall be mutually agreed upon by the parties hereto subject to the necessary approval of legislative or other authority having jurisdiction over the Lessor. The cost of all such new construction including the interlocking appliances shall be at the sole cost and expense of the Lessee, and the Lessee at its pleasure during the continuance of this lease, or at the termination thereof, may remove such new construction including such interlocking appliances, but shall restore the tracks, towers and interlocking appliances, of the Lessor to their original condition and leave the same in the same proper condition for operation as they now are, ordinary wear and tear excepted; provided however, that the Lessor at the termination of the lease may at its option elect to purchase from the Lessee all new construction or any part thereof on the demised premises or appurtenant thereto, including interlocking appliances, at a price to be mutually agreed upon between the Lessor and the Lessee or his duly authorized representatives, and in event said parties are unable to agree upon the price at which the Lessor may take over such new construction including interlocking appliances, the price to be paid by the Lessor to the Lessee shall be determined by arbitration, such arbitration to be conducted in the manner hereinafter in this instrument set forth.

Nothing in this clause shall operate or be held as releasing the Lessor from paying an equitable proportion (to be determined by the parties hereto) of the cost of constructing, also maintaining such facilities at the junction between the Canadian Government Railways (National Transcontinental Railway) and the Lessor, as in the judgment of the parties hereto may be required from time to time to facilitate the interchange of traffic between the parties hereto.

4. That if a connecting or interchange track be made with any railway or railways other than the International Railway or the National Transcontinental Railway, the Lessee shall not of its own accord route or in any way canvass, assist or be a party to the routing of any traffic originating at or destined to points on the Bangor and Aroostook Railroad on the United States side of the St. John River, via such other railway or railways; but in event any such traffic should be routed or transported via any such other railway or railways, the Lessee will not accept a lower charge than three dollars ($3.00) for each car switched in either direction over that portion of the tracks forming part of the demised premises which may be used for such switching movement, such charge of three dollars

($3.00) per car to include the movement one way of an empty car; but in the event that complaint is made to the Board of Railway Commissioners for the Dominion of Canada in connection with any such charge or charges, the determination of said Board with reference to such charge or charges shall be final and binding upon both parties hereto, subject to rights of appeal from any decision of such Board.

5. That the entire operation and maintenance cost of the tracks and interlocking appliances demised and leased to the Lessee and the additional tracks and interlocking appliances constructed by the Lessee as in this lease provided, shall be borne by the Lessee.

6. That it is understood and agreed between the parties hereto that in the event of the Lessee transferring the International Railway or the National Transcontinental Railway by lease or sale or by other arrangements as to operation thereof, then and in any such case these presents may be terminated by either party upon sixty days notice in writing to the other to that end.

7. That it is understood and agreed that the Lessee shall have the right and privilege to use the demised premises under this lease for any and all desired railway purposes, and will at all times during the term thereof, at the Lessee's own cost and expense, keep up, amend, renew and maintain the demised premises and every portion thereof in good and substantial order and repair and in a thoroughly efficient working condition, and shall, upon the expiration of this lease, return the said demised premises together with the Railway appurtenances thereon and appurtenant thereto, to the Lessor in as good condition as when taken over by the Lessee under the terms of this lease, ordinary wear and tear excepted.

8. That during the term of this lease all traffic interchanged between the Lessor or Bangor and Aroostook Railroad Company, and the International Railway or the National Transcontinental Railway, shall be interchanged at the junction of the Lessor's said line of railway with the National Transcontinental Railway, but the Lessee shall not thereby be or become entitled to any increase in the rates or divisions heretofore allowed to the International Railway on interchange traffic, it being distinctly understood and agreed that such interchange at the junction of the National Transcontinental Railway shall be made upon the same terms as to rates and divisions and in all other respects as heretofore applied to and governing the interchange at the junction with the International Railway.

9. That the Lessee shall bear and pay all claims and assume and take charge of the defence of all suits, actions, complaints and proceedings brought against either of the parties hereto, upon or in respect of any cause of action

arising during the continuance of this lease in connection with or by reason of the railway operations on the demised premises by the Lessee and that the Lessee shall at all times wholly indemnify and save harmless the Lessor against all such claims and amount of judgments, costs and expenses which may be recovered in any such action, suit, or proceeding; and the Lessor shall at all times during the term of this lease protect and save harmless the Lessee in his right to use, occupy and enjoy the demised premises as in this lease provided, and the Lessor shall at all times wholly indemnify and save harmless the Lessee against all damages, costs and expenses which may be recovered in any action, suit or other proceeding based upon such use, occupation or enjoyment; and the Lessor shall be responsible for all claims for damage resulting from the operation of its trains or engines by its employees or the employees of the Bangor and Aroostook Railroad Company, in or upon the demised premises.

10. That the Lessee shall not during the said term assign, transfer or set over, or otherwise by any act or deed procure the demised premises or any portion thereof to be assigned, set over, or sublet to any Company, corporation or person whomsoever, without the consent in writing of the Lessor first had and obtained; provided however, if the Lessor shall decline to give its consent in writing to assignment, transfer or sublease of the demised premises or any portion thereof, the Lessee may file with the Board of Railway Commissioners for the Dominion of Canada a petition asking for authority so to assign, transfer or sublet, and if said Board of Railway Commissioners after notice to the Lessor and full hearing, shall find, in a writing setting forth in full reasons for said finding, that the assignment, transfer or sublease of the demised premises or any portion thereof is in the public interest, and not detrimental to the business of the Van Buren Bridge Company, or to the business of Bangor and Aroostook Railroad Company, then the Lessor forthwith shall give its consent in writing to such assignment, transfer or sublease; and provided further, that if (after a finding by said Board of Railway Commissioners that the assignment, transfer or sublease is in the public interest and not detrimental to the business of the aforesaid Companies) the Lessor shall be of opinion that the assignee, transferee or sublessee is operating or using the demised premises or any portion thereof, in a manner detrimental to the business of the Van Buren Bridge Company or to the business of the Bangor and Aroostook Railroad Company, the Lessor may file with the said Board of Railway Commissioners a petition setting forth the facts, and if, after notice to the Lessee and after full hearing, said Board of Railway Commissioners shall find that the assignee, transferee or sublessee is operating or using the

demised premises or any portion thereof, in a manner detrimental to the business of Van Buren Bridge Company or to the business of Bangor and Aroostook Railroad Company, said Board shall require cancellation and termination of the assignment, transfer or sublease, and thereafter this indenture shall be in full force and effect as if such assignment, transfer or sublease had not been executed.

11. That should the Lessee make default in payment as and when the same is payable of the rental hereby reserved or any portion thereof, or of any other sum payable by the Lessee hereunder, and such default continue for sixty days after demand in writing for payment shall have been made by the Lessor, or in case of the breach or non-performance of any of the covenants or agreements herein contained on the part of the Lessee, then in any such event these presents shall at the option of the Lessor forthwith be and become wholly null and void and the Lessor may forthwith re-enter into and upon the demised premises and any or every portion thereof and again have, re-possess and enjoy the same as of its former estate and interest anything herein contained notwithstanding, and shall be entitled to receive the same from the Lessee in the condition provided for in clause three hereof, and also to be forthwith paid by the Lessee any sum found to be payable under any of the terms hereof. The exercise by the Lessor of any such remedy shall however be without prejudice to any other or further remedies or rights to which the Lessor may be entitled by reason of any breach of any of the covenants and agreements herein entered into by or on the part of the Lessee.

12. That any notice to be given under this lease to the Lessee shall be deemed sufficiently given if posted in any post office in Canada or the United States in a registered envelope prepaid and addressed to the General Manager at Moncton in the Province of New Brunswick, and any notice to be given under this lease to the Lessor shall be deemed sufficiently given if posted in any post office in Canada or in the United States in a registered envelope prepaid and addressed to the Lessor at Bangor, in the State of Maine, one of the United States of America. Any notice so posted shall be deemed to have been received on the day when in the ordinary course the same would reach its destination.

13. That any difference which may arise under this agreement either as to its construction or respecting the carrying out of the same according to the true intent and meaning thereof, shall, if it cannot be amicably adjusted by the parties hereto, be submitted to arbitration in the following manner:—

The party desiring such reference shall appoint an arbitrator and give notice in writing to the other party of such appointment and of intention to submit such difference

to arbitration and such other party within thirty days after receipt of such notice shall appoint in its behalf, an arbitrator, and in default of such appointment within said thirty days, an arbitrator may be appointed, on behalf of such other party, by the Judge of the Exchequer Court of Canada, upon the application of the party desiring such arbitration after ten days notice in writing to the other party. The two arbitrators so appointed or selected shall select a third, and the award of the said three arbitrators or the majority of them, made after due notice in writing to both parties of the time and place of hearing, in the matter so submitted for arbitration as aforesaid, and after hearing the party or parties who may attend, shall be final and binding on both parties to this agreement, and the parties expressly agree to abide thereby. In case the two arbitrators first appointed fail to appoint a third within ten days after they have been appointed, then the third arbitrator may be appointed by the Judge of the Exchequer Court of Canada, on application of either party after ten days notice in writing to the other.

In case any arbitrator appointed or selected hereunder should die or refuse to act, or be unable to act through any cause whatsoever, or if for any cause whatsoever the office of any arbitrator should become vacant, then and in any such event his successor shall be appointed in the manner provided for his appointment in the first instance unless the parties otherwise agree.

IN WITNESS WHEREOF, the Lessor has caused these presents to be signed by its President, and countersigned by its Secretary, and its corporate seal to be hereto affixed; and the Minister so representing the Lessee herein as aforesaid and the Secretary of the Department of Railways and Canals have hereunto set their hands and the seal of the said Department has been hereto affixed the day and year first above written.

Signed, sealed and delivered by the Lessor in manner aforesaid in presence of
(Sgd) ROY H. MACCREADY,

THE VAN BUREN BRIDGE COMPANY.
(Sgd) PERCY R. TODD,
President.

[SEAL]

Attest: WINGATE F. CRAM,
Clerk.

H. P. HINCKLEY.

(Sgd) J. D. REID.
Minister of Railways and Canals.

Signed, sealed and delivered by the Lessee in manner aforesaid in presence of
(Sgd) JOSEPH PROULX.

(Sgd) J. W. PUGSLEY,
Secretary.

[SEAL]

Approved as to form
(Sgd) HENRY J. HART,
General Counsel.

15.

First Session, Thirteenth Parliament, 8–9 George V, 1918.

THE HOUSE OF COMMONS OF CANADA

# BILL 15.

An Act to amend The Montreal Harbour Advances Act, 1914

First Reading, March 21, 1918.

The MINISTER OF MARINE AND FISHERIES.

OTTAWA
J. DE LABROQUERIE TACHÉ,
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1918

THE HOUSE OF COMMONS OF CANADA.

# BILL 15.

An Act to amend The Montreal Harbour Advances Act, 1914.

1894, c. 48; 1896, first sess. c. 10; 1898, c. 47; 1899, c. 36; 1901, c. 9; 1903, cc. 36, 48; 1905, c. 23; 1906, cc. 33; 34, 35; 1907, c. 30. 1909, cc. 24, 25; 1910, c. 40; 1912, cc. 35, 36; 1913, c. 32.

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

C. 41 of 1914 amended so that advance of $9,000,000 may also be used to pay $300,000 of debentures maturing in 1918.

**1.** Paragraph (*a*) of section two of *The Montreal Harbour Advances Act, 1914*, chapter forty-one of the statutes of 1914, is repealed and the following is substituted therefor:—

"(*a*) To pay off and retire debentures of the Corporation of the par value of two hundred and thirty-five thousand dollars maturing in the year one thousand nine hundred and seventeen, and three hundred thousand dollars maturing in the year one thousand nine hundred and eighteen; and,"

15.

First Session, Thirteenth Parliament, 8-9 George V, 1918.

THE HOUSE OF COMMONS OF CANADA

# BILL 15.

An Act to amend The Montreal Harbour Advances Act, 1914

AS PASSED BY THE HOUSE OF COMMONS, 4th APRIL, 1918.

OTTAWA
J. DE LABROQUERIE TACHÉ,
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1918

1st Session, 13th Parliament, 8-9 George V, 1918.

THE HOUSE OF COMMONS OF CANADA.

# BILL 15.

An Act to amend The Montreal Harbour Advances Act, 1914.

1894, c. 48; 1896, first sess. c. 10; 1898, c. 47; 1899, c. 36; 1901, c. 9; 1903, cc. 36, 48; 1905, c. 23; 1906, cc. 33; 34, 35; 1907, c. 30. 1909, cc. 24, 25; 1910, c. 40; 1912, cc. 35, 36; 1913, c. 32.

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

C. 41 of 1914 amended so that advance of $9,000,000 may also be used to pay $300,000 of debentures maturing in 1918.

**1.** Paragraph (*a*) of section two of *The Montreal Harbour Advances Act, 1914*, chapter forty-one of the statutes of 1914, is repealed and the following is substituted therefor:—

"(*a*) To pay off and retire debentures of the Corporation of the par value of two hundred and thirty-five thousand dollars maturing in the year one thousand nine hundred and seventeen, and three hundred thousand dollars maturing in the year one thousand nine hundred and eighteen; and,"

First Session, Thirteenth Parliament, 8–9 George V, 1918.

THE HOUSE OF COMMONS OF CANADA

# BILL 16.

An Act to amend the Customs Act and to provide for the temporary control of exports and imports.

First Reading, March 21, 1918.

The MINISTER OF TRADE AND COMMERCE.

OTTAWA
J. DE LABROQUERIE TACHÉ
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
36827—1 1918

1st Session, 13th Parliament, 8-9 George V, 1918

THE HOUSE OF COMMONS OF CANADA.

# BILL 16.

An Act to amend the Customs Act and to provide for the temporary control of exports and imports.

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

**1.** The *Customs Act*, Revised Statutes of Canada, 1906, chapter forty-eight, is amended by inserting the following section immediately after section two hundred and eighty-six of the said Act:—

Exports and imports may be controlled by regulation.

"**286A.** (1) The Governor in Council, may make regulations prohibiting the importation or exportation of goods of any class, description, or origin, or produced or manufactured in whole or in part in any country or place specified in the regulation, either generally or from or to any country or place named in the regulation, subject in either case to such exceptions (if any) as may be specified in the regulation, and to any licenses the grant of which may be authorised by the regulation.

Regulations for carrying out section.

"(2) The Governor in Council may make any regulation deemed necessary or convenient for carrying out the provisions of this section.

In force for war and three years after.

"(3) This section shall continue in operation until the expiration of a period of three years after the termination of the present war".

First Session, Thirteenth Parliament, 8–9 George V, 1918.

THE HOUSE OF COMMONS OF CANADA

# BILL 17.

An Act to amend The Dominion Forest Reserves and Parks Act.

First Reading, March 21, 1918.

The MINISTER OF THE INTERIOR.

OTTAWA
J. DE LABROQUERIE TACHÉ
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
36890—1 1918

1st Session, 13th Parliament, 8-9 George V, 1918.

# THE HOUSE OF COMMONS OF CANADA.

# BILL 17.

An Act to amend The Dominion Forest Reserves and Parks Act.

1911, c. 10; 1913, c. 18; 1914, c. 32; 1916, c. 15.

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

To authorize granting road sites to provinces upon surrender of certain road allowances.

**1.** Section nine of *The Dominion Forest Reserves and Parks Act*, chapter ten of the statutes of 1911, is amended by adding the following at the end thereof:—

"Provided, however, that where, for topographical or other reasons, it is not expedient to use for public road purposes the existing road allowances, the title to which is vested in the Crown in the right of the Province, the Provincial Government may be permitted to lay out such roads as may be necessary for the convenience of the public, and may be granted title thereto in consideration of the surrender of such portions of the said road allowances as are not required for public roads."

To authorize grant of minerals in Forest Reserves to Prov. of B.C. under agreement of Feb. 1890.

**2.** The said Act is amended by inserting the following section immediately after section sixteen:—

"**16A.** Notwithstanding anything in this Act, a grant may be made to the Province of British Columbia of the minerals, within the meaning of the Mineral Act of the said Province, located in any lands sought to be acquired for mining purposes in the Dominion Forest Reserves in British Columbia, under the provisions of the agreement between the Dominion and the said Province as confirmed by Order in Council dated the eleventh day of February, one thousand eight hundred and ninety."

To take a piece of land out of Forest Reserve and Park.

**3.** (1) Paragraph twenty-four of the Schedule to the said Act is hereby amended by adding, at the end thereof, the following words:—

"excepting thereout and therefrom the North East Quarter of Section Thirteen in Township Thirteen and Range Three, West of the Fifth Meridian."

(2) The description of the "Rocky Mountains Park" in any proclamation which may have been passed under the provisions of section eighteen of the said chapter ten, as enacted by section five, chapter eighteen, of the statutes of 1913, shall be read as amended by subsection one of this section.

First Session, Thirteenth Parliament, 8–9 George V, 1918.

THE HOUSE OF COMMONS OF CANADA

# BILL 17.

An Act to amend The Dominion Forest Reserves and Parks Act.

**AS PASSED BY THE HOUSE OF COMMONS, 4th APRIL, 1918.**

OTTAWA
J. DE LABROQUERIE TACHÉ
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
38273—1 1918

1st Session, 13th Parliament, 8-9 George V, 1918.

# THE HOUSE OF COMMONS OF CANADA.

# BILL 17.

An Act to amend The Dominion Forest Reserves and Parks Act.

1911, c. 10; 1913, c. 18; 1914, c. 32; 1916, c. 15.

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

To authorize granting road sites to provinces upon surrender of certain road allowances.

**1.** Section nine of *The Dominion Forest Reserves and Parks Act*, chapter ten of the statutes of 1911, is amended by adding the following at the end thereof:—

"Provided, however, that where, in Dominion Forest Reserves outside of the area of Dominion Parks now or hereafter established, it is not expedient for topographical or other reasons to use for public road purposes the existing road allowances, the title to which is vested in the Crown in the right of the province, the Provincial Government may, by order of the Governor in Council, be permitted to lay out such roads as may be necessary for the convenience of the public, and may be granted title thereto in consideration of the surrender of such portions of the said road allowances as are not required for public roads."

To authorize grant of minerals in Forest Reserves to Prov. of B.C. under agreement of Feb. 1890.

**2.** The said Act is amended by inserting the following section immediately after section sixteen:—

"**16A.** Notwithstanding anything in this Act, a grant may be made to the province of British Columbia of the minerals, within the meaning of the Mineral Act of the said province, located in any lands sought to be acquired for mining purposes in the Dominion Forest Reserves in British Columbia, under the provisions of the agreement between the Dominion and the said province as confirmed by Order in Council dated the eleventh day of February, one thousand eight hundred and ninety: Provided that this section shall not apply to any Dominion Park now or hereafter established."

To take a piece of land out of Forest Reserve and Park.

**3.** (1) Paragraph twenty-four of the Schedule to the said Act is hereby amended by adding, at the end thereof, the following words:—

"excepting thereout and therefrom the North East Quarter of Section Thirteen in Township Thirteen and Range Three, West of the Fifth Meridian."

(2) The description of the "Rocky Mountains Park" in any proclamation which may have been passed under the provisions of section eighteen of the said chapter ten, as enacted by section five, chapter eighteen, of the statutes of 1913, shall be read as amended by subsection one of this section.

First Session, Thirteenth Parliament, 8–9 George V, 1918.

THE HOUSE OF COMMONS OF CANADA

# BILL 18.

An Act for granting to His Majesty certain sums of money for the public service of the financial year ending the 31st March, 1919.

AS PASSED BY THE HOUSE OF COMMONS, 22nd MARCH, 1918.

OTTAWA
J. DE LABROQUERIE TACHÉ
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1918

1st Session, 13th Parliament, 8-9 George V, 1918.

THE HOUSE OF COMMONS OF CANADA.

# BILL 18.

An Act for granting to His Majesty certain sums of money for the public service of the financial year ending the 31st March, 1919.

MOST GRACIOUS SOVEREIGN,

Preamble.

WHEREAS it appears by message from His Excellency the Most Noble Victor Christian William, Duke of Devonshire, etc., etc., Governor General of Canada, and the estimates accompanying the said message, that the sum hereinafter mentioned is required to defray certain expenses of the public service of Canada, not otherwise provided for, for the financial year ending the thirty-first day of March, one thousand nine hundred and nineteen, and for other purposes connected with the public service: May it therefore please Your Majesty that it may be enacted and be it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, that:—

Short title.

**1.** This Act may be cited as *The Appropriation Act, No. 1, 1918.*

$26,282,144.31 granted for 1918-19.

**2.** From and out of the Consolidated Revenue Fund there may be paid and applied a sum not exceeding in the whole twenty-six million, two hundred and eighty-two thousand, one hundred and forty-four dollars and thirty-one cents towards defraying the several charges and expenses of the public service, from the first day of April, one thousand nine hundred and eighteen, to the thirty-first day of March, one thousand nine hundred and nineteen, not otherwise provided for, and being one-sixth of the amount of each of the several items set forth in the Estimates for the fiscal year ending the thirty-first day of March, one thousand nine hundred and nineteen, as laid before Parliament.

Account to be rendered in detail.

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

First Session, Thirteenth Parliament, 8–9 George V, 1918.

THE HOUSE OF COMMONS OF CANADA

# BILL 19.

An Act to amend the Inspection and Sale Act, (Vegetables, eggs, food containers, firewood and cement.)

First Reading, March 22, 1918.

The Minister of Trade and Commerce.

OTTAWA
J. de LABROQUERIE TACHÉ
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1918

1st Session, 13th Parliament, 8-9 George V, 1918

THE HOUSE OF COMMONS OF CANADA.

# BILL 19.

An Act to amend the Inspection and Sale Act.

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

**1.** The *Inspection and Sale Act*, chapter eighty-five of the Revised Statutes of Canada, 1906, is amended by adding thereto the following sections immediately after section three hundred and thirty-eight:—

VEGETABLES.

Vegetables may be sold by pound.

"**338A.** Notwithstanding anything to the contrary in this Act vegetables where so desired may be sold by the pound."

EGGS.

Weight of dozen eggs.

**2.** Section three hundred and thirty-nine of the said Act is repealed and the following is substituted therefor:—

Penalty.

"**339.** A dozen of eggs shall mean a dozen eggs weighing not less than a pound and a half."

**3.** The said Act is further amended by inserting the following sections immediately after section three hundred and fifty-eight:—

CONTAINERS OF FOOD, ETC.

Packages of food and containers to be marked.

"**358A.** Every can, carton, bottle, box, barrel, wrapper, package or closed receptacle of whatever description, hereinafter called "the container", containing human food or any other commodity manufactured, produced, sold or offered for sale in Canada, when such container is in its original unopened or unbroken form as it is usually delivered to consumers when sold or offered for sale in Canada, shall be plainly marked, stamped or branded,—

Name and address of filler.

(*a*) with the initials of the Christian names and the surnames at full length, of the filler or person for whom such container is filled, or, where such container is filled by or for a co-partnership or an incorporated company, with the firm name of such co-partnership or with the corporate name of such company, and also with the address of the place of business of such person, co-partnership or company; and,

Weight, measure or count of contents.

(*b*) the name of the article or articles of food or other commodities in such container, and the net weight in Dominion standard capacity measure, or the numerical count of such food or other commodity.

Penalty for not marking.

" **358B.** (1) Every person who sells, offers for sale, or has in his possession for sale, any container not marked, stamped or branded according to the requirements of this Act, shall be liable, on summary conviction, to a penalty of one dollar for each container not properly marked, and, in addition, to a penalty of twenty-five dollars for a first offence and one hundred dollars for each subsequent offence; and,

False statement.

(2) Every person who marks, brands or stamps any container with any untrue statement, shall, on summary conviction, in addition to the penalties prescribed in subsection one hereof, be imprisoned for a period not exceeding six months.

Containers not marked, etc., to be seized.

" **358C.** All containers not marked, stamped or branded according to the provisions of this Act may be seized by an officer of the Government or by any police officer.

Exceptions.

" **358D.** The provisions of this Act shall not apply to,—

Articles for export or import.

(*a*) any article manufactured or packed for export or imported into Canada, but the onus of proof that such article is manufactured or packed for export from Canada, or is imported into Canada, shall rest upon the owner or holder of the container as well as the agent or importer; or,

Bulk goods.

(*b*) to all goods sold in bulk or broken packages; or,

Fresh fruit, and vegetables.

(*c*) to fresh fruit or vegetables.

Variations of weight, etc., allowed.

" **358E.** The following tolerances and variations from the quantity of the contents marked on the container shall be allowed:—

Discrepancies in weight or measure due exclusively to difference in atmospheric conditions in various places or which unavoidably result from the ordinary and customary exposure of the packages, or which are due to the unavoidable evaporation or absorption of water, but such tolerances and variations shall not exceed five per cent of the original weight when sold to the consumer.

Metric system.

" **358F.** Nothing in this Act shall prevent the marking of containers according to the metric system.

FIREWOOD.

To be sold by cord defined.

" **359.** Wood when sold or offered for sale in Canada as fuel, other than mill scrap kindlings or other mill refuse, shall be sold by the cord, and every cord shall contain one hundred and twenty-eight cubic feet, closely and fairly piled, which measurements shall form the basis of all transactions for the sale of wood for fuel, and all sales made shall be for a full cord or a fraction thereof.

Penalty.

" **359A.** Any one delivering a load or loads of wood purporting to contain a cord, which is found on actual measurement to be short of the cubic contents mentioned in section three hundred and fifty-nine, shall be liable, on summary conviction, to a penalty of twenty-five dollars for a first offence, and fifty dollars for a second or each subsequent offence.

PORTLAND CEMENT.

Weight of bag of and barrel.

" **360.** Every bag of Portland cement sold or offered for sale in Canada shall contain ninety-four pounds net weight, and four such bags shall constitute a barrel.

Bag and marks.

" **360A.** Every bag in which Portland cement is filled and delivered shall be made of good strong fibrous material closely woven and in good repair when filled, and shall have plainly marked thereon the brand and name of the manufacturer and the net weight.

" **360B.** Every person who sells or delivers for sale in Canada, any bag of Portland cement not containing the net weight of ninety-four pounds, or who fails to mark thereon the brand and name of the manufacturer and the net weight, shall be liable, on summary conviction to a penalty of not more than fifty dollars for a first offence and to one hundred dollars for a second or each subsequent offence."

GENERAL.

Act not to apply to articles now in stock.

**4.** This Act shall not apply to any articles held in stock by a wholesale or retail dealer prior to the coming into force of this Act.

Date of coming into force.

**5.** This Act shall come into force on the first day of January, nineteen hundred and nineteen.

First Session, Thirteenth Parliament, 8–9 George V, 1918.

THE HOUSE OF COMMONS OF CANADA

# BILL 19.

An Act to amend the Inspection and Sale Act (Food containers, firewood and cement).

**AS PASSED BY THE HOUSE OF COMMONS, 20th MAY, 1918.**

OTTAWA
J. DE LABROQUERIE TACHÉ
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
41237—1 1918

1st Session, 13th Parliament, 8-9 George V, 1918

THE HOUSE OF COMMONS OF CANADA.

# BILL 19.

An Act to amend the Inspection and Sale Act (Food containers, firewood and cement).

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

**1.** The *Inspection and Sale Act*, chapter eighty-five of the Revised Statutes of Canada, 1906, is amended by adding thereto the following sections immediately after section three hundred and fifty-eight:—

CONTAINERS OF FOOD, ETC.

Packages of food and containers to be marked.

"**358A.** Every can, carton, bottle, box, barrel, wrapper, package or closed receptacle of whatever description, hereinafter called "the container", containing human food or any other commodity manufactured, produced, sold or offered for sale in Canada, when such container is in its original unopened or unbroken form as it is usually delivered to consumers when sold or offered for sale in Canada, shall be plainly marked, stamped, branded, or otherwise indicated on the outside or top or on a label or tag attached thereto,—

Name and address of filler.

(*a*) with the initials of the Christian names and the surnames at full length, of the filler or person for whom such container is filled, or, where such container is filled by or for a co-partnership or an incorporated company, with the firm name of such co-partnership or with the corporate name of such company, and also with the address of the place of business of such person, co-partnership or company; and,

Weight, measure or count of contents.

(*b*) the name of the article or articles of food or other commodities in such container, and the net weight in Dominion standard avoirdupois weight, or the measure in Dominion standard capacity measure, or the numerical count of such food or other commodity.

Penalty for not marking.

"**358B.** (1) Every person who sells, offers for sale, or has in his possession for sale, any container not marked, stamped or branded according to the requirements of this Act, shall be liable, on summary conviction, to a penalty of one dollar for each container not properly marked, and, in addition, to a penalty of twenty-five dollars for a first offence and one hundred dollars for each subsequent offence; and,

False statement.

(2) Every person who marks, brands or stamps any container with any untrue statement, shall, on summary conviction, in addition to the penalties prescribed in subsection one hereof, be imprisoned for a period not exceeding six months.

Containers not marked, etc., to be seized.

"**358C.** All containers not marked, stamped or branded according to the provisions of this Act may be seized by an officer of the Government or by any police officer.

Exceptions.

"**358D.** The provisions of this Act shall not apply to,—

Articles for export or import.

(*a*) any article manufactured or packed for export, but the onus of proof that such article is manufactured or packed for export from Canada shall rest upon the owner or holder of the container; or,

Bulk goods.

(*b*) to all goods sold in bulk or broken packages; or,

Fresh fruit, and vegetables.

(*c*) to fresh fruit or vegetables; or,

(*d*) to any articles held in stock by a wholesale or retail dealer prior to the coming into force of this Act; or,

(*e*) to packages containing two avoirdupois ounces or less, which packages shall be exempt from marking in terms of weight; or,

(*f*) to packages containing one fluid ounce or less, which packages shall be exempt from marking in terms of measure; or,

(*g*) to any article the sale of which as regards the weight or marking thereof is already provided for under other statutes; or,

(*h*) those food commodities which may at the time this Act comes into force, or which thereafter may be subject to any regulation or order of the Canada Food Control Board, as respects the weight of such commodity or the weight or proportion of ingredients used in the manufacture of such commodity; or,

(*i*) those food commodities held in stock at the time that such regulations of the Canada Food Board referred to in paragraph (*h*) become inoperative.

Variations of weight, etc., allowed.

"**358E.** The following tolerances and variations from the quantity of the contents marked on the container shall be allowed:—

(*a*) Discrepancies due exclusively to errors in weighing measuring or counting, which occur in packing conducted in compliance with good commercial practice;

(*b*) Discrepancies in weight or measure due exclusively to differences in atmospheric conditions in various

places and which unavoidably result from the ordinary and customary exposure of the packages to evaporation, or to the absorption of water.

Metric system.

" **358F.** Nothing in this Act shall prevent the marking of containers according to the metric system.

FIREWOOD.

To be sold by cord defined.

" **359.** Wood when sold or offered for sale in Canada as fuel, other than mill scrap, kindlings or other mill refuse, shall be sold by the cord or fraction thereof, and every cord shall contain one hundred and twenty-eight cubic feet, closely and fairly piled, which measurements shall form the basis of all transactions for the sale of wood for fuel, and all sales made shall be for a full cord or a fraction thereof.

Penalty.

" **359A.** Any one delivering a load or loads of wood purporting to contain a cord or fraction thereof, which is found on actual measurement to be short of the cubic contents of a cord, or the requisite fraction thereof, mentioned in section three hundred and fifty-nine, shall be liable, on summary conviction, to a penalty of twenty-five dollars for a first offence, and fifty dollars for a second or each subsequent offence.

Sale otherwise than by cord.

"**359B.** Notwithstanding anything in this Act, wood may be sold otherwise than by the cord, unless the cord be stipulated at the time of purchase.

PORTLAND CEMENT.

Weight of bag and barrel.

" **360.** All Portland cement shall be sold by weight and ninety-four pounds shall constitute a bag and four such bags shall constitute a barrel.

Container and marks.

" **360A.** Every container in which Portland cement is offered for sale shall be made of suitable protective material in good repair when filled and shall have plainly marked thereon the brand and name of the manufacturer."

GENERAL.

Date of coming into force.

**2.** This Act shall come into force one year from the date upon which this bill receives the Royal assent.

First Session, Thirteenth Parliament, 8–9 George V, 1918.

THE HOUSE OF COMMONS OF CANADA

# BILL 20.

An Act to amend the Inspection and Sale Act (Hay and Straw Inspection).

First Reading, March 22, 1918.

THE MINISTER OF TRADE AND COMMERCE.

OTTAWA
J. DE LABROQUERIE TACHÉ
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
36858—1 1918

1st Session, 13th Parliament, 8-9 George V, 1918

THE HOUSE OF COMMONS OF CANADA.

# BILL 20.

An Act to amend the Inspection and Sale Act (Hay and Straw Inspection).

R.S., c. 85; 1907, c. 21; 1908, cc. 35, 36; 1911, c. 15; 1912, c. 27; 1913, cc. 21, 25; 1914, cc. 7, 10, 36, 45.

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

**1.** Sections three hundred and forty, three hundred and forty-one and three hundred and forty-two of the *Inspection and Sale Act*, chapter eighty-five of the Revised Statutes, 1906, are repealed and the following sections are substituted therefor:—

HAY.

Hay grades Eastern Provinces.

"**340.** The grades for hay grown in the provinces of Ontario, Quebec, Nova Scotia, New Brunswick and Prince Edward Island shall be as follows:—

(*a*) *Prime Timothy* shall be pure timothy, perfect in colour sound and well cured;

(*b*) *No. 1 Timothy* shall be timothy with not more than one-eighth of clover or other tame grasses mixed, of good colour, sound and well cured;

(*c*) *No. 2 Timothy* shall be timothy with not more than one-third of clover or other tame grasses mixed, of good colour, sound and well cured;

(*d*) *No. 3 Timothy* shall consist of at least fifty per cent of timothy and the balance of clover or other tame grasses mixed, of fair colour and sound;

(*e*) *No. 1 Clover* shall be clover with not more than one-quarter of timothy or other tame grasses mixed, of good colour, sound and well cured;

(*f*) *No. 1 Clover Mixed* shall be timothy and clover mixed with at least one-half timothy of good colour and sound;

(*g*) *No. 2 Clover* shall be clover with not more than one-quarter of timothy or other tame grasses mixed, of fair colour, sound and well cured;

(*h*) *Mixed Hay* shall be hay which does not come under the description of timothy or clover, and which is in good condition, of good colour, sound and well cured;

(*i*) *No Grade* shall include all kinds of hay badly cured, grassy, stained or out of condition;

(*j*) *Rejected* shall include all hay that is musty or heated;

(*k*) *Shipping Grade* shall be hay in good condition, pressed sound and well cured.

Standard weights for hay and straw in Quebec.

"**340A.** In the province of Quebec, the following shall be the standard weights for hay and straw, unless sold by the ton, or unless it appears that the parties to the contract agreed otherwise,—

a bundle of timothy, clover or other hay, with a timothy band, fifteen pounds;

a bundle of timothy, clover or other hay, bound with a withe, sixteen pounds;

a bundle of straw, twelve pounds.

Hay grades Western Provinces and N.W.T.

"**340B.** The grades for hay grown in the provinces of Manitoba, British Columbia, Saskatchewan, Alberta, and the Northwest Territories shall be as follows:—

TAME GRASSES.

Cultivated grasses.

**1.** (*a*) *Choice Timothy Hay* shall be timothy free from stubble or weeds, with not more than one-twentieth other grasses, of bright natural colour and properly cured and sound;

(*b*) *No. 1 Timothy Hay* shall be timothy with not more than one-eighth mixed clover or other tame grasses, and not more than one-twentieth weeds, properly cured, of good colour and sound;

(*c*) *No. 2 Timothy Hay* shall be timothy with not more than one-fourth clover or other grasses, and not more than one-tenth weeds, of fair colour and sound;

(*d*) *No. 3 Timothy Hay* shall include all hay showing at least one-half timothy not more than one-fifth weeds or inferior grasses and must be sound;

(*e*) *No. 1 Timothy Clover Mixed* shall be timothy and clover mixed with at least one-half timothy and the remainder good clover, of good colour and sound;

(*f*) *No. 2 Timothy Clover Mixed* shall be at least one-third timothy, one-third clover with not more than one-tenth weeds and the remainder of mixed tame grasses, of fair colour and sound;

(*g*) *No. 1 Rye Grass, Brome, Orchard Grass or Alfalfa* shall be rye grass, brome, orchard grass or alfalfa, as the case may be, with not more than one-eighth of other poorer grasses and not more than one-twentieth weeds, properly cured, of good colour and sound;

(*h*) *No. 2 Rye Grass, Brome, Orchard Grass or Alfalfa* shall be rye grass, brome, orchard grass or alfalfa, as

the case may be, with not more than one-tenth of other poorer grasses, and not more than one-tenth weeds, of fair colour and sound;

(*i*) *No. 3 Rye Grass, Brome, Orchard Grass or Alfalfa* shall include all hay showing at least one-half rye grass, brome, orchard grass or alfalfa, as the case may be, and not more than one-fifth weeds or other poorer grasses and must be sound;

(*j*) *No Established Grade* shall include all hay not classified in the foregoing.

WILD GRASSES.

Wild grasses.

II. (*a*) *Choice Prairie Hay* shall be composed of seventy-five per cent red top, blue joint or peavine hay or a mixture thereof, of bright colour, dry, well cured, sweet and sound, free from weeds and other objectionable matter;

(*b*) *No. 1 Prairie Hay* shall be any one or a mixture of the following:—red top, fescue, bunch, buffalo, wheat and rye grasses, with not more than one-quarter peavine or wild vetch, all dry, well cured, of good colour, sound and reasonably free from weeds and other objectionable matter;

(*c*) *No. 2 Prairie Hay* shall include any one or a mixture of the grasses mentioned in "No. 1 Prairie Hay" with not more than one-quarter peavine or wild vetch; all dry, of fair colour, well cured, sweet, sound, and reasonably free from weeds and other objectionable matter;

(*d*) *No. 3 Prairie Hay* shall be any one or a mixture of the grasses mentioned in "No. 1 Prairie Hay", of fair colour, and may also contain slough or "scotch" grass of good colour, dry, not caked, and reasonably free from weeds and other objectionable matter;

(*e*) *No. 4 Prairie Hay* shall be slough grass or sedge of fair colour, not too coarse, dry, sound and reasonably free from weeds and other objectionable matter.

NO GRADE OR REJECTED.

No grade.

III. (*a*) *No Grade Hay* shall include all hay that is damp or otherwise unfit for storage, and shall be entered in the inspecting officer's books as "No Grade" with a note as to its quality and condition;

Rejected.

(*b*) *Rejected Hay* shall consist of hay containing more than twenty-five per cent of foxtail or spear grass, or hay heated or containing must or mould or otherwise damaged, and shall include all hay not good enough for other grades.

STRAW.

Grades.

"**340C.** The grades for straw shall be as follows:—

*No. 2 Straw* shall be long straw, sound and fair in colour;

*No Grade Straw* shall include all straw, short and chaffy but sound;

*Musty and Heated Straw* shall grade "rejected".

Reasons for grading to be recorded.

"**340D.** (1) All inspecting officers shall where necessary enter in their books their detailed reasons for grading any particular bale or bales of hay or straw.

No foreign matter.

(2) Hay or straw pressed in bales for sale in Canada shall be free from all foreign matter that would prejudicially affect the grade or add to the weight of the bale.

Wire to be used.

(3) The wire to be used in bailing hay or straw shall be number fourteen standard gauge annealed steel wire.

Fastenings to be recorded.

(4) When hay or straw that is baled is inspected, the inspecting officer shall enter in his book a statement of the character and condition of the fastenings of the bales.

Inspection of scales.

(5) The scales used by pressers of hay or straw shall be inspected at least once every year.

(6) All hay or straw facing doorway must be representative of the contents of the whole car.

License required for pressing hay and straw for sale.

"**340E.** No one shall press hay or straw for sale or exportation until he has obtained a license in such form as the Minister of Trade and Commerce prescribes, for which license a fee of one dollar shall be charged.

Bales to be tagged showing weight, etc.

"**340F.** (1) Every presser of hay or straw for sale in Canada shall attach to each bale of hay or straw a metal tag, with cardboard insert, having thereon the license number of the presser, the grade and weight of the bale and the month and year in which such bale was pressed and may be in the form following:—

License No.....

Grade.....

Weight.....; lbs.

Month of.....19..

Importers of hay and s raw in bales to tag showing weight, etc.

(2) All importers of hay or straw in bales disposing of any such hay or straw in less than carload lots, shall attach to each bale of such hay or straw, a metal tag, with cardboard insert, having thereon the name and address of the importer and the weight and grade of the bale.

Imported hay and straw. How to be graded.

"**340G.** When hay imported into Canada is inspected, it shall be inspected and graded in accordance with the

provisions of this Act applicable to hay grown in the province into which hay is imported, and when straw imported into Canada is inspected, it shall be inspected and graded in accordance with the provisions of the Act.

How railways are to facilitate inspection.

"**340H.** Railway companies carrying hay or straw which the owner, consignee, agent, or purchaser desires to have inspected shall where practicable deliver the same at a siding or other place where proper facilities are provided for such inspection."

Fee for inspection.

**341.** The Governor in Council shall have power to prescribe the fees that are to be charged for the inspection of hay or straw.

Penalty for pressing hay without license.

"**342.** Any person who without first obtaining a license presses hay for sale in Canada shall, on summary conviction, be liable to a fine of twenty-five dollars for the first offence and for each subsequent offence to a fine of fifty dollars.

Penalty for putting foreign matter in bales.

"**342A.** (1) Any person who puts any foreign matter into any bale of hay intended for sale, which improperly increases its weight or which prejudicially affects the quality of the bale, shall, on summary conviction, be liable to a fine not exceeding forty dollars for a first offence, and for each subsequent offence to a fine not exceeding one hundred dollars.

(2) Any person who puts any foreign matter into any bale of straw intended for sale which improperly increases the weight, or which prejudicially affects the quality of the bale, shall, on summary conviction, be liable to a fine not exceeding twenty-five dollars.

Penalty for fraudulently tagging.

"**342B.** Any person who fraudulently marks or stamps upon any tag attached to any bale of hay or straw a wrong weight shall, on summary conviction, be liable to a fine of forty dollars for a first offence and for each subsequent offence to a fine of one hundred dollars.

Penalty for improperly removing tags.

"**342C.** Any person who removes or detaches or causes to be removed or detached any tag prescribed by this Act from any bale of hay or straw intended for sale, or before the bale has been opened for consumption or repacking shall, on summary conviction, be liable to a fine of forty dollars for a first offence and for each subsequent offence to a fine of one hundred dollars or one month in gaol.

Penalty for not tagging.

"**342D.** Any presser of hay or straw or importer of hay or straw, who fails to attach a tag to each bale of hay or straw as prescribed by this Act, shall, on summary conviction, be liable to a fine not exceeding forty dollars for each such failure.

First Session, Thirteenth Parliament, 8–9 George V, 1918.

THE HOUSE OF COMMONS OF CANADA

# BILL 20.

An Act to amend the Inspection and Sale Act (Hay and Straw Inspection).

AS PASSED BY THE HOUSE OF COMMONS, 26th APRIL, 1918.

OTTAWA
J. DE LABROQUERIE TACHÉ
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
39724—1 1918

1st Session, 13th Parliament, 8-9 George V, 1918

THE HOUSE OF COMMONS OF CANADA.

# BILL 20.

An Act to amend the Inspection and Sale Act (Hay and Straw Inspection).

R.S., c. 85; 1907, c. 21; 1908, cc. 35, 36; 1911, c. 15; 1912, c. 27; 1913, cc. 21, 25; 1914, cc. 7, 10, 36, 45.

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

**1.** Sections three hundred and forty, three hundred and forty-one and three hundred and forty-two of the *Inspection and Sale Act*, chapter eighty-five of the Revised Statutes, 1906, are repealed and the following sections are substituted therefor:—

HAY.

Hay grades Eastern Provinces.

"**340.** The grades for hay grown in the provinces of Ontario, Quebec, Nova Scotia, New Brunswick and Prince Edward Island shall be as follows:—

(*a*) *Prime Timothy* shall be pure timothy, perfect in colour sound and well cured;

(*b*) *No. 1 Timothy* shall be timothy with not more than one-eighth of clover or other tame grasses mixed, of good colour, sound and well cured;

(*c*) *No. 2 Timothy* shall be timothy with not more than one-third of clover or other tame grasses mixed, of good colour, sound and well cured;

(*d*) *No. 3 Timothy* shall consist of at least fifty per cent of timothy and the balance of clover or other tame grasses mixed, of good colour, sound and well cured;

(*e*) *No. 1 Clover* shall be clover with not more than one-quarter of timothy or other tame grasses mixed, of good colour, sound and well cured;

(*f*) *No. 1 Clover Mixed* shall be timothy and clover mixed with at least one-half timothy of good colour and sound;

(*g*) *No. 2 Clover* shall be clover with not more than one-quarter of timothy or other tame grasses mixed, of fair colour, sound and well cured;

(*h*) *Mixed Hay* shall be hay which does not come under the description of timothy or clover, and which is in good condition, of good colour, sound and well cured;

(*i*) *No Grade* shall include all kinds of hay badly cured, grassy, stained or out of condition;

(*j*) *Rejected* shall include all hay that is musty or heated;

(*k*) *Shipping Grade* shall be hay in good condition, pressed sound and well cured.

Standard weights for hay and straw in Quebec.

"**340A.** In the province of Quebec, the following shall be the standard weights for hay and straw, unless sold by the ton, or unless it appears that the parties to the contract agreed otherwise,—

a bundle of timothy, clover or other hay, with a timothy band, fifteen pounds;

a bundle of timothy, clover or other hay, bound with a withe, sixteen pounds;

a bundle of straw, twelve pounds.

Hay grades Western Provinces and N.W.T.

"**340B.** The grades for hay grown in the provinces of Manitoba, British Columbia, Saskatchewan, Alberta, and the Northwest Territories shall be as follows:—

TAME GRASSES.

Cultivated grasses.

I. (*a*) *Choice Timothy Hay* shall be timothy free from stubble or weeds, with not more than one-twentieth other grasses, of bright natural colour and properly cured and sound;

(*b*) *No. 1 Timothy Hay* shall be timothy with not more than one-eighth mixed clover or other tame grasses, and not more than one-twentieth weeds, properly cured, of good colour and sound;

(*c*) *No. 2 Timothy Hay* shall be timothy with not more than one-fourth clover or other grasses, and not more than one-tenth weeds, of fair colour and sound;

(*d*) *No. 3 Timothy Hay* shall include all hay showing at least one-half timothy not more than one-fifth weeds or inferior grasses and must be sound;

(*e*) *No. 1 Timothy Clover Mixed* shall be timothy and clover mixed with at least one-half timothy and the remainder good clover, of good colour and sound;

(*f*) *No. 2 Timothy Clover Mixed* shall be at least one-third timothy, one-third clover with not more than one-tenth weeds and the remainder of mixed tame grasses, of fair colour and sound;

(*g*) *No. 1 Rye Grass, Brome, Orchard Grass or Alfalfa* shall be rye grass, brome, orchard grass or alfalfa, as the case may be, with not more than one-eighth of other poorer grasses and not more than one-twentieth weeds, properly cured, of good colour and sound;

(*h*) *No. 2 Rye Grass, Brome, Orchard Grass or Alfalfa* shall be rye grass, brome, orchard grass or alfalfa, as

the case may be, with not more than one-tenth of other poorer grasses, and not more than one-tenth weeds, of fair colour and sound;

(*i*) *No. 3 Rye Grass, Brome, Orchard Grass or Alfalfa* shall include all hay showing at least one-half rye grass, brome, orchard grass or alfalfa, as the case may be, and not more than one-fifth weeds or other poorer grasses and must be sound;

(*j*) *No Established Grade* shall include all hay not classified in the foregoing.

WILD GRASSES.

Wild grasses.

II. (*a*) *Choice Prairie Hay* shall be composed of seventy-five per cent red top, blue joint or peavine hay or a mixture thereof, of bright colour, dry, well cured, sweet and sound, free from weeds and other objectionable matter;

(*b*) *No. 1 Prairie Hay* shall be any one or a mixture of the following:—red top, fescue, bunch, buffalo, wheat and rye grasses, with not more than one-quarter peavine or wild vetch, all dry, well cured, of good colour, sound and reasonably free from weeds and other objectionable matter;

(*c*) *No. 2 Prairie Hay* shall include any one or a mixture of the grasses mentioned in "No. 1 Prairie Hay" with not more than one-quarter peavine or wild vetch; all dry, of fair colour, well cured, sweet, sound, and reasonably free from weeds and other objectionable matter;

(*d*) *No. 3 Prairie Hay* shall be any one or a mixture of the grasses mentioned in "No. 1 Prairie Hay", of fair colour, and may also contain slough or "scotch" grass of good colour, dry, not caked, and reasonably free from weeds and other objectionable matter;

(*e*) *No. 4 Prairie Hay* shall be slough grass or sedge of fair colour, not too coarse, dry, sound and reasonably free from weeds and other objectionable matter.

NO GRADE OR REJECTED.

No grade.

III. (*a*) *No Grade Hay* shall include all hay that is damp or otherwise unfit for storage, and shall be entered in the inspecting officer's books as "No Grade" with a note as to its quality and condition;

Rejected.

(*b*) *Rejected Hay* shall consist of hay containing more than twenty-five per cent of foxtail or spear grass, or hay heated or containing must or mould or otherwise damaged, and shall include all hay not good enough for other grades.

STRAW.

Grades.

"**340c.** The grades for straw shall be as follows:—

*No. 1 Straw* shall be bright, clean, well saved oat straw, suitable for feeding purposes;

*No. 2 Straw* shall be long straw from all cultivated cereals, sound and fair in colour;

*No Grade Straw* shall include all straw, short and chaffy but sound;

*Musty and Heated Straw* shall grade "rejected".

Reasons for grading to be recorded.

"**340d.** (1) All inspecting officers shall where necessary enter in their books their detailed reasons for grading any particular bale or bales of hay or straw.

No foreign matter.

(2) Hay or straw pressed in bales for sale in Canada shall be free from all foreign matter that would prejudicially affect the grade or add to the weight of the bale.

Wire to be used.

(3) The wire to be used in baling hay or straw shall be of a strength and quality not below number fourteen standard gauge annealed steel wire.

Fastenings to be recorded.

(4) When hay or straw that is baled is inspected, the inspecting officer shall enter in his book a statement of the character and condition of the fastenings of the bales.

Inspection of scales.

(5) The scales used by pressers of hay or straw shall be inspected at least once every year.

Imported hay and straw, how to be graded.

"**340e.** When hay imported into Canada is inspected, it shall be inspected and graded in accordance with the provisions of this Act applicable to hay grown in the province into which hay is imported, and when straw imported into Canada is inspected, it shall be inspected and graded in accordance with the provisions of the Act.

Fee for inspection.

"**341.** The Governor in Council shall have power to prescribe the fees that are to be charged for the inspection of hay or straw.

Penalty for putting foreign matter in bales.

"**342.** (1) Any person who puts any foreign matter into any bale of hay intended for sale, which improperly increases its weight, or which prejudicially affects the quality of the bale, shall, on summary conviction, be liable to a fine not exceeding forty dollars for a first offence, and for each subsequent offence to a fine not exceeding one hundred dollars.

(2) Any person who puts any foreign matter into any bale of straw intended for sale which improperly increases the weight, or which prejudicially affects the quality of the bale, shall, on summary conviction, be liable to a fine not exceeding twenty-five dollars."

First Session, Thirteenth Parliament, 8–9 George V, 1918.

THE HOUSE OF COMMONS OF CANADA

# BILL 21.

An Act to amend the Penitentiary Act.

First Reading, March 25, 1918.

The MINISTER OF JUSTICE.

OTTAWA
J. DE LABROQUERIE TACHÉ
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
36859—1 1918

1st Session, 13th Parliament, 8-9 George V, 1918

# BILL 21.

## THE HOUSE OF COMMONS OF CANADA.

An Act to amend the Penitentiary Act.

R. S., c. 147; 1913 c. 36.

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

**1.** Paragraph (*b*) of subsection one of section two of the *Penitentiary Act*, chapter one hundred and forty-seven of the Revised Statutes of Canada, 1906, is repealed and the following is substituted therefor:—

Definition amended.

"(*b*) "Inspector" means an inspector of penitentiaries appointed under this Act".

**2.** The said subsection one of section two is further amended by adding thereto the following paragraphs:—

New definitions.

"(*e*) "Superintendent" means the Superintendent of Penitentiaries appointed under this Act.

"(*f*) "Penitentiaries" includes not only the penitentiaries hereinafter mentioned or described, but also such other prisons and public institutions as are from time to time designated for that purpose by the Governor in Council by proclamation in the *Canada Gazette*".

**3.** Sections fourteen to twenty-three, both inclusive, are repealed and the following are substituted therefor:—

Superintendent.

"**14.** (1) The Governor in Council may appoint a Superintendent of Penitentiaries, who shall be an officer of the Department of Justice, who shall, under the Minister, direct and superintend the administration and business of the penitentiaries, and perform such other duties as may from time to time be assigned to him by the Minister.

Tenure of office and salary.

(2) The Superintendent shall hold office during pleasure, and shall be paid such salary as may be prescribed by the Governor in Council.

Inspectors.

"**15.** (1) The Governor in Council may appoint not more than three inspectors of Penitentiaries, who shall perform such of the duties by this Act required to be

performed by an inspector as the Minister may assign to them respectively.

Classification and salary.

(2) The inspectors shall be classified as officers of the Department of Justice in Subdivision B of the First Division of the Civil Service Act, but shall each receive a minimum salary of twenty-five hundred dollars per annum.

Duties.

"**16.** The inspectors shall under the direction of the Superintendent visit, examine and report upon the state and management of the penitentiaries, and the suggestions which the Warden or officers in charge thereof make for the improvement of the same.

Ex-officio Justice of peace.

"**17.** An inspector by virtue of his office shall be a justice of the peace for every district, county, city or town of Canada, but shall have power to act in matters connected with the criminal law only.

Superintendent to make rules.

"**18.** The Superintendent shall, subject to the approval of the Minister, make rules and regulations for,—

(*a*) the administration, management, discipline and police of the penitentiaries, and the wardens of the penitentiaries, and every other officer employed in or about the same, as well as the convicts confined therein, shall be bound to obey such rules and regulations;

(*b*) the establishment and carrying on of any work or industry at any penitentiary as may be thought desirable for the useful employment or training of the convicts, for the employment of the convicts therein, for the disposal of the products thereof, and as well for allowing to the convicts engaged in any such work or industry, subject to such conditions as may be prescribed by the regulations, an allowance payable in the manner and to such persons as may be prescribed by way of remuneration for their labour.

Annual report.

"**19.** The Superintendent shall make an annual report to the Minister on or before the first day of June in each year, which shall contain a full and accurate statement of the state, condition and management of the penitentiaries under his control and supervision for the preceding fiscal year, together with such suggestions for the improvement of the same as he may deem necessary or expedient, accompanied by copies of the annual reports of the officers of the penitentiaries, and by such financial and statistical statements and tables as he deems useful or as the Minister directs.

To report defects.

"**20.** If the Superintendent at any time finds that any penitentiary is out of repair, or does not possess the proper and requisite sanitary arrangements, or has become unsafe or unfit for the confinement of prisoners, or does not afford sufficient accommodation for the number of prisoners confined therein, or the requisite accommodation for the proper industrial employment of the prisoners, he shall forthwith report the facts to the Minister.

Superintendent and inspector to have free access.

"**21.** (1) The Superintendent, or an inspector under his direction, may,—

(*a*) at any time enter and remain within any penitentiary and have access to every part of the same, and examine all papers, documents, vouchers, records and books of every kind belonging thereto;

Power to assume control.

(*b*) assume control of any penitentiary and exercise the powers and functions of warden with respect to the control and management of such penitentiary, and of all its concerns;

To investigate.

(*c*) investigate the conduct of any officer or servant employed in or about any penitentiary, or of any person found within the precincts thereof, and for that purpose may summon by subpoena any person, and examine such person under oath, and may compel the production of papers and writings.

To issue warrant for arrest for person not appearing.

(2) If any person duly summoned neglects or refuses to appear at the time and place specified, or refuses to give evidence or produce the papers demanded of him, the officer conducting the investigation may cause the said person, by his warrant, to be taken into custody and to be imprisoned in the common gaol of the locality, as for contempt of court, for a period not exceeding fourteen days.

Special reports.

"**22.** The Minister may, at any time when he deems it necessary, appoint one or more persons to make a special report on the state and management of any penitentiary, and in such case the person or persons so appointed, in order to enable him or them to make such special report, shall have the powers given to the Superintendent or an inspector by the two sections last preceding."

"Superintendent" substituted for Inspectors.

**4.** Sections twenty-six and twenty-seven are amended by substituting for the words "the Inspectors" wherever they occur therein, the words "the Superintendent."

**5.** Subsection two of section thirty of the said Act is repealed and the following is substituted therefor:—

Superintendent may administer oath.

"(2) The Superintendent, one of the Inspectors or the Warden may administer such oaths."

Superintendent substituted for Inspectors.

**6.** Sections thirty-two, thirty-nine and forty are amended by striking out the word "Inspectors", and substituting therefor "Superintendent."

Superintendent added to and replacing Inspectors.

**7.** Section forty-one is amended by inserting the words "the Superintendent" immediately before the words "the Inspectors" in the first line, and by substituting the word "Superintendent" for "Inspectors" in the last line.

Superintendent substituted for Inspectors.

**8.** Sections fifty-six, fifty-eight, sixty-four and sixty-five are amended by substituting the word "Superintendent" for "Inspectors" wherever this word occurs.

First Session, Thirteenth Parliament, 8-9 George V, 1918.

THE HOUSE OF COMMONS OF CANADA

# BILL 21.

An Act to amend the Penitentiary Act.

AS PASSED BY THE HOUSE OF COMMONS,
29th APRIL, 1918.

OTTAWA
J. DE LABROQUERIE TACHÉ
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
39908—1 1918

1st Session, 13th Parliament, 8-9 George V, 1918

# BILL 21.

## THE HOUSE OF COMMONS OF CANADA.

An Act to amend the Penitentiary Act.

R. S., c. 147; 1913, c. 36.

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

**1.** Paragraph (*b*) of subsection one of section two of the *Penitentiary Act*, chapter one hundred and forty-seven of the Revised Statutes of Canada, 1906, is repealed and the following is substituted therefor:—

Definition amended.

"(*b*) "Inspector" means an inspector of penitentiaries appointed under this Act".

**2.** The said subsection one of section two is further amended by adding thereto the following paragraphs:—

New definitions.

"(*e*) "Superintendent" means the Superintendent of Penitentiaries appointed under this Act.

"(*f*) "Penitentiaries" includes not only the penitentiaries hereinafter mentioned or described, but also such other prisons and public institutions as are from time to time designated for that purpose by the Governor in Council by proclamation in the *Canada Gazette*".

**3.** Sections fourteen to twenty-three, both inclusive, are repealed and the following are substituted therefor:—

Superintendent.

"**14.** (1) The Governor in Council may appoint a Superintendent of Penitentiaries, who shall be an officer of the Department of Justice, who shall, under the Minister, direct and superintend the administration and business of the penitentiaries, and perform such other duties as may from time to time be assigned to him by the Minister.

Tenure of office and salary.

(2) The Superintendent shall hold office during pleasure, and shall be paid such salary as may be prescribed by the Governor in Council.

Inspectors.

"**15.** (1) The Governor in Council may appoint not more than three inspectors of Penitentiaries, who shall perform such of the duties by this Act required to be

performed by an inspector as the Minister may assign to them respectively.

Classification and salary.

(2) The inspectors shall be classified as officers of the Department of Justice in Subdivision B of the First Division of the Civil Service Act, but shall each receive a minimum salary of twenty-five hundred dollars per annum.

Duties.

"**16.** The inspectors shall under the direction of the Superintendent visit, examine and report upon the state and management of the penitentiaries, and the suggestions which the Warden or officers in charge thereof make for the improvement of the same.

Ex-officio Justice of peace.

"**17.** An inspector by virtue of his office shall be a justice of the peace for every district, county, city or town of Canada, but shall have power to act in matters connected with the criminal law only.

Superintendent to make rules.

"**18.** The Superintendent shall, subject to the approval of the Minister, make rules and regulations for,—

(*a*) the administration, management, discipline and police of the penitentiaries, and the wardens of the penitentiaries, and every other officer employed in or about the same, as well as the convicts confined therein, shall be bound to obey such rules and regulations;

(*b*) the establishment and carrying on of any work or industry at any penitentiary as may be thought desirable for the useful employment or training of the convicts, for the employment of the convicts therein, for the disposal of the products thereof, and as well for allowing, subject to such conditions as may be prescribed and payable in the manner and to such persons as may be designated by the regulations, remuneration for the labour of convicts.

Annual report.

" **19.** The Superintendent shall make an annual report to the Minister on or before the first day of September in each year, which shall contain a full and accurate statement of the state, condition and management of the penitentiaries under his control and supervision for the preceding fiscal year, together with such suggestions for the improvement of the same as he may deem necessary or expedient, accompanied by such reports of the officers of the penitentiaries, and financial and statistical statements and tables as he deems useful or as the Minister directs.

To report defects.

" **20.** If the Superintendent at any time finds that any penitentiary is out of repair, or does not possess the proper and requisite sanitary arrangements, or has become unsafe or unfit for the confinement of prisoners, or does not afford sufficient accommodation for the number of prisoners confined therein, or the requisite accommodation for the proper industrial employment of the prisoners, he shall forthwith report the facts to the Minister.

Superintendent and inspector to have free access.

" **21.** (1) The Superintendent, or an inspector under his direction, may,—

(*a*) at any time enter and remain within any penitentiary and have access to every part of the same, and

examine all papers, documents, vouchers, records and books of every kind belonging thereto;

Power to assume control.

(*b*) assume control of any penitentiary and exercise the powers and functions of warden with respect to the control and management of such penitentiary, and of all its concerns;

To investigate.

(*c*) investigate the conduct of any officer or servant employed in or about any penitentiary, or of any person found within the precincts thereof, and for that purpose may summon by subpoena any person, and examine such person under oath, and may compel the production of papers and writings.

To issue warrant for arrest for person not appearing.

(2) If any person duly summoned neglects or refuses to appear at the time and place specified, or refuses to give evidence or produce the papers demanded of him, the officer conducting the investigation may cause the said person, by his warrant, to be taken into custody and to be imprisoned in the common gaol of the locality, as for contempt of court, for a period not exceeding fourteen days.

Special reports.

" **22.** The Minister may, at any time when he deems it necessary, appoint one or more persons to make a special report on the state and management of any penitentiary, and in such case the person or persons so appointed, in order to enable him or them to make such special report, shall have the powers given to the Superintendent or an inspector by the two sections last preceding."

"Superintendent" substituted for Inspectors.

**4.** Sections twenty-six and twenty-seven are amended by substituting for the words " the Inspectors" wherever they occur therein, the words " the Superintendent."

**5.** Subsection two of section thirty of the said Act is repealed and the following is substituted therefor:—

Superintendent may administer oath.

" (2) The Superintendent, one of the Inspectors or the Warden may administer such oaths."

Superintendent substituted for Inspectors.

**6.** Sections thirty-two, thirty-nine and forty are amended by striking out the word " Inspectors ", and substituting therefor " Superintendent."

Superintendent added to and replacing Inspectors.

**7.** Section forty-one is amended by inserting the words " the Superintendent " immediately before the words " the Inspectors " in the first line, and by substituting the word " Superintendent " for " Inspectors " in the last line.

Insane or imbecile convicts.

**8.** Section fifty-three is amended by inserting the words "or imbecile" after the word "insane" wherever the said word "insane" appears therein.

Superintendent substituted for Inspectors.

**9.** Sections fifty-six, fifty-eight, sixty-four and sixty-five are amended by substituting the word "Superintendent" for " Inspectors " wherever this word occurs.

First Session, Thirteenth Parliament, 8–9 George V, 1918.

THE HOUSE OF COMMONS OF CANADA

# BILL 22.

An Act respecting The Canadian Society of Civil Engineers and to change its name to "The Engineering Institute of Canada."

First reading, March 27, 1918.

(PRIVATE BILL.)

SIR HERBERT AMES.

OTTAWA
J. DE LABROQUERIE TACHÉ
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1918

1st Session, 13th Parliament, 8-9 George V, 1918.

# THE HOUSE OF COMMONS OF CANADA.

# BILL 22.

An Act respecting The Canadian Society of Civil Engineers and to change its name to "The Engineering Institute of Canada".

1887, c. 124.

WHEREAS The Canadian Society of Civil Engineers 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:—

Name changed.

**1.** The name of The Canadian Society of Civil Engineers, hereinafter called "the Institute," is hereby changed to "The Engineering Institute of Canada," but such change in name shall not in any way impair, alter or affect the rights or liabilities of the Institute nor in any way affect any suit or proceedings now pending or judgment existing either by or in favour of or against the Institute, which notwithstanding such change in the name of the Institute, may be prosecuted, continued, completed and enforced as if this Act had not been passed.

Rights saved.

Incorporation Act amended.

**2.** Sections two, three and five of chapter one hundred and twenty-four of the statutes of 1887, are amended by striking out the word "Society" wherever it occurs in the said sections and substituting therefor the word "Institute."

First Session, Thirteenth Parliament, 8–9 George V, 1918.

THE HOUSE OF COMMONS OF CANADA

# BILL 22.

An Act respecting The Canadian Society of Civil Engineers and to change its name to "The Engineering Institute of Canada."

AS PASSED BY THE HOUSE OF COMMONS, 15th APRIL, 1918.

OTTAWA
J. DE LABROQUERIE TACHÉ
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1918

1st Session, 13th Parliament, 8-9 George V, 1918.

# THE HOUSE OF COMMONS OF CANADA.

# BILL 22.

An Act respecting The Canadian Society of Civil Engineers and to change its name to "The Engineering Institute of Canada".

1887, c. 124.

WHEREAS The Canadian Society of Civil Engineers 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:—

Name changed.

**1.** The name of The Canadian Society of Civil Engineers, hereinafter called "the Institute," is hereby changed to "The Engineering Institute of Canada," but such change in name shall not in any way impair, alter or affect the rights or liabilities of the Institute nor in any way affect any suit or proceedings now pending or judgment existing either by or in favour of or against the Institute, which notwithstanding such change in the name of the Institute, may be prosecuted, continued, completed and enforced as if this Act had not been passed.

Rights saved.

ncorporation Act amended.

**2.** Sections two, three and five of chapter one hundred and twenty-four of the statutes of 1887, are amended by striking out the word "Society" wherever it occurs in the said sections and substituting therefor the word "Institute."

First Session, Thirteenth Parliament, 8–9 George V, 1918.

THE HOUSE OF COMMONS OF CANADA

# BILL 23.

An Act to incorporate Merchants Casualty Company.

First reading, March 27, 1918.

(PRIVATE BILL.)

MR. ANDREWS.

OTTAWA
J. DE LABROQUERIE TACHÉ,
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
36522—1 1918.

1st Session, 13th Parliament, 8-9 George V, 1918.

# THE HOUSE OF COMMONS OF CANADA.

# BILL 23.

An Act to incorporate Merchants Casualty Company.

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.** Morgan J. McMichael, of the city of Minneapolis, in the state of Minnesota, one of the United States of America, financial agent, Leo M. Fingard, manager, William J. Bulman, publisher, John S. Turner, bank manager, Robert Blackwood Graham, barrister, and Charles S. Hanslip, secretary, all of the city of Winnipeg, in the province of Manitoba, together with such persons as become shareholders in the company are incorporated under the name of "Merchants Casualty Company," hereinafter called "the Company."

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, which may be increased to one million dollars, the said capital stock being divided into shares of fifty dollars each.

Subscription before general meeting.

**4.** The amount to be subscribed before the general meeting for the election of directors is called shall be four hundred and thirty-five thousand dollars.

Classes of business authorized.

**5.** The Company may make contracts of any of the following classes of insurance: (*a*) accident insurance, (*b*) sickness insurance, (*c*) automobile insurance, (*d*) burglary insurance, (*e*) explosion insurance, (*f*) guarantee insurance, (*g*) plate-glass insurance, (*h*) sprinkler leakage insurance, (*i*) steam boiler insurance, and (*j*) fire insurance.

Power to acquire Manitoba Company.

Man. 1913, c. 117.

**8.** The Company may acquire the whole or any part of the rights and property of the Merchants Casualty Company, incorporated by chapter one hundred and seventeen of the statutes of 1913 of the province of Manitoba, and in the event of such acquisition the Company shall perform and discharge all such duties, obligations and liabilities of that Company with respect to the rights and property acquired as are not performed or discharged by that Company.

Application of Insurance Act.

1917, c. 29.

**9.** Except as otherwise provided by this Act, the Company shall have all the powers, privileges and immunities and shall be subject to all liabilities and provisions set out in *The Insurance Act, 1917*, so far as they may be applicable to the Company.

Issue of license.

**10.** A license shall not be issued to the Company, nor shall any license issued be renewed, unless and until the Superintendent of Insurance has been satisfied by such evidence as he may require that the Merchants Casualty Company, incorporated by chapter one hundred and seventeen of the statutes of 1913 of the province of Manitoba, is ceasing to do business, nor unless and until such undertaking as he may require has been given that the said Company will entirely cease to do business within such reasonable time as he may fix.

Accident and sickness insurance.

**6.** (1) The Company shall not commence the business of accident insurance and sickness insurance until four hundred and thirty-five thousand dollars of the capital stock has been subscribed and sixty thousand dollars paid thereon, nor until the paid capital and surplus amount to at least one hundred thousand dollars.

Automobile insurance.

(2) The Company shall not commence the business of automobile insurance, in addition to the business of accident insurance and sickness insurance, until the paid capital or the paid capital and surplus amount to at least one hundred and twenty thousand dollars.

Fire Insurance.

(3) The Company shall not commence the business of fire insurance, limited to fire risks on automobiles only, in addition to the business of accident insurance, sickness insurance and automobile insurance, until its paid capital together with its surplus amounts to at least one hundred and seventy thousand dollars.

Other classes.

(4) The Company shall not commence the other classes of business authorized by section five of this Act, or any of them, in addition to the classes mentioned in subsection three of this section, until the paid capital together with the surplus mentioned in the said subsection has been increased by an amount or amounts dependent upon the nature of the additional class or classes of business as follows, that is to say:—for burglary insurance the said increase shall be not less than ten thousand dollars; for explosion insurance not less than twenty thousand dollars; for guarantee insurance not less than fifty thousand dollars; for plate-glass insurance not less than ten thousand dollars; for sprinkler leakage insurance not less than ten thousand dollars; for steam boiler insurance not less than ten thousand dollars; for fire insurance in all its branches not less than fifty thousand dollars.

Increase of capital required.

(5) The Company shall at or before the expiration of one year from the date of its receiving a license for the transaction of fire insurance in all its branches increase the amount paid on its capital stock by the sum of fifteen thousand dollars, and during each of the succeeding four years an additional fifteen thousand dollars shall be paid on account of its said capital stock until the total paid capital together with its surplus exceeds the total amount required by the preceding subsections of this section by at least seventy-five thousand dollars.

"Surplus" defined.

(6) In this section the word " surplus " means excess of assets over liabilities including the amount paid on account of capital stock and the reserve of unearned premiums calculated *pro rata* for the unexpired term of all policies of the Company in force.

Head office.

**7.** The head office of the Company shall be in the city of Winnipeg in the province of Manitoba.

First Session, Thirteenth Parliament, 8-9 George V, 1918.

THE HOUSE OF COMMONS OF CANADA

# BILL 23.

An Act to incorporate Merchants Casualty Company.

AS PASSED BY THE HOUSE OF COMMONS,
22nd APRIL, 1918.

OTTAWA
J. DE LABROQUERIE TACHÉ,
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
39424—1 1918

1st Session, 13th Parliament, 8-9 George V, 1918.

THE HOUSE OF COMMONS OF CANADA

# BILL 23.

An Act to incorporate Merchants Casualty Company.

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.** Morgan J. McMichael, of the city of Minneapolis, in the state of Minnesota, one of the United States of America, financial agent, Leo M. Fingard, manager, William J. Bulman, publisher, John S. Turner, bank manager, Robert Blackwood Graham, barrister, and Charles S. Hanslip, secretary, all of the city of Winnipeg, in the province of Manitoba, together with such persons as become shareholders in the company are incorporated under the name of "Merchants Casualty Company," hereinafter called "the Company."

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, which may be increased to one million dollars, the said capital stock being divided into shares of fifty dollars each.

Subscription before general meeting.

**4.** The amount to be subscribed before the general meeting for the election of directors is called shall be four hundred and thirty-five thousand dollars.

Classes of business authorized.

**5.** The Company may make contracts of any of the following classes of insurance: (*a*) accident insurance, (*b*) sickness insurance, (*c*) automobile insurance, (*d*) burglary insurance, (*e*) explosion insurance, (*f*) guarantee insurance, (*g*) plate-glass insurance, (*h*) sprinkler leakage insurance, (*i*) steam boiler insurance, and (*j*) fire insurance.

Accident and sickness insurance.

**6.** (1) The Company shall not commence the business of accident insurance and sickness insurance until four hundred and thirty-five thousand dollars of the capital stock has been subscribed and sixty thousand dollars paid thereon, nor until the paid capital and surplus amount to at least one hundred thousand dollars.

Automobile insurance.

(2) The Company shall not commence the business of automobile insurance, in addition to the business of accident insurance and sickness insurance, until the paid capital or the paid capital and surplus amount to at least one hundred and twenty thousand dollars.

Fire Insurance.

(3) The Company shall not commence the business of fire insurance, limited to fire risks on automobiles only, in addition to the business of accident insurance, sickness insurance and automobile insurance, until its paid capital together with its surplus amounts to at least one hundred and seventy thousand dollars.

Other classes.

(4) The Company shall not commence the other classes of business authorized by section five of this Act, or any of them, in addition to the classes mentioned in subsection three of this section, until the paid capital together with the surplus mentioned in the said subsection has been increased by an amount or amounts dependent upon the nature of the additional class or classes of business as follows, that is to say:—for burglary insurance the said increase shall be not less than ten thousand dollars; for explosion insurance not less than twenty thousand dollars; for guarantee insurance not less than fifty thousand dollars; for plate-glass insurance not less than ten thousand dollars; for sprinkler leakage insurance not less than ten thousand dollars; for steam boiler insurance not less than ten thousand dollars; for fire insurance in all its branches not less than fifty thousand dollars.

Increase of paid capital required.

(5) The Company shall at or before the expiration of one year from the date of its receiving a license for the transaction of fire insurance in all its branches increase the amount paid on its capital stock by the sum of fifteen thousand dollars, and during each of the succeeding four years an additional fifteen thousand dollars shall be paid on account of its said capital stock until the total paid capital together with its surplus exceeds the total amount required by the preceding subsections of this section by at least seventy-five thousand dollars.

"Surplus" defined.

(6) In this section the word " surplus " means excess of assets over liabilities including the amount paid on account of capital stock and the reserve of unearned premiums calculated *pro rata* for the unexpired term of all policies of the Company in force.

Head office.

**7.** The head office of the Company shall be in the city of Winnipeg in the province of Manitoba.

Power to acquire Manitoba Company.

**8.** The Company may acquire the whole or any part of the rights and property of the Merchants Casualty Company, incorporated by chapter one hundred and seventeen of the statutes of 1913 of the province of Manitoba, and in the event of such acquisition the Company shall perform and discharge all such duties, obligations and liabilities of that Company with respect to the rights and property acquired as are not performed or discharged by that Company.

Man. 1913, c. 117.

Application of Insurance Act.

**9.** Except as otherwise provided by this Act, the Company shall have all the powers, privileges and immunities and shall be subject to all liabilities and provisions set out in *The Insurance Act, 1917*, so far as they may be applicable to the Company.

1917, c. 29.

Issue of license.

**10.** A license shall not be issued to the Company, nor shall any license issued be renewed, unless and until the Superintendent of Insurance has been satisfied by such evidence as he may require that the Merchants Casualty Company, incorporated by chapter one hundred and seventeen of the statutes of 1913 of the province of Manitoba, is ceasing to do business, nor unless and until such undertaking as he may require has been given that the said Company will entirely cease to do business within such reasonable time as he may fix.

First Session, Thirteenth Parliament, 8–9 George V, 1918.

THE HOUSE OF COMMONS OF CANADA

# BILL 24.

An Act respecting The Montreal, Ottawa and Georgian Bay Canal Company.

First reading, March 27, 1918.

(PRIVATE BILL.)

MR. FRIPP.

OTTAWA
J. DE LABROQUERIE TACHÉ
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1918

1st Session, 13th Parliament, 8-9 George V, 1918.

THE HOUSE OF COMMONS OF CANADA.

# BILL 24.

An Act respecting The Montreal, Ottawa and Georgian Bay Canal Company.

1894, c. 103; 1898, c. 109; 1900, c. 106; 1906, c. 128; 1908, c. 130; 1910, c. 130; 1912, c. 123; 1913, c. 154; 1915, c. 76.

WHEREAS The Montreal, Ottawa and Georgian Bay Canal 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:—

First meeting of shareholders.

**1.** Section seven of chapter one hundred and three of the statutes of 1894 is amended by striking out the word "twenty," in the first line thereof, and substituting therefor the word "five."

Repeal.

**2.** Section four of chapter one hundred and twenty-three of the statutes of 1912 is repealed.

Provisional directors.

**3.** William Cameron Edwards, William Hutchison, Napoleon Antoine Belcourt and Johnston Edgerly, all of the city of Ottawa; James B. Klock, of Klock's Mills, and Gerald V. White, of the town of Pembroke, all in the province of Ontario, shall be the provisional directors of the Company.

Extension of time for completion.

**4.** The Montreal, Ottawa and Georgian Bay Canal Company, hereinafter called "the Company," may commence the construction of its canals, or any of them, and expend fifty thousand dollars thereon, on or before the first day of May, one thousand nine hundred and twenty-one, and may complete the said canals and put them in operation before the first day of May, one thousand nine hundred and twenty-seven, and subject to the provisions of this Act may, in connection with such construction and operation, exercise all the powers granted to the Company by chapter one hundred and three of the statutes of 1894 and amendments thereto; and if such construction is not commenced and such expenditure is not so made, or if the said canals are not completed and put in operation within the said

1894, c. 103.

periods respectively, the powers granted to the Company by Parliament shall cease and be null and void as respects so much of the said canals and works as then remains uncompleted.

Repeal.

**5.** Section one of chapter seventy-six of the statutes of 1915 is repealed.

Works may be taken over by Government.

**6.** Section five of chapter one hundred and twenty-eight of the statutes of 1906 is hereby repealed, and section forty-three of chapter one hundred and three of the statutes of 1894 as originally enacted is hereby restored and re-enacted as follows:—

"**43.** His Majesty, his heirs and successors, may at any time assume the possession and property of the said canals and works, and of all the rights and privileges and advantages of the Company, all of which shall, after such assumption, be vested in His Majesty, his heirs and successors, on giving to the Company one week's notice thereof and on paying to the Company the value of the same, to be fixed by three arbitrators or the majority of them, one to be chosen by the Government, another by the Company and a third arbitrator by the two arbitrators; and the arbitrators may in such valuation take into account the expenditure of the Company, its property, the business of the canals and other works hereby authorized, and its past, present and prospective business, with interest from the time of the investment thereof."

Sections preserving right of Government to take over works, repealed.

**7.** Section three of chapter one hundred and thirty of the statutes of 1908, section five of chapter one hundred and thirty of the statutes of 1910, section seven of chapter one hundred and twenty-three of the statutes of 1912, section six of chapter one hundred and fifty-four of the statutes of 1913, and section four of chapter seventy-six of the statutes of 1915 are hereby repealed.

Rights of Government to take over works, preserved.

**8.** Nothing in this Act shall affect or impair the rights of the Government of Canada under or by virtue of the provisions of section forty-three of chapter one hundred and three of the statutes of 1894 as re-enacted by this Act.

First Session, Thirteenth Parliament, 8-9 George V, 1918.

THE HOUSE OF COMMONS OF CANADA

# BILL 24.

An Act respecting The Montreal, Ottawa and Georgian Bay Canal Company.

**(Reprinted as proposed to be amended in the Railway Committee.)**

(PRIVATE BILL.)

MR. FRIPP.

OTTAWA
J. DE LABROQUERIE TACHÉ
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1918

1st Session, 13th Parliament, 8-9 George V, 1918.

THE HOUSE OF COMMONS OF CANADA.

# BILL 24.

An Act respecting The Montreal, Ottawa and Georgian Bay Canal Company.

1894, c. 103; 1898, c. 109; 1900, c. 106; 1906, c. 128; 1908, c. 130; 1910, c. 130; 1912, c. 123; 1913, c. 154; 1915, c. 76.

WHEREAS The Montreal, Ottawa and Georgian Bay Canal 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:—

Repeal.

**1.** Section four of chapter one hundred and twenty-three of the statutes of 1912 is repealed.

Provisional directors.

**2.** William Cameron Edwards, William Hutchison, Napoleon Antoine Belcourt and Johnston Edgerly, all of the city of Ottawa; James B. Klock, of Klock's Mills, and Gerald V. White, of the town of Pembroke, all in the province of Ontario, shall be the provisional directors of the Company.

Extension of time for completion.

**3.** The Montreal, Ottawa and Georgian Bay Canal Company, hereinafter called "the Company," may commence the construction of its canals, or any of them, and expend fifty thousand dollars thereon, on or before the first day of May, one thousand nine hundred and twenty-one, and may complete the said canals and put them in operation before the first day of May, one thousand nine hundred and twenty-seven, and subject to the provisions of this Act may, in connection with such construction and operation, exercise all the powers granted to the Company by chapter one hundred and three of the statutes of 1894 and amendments thereto; and if such construction is not commenced and such expenditure is not so made, or if the said canals are not completed and put in operation within the said periods respectively, the powers granted to the Company by Parliament shall cease and be null and void as respects

1894, c. 103.

so much of the said canals and works as then remains uncompleted.

Repeal.

**4.** Section one of chapter seventy-six of the statutes of 1915 is repealed.

Rights of Government to take over works, preserved.

**5.** Nothing in this Act shall affect or impair the rights of the Government of Canada under or by virtue of the provisions of the section substituted by section five of chapter one hundred and twenty-eight of the statutes of 1906 for section forty-three of chapter one hundred and three of the statutes of 1894.

First Session, Thirteenth Parliament, 8–9 George V, 1918.

THE HOUSE OF COMMONS OF CANADA

# BILL 24.

An Act respecting The Montreal, Ottawa and Georgian Bay Canal Company.

**AS PASSED BY THE HOUSE OF COMMONS, 29th APRIL, 1918.**

OTTAWA
J. DE LABROQUERIE TACHÉ
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1918

1st Session, 13th Parliament, 8-9 George V, 1918.

THE HOUSE OF COMMONS OF CANADA.

# BILL 24.

An Act respecting The Montreal, Ottawa and Georgian Bay Canal Company.

1894, c. 103; 1898, c. 109; 1900, c. 106; 1906, c. 128; 1908, c. 130; 1910, c. 130; 1912, c. 123; 1913, c. 154; 1915, c. 76.

WHEREAS The Montreal, Ottawa and Georgian Bay Canal 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:—

Repeal.

**1.** Section four of chapter one hundred and twenty-three of the statutes of 1912 is repealed.

Provisional directors.

**2.** William Cameron Edwards, William Hutchison, Napoleon Antoine Belcourt and Johnston Edgerly, all of the city of Ottawa; James B. Klock, of Klock's Mills, and Gerald V. White, of the town of Pembroke, all in the province of Ontario, shall be the provisional directors of the Company.

Extension of time for completion.

**3.** The Montreal, Ottawa and Georgian Bay Canal Company, hereinafter called "the Company," may commence the construction of its canals, or any of them, and expend fifty thousand dollars thereon, on or before the first day of May, one thousand nine hundred and twenty-one, and may complete the said canals and put them in operation before the first day of May, one thousand nine hundred and twenty-seven, and subject to the provisions of this Act may, in connection with such construction and operation, exercise all the powers granted to the Company by chapter one hundred and three of the statutes of 1894 and amendments thereto; and if such construction is not commenced and such expenditure is not so made, or if the said canals are not completed and put in operation within the said periods respectively, the powers granted to the Company by Parliament shall cease and be null and void as respects

1894, c. 103.

so much of the said canals and works as then remains uncompleted.

Repeal.

**4.** Section one of chapter seventy-six of the statutes of 1915 is repealed.

Rights of Government to take over works, preserved.

**5.** Nothing in this Act shall affect or impair the rights of the Government of Canada under or by virtue of the provisions of the section substituted by section five of chapter one hundred and twenty-eight of the statutes of 1906 for section forty-three of chapter one hundred and three of the statutes of 1894.

First Session, Thirteenth Parliament, 8–9 George V, 1918.

THE HOUSE OF COMMONS OF CANADA

# BILL 25.

An Act respecting Bankruptcy.

First reading, March 27, 1918.

Mr. JACOBS.

OTTAWA
J. DE LABROQUERIE TACHÉ
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
37831—1 1918

1st Session, 13th Parliament, 8-9 George V, 1918.

THE HOUSE OF COMMONS OF CANADA.

# BILL 25.

An Act respecting Bankruptcy.

Short title.

**1.** This Act may be cited as *The Bankruptcy Act.*

Application of Act.

**2.** This Act shall, except so far as is expressly provided, extend to all of the provinces of the Dominion of Canada.

INTERPRETATION.

Definitions.

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

"Court."

"The Court" means the court having jurisdiction in bankruptcy under this Act;

"Judge."

"Judge" means a judge of a court of bankruptcy;

"Assignor."

"Assignor" means any person, firm or corporation who makes an assignment for the general benefit of his creditors under or in pursuance of this Act;

"Bankrupt."

"Bankrupt" means a person who has been adjudged a bankrupt;

"Corporation."

"Corporation" means any corporation incorporated by or under the authority of an Act of the Parliament of Canada or by or under the authority of any Act of any of the provinces of the Dominion of Canada, and incorporated trading companies doing business in Canada wheresoever incorporated, but shall not include incorporated banks, savings banks, incorporated insurance companies, trust companies, loan companies, railway companies and building societies having a capital stock;

"Debtor."

"Debtor" means any person, whether British subject or not, who at the time an act of bankruptcy was committed or suffered by him, or at the time an assignment for the general benefit of his creditors was made by him,—

(*a*) was personally present in Canada, or,

(*b*) ordinarily resided or had a place of residence in Canada, or,

(*c*) was carrying on business in Canada personally or by means of an agent or manager, or,

(*d*) was a member of a firm or partnership which carried on business in Canada;

"Person." "Person" includes firm and corporation, except where otherwise specified, and officers, partnerships and women;

"Chartered Bank." "Chartered Bank" means any incorporated bank which is doing business under *The Bank Act* of Canada;

"Debt." "Debt" means any debt, demand or claim provable in bankruptcy, or under an assignment for the general benefit of creditors;

"Discharge." "Discharge" means the release of a bankrupt or assignor from all his debts which are provable in bankruptcy or under an assignment for the general benefit of creditors, except such as are excepted by this Act;

"Provincial Gazette." "Provincial Gazette" means the Gazette published under the authority of the government of the province where the proceedings in respect of the property of the bankrupt or assignor are being carried on;

"Local newspaper." "Local Newspaper" means a newspaper having a circulation in the county, district or judicial district where the proceedings in respect of the property of the bankrupt or assignor are being carried on;

"Property." "Property" means and includes money, goods, things in action, land and every description of property, whether real or personal, movable or immovable, and also obligations, easements and every description of estate, interest and profit, present or future, vested or contingent, arising out of or incident to property as above defined;

"Secured creditor." "Secured Creditor" means a person holding a mortgage, hypothec, charge or lien on the property of the debtor, or any part thereof, as security for the debt due to him from the debtor;

"Trustee." "Trustee" means a trustee duly appointed by the Governor in Council or nominated or appointed by creditors in the manner provided by this Act;

"Wage-earner." "Wage-earner" means an individual who works for wages, salary, commission or hire at a rate of compensation not exceeding fifteen hundred dollars per year;

## PART I.

### Bankruptcy and Receiving Orders.

#### ACTS OF BANKRUPTCY.

Acts of Bankruptcy. **4.** A debtor commits an act of bankruptcy in each of the following cases:—

Fraud. (*a*) If he makes a fraudulent conveyance, gift, delivery or transfer of his property, or of any part thereof;

Preference. (*b*) If he makes any conveyance or transfer of his property, or any part thereof, or creates any charge thereon,

which would, under this Act, be void as a preference or fraudulent preference if he were adjudged bankrupt, or if he made an assignment for the benefit of his creditors generally;

Absconding. (*c*) If with intent to defeat or delay his creditors he does any of the following things, namely: Departs out of Canada, or, being out of Canada, remains out of Canada, or departs from his dwelling-house or otherwise absents himself;

Execution. (*d*) If he permits any execution issued against him, under which any of his property is seized, levied upon or taken in execution, to remain unsatisfied till within four days from the time fixed by the sheriff or proper officer for the sale thereof, or for ten days after such seizure, or if the execution is returned *nulla bona*;

Intent to defraud. (*e*) If he assigns, removes, secretes or disposes of or attempts or is about to assign, remove, secrete, or dispose of any of his property with intent to defraud, defeat or delay his creditors or any of them;

Bulk sale. (*f*) If he makes any bulk sale of his property without complying with the provisions of any Bulk Sales Act in force in the province within which he carries or carried on business, and does not within thirty days from the date of any such sale obtain the consent or approval of sixty per cent in number and amount of his creditors;

Exhibits statement showing insolvency. (*g*) If he exhibits a statement showing his inability to meet his liabilities, or if any statement of his assets and liabilities prepared by him or under his authority or with his consent and submitted or exhibited to his creditors or any one of them shows that he is insolvent or unable to meet his liabilities as the same accrue due;

Void assignment. (*h*) If he makes an assignment for the benefit of his creditors or any of them which would be null and void under this Act;

Insolvency. (*i*) If he becomes insolvent. (Eng. Sec. 1 modified.)

RECEIVING ORDER.

Jurisdiction to make receiving order. **5.** (1) Subject to the conditions hereinafter specified, if a debtor commits an act of bankruptcy, the court may, on a bankruptcy petition being presented by a creditor, make an order, in this Act called a receiving order, and may adjudge the debtor bankrupt. (New.)

(2) The petition may be presented to the court having jurisdiction in the judicial division or district in which the debtor has resided or carried on business for the longest period during the six months immediately preceding the presentation of the petition or in which the debtor has any property. (New.)

CREDITOR'S PETITION.

Conditions on which creditor may petition.

**6.** A creditor shall not be entitled to present a bankruptcy petition against a debtor unless,—

(*a*) the debt owing by the debtor to the petitioning creditor, or, if two or more creditors join in the petition, the aggregate amount of debts owing to the several petitioning creditors amounts to two hundred dollars, and,

Liquidation debt.

(*b*) the debt is a liquidated sum, payable either immediately or at some certain future time, and,

(*c*) the act of bankruptcy on which the petition is grounded has occurred within six months before the presentation of the petition. (Eng. Sec. 4.)

Proceedings on creditor's petition.

**7.** (1) A creditor's petition shall be verified by affidavit of the creditor, or of some person on his behalf having knowledge of the facts, and served in the manner prescribed by this Act or by General Rules as hereinafter provided.

Proof of debt, etc.

(2) At the hearing the court shall require proof of the debt of the petitioning creditor, of the service of the petition, and of the act of bankruptcy, or, if more than one act of bankruptcy is alleged in the petition, of some one of the alleged acts of bankruptcy, and, if satisfied with the proof, may make a receiving order in pursuance of the petition, and may adjudge the debtor bankrupt.

May dismiss petition.

(3) If the court is not satisfied with the proof of the petitioning creditor's debt, or of the act of bankruptcy, or of the service of the petition, or is satisfied by the debtor that he is able to pay his debts, or that for other sufficient cause no order ought to be made, the court may dismiss the petition.

Stay proceedings.

(4) Where the debtor appears on the petition, and denies that he is indebted to the petitioner, or that he is indebted to such an amount as would justify the petitioner in presenting a petition against him, the court on such security (if any) being given as the court may require for payment to the petitioner of any debt which may be established against him in due course of law, and of the costs of establishing the debt, may, instead of dismissing the petition, stay all proceedings on the petition for such time as may be required for trial of the question relating to the debt.

Receiving order on another petition.

(5) Where proceedings are stayed, the court may, if by reason of the delay caused by the stay of proceedings or for any other cause it thinks just, make a receiving order on the petition of some other creditor, and shall thereupon dismiss, on such terms as it thinks just, the petition in which proceedings have been stayed as aforesaid.

Petition cannot be withdrawn.

(6) A creditor's petition shall not, after presentment, be withdrawn without the leave of the court. (Eng. Sec. 5.)

TRUSTEE UNDER RECEIVING ORDER.

Order shall vest property in trustee.

**8.** (1) On the making of a receiving order, a trustee duly appointed or nominated as provided by this Act, shall be thereby constituted receiver of the property of the debtor, which property shall thereupon vest in the said trustee for the general benefit of creditors, excepting such property as is exempt or held by the debtor in trust as provided by section forty-eight of this Act.

Trustee.

(2) The court may constitute as such receiver the trustee named in the bankruptcy petition or some other trustee duly appointed as provided by this Act or nominated by a majority in number and value of the creditors.

Secured creditor.

(3) This section shall not affect the power of any secured creditor to realize or otherwise deal with his security in the same manner as he would have been entitled to realize or deal with it if this section had not been passed. (New.)

Commencement of bankruptcy.

**9.** The bankruptcy of a debtor shall be deemed to have relation back to and commence at the time of the filing of the petition in bankruptcy on which a receiving order is made against him. (New.)

INTERIM RECEIVER.

Interim receiver may be appointed.

**10.** After the presentation of a petition, upon the application of a creditor, or of the debtor himself, and upon proof by affidavit of sufficient grounds for the appointment of a trustee as interim receiver of the property of the debtor or any part thereof, the court may, if it thinks fit, and upon such terms as may be just, make such appointment, and may direct such trustee to take immediate possession of said property or of any part thereof. (Eng. Rules 160.)

STAY OF PROCEEDINGS.

Power to stay proceedings.

**11.** The court may, at any time after the presentation of a bankruptcy petition, stay any action, execution, or other legal process against the property or person of the debtor, and any court in which proceedings are pending against a debtor may, on proof that a bankruptcy petition has been presented by or against the debtor either stay the proceedings or allow them to continue on such terms as it may think just.

INSOLVENT ESTATES OF DECEASED DEBTORS.

Administration in bankruptcy of estate of

**12.** (1) Any creditor of a deceased debtor whose debt would have been sufficient to support a bankruptcy petition against the debtor, had he been alive, may present to the

person dying insolvent.

court a petition in the prescribed form praying for an order for the administration of the estate of the deceased debtor, by a trustee under this Act.

Order for administration.

(2) Upon the prescribed notice being given to the legal personal representative of the deceased debtor, the court may, in the prescribed manner, upon proof of the petitioner's debt, unless the court is satisfied that there is a reasonable probability that the estate will be sufficient for the payment of the debts owing by the deceased, make an order for the administration in bankruptcy of the deceased debtor's estate, or may, upon cause shown, dismiss such petition with or without costs.

Transfer of proceedings.

(3) A petition for administration under this section shall not be presented to the court after proceedings have been commenced in any court of justice for the administration of the deceased debtor's estate, but that the court may, when satisfied that the estate is insufficient to pay its debts, transfer the proceedings to the court exercising jurisdiction in bankruptcy, and thereupon such last-mentioned court may, in the prescribed manner, make an order for the administration of the estate of the deceased debtor, and the like consequences shall ensue as under an administration order made on the petition of a creditor.

Property shall vest in trustee.

(4) Upon an order being made for the administration of a deceased debtor's estate, the property of the debtor shall vest in the trustee named in the order and he shall forthwith proceed to realize and distribute it in accordance with the provisions of this Act.

Inspectors.

Provided that the creditors shall have the same powers as to appointment of inspectors as they have in other cases where the estate of a debtor is being administered or dealt with under this Act, and the provisions of this Act relating to trustees and inspectors shall apply to trustees and inspectors appointed under the provisions of this section.

Application of Act.

(5) With the modifications hereinafter mentioned, all the provisions of this Act, subject to any modifications that may be made by General Rules, shall, so far as the same are applicable, apply to the case of an administration order under this section and to the administration of the property of the deceased debtor under the order of administration.

Funeral and testamentary expenses.

(6) In the administration of the property of the deceased debtor under an order of administration, the trustee shall have regard to any claim by the legal representative of the deceased debtor to payment of the proper funeral and testamentary expenses incurred by him in and about the debtor's estate, and such claims shall be deemed a preferential debt under the order, and shall, notwithstanding anything to the contrary in the provisions

of this Act relating to the priority of other debts, be payable in full, out of the debtor's estate, in priority to all other debts.

Surplus.

(7) If, on the administration of a deceased debtor's estate, any surplus remains in the hands of the trustee, after payment in full of all the debts due from the debtor, together with the costs of the administration and interest as provided by this Act in case of bankruptcy, such surplus shall be paid over to the legal representative of the deceased debtor's estate, or dealt with in such other manner as may be prescribed.

Notice to legal representation.

(8) Notice to the legal representative of a deceased debtor of the presentation by a creditor of a petition under this section shall, in the event of an order for administration being made thereon, be deemed to be equivalent to notice of an act of bankruptcy, and after such notice no payment or transfer of property made by the legal representative shall operate as a discharge to him as between himself and the trustee; save as aforesaid nothing in this section shall invalidate any payment made or any act or thing done in good faith by the legal representative before the date of the order for administration.

Petition by legal representative.

(9) A petition for the administration of the estate of a deceased debtor under this section may be presented by the legal representative of the debtor; and where a petition is so presented by such a representative, this section shall apply subject to such modifications as may be prescribed by General Rules.

Definitions "Court." "Creditor."

(10) Unless the context otherwise requires, "court", in this section, means the court within the jurisdiction of which the debtor resided or carried on business for the greater part of the six months immediately prior to his decease; "creditor" means one or more creditors qualified to present a bankruptcy petition as in this Act provided.

(11) General Rules for carrying into effect the provisions of this section may be made in the same manner and to the like effect and extent as in bankruptcy. (Eng. Sec. 130.)

Application of Part I.

**13.** The provisions of Part I of this Act shall not apply to wage-earners or persons engaged solely in farming or the tillage of the soil. (New.)

## PART II.

### Assignments and Compositions.

#### ASSIGNMENTS.

When a person is deemed insolvent.

**14.** A person is deemed insolvent if he commits any act which under the provisions of section four of this Act would constitute an act of bankruptcy. (New.)

Assignment for general benefit of creditors.

**15.** Notwithstanding anything in this Act contained, any person or firm, at any time prior to the making of a receiving order against such person or firm, or any corporation at any time prior to the commencement of proceedings under the *Winding-up Act* against such corporation, may make an assignment for the general benefit of creditors in the manner hereinafter provided.

Assignment may be made to trustee.

**16.** Any such assignment may be made to,—

(*a*) a trustee duly appointed as provided by section thirty-three of this Act for the province or territorial district or jurisdiction where the assignor carried on business for the longest period during the six months immediately preceding the date of the assignment, or where the greater portion of the assignor's property is situate, or,

To another with consent of creditors.

(*b*) with the consent in writing of the majority in number and amount of the creditors of the assignor to any person residing or having an office in the province where the assignor carried on business as aforesaid, or where the greater portion of his property is situate.

Assignment not in accordance with Act null.

**17.** Every assignment for the general benefit of creditors which is not made as hereinbefore provided, shall be absolutely null and void to all intents and purposes.

Form of assignment for general benefit of creditors.

**18.** (1) Every assignment made under this Act for the general benefit of creditors shall be valid and sufficient if it is in the form provided by General Rules or words to the like effect; and an assignment so expressed shall vest in the trustee all the property belonging to the assignor at the time of the assignment, excepting such property as is exempt or held by the assignor in trust as provided by section forty-eight of this Act.

Exemptions to be described.

(2) Every assignment shall contain a full and complete description of all property claimed by the assignor to be exempt under the provisions of section forty-eight of this Act; the trustee, however, shall not be bound in any way by the claim or claims of the assignor to such exemption, but shall have the right to contest or object to the same or any part thereof.

Assignment not affected by omission.

(3) The omission or neglect of the assignor to claim any such exemption shall not in any way invalidate the assignment, but the assignor shall be held to have waived all exemption in respect of all property for which no claim for exemption is made in said assignment, unless in the opinion of the court such omission or neglect was due to mistake or inadvertence.

All assignments for general

**19.** Every assignment hereafter executed in accordance with this Act for the general benefit of creditors, whether the

benefit of creditors to be subject to Act.

assignment is or is not expressed to be made under or in pursuance of this Act, and whether the assignor has or has not included all his property, shall subject to section forty-eight of this Act vest the property thereby assigned in the trustee therein named for the general benefit of creditors, and such assignment and the property thereby assigned shall be subject to all the provisions of this Act which are applicable to assignments, and the provisions of this Act shall apply to the trustee named in such assignment.

GENERAL PROVISIONS RELATING TO RECEIVING ORDERS AND ASSIGNMENTS.

Assignments to take precedence of judgements, executions, etc.

**20.** Every assignment for the general benefit of creditors and every receiving order under this Act shall take precedence of all attachments of debts by way of garnishment where the money has not been actually paid over to the garnishing creditor, as well as of all other attachments and of all judgments and registered certificates of judgment and of all executions not completely executed by payment, subject to the lien, if any, of registered judgment, execution, or attaching creditors for their costs.

Sheriff to deliver property of debtor and trustee.

**21.** If an assignment as aforesaid has been duly executed and registered, or if a receiving order has been made the sheriff, bailiff or other officer of any court having seized property of the debtor under execution or attachment or any other process whatsoever, shall upon receiving a copy of the assignment or receiving order duly certified by the proper court official, forthwith deliver to the trustee all the property of the execution debtor in his hands, upon payment by the trustee of his fees and charges and the costs of the execution creditors who have a lien as above provided. If the sheriff or bailiff or other officer has sold the debtor's estate or any part thereof, he shall deliver to the trustee the moneys so realized by him less his fees and the said costs.

Amendment of assignment by judge.

**22.** No advantage shall be taken or gained by any creditor of any mistake, defect or imperfection in any assignment under this Act for the general benefit of creditors, or in any receiving order or proceedings connected therewith, if the same can be amended or corrected; and any mistake, defect or imperfection, shall be amended by the court. Such amendment may be made on application of the trustee or of any creditor on such notice being given to other parties concerned as the judge shall think reasonable; and the amendment when made shall have relation back to the date of the assignment or petition in bankruptcy, but so as not to prejudice the rights of innocent purchasers for value.

PUBLICATION.

Notice of assignment to be published.

**23.** No receiving order or assignment for the general benefit of creditors under this Act shall be within the operation of any Act or Statute now or at any time in force in any of the provinces relating to bills of sale or chattel mortgages, but a notice of the receiving order or assignment shall, as soon as conveniently possible, be published at least once in the Provincial Gazette and not less than twice in at least one local newspaper. (New.)

REGISTRATION.

Assignment to be registered in registrar's office.

**24.** A counterpart or copy of every assignment for the general benefit of creditors shall also, within fifteen days from the execution thereof, be registered (together with an affidavit of a witness thereto of the due execution of such counterpart or of the assignment of which the copy filed purports to be a copy) in the office of the registrar of the court in bankruptcy in the judicial district or territory where the assignor resides at the time of the execution thereof, and if he is not a resident in the judicial district or territory where the property so assigned is, then, a counterpart or copy shall also be registered in the office of the registrar of the court in each judicial district or territory where the property so assigned is situate. (New.)

Assignment to be registered in land registration office.

**25.** In case any part or portion of the property of the debtor consists of real or immovable property or any estate or interest therein, the trustee shall register the receiving order or assignment, or a copy thereof duly certified by said registrar, in the land titles office, land registration district or registry office, of the district, county or territory where the real or immovable property owned by the debtor, or any part thereof, or in which he has any estate or interest, is situate.

Application to compel registration.

**26.** If the assignment is not registered, or if notice of said receiving order or assignment is not published within the time and in the manner prescribed by this Act, an application may be made by any creditor or by the debtor to compel the registration of the assignment or publication of such notice; and the judge shall make his order in that behalf and with or without costs or upon the payment of costs by such person as he may, in his discretion, direct to pay the same.

Agreement not invalidated by omission to register.

**27.** The omission to publish or register as aforesaid, or any irregularity in the publication or registration, shall not invalidate the assignment or affect or prejudice the said receiving order.

COMPOSITION OR SCHEME OF ARRANGEMENT.

Composition or scheme of arrangement.

**28.** (1) Where a debtor is insolvent or admits his insolvency and desires to make a proposal for a composition in satisfaction of his debts, or a proposal for an extension of time for payment of his indebtedness, or for a scheme of arrangement of his affairs, he may at any time, either before or after the making of a receiving order or the execution by him of an assignment for the general benefit of his creditors, call a meeting of his creditors for the purpose of considering such proposal and his statement of affairs, such meeting to be held at the office of a duly appointed trustee, or if a receiving order or assignment has been made, such meeting is to be held in the office of the acting trustee. He shall upon making application to the trustee, or within such time as the trustee may fix, lodge with the trustee a statement of his affairs, a true and correct list of his creditors, duly verified by his statutory declaration, showing the amount payable to each creditor, and a proposal in writing signed by him embodying the terms of the composition or scheme which he is desirous of submitting for the consideration of his creditors and setting out the particulars of any sureties or securities proposed.

Proceedings by debtor.

Proceedings by trustee.

(2) In such case the trustee shall hold a meeting of creditors and shall send to each creditor at least ten days before the meeting a notice of the time and place of such meeting, a copy of a statement of affairs and a copy of the debtor's proposal; if at such meeting a majority in number and three-fourths in value of all the creditors who have proved their claims, in accordance with the provisions of section eighty-seven of this Act, resolve to accept the proposal, it shall be deemed to be duly accepted by the creditors, and when approved by the court, shall be binding on all the creditors, the secured creditors who have realized or valued their securities ranking concurrently with the other creditors for their umpaid balances. (Eng. Sec. 16, ss. 1 and 2.)

Creditor may assent or dissent by letter.

**29.** (1) Any creditor who has proved his claim may assent to or dissent from the proposal by a letter to that effect addressed to the trustee, prior to the meeting and any such assent or dissent shall have effect as if the creditor had been present and had voted at the meeting of creditors.

(2) The trustee may, if the proposal is accepted by the creditors, apply to the court to approve it. (Eng. Sec. 16, ss. 4 and 5.)

Examination of debtor.

**30.** If ten per cent in value of the creditors request the examination of the debtor, the trustee shall cause the debtor to be examined before the registrar or such other officer appointed for that purpose by General Rules, and the

said examination may be read upon the hearing of the application for the approval of the composition or scheme of arrangement and the court may direct that the debtor attend for the purpose of further examination before such court. (New.)

Court to hear report of trustee.

**31.** (1) The court shall, before approving the proposal for a composition, extension or scheme, hear the report of the trustee as to the terms thereof, and as to the conduct of the debtor, and any objections which may be made by or on behalf of any creditor.

Court may refuse to approve the proposal.

(2) If the court is of opinion that the terms of the proposal are not reasonable, or are not calculated to benefit the general body of creditors, or in any case in which the court is required, where the debtor is adjudged bankrupt, to refuse his discharge, the court shall refuse to approve the proposal.

Reasonable security.

(3) If any facts are proved on proof of which the court would be required either to refuse, suspend or attach conditions to the debtor's discharge were he adjudged bankrupt, the court shall refuse to approve the proposal, unless it provides reasonable security for payment of not less than fifty cents on the dollar on all the unsecured debts provable against the debtor's estate.

Power of court.

(4) In any case the court may either approve or refuse to approve the proposal.

When approved shall be binding on all creditors.

(5) A composition, extension or scheme accepted and approved in pursuance of this section shall be binding on all the creditors so far as relates to any debts due to them from the debtor and provable under this Act, but shall not release the debtor from any liability under a judgment against him in an action for seduction, or under an affiliation order or for alimony, or under a judgment against him as co-respondent in a matrimonial case or for necessaries of life or alimentary debts, except to such an extent and under such conditions as the court expressly orders in respect of such liability.

Provisions may be enforced.

(6) The provisions of a composition, extension or scheme under this Act may be enforced by the court on application by any person interested, and any disobedience of an order of the court made on the application shall be deemed a contempt of court.

Proceedings in case of default.

(7) If default is made in payment of any instalment due in pursuance of the composition, extension or scheme, or if it appears to the court, on satisfactory evidence, that the composition, extension or scheme cannot, in consequence of legal difficulties, or for any sufficient cause, proceed without injustice or undue delay to the creditors or to the debtor, or that the approval of the court was obtained by fraud, the court may, if it thinks fit, on application by the trustee or by any creditor, adjudge the debtor bankrupt, and annul the composition, extension or scheme,

but without prejudice to the validity of any sale, disposition or payment duly made, or thing duly done, under or in pursuance of the composition, extension or scheme. Where a debtor is adjudged bankrupt under this subsection, any debt provable in other respects, which has been contracted before the adjudication, shall be provable in the bankruptcy.

Definitions.

(8) All parts of this Act shall, so far as the nature of the case and the terms of the composition, extension or scheme admit, apply to such composition, extension or scheme as if the terms "bankruptcy," "assignment," "bankrupt," and "assignor" included respectively a composition, extension or scheme of arrangement and a compounding or arranging debtor.

Priority of debts.

(9) No composition, extension or scheme shall be approved by the court which does not provide for the payment in priority to other debts of all debts directed to be so paid in the distribution of the property of a bankrupt or assignor.

Effect of acceptance.

(10) The acceptance by a creditor of a composition, extension or scheme shall not release any person who under this Act would not be released by an order of discharge if the debtor had been adjudged bankrupt.

Court may make order annulling bankruptcy or assignment.

(11) Where a debtor has been adjudged bankrupt or has made an assignment under this Act and the court subsequently approves the composition, extension or scheme, it may make an order annulling the bankruptcy or assignment and vesting the property of the debtor in him or in such other person as the court may appoint on such terms and subject to such conditions, if any, as the court may declare.

## PART III.

### Trustees and Administration of Property.

#### APPOINTMENT OF TRUSTEES.

Nomination of trustees.

**32.** The Federation of the Chambers of Commerce of the province of Quebec and the Maritime Board of Trade for the provinces of New Brunswick, Nova Scotia and Prince Edward Island and the Board of Trade and Chambers of Commerce of all incorporated cities in the other provinces, may by resolution nominate any number of persons to be trustees for their respective provinces under this Act—a copy of such resolution duly certified by the secretary may be sent to the Governor in Council and shall operate as a recommendation for the appointment as such trustees of the persons so nominated. (New.)

Appointment.

**33.** The Governor in Council may in his discretion appoint the persons so nominated to be trustees under

this Act and may make such further or other appointments as he deems advisable. Such trustees may be appointed to act generally in a province or within specified territorial areas in the province. (New).

General security to be given by trustee.

**34.** No trustee so appointed shall accept any assignment or trust or execute any duties under this Act unless and until he has given security to the satisfaction of the Governor in Council by bond or bonds, or otherwise, to His Majesty, his heirs and successors, for the due accounting and payment over and transfer of all moneys and property received by him as such trustee. The amount of such security shall not, at any time, be less than ten thousand dollars, and the trustee may charge up to each estate which comes into his hands an amount not exceeding five dollars to reimburse himself for the expense incident to the furnishing of such security. (New.)

Additional security to be given by trustee.

**35.** (1) Unless the creditors, either at the first meeting, or at a meeting convened by notice to all the creditors, resolve to dispense with further security, the trustee under a receiving order or an assignment, whether such trustee has been appointed by the Governor in Council or by the debtor with the consent of his creditors as hereinbefore provided, shall give security to the registrar of the court in the district in which the debtor resided or carried on business at the date of the receiving order or assignment in an amount satisfactory to the registrar by bond or bonds or otherwise for the due accounting and payment over and transfer of all moneys and properties received or to be received by him as such trustee in respect of the estate of such debtor, such security to be given within thirty days of the date of the receiving order or assignment. The expenses incident to the furnishing of such security may be charged up to the estate of the debtor by the trustee.

Meeting to be called if security not given.

(2) Should the trustee be unable or fail to give the security above required in the manner, and within the time hereinbefore provided, he shall within ten days from the expiration of the said thirty days, by notice in writing convene a meeting of all the creditors of the debtor for the purpose of appointing a new trustee, and should he neglect or refuse to call such meeting, he shall be guilty of an offence and subject to the penalties provided therefor by this Act.

New trustee appointed.

(3) In case the trustee fails to give the security provided by this section and a new trustee is not appointed by the creditors, the court may, on the application of any creditor, appoint a new trustee. (New.)

New trustee may be substituted.

**36.** A majority in number and value of the creditors who have proven claims to the amount of one hundred dollars or upwards may at their discretion at any meeting of creditors substitute any other person for the trustee named in the receiving order or to whom an assignment has been made.

Property of debtor to vest in new trustee.

**37.** When a new trustee is substituted or appointed as in the last two preceding sections provided, all the property and estate of the debtor shall forthwith vest in the new trustee without a conveyance or transfer, and he shall register an affidavit of his appointment in the office of the registrar of the court from which the receiving order was issued, or in the case of an assignment, in each office of the registrar in which the original assignment or copy or counterpart thereof was filed. Such an affidavit may also be registered in any land registration district, land titles office, registry office or other land registration office and such registration or filing shall have the same effect as the registration of a conveyance or filing of a transfer to the new trustee.

Trustee. not bound to act unless tendered fees and disbursements.

**38.** No trustee shall be bound to accept an assignment or act as trustee in matters relating to assignments, receiving orders, compositions or extension agreements, if in his opinion the realizable value of the property of the debtor is not sufficient to provide the necessary disbursements and a reasonable remuneration for the trustee, unless and until the trustee has been paid or tendered a sum sufficient to defray all such disbursements and remuneration. (New.)

OFFICIAL NAME.

Official name of trustee.

**39.** The official name of a trustee under this Act shall be " The Trustee of the Property of ....., a Bankrupt (or Assignor) " (inserting the name of the bankrupt or assignor), and by that name the trustee may in any part of Canada or elsewhere hold property of every description, make contracts, sue or be sued, enter into any engagement binding on himself and his successors in office, and do all other acts necessary or expedient to be done in the execution of his office. (Eng. Sec. 76.)

DUTIES AND POWERS OF TRUSTEES.

Duties and powers of trustee.

**40.** (1) The trustee shall, as soon as may be, take possession of the deeds, books and documents of the debtor and all other parts of his property capable of manual delivery.

(2) The trustee shall in relation to and for the purpose of acquiring and retaining possession of the property of the debtor be in the same position as if he were a receiver of the property, appointed by the court, and the court may, on his application enforce such acquisition or retention accordingly. (Eng. Sec. 48, ss. 1 and 2.)

Powers of trustee to deal with property.

**41.** Subject to the provisions of this Act, the trustee may do all or any of the following things:—

(*a*) Sell all or any part of the property of the debtor (including the goodwill of the business, if any, and the book debts due or growing due to the debtor), by public auction or private contract, with power to transfer the the whole thereof to any person or company, or to sell the same in parcels;

(*b*) Give receipts for any money received by him, which receipts shall effecutally discharge the person paying the money from all responsibility in respect of the application thereof;

(*c*) Prove, rank, claim and draw a dividend in respect of any debt due to the debtor;

(*d*) Exercise any powers the capacity to exercise which is vested in the trustee under this Act, and execute any powers of attorney, deeds and other instruments for the purpose of carrying into effect the provisions of this Act. (Eng. Sec. 55.)

Trustee to have right to sell patented articles.

**42.** (1) Where any property of the debtor vesting in a trustee under this Act consists of patented articles or goods or chattels, which had been sold to the debtor subject to any restrictions or limitations, the trustee shall not be bound by any such restrictions or limitations but may sell and dispose of any such patented articles or goods and chattels in the manner hereinbefore provided, free and clear of any such restrictions or limitations. (New.)

Right of manufacturer.

(2) If the manufacturer or vendor of any such patented articles or goods or chattels should object to the disposition of them by the trustee as aforesaid and give to the trustee notice in writing of such objection within five days after the date of the receiving order or assignment, such manufacturer or vendor shall have the right to purchase such patented articles or goods or chattels at the invoice prices thereof, subject to any reasonable deduction for depreciation or deterioration.

Powers exercisable by trustee with permission of inspectors.

**43.** The trustee may, with the permission of the inspectors, do all or any of the following things:—

(*a*) Carry on the business of the debtor, so far as may be necessary for the beneficial winding-up of the same;

(*b*) Bring, institute, or defend any action or other legal proceeding relating to the property of the debtor;

(*c*) Employ a solicitor or other agent to take any proceedings or do any business which may be sanctioned by the inspectors;

(*d*) Accept as the consideration for the sale of any property of the debtor a sum of money payable at a future time subject to such stipulations as to security and otherwise as the inspectors think fit;

(*e*) Mortgage or pledge any part of the property of the debtor for the purpose of raising money for the payment of his debts;

(*f*) Refer any dispute to arbitration, compromise any debts, claims and liabilities, whether present or future, certain or contingent, liquidated or unliquidated, subsisting or supposed to subsist between the debtor and any person who may have incurred any liability to the debtor, on the receipt of such sums, payable at such times, and generally on such terms as may be agreed on;

(*g*) Make such compromise or other arrangement as may be thought expedient with creditors, or persons claiming to be creditors, in respect of any debts provable against the estate;

(*h*) Make such compromise or other arrangement as may be thought expedient with respect to any claim arising out of or incidental to the property of the debtor, made or capable of being made on the trustee by any person or by the trustee on any person.

The permission given for the purpose of this section, shall not be a general permission to do all or any of the above mentioned things, but shall only be a permission to do the particular thing or things for which permission is sought in the specified case or cases. (Eng. Sec. 56.)

Power to allow bankrupt to manage property.

**44.** The trustee, with the permission of the inspectors, may appoint the debtor himself to superintend the management of the property of the debtor or any part thereof, or carry on the trade (if any) of the debtor for the benefit of his creditors, and in any other respect to aid in administering the property in such manner and on such terms as the trustee may direct. (Eng. Sec. 57.)

Allowance to bankrupt for maintenance or service.

**45.** The trustee may from time to time, with the permission of the inspectors, make such allowance as he may think just to the debtor out of his property for the support of the debtor and his family, or in consideration of his services, if he is engaged in winding-up his estate, but any such allowance may be reduced by the court. (Eng. Sec. 58.)

Protection of trustee from personal liability in certain cases.

**46.** Where the trustee has seized or disposed of any goods, chattels, property or other effects in the possession or on the premises of a debtor who has made an assignment

for the general benefit of creditors or against whom a receiving order has been made, without notice of any claim by any persons in respect of the same, and it is thereafter made to appear that the said goods, chattels, property or other effects were not at the date of said assignment or receiving order the property of the debtor, the trustee shall not be personally liable for any loss or damage arising from such seizure or disposal sustained by any person claiming such property nor for the costs of any proceedings taken to establish a claim thereto unless the court is of opinion that the trustee has been guilty of negligence in respect of the same.

Report to creditors by trustee.

**47.** The trustee shall, at least every six months, and more frequently if required by the inspectors, until the estate of the debtor is finally disposed of and the proceeds distributed, send a report to each creditor showing the position of the debtor's estate, the moneys on hand, if any, and particulars of any property still remaining unsold, and shall be entitled to charge only his actual disbursements in connection with such reports.

ADMINISTRATION OF ESTATE.

Description of debtor's property divisible amongst creditors.

**48.** The property of the debtor divisible among his creditors under a receiving order or under an assignment for the general benefit of creditors, shall not comprise the following particulars:—

(1) Property held by the debtor in trust for any other person;

(2) Any exemptions from execution or seizure under legal process to which the debtor is entitled in accordance with the laws of the province within which he resides.

But it shall comprise the following particulars:—

(*a*) All such property, except as aforesaid, as may belong to or be vested in the debtor at the date of the filing of any bankruptcy petition or at the date of the execution of an assignment for the general benefit of creditors, and in the case of a bankrupt, all property which may be acquired by or devolve on him before his discharge, and,

(*b*) The capacity to exercise and to take proceedings for the exercising all such powers in or over or in respect of the property as might have been exercised by the debtor for his own benefit at the date of said petition or assignment, or in the case of such bankrupt before his discharge.

Property not to be removed from province.

**49.** No property or assets of an estate shall be removed out of the province where such property or assets were situate at the date of any receiving order or assignment without the order of a judge of the Court in which proceedings under this Act are being carried on or within the jurisdiction of which such property or assets are situate, and the

Moneys to be deposited in bank.

proceeds of the sale of any such property or assets and all moneys received on account of any estate, shall be deposited by the trustee in one of the chartered banks within such province and shall not be withdrawn or removed without the order of such judge, except in payment of dividends and other charges incidental to the winding-up of the estate, which shall include rent, wages, mortgages, secured and preferred and partly secured and preferred claims.

Trustee to sell property expeditiously unless otherwise directed.

**50.** Unless the trustee is directed by a majority vote of the creditors present at the first or subsequent meeting of creditors to continue the business of the debtor as a going concern, the trustee shall, under the advice and control of the inspectors, proceed to sell and dispose of the property and assets of the estate in a prompt and expeditious manner; in case he is directed to continue the business, he shall have power to purchase new goods from time to time as he deems advisable and to pay therefor out of the proceeds of the estate.

Disclaimer of onerous property.

**51.** (1) Where any part of the property of the debtor consists of land of any tenure burdened with onerous covenants, of shares or stock in companies, of unprofitable contracts, or of any other property that is unsaleable, or not readily saleable, by reason of its binding the possessor thereof to the performance of any onerous act, or to the payment of any sum of money, the trustee, notwithstanding that he has endeavoured to sell or has taken possession of the property, or exercised any act of ownership in relation thereto but subject to the provisions of this section, may, by writing signed by him, at any time within twelve months after the first appointment of a trustee, or such extended period as may be allowed by the court, disclaim the property.

Time of disclaimer.

(2) Provided that, where any such property has not come to the knowledge of the trustee within one month after such appointment, he may disclaim such property at any time within twelve months after he has become aware thereof, or such extended period as may be allowed by the court.

Effect of disclaimer.

(3) The disclaimer shall operate to determine, as from the date of disclaimer, the rights, interests and liabilities of the debtor and his property in or in respect of the property disclaimed, and shall also discharge the trustee from all personal liability in respect of the property disclaimed, as from the date when the property vested in him, but shall not, except so far as is necessary for the purpose of releasing the debtor and his property and the trustee from liability, affect the rights or liabilities of any other person.

Trustee must disclaim within 28 days.

(4) The trustee shall not be entitled to disclaim any property in pursuance of this section in any case where an application in writing has been made to the trustee by any

person interested in the property requiring him to decide whether he will disclaim or not, and the trustee has for a period of twenty-eight days after the receipt of the application, or such extended period as may be allowed by the court, declined or neglected to give notice whether he disclaims the property or not; and, in the case of a contract if the trustee after such application as aforesaid, does not within the said period or extended period disclaim the contract, he shall be deemed to have adopted it.

Court may rescind contract.

(5) The court may, on the application of any person who is, as against the trustee, entitled to the benefit or subject to the burden of a contract made with the debtor, make an order rescinding the contract on such terms as to payment by or to either party of damages for the non-performance of the contract, or otherwise, as to the court may seem equitable, and any damages payable under the order to any such person may be proved by him as a debt under the estate.

Injured creditor may prove.

(6) Any person injured by the operation of a disclaimer under this section, shall be deemed to be a creditor of the debtor to the extent of the injury, and may accordingly prove the same as a debt under the estate. (Eng. Sec. 54.)

Law of set-off to apply.

**52.** The law of set-off shall apply to all claims made against the estate, and also to all actions instituted by the trustee for the recovery of debts due to the debtor, in the same manner and to the same extent as if the debtor were plaintiff or defendant, as the case may be, except in so far as any claim for set-off shall be affected by the provisions of this or any other Act respecting frauds or fraudulent preferences.

How claims are to rank where different estates.

**53.** If any debtor executing an assignment under this Act for the general benefit of his creditors or against whom a receiving order has been made, owes or owed debts both individually and as a member of one or more different co-partnerships, the claims shall rank first upon the estate by which the debts they represent were contracted and shall only rank upon the other or others after all the creditors of such other estate or estates have been paid in full.

SETTLEMENT AND PREFERENCES.

Avoidance of certain settlements.

**54.** (1) Any settlement of property, not being a settlement made before and in consideration of marriage, or made in favour of a purchaser or incumbrancer in good faith and for valuable consideration, or a settlement made on or for the wife or children of the settlor of property which has accrued to the settlor after marriage in right of his wife shall, if the settlor becomes bankrupt or insolvent or makes an assignment for the general benefit of his creditors within

two years after the date of the settlement, be void against the trustee, and shall, if the settlor becomes bankrupt or insolvent or makes an assignment as aforesaid, at any subsequent time within ten years after the date of the settlement, be void against the trustee, unless the parties claiming under the settlement can prove that the settlor was, at the time of making the settlement, able to pay all his debts, without the aid of the property comprised in the settlement, and that the interest of the settlor in such property passed to the trustee of such settlement on the execution thereof.

Certain marriage contracts void as against trustee.

(2) Any covenant or contract made by any person (hereinafter called the settlor) in consideration of his or her marriage, either for the future payment of money for the benefit of the settlor's wife or husband or children, or for the future settlement on or for the settlor's wife or husband or children, of property wherein the settlor had not at the date of the marriage any estate or interest, whether vested or contingent, in possession or remainder, and not being money or property in right of the settlor's wife or husband, shall, if the settlor is adjudged bankrupt or makes an assignment as aforesaid, and the covenant or contract has not been executed at the date of the petition in bankruptcy or said assignment, be void against the trustee except so far as it enables the persons entitled under the covenant or contract to claim for dividend in the settlor's estate under or in respect of the covenant or contract, but any such claim to dividend shall be postponed until all claims of the other creditors for valuable consideration in money or money's worth have been satisfied.

Payment void.

(3) Any payment of money (not being payment of premiums on a policy of life assurance) or any transfer of property made by the settlor in pursuance of such a covenant or contract as aforesaid shall be void against the trustee unless the persons to whom the payment or transfer was made prove either,—

(*a*) that the payment or transfer was made more than two years before the date of the petition in bankruptcy or said assignment; or,

(*b*) that at the date of the payment or transfer the settlor was able to pay all his debts without the aid of the money so paid or the property so transferred; or,

(*c*) that the payment or transfer was made in pursuance of a covenant or contract to pay or transfer money or property expected to come to the settlor from or on the death of a particular person named in the covenant or contract and was made within three months after the money or property came into the possession or under the control of the settlor;

but, in the event of any such payment or transfer being

declared void, the persons to whom it was made shall be entitled to claim for dividend under or in respect of the covenant or contract in like manner as if such payment or transfer had not been executed at the date of the said petition or assignment.

"Settlement" defined.

(4) " Settlement " shall, for the purpose of this section, include any conveyance or transfer of property. (Eng. Sec. 42.)

Avoidance of general assignment of book debts.

**55.** (1) Where a person engaged in any trade or business makes an assignment to any other persons of his existing or future book debts or any part thereof and is subsequently adjudicated bankrupt or makes an assignment for the general benefit of his creditors, such assignment of book debts shall be void against the trustee as regards any book debts which have not been paid at the date of the petition in bankruptcy or the date of the said assignment for the general benefit of creditors, unless said assignment of book debts has been registered as if the assignment were a bill of sale in accordance with the provisions of any statute or Act relating to bills of sale in force in the province wherein said person resides or is engaged in said trade or business.

Provided that nothing in this section shall have effect so as to render void any assignment of book debts, due at the date of the assignment from specified debtors, or of debts growing due under specified contracts, or any assignment of book debts included in a transfer of a business made *bona fide* and for value, or in any assignment of assets for the general benefit of creditors.

(2) For the purpose of this section " assignment " includes assignment by way of security and other charges on book debts. (Eng. Sec. 43.)

Avoidance of preference in certain cases.

**56.** (1) Every conveyance or transfer of property or charge thereon, every payment made, every obligation incurred, and every judicial proceeding taken or suffered by any person who is insolvent, or who is unable to pay his debts as they become due from his own money, in favour of any creditor or of any person in trust for any creditors with a view of giving such creditor or any surety or guarantor for the debt due to such creditor, a preference over the other creditors, or which has the effect of giving such creditor or any such surety or guarantor a preference over the other creditors, shall, if the person making, taking, paying or suffering the same is adjudged bankrupt on a bankruptcy petition presented within three months after the date of making, taking, paying or suffering the same, or if he makes an assignment for the general benefit of his creditors within three months of said date, be deemed fraudulent and void as against the trustees.

Rights preserved.

(2) This section shall not affect the rights of any person making title in good faith and for valuable consideration through or under a creditor of the bankrupt or assignor. (Eng. Sec. 44.)

When transaction deemed a preference.

**57.** A transaction shall be deemed to be one which has the effect of giving a creditor a preference over the other creditors within the meaning of the last preceding section if by such transaction a creditor is given or realizes or is placed in a position to realize payment, satisfaction or security for the debtor's indebtedness to him or a portion thereof, greater proportionately than could be realized by or for the other creditors out of the property of the debtor left available in the hands of the trustee; and such effect shall not be deemed dependent upon the intent or motive of either the debtor or the creditor, or upon the transaction being entered into voluntarily or under pressure, and no pressure by a creditor or want of notice to the creditor alleged to have been preferred of the insolvency of the debtor or his inability to pay his debts as they become due from his own money, or of the effect of the transaction shall avail to protect the transaction. (New.)

Recovering proceeds if reconveyed.

**58.** If the person who receives any settlement of property, conveyance or transfer which is void under this Act, shall have sold, disposed of, realized on or collected the property so conveyed or transferred or any part thereof, the money or other proceeds, whether further disposed of or not, shall be the property of the trustee who may recover the same, or the value of such property, if reconveyed without adequate consideration, as fully and effectually as he could have recovered the property so sold, disposed of, realized on or collected.

PROTECTION OF *Bona Fide* TRANSACTIONS.

Protection of *bona fide* transactions without notice.

**59.** Subject to the foregoing provisions of this Act with respect to the avoidance of certain settlements and preferences, nothing in this Act shall invalidate, in the case of a bankruptcy or assignment for the general benefit of creditors,—

(*a*) any assignment for the general benefit of creditors under this Act;

(*b*) any *bona fide* sale or payment made in the ordinary course of trade or calling to innocent purchasers or parties;

(*c*) any *bona fide* conveyance, assignment, transfer or delivery over of any goods, securities or property of any kind which is made in consideration of any present actual *bona fide* payment in moneys, or by way of security for any present actual *bona fide* advance

of money; or is made in consideration of any present actual *bona fide* sale or delivery of goods or other property; provided that the money paid or the goods or other property sold or delivered bear a fair and reasonable relative value to the consideration therefor.

(*d*) any payment of money by the bankrupt or assignor to any of his creditors provided that such payment is made before the date of the presentation of a bankruptcy petition or date of assignment and that the person to whom the payment is made had not at the time of the payment any notice or knowledge of any available act of bankruptcy committed by the bankrupt or assignor before that time. (Eng. Sec. 45.)

Dealings with undischarged bankrupt.

**60.** (1) All transactions by a bankrupt with any person dealing with him *bona fide* and for value, in respect of property whether real or personal, acquired by the bankrupt after the adjudication, shall, if completed before any intervention by the trustee, be valid against the trustee and any estate or interest in such property which by virtue of this Act is vested in the trustee shall determine and pass in such manner and to such extent as may be required for giving effect to any such transaction.

For the purposes of this subsection, the receipt of any money, security, or negotiable instrument, from or by the order or direction of a bankrupt by his banker, and any payment and any delivery of any security or negotiable instrument made to, or by the order or direction of a bankrupt by his banker, shall be deemed to be a transaction by the bankrupt with such banker dealing with him for value.

Bank must notify trustee.

(2) Where a banker has ascertained that a person having an account with him is an undischarged bankrupt, then, unless the banker is satisfied that the account is on behalf of some other person, it shall be his duty forthwith to inform the trustee in the bankruptcy of the existence of the account, and thereafter he shall not make any payments out of the account, except under an order of the court or in accordance with instructions from the trustee in the bankruptcy, unless by the expiration of one month from the date of giving the information no instructions have been received from the trustee. (Eng. Sec. 47.)

DIVIDENDS.

Trustee to pay dividends promptly.

**61.** As large a dividend as can with safety be paid shall be paid by every trustee under this Act within six months from the date of the receiving order or assignment, and earlier, if required by the inspectors, and thereafter a further dividend shall be paid whenever the trustee

has sufficient moneys on hand to pay a dividend to the creditors of five per cent, and more frequently if required by the inspectors, until the estate is wound up and disposed of.

Abstract of receipts and disbursements.

**62.** So soon as a dividend sheet is prepared, notice thereof shall be given by letter posted to each creditor, enclosing an abstract of receipts and disbursements, showing what interest has been received by the trustee for moneys in his hands, together with a copy of the dividend sheet, noting thereon the claims objected to, and stating whether any reservation has or has not been made therefor, and, after the expiry of eight days from the day of mailing such notice, abstract and dividend sheet as aforesaid, dividends on all claims not objected to within that period shall be paid.

Right of creditor who has not proved debt before declaration.

**63.** Any creditor who has not proved his debt before the declaration of any dividend or dividends shall be entitled to be paid out of any money for the time being in the hands of the trustee any dividend or dividends he may have failed to receive, before that money is applied to the payment of any future dividend or dividends, but he shall not be entitled to disturb the distribution of any dividend declared before his debt was proved by reason that he has not participated therein. (Eng. Sec. 65.)

Final dividend.

**64.** (1) When the trustee has realized all the property of the bankrupt, or assignor, or so much thereof as can, in the joint opinion of himself and of the inspectors be realized without needlessly protracting the trusteeship, he shall declare a final dividend, but before so doing he shall give notice in manner prescribed by section one hundred and five to the persons whose claims to be creditors have been notified to him, but not established to his satisfaction that if they do not establish their claims to the satisfaction of the court within a time limited by the notice (which shall be within thirty days after the mailing or service of the notice), he will proceed to make a final dividend without regard to their claims.

Division of property.

(2) After the expiration of the time so limited, or, if the court on application by any such claimant grants him further time for establishing his claim, then on the expiration of such further time, the property of the bankrupt, or assignor shall be divided among the creditors who have proved their debts, without regard to the claims of any other persons. (Eng. Sec. 67.)

No action for dividend.

(3) No action for a dividend shall lie against the trustee, but if the trustee refuses to pay any dividend, the court may, if it thinks fit, order him to pay it, and also to pay out of his own money interest thereon for the time that

it is withheld and the costs of the application. (Eng. Sec. 68.)

Right of debtor to surplus.

**65.** The debtor shall be entitled to any surplus remaining after payment in full of his creditors with interest as by this Act provided and of the costs, charges and expenses of the proceedings under the bankruptcy petition or under the assignment. (Eng. Sec. 69.)

Appeal to court against trustee.

**66.** If the debtor or any of the creditors or any other person is aggrieved by any act or decision of the trustee, he may apply to the court and the court may confirm, reverse or modify the act or decision complained of and make such order in the premises as it thinks just. (Eng. Sect. 80.)

REMUNERATION OF TRUSTEE.

Remuneration of trustee.

**67.** The trustee shall receive such remuneration as shall be voted to him by the creditors at any general meeting, after the first dividend sheet has been prepared or by the inspectors in case the creditors fail to provide therefor, subject to review by the court upon application of the trustee or of any creditor.

Limited to 5 per cent.

**68.** (1) Where the remuneration of the trustee has not been fixed under the next preceding section before the final dividend, the trustee may insert in the final dividend sheet and retain as his remuneration a sum not exceeding five per cent of the cash receipts, subject to review by the court; but no application by the trustee to review the allowance shall be entertained unless the question of his remuneration has been brought before a meeting of creditors competent to decide the same before the preparation of the final dividend sheet.

Fees to be taxed.

(2) The fees, remuneration and disbursements of a trustee shall in all cases be taxed by the registrar, unless such taxation is waived either by creditors at a general meeting called prior to the declaration of the final dividend, or by the inspectors.

## PART IV.

### CREDITORS.

MEETINGS OF CREDITORS.

Meetings of creditors.

**69.** As soon as may be after the making of a receiving order against the debtor, or after a debtor has made a general assignment for the benefit of creditors, a general meeting of his creditors (in this Act referred to as the

first meeting of creditors) shall be held to consider the affairs of the debtor and for the appointment of inspectors and the giving of directions to the trustee with reference to the disposal of the estate of the debtor.

Notice of first meeting.

**70.** It shall be the duty of the trustee immediately to inform himself by a reference to the debtor and his records of the names and addresses of the debtor's creditors, and within five days from the date of said assignment or receiving order to convene the said first meeting of creditors, by mailing prepaid and registered to every creditor known to him a circular calling a meeting of creditors to be held in his office or some other convenient place to be named in the notice, not later than twelve days after the mailing of such notice; and he shall also publish such notice in the Provincial Gazette and in a local newspaper, at least six clear days prior to the meeting.

Meeting of creditors by request.

**71.** The trustee may at any time summon a meeting of creditors, and shall do so whenever so requested in writing by twenty-five per cent in number and amount of the creditors.

Notice of subsequent meetings.

**72.** Meetings subsequent to the first meeting shall be summoned by sending notice of the time and place thereof to each creditor at the address given in his proof of claim, or if he has not proved, at the address given in the debtor's statement of affairs or records, or at such other address as may be known to the person summoning the meeting.

Chairman of meetings.

**73.** The chairman at all meetings of creditors shall be such person as the meeting by resolution appoints, and the chairman may with the consent of the meeting adjourn the meeting from time to time and from place to place.

Quorum.

**74.** A meeting shall not be competent to act for any purpose except the election of a chairman, the proving of debts and the adjournment of the meeting, unless there are present or represented thereat at least three creditors, or all the creditors if their number does not exceed three.

Adjournment.

**75.** If within half an hour from the time appointed for the meeting a quorum of creditors is not present or represented, the meeting shall be adjourned to the same day in the following week at the same time and place, or to such other day as the chairman may appoint, not being less than seven or more than twenty-one days.

Minutes of meeting.

**76.** The chairman of every meeting shall cause minutes of the proceedings at the meeting to be drawn up and fairly entered in a book kept for that purpose, and the minutes

shall be signed by him or by the chairman of the next ensuing meeting.

Right of creditor to vote.

**77.** A person shall not be entitled to vote as a creditor at the first or any other meeting of creditors unless he has duly proved a debt provable in bankruptcy or under an assignment to be due to him from the debtor, and the proof has been duly lodged with the trustee before the time appointed for the meeting. (Eng. Sch. 1.)

Right restricted.

**78.** A creditor shall not vote at any such meeting in respect of any unliquidated or contingent debt, or any debt the value of which is not ascertained. (Eng. Sch. 1.)

Voting by secured creditor.

**79.** For the purpose of voting, a secured creditor shall, unless he surrenders his security, state in his proof the particulars of his security, the date when it was given, and the value at which he assesses it, and shall be entitled to vote only in respect of the balance (if any) due to him, after deducting the value of his security. (Eng. Sch. 1.)

Power of chairman to admit or reject proof.

**80.** The chairman of a meeting shall have power to admit or reject a proof for the purpose of voting, but his decision shall be subject to appeal to the court. If he is in doubt whether the proof of a creditor should be admitted or rejected, he shall mark the proof as objected to, and shall allow the creditor to vote, subject to the vote being declared invalid in the event of the objection being sustained. (Eng. Sch. 1.)

Voting by proxy.

**81.** At any meeting of creditors the creditors may vote in person or by proxy authorized in writing and deposited with the trustee before the meeting at which it is to be used. A form of proxy shall be sent to the creditors, together with a notice summoning a meeting of creditors, but neither the name of the trustee nor of any other person shall be printed or inserted in the body of any such proxy before it is so sent. (Eng. Sch. 1.)

Scale of votes.

**82.** (1) Subject to the provisions of this Act, all questions at meetings of creditors shall be decided by the majority of votes, and for such purpose the votes of creditors shall be calculated as follows:—

For every claim of or over one hundred dollars and not exceeding two hundred dollars—one vote.

For every claim of or over two hundred dollars and not exceeding five hundred dollars—two votes.

For every claim of or over five hundred dollars and not exceeding one thousand dollars—three votes.

For every additional one thousand dollars or fraction thereof—one vote.

(2) No person shall be entitled to vote on a claim acquired after the assignment unless the entire claim is acquired, but this shall not apply to persons acquiring notes, bills or other securities upon which they are liable.

(3) In case of a tie the trustee shall have a casting vote.

INSPECTORS.

Appointment of inspectors, revocation and remuneration.

**83.** At the first or any subsequent meeting, the creditors or their representatives, duly authorized in writing to appear on their behalf, may appoint one or more of their number, but not exceeding five, as inspectors for the purpose of superintending the administration of the debtor's property by the trustee, and they may also revoke the appointment of any or all of the inspectors, and upon such revocation, or in case of the death, resignation or absence from the province of an inspector, may appoint another in his stead, and anything to be done by the inspectors may be done by the majority. No remuneration or fees shall be paid by the trustee to any inspector unless authorized by resolution passed at a duly called meeting of creditors.

DEBTS PROVABLE.

Debts provable.

**84.** (1) Demands in the nature of unliquidated damages shall not be provable in bankruptcy or under an assignment.

(2) Save as aforesaid, all debts and liabilities, present or future, to which the debtor is subject at the date of the receiving order or assignment by reason of any obligation incurred before the date of the receiving order or assignment, shall be deemed to be debts provable in bankruptcy or under an assignment.

PROOF OF DEBTS.

Proof of debts.

**85.** (1) Every creditor shall prove his debt as soon as may be after the making of a receiving order or after the date of an assignment for the benefit of creditors.

Affidavit

(2) A debt may be proved by delivering or sending through the post in a prepaid letter to the trustee an affidavit verifying the debt.

Deponent to state authority.

(3) The affidavit may be made by the creditor himself or by some person authorized by or on behalf of the creditor. If made by a person so authorized, it shall state his authority and means of knowledge.

Vouchers.

(4) The affidavit shall contain or refer to a statement of account showing the particulars of the debt, and shall specify the vouchers, if any, by which the same can be substantiated. The trustee may at any time call for the production of the vouchers.

Status.

(5) The affidavit shall state whether the creditor is or is not a secured creditor.

May examine proofs.

(6) Every creditor who has lodged a proof shall be entitled to see and examine the proofs of other creditors before the first meeting, and at all reasonable times. (Eng. Sch. 2.)

PROOF BY SECURED CREDITORS.

Proof by secured creditor.

**86.** If a secured creditor realizes his security, he may prove for the balance due to him, after deducting the net amount realized. (Eng. Sch. 2.)

May prove whole debt on surrender.

**87.** If a secured creditor surrenders his security to the trustee for the general benefit of the creditors, he may prove for his whole debt. (Eng. Sch. 2.)

Secured creditor to value securities.

**88.** If a secured creditor does not either realize or surrender his security, he shall within thirty days of the date of the receiving order or assignment, or such further time as the court on application may allow, file with the trustee an affidavit stating therein full particulars of his security, the date when each security was given, and the value at which he assesses each separate security, and shall be entitled to receive a dividend only in respect of the balance due to him after deducting the aggregate value so assessed. (Eng. Sch. 2.)

Power of trustee where security valued.

**89.** (1) Where security is so valued the trustee may at any time redeem the whole or any separate security upon payment of the assessed value.

(2) If the trustee is dissatisfied with the value at which a security is assessed, he may require that the property comprised in any security so valued be offered for sale at such times and on such terms and conditions as may be agreed on between the creditor and the trustee, or as, in default of such agreement, the court may direct. If the sale be by public auction the creditor, or the trustee on behalf of the estate, may bid or purchase.

(3) Provided that the creditor may at any time, by notice in writing, require the trustee to elect whether he will or will not exercise his power of redeeming the security or requiring it to be realized, and if the trustee does not, within three months after receiving the notice, signify in writing to the creditor his election to exercise the power, he shall not be entitled to exercise it; and the equity of redemption, or any other interest in the property comprised in the security which is vested in the trustee, shall vest in the creditor, and the amount of his debt shall be reduced by the amount at which the security has been valued. (Eng. Sch. 2.)

Secured creditor. may amend

**90.** Where a creditor has so valued his security, he may at any time within two months after filing his claim amend the valuation and proof on showing to the satisfaction of the trustee, or the court, that the valuation and proof were made *bona fide* on a mistaken estimate, or that the security has diminished or increased in value since its previous valuation; but every such amendment shall be made at the cost of the creditor, and upon such terms as the court shall order, unless the trustee shall allow the amendment without application to the court. (Eng. Sch. 2.)

Rights and liabilities of creditor where valuation amended.

**91.** Where a valuation has been amended in accordance with the foregoing section, the creditor shall forthwith repay any surplus dividend which he may have received in excess of that to which he would have been entitled on the amended valuation, or, as the case may be, shall be entitled to be paid out of any money, for the time being available for dividend, any dividend or share of dividend which he may have failed to receive by reason of the inaccuracy of the original valuation, before that money is made applicable to the payment of any future dividend, but he shall not be entitled to disturb the distribution of any dividend declared before the date of the amendment. (Eng. Sch. 2.)

Substitution of amount realized.

**92.** If a creditor after having valued his security subsequently realizes it, or if it is realized under the provisions of section eighty-nine, the net amount realized shall be substituted for the amount of any valuation previously made by the creditor, and shall be treated in all respects as an amended valuation made by the creditor. (Eng. Sch. 2.)

Exclusion for non-compliance.

**93.** If a secured creditor does not comply with the foregoing sections he shall be excluded from all share in any dividend.

No creditor to receive more than 100 cents on dollar.

**94.** Subject to the provisions of section eighty-eight and eighty-nine, a creditor shall in no case receive more than one hundred cents in the dollar and interest as provided by this Act. (Eng. Sch. 2.)

PROOF IN RESPECT OF DISTINCT CONTRACTS.

Proof in respect of distinct contracts.

**95.** If a debtor was, at the date of the receiving order or assignment, liable in respect of distinct contracts as a member of two or more distinct firms, or as a sole contractor, and also as member of a firm, the circumstance that the firms are in whole or in part composed of the same individuals, or that the sole contractor is also one of the joint contractors, shall not prevent proof in respect of the con-

tracts, against the properties respectively liable on the contracts. (Eng. Sch. 2.)

RESTRICTED CREDITORS.

Postponement of husband's claim.

**96.** Where a married woman has been adjudged bankrupt or has made an assignment for the general benefit of her creditors, her husband shall not be entitled to claim any dividend as a creditor in respect of any money or other estate lent or entrusted by him to his wife for the purposes of her trade or business, or claim any wages, salary or compensation for work done or services rendered in connection with her trade or business, until all claims of the other creditors of his wife for valuable consideration in money or money's worth have been satisfied. (Eng. Sec. 36.)

Postponement of wife's claim.

**97.** Where the husband of a married woman has been adjudged bankrupt or has made an assignment for the general benefit of his creditors, his wife shall not be entitled to claim any dividend as a creditor in respect of any money or other estate lent or entrusted by her to her husband for the purposes of his trade or business, or claim any wages, salary or compensation for work done or services rendered in connection with his trade or business, until all claims of the other creditors of her husband for valuable consideration in money or money's worth have been satisfied. (Eng. Sec. 36.)

Postponement of wage claims of relatives.

**98.** Where any person or firm has been adjudged bankrupt or has made an assignment for the general benefit of creditors, any father, mother, brother, sister, uncle or aunt of any such person or of any member of said firm shall not be entitled to claim by way of dividend or otherwise from the trustee any wages, salary or compensation for work done or services rendered to said person or firm exceeding an amount equal to three months' wages, salary or compensation, until all claims of the other creditors of said person or firm for valuable consideration in money or money's worth have been satisfied. (New.)

Postponement of wage claims of shareholders and directors.

**99.** Where any corporation has made an assignment for the general benefit of its creditors, no officer, director or shareholder thereof shall be entitled to claim by way of dividend or otherwise from the trustee any wages, salary or compensation for work done or services rendered to such corporation exceeding an amount equal to three months' wages, salary or compensation, until all claims of the other creditors of said corporation for valuable consideration in money or money's worth have been satisfied. (New.)

INTEREST.

Interest.

**100.** On any debt or sum certain, payable at a certain time or otherwise, whereon interest is not reserved or agreed for, and which is overdue at the date of the receiving order or assignment and provable under this Act, the creditor may prove for interest at a rate not exceeding six per cent. per annum to the date of the order or assignment from the time when the debt or sum was payable, if the debt or sum is payable by virtue of a written instrument at a certain time, and if payable otherwise, then from the time when a demand in writing has been made giving the debtor notice that interest will be claimed from the date of the demand until the time of payment. (Eng. 2nd Sch. Sec. 21.)

DEBTS PAYABLE AT A FUTURE TIME.

Debts payable at a future time.

**101.** A creditor may prove for a debt not payable at the date of the receiving order or assignment as if it were payable presently and may receive dividends equally with the other creditors, deducting only thereout a rebate of interest at the rate of six per cent. per annum computed from the declaration of a dividend to the time when the debt would have become payable according to the terms on which it was contracted. (Eng. 2nd Sch. Sec. 22.)

PRIORITY OF CLAIMS.

Priority of claims.

**102.** (1) In the distribution of the property of a bankrupt or assignor, there shall be paid in priority to all other debts,—

(*a*) the fees and expenses of the trustee;

(*b*) all wages or salary of any clerk or servant in respect of services rendered to the bankrupt or assignor during three months before the date of the receiving order or assignment, not exceeding two hundred and twenty-five dollars;

(*c*) all wages of any labourer or workman not exceeding one hundred and fifty dollars, whether payable for time or for piece work, in respect of services rendered to the bankrupt or assignor during two months before the date of the receiving order or assignment: Provided that where any labourer in husbandry has entered into a contract for the payment of a portion of his wages in a lump sum at the end of the year of hiring, the priority under this section shall extend to the whole of such sum or a part thereof, as the court may decide to be due under the contract, proportion-

ate to the time of service up to the date of the receiving order or assignment.

Discharge. (2) Subject to the retention of such sums as may be necessary for the costs of administration or otherwise, the foregoing debts shall be discharged forthwith so far as the property of the debtor is sufficient to meet them.

Partners and separate estates. (3) In the case of partners the joint estate shall be applicable in the first instance in payment of their joint debts, and the separate estate of each partner shall be applicable in the first instance in payment of his separate debts. If there is a surplus of the separate estates, it shall be dealt with as part of the joint estate. If there is a surplus of the joint estate, it shall be dealt with as part of the respective separate estates in proportion to the right and interest of each partner in the joint estate.

Equal payment. (4) Subject to the provisions of this Act, all debts proved in the bankruptcy or under an assignment shall be paid *pari passu*.

Surplus. (5) If there is any surplus after payment of the foregoing debts, it shall be applied in payment of interest from the date of the receiving order or assignment at the rate of six per cent. per annum on all debts proved in the bankruptcy or under the assignment. (Eng. Sec. 33.)

RIGHTS OF LANDLORD.

Rights of landlord. **103.** (1) Where the bankrupt or assignor is a tenant having goods or chattels on which the landlord has distrained, or would be entitled to distrain for rent, the right of the landlord to distrain or realize his rent by distress shall cease from and after the date of the receiving order or assignment and the trustee shall be entitled to immediate possession of all the property of the debtor, but in the distribution of the property of the bankrupt or assignor the trustee shall pay to the landlord in priority to all other debts, excepting those set out in paragraphs (*a*) (*b*) and (*c*) of subsection one of section one hundred and two of this Act, the amounts following:—

Shall not distrain.

Landlord's priority. (*a*) Where the rent has been payable quarter-yearly or at more frequent periods an amount not exceeding the value of the distrainable assets, and not exceeding three months rent accrued due prior to the date of the receiving order or assignment.

(*b*) Where the rent has been payable at less frequent periods than quarter yearly an amount not exceeding the value of the distrainable assets, and not exceeding six months rent accrued due prior to the date of the receiving order or assignment.

May prove for surplus. (2) The landlord may prove as a general creditor for (i) all surplus rent accrued due at the date of said receiving

order or assignment and (ii) any accelerated rent to which he may be entitled under his lease not exceeding an amount equal to three months rent in the case of paragraph (*a*) of this section, or to six months rent in the case of paragraph (*b*) of this section. Except as aforesaid the landlord shall not be entitled to prove as a creditor for any portion of the unexpired term of his lease.

Trustee may retain leased premises or may disclaim.

**104.** (1) Notwithstanding any provision or stipulation in any lease or agreement where a receiving order or an assignment has been made, the trustee may within one month from the date of any such receiving order or assignment, by notice in writing signed by him given to the landlord, elect to retain the premises occupied by the bankrupt or assignor at the time of the receiving order or assignment for the unexpired term of any lease under which such premises were held or for such portion of the term as he shall see fit, upon the terms of the lease and subject to payment of the rent therefor provided by such lease or agreement, or he may disclaim the lease or agreement. Should the trustee not give such notice within the time hereinbefore provided, he shall be deemed to have disclaimed the lease or agreement.

Effect of entry into possession.

(2) The entry into possession of the premises by the trustee during the said period of one month shall not be deemed to be evidence of an intention on the part of the trustee to elect to retain the premises nor affect his right to disclaim the lease or agreement.

DISALLOWANCE OF CLAIMS.

Disallowance of claims.

**105.** The trustee shall examine every proof and the grounds of the debt, and may, if he considers the claimant is not entitled to rank on the estate, or if authorized by a resolution passed at any meeting of creditors or inspectors, disallow the claim, and in such case shall give to the claimant a notice of disallowance. The said notice may be given either by serving the claimant with a copy thereof personally or by mailing such copy in a registered prepaid letter, addressed to the claimant at his last-known address, or at the address shown in or by the claimant's proof. Such disallowance shall be final and conclusive unless within thirty days after the service or mailing of the said notice, or such further time as the court may on application allow, the claimant appeals to the court in accordance with General Rules from the trustee's decision.

Court may expunge or reduce proof.

**106.** The court may also expunge or reduce a proof upon the application of a creditor or the debtor, if the trustee declines to interfere in the matter.

# PART V.

## DEBTORS.

### DUTIES OF DEBTORS.

Duty of debtors to submit statement.

**107.** (1) Where a receiving order or an assignment under this Act is made, the bankrupt or assignor shall make out and submit to the trustee a statement of, and in relation to, his affairs in the form prescribed by the trustee, showing the particulars of the debtor's assets, debts and liabilities, the names, residences and occupations of his creditors, the securities held by them respectively, the dates when the securities were respectively given and such further and other information as the trustee may require, and such statement shall be submitted within seven days from the date of the receiving order or assignment, but the court may, for special reasons, extend the time.

Inspection by creditor.

(2) Any person stating himself in writing to be a creditor of the bankrupt or assignor, may personally or by agent inspect the statement at all reasonable times and take any copy thereof or extract therefrom. (Eng. Sec. 14.)

Debtor to attend meetings of creditors.

**108.** (1) Every bankrupt or assignor shall, unless prevented by sickness or other sufficient cause, attend the first meeting of his creditors and shall submit to such examination and give such information as the meeting may require; he shall submit to such examination in respect of his property or his creditors, attend such other meetings of creditors, wait at such times on the trustee, execute such powers of attorney, conveyances, deeds and instruments, and generally to do all such acts and things in relation to his property and the distribution of the proceeds among his creditors as may be reasonably required by the trustee or prescribed by General Rules or directed by the court by any special order or orders made in reference to any particular case or made on the occasion of any special application by the trustee or any creditor or person interested.

To aid trustee.

(2) He shall aid to the utmost of his power in the realization of his property and the distribution of the proceeds among his creditors.

Penalty for failure to perform duties imposed.

(3) If a bankrupt or assignor wilfully fails to perform the duties imposed on him by this section or to deliver up possession of any part of his property which is divisible among his creditors under this Act, and which is for the time being in his possession or under his control, to the trustee or to any other person authorized by the court to take possession of it, he shall in addition to any other punishment to which he may be subject be guilty of a

contempt of court, and may be punished accordingly. (Eng. Sec. 22.)

ARREST OF DEBTORS.

Arrest of debtors under certain circumstances.

**109.** The court may, by warrant addressed to any constable or prescribed officer of the court, cause a debtor to be arrested, and any books, papers, money and goods in his possession to be seized, and him and them to be safely kept as prescribed until such time as the court may order under the following circumstances:—

(*a*) If, after the presentation of a bankruptcy petition against him, it appears to the court that there are reasonable grounds for believing that he has absconded or is about to abscond with a view of avoiding payment of the debt in respect of which the bankruptcy petition was filed, or of avoiding service of a bankruptcy petition, or of avoiding appearance to any such petition or of avoiding examination in respect of his affairs or of otherwise avoiding, delaying or embarrassing proceedings in bankruptcy against him;

(*b*) If, after presentation of a bankruptcy petition against him or after an assignment under this Act has been made by him, it appears to the court that there are reasonable grounds for believing that he is about to remove his goods with a view of preventing or delaying possession being taken of them by the trustee, or that he has concealed or is about to conceal or destroy any of his goods or any books, documents or writings which might be of use to the trustee or to his creditors;

(*c*) If, after service of a bankruptcy petition on him or after he makes an assignment, he removes any goods in his possession above the value of twenty-five dollars without the leave of the trustee. (Eng. Sec. 23).

EXAMINATION OF DEBTORS AND OTHERS.

Examination of debtors and others.

**110.** Where a receiving order or an assignment for the general benefit of creditors has been made, the trustee, upon resolution passed by a majority vote of the creditors present or represented at a meeting of the creditors of the debtor regularly called, or upon the written request or resolution of a majority of the inspectors of the estate, may, without an order, examine the debtor or any person who is or has been an agent, clerk, servant, officer or employee of any kind of the debtor, upon oath before the registrar or any other person or official named for such purpose in General Rules, concerning the debtor, his dealings or property, and in the case of a bankrupt, as to any property acquired or disposed of by him subsequently to the date of the receiving order. (New.)

Penalty for failure to attend for examination.

**111.** (1) If the debtor, or any person liable to be examined as provided by the preceding section, is served with an appointment or summons to attend for examination and is paid or tendered a reasonable sum for conduct money and witness fee, but refuses or neglects to attend as required by such appointment or summons, or, if attending, refuses to make satisfactory answers to any questions asked him or refuses to produce any book, document or other paper, the court may, by warrant, cause him to be apprehended and brought up for examination, and may order him to be committed to the common gaol of the judicial district in which he resides, for any tern not exceeding twelve months.

(2) The amount of conduct money and witness fee shall be fixed by General Rules.

Trustee may require books and other property of debtor to be produced.

**112.** (1) If any person has, or is believed or suspected to have, in his possession or power any of the property of the debtor, or any book, document or paper of any kind relating in whole or in part to the debtor, his dealings or property, such person may, upon resolution passed by a majority vote of the creditors present or represented at a regularly called meeting of the creditors of the debtor (exclusive of such person, if he is a creditor), or upon the written request or resolution of the majority of the inspectors of the estate, be required by the trustee to produce such books, documents or papers for the information of such trustee, or to deliver over to him any such property of the debtor.

Examination on failure to produce.

(2) If such person fails to produce any such book, document or other paper, or to deliver over such property, within four days of his being served with a copy of the said resolution, and a request of the trustee in that behalf or if the trustee or the majority of the inspectors is or are not satisfied that full production or delivery has been made, the trustee may, without an order, examine the said person before any of the officers mentioned in section one hundred and ten touching any such property, book or document or other paper which he is supposed to have received.

Compelling attendance.

(3) Any such person may be compelled to attend and testify, and to produce upon his examination any book, document or other paper which under this section he is liable to produce, in the same manner and subject to the same rules of examination, and the same consequences of neglecting to attend or refusing to disclose the matters in respect of which he may be examined, as is provided by section one hundred and eleven or by General Rules. (Eng. Sec. 25.)

Re-direction of debtor's letters.

**113.** Where a receiving order is made against a debtor or where a debtor makes as assignment for the general

benefit of his creditors, the court, on the application of the trustee, may from time to time order that for such time, not exceeding three months, as the court thinks fit, post letters, post packets and telegrams, addressed to the debtor at any place or places mentioned in the order for re-direction, shall be re-directed, sent or delivered by the postmaster to the trustee, and the same shall be done accordingly. (Eng. Sec. 24.)

DISQUALIFICATIONS OF BANKRUPT.

Disqualifications of bankrupt.

**114.** Where a debtor is adjudged bankrupt, he shall, subject to the provisions of this Act, be disqualified for,—

(*a*) sitting or voting in the Senate of Canada;

(*b*) being elected to or sitting or voting in the House of Commons of Canada or in any legislative assembly of any province of Canada;

(*c*) being appointed or acting as a justice of the peace or magistrate;

(*d*) being elected or holding or exercising the office of mayor, reeve, alderman, councillor or school trustee of any city, town, village, county or municipality. (Eng. Bkptcy Act, 1883.)

Removal of disqualifications.

**115.** (1) The disqualifications to which a bankrupt is subject, under this Act, shall be removed and cease when and if,—

(*a*) the adjudication of bankruptcy against him is annulled; or,

(*b*) he obtains from the court his discharge with a certificate to the effect that his bankruptcy was caused by misfortune without any misconduct on his part.

(2) The court may grant or withhold such certificate as it thinks fit, but any refusal of such certificate shall be subject to appeal.

(3) The disqualifications imposed by this section shall obtain in all the provinces of Canada.

DISCHARGE OF BANKRUPT OR ASSIGNOR.

Discharge of bankrupt or assignor.

**116.** (1) Any person may, after the expiration of three months subsequent to being adjudged bankrupt or subsequent to making an assignment for the general benefit of creditors, apply to the court for an order of discharge, and the court shall appoint a day for hearing the application. (Eng. Sec. 26, s. s. 1.)

Notice to creditors of hearing.

(2) A bankrupt intending to apply for his discharge shall produce to the registrar a certificate from the trustee specifying the number of his creditors of whom the trustee has notice (whether they have proved or not). The registrar shall, not less than twenty-eight days before the

day appointed for hearing the application, give notice of the time and place of the hearing of the application to the trustee, and the trustee shall forthwith send notice thereof to the Provincial Gazette for publication and shall give notice of the day appointed for the hearing of the bankrupt's application for discharge to each creditor, not less than fourteen days before the day so appointed.

Trustee to file report with registrar.

**117.** The trustee shall file with the registrar, at least three days before the time fixed for hearing the application, his report as to the conduct and affairs of the bankrupt or assignor (including a report as to the conduct of the bankrupt or assignor during the proceedings under his bankruptcy or assignment), and if the bankrupt or assignor has been examined, the trustee shall also file such examination, and shall report to the court any fact, matter or circumstance which would, under the Act, justify the court in refusing an unconditional order of discharge.

Court may grant or refuse discharge.

**118.** On the hearing of the application, the court shall take into consideration the report of the trustee and may either grant or refuse an absolute order of discharge or suspend the operation of the order for a specified time, or grant an order of discharge subject to any conditions with respect to any earnings or income which may afterwards become due to the bankrupt or assignor or with respect to his after-acquired property. (Eng. Sec. 26, s. s. 2.)

Powers of court to refuse, suspend or grant conditional discharge.

**119.** The court shall refuse the discharge in all cases where the bankrupt or assignor has committed any offence under this Act or any offence connected with his bankruptcy or assignment or the proceedings thereunder, unless for special reasons the court otherwise determines and shall on proof of any of the facts mentioned in the next succeeding section, either,—

(*a*) refuse the discharge; or,

(*b*) suspend the discharge for a period of not less than two years: provided that the period may be less than two years, if the only fact proved of those hereinafter mentioned is that his assets are not of a value equal to fifty cents in the dollar on the amount of his unsecured liabilities; or,

(*c*) suspend the discharge until a dividend of not less than fifty cents in the dollar has been paid to the creditors; or,

(*d*) require the bankrupt or assignor as a condition of his discharge to consent to judgment being entered against him by the trustee for any balance or part of any balance of the debts provable under the bankruptcy or assignment which is not satisfied at the date

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of the discharge, such balance or part of any balance of the debts to be paid out of the future earnings or after-acquired property of the bankrupt or assignor in such manner and subject to such conditions as the court may direct; but execution shall not be issued on the judgment without leave of the court, which leave may be given on proof that the bankrupt or assignor has since his discharge acquired property or income available towards payment of his debts.

Provided that, if at any time after the expiration of two years from the date of any order made under this section the bankrupt or assignor satisfies the court that there is no reasonable probability of his being in a position to comply with the terms of such order, the court may modify the terms of the order, or of any substituted order, in such manner and upon such conditions as it may think fit. (Eng. Sec. 26.)

Facts on which discharge may be refused, suspended or granted conditionally.

**120.** The facts referred to in the preceding section are,—

(*a*) that the assets of the bankrupt or assignor are not of a value equal to fifty cents in the dollar on the amount of his unsecured liabilities, unless he satisfies the court that the fact that the assest are not of a value equal to fifty cents in the dollar on the amount of his unsecured liabilities has arisen from circumstances for which he cannot justly be held responsible;

(*b*) that the bankrupt or assignor has omitted to keep such books of account as are usual and proper in the business carried on by him and as sufficiently disclose his business transactions and financial position within the three years immediately preceding his bankruptcy or assignment;

(*c*) that the bankrupt or assignor has continued to trade after knowing himself to be insolvent;

(*d*) that the bankrupt or assignor has contracted any debt provable under the bankruptcy or assignment without having at the time of contracting it any reasonable or probable ground of expectation (proof whereof shall lie on him) of being able to pay it;

(*e*) that the bankrupt or assignor has failed to account satisfactorily for any loss of assets or for any deficiency of assets to meet his liabilities;

(*f*) that the bankrupt or assignor has brought on, or contributed to, his bankruptcy or assignment by rash and hazardous speculations, or by unjustifiable extravagance in living, or by gambling, or by culpable neglect of his business affairs;

(*g*) that the bankrupt or assignor has put any of his creditors to unnecessary expense by a frivolous or

vexatious defence to any action properly brought against him;

(*h*) that the bankrupt or assignor has, within three months preceding the date of the receiving order or assignment, incurred unjustifiable expense by bringing a frivolous or vexatious action;

(*i*) that the bankrupt or assignor has, within three months preceding the date of the receiving order or assignment, when unable to pay his debts as they become due, given an undue preference to any of his creditors;

(*j*) that the bankrupt or assignor has, within three months preceding the date of the receiving order or assignment, incurred liabilities with a view of making his assets equal to fifty cents in the dollar on the amount of his unsecured liabilities;

(*k*) that the bankrupt or assignor has, on any previous occasion, been adjudged bankrupt or has made an assignment or entered into a composition or arrangement with his creditors;

(*l*) that the bankrupt or assignor has been guilty of any fraud or fraudulent breach of trust. (Eng. Sec. 26.)

Assets of debtor when deemed equal to fifty cents on dollar.

**121.** For the purposes of the preceding section the assets of a bankrupt or assignor shall be deemed of a value equal to fifty cents in the dollar on the amount of his unsecured liabilities when the court is satisfied that the property of the bankrupt or assignor has realized, or is likely to realize, or with due care in realization, might have realized an amount equal to fifty cents in the dollar on his unsecured liabilities, and a report of the trustee shall be *prima facie* evidence of the amount of such liabilities. (Eng. Sec. 26.)

Report of trustee *prima facie* evidence.

**122.** For the purposes of sections one hundred and sixteen to one hundred and twenty-one, both inclusive, hereof, the report of the trustee shall be *prima facie* evidence of the statements therein contained. (Eng. Sec. 26.)

Court may grant certificate.

**123.** With a view of removing any statutory disqualification on account of bankruptcy which is removed if the bankrupt obtains from the court his discharge with a certificate to the effect that the bankruptcy was caused by misfortune without any misconduct on his part, the court may, if it thinks fit, grant such a certificate, but, a refusal to grant such a certificate shall be subject to appeal. (Eng. Sec. 26.)

Examination of debtor may be read.

**124.** At the hearing of the application, the court may read the examination of the bankrupt or assignor and may

put such further questions to him and receive such evidence as it may think fit.

Power to suspend.

**125.** The powers of suspending and of attaching conditions to the discharge of a bankrupt or assignor may be exercised concurrently. (Eng. Sec. 26, s. s. 8.)

Discharged bankrupt or assignor to give trustee all required assistance.

**126.** A discharged bankrupt or assignor shall, notwithstanding his discharge, give such assistance as the trustee may require in the realization and distribution of such of his property as is vested in the trustee, and, if he fails to do so, he shall be guilty of a contempt of court; and the court may also, if it thinks fit, revoke his discharge, but without prejudice to the validity of any sale, disposition, or payment duly made or thing duly done subsequent to the discharge, but before its revocation. (Eng. Sec. 26, s. s. 9.)

Fraudulent settlements.

**127.** In either of the following cases, that is to say:—

(*a*) In the case of a settlement made before and in consideration of marriage where the settlor is not at the time of making the settlement able to pay all his debts without the aid of the property comprised in the settlement; or,

(*b*) In the case of any covenant or contract made in consideration of marriage for the future settlement on or for the settlor's wife or children of any money or property wherein he had not at the date of his marriage any estate or interest (not being money or property of or in right of his wife);

if the settlor is adjudged bankrupt or makes an assignment under this Act or compounds or arranges with his creditors, and it appears to the court that such settlement, covenant or contract was made in order to defeat or delay creditors, or was unjustifiable having regard to the state of the settlor's affairs at the time when it was made, the court may refuse or suspend an order of discharge or grant an order subject to conditions, or refuse to approve a composition or arrangment, as the case may be, in like manner as in cases where the debtor has been guilty of fraud. (Eng. Sec. 27.)

Effect of order of discharge.

**128.** (1) An order of discharge shall not release the bankrupt or assignor,—

(*a*) from any debt on a recognizance nor from any debt with which the bankrupt or assignor may be chargeable at the suit of the Crown or of any person for any offence against a statute relating to any branch of the public revenue, or at the suit of the sheriff or other public officer on a bail bond entered into for the appearance of any person prosecuted for any such offence, and he shall not be discharged from such excepted

debts unless an order-in-council is filed in court consenting to his being discharged therefrom; or,

(*b*) from any debt or liability incurred by means of any fraud or fraudulent breach of trust to which he was a party, nor from any debt or liability whereof he has obtained forbearance by any fraud to which he was a party; or,

(*c*) from any liability under a judgment against him in an action for seduction, or under an affiliation order, or for alimony or under a judgment against him as a co-respondent in a matrimonial cause, except to such an extent and under such conditions as the court expressly orders in respect of such liability; or,

(*d*) from any debt or liability for necessaries, and the court may make such order for payment thereof as it deems just or expedient.

(2) An order of discharge shall release the bankrupt or assignor from all other debts provable in bankruptcy or under an assignment.

(3) An order of discharge shall not release any person who at the date of the receiving order or assignment was a partner or co-trustee with the bankrupt or assignor or was jointly bound or had made any joint contract with him, or any person who was surety or in the nature of a surety for him. (Eng. Sec. 28.)

## PART VI.

### Courts and Procedure.

#### JURISDICTION.

Courts having jurisdiction.

**129.** The Courts having jurisdiction in bankruptcy shall be as follows:—

Supreme Court of Alberta, in the province of Alberta;

Supreme Court of British Columbia, in the province of British Columbia;

The Court of King's Bench, in the province of Manitoba;

The King's Bench division of the Supreme Court of New Brunswick, in the province of New Brunswick;

The Supreme Court of Nova Scotia, in the province of Nova Scotia;

The Supreme Court of Ontario, in the province of Ontario;

The Supreme Court of Prince Edward Island, in the province of Prince Edward Island;

The Superior Court of Quebec, in the province of Quebec;

The Court of King's Bench, in the province of Saskatchewan;

and the said courts are hereby invested within their respective territorial limits as now established, or as they

may be hereafter changed, with such jurisdiction at law and in equity as will enable them to exercise original and ancillary jurisdiction in bankruptcy proceedings in vacation, in chambers, and during their respective terms as they are now or may be hereafter held, to,—

May adjudge persons bankrupt.

(1) Adjudge persons bankrupt who have had a principal place of business, resided, or had their domicile within their respective territorial jurisdiction for the next preceding six months, or the greater portion thereof, or who do not have a principal place of business, reside or have their domicile within Canada but have property within their jurisdiction, or who have been adjudged bankrupt by a court of competent jurisdiction in any other province or provinces and have property within their jurisdiction;

Allow or settle claims.

(2) To allow, disallow or settle claims filed with any trustee under this Act;

Try and punish assignors, etc.

(3) Arraign, try and punish assignors, bankrupts, debtors, officers, trustees and other persons, or officers, members of the board of directors or employees of any corporation to which this Act applies, for violation of this Act in accordance with the law now in force in any of the provinces of the Dominion of Canada for the alleged violation of law;

Authorize continuation of debtor's business.

(4) Authorize the business of assignors, bankrupts or debtors to be conducted for limited periods by trustees, if necessary, in the best interests of the estate, and to allow such trustees additional remuneration for such services;

Bring in and substitute parties.

(5) Bring in and substitute additional persons or parties in proceedings in bankruptcy when necessary for the complete determination of a matter in controversy;

Compositions, etc.

(6) Confirm or reject composition, extension agreements or arrangements between debtors and their creditors, and to set the same aside or re-instate same;

Exemptions.

(7) Determine all disputed claims of assignors or bankrupts to their exemptions;

Discharge debtors.

(8) Discharge or refuse to discharge assignors or bankrupts and set aside discharges and re-instate the cases;

Fine or imprisonment.

(9) Enforce obedience by assignors, bankrupts, debtors, trustees or other persons of all lawful orders by fine or imprisonment, or fine and imprisonment;

Extradite.

(10) Extradite assignors or bankrupts from their respective provinces to other provinces;

Decide all questions.

(11) Decide all questions of priorities, and all other questions whatsoever, whether of law or fact, which may arise in any case of bankruptcy coming within the cognizance of the court, or which the court may deem it expedient or necessary to decide for the purpose of doing complete justice or making a complete distribution of property in any such case;

General powers.

(12) Make such order, issue such process and enter such judgment in addition to those specifically provided for as

may be necessary for the enforcement of the provisions of this Act;

Contempt

(13) Punish persons for contempts committed before judges;

Tax costs.

(14) Tax costs whenever they are allowed by law, and tax the costs, fees and disbursements of trustees and their solicitors under this Act;

Ancillary jurisdiction.

(15) Exercise ancillary jurisdiction over persons or property under their respective territorial limits in aid of the trustee appointed in any proceedings pending in any other court; and,

(16) Displace, replace and control trustees.

SITTINGS OF COURT.

Courts not subject to be restrained.

**130.** The court shall not be subject to be restrained in the execution of its powers under this Act by the order of any other court. (Eng. Sec. 105, ss. 2.)

Periodical sittings.

**131.** Periodical sittings for the transaction of bankruptcy business by the courts may be held at such times and places and at such intervals as the court for each province shall prescribe. (Eng. Sec. 96, ss. 5.)

Transaction of bankruptcy business by special judge.

**132.** (1) Subject to General Rules or as otherwise provided by this Act, all matters in respect of which jurisdiction is given by this Act shall be transacted and disposed of by or under the direction of one of the judges of the court and the Minister of Justice shall from time to time assign a judge or judges for that purpose.

Provided that during vacation or during the illness of the judge so assigned or during his absence, or for any other reasonable cause, such matters or any part thereof may be transacted or disposed of by or under the direction of any judge of the court named for that purpose by the Chief Justice thereof. (Eng. Sec. 97.)

Registrar, clerks and officers.

(2) The Chief Justice of each court shall from time to time assign such registrars, clerks and other officers in bankruptcy as he deems necessary or expedient for the transaction or disposal of matters in respect of which jurisdiction is given by this Act. (New.)

POWERS OF REGISTRAR.

Powers of registrar.

**133.** (1) The registrars in bankruptcy shall have the powers and jurisdiction in this section mentioned, and any order made or act done by such registrars in the exercise of the said powers and jurisdiction shall be deemed the order or act of the court.

(2) Subject to General Rules limiting the powers conferred by this section, a registrar shall have power,—

Particulars.

(*a*) to hear bankruptcy petitions where they are not opposed, and to make receiving orders and adjudications thereon;

(*b*) to hold examinations of debtors;

(*c*) to grant orders for discharge where the application is not opposed;

(*d*) to approve compositions, extensions or schemes of arrangement where they are not opposed;

(*e*) to make interim orders in cases of urgency;

(*f*) to make any order or exercise any jurisdiction which by any rule in that behalf is prescribed as proper to be made or exercised in chambers;

(*g*) to hear and determine any unopposed or ex parte application;

(*h*) to summon and examine any person known or suspected to have in his possession effects of the debtor or to be indebted to him, or capable of giving information respecting the debtor, his dealings or property;

(*i*) to hear and determine appeals from the decision of a trustee allowing or disallowing a creditor's claim where such claim does not exceed $500.

Exception.

(3) A registrar shall not have power to commit for contempt of court. (Eng. Sec. 102.)

GENERAL RULES.

General Rules.

**134.** (1) The Governor in Council may appoint a committee consisting of three or more judges belonging to any court or courts having jurisdiction under this Act to make, revoke and alter General Rules and forms for carrying into effect the objects of this Act. Provided that the said rules so made, altered or revoked shall not extend the jurisdiction of the court.

(2) All General Rules made under this section shall be laid before the Dominion Parliament within three weeks after they are made, but if the Parliament is not then sitting, within three weeks after the beginning of the next session of Parliament, and shall be judicially noticed, and shall have effect as if enacted by this Act. (Eng. Sec. 132.)

FEES AND RETURNS.

Fees and returns.

**135.** (1) The said committee of judges may prescribe a scale of fees or percentages to be charged for or in respect of proceedings under this Act, and shall direct by whom and in what manner they are to be collected and accounted for and to what account they shall be paid.

Remuneration.

(2) The said committee of judges shall direct whether and what remuneration is to be allowed to any person

performing any duties under this Act, and vary, increase or diminish such remuneration from time to time as they may think fit. (Eng. Sec. 133.)

PROCEDURE.

Title of papers.

**136.** (1) Subject to General Rules, all bankruptcy matters or matters relating to assignments for the general benefit of creditors, shall be entitled "In Bankruptcy".

Costs.

(2) Subject to the provisions of this Act and to General Rules, the costs of and incidental to any proceeding in court under this Act shall be in the discretion of the court.

Adjournment.

(3) The court may at any time adjourn any proceedings before it upon such terms, if any, as it may think fit to impose.

Amendment.

(4) The court may at any time amend any written process or proceeding under this Act upon such terms, if any, as it may think fit to impose.

Extension of time.

(5) Where by this Act, or by General Rules, the time for doing any act or thing is limited, the court may extend the time either before or after the expiration thereof, upon such terms, if any, as the court may think fit to impose.

Evidence.

(6) Subject to General Rules, the court may in any matter take the whole or any part of the evidence either viva voce, or by interrogatories, or upon affidavit, or, if in any other province, or out of the Dominion of Canada, by commission. (Eng. Sec. 109.)

Consolidation of petitions.

**137.** Where two or more bankruptcy petitions are presented against the same debtor or against joint debtors, the court may consolidate the proceedings, or any of them, on such terms as the court thinks fit. (Eng. Sec. 110.)

Power to change carriage of proceedings.

**138.** Where the petitioner does not proceed with due diligence on his petition, the court may substitute as petitioner any other creditor to whom the debtor may be indebted in the amount required by this Act in the case of the petitioning creditor. (Eng. Sec. 111.)

Terminance of proceedings on death of debtor.

**139.** If a debtor by or against whom a bankruptcy petition has been presented dies, the proceedings in the matter shall, unless the court otherwise orders, be continued as if he were alive. (Eng. Sec. 112.)

Stay proceedings.

**140.** The court may at any time, for sufficient reason, make an order staying the proceedings under a bankruptcy petition, either altogether or for a limited time, on such terms and subject to such conditions as the court may think just. (Eng. Sec. 113.)

Power to present petition against one partner.

**141.** Any creditor whose debt is sufficient to entitle him to present a bankruptcy petition against all the partners of a firm may present a petition against any one or more partners of the firm without including the others. (Eng. Sec. 114.)

Power to dismiss petition against some respondents only.

**142.** Where there are more respondents than one to a petition the court may dismiss the petition as to one or more of them, without prejudice to the effect of the petition as against the other or others of them. (Eng. Sec. 115.)

Property of partners to be vested in same trustee.

**143.** Where a receiving order has been made on a bankruptcy petition by or against one member of a partnership, any other bankruptcy petition by or against a member of the same partnership shall be fyled in or transferred to the court in which the first-mentioned petition is in course of prosecution, and, unless the court otherwise directs, the same trustee shall be appointed as may have been appointed in respect of the property of the first-mentioned member of the partnership, and the court may give such direction for consolidating the proceedings under the petitions as it thinks just. (Eng. Sec. 116.)

Actions by trustee and bankrupt's partner.

**144.** Where a member of a partnership is adjudged bankrupt, the court may authorize the trustee to commence and prosecute any action in the names of the trustee and of the bankrupt's partner; and any release by such partner of the debt or demand to which the action relates shall be void; but notice of the application for authority to commence the action shall be given to him, and he may show cause against it, and on his application the court may, if it thinks it fit, direct that he shall receive his proper share of the proceeds of the action, and, if he does not claim any benefit therefrom, he shall be indemnified against costs in respect thereof as the court directs. (Eng. Sec. 117.)

Action on joint contracts.

**145.** Where a bankrupt is a contractor in respect of any contract jointly with any person or persons, such person or persons may sue or be sued in respect of the contract without the joinder of the bankrupt. (Eng. Sec. 118.)

Enforcement of orders of courts throughout Canada.

**146.** Any order made by a court in any province of the Dominion of Canada shall be enforced in the courts having jurisdiction in bankruptcy in any of the other provinces of the Dominion of Canada in the same manner in all respects as if the order had been made by the court hereby required to enforce it. (Eng. Sec. 121.)

Courts to be auxiliary to each other.

**147.** All the courts having jurisdiction in bankruptcy in the provinces of the Dominion of Canada and the officers of such courts respectively shall severally act in aid of and be auxiliary to each other in all matters of bankruptcy or insolvency, and an order of the court seeking aid, with a request to another of the said courts, shall be deemed sufficient to enable the latter court to exercise, in regard to the matters directed by the order, such jurisdiction as either the court which made the request or the court to which the request is made could exercise in regard to similar matters within their respective jurisdictions. (Eng. Sec. 122.)

Warrants of bankruptcy courts.

**148.** (1) Any warrant of a court having jurisdiction in bankruptcy may be enforced in any part of the Dominion of Canada and elsewhere in the same manner and subject to the same privileges in and subject to which a warrant issued by any justice of the peace against a person for an indictable offence under or in pursuance of the *Criminal Code*, being chapter one hundred and forty-six of the Revised Statutes of the Dominion of Canada, 1906, may be enforced and all amendments thereto.

Search warrant.

(2) A search warrant issued by the court for the discovery of any property of a debtor may be executed in manner prescribed or in the same manner and subject to the same privileges in and subject to which a search warrant for property supposed to be stolen may be executed according to law. (Eng. Sec. 123.)

Commitment to prison.

**149.** Where the court commits any person to prison, the commitment may be to such convenient prison as the court think expedient, and if the gaoler of any prison refuses to receive any prisoner so committed, he shall be liable for every such refusal to a fine not exceeding five hundred dollars. (Eng. Sec. 124.)

APPEALS.

Court may review, etc.

**150.** Every court having jurisdiction in bankruptcy under this Act may review, rescind or vary any order made by it under its bankruptcy jurisdiction.

Appeals in bankruptcy.

**151.** Every rule, order, decision, judgment, verdict or decree made, rendered, given or pronounced in bankruptcy matters shall, at the instance of any person aggrieved, be subject to appeal as follows:—

(*a*) Where the order is made by the Supreme Court of Alberta, an appeal shall lie to the Appellate Division of the Supreme Court for the province of Alberta, or,

(*b*) Where the order is made by the Supreme Court of British Columbia, an appeal shall lie to the Court of Appeal for British Columbia, or,

(*c*) Where the order is made by the Court of King's Bench in the province of Manitoba, an appeal shall lie to the court of Appeal for Manitoba, or,

(*d*) Where the order is made by the King's Bench division of the Supreme court of New Brunswick an appeal shall lie to the court of Appeal of New Brunswick, or,

(*e*) Where the order is made by the Supreme Court of Nova Scotia, an appeal shall lie to the Supreme Court of Nova Scotia en banc, or,

(*f*) Where the order is made by the Supreme Court of Ontario, an appeal shall lie to the Appellate Division of the Supreme Court for the province of Ontario, or,

(*g*) Where the order is made by the Supreme Court of Prince Edward Island, an appeal shall lie to the Supreme court of Prince Edward Island en banc, or,

(*h*) Where the order is made by the Superior Court for Quebec, an appeal shall lie to the Appeal side of the King's Bench Court for the province of Quebec, or,

(*i*) Where the order is made by the Court of King's Bench of Saskatchewan, an appeal shall lie to the Court of Appeal for Saskatchewan.

General Rules as to appeals.

(1) No appeal shall be entertained except in conformity with such General Rules as may for the time being be in force in relation to the appeal in the province in which the order or judgment has been rendered.

Court of final appeal.

(2) The decision of the Appellate Court, upon any such appeal shall be final and conclusive unless special leave to appeal therefrom to the Supreme Court of Canada is obtained from the Supreme Court of Canada. In the event of such appeal the decision of the said Supreme Court of Canada shall be final and conclusive.

## PART VII.

### Supplemental Provisions.

Married woman.

**152.** Every married woman who carries on a trade or business, whether separately from her husband or not, shall be subject to the provisions of this Act as if she were a feme sole. (Eng. Sec. 125.)

Application to limited partnerships.

**153.** Subject to such modifications as may be made by General Rules under this Act, the provisions of this Act shall apply to limited partnerships in like manner as if limited partnerships were ordinary partnerships,

and, on all the general partners of a limited partnership being adjudged bankrupt or making an assignment under this Act the assets of the limited partnership shall vest in the trustee. (Eng. Sec. 127.)

Evidence of proceedings at meetings of creditors.

**154.** (1) A minute of proceedings at a meeting of creditors under this Act, signed at the same or the next ensuing meeting by a person describing himself as or appearing to be chairman of the meeting at which the minute is signed, shall be received in evidence without further proof.

(2) Until the contrary is proved, every meeting of creditors in respect to the proceedings whereof a minute has been so signed, shall be deemed to be duly convened or held and all proceedings passed thereat to have been duly passed or held. (Eng. Sec. 138.)

Evidence of proceedings in bankruptcy.

**155.** Any petition or copy of a petition in bankruptcy' any order or certificate or copy of an order or certificate made by any court having jurisdiction in bankruptcy, any instrument or copy of an instrument, affidavit or document made or used in the course of any bankruptcy proceedings or other proceedings had under this Act shall, if it appears to be sealed with the seal of any court having jurisdiction in bankruptcy, or purports to be signed by any judge thereof, or is certified as a true copy by any registrar thereof, be receivable as evidence in all legal proceedings whatsoever. (Eng. Sec.139).

Swearing of affidavits.

**156.** Subject to General Rules, any affidavit to be used in a bankruptcy court may be sworn before any person authorized to administer oaths in the court having jurisdiction or before any registrar of the court or before any officer of a bankruptcy court authorized in writing in that behalf by the judge of the court or before a justice of the peace for the province, county or place where it is sworn, or, in the case of a person who is out of Canada, before a notary public, a magistrate or justice of the peace or other person qualified to administer oaths in the country where he resides, he being certified to be a magistrate or justice of the peace or qualified as aforesaid by a British minister or British consul, or by a notary public. (Eng. Sec. 140.)

Seal of court.

**157.** Every court having jurisdiction in bankruptcy under this Act shall have a seal describing the court in such manner as may be directed by the chief justice of the court and judicial notice shall be taken of the seal and of the signature of the judge or registrar of any such court in all legal proceedings. (Eng. Sec. 142.)

Death of debtor or witness.

**158.** In case of the death of the debtor or his wife, or of a witness whose evidence has been received by any

court in any proceedings under this Act, the deposition of the person so deceased, purporting to be sealed with the sealed, shall be admitted as evidence of the matters therein deposed to. (Eng. Sec. 141.)

Computation of time.

**159.** (1) Where by this Act any limited time from or after any date or event is appointed or allowed for the doing of any act or the taking of any proceeding, then in the computation of that limited time the same shall be taken as exclusive of the day of that date or of the happening of that event, and as commencing at the beginning of the next following day; and the act or proceeding shall be done or taken at latest on the last day of that limited time as so computed, unless the last day is a Sunday, Christmas Day, Good Friday or Monday in Easter week, or a day appointed for public fast, humiliation, or thanksgiving, or a day on which the court does not sit, in which case any act or proceedings shall be considered as done or taken in due time if it is done or taken on the next day afterwards which is not one of the days in this section specified.

(2) Where by this Act any act or proceeding is directed to be done or taken on a certain day, then, if that day happens to be one of the days in this section specified, the act or proceedings shall be considered as done or taken in due time if it is done or taken on the next day afterwards which shall not be one of the days in this section specified. (Eng. Sec. 145.)

Service of notices.

**160.** All notices and other documents for the service of which no special mode is directed may be sent by post to the last known address of the person to be served therewith. (Eng. Sec. 146.)

Formal defect not to invalidate proceedings.

**161.** No proceeding in bankruptcy shall be invalidated by any formal defect or by any irregularity, unless the court before which an objection is made to the proceeding is of opinion that substantial injustice has been caused by the defect or irregularity, and that the injustice cannot be remedied by any order of that court.

(2) No defect or irregularity in the appointment of a trustee or inspector shall vitiate any act done by him in good faith. (Eng. Sec. 147.)

Acting of corporations, partners, etc.

**162.** For all or any of the purposes of this Act, a corporation may act by any of its officers authorized in that behalf under the seal of the corporation, a firm may act by any of its members, and a lunatic may act by his committee or curator bonis. (Eng. Sec. 149.)

Certain provisions to bind crown.

**163.** Save as provided in this Act, the provisions of this Act relating to the remedies against the property of a debtor,

the priorities of debts, the effect of a composition or scheme of arrangement, and the effect of a discharge, shall bind the Crown. (Eng. Sec. 151.)

Barristers, advocates and counsel.

**164.** All persons who are barristers or advocates in any of the provinces may practice as barristers, advocates and counsel in the courts having jurisdiction in all of the provinces of Canada.

Attorneys and solicitors.

**165.** All persons who are attorneys or solicitors of the Superior Court in any of the provinces may practice as attorneys and solicitors in the courts having jurisdiction in all of the provinces.

To be officers of the court.

**166.** All persons who may practice as attorneys or solicitors in all such courts as aforesaid shall be officers of such courts.

## PART VIII.

### Bankruptcy Offences.

Bankruptcy offences.

**167.** Any person who has been adjudged bankrupt or in respect of whose estate a receiving order has been made, or who has made an assignment under this Act, shall in each of the cases following be guilty of an indictable offence and liable to a fine of eight hundred dollars and to one year's imprisonment:—

Fraudulent debtors.

(*a*) If he does not to the best of his knowledge and belief fully and truly discover to the trustee all his property, real and personal, and how and to whom and for what consideration and when he disposed of any part thereof, except such part as has been disposed of in the ordinary way of his trade (if any) or laid out in the ordinary expense of his family, unless he proves that he had no intent to defraud;

(*b*) If he does not deliver up to the trustee, or as he directs, all such part of his real and personal property as is in his custody or under his control, and which he is required by law to deliver up, unless he proves that he had no intent to defraud;

(*c*) If he does not deliver up to the trustee, or as he directs, all books, documents, papers and writings in his custody or under his control relating to his property or affairs, unless he proves that he had no intent to defraud;

(*d*) If after the presentation of a bankruptcy petition against him or within six months next before such presentation or if after making an assignment or within six months next before the date thereof, he conceals any part of his property to the value of fifty

dollars or upwards or conceals any debt due to or from him, unless he proves that he had no intent to defraud;

(*e*) If after the presentation of a bankruptcy petition against him or within six months next before such presentation or if after making an assignment or within six months next before the date thereof, he fraudulently removes any part of his property to the value of fifty dollars or upwards;

(*f*) If he makes any material omission in any statement relating to his affairs, unless he proves that he had no intent to defraud;

(*g*) If, knowing or believing that a false debt has been proved by any person under the bankruptcy or assignment, he fails for the period of a month to inform the trustee thereof;

(*h*) If, after the presentation of a bankruptcy petition against him or after he makes an assignment, he prevents the production of any book, document, paper or writing affecting or relating to his property or affairs, unless he proves that he had no intent to conceal the state of his affairs or to defeat the law;

(*i*) If, after the presentation of a bankruptcy petition against him or within two years next before such presentation or if after making an assignment or within two years next before the date thereof, he conceals, destroys, mutilates, or falsifies, or is privy to the concealment, destruction, mutilation or falsification of any book or document affecting or relating to his property or affairs, unless he proves that he had no intent to conceal the state of his affairs or to defeat the law;

(*j*) If, after the presentation of a bankruptcy petition against him or within two years next before such presentation or if after making an assignment or within two years next before the date thereof, he makes or is privy to the making of any false entry in any book or document affecting or relating to his property or affairs, unless he proves that he had no intent to conceal the state of his affairs or to defeat the law;

(*k*) If, after the presentation of a bankruptcy petition against him or within two years next before such presentation or if after making an assignment or within two years next before the date thereof, he fraudulently parts with, alters or makes any omission in, or is privy to the fraudulently parting with, altering or making any omission in, any document affecting or relating to his property or affairs;

(*l*) If, after the presentation of a bankruptcy petition against him or after the making of an assignment or

at any meeting of his creditors within six months next before such presentation or assignment, he attempts to account for any part of his property by fictitious losses or expenses;

(*m*) If, within six months next before the presentation of a bankruptcy petition against him or next before the date of an assignment by him, he, by any false representation or other fraud, has obtained any property on credit and has not paid for the same;

(*n*) If, within six months next before the presentation of a bankruptcy petition against him or next before the date of an assignment, by him he obtains, under false pretence of carrying on business and, if a trader, of dealing in the ordinary way of his trade, any property on credit and has not paid for the same, unless he proves that he had no intent to defraud;

(*o*) If he is guilty of any false representation or other fraud for the purpose of obtaining the consent of his creditors or any of them to an agreement with reference to his affairs or to a composition or extension of time;

(*p*) If he knowingly makes or causes to be made, either directly or indirectly, or through any agency whatsoever, any false statement in writing, with intent that it shall be relied upon respecting the financial condition or means or ability to pay of himself or any other person, firm or corporation in whom he is interested, or for whom he is acting, for the purpose of procuring in any form whatsoever, either the delivery of personal property, the payment of cash, the making of a loan, or credit, the extension of a credit, the discount of any account receivable, or the making, acceptance, discount or endorsement of a bill of exchange, cheque, draft or promissory note, either for the benefit of himself or such person, firm or corporation. (Crim. Code, Sec. 407a.)

(*q*) If he, knowing that a false statement in writing has been made respecting the financial condition or means or ability to pay of himself or any other person, firm or corporation in which he is interested or for whom he is acting, procures upon the faith thereof, either for the benefit of himself or such person, firm or corporation, any of the benefits mentioned in the preceding subsection. (Eng. Sec. 154, Crim. Code.)

Undischarged bankrupt obtaining credit.

**168.** Where an undischarged bankrupt or assignor,—

(*a*) either alone or jointly with any other person obtains credit to the extent of fifty dollars or upwards from any person without informing that person that he is an undischarged bankrupt or assignor; or,

Use of deceptive name.

(*b*) engages in any trade or business under a name, other than that under which he traded or carried on business

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at or immediately prior to the filing of a bankruptcy petition or date of an assignment, without disclosing to all persons with whom he enters into any business transaction the name under which he so formerly traded or carried on business;

he shall be guilty of an indictable offence and liable to a fine of eight hundred dollars and to one year's imprisonment. (Eng. Sec. 155.)

Frauds by bankrupts, etc.

**169.** If any person who has been adjudged bankrupt or in respect of whose estate a receiving order has been made or who has made an assignment under this Act,—

(*a*) in incurring any debt or liability has obtained credit under false pretences or by means of any other fraud;

(*b*) with intent to defraud his creditors or any of them has made or caused to be made any gift or transfer of, or charge on, his property;

(*c*) with intent to defraud his creditors, has concealed or removed any part of his property since, or within two months before, the date of any unsatisfied judgment or order for payment of money obtained against him;

he shall be guilty of an indictable offence and liable to a fine of eight hundred dollars and to one year's imprisonment. (Eng. Sec. 156.)

Bankrupt guilty of gambling, etc.

**170.** Any person who has been adjudged bankrupt or in respect of whose estate a receiving order has been made or who has made an assignment under this Act, shall be guilty of an indictable offence and liable to a fine of eight hundred dollars and to one year's imprisonment, if, having been engaged in any trade or business, and having outstanding at the date of the receiving order or assignment any debts contracted in the course and for the purposes of such trade or business,—

(*a*) if he has within two years prior to the presentation of a bankruptcy petition or date of an assignment, materially contributed to or increased the extent of his insolvency by gambling or by rash and hazardous speculations, and such gambling or speculations are unconnected with his trade or business; or,

(*b*) on being required by the trustee at any time or in the course of his examination to account for the loss of any substantial part of his estate incurred within a period of a year next preceding the date of the presentation of the bankruptcy petition or date of assignment, he fails to give a satisfactory explanation of the manner in which such loss was incurred: Provided that, in determining for the purposes of this section whether any speculations were rash and hazardous, the financial position of the accused person at the time when

he entered into the speculations shall be taken into consideration. (Eng. Sec. 157.)

Bankrupt failing to keep proper books of account.

**171.** (1) Any person who has been adjudged bankrupt or in respect of whose estate a receiving order has been made or who has made an assignment under this Act, shall be guilty of an indictable offence and liable to a fine of eight hundred dollars and to one year's imprisonment, if, having during the whole or any part of the two years immediately preceding the presentation of a bankruptcy petition or the date of an assignment been engaged in any trade or business, he has not kept proper books of account throughout those two years or such part thereof as aforesaid, in either the English or the French language, and has not preserved all books of account so kept:

Provided that a person who has not kept or has not preserved such books of account shall not be convicted of an offence under this section if his unsecured liabilities at the date of the receiving order or assignment did not exceed five hundred dollars, or if he proves that in the circumstances in which he traded or carried on business the omission was honest and excusable.

(2) For the purposes of this section, a person shall be deemed not to have kept proper books of account if he has not kept such books or accounts as are necessary to exhibit or explain his transactions and financial position in his trade or business, including a book or books containing entries from day to day in sufficient detail of all cash received and cash paid, and, where the trade or business has involved dealings in goods, also accounts of all goods sold and purchased, and statements of annual stocktakings. (Eng. Sec. 158.)

False claim, etc.

**172.** If any creditor, or any person claiming to be a creditor, in any bankruptcy or assignment proceedings, wilfully and with intent to defraud makes any false claim, or any proof, declaration or statement of account, which is untrue in any material particular, he shall be guilty of an indictable offence, and shall on conviction on indictment be liable to imprisonment with or without hard labour for a term not exceeding one year. (Eng. Sec. 160.)

Order by court for prosecution on report of trustee.

**173.** Where a trustee reports to any court exercising jurisdiction under this Act that, in his opinion, a debtor who has been adjudged bankrupt or in respect of whose estate a receiving order has been made or who has made an assignment for the general benefit of his creditors has been guilty of any offence under this Act, or where the court is satisfied, upon the representation of any creditor or inspector that there is ground to believe that the debtor has been guilty of any such offence, the court shall, if it appears to the

court that there is a reasonable probability that the debtor will be convicted, order that the debtor be prosecuted for such offence:

Provided that it shall not be obligatory on the court, in the absence of any application by the trustee for such an order, to make an order under this section for the prosecution of an offence unless it appears to the court that the circumstances are such as to render a prosecution desirable. (Eng. Sec. 161.)

Criminal liability after discharge or composition.

**174.** Where a debtor has been guilty of any criminal offence, he shall not be exempt from being proceeded against therefor by reason that he has obtained his discharge or that a composition or scheme of arrangement has been accepted or approved. (Eng. Sec. 162.)

Power for court to commit for trial.

**175.** (1) Where there is, in the opinion of the court, ground to believe that the bankrupt or assignor or any other person has been guilty of any offence under this Act, the court may commit the bankrupt or assignor or such other person for trial.

(2) For the purpose of committing the bankrupt or assignor or such other person for trial, the court shall have all the powers of a stipendiary magistrate as to taking dispositions, binding over witnesses to appear, admitting the accused to bail, or otherwise. (Eng. Sec. 163.)

(3) In an indictment for an offence under this Act, it shall be sufficient to set forth the substance of the offence charged in the words of this Act specifying the offence, or as near thereto as circumstances admit, without alleging or setting forth any debt, act of bankruptcy, trading, adjudication, or any proceedings in or order, warrant or document of, any court acting under this Act. (Eng. Sec. 164.)

Crown prosecutors to act in certain cases.

**176.** Where the court orders the prosecution of any person for any offence under this Act or for any offence arising out of or connected with any bankruptcy proceedings, it shall be the duty of the Crown Prosecutor to institute and carry on the prosecution. (Eng. Sec. 165.)

Commencement.

**177.** This Act shall, except as otherwise provided, come into operation on the day of 1919.

First Session, Thirteenth Parliament, 8-9 George V, 1918.

THE HOUSE OF COMMONS OF CANADA

# BILL 25.

An Act respecting Bankruptcy.

**(Reprinted as amended and reported by the Special Committee to which it was referred.)**

Mr. JACOBS.

OTTAWA
J. DE LABROQUERIE TACHÉ
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
40664—1 1918

1st Session, 13th Parliament, 8-9 George V, 1918.

THE HOUSE OF COMMONS OF CANADA.

# BILL 25.

An Act respecting Bankruptcy.

Short title.

**1.** This Act may be cited as *The Bankruptcy Act.*

INTERPRETATION.

Definitions.

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

"Appeal Court" means,—

(*a*) In the province of Alberta, the Appellate Division of the Supreme Court;

(*b*) In the province of British Columbia, the Court of Appeal;

(*c*) In the province of Manitoba, the Court of Appeal;

(*d*) In the province of New Brunswick, the Court of Appeal;

(*e*) In the province of Nova Scotia, the Supreme Court *en banc*;

(*f*) In the province of Ontario, the Supreme Court of Ontario;

(*g*) In the province of Prince Edward Island, the Supreme Court *en banc*;

(*h*) In the province of Quebec, the Appeal side of the King's Bench Court;

(*i*) In the province of Saskatchewan, the Court of Appeal;

(*j*) In the Yukon Territory, a Superior Court *en banc.*

"Court." "The Court" means the court having jurisdiction in bankruptcy under this Act;

"Judge." "Judge" means a judge of a court of bankruptcy;

"Assignor." "Assignor" means any person, firm or corporation who makes an assignment for the general benefit of his creditors under or in pursuance of this Act;

"Bankrupt." "Bankrupt" means a person who has been adjudged a bankrupt;

"Corporation." "Corporation" means any corporation incorporated by or under the authority of an Act of the Parliament of Canada or by or under the authority of any Act of any of the provinces of the Dominion of Canada, and incorporated trading

companies doing business in Canada wheresoever incorporated, but shall not include incorporated banks, savings banks, incorporated insurance companies, trust companies, loan companies, railway companies and building societies having a capital stock;

"Debtor." "Debtor" means any person, whether British subject or not, who at the time an act of bankruptcy was committed or suffered by him, or at the time an assignment for the general benefit of his creditors was made by him,—

(*a*) was personally present in Canada, or,

(*b*) ordinarily resided or had a place of residence in Canada, or,

(*c*) was carrying on business in Canada personally or by means of an agent or manager, or,

(*d*) was a member of a firm or partnership which carried on business in Canada;

"Person." "Person" includes firm and corporation and officers thereof, except where otherwise specified, and partnerships, and women.

"Chartered Bank." "Chartered Bank" means any incorporated bank which is doing business under *The Bank Act* of Canada;

"Debt." "Debt" means any debt, demand or claim provable in bankruptcy, or under an assignment for the general benefit of creditors;

"Discharge." "Discharge" means the release of a bankrupt or assignor from all his debts which are provable in bankruptcy or under an assignment for the general benefit of creditors, save such as are excepted by this Act;

"Province." "Province" means and includes a province of the Dominion of Canada, and also means and includes the Yukon Territory;

"Local newspaper." "Local Newspaper" means a newspaper published and having a circulation in the county, district or judicial district where the debtor has resided or carried on business for the longest period during the six months immediately preceding the presentation of the petition in bankruptcy or the date of the assignment;

"Property." "Property" means and includes money, goods, things in action, land and every description of property, whether real or personal, movable or immovable, and also obligations, easements and every description of estate, interest and profit, present or future, vested or contingent, arising out of or incident to property as above defined;

"Secured creditor." "Secured Creditor" means a person holding a mortgage, hypothec, charge, lien or privilege on the property of the debtor, or any part thereof, as security for the debt due to him from the debtor;

"Trustee." "Trustee" means a trustee duly appointed by the Governor in Council or nominated or appointed by creditors in the manner provided by this Act;

"Wage-earner." "Wage-earner" means an individual who works for wages, salary, commission or hire at a rate of compensation not exceeding fifteen hundred dollars per year;

## PART I.

### Bankruptcy and Receiving Orders.

#### ACTS OF BANKRUPTCY.

Acts of Bankruptcy. **3.** A debtor commits an act of bankruptcy in each of the following cases:—

Fraud. (*a*) If he makes a fraudulent conveyance, gift, delivery or transfer of his property, or of any part thereof;

Preference. (*b*) If he makes any conveyance or transfer of his property, or of any part thereof, or creates any charge thereon, which would, under this Act, be void as a fraudulent preference if he were adjudged bankrupt, or if he makes an assignment for the benefit of his creditors generally;

Absconding. (*c*) If with intent to defeat, delay or defraud his creditors he does any of the following things, namely: Departs out of Canada, or, being out of Canada, remains out of Canada, or departs from his dwelling-house or otherwise absents himself;

Execution. (*d*) If he permits any execution issued against him, under which any of his property is seized, levied upon or taken in execution, to remain unsatisfied till within four days from the time fixed by the sheriff or proper officer for the sale thereof, or for twenty-one days after such seizure, or if the execution is returned *nulla bona*;

Intent to defraud. (*e*) If he assigns, removes, secretes or disposes of or attempts or is about to assign, remove, secrete, or dispose of any of his property with intent to defraud, defeat or delay his creditors or any of them;

Bulk sale. (*f*) If he makes any bulk sale of his property without complying with the provisions of any Bulk Sales Act in force in the province within which he carries or carried on business.

Exhibits statement showing insolvency. (*g*) If any statement of his assets and liabilities prepared by him or under his authority or with his consent and submitted or exhibited to his creditors or any one of them shows that he is insolvent or unable to meet his liabilities as the same accrue due;

Void assignment. (*h*) If he makes an assignment for the benefit of his creditors or any of them which would be null and void under this Act; (Eng. Sec. 1 modified.)

RECEIVING ORDER.

Jurisdiction to make receiving order.

**4.** (1) Subject to the conditions hereinafter specified, if a debtor commits an act of bankruptcy, the court may, on a bankruptcy petition being presented by a creditor, make an order, in this Act called a receiving order, and may adjudge the debtor bankrupt. (New.)

(2) The petition may be presented to the court having jurisdiction in the judicial division or district in which the debtor has resided or carried on business for the longest period during the six months immediately preceding the presentation of the petition. (New.)

CREDITOR'S PETITION.

Conditions on which creditor may petition.

**5.** A creditor shall not be entitled to present a bankruptcy petition against a debtor unless,—

(*a*) the debt owing by the debtor to the petitioning creditor, or, if two or more creditors join in the petition, the aggregate amount of debts owing to the several petitioning creditors amounts to two hundred dollars, and,

Liquidation debt.

(*b*) the debt is a liquidated sum, payable either immediately or at some certain future time, and,

(*c*) the act of bankruptcy on which the petition is grounded has occurred within six months before the presentation of the petition. (Eng. Sec. 4.)

Proceedings on creditor's petition.

**6.** (1) A creditor's petition shall be verified by affidavit of the creditor, or of some person on his behalf having knowledge of the facts, and served in the manner prescribed by this Act or by General Rules as hereinafter provided.

Proof of debt, etc.

(2) At the hearing the court shall require proof of the debt of the petitioning creditor, of the service of the petition, and of the act of bankruptcy, or, if more than one act of bankruptcy is alleged in the petition, of some one of the alleged acts of bankruptcy, and, if satisfied with the proof, may make a receiving order in pursuance of the petition, and may adjudge the debtor bankrupt.

May dismiss petition.

(3) If the court is not satisfied with the proof of the petitioning creditor's debt, or of the act of bankruptcy, or of the service of the petition, or is satisfied by the debtor that he is able to pay his debts, or that for other sufficient cause no order ought to be made, the court may dismiss the petition.

Stay proceedings.

(4) Where the debtor appears on the petition, and denies that he is indebted to the petitioner, or that he is indebted to such an amount as would justify the petitioner in presenting a petition against him, the court on such security (if any) being given as the court may require for payment to the petitioner of any debt which may be established

against him in due course of law, and of the costs of establishing the debt, may, instead of dismissing the petition, stay all proceedings on the petition for such time as may be required for trial of the question relating to the debt.

Receiving order on another petition.

(5) Where proceedings are stayed, the court may, if by reason of the delay caused by the stay of proceedings or for any other cause it thinks just, make a receiving order on the petition of some other creditor, and shall thereupon dismiss, on such terms as it thinks just, the petition in which proceedings have been stayed as aforesaid.

Petition cannot be withdrawn.

(6) A creditor's petition shall not, after presentment, be withdrawn without the leave of the court. (Eng. Sec. 5.)

TRUSTEE UNDER RECEIVING ORDER.

Order shall vest property in trustee.

**7.** (1) On the making of a receiving order, a trustee duly appointed or nominated as provided by this Act, shall be thereby constituted receiver of the property of the debtor, which property shall thereupon vest in the said trustee for the general benefit of creditors, excepting such property as is exempt or held by the debtor in trust as provided by section forty-four of this Act.

Trustee.

(2) The court may constitute as such receiver the trustee named in the bankruptcy petition or some other trustee duly appointed as provided by this Act or nominated by a majority in number and value of the creditors.

Secured creditor.

(3) This section shall not affect the power of any secured creditor to realize or otherwise deal with his security in the same manner as he would have been entitled to realize or deal with it if this section had not been passed. (New.)

Commencement of bankruptcy.

**8.** The bankruptcy of a debtor shall be deemed to have relation back to and commence at the time of the service of the petition in bankruptcy on which a receiving order is made against him. (New.)

INTERIM RECEIVER.

Interim receiver may be appointed.

**9.** After the presentation of a petition, upon the application of a creditor, or of the debtor himself, and upon proof by affidavit of sufficient grounds for the appointment of a trustee as interim receiver of the property of the debtor or any part thereof, the court may, if it thinks fit, and upon such terms as may be just, make such appointment, and may direct such trustee to take immediate possession of said property or of any part thereof. (Eng. Rules 160.)

STAY OF PROCEEDINGS.

Power to stay proceedings.

**10.** The court may, at any time after the presentation of a bankruptcy petition, stay any action, execution,

or other legal process against the property or person of the debtor, and any court in which proceedings are pending against a debtor may, on proof that a bankruptcy petition has been presented by or against the debtor either stay the proceedings or allow them to continue on such terms as it may think just.

Application of Part I.

**11.** The provisions of Part I of this Act shall not apply to wage-earners or persons engaged solely in farming or the tillage of the soil. (New.)

## PART II.

### Assignments and Compositions.

#### ASSIGNMENTS.

When a person is deemed insolvent.

**12.** A person is deemed insolvent if he commits any act which under the provisions of section four of this Act would constitute an act of bankruptcy. (New.)

Assignment for general benefit of creditors.

R.S. c. 144.

**13.** Notwithstanding anything in this Act contained, any insolvent person or firm, at any time prior to the making of a receiving order against such person or firm, or any insolvent corporation at any time prior to the commencement of proceedings under the *Winding-up Act*, against such corporation, may make an assignment for the general benefit of creditors in the manner hereinafter provided.

Assignment may be made to trustee.

**14.** Any such assignment may be made to,—

(*a*) a trustee duly appointed as provided by section twenty-eight of this Act for the province or territorial area where the assignor carried on business for the longest period during the six months immediately preceding the date of the assignment, or where the greater portion of the assignor's property is situate, or,

To another with consent of creditors.

(*b*) with the consent in writing of the majority in number and amount of the creditors of the assignor to any person residing or having an office in the province where the assignor carried on business as aforesaid, or where the greater portion of his property is situate.

Assignment not in accordance with Act null.

**15.** Every assignment for the general benefit of creditors which is not made as hereinbefore provided, shall be absolutely null and void to all intents and purposes.

Form of assignment for general benefit of creditors.

**16.** Every assignment made under this Act for the general benefit of creditors shall be valid and sufficient if it is in the form provided by General Rules or in words to the like effect; and an assignment so expressed shall vest in the

trustee all the property belonging to the assignor at the time of the assignment, excepting such property as is exempt or held by the assignor in trust as provided by section forty-four of this Act.

GENERAL PROVISIONS RELATING TO RECEIVING ORDERS AND ASSIGNMENTS.

Assignments to take precedence of judgements, executions, etc.

**17.** Every assignment for the general benefit of creditors and every receiving order under this Act shall take precedence of all attachments of debts by way of garnishment where the money has not been actually paid over to the garnishing creditor, as well as of all other attachments and judgments and of all executions not completely executed by payment, subject to the lien, if any, of an execution or attaching creditor for his costs, including sheriff's fees and disbursements where there is but one execution or attachment in the sheriff's hands, or to the lien, if any, for his costs, of the creditor who has the first execution or attachment in the sheriff's hands.

Sheriff to deliver property of debtor and trustee.

**18.** If an assignment as aforesaid has been duly executed and registered, or if a receiving order has been made the sheriff, bailiff or other officer of any court having seized property of the debtor under execution or attachment or any other process whatsoever, shall upon receiving a copy of the assignment or receiving order duly certified by the proper court official, forthwith deliver to the trustee all the property of the execution debtor in his hands, upon payment by the trustee of his fees and charges and the costs of the execution creditors who have a lien as above provided. If the sheriff or bailiff or other officer has sold the debtor's estate or any part thereof, he shall deliver to the trustee the moneys so realized by him less his fees and the said costs.

Amendment of assignment by judge.

**19.** No advantage shall be taken of or gained by any creditor through any mistake, defect or imperfection in any assignment under this Act for the general benefit of creditors, or in any receiving order or proceedings connected therewith, if the same can be amended or corrected; and any mistake, defect or imperfection, may be amended by the court. Such amendment may be made on application of the trustee or of any creditor on such notice being given to other parties concerned as the judge shall think reasonable; and the amendment when made shall have relation back to the date of the assignment or petition in bankruptcy, but not so as to prejudice the rights of innocent purchasers for value.

PUBLICATION.

Notice of assignment to be published.

**20.** (1) No receiving order or assignment for the general benefit of creditors under this Act shall be within the operation of any Act or Statute now or at any time in force in any of the provinces relating to bills of sale or chattel mortgages, but a notice of the said receiving order or assignment and of the first meeting of creditors to be called under this Act, shall as soon as possible, be published in the *Canada Gazette*, and not less than six days prior to said meeting in two issues of at least one local newspaper. Said notice shall be in the form prescribed by General Rules or in words to like effect.

Canada Gazette to be kept on file by registrars, recorders or clerks, and notices indexed.

(2) The registrars of the courts of bankruptcy, the registrars of all land title and land registration offices and the recorders or clerks of all courts and offices wherein any documents of title relating to property are, according to the provisions of this Act or of the law of the province, registered, recorded or filed, shall keep on file for public reference a copy of each issue of the *Canada Gazette* which contains any notice or notices of receiving orders or assignments referring to bankrupts or assignors who resided or carried on business in the province wherein the said courts or offices are situated; and they shall also keep an index book wherein they shall enter alphabetically the name of each bankrupt and assignor who resided or carried on business in such province prior to the date of the receiving order or assignment and in respect of whose estate a notice may at any time hereafter appear in said *Canada Gazette*.

Fees.

(3) A fee not exceeding twenty-five cents for each search and fifty cents for each certificate may be charged by such registrar, recorder or clerk. (New.)

REGISTRATION.

Assignment to be registered in land registration office, or registry.

**21.** Every receiving order or a certified copy thereof, and every such assignment or a counterpart thereof shall be registered or filed (or tendered to the registrar or other proper officer for registration or filing) in the land titles office, land registration district, or registry office of the district, county or territory where the real or immovable property owned by the debtor or any part thereof or in which he has any estate or interest is situate, and from and after such registration, filing or tendering, the receiving order or assignment shall take precedence of all certificates of judgment, judgments operating as a hypothec, executions and attachments against land within any such office or district not completely executed by payment, subject to a lien for the costs of such judgment or attaching creditors.

Application to compel registration.

**22.** If the receiving order or assignment is not registered, or filed, or if notice of said receiving order or assignment is not published within the time and in the manner prescribed by this Act, an application may be made by any creditor or by the debtor to compel the registration, or filing of the receiving order or assignment, or publication of such notice; and the judge shall make his order in that behalf and with or without costs or upon the payment of costs by such person as he may, in his discretion, direct to pay the same; and such judge may, in his discretion, impose a penalty on the trustee for any omission, neglect or refusal to so register, file, or publish as aforesaid, in an amount not exceeding the sum of five hundred dollars and such penalty when imposed shall forthwith be paid by the trustee personally into and for the benefit of the estate of the debtor.

Agreement not invalidated by omission to register

**23.** The omission to publish or register as aforesaid, or any irregularity in the publication or registration, shall not invalidate the assignment or affect or prejudice the said receiving order but not so as to prejudice the rights of innocent purchasers for value.

COMPOSITION OR SCHEME OF ARRANGEMENT.

Composition or scheme of arrangement.

**24.** (1) Where a debtor is insolvent or admits his insolvency and desires to make a proposal for a composition in satisfaction of his debts, or a proposal for an extension of time for payment of his indebtedness, or for a scheme of arrangement of his affairs, he may at any time require a trustee either before or after the making of a receiving order or the execution by him of an assignment for the general benefit of his creditors, to call a meeting of his

Proceedings by debtor.

creditors for the purpose of considering such proposal and his statement of affairs, such meeting to be held at the office of a duly appointed trustee, or if a receiving order or assignment has been made, such meeting is to be held in the office of the acting trustee. He shall upon making application to the trustee, or within such time as the trustee may fix, lodge with the trustee a statement of his affairs, a true and correct list of his creditors, duly verified by his statutory declaration, showing the amount payable to each creditor, and a proposal in writing signed by him embodying the terms of the composition or scheme which he is desirous of submitting for the consideration of his creditors and setting out the particulars of any sureties or securities proposed.

Proceedings by trustee.

(2) In such case the trustee shall hold a meeting of creditors and shall send to each creditor at least ten days before the meeting a notice of the time and place of such meeting, a copy of a statement of affairs and a copy

of the debtor's proposal; if at such meeting a majority in number and three-fourths in value of all the creditors who have proved their claims, in accordance with the provisions of section seventy-nine of this Act, resolve to accept the proposal or any alteration or modification thereof, it shall be deemed to be duly accepted by the creditors, and if approved by the court, shall be binding on all the creditors, the secured creditors who have realized or valued their securities ranking concurrently with the other creditors for their unpaid balances. (Eng. Sec. 16, ss. 1 and 2.)

Creditor may assent or dissent by letter.

**25.** (1) Any creditor who has proved his claim may assent to or dissent from the proposal by a letter to that effect addressed to the trustee, prior to the meeting, and any such assent or dissent if received by the trustee at or prior to the meeting shall have effect as if the creditor had been present and had voted at the meeting of creditors.

(2) The trustee shall forthwith, if the proposal is accepted by the creditors, apply to the court to approve it. (Eng. Sec. 16, ss. 4 and 5.)

Examination of debtor.

**26.** If ten per cent in value of the creditors request the examination of the debtor, the trustee shall cause the debtor to be examined before the registrar or such other officer appointed for that purpose by General Rules, and the said examination may be read upon the hearing of the application for the approval of the composition or scheme of arrangement and the court may direct that the debtor attend for the purpose of further examination before such court. (New.)

Court to hear report of trustee.

**27.** (1) The court shall, before approving the proposal for a composition, extension or scheme, hear the report of the trustee as to the terms thereof, and as to the conduct of the debtor, and any objections which may be made by or on behalf of any creditor.

Court may refuse to approve the proposal.

(2) If the court is of opinion that the terms of the proposal are not reasonable, or are not calculated to benefit the general body of creditors, or in any case in which the court is required, where the debtor is adjudged bankrupt, to refuse his discharge, the court shall refuse to approve the proposal.

Reasonable security.

(3) If any facts are proved on proof of which the court would be required either to refuse, suspend or attach conditions to the debtor's discharge were he adjudged bankrupt, the court shall refuse to approve the proposal, unless it provides reasonable security for payment of not less than fifty cents on the dollar on all the unsecured debts provable against the debtor's estate.

Power of court.

(4) In any case the court may either approve or refuse to approve the proposal.

When approved shall be binding on all creditors.

(5) A composition, extension or scheme accepted and approved in pursuance of this section shall be binding on all the creditors so far as relates to any debts due to them from the debtor and provable under this Act, but shall not release the debtor from any liability under a judgment against him in an action for seduction, or under an affiliation order or for alimony, or under a judgment against him as co-respondent in a matrimonial case or for necessaries of life or alimentary debts, except to such an extent and under such conditions as the court expressly orders in respect of such liability.

Provisions may be enforced.

(6) The provisions of a composition, extension or scheme under this Act may be enforced by the court on application by any person interested, and any disobedience of an order of the court made on the application shall be deemed a contempt of court.

Proceedings in case of default.

(7) If default is made in payment of any instalment due in pursuance of the composition, extension or scheme, or if it appears to the court, on satisfactory evidence, that the composition, extension or scheme cannot, in consequence of legal difficulties, or for any sufficient cause, proceed without injustice or undue delay to the creditors or to the debtor, or that the approval of the court was obtained by fraud, the court may, if it thinks fit, on application by the trustee or by any creditor, adjudge the debtor bankrupt, and annul the composition, extension or scheme, but without prejudice to the validity of any sale, disposition or payment duly made, or thing duly done, under or in pursuance of the composition, extension or scheme. Where a debtor is adjudged bankrupt under this subsection, any debt provable in other respects, which has been contracted before the adjudication, shall be provable in the bankruptcy.

Definitions.

(8) All parts of this Act shall, so far as the nature of the case and the terms of the composition, extension or scheme admit, apply to such composition, extension or scheme as if the terms "bankruptcy," "assignment," "bankrupt," and "assignor" included respectively a composition, extension or scheme of arrangement and a compounding or arranging debtor.

Priority of debts.

(9) No composition, extension or scheme shall be approved by the court which does not provide for the payment in priority to other debts of all debts directed to be so paid in the distribution of the property of a bankrupt or assignor.

Effect of acceptance.

(10) The acceptance by a creditor of a composition, extension or scheme shall not release any person who under this Act would not be released by an order of discharge if the debtor had been adjudged bankrupt.

Court may make order annulling bankruptcy or assignment.

(11) Where a debtor has been adjudged bankrupt or has made an assignment under this Act and the court subsequently approves the composition, extension or scheme,

it may make an order annulling the bankruptcy or assignment and vesting the property of the debtor in him or in such other person as the court may appoint on such terms and subject to such conditions, if any, as the court may declare.

## PART III.

### Trustees and Administration of Property.

#### APPOINTMENT OF TRUSTEES.

Nomination of trustees.

**28.** The Governor in Council may upon application appoint such persons to be trustees under this Act as he may deem advisable or expedient, and may in his discretion revoke any such appointment. Such trustee may be appointed to act generally in a province or within specified territorial areas within the province, but notwithstanding any restrictions as to territory, a trustee shall always have power to act outside his particular territory for the purpose of obtaining possession of and realizing upon the assets of the debtor.

Appointment.

**29.** Every person who applies to the Governor in Council to be appointed as a trustee under this Act shall give full particulars in his application of his qualifications, ability and previous business experience.

General security to be given by trustee.

**30.** (1) No trustee so appointed shall accept any assignment or trust or execute any duties under this Act unless and until he has given security to the satisfaction of the Governor in Council by bond or bonds, or otherwise, for the due accounting and payment over and transfer of all moneys and property received by him as such trustee to His Majesty, his heirs and successors, as represented by such departmental officer as may be designated by the Governor in Council, and such officer shall be a special trustee for the creditors and estate. The amount of such security shall not, at any time, be less than ten thousand dollars, and the trustee may charge up to each estate which comes into his hands an amount not exceeding five dollars to reimburse himself for the expense incident to the furnishing of such security. (New.)

Security to be kept in force.

(2) The said bond shall be kept in force by the trustee until such time as the appointment of the trustee is revoked or until he resign such appointment, and until such further time as the Governor in Council is satisfied that all monies and properties received by the trustee have been duly accounted for and paid over to the parties entitled thereto, whereupon such bond shall be released and discharged.

Additional security to be given by trustee.

**31.** (1) Unless the creditors, either at the first meeting, or at a meeting convened by notice to all the creditors, resolve to dispense with further security, the trustee under a receiving order or an assignment, whether such trustee has been appointed by the Governor in Council or by the debtor with the consent of his creditors as hereinbefore provided, shall give security to the registrar of the court in the district in which the debtor resided or carried on business at the date of the receiving order or assignment in an amount satisfactory to the registrar by bond or bonds or otherwise for the due accounting and payment over and transfer of all moneys and properties received or to be received by him as such trustee in respect of the estate of such debtor, such security to be given within thirty days of the date of the receiving order or assignment. The expenses incident to the furnishing of such security may be charged up to the estate of the debtor by the trustee.

Meeting to be called if security not given.

(2) Should the trustee be unable or fail to give the security above required in the manner, and within the time hereinbefore provided, he shall within ten days from the expiration of the said thirty days, by notice in writing convene a meeting of all the creditors of the debtor for the purpose of appointing a new trustee, and should he neglect or refuse to call such meeting, he shall be guilty of an offence and subject to the penalties provided therefor by this Act.

New trustee appointed.

(3) In case the trustee fails to give the security provided by this section and a new trustee is not appointed by the creditors, the court may, on the application of any creditor, appoint a new trustee. (New.)

Security surrendered.

(4) Provided that upon the payment by the trustee of the final dividend the security provided for by this section shall, with the approval of the inspectors or the court, be forthwith surrendered to the trustee.

New trustee may be substituted.

**32.** (1) A majority in number and value of the creditors who have proven claims to the amount of twenty-five dollars or upwards may at their discretion at any meeting of creditors substitute any other person for the trustee named in the receiving order or to whom an assignment has been made.

(2) A trustee may be removed and another substituted or an additional trustee appointed by the court.

Property of debtor to vest in new trustee.

**33.** When a new trustee is substituted or appointed as in the last two preceding sections provided, all the property and estate of the debtor shall forthwith vest in the new trustee without a conveyance or transfer, and he shall register an affidavit of his appointment in the office of the registrar of the court from which the

receiving order was issued, or in the case of an assignment, in each office of the registrar in which the original assignment or copy or counterpart thereof was filed. Such an affidavit may also be registered in any land registration district, land titles office, registry office or other land registration office and such registration or filing shall have the same effect as the registration of a conveyance or filing of a transfer to the new trustee.

Trustee. not bound to act unless tendered fees and disbursements.

**34.** No trustee shall be bound to accept an assignment or act as trustee in matters relating to assignments, receiving orders, compositions or extension agreements, if in his opinion the realizable value of the property of the debtor is not sufficient to provide the necessary disbursements and a reasonable remuneration for the trustee, unless and until the trustee has been paid or tendered a sum sufficient to defray all such disbursements and remuneration. (New.)

OFFICIAL NAME.

Official name of trustee.

**35.** The official name of a trustee under this Act shall be " The Trustee of the Property of ....., a Bankrupt (or Assignor) " (inserting the name of the bankrupt or assignor), and by that name the trustee may in any part of Canada or elsewhere hold property of every description, make contracts, sue or be sued, enter into any engagement binding on himself and his successors in office, and do all other acts necessary or expedient to be done in the execution of his office. (Eng. Sec. 76.)

DUTIES AND POWERS OF TRUSTEES.

Duties and powers of trustee.

**36.** (1) The trustee shall, as soon as may be, take possession of the deeds, books and documents of the debtor and all other parts of his property capable of manual delivery.

(2) The trustee shall in relation to and for the purpose of acquiring and retaining possession of the property of the debtor be in the same position as if he were a receiver of the property, appointed by the court, and the court may, on his application enforce such acquisition or retention accordingly. (Eng. Sec. 48, ss. 1 and 2.)

(3) Unless otherwise directed in writing by the inspectors, the trustee shall forthwith, on the making of a receiving order or execution of an assignment for the benefit of creditors, insure and keep insured in his official name until sold or disposed of by him all the insurable property of the debtor to the full insurable value thereof, in insurance companies duly licensed under the laws of the province wherein the insured property is situate.

Powers of trustee to deal with property.

**37.** Subject to the provisions of this Act, the trustee may do all or any of the following things:—

(*a*) Give receipts for any money received by him, which receipts shall effectually discharge the person paying the money from all responsibility in respect of the application thereof;

(*b*) Prove, rank, claim and draw a dividend in respect of any debt due to the debtor;

(*c*) Exercise any powers the capacity to exercise which is vested in the trustee under this Act, and execute any powers of attorney, deeds and other instruments for the purpose of carrying into effect the provisions of this Act. (Eng. Sec. 55.)

Trustee to have right to sell patented articles.

**38.** (1) Where any property of the debtor vesting in a trustee under this Act consists of patented articles or goods or chattels, which had been sold to the debtor subject to any restrictions or limitations, the trustee shall not be bound by any such restrictions or limitations but may sell and dispose of any such patented articles or goods and chattels in the manner hereinbefore provided, free and clear of any such restrictions or limitations. (New.)

Right of manufacturer.

(2) If the manufacturer or vendor of any such patented articles or goods or chattels should object to the disposition of them by the trustee as aforesaid and give to the trustee notice in writing of such objection within five days after the date of the receiving order or assignment, such manufacturer or vendor shall have the right to purchase such patented articles or goods or chattels at the invoice prices thereof, subject to any reasonable deduction for depreciation or deterioration.

Powers exercisable by trustee with permission of inspectors.

**39.** The trustee may, with the permission in writing of the inspectors, do all or any of the following things:—

(*a*) Sell all or any part of the property of the debtor (including the goodwill of the business, if any, and the book debts due or growing due to the debtor), by public auction or private contract, with power to transfer the the whole thereof to any person or company, or to sell the samei n parcels;

(*b*) Carry on the business of the debtor, so far as may be necessary for the beneficial winding-up of the same;

(*c*) Bring, institute, or defend any action or other legal proceeding relating to the property of the debtor;

(*d*) Employ a solicitor or other agent to take any proceedings or do any business which may be sanctioned by the inspectors;

(*e*) Accept as the consideration for the sale of any property of the debtor a sum of money payable at a future time subject to such stipulations as to security and otherwise as the inspectors think fit;

(*f*) Mortgage or pledge any part of the property of the debtor for the purpose of raising money for the purposes of the estate;

(*g*) Refer any dispute to arbitration, compromise any debts, claims and liabilities, whether present or future, certain or contingent, liquidated or unliquidated, subsisting or supposed to subsist between the debtor and any person who may have incurred any liability to the debtor, on the receipt of such sums, payable at such times, and generally on such terms as may be agreed on;

(*h*) Make such compromise or other arrangement as may be thought expedient with creditors, or persons claiming to be creditors, in respect of any debts provable against the estate;

(*i*) Make such compromise or other arrangement as may be thought expedient with respect to any claim arising out of or incidental to the property of the debtor, made or capable of being made on the trustee by any person or by the trustee on any person.

The permission given for the purpose of this section, shall not be a general permission to do all or any of the above mentioned things, but shall only be a permission to do the particular thing or things for which permission is sought in the specified case or cases. (Eng. Sec. 56.)

Power to allow bankrupt to manage property.

**40.** The trustee, with the permission of the inspectors, may appoint the debtor himself to superintend the management of the property of the debtor or any part thereof, or carry on the trade (if any) of the debtor for the benefit of his creditors, and in any other respect to aid in administering the property in such manner and on such terms as the trustee may direct. (Eng. Sec. 57.)

Allowance to bankrupt for maintenance or service.

**41.** The trustee may from time to time, with the permission of the inspectors, make such allowance as he may think just to the debtor out of his property for the support of the debtor and his family, or in consideration of his services, if he is engaged in winding-up his estate, but any such allowance may be reduced by the court. (Eng. Sec. 58.)

Protection of trustee from personal liability in certain cases.

**42.** Where the trustee has seized or disposed of any goods, chattels, property or other effects in the possession or on the premises of a debtor who has made an assignment for the general benefit of creditors or against whom a receiving order has been made, without notice of any claim by any persons in respect of the same, and it is thereafter made to appear that the said goods, chattels, property or other effects were not at the date of said assignment or receiving order the property of the debtor, the trustee shall not be personally liable for any loss or damage arising from such seizure

or disposal sustained by any person claiming such property nor for the costs of any proceedings taken to establish a claim thereto unless the court is of opinion that the trustee has been guilty of negligence in respect of the same.

Report to creditors by trustee.

**43.** The trustee shall from time to time report (*a*) when required by the inspectors, to every creditor, and (*b*) when required by any specific creditor, to such creditor, showing the position of the debtor's estate, the monies on hand, if any, and particulars of any property remaining unsold. The trustee shall be entitled to charge therefor only his actual disbursements.

ADMINISTRATION OF ESTATE.

Description of debtor's property divisible amongst creditors.

**44.** The property of the debtor divisible among his creditors under a receiving order or under an assignment for the general benefit of creditors, shall not comprise the following:—

(1) Property held by the debtor in trust for any other person;

(2) Any property exempt from execution or seizure under legal process to which the debtor is entitled in accordance with the laws of the province within which he resides.

But it shall comprise the following:—

(*a*) All such property, except as aforesaid, as may belong to or be vested in the debtor at the date of the filing of any bankruptcy petition or at the date of the execution of an assignment for the general benefit of creditors, and in the case of a bankrupt, all property which may be acquired by or devolve on him before his discharge, and,

(*b*) The capacity to exercise and to take proceedings for the exercising all such powers in or over or in respect of the property as might have been exercised by the debtor for his own benefit at the date of said petition or assignment, or in the case of such bankrupt before his discharge.

Property not to be removed from province.

**45.** No property or assets of an estate shall be removed out of the province where such property or assets were situate at the date of any receiving order or assignment without the consent in writing of the inspectors or the order of a judge of the Court in which proceedings under this Act are being carried on or within the jurisdiction of which such property or assets are situate, and the proceeds of the sale of any such property or assets and all moneys received on account of any estate, shall be deposited by the trustee in one of the chartered banks, and shall not be withdrawn or removed without the consent in writing of the inspectors or the order of such judge, except in payment of dividends and other charges incidental to the winding-up of the estate.

Moneys to be deposited in bank.

Combination of business by trustee.

**46.** If the trustee is directed to continue the business of a debtor he may incur obligations and make necessary or advisable advances, which obligations and advances so incurred or made shall be discharged or repaid to the trustee out of the assets of the debtor in priority to the claims of the creditors.

Provided that:

(*a*) The creditors or inspectors may by resolution limit the amount of the obligations or advances which may be made or paid by the trustee in the continuance of the business or the period of time for the continuance of the business; and,

(*b*) The trustee shall not continue the business if in his opinion the realizable value of the assets of the debtor is insufficient to fully protect him against possible loss from so doing, and if the creditors, upon demand made by the trustee, neglect, or refuse to secure him against such possible loss.

Law of set-off to apply.

**47.** The law of set-off shall apply to all claims made against the estate, and also to all actions instituted by the trustee for the recovery of debts due to the debtor, in the same manner and to the same extent as if the debtor were plaintiff or defendant, as the case may be, except in so far as any claim for set-off shall be affected by the provisions of this Act respecting frauds or fraudulent preferences.

How claims are to rank where different estates.

**48.** If any debtor executing an assignment under this Act for the general benefit of his creditors or against whom a receiving order has been made, owes or owed debts both individually and as a member of one or more different co-partnerships, the claims shall rank first upon the estate by which the debts they represent were contracted and shall only rank upon the other or others after all the creditors of such other estate or estates have been paid in full.

SETTLEMENT AND PREFERENCES.

Avoidance of certain settlements.

**49.** (1) Any settlement of property, not being a settlement made before and in consideration of marriage, or made in favour of a purchaser or incumbrancer in good faith and for valuable consideration, or a settlement made on or for the wife or children of the settlor of property which has accrued to the settlor after marriage in right of his wife shall, if the settlor becomes bankrupt or insolvent or makes an assignment for the general benefit of his creditors within one year after the date of the settlement, be void against the trustee, and shall, if the settlor becomes bankrupt or insolvent or makes an assignment as aforesaid, at any subsequent time within five years after the date of the settlement, be void against the trustee, unless the parties

claiming under the settlement can prove that the settlor was, at the time of making the settlement, able to pay all his debts, without the aid of the property comprised in the settlement, and that the interest of the settlor in such property passed to the trustee of such settlement on the execution thereof.

Certain marriage contracts void as against trustee.

(2) Any covenant or contract made by any person (hereinafter called the settlor) in consideration of his or her marriage, either for the future payment of money for the benefit of the settlor's wife or husband or children, or for the future settlement on or for the settlor's wife or husband or children, of property wherein the settlor had not at the date of the marriage any estate or interest, whether vested or contingent, in possession or remainder, and not being money or property in right of the settlor's wife or husband, shall, if the settlor is adjudged bankrupt or makes an assignment as aforesaid, and the covenant or contract has not been executed at the date of the petition in bankruptcy or said assignment, be void against the trustee except so far as it enables the persons entitled under the covenant or contract to claim for dividend in the settlor's estate under or in respect of the covenant or contract, but any such claim to dividend shall be postponed until all claims of the other creditors for valuable consideration in money or money's worth have been satisfied.

Payment void.

(3) Any payment of money (not being payment of premiums on a policy of life assurance) or any transfer of property made by the settlor in pursuance of such a covenant or contract as aforesaid shall be void against the trustee unless the persons to whom the payment or transfer was made prove either,—

(*a*) that the payment or transfer was made more than one year before the date of the petition in bankruptcy or said assignment: or,

(*b*) that at the date of the payment or transfer the settlor was able to pay all his debts without the aid of the money so paid or the property so transferred; or,

(*c*) that the payment or transfer was made in pursuance of a covenant or contract to pay or transfer money or property expected to come to the settlor from or on the death of a particular person named in the covenant or contract and was made within three months after the money or property came into the possession or under the control of the settlor;

but, in the event of any such payment or transfer being declared void, the persons to whom it was made shall be entitled to claim for dividend under or in respect of the covenant or contract in like manner as if such payment or transfer had not been executed at the date of the said petition or assignment.

"Settlement" defined.

(4) " Settlement " shall, for the purpose of this section, include any conveyance or transfer of property. (Eng. Sec. 42.)

Avoidance of general assignment of book debts.

**50.** (1) Where a person engaged in any trade or business makes an assignment to any other persons of his existing or future book debts or any part thereof and is subsequently adjudicated bankrupt or makes an assignment for the general benefit of his creditors, such assignment of book debts shall be void against the trustee as regards any book debts which have not been paid at the date of the petition in bankruptcy or the date of the said assignment for the general benefit of creditors, unless there has been compliance with the provisions of any statute now or at any time hereafter in force in the province wherein such person resides or is engaged in said trade or business as to registration, notice and publication.

Provided that nothing in this section shall have effect so as to render void any assignment of book debts, due at the date of the assignment from specified debtors, or of debts growing due under specified contracts, or any assignment of book debts included in a transfer of a business made *bona fide* and for value, or in any assignment of assets for the general benefit of creditors.

(2) For the purpose of this section " assignment " includes assignment by way of security and other charges on book debts. (Eng. Sec. 43.)

Avoidance of preference in certain cases.

**51.** (1) Every conveyance or transfer of property or charge thereon, every obligation incurred, and every judicial proceeding taken or suffered by any person who is insolvent, or who is unable to pay his debts as they become due from his own money, in favour of any creditor or of any person in trust for any creditors with a view of giving such creditor or any surety or guarantor for the debt due to such creditor, a preference over the other creditors, or which has the effect of giving such creditor or any such surety or guarantor a preference over the other creditors, shall, if the person making, taking, or suffering the same is adjudged bankrupt on a bankruptcy petition presented within three months after the date of making, taking, or suffering the same, or if he makes an assignment for the general benefit of his creditors within three months of said date, be deemed fraudulent and void as against the trustee.

Rights preserved.

(2) This section shall not affect the rights of any person making title in good faith and for valuable consideration through or under a creditor of the bankrupt or assignor. (Eng. Sec. 44.)

When transaction deemed a preference.

(3) Any such transaction shall be deemed to be one which has the effect of giving a creditor a preference over the other creditors within the meaning of this section if

by such transaction a creditor is given or realizes or is placed in a position to realize payment, satisfaction or security for the debtor's indebtedness to him or a portion thereof, greater proportionately than could be realized by or for the other creditors out of the property of the debtor left available in the hands of the trustee; and such effect shall not be deemed dependent upon the intent or motive of either the debtor or the creditor, or upon the transaction being entered into voluntarily or under pressure, and no pressure by a creditor or want of notice to the creditor alleged to have been preferred of the insolvency of the debtor or his inability to pay his debts as they become due from his own money, or of the effect of the transaction shall avail to protect the transaction. (New.)

Recovering proceeds if reconveyed.

**52.** If the person who receives any settlement of property, conveyance or transfer which is void under this Act, shall have sold, disposed of, realized on or collected the property so conveyed or transferred or any part thereof, the money or other proceeds, whether further disposed of or not, shall be the property of the trustee who may recover the same, or the value of such property from the person who received the same if reconveyed without adequate consideration, as fully and effectually as he could have recovered the property so sold, disposed of, realized on or collected, and in case the consideration of any resale or any part thereof shall remain unsatisfied, the trustee shall be subrogated to the rights of the vendor to compel payment or satisfaction.

PROTECTION OF *bona fide* TRANSACTIONS.

Protection of *bona fide* transactions without notice.

**53.** Provided, however, that nothing in the foregoing provisions of this Act with respect to the avoidance of certain settlements and preferences, shall invalidate, in the case of a bankruptcy or assignment for the general benefit of creditors,—

(*a*) any assignment for the general benefit of creditors under this Act;

(*b*) any *bona fide* sale or payment made in the ordinary course of trade or calling to innocent purchasers or parties;

(*c*) any *bona fide* conveyance, assignment, transfer or delivery over of any goods, securities or property of any kind which is made in consideration of any present actual *bona fide* payment in moneys, or by way of security for any present actual *bona fide* advance of money; or is made in consideration of any present actual *bona fide* sale or delivery of goods or other property; provided that the money paid or the goods

or other property sold or delivered bear a fair and reasonable relative value to the consideration therefor.

(*d*) any *bona fide* payment of money by the bankrupt or assignor to any of his creditors, provided that such payment is made before the date of the presentation of a bankruptcy petition or date of assignment, and the person to whom the payment is made had not at the time of the payment any notice or knowledge of any available act of bankruptcy committed by the bankrupt or assignor before that time. (Eng. Sec. 45.)

Dealings with undischarged bankrupt.

**54.** (1) All transactions by a bankrupt with any person dealing with him *bona fide* and for value, in respect of property whether real or personal, acquired by the bankrupt after the adjudication, shall, if completed before any intervention by the trustee, be valid against the trustee and any estate or interest in such property which by virtue of this Act is vested in the trustee shall determine and pass in such manner and to such extent as may be required for giving effect to any such transaction.

For the purposes of this subsection, the receipt of any money, security, or negotiable instrument, from or by the order or direction of a bankrupt by his banker, and any payment and any delivery of any security or negotiable instrument made to, or by the order or direction of a bankrupt by his banker, shall be deemed to be a transaction by the bankrupt with such banker dealing with him for value.

Bank must notify trustee.

(2) Where a banker has ascertained that a person having an account with him is an undischarged bankrupt, then, unless the banker is satisfied that the account is on behalf of some other person, it shall be his duty forthwith to inform the trustee in the bankruptcy of the existence of the account, and thereafter he shall not make any payments out of the account, except under an order of the court or in accordance with instructions from the trustee in the bankruptcy, unless by the expiration of one month from the date of giving the information no instructions have been received from the trustee. (Eng. Sec. 47.)

Proceedings by creditor when trustee refuses ts act.

**55.** If at any time a creditor desires to cause any proceeding to be taken which in his opinion would be for the benefit of the estate, and the trustee under the authority of the creditors or inspectors refuses or neglects to take such proceeding after being duly required to do so, the creditor shall have the right to obtain an order from the court authorizing him to take proceedings in the name of the trustee, but at his own expense and risk, upon such terms and conditions as to indemnity to the trustee as the court may prescribe, and thereupon any benefit derived

from the proceedings shall to the extent of his claim and full costs belong exclusively to the creditor instituting the same for his benefit, but if before such order is granted the trustee shall, with the approval of the inspectors, signify to the court his readiness to institute the proceedings for the benefit of the creditors, the order shall prescribe the time within which he shall do so, and in that case the advantage derived from the proceedings, if instituted within such time, shall belong to the estate of the debtor.

DIVIDENDS.

Trustee to pay dividends promptly.

**56.** Such dividend as can be paid shall be so paid by every trustee under this Act within six months from the date of the receiving order or assignment, and earlier, if required by the inspectors, and thereafter a further dividend shall be paid whenever the trustee has sufficient moneys on hand to pay a dividend to the creditors of ten per cent, and more frequently if required by the inspectors, until the estate is wound up and disposed of.

Abstract of receipts and disbursements.

**57.** So soon as a final dividend sheet is prepared, notice thereof shall be given by letter posted to each creditor, enclosing an abstract of receipts and disbursements, showing what interest has been received by the trustee for moneys in his hands, together with a copy of the dividend sheet, noting thereon the claims objected to, and stating whether any reservation has or has not been made therefor, and, after the expiry of eight days from the day of mailing such notice, abstract and dividend sheet as aforesaid, dividends on all claims not objected to within that period shall be paid.

Right of creditor who has not proved debt before declaration.

**58.** Any creditor who has not proved his debt before the declaration of any dividend or dividends shall be entitled to be paid out of any money for the time being in the hands of the trustee any dividend or dividends he may have failed to receive, before such money is applied to the payment of any future dividend or dividends, but he shall not be entitled to disturb the distribution of any dividend declared before his debt was proved by reason that he has not participated therein. (Eng. Sec. 65.)

Final dividend.

**59.** (1) When the trustee has realized all the property of the bankrupt, or assignor, or so much thereof as can, in the joint opinion of himself and of the inspectors be realized without needlessly protracting the trusteeship, he shall declare a final dividend, but before so doing he shall give notice in manner prescribed by section one hundred and five to the persons whose claims to be

creditors have been notified to him, but not established to his satisfaction that if they do not establish their claims to the satisfaction of the court within a time limited by the notice (which shall be within thirty days after the mailing or service of the notice), he will proceed to make a final dividend without regard to their claims.

Division of property.

(2) After the expiration of the time so limited, or, if the court on application by any such claimant grants him further time for establishing his claim, then on the expiration of such further time, the property of the bankrupt, or assignor shall be divided among the creditors who have proved their debts, without regard to the claims of any other persons. (Eng. Sec. 67.)

No action for dividend.

(3) No action for a dividend shall lie against the trustee, but if the trustee refuses to pay any dividend, the court may, if it thinks fit, order him to pay it, and also to pay out of his own money interest thereon for the time that it is withheld and the costs of the application. (Eng. Sec. 68.)

Right of debtor to surplus.

**60.** The debtor shall be entitled to any surplus remaining after payment in full of his creditors with interest as by this Act provided and of the costs, charges and expenses of the proceedings under the bankruptcy petition or under the assignment. (Eng. Sec. 69.)

Appeal to court against trustee.

**61.** If the debtor or any of the creditors or any other person is aggrieved by any act or decision of the trustee, he may apply to the court and the court may confirm, reverse or modify the act or decision complained of and make such order in the premises as it thinks just. (Eng. Sec. 80.)

REMUNERATION OF TRUSTEE.

Remuneration of trustee.

**62.** The trustee shall receive such remuneration as shall be voted to him by the creditors at any general meeting, or by the inspectors in case the creditors fail to provide therefor, subject to review by the court upon application of the trustee or of any creditor.

Limited to 5 per cent.

**63.** (1) Where the remuneration of the trustee has not been fixed under the next preceding section before the final dividend, the trustee may insert in the final dividend sheet and retain as his remuneration a sum not exceeding five per cent of the cash receipts, subject to review by the court; but no application by the trustee to review the allowance shall be entertained unless the question of his remuneration has been brought before a meeting of creditors or inspectors before the preparation of the final dividend sheet.

Disbursements to be taxed.

(2) The disbursements of a trustee shall in all cases be taxed by the registrar, unless such taxation is waived either by creditors at a general meeting called prior to the declaration of the final dividend, or by the inspectors.

## PART IV.

### CREDITORS.

#### MEETINGS OF CREDITORS.

Meetings of creditors.

**64.** As soon as may be after the making of a receiving order against the debtor, or after a debtor has made a general assignment for the benefit of creditors, a general meeting of his creditors (in this Act referred to as the first meeting of creditors) shall be held to consider the affairs of the debtor and for the appointment of inspectors and the giving of directions to the trustee with reference to the disposal of the estate of the debtor.

Notice of first meeting.

**65.** It shall be the duty of the trustee immediately to inform himself by a reference to the debtor and his records of the names and addresses of the debtor's creditors, and within five days from the date of said assignment or receiving order to convene the said first meeting of creditors, by mailing prepaid and registered to every creditor known to him a circular calling a meeting of creditors to be held in his office or some other convenient place to be named in the notice, not later than fifteen days after the mailing of such notice.

Meeting of creditors by request.

**66.** The trustee may at any time summon a meeting of creditors, and shall do so whenever so requested in writing by twenty-five per cent in number and amount of the creditors.

Notice of subsequent meetings.

**67.** Meetings subsequent to the first meeting shall be summoned by sending notice of the time and place thereof to each creditor at the address given in his proof of claim, or if he has not proved, at the address given in the debtor's statement of affairs or records, or at such other address as may be known to the person summoning the meeting.

Chairman of meetings.

**68.** At all meetings of creditors the chairman shall be such person as the meeting by resolution appoints, and the chairman may with the consent of the meeting adjourn the meeting from time to time and from place to place.

Quorum.

**69.** A meeting shall not be competent to act for any purpose except the election of a chairman, the proving of

debts and the adjournment of the meeting, unless there are present or represented thereat at least three creditors, or all the creditors if their number does not exceed three.

Adjournment.

**70.** If within half an hour from the time appointed for the meeting a quorum of creditors is not present or represented, the meeting shall be adjourned to the same day in the following week at the same time and place, or to such other day as the chairman may appoint, not being less than seven or more than twenty-one days.

Minutes of meeting.

**71.** The chairman of every meeting shall cause minutes of the proceedings at the meeting to be drawn up and fairly entered in a book kept for that purpose, and the minutes shall be signed by him or by the chairman of the next ensuing meeting.

Right of creditor to vote.

**72.** A person shall not be entitled to vote as a creditor at the first or any other meeting of creditors unless he has duly proved a debt provable in bankruptcy or under an assignment to be due to him from the debtor, and the proof has been duly lodged with the trustee before the time appointed for the meeting. (Eng. Sch. 1.)

Voting by secured creditor.

**73.** For the purpose of voting, a secured creditor shall, unless he surrenders his security, state in his proof the particulars of his security, the date when it was given, and the value at which he assesses it, and shall be entitled to vote only in respect of the balance (if any) due to him, after deducting the value of his security. (Eng. Sch. 1.)

Power of chairman to admit or reject proof.

**74.** The chairman of a meeting shall have power to admit or reject a proof for the purpose of voting, but his decision shall be subject to appeal to the court. If he is in doubt whether the proof of a creditor should be admitted or rejected, he shall mark the proof as objected to, and shall allow the creditor to vote, subject to the vote being declared invalid in the event of the objection being sustained. (Eng. Sch. 1.)

Voting by proxy.

**75.** A creditor may vote either in person or by proxy deposited with the trustee at or before the meeting at which it is to be used. The trustee shall send to each creditor with the notice summoning the first meeting of creditors, a proxy in the form prescribed by General Rules; but neither the name of the trustee nor of any other person shall be printed or inserted in the proxy before it is so sent. A proxy shall not be invalid merely because it is in the form of a letter, telegram or cable.

Scale of votes.

**76.** (1) Subject to the provisions of this Act, all questions at meetings of creditors shall be decided by the

majority of votes, and for such purpose the votes of creditors shall be calculated as follows:—

For every claim of or over twenty-five dollars and not exceeding two hundred dollars—one vote.

For every claim of or over two hundred dollars and not exceeding five hundred dollars—two votes.

For every claim of or over five hundred dollars and not exceeding one thousand dollars—three votes.

For every additional one thousand dollars or fraction thereof—one vote.

(2) No person shall be entitled to vote on a claim acquired after the assignment unless the entire claim is acquired, but this shall not apply to persons acquiring notes, bills or other securities upon which they are liable.

(3) A secured creditor shall not be entitled to vote at any meeting of creditors until he has proved and valued his claim as hereinafter provided.

(4) In case of a tie the trustee shall have a casting vote.

INSPECTORS.

Appointment of inspectors, revocation and remuneration.

**77.** (1) At the first or any subsequent meeting the creditors or their representatives, duly authorized in writing to appear on their behalf, may appoint one or more of their number, but not exceeding five, as inspectors for the purpose of superintending the administration of the debtor's property by the trustee, and they may also revoke the appointment of any or all of the inspectors, and upon such revocation, or in case of the death, resignation or absence from the province of an inspector, may appoint another in his stead, and anything to be done by the inspectors may be done by the majority.

(2) No trustee shall make any payment or allowance to an inspector beyond the sum of four dollars per meeting, and his actual and necessary travelling expenses in and about his duties as inspector.

DEBTS PROVABLE.

Debts provable.

**78.** (1) Demands in the nature of unliquidated damages shall not be provable in bankruptcy or under an assignment.

(2) Save as aforesaid, all debts and liabilities, present or future, to which the debtor is subject at the date of the receiving order or assignment by reason of any obligation incurred before the date of the receiving order or assignment, shall be deemed to be debts provable in bankruptcy or under an assignment.

PROOF OF DEBTS.

Proof of debts.

**79.** (1) Every creditor shall prove his debt as soon as may be after the making of a receiving order or after the

date of an assignment for the benefit of creditors or at or before the date of the first meeting called under section twenty-four of this Act, whichever shall be first.

Affidavit

(2) A debt may be proved by delivering or sending through the post in a prepaid and registered letter to the trustee, a statutory declaration verifying the debt.

Deponent to state authority.

(3) The statutory declaration may be made by the creditor himself or by some person authorized by or on behalf of the creditor. If made by a person so authorized, it shall state his authority and means of knowledge.

Vouchers.

(4) The statutory declaration shall contain or refer to a statement of account showing the particulars of the debt, and shall specify the vouchers, if any, by which the same can be substantiated. The trustee may at any time call for the production of the vouchers.

Status.

(5) The statutory declaration shall state whether the creditor is or is not a secured creditor.

May examine proofs.

(6) Every creditor who has lodged a proof shall be entitled to see and examine the proofs of other creditors before the first meeting, and at all reasonable times. (Eng. Sch. 2.)

PROOF BY SECURED CREDITORS.

Proof by secured creditor.

**80.** If a secured creditor realizes his security, he may prove for the balance due to him, after deducting the net amount realized. (Eng. Sch. 2.)

May prove whole debt on surrender.

**81.** If a secured creditor surrenders his security to the trustee for the general benefit of the creditors, he may prove for his whole debt. (Eng. Sch. 2.)

Secured creditor to value securities.

**82.** If a secured creditor does not either realize or surrender his security, he shall within thirty days of the date of the receiving order, or assignment made within a further period of thirty days, or within such further time as may be allowed by the inspectors from time to time, or in case they shall refuse to allow the same, then within such further time as may be allowed by the court, file with the trustee a statutory declaration stating therein full particulars of his security, the date when each security was given, and the value at which he assesses each separate security, and shall be entitled to receive a dividend only in respect of the balance due to him after deducting the aggregate value so assessed. (Eng. Sch. 2.)

Power of trustee where security valued.

**83.** (1) Where security is so valued the trustee may at any time, upon notice in writing, elect to acquire the whole or any separate security upon payment of the assessed value to be paid out of the estate as soon as the trustee has realized the security.

(2) If the trustee is dissatisfied with the value at which a security is assessed, he may require that the property comprised in any security so valued be offered for sale at such times and on such terms and conditions as may be agreed on between the creditor and the trustee, or as, in default of such agreement, the court may direct. If the sale be by public auction the creditor, or the trustee on behalf of the estate, may bid or purchase.

(3) Provided that the creditor may at any time, by notice in writing, require the trustee to elect whether he will or will not exercise his power of redeeming the security or requiring it to be realized, and if the trustee does not, within three months after receiving the notice or such further time or times as the court may allow, signify in writing to the creditor his election to exercise the power, he shall not be entitled to exercise it; and the equity of redemption, or any other interest in the property comprised in the security which is vested in the trustee, shall vest in the creditor, and the amount of his debt shall be reduced by the amount at which the security has been valued. (Eng. Sch. 2.)

Secured creditor may amend.

**84.** If the trustee has not elected to acquire the security as hereinbefore provided, a creditor may at any time within two months after filing his claim amend the valuation and proof on showing to the satisfaction of the trustee, or the court, that the valuation and proof were made *bona fide* on a mistaken estimate, or that the security has diminished or increased in value since its previous valuation; but every such amendment shall be made at the cost of the creditor, and upon such terms as the court shall order, unless the trustee shall allow the amendment without application to the court. (Eng. Sch. 2.)

Rights and liabilities of creditor where valuation amended.

**85.** Where a valuation has been amended in accordance with the foregoing section, the creditor shall forthwith repay any surplus dividend which he may have received in excess of that to which he would have been entitled on the amended valuation, or, as the case may be, shall be entitled to be paid out of any money, for the time being available for dividend, any dividend or share of dividend which he may have failed to receive by reason of the inaccuracy of the original valuation, before that money is made applicable to the payment of any future dividend, but he shall not be entitled to disturb the distribution of any dividend declared before the date of the amendment. (Eng. Sch. 2.)

Substitution of amount realized.

**86.** If a creditor after having valued his security subsequently realizes it before the payment of the final dividend, or if it is realized under the provisions of section eighty-nine, the net amount realized shall be reported to the trustee in writing by the creditor and shall be substituted

for the amount of any valuation previously made by the creditor, and shall be treated in all respects as an amended valuation made by the creditor. (Eng. Sch. 2.)

Exclusion for non-compliance.

**87.** If a secured creditor does not comply with the foregoing sections he shall be excluded from all share in any dividend.

No creditor to receive more than 100 cents on dollar.

**88.** Subject to the provisions of section eighty-two and eighty-three, a creditor shall in no case receive more than one hundred cents in the dollar and interest as provided by this Act. (Eng. Sch. 2.)

PROOF IN RESPECT OF DISTINCT CONTRACTS.

Proof in respect of distinct contracts.

**89.** If a debtor was, at the date of the receiving order or assignment, liable in respect of distinct contracts as a member of two or more distinct firms, or as a sole contractor, and also as member of a firm, the circumstance that the firms are in whole or in part composed of the same individuals, or that the sole contractor is also one of the joint contractors, shall not prevent proof in respect of the contracts, against the properties respectively liable on the contracts. (Eng. Sch. 2.)

RESTRICTED CREDITORS.

Postponement of husband's claim.

**90.** Where a married woman has been adjudged bankrupt or has made an assignment for the general benefit of her creditors, her husband shall not be entitled to claim any dividend as a creditor in respect of any money or other estate lent or entrusted by him to his wife for the purposes of her trade or business, or claim any wages, salary or compensation for work done or services rendered in connection with her trade or business, until all claims of the other creditors of his wife for valuable consideration in money or money's worth have been satisfied. (Eng. Sec. 36.)

Postponement of wife's claim.

**91.** Where the husband of a married woman has been adjudged bankrupt or has made an assignment for the general benefit of his creditors, his wife shall not be entitled to claim any dividend as a creditor in respect of any money or other estate lent or entrusted by her to her husband for the purposes of his trade or business, or claim any wages, salary or compensation for work done or services rendered in connection with his trade or business, until all claims of the other creditors of her husband for valuable consideration in money or money's worth have been satisfied. (Eng. Sec. 36.)

Postponement of wage claims of relatives.

**92.** Where any person or firm has been adjudged bankrupt or has made an assignment for the general benefit of creditors, any father, mother, brother, sister, uncle or aunt of any such person or of any member of said firm shall not be entitled to claim by way of dividend or otherwise from the trustee any wages, salary or compensation for work done or services rendered to said person or firm exceeding an amount equal to three months' wages, salary or compensation, until all claims of the other creditors of said person or firm for valuable consideration in money or money's worth have been satisfied. (New.)

Postponement of wage claims of shareholders and directors.

**93.** Where any corporation has made an assignment for the general benefit of its creditors, no officer, director or shareholder thereof shall be entitled to claim by way of dividend or otherwise from the trustee any wages, salary or compensation for work done or services rendered to such corporation exceeding an amount equal to three months' wages, salary or compensation, until all claims of the other creditors of said corporation for valuable consideration in money or money's worth have been satisfied. (New.)

INTEREST.

Interest.

**94.** On any debt or sum certain, payable at a certain time or otherwise, whereon interest is not reserved or agreed for, and which is overdue at the date of the receiving order or assignment and provable under this Act, the creditor may prove for interest at a rate not exceeding six per cent. per annum to the date of the order or assignment from the time when the debt or sum was payable, if the debt or sum is payable by virtue of a written instrument at a certain time, and if payable otherwise, then from the time when a demand in writing has been made giving the debtor notice that interest will be claimed from the date of the demand until the time of payment. (Eng. 2nd Sch. Sec. 21.)

DEBTS PAYABLE AT A FUTURE TIME.

Debts payable at a future time.

**95.** A creditor may prove for a debt not payable at the date of the receiving order or assignment as if it were payable presently and may receive dividends equally with the other creditors, deducting only thereout a rebate of interest at the rate of six per cent. per annum computed from the declaration of a dividend to the time when the debt would have become payable according to the terms on which it was contracted. (Eng. 2nd Sch. Sec. 22.)

PRIORITY OF CLAIMS.

Priority of claims.

**96.** (1) Subject to the provision of section ninety-seven as to rent, in the distribution of the amount realized from the property of the bankrupt or assignor, there shall be paid,—

Firstly, The fees and expenses of the trustee;

Secondly, The costs of the execution creditor (including sheriff's fees and disbursements) coming within the provisions of sections seventeen and twenty-one;

Thirdly, All wages, salaries, commission or compensation of any clerk, servant, travelling salesman, laborer or workman in respect of services rendered to the bankrupt or assignor during three months before the date of the receiving order or assignment.

Discharge.

(2) Subject to the retention of such sums as may be necessary for the costs of administration or otherwise, the foregoing debts shall be discharged forthwith so far as the property of the debtor is sufficient to meet them.

Partners and separate estates.

(3) In the case of partners the joint estate shall be applicable in the first instance in payment of their joint debts, and the separate estate of each partner shall be applicable in the first instance in payment of his separate debts. If there is a surplus of the separate estates, it shall be dealt with as part of the joint estate. If there is a surplus of the joint estate, it shall be dealt with as part of the respective separate estates in proportion to the right and interest of each partner in the joint estate.

Equal payment.

(4) Subject to the provisions of this Act, all debts proved in the bankruptcy or under an assignment shall be paid *pari passu.*

Surplus.

(5) If there is any surplus after payment of the foregoing debts, it shall be applied in payment of interest from the date of the receiving order or assignment at the rate of six per cent. per annum on all debts proved in the bankruptcy or under the assignment. (Eng. Sec. 33.)

Rights of landlord.

(6) Nothing in this section shall interfere with the collection of any taxes, rates or assessments now or at any time hereafter levied or imposed upon any property of the bankrupt or assignor by the laws of the province wherein such property is situate, nor prejudice or affect any lien or charge in respect thereof created by any such laws.

RIGHTS OF LANDLORD.

Shall not distrain.

**97.** (1) Where the bankrupt or assignor is a tenant having goods or chattels on which the landlord has distrained, or would be entitled to distrain for rent, the right of the landlord to distrain or realize his rent by distress shall cease from and after the date of the receiving order or assignment and the trustee shall be entitled to immediate possession of all the property of the debtor, but in the

distribution of the property of the bankrupt or assignor the trustee shall pay to the landlord in priority to all other debts, an amount not exceeding the value of the distrainable assets, and not exceeding three months rent accrued due prior to the date of the receiving order or assignment, and the costs of distress, if any.

Landlord's priority.

(2) The landlord may prove as a general creditor for (*i*) all surplus rent accrued due at the date of said receiving order or assignment; and, (*ii*) any accelerated rent to which he may be entitled under his lease not exceeding an amount equal to three months rent.

May prove for surplus.

(3) Except as aforesaid the landlord shall not be entitled to prove as a creditor for any portion of the unexpired term of his lease, but the trustee shall pay to the landlord for the period during which he actually occupies the leased premises from and after the date of the receiving order or assignment, a rental calculated on the basis of said lease.

Trustee may retain leased premises or may disclaim.

**98.** (1) Notwithstanding any provision or stipulation in any lease or agreement where a receiving order or an assignment has been made, the trustee may within one month from the date of any such receiving order or assignment, by notice in writing signed by him given to the landlord, elect to retain the premises occupied by the bankrupt or assignor at the time of the receiving order or assignment for the unexpired term of any lease under which such premises were held or for such portion of the term as he shall see fit, upon the terms of the lease and subject to payment of the rent therefor provided by such lease or agreement, or he may disclaim the lease or agreement. Should the trustee not give such notice within the time hereinbefore provided, he shall be deemed to have disclaimed the lease or agreement.

Effect of entry into possession.

(2) The entry into possession of the premises by the trustee during the said period of one month shall not be deemed to be evidence of an intention on the part of the trustee to elect to retain the premises nor affect his right to disclaim the lease or agreement.

DISALLOWANCE OF CLAIMS.

Disallowance of claims.

**99.** The trustee shall examine every proof and the grounds of the debt, and may, if he considers the claimant is not entitled to rank on the estate, or if authorized by a resolution passed at any meeting of creditors or inspectors, disallow the claim, and in such case shall give to the claimant a notice of disallowance. The said notice may be given either by serving the claimant with a copy thereof personally or by mailing such copy in a registered prepaid letter, addressed to the claimant at his last-known address, or at

the address shown in or by the claimant's proof. Such disallowance shall be final and conclusive unless within thirty days after the service or mailing of the said notice, or such further time as the court may on application made within thirty days allow, the claimant appeals to the court in accordance with General Rules from the trustee's decision.

Court may expunge or reduce proof.

**100.** The court may also expunge or reduce a claim upon the application of a creditor or the debtor, if the trustee declines to interfere in the matter.

## PART V.

## DEBTORS.

### DUTIES OF DEBTORS.

Duty of debtors submit statement.

**101.** (1) Where a receiving order or an assignment under this Act is made, the bankrupt or assignor shall make out and submit to the trustee a statement of, and in relation to, his affairs in the form prescribed by the trustee, showing the particulars of the debtor's assets, debts and liabilities, the names, residences and occupations of his creditors, the securities held by them respectively, the dates when the securities were respectively given and such further and other information as the trustee may require, and such statement shall be submitted within seven days from the date of the receiving order or assignment, but the court may, for special reasons, extend the time.

Inspection by creditor.

(2) Any person stating himself in writing to be a creditor of the bankrupt or assignor, may personally or by agent inspect the statement at all reasonable times and take any copy thereof or extract therefrom. (Eng. Sec. 14.)

Debtor to attend meetings of creditors.

**102.** (1) Every bankrupt or assignor shall, unless prevented by sickness or other sufficient cause, attend the first meeting of his creditors and shall submit to such examination and give such information as the meeting may require; he shall submit to such examination in respect of his property or his creditors, attend such other meetings of creditors, wait at such times on the trustee, execute such powers of attorney, conveyances, deeds and instruments, and generally to do all such acts and things in relation to his property and the distribution of the proceeds among his creditors as may be reasonably required by the trustee or prescribed by General Rules or directed by the court by any special order or orders made in reference to any particular case or made on the occasion of any special application by the trustee or any creditor or person interested.

To aid trustee.

(2) He shall aid to the utmost of his power in the realization of his property and the distribution of the proceeds among his creditors.

Penalty for failure to perform duties imposed.

(3) If a bankrupt or assignor wilfully fails to perform the duties imposed on him by this section or to deliver up possession of any part of his property which is divisible among his creditors under this Act, and which is for the time being in his possession or under his control, to the trustee or to any other person authorized by the court to take possession of it, he shall in addition to any other punishment to which he may be subject be guilty of a contempt of court, and may be punished accordingly. (Eng. Sec. 22.)

ARREST OF DEBTORS.

Arrest of debtors under certain circumstances.

**103.** The court may, by warrant addressed to any constable or prescribed officer of the court, cause a debtor to be arrested, and any books, papers, money and goods in his possession to be seized, and him and them to be safely kept as prescribed until such time as the court may order under the following circumstances:—

(*a*) If, after the presentation of a bankruptcy petition against him, it appears to the court that there are reasonable grounds for believing that he has absconded or is about to abscond with a view of avoiding payment of the debt in respect of which the bankruptcy petition was filed, or of avoiding service of a bankruptcy petition, or of avoiding appearance to any such petition or of avoiding examination in respect of his affairs or of otherwise avoiding, delaying or embarrassing proceedings in bankruptcy against him;

(*b*) If, after presentation of a bankruptcy petition against him or after an assignment under this Act has been made by him, it appears to the court that there are reasonable grounds for believing that he is about to remove his goods with a view of preventing or delaying possession being taken of them by the trustee, or that he has concealed or is about to conceal or destroy any of his goods or any books, documents or writings which might be of use to the trustee or to his creditors;

(*c*) If, after service of a bankruptcy petition on him or after he makes an assignment, he removes any of his goods without the leave of the trustee. (Eng. Sec. 23).

EXAMINATION OF DEBTORS AND OTHERS.

Examination of debtors and others.

**104.** Where a receiving order or an assignment for the general benefit of creditors has been made, the trustee, upon resolution passed by a majority vote of the creditors present or represented at a meeting of the creditors of the

debtor regularly called, or upon the written request or resolution of a majority of the inspectors of the estate, may, without an order, examine the debtor or any person who is or has been an agent, clerk, servant, officer, director or employee of any kind of the debtor, upon oath before the registrar or any other person or official named for such purpose in General Rules, concerning the debtor, his dealings or property, and in the case of a bankrupt, as to any property acquired or disposed of by him subsequently to the date of the receiving order. (New.)

Penalty for failure to attend for examination.

**105.** (1) If the debtor, or any person liable to be examined as provided by the preceding section, is served with an appointment or summons to attend for examination and is paid or tendered the proper conduct money and witness fee, but refuses or neglects to attend as required by such appointment or summons, or, if attending, refuses to make satisfactory answers to any questions asked him or refuses to produce any book, document or other paper, the court may, by warrant, cause him to be apprehended and brought up for examination, and may order him to be committed to the common gaol of the judicial district in which he resides for any term not exceeding twelve months.

(2) The amount of conduct money and witness fee shall be fixed by General Rules.

Trustee may require books and other property of debtor to be produced.

**106.** (1) If any person has, or is believed or suspected to have, in his possession or power any of the property of the debtor, or any book, document or paper of any kind relating in whole or in part to the debtor, his dealings or property, such person may, upon resolution passed by a majority vote of the creditors present or represented at a regularly called meeting of the creditors of the debtor (exclusive of such person, if he is a creditor), or upon the written request or resolution of the majority of the inspectors of the estate, be required by the trustee to produce such books, documents or papers for the information of such trustee, or to deliver over to him any such property of the debtor.

Examination on failure to produce.

(2) If such person fails to produce any such book, document or other paper, or to deliver over such property, within four days of his being served with a copy of the said resolution, and a request of the trustee in that behalf or if the trustee or the majority of the inspectors is or are not satisfied that full production or delivery has been made, the trustee may, without an order, examine the said person before any of the officers mentioned in section one hundred and four touching any such property, book or document or other paper which he is supposed to have received.

Compelling attendance.

(3) Any such person may be compelled to attend and testify, and to produce upon his examination any book, document or other paper which under this section he is liable to produce, in the same manner and subject to the same rules of examination, and the same consequences of neglecting to attend or refusing to disclose the matters in respect of which he may be examined, as is provided by section one hundred and eleven or by General Rules. (Eng. Sec. 25.)

Re-direction of debtor's letters.

**107.** Where a receiving order is made against a debtor or where a debtor makes as assignment for the general benefit of his creditors, the court, on the application of the trustee, may from time to time order that for such time, not exceeding three months, as the court thinks fit, post letters and post packets, addressed to the debtor at any place or places mentioned in the order for re-direction, shall be re-directed, sent or delivered by the postmaster to the trustee, and the same shall be done accordingly. (Eng. Sec. 24.)

DISCHARGE OF BANKRUPT OR ASSIGNOR.

Discharge of bankrupt or assignor.

**108.** (1) Any person may, after the expiration of three months subsequent to being adjudged bankrupt or subsequent to making an assignment for the general benefit of creditors, apply to the court for an order of discharge, and the court shall appoint a day for hearing the application. (Eng. Sec. 26, s. s. 1.)

Notice to creditors of hearing.

(2) A bankrupt or assignor intending to apply for his discharge shall produce to the registrar a certificate from the trustee specifying the names and addresses of his creditors of whom the trustee has notice (whether they have proved or not) and it shall be the duty of the trustee to furnish such certificate upon request therefor by the bankrupt or assignor. The registrar shall, not less than twenty-eight days before the day appointed for hearing the application, give notice of the time and place of the hearing of the application to the trustee, and the trustee shall give notice of the day appointed for the hearing of the bankrupt's application for discharge to each creditor, not less than fourteen days before the day so appointed.

Trustee to file report with registrar.

**109.** The trustee shall file with the registrar, at least three days before the time fixed for hearing the application, his report as to the conduct and affairs of the bankrupt or assignor (including a report as to the conduct of the bankrupt or assignor during the proceedings under his bankruptcy or assignment), and if the bankrupt or assignor has been examined, the trustee shall also file such examination, and shall report to the court any fact, matter or circumstance

which would, under the Act, justify the court in refusing an unconditional order of discharge.

Court may grant or refuse discharge.

**110.** On the hearing of the application, the court shall take into consideration the report of the trustee and may either grant or refuse an absolute order of discharge or suspend the operation of the order for a specified time, or grant an order of discharge subject to any conditions with respect to any earnings or income which may afterwards become due to the bankrupt or assignor or with respect to his after-acquired property. (Eng. Sec. 26, s. s. 2.)

Powers of court to refuse, suspend or grant conditional discharge.

**111.** The court shall refuse the discharge in all cases where the bankrupt or assignor has committed any offence under this Act or any offence connected with his bankruptcy or assignment or the proceedings thereunder, unless for special reasons the court otherwise determines and shall on proof of any of the facts mentioned in the next succeeding section, either,—

(*a*) refuse the discharge; or,

(*b*) suspend the discharge for a period of not less than two years: provided that the period may be less than two years, if the only fact proved of those hereinafter mentioned is that his assets are not of a value equal to fifty cents in the dollar on the amount of his unsecured liabilities; or,

(*c*) suspend the discharge until a dividend of not less than fifty cents in the dollar has been paid to the creditors; or,

(*d*) require the bankrupt or assignor as a condition of his discharge to consent to judgment being entered against him by the trustee for any balance or part of any balance of the debts provable under the bankruptcy or assignment which is not satisfied at the date of the discharge, such balance or part of any balance of the debts to be paid out of the future earnings or after-acquired property of the bankrupt or assignor in such manner and subject to such conditions as the court may direct; but execution shall not be issued on the judgment without leave of the court, which leave may be given on proof that the bankrupt or assignor has since his discharge acquired property or income available towards payment of his debts.

Provided that, if at any time after the expiration of two years from the date of any order made under this section the bankrupt or assignor satisfies the court that there is no reasonable probability of his being in a position to comply with the terms of such order, the court may modify the terms of the order, or of any substituted order, in such manner and upon such conditions as it may think fit. (Eng. Sec. 26.)

Facts on which discharge may be refused, suspended or granted conditionally.

**112.** The facts referred to in the preceding section are,—

(*a*) that the assets of the bankrupt or assignor are not of a value equal to fifty cents in the dollar on the amount of his unsecured liabilities, unless he satisfies the court that the fact that the assets are not of a value equal to fifty cents in the dollar on the amount of his unsecured liabilities has arisen from circumstances for which he cannot reasonably be held responsible;

(*b*) that the bankrupt or assignor has omitted to keep such books of account as are usual and proper in the business carried on by him and as sufficiently disclose his business transactions and financial position;

(*c*) that the bankrupt or assignor has continued to trade after knowing himself to be insolvent;

(*d*) that the bankrupt or assignor has failed to account satisfactorily for any loss of assets or for any deficiency of assets to meet his liabilities;

(*e*) that the bankrupt or assignor has brought on, or contributed to, his bankruptcy or assignment by rash and hazardous speculations, or by unjustifiable extravagance in living, or by gambling, or by culpable neglect of his business affairs;

(*f*) that the bankrupt or assignor has put any of his creditors to unnecessary expense by a frivolous or vexatious defence to any action properly brought against him;

(*g*) that the bankrupt or assignor has, within three months preceding the date of the receiving order or assignment, incurred unjustifiable expense by bringing a frivolous or vexatious action;

(*h*) that the bankrupt or assignor has, within three months preceding the date of the receiving order or assignment, when unable to pay his debts as they become due, given an undue preference to any of his creditors;

(*i*) that the bankrupt or assignor has, within three months preceding the date of the receiving order or assignment, incurred liabilities with a view of making his assets equal to fifty cents in the dollar on the amount of his unsecured liabilities;

(*j*) that the bankrupt or assignor has, on any previous occasion, been adjudged bankrupt or has made an assignment or entered into a composition or arrangement with his creditors;

(*k*) that the bankrupt or assignor has been guilty of any fraud or fraudulent breach of trust. (Eng. Sec. 26.)

Assets of debtor when deemed equal

**113.** For the purposes of the preceding section the assets of a bankrupt or assignor shall be deemed of a value

to fifty cents on dollar.

equal to fifty cents in the dollar on the amount of his unsecured liabilities when the court is satisfied that the property of the bankrupt or assignor has realized, or is likely to realize, or with due care in realization, might have realized an amount equal to fifty cents in the dollar on his unsecured liabilities, and a report of the trustee shall be *prima facie* evidence of the amount of such liabilities. (Eng. Sec. 26.)

Report of trustee *prima facie* evidence.

**114.** For the purposes of sections one hundred and sixteen to one hundred and twenty-one, both inclusive, hereof, the report of the trustee shall be *prima facie* evidence of the statements therein contained. (Eng. Sec. 26.)

Court may grant certificate.

**115.** With a view of removing any statutory disqualification on account of bankruptcy which is removed if the bankrupt obtains from the court his discharge with a certificate to the effect that the bankruptcy was caused by misfortune without any misconduct on his part, the court may, if it thinks fit, grant such a certificate, but, a refusal to grant such a certificate shall be subject to appeal. (Eng. Sec. 26.)

Examination of debtor may be read.

**116.** At the hearing of the application, the court may read the examination of the bankrupt or assignor and may put such further questions to him and receive such evidence as it may think fit.

Power to suspend.

**117.** The powers of suspending and of attaching conditions to the discharge of a bankrupt or assignor may be exercised concurrently. (Eng. Sec. 26, s. s. 8.)

Fraudulent settlements.

**118.** In either of the following cases, that is to say:—

(*a*) In the case of a settlement made before and in consideration of marriage where the settlor is not at the time of making the settlement able to pay all his debts without the aid of the property comprised in the settlement; or,

(*b*) In the case of any covenant or contract made in consideration of marriage for the future settlement on or for the settlor's wife or children of any money or property wherein he had not at the date of his marriage any estate or interest (not being money or property of or in right of his wife);

if the settlor is adjudged bankrupt or makes an assignment under this Act or compounds or arranges with his creditors, and it appears to the court that such settlement, covenant or contract was made in order to defeat or delay creditors, or was unjustifiable having regard to the state of the settlor's affairs at the time when it was made, the court may refuse or suspend an order of discharge or grant an

order subject to conditions, or refuse to approve a composition or arrangment, as the case may be, in like manner as in cases where the debtor has been guilty of fraud. (Eng. Sec. 27.)

Effect of order of discharge.

**119.** (1) An order of discharge shall not release the bankrupt or assignor,—

(*a*) from any debt on a recognizance nor from any debt with which the bankrupt or assignor may be chargeable at the suit of the Crown or of any person for any offence against a statute relating to any branch of the public revenue, or at the suit of the sheriff or other public officer on a bail bond entered into for the appearance of any person prosecuted for any such offence, and he shall not be discharged from such excepted debts unless an order-in-council is filed in court consenting to his being discharged therefrom; or,

(*b*) from any debt or liability incurred by means of any fraud or fraudulent breach of trust to which he was a party, nor from any debt or liability whereof he has obtained forbearance by any fraud to which he was a party; or,

(*c*) from any liability under a judgment against him in an action for seduction, or under an affiliation order, or for alimony or under a judgment against him as a co-respondent in a matrimonial cause, except to such an extent and under such conditions as the court expressly orders in respect of such liability; or,

(*d*) from any debt or liability for necessaries, and the court may make such order for payment thereof as it deems just or expedient.

(2) An order of discharge shall release the bankrupt or assignor from all other debts provable in bankruptcy or under an assignment.

(3) An order of discharge shall not release any person who at the date of the receiving order or assignment was a partner or co-trustee with the bankrupt or assignor or was jointly bound or had made any joint contract with him, or any person who was surety or in the nature of a surety for him. (Eng. Sec. 28.)

Notice of discharge.

**120.** The bankrupt or assignor shall within one month after obtaining his discharge publish a notice thereof in at least one issue of the *Canada Gazette*.

# PART VI.

## Courts and Procedure.

### JURISDICTION.

Courts having jurisdiction.

**121.** The Courts having jurisdiction in bankruptcy shall be as follows:—

Supreme Court of Alberta, in the province of Alberta;

Supreme Court of British Columbia, in the province of British Columbia;

The Court of King's Bench, in the province of Manitoba;

The King's Bench division of the Supreme Court of New Brunswick, in the province of New Brunswick;

The Supreme Court of Nova Scotia, in the province of Nova Scotia;

The Supreme Court of Ontario, in the province of Ontario;

The Supreme Court of Prince Edward Island, in the province of Prince Edward Island;

The Superior Court of Quebec, in the province of Quebec;

The Court of King's Bench, in the province of Saskatchewan;

The Territorial Court of the Yukon Territory;

and the said courts are hereby invested within their respective territorial limits as now established, or as they may be hereafter changed, with such jurisdiction at law and in equity as will enable them to exercise original and ancilliary jurisdiction in bankruptcy proceedings under this Act in vacation, in chambers, and during their respective terms as they are now or may be hereafter held.

### SITTINGS OF COURT.

Courts not subject to be restrained.

**122.** The court shall not be subject to be restrained in the execution of its powers under this Act by the order of any other court. (Eng. Sec. 105, ss. 2.)

Periodical sittings.

**123.** Periodical sittings for the transaction of bankruptcy business by the courts may be held at such times and places and at such intervals as the court for each province shall prescribe. (Eng. Sec. 96, ss. 5.)

Transaction of bankruptcy business by special judge.

**124.** (1) Subject to General Rules or as otherwise provided by this Act, all matters in respect of which jurisdiction is given by this Act shall be transacted and disposed of by or under the direction of one of the judges of the court and the Minister of Justice shall from time to time assign a judge or judges for that purpose.

Provided that during vacation or during the illness of the judge so assigned or during his absence, or for any other reasonable cause, such matters or any part thereof may be transacted or disposed of by or under the direction of any judge of the court named for that purpose by the Chief Justice thereof. (Eng. Sec. 97.)

Registrar, clerks and officers.

(2) The Chief Justice of each court shall from time to time assign such registrars, clerks and other officers in bankruptcy as he deems necessary or expedient for the transaction or disposal of matters in respect of which jurisdiction is given by this Act. (New.)

POWERS OF REGISTRAR.

Powers of registrar.

**125.** (1) The registrars in bankruptcy shall have the powers and jurisdiction in this section mentioned, and any order made or act done by such registrars in the exercise of the said powers and jurisdiction shall be deemed the order or act of the court.

(2) Subject to General Rules limiting the powers conferred by this section, a registrar shall have power,—

Particulars

(*a*) to hear bankruptcy petitions where they are not opposed, and to make receiving orders and adjudications thereon;

(*b*) to hold examinations of debtors;

(*c*) to grant orders for discharge where the application is not opposed;

(*d*) to approve compositions, extensions or schemes of arrangement where they are not opposed;

(*e*) to make interim orders in cases of urgency;

(*f*) to make any order or exercise any jurisdiction which by any rule in that behalf is prescribed as proper to be made or exercised in chambers;

(*g*) to hear and determine any unopposed or ex parte application;

(*h*) to summon and examine any person known or suspected to have in his possession effects of the debtor or to be indebted to him, or capable of giving information respecting the debtor, his dealings or property;

(*i*) to hear and determine appeals from the decision of a trustee allowing or disallowing a creditor's claim where such claim does not exceed $500.

Exception.

(3) A registrar shall not have power to commit for contempt of court. (Eng. Sec. 102.)

GENERAL RULES.

General Rules.

**126.** (1) The Governor in Council may appoint a committee consisting of three or more judges belonging to any court or courts having jurisdiction under this Act to make,

revoke and alter General Rules and forms for carrying into effect the objects of this Act. Provided that the said rules so made, altered or revoked shall not extend the jurisdiction of the court.

(2) All General Rules made under this section shall be laid before the Dominion Parliament within three weeks after they are made, but if the Parliament is not then sitting, within three weeks after the beginning of the next session of Parliament, and shall be judicially noticed, and shall have effect as if enacted by this Act. (Eng. Sec. 132.)

FEES AND RETURNS.

Fees and returns.

**127.** The said committee of judges may prescribe a scale of fees or percentages to be charged for or in respect of proceedings under this Act, and shall direct by whom and in what manner they are to be collected and accounted for and to what account they shall be paid.

PROCEDURE.

Title of papers.

**128.** (1) Subject to General Rules, all bankruptcy matters or matters relating to assignments for the general benefit of creditors, shall be entitled "In Bankruptcy".

Costs.

(2) Subject to the provisions of this Act and to General Rules, the costs of and incidental to any proceeding in court under this Act shall be in the discretion of the court.

Adjournment.

(3) The court may at any time adjourn any proceedings before it upon such terms, if any, as it may think fit to impose.

Amendment.

(4) The court may at any time amend any written process or proceeding under this Act upon such terms, if any, as it may think fit to impose.

Extension of time.

(5) Where by this Act, or by General Rules, the time for doing any act or thing is limited, the court may extend the time either before or after the expiration thereof, upon such terms, if any, as the court may think fit to impose.

Evidence.

(6) Subject to General Rules, the court may in any matter take the whole or any part of the evidence either viva voce, or by interrogatories, or upon affidavit, or, if in any other province, or out of the Dominion of Canada, by commission. (Eng. Sec. 109.)

Consolidation of petitions.

**129.** Where two or more bankruptcy petitions are presented against the same debtor or against joint debtors, the court may consolidate the proceedings, or any of them, on such terms as the court thinks fit. (Eng. Sec. 110.)

Power to change carriage of proceedings.

**130.** Where the petitioner does not proceed with due diligence on his petition, the court may substitute as

petitioner any other creditor to whom the debtor may be indebted in the amount required by this Act in the case of the petitioning creditor, or may dismiss the petition. (Eng. Sec. 111.)

Terminance of proceedings on death of debtor.

**131.** If a debtor by or against whom a bankruptcy petition has been presented dies, the proceedings in the matter shall, unless the court otherwise orders, be continued as if he were alive. (Eng. Sec. 112.)

Stay proceedings.

**132.** The court may at any time, for sufficient reason, make an order staying the proceedings under a bankruptcy petition, either altogether or for a limited time, on such terms and subject to such conditions as the court may think just. (Eng. Sec. 113.)

Power to present petition against one partner.

**133.** Any creditor whose debt is sufficient to entitle him to present a bankruptcy petition against all the partners of a firm may present a petition against any one or more partners of the firm without including the others. (Eng. Sec. 114.)

Power to dismiss petition against some respondents only.

**134.** Where there are more respondents than one to a petition the court may dismiss the petition as to one or more of them, without prejudice to the effect of the petition as against the other or others of them. (Eng. Sec. 115.)

Property of partners to be vested in same trustee.

**135.** Where a receiving order has been made on a bankruptcy petition by or against one member of a partnership, any other bankruptcy petition by or against a member of the same partnership shall be fyled in or transferred to the court in which the first-mentioned petition is in course of prosecution, and, unless the court otherwise directs, the same trustee shall be appointed as may have been appointed in respect of the property of the first-mentioned member of the partnership, and the court may give such direction for consolidating the proceedings under the petitions as it thinks just. (Eng. Sec. 116.)

Actions by trustee and bankrupt's partner.

**136.** Where a member of a partnership is adjudged bankrupt, the court may authorize the trustee to commence and prosecute any action in the names of the trustee and of the bankrupt's partner; and any release by such partner of the debt or demand to which the action relates shall be void; but notice of the application for authority to commence the action shall be given to him, and he may show cause against it, and on his application the court may, if it thinks it fit, direct that he shall receive his proper share of the proceeds of the action, and, if he does

not claim any benefit therefrom, he shall be indemnified against costs in respect thereof as the court directs. (Eng. Sec. 117.)

Action on joint contracts.

**137.** Where a bankrupt is a contractor in respect of any contract jointly with any person or persons, such person or persons may sue or be sued in respect of the contract without the joinder of the bankrupt. (Eng. Sec. 118.)

Enforcement of orders of courts throughout Canada.

**138.** Any order made by a court in any province of the Dominion of Canada shall be enforced in the courts having jurisdiction in bankruptcy in any of the other provinces of the Dominion of Canada in the same manner in all respects as if the order had been made by the court hereby required to enforce it. (Eng. Sec. 121.)

Courts to be auxiliary to each other.

**139.** All the courts having jurisdiction in bankruptcy in the provinces of the Dominion of Canada and the officers of such courts respectively shall severally act in aid of and be auxiliary to each other in all matters of bankruptcy or insolvency, and an order of the court seeking aid, with a request to another of the said courts, shall be deemed sufficient to enable the latter court to exercise, in regard to the matters directed by the order, such jurisdiction as either the court which made the request or the court to which the request is made could exercise in regard to similar matters within their respective jurisdictions. (Eng. Sec. 122.)

Warrants of bankruptcy courts.

**140.** (1) Any warrant of a court having jurisdiction in bankruptcy may be enforced in any part of the Dominion of Canada and elsewhere in the same manner and subject to the same privileges in and subject to which a warrant issued by any justice of the peace against a person for an indictable offence under or in pursuance of the *Criminal Code*, being chapter one hundred and forty-six of the Revised Statutes of the Dominion of Canada, 1906, may be enforced and all amendments thereto.

Search warrant.

(2) A search warrant issued by the court for the discovery of any property of a debtor may be executed in manner prescribed or in the same manner and subject to the same privileges in and subject to which a search warrant for property supposed to be stolen may be executed according to law. (Eng. Sec. 123.)

Commitment to prison.

**141.** Where the court commits any person to prison, the commitment may be to such convenient prison as the court think expedient, and if the gaoler of any prison refuses to receive any prisoner so committed, he shall be

liable for every such refusal to a fine not exceeding five hundred dollars. (Eng. Sec. 124.)

APPEALS.

Court may review, etc.

**142.** Every court having jurisdiction in bankruptcy under this Act may review, rescind or vary any order made by it under its bankruptcy jurisdiction.

Appeals in bankruptcy.

**143.** (1) Any person dissatified with an order or decision of the court or a judge in any proceedings under this Act may,—

(*a*) if the question to be raised on the appeal involves future rights; or,

(*b*) if the order or decision is likely to affect other cases of a similar nature in the bankruptcy proceedings; or,

(*c*) if the amount involved in the appeal exceeds five hundred dollars,

appeal to the Appeal Court.

(2) The decision of the Appeal Court upon any such appeal shall be final and conclusive unless special leave to appeal therefrom to the Supreme Court of Canada is obtained from the Supreme Court of Canada. In the event of such appeal the decision of the Supreme Court of Canada shall be final and conclusive.

## PART VII.

### Supplemental Provisions.

Married woman.

**144.** Every married woman who carries on a trade or business, whether separately from her husband or not, shall be subject to the provisions of this Act as if she were a feme sole. (Eng. Sec. 125.)

Application to limited partnerships.

**145.** Subject to such modifications as may be made by General Rules under this Act, the provisions of this Act shall apply to limited partnerships in like manner as if limited partnerships were ordinary partnerships, and, on all the general partners of a limited partnership being adjudged bankrupt or making an assignment under this Act the assets of the limited partnership shall vest in the trustee. (Eng. Sec. 127.)

Evidence of proceedings at meetings of creditors.

**146.** (1) A minute of proceedings at a meeting of creditors under this Act, signed at the same or the next ensuing meeting by a person describing himself as or appearing to be chairman of the meeting at which the minute is signed, shall be received in evidence without further proof.

(2) Until the contrary is proved, every meeting of creditors in respect to the proceedings whereof a minute has been so signed, shall be deemed to be duly convened or held and all proceedings passed thereat to have been duly passed or held. (Eng. Sec. 138.)

Evidence of proceedings in bankruptcy.

**147.** Any petition or copy of a petition in bankruptcy' any order or certificate or copy of an order or certificate made by any court having jurisdiction in bankruptcy, any instrument or copy of an instrument, affidavit or document made or used in the course of any bankruptcy proceedings or other proceedings had under this Act shall, if it appears to be sealed with the seal of any court having jurisdiction in bankruptcy, or purports to be signed by any judge thereof, or is certified as a true copy by any registrar thereof, be receivable as evidence in all legal proceedings whatsoever. (Eng. Sec.139).

Swearing of affidavits.

**148.** Subject to General Rules, any affidavit to be used in a bankruptcy court may be sworn before any person authorized to administer oaths in the court having jurisdiction or before any registrar of the court or before any officer of a bankruptcy court authorized in writing in that behalf by the judge of the court or before a justice of the peace for the province, county or place where it is sworn, or, in the case of a person who is out of Canada, before a notary public, a magistrate or justice of the peace or other person qualified to administer oaths in the country where he resides, he being certified to be a magistrate or justice of the peace or qualified as aforesaid by a British minister or British consul, or by a notary public. (Eng. Sec. 140.)

Seal of court.

**149.** Every court having jurisdiction in bankruptcy under this Act shall have a seal describing the court and judicial notice shall be taken of the seal and of the signature of the judge or registrar of any such court in all legal proceedings. (Eng. Sec. 142.)

Death of debtor or witness.

**150.** In case of the death of the debtor or his wife, or of a witness whose evidence has been received by any court in any proceedings under this Act, the deposition of the person so deceased, purporting to be sealed with the seal of the court or a copy thereof purporting to be so sealed and certified by the registrar shall be admitted as evidence of the matters therein deposed to. (Eng. Sec. 141.)

Computation of time.

**151.** (1) Where by this Act any limited time from or after any date or event is appointed or allowed for the doing of any act or the taking of any proceeding, then in the computation of that limited time the same shall be taken

as exclusive of the day of that date or of the happening of that event, and as commencing at the beginning of the next following day; and the act or proceeding shall be done or taken at latest on the last day of that limited time as so computed, unless the last day is a holiday in the province where the act or proceeding is to be done or taken or a day on which the court does not sit, in which case any act or proceeding shall be considered as done or taken in due time if it is done or taken on the next day afterwards which is not one of the days in this section specified.

(2) Where by this Act any act or proceeding is directed to be done or taken on a certain day, then, if that day happens to be one of the days in this section specified, the act or proceeding shall be considered as done or taken in due time if it is done or taken on the next day afterwards which shall not be one of the days in this section specified. (Eng. Sec. 145.)

Service of notices.

**152.** All notices and other documents for the service of which no special mode is directed may be sent by registered and prepaid post to the last known address of the person to be served therewith. (Eng. Sec. 146.)

Formal defect not to invalidate proceedings.

**153.** (1) No proceeding in bankruptcy shall be invalidated by any formal defect or by any irregularity, unless the court before which an objection is made to the proceeding is of opinion that substantial injustice has been caused by the defect or irregularity, and that the injustice cannot be remedied by any order of that court.

(2) No defect or irregularity in the appointment of a trustee or inspector shall vitiate any act done by him in good faith. (Eng. Sec. 147.)

Acting of corporations, partners, etc.

**154.** For all or any of the purposes of this Act, a corporation may act by any of its officers authorized in that behalf under the seal of the corporation, a firm may act by any of its members, and a lunatic may act by his committee or curator bonis. (Eng. Sec. 149.)

Certain provisions to bind crown.

**155.** Save as provided in this Act, the provisions of this Act relating to the remedies against the property of a debtor, the priorities of debts, the effect of a composition or scheme of arrangement, and the effect of a discharge, shall bind the Crown. (Eng. Sec. 151.)

Barristers, advocates and counsel.

**156.** All persons who are barristers or advocates in any of the provinces may practice as barristers, advocates and counsel in the courts having jurisdiction under this Act in all of the provinces of Canada.

Attorneys and solicitors.

**157.** All persons who are attorneys or solicitors of the Superior Court in any of the provinces may practice as attorneys and solicitors in the courts having jurisdiction under this Act in all of the provinces.

To be officers of the court.

**158.** All persons who may practice as attorneys or solicitors in all such courts as aforesaid shall be officers of such courts.

Bankruptcy offences.

**159.** Nothing in the provisions of this Act shall interfere with, or restrict the rights and privileges conferred on banks and banking corporations by *The Bank Act.*

## PART VIII.

### Bankruptcy Offences.

Fraudulent debtors.

**160.** Any person who has been adjudged bankrupt or in respect of whose estate a receiving order has been made, or who has made an assignment under this Act, shall in each of the cases following be guilty of an indictable offence and liable to a fine not exceeding one thousand dollars or to a term not exceeding two years' imprisonment or to both of such penalties:—

(*a*) If he does not to the best of his knowledge and belief fully and truly discover to the trustee all his property, real and personal, and how and to whom and for what consideration and when he disposed of any part thereof, except such part as has been disposed of in the ordinary way of his trade (if any) or laid out in the ordinary expense of his family, unless he proves that he had no intent to defraud;

(*b*) If he does not deliver up to the trustee, or as he directs, all such part of his real and personal property as is in his custody or under his control, and which he is required by law to deliver up, unless he proves that he had no intent to defraud;

(*c*) If he does not deliver up to the trustee, or as he directs, all books, documents, papers and writings in his custody or under his control relating to his property or affairs, unless he proves that he had no intent to defraud;

(*d*) If after the presentation of a bankruptcy petition against him or within six months next before such presentation or if after making an assignment or within six months next before the date thereof, he conceals any part of his property to the value of fifty dollars or upwards or conceals any debt due to or from him, unless he proves that he had no intent to defraud;

(*e*) If after the presentation of a bankruptcy petition against him or within six months next before such presentation or if after making an assignment or within six months next before the date thereof, he fraudulently removes any part of his property to the value of fifty dollars or upwards;

(*f*) If he makes any material omission in any statement relating to his affairs, unless he proves that he had no intent to defraud;

(*g*) If, knowing or believing that a false debt has been proved by any person under the bankruptcy or assignment, he fails for the period of a month to inform the trustee thereof;

(*h*) If, after the presentation of a bankruptcy petition against him or after he makes an assignment, he prevents the production of any book, document, paper or writing affecting or relating to his property or affairs, unless he proves that he had no intent to conceal the state of his affairs or to defeat the law;

(*i*) If, after the presentation of a bankruptcy petition against him or within two years next before such presentation or if after making an assignment or within two years next before the date thereof, he conceals, destroys, mutilates, or falsifies, or is privy to the concealment, destruction, mutilation or falsification of any book or document affecting or relating to his property or affairs, unless he proves that he had no intent to conceal the state of his affairs or to defeat the law;

(*j*) If, after the presentation of a bankruptcy petition against him or within two years next before such presentation or if after making an assignment or within two years next before the date thereof, he makes or is privy to the making of any false entry in any book or document affecting or relating to his property or affairs, unless he proves that he had no intent to conceal the state of his affairs or to defeat the law;

(*k*) If, after the presentation of a bankruptcy petition against him or within two years next before such presentation or if after making an assignment or within two years next before the date thereof, he fraudulently parts with, alters or makes any omission in, or is privy to the fraudulently parting with, altering or making any omission in, any document affecting or relating to his property or affairs;

(*l*) If, after the presentation of a bankruptcy petition against him or after the making of an assignment or at any meeting of his creditors within six months next before such presentation or assignment, he attempts

to account for any part of his property by fictitious losses or expenses;

(*m*) If, within six months next before the presentation of a bankruptcy petition against him or next before the date of an assignment by him, he, by any false representation or other fraud, has obtained any property on credit and has not paid for the same;

(*n*) If, within six months next before the presentation of a bankruptcy petition against him or next before the date of an assignment, by him he obtains, under false pretence of carrying on business and, if a trader, of dealing in the ordinary way of his trade, any property on credit and has not paid for the same, unless he proves that he had no intent to defraud;

(*o*) If he is guilty of any false representation or other fraud for the purpose of obtaining the consent of his creditors or any of them to an agreement with reference to his affairs or to a composition or extension of time;

(*p*) If he knowingly makes or causes to be made, either directly or indirectly, or through any agency whatsoever, any false statement in writing, with intent that it shall be relied upon respecting the financial condition or means or ability to pay of himself or any other person, firm or corporation in whom he is interested, or for whom he is acting, for the purpose of procuring in any form whatsoever, either the delivery of personal property, the payment of cash, the making of a loan, or credit, the extension of a credit, the discount of any account receivable, or the making, acceptance, discount or endorsement of a bill of exchange, cheque, draft or promissory note, either for the benefit of himself or such person, firm or corporation; (Crim. Code, Sec. 407a.)

(*q*) If he, knowing that a false statement in writing has been made respecting the financial condition or means or ability to pay of himself or any other person, firm or corporation in which he is interested or for whom he is acting, procures upon the faith thereof, either for the benefit of himself or such person, firm or corporation, any of the benefits mentioned in the preceding subsection. (Eng. Sec. 154, Crim. Code.)

Undischarged bankrupt obtaining credit.

**161.** Where an undischarged bankrupt or assignor,—

(*a*) either alone or jointly with any other person obtains credit to the extent of fifty dollars or upwards from any person without informing that person that he is an undischarged bankrupt or assignor; or,

Use of deceptive name.

(*b*) engages in any trade or business under a name, other than that under which he traded or carried on business at or immediately prior to the filing of a bankruptcy petition or date of an assignment, without disclosing

to all persons with whom he enters into any business transaction the name under which he so formerly traded or carried on business;

he shall be guilty of an indictable offence and liable to a fine of five hundred dollars and to one year's imprisonment. (Eng. Sec. 155.)

Bankrupt failing to keep proper books of account.

**162.** (1) Any person who has been adjudged bankrupt or in respect of whose estate a receiving order has been made or who has made an assignment under this Act, shall be guilty of an indictable offence and liable to a fine of eight hundred dollars and to one year's imprisonment, if, having during the whole or any part of the two years immediately preceding the presentation of a bankruptcy petition or the date of an assignment been engaged in any trade or business, he has not kept proper books of account throughout those two years or such part thereof, as aforesaid, and has not preserved all books of account so kept.

Provided that a person who has not kept or has not preserved such books of account shall not be convicted of an offence under this section if his unsecured liabilities at the date of the receiving order or assignment did not exceed five hundred dollars, or if he proves that in the circumstances in which he traded or carried on business the omission was honest and excusable.

(2) For the purposes of this section, a person shall be deemed not to have kept proper books of account if he has not kept such books or accounts as are necessary to exhibit or explain his transactions and financial position in his trade or business, including a book or books containing entries from day to day in sufficient detail of all cash received and cash paid, and, where the trade or business has involved dealings in goods, also accounts of all goods sold and purchased, and statements of annual stocktakings. (Eng. Sec. 158.)

False claim, etc.

**163.** If any creditor, or any person claiming to be a creditor, in any bankruptcy or assignment proceedings, wilfully and with intent to defraud makes any false claim, or any proof, declaration or statement of account, which is untrue in any material particular, he shall be guilty of an indictable offence, and shall on conviction on indictment be liable to imprisonment with or without hard labour for a term not exceeding one year. (Eng. Sec. 160.)

Order by court for prosecution on report of trustee.

**164.** Where a trustee reports to any court exercising jurisdiction under this Act that, in his opinion, a debtor who has been adjudged bankrupt or in respect of whose estate a receiving order has been made or who has made an assignment for the general benefit of his creditors has been guilty of any offence under this Act, or where the court is

satisfied, upon the representation of any creditor or inspector that there is ground to believe that the debtor has been guilty of any such offence, the court shall, if it appears to the court that there is a reasonable probability that the debtor will be convicted, order that the debtor be prosecuted for such offence.

Provided that it shall not be obligatory on the court, in the absence of any application by the trustee for such an order, to make an order under this section for the prosecution of an offence unless it appears to the court that the circumstances are such as to render a prosecution desirable. (Eng. Sec. 161.)

Criminal liability after discharge or composition.

**165.** Where a debtor has been guilty of any criminal offence, he shall not be exempt from being proceeded against therefor by reason that he has obtained his discharge or that a composition or scheme of arrangement has been accepted or approved. (Eng. Sec. 162.)

Power for court to commit for trial.

**166.** (1) Where there is, in the opinion of the court, ground to believe that the bankrupt or assignor or any other person has been guilty of any offence under this Act, the court may commit the bankrupt or assignor or such other person for trial.

(2) For the purpose of committing the bankrupt or assignor or such other person for trial, the court shall have power to take depositions, bind over witnesses to appear, admit the accused to bail, or otherwise. (Eng. Sec. 163.)

(3) In an indictment for an offence under this Act, it shall be sufficient to set forth the substance of the offence charged in the words of this Act specifying the offence, or as near thereto as circumstances admit, without alleging or setting forth any debt, act of bankruptcy, trading, adjudication, or any proceedings in or order, warrant or document of, any court acting under this Act. (Eng. Sec. 164.)

(4) Where any person is prosecuted for an offence under this Act no other prosecution against him for the same offence under any other Act shall be instituted.

Pretending to be trustee.

Trustee acting without bond.

Non-compliance.

**167.** Any person who,—

(*a*) not being a duly appointed trustee, advertises or represents himself to be such; or,

(*b*) being a duly appointed trustee, either before providing the bond required by section thirty of this Act or after providing the same, but at any time while the said bond is not in force acts as or exercises any of the powers of a trustee; or,

(*c*) having been appointed a trustee fails to observe or to perform any of the provisions of this Act;

shall be guilty of an indictable offence and liable to a fine of five hundred dollars or to three month's imprisonment or to both such fine and such imprisonment.

Commencement.

**168.** This Act shall, except as otherwise provided, come into operation on the day of 1919.

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First Session, Thirteenth Parliament, 8-9 George V, 1918.

THE HOUSE OF COMMONS OF CANADA

# BILL 26.

An Act to amend The Representation Act, 1914.

First reading, April 2, 1918.

Mr. STACEY.

OTTAWA
J. DE LABROQUERIE TACHÉ
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1918

1st Session, 13th Parliament, 8-9 George V, 1918.

THE HOUSE OF COMMONS OF CANADA.

# BILL 26.

An Act to amend The Representation Act, 1914.

1914, c. 51.

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

**1.** The Schedule to *The Representation Act, 1914*, chapter fifty-one of the statutes of 1914, is amended by changing the name of the "Electoral District of Westminster" in the province of British Columbia to the "Electoral District of Fraser Valley."

First Session, Thirteenth Parliament, 8-9 George V, 1918.

THE HOUSE OF COMMONS OF CANADA

# BILL 27.

An Act to amend the Supreme Court Act.

First reading, April 2, 1918.

The MINISTER OF JUSTICE.

OTTAWA
J. DE LABROQUERIE TACHÉ
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1918

1st Session, 13th Parliament, 8-9 George V, 1918.

THE HOUSE OF COMMONS OF CANADA.

# BILL 27.

An Act to amend the Supreme Court Act.

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

R.S. c. 139; 1908, c. 70; 1913, c. 51; 1914, c. 15; 1917, c. 23.

**1.** The *Supreme Court Act*, chapter one hundred and thirty-nine of the Revised Statutes of Canada, 1906, is amended by inserting after section thirty-one the following:—

Appointment of *ad hoc* judge.

" **31A.** (1) If at any time there should not be a quorum of the judges of the Supreme Court available to hold or continue any session of the Court, owing to a vacancy or vacancies, or to the absence through illness or on leave or in the discharge of other duties assigned by statute or order in council, or to the disqualification of a judge or judges, the Chief Justice, or, in his absence, the senior puisne judge, may in writing request the attendance at the sittings of the Court, as an *ad hoc* judge, for such period as may be necessary, of the judge of the Exchequer Court, or, should he be absent from Ottawa or for any reason unable to sit, of a judge of a provincial Superior Court.

Quebec appeals.

(2) Unless two of the judges of the Supreme Court available fulfil the requirements of section six, an *ad hoc* judge from a provincial court for the hearing of an appeal from a judgment rendered in the province of Quebec shall be a judge of the Court of King's Bench or a judge of the Superior Court of that province.

Evidence of appointment.

(3) A duplicate of the requisition of the Chief Justice or senior puisne judge shall be filed with the Registrar and shall be conclusive evidence of the authority of the judge named therein to act under this section.

Duties.

(4) It shall be the duty of the judge whose attendance has been so requested, in priority to other duties of his office, to attend the sittings of the Supreme Court at the time and for the period for which his attendance shall be required, and while so attending he shall possess the powers and privileges and shall discharge the duties of a puisne judge of the Supreme Court.

Compensation.

(5) A judge who attends a sittings of the Supreme Court on such request or any conference of the judges called for the consideration of judgments in cases in which he sat, shall be paid his travelling expenses and shall receive a *per diem* allowance for living expenses of ten dollars for each day that he is necessarily absent from his place of residence, as provided by section eighteen of the *Judges Act.*

Delivery of judgment.

(6) In any case in which judgment is not delivered while such judge is attending the sittings of the Court or a conference of the judges, his opinion shall be delivered as is provided by section twenty-nine of this Act."

Valuations in assessment appeals.

**2.** Section forty-one of the said *Supreme Court Act* is amended by adding thereto the following:—

" Provided that the valuation of the property assessed shall not be varied by the Court unless it is satisfied that in fixing or affirming it such Court of last resort in the province has proceeded upon an erroneous principle; and, instead of itself fixing the amount of an assessment which in its opinion should be varied, the Court may remit the case to such court of last resort in the province, to fix the same in accordance with the principle which the Court declares to be applicable."

Courts of final resort.

**3.** Section forty-eight of the said *Supreme Court Act* is amended by striking out thereof the words " the Court of Appeal for Ontario " where the same first occur and substituting therefor " the highest court of final resort now or hereafter established in any province of Canada, except the province of Quebec," and by striking the same words out of clause (*e*) and substituting therefor the words " such court of final resort in the province."

27.

First Session, Thirteenth Parliament, 8-9 George V, 1918.

THE HOUSE OF COMMONS OF CANADA

# BILL 27.

An Act to amend the Supreme Court Act.

AS PASSED BY THE HOUSE OF COMMONS,
9th APRIL, 1918.

OTTAWA
J. DE LABROQUERIE TACHÉ
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1918

1st Session, 13th Parliament, 8-9 George V, 1918.

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**1.** The *Supreme Court Act*, chapter one hundred and thirty-nine of the Revised Statutes of Canada, 1906, is amended by inserting after section thirty-one the following:—

Appointment of *ad hoc* judge.

"**31A.** (1) If at any time there should not be a quorum of the judges of the Supreme Court available to hold or continue any session of the Court, owing to a vacancy or vacancies, or to the absence through illness or on leave or in the discharge of other duties assigned by statute or order in council, or to the disqualification of a judge or judges, the Chief Justice, or, in his absence, the senior puisne judge, may in writing request the attendance at the sittings of the Court, as an *ad hoc* judge, for such period as may be necessary, of the judge of the Exchequer Court, or, should he be absent from Ottawa or for any reason unable to sit, of a judge of a provincial Superior Court to be designated in writing by the Chief Justice or in his absence by any Acting Chief Justice or the senior puisne judge of such provincial court upon such request being made to him in writing.

Quebec appeals.

Provided always that unless two of the judges of the Supreme Court available fulfil the requirements of section six, the *ad hoc* judge for the hearing of an appeal from a judgment rendered in the province of Quebec shall be a judge of the Court of King's Bench or a judge of the Superior Court of that province designated as above provided.

Evidence of appointment.

(2) A duplicate of the requisition of the Chief Justice or senior puisne judge and where a judge of a provincial court is designated to act, the letter designating him shall be filed with the registrar and shall be conclusive evidence of the authority of the judge named therein to act under this section.

Duties.

(3) It shall be the duty of the judge whose attendance has been so requested or who has been so designated in priority to other duties of his office, to attend the sittings of the Supreme Court at the time and for the period for which his attendance shall be required, and while so attending he shall possess the powers and privileges and shall discharge the duties of a puisne judge of the Supreme Court.

Compensation.

(4) An *ad hoc* judge who attends a sittings of the Supreme Court or any conference of the judges called for the consideration of judgments in cases in which he sat, shall be paid his travelling expenses and shall receive a *per diem* allowance for living expenses of ten dollars for each day that he is necessarily absent from his place of residence, as provided by section eighteen of the *Judges Act.*

Delivery of judgment.

(5) In any case in which judgment is not delivered while such judge is attending the sittings of the Court or a conference of the judges, his opinion shall be delivered as is provided by section twenty-nine of this Act."

Valuations in assessment appeals.

**2.** Section forty-one of the said *Supreme Court Act* is amended by adding thereto the following:—

" Provided that the valuation of the property assessed shall not be varied by the Court unless it is satisfied that in fixing or affirming it, such Court of last resort in the province has proceeded upon an erroneous principle; and, instead of itself fixing the amount of an assessment which in its opinion should be varied, the Court may remit the case to such court of last resort in the province, to fix the same in accordance with the principle which the Court declares to be applicable."

Courts of final resort.

**3.** Section forty-eight of the said *Supreme Court Act* is amended by striking out thereof the words " the Court of Appeal for Ontario " where the same first occur and substituting therefor " the highest court of final resort now or hereafter established in any province of Canada, except the province of Quebec," and by striking the same words out of clause (*e*) and substituting therefor the words " such court of final resort in the province."

First Session, Thirteenth Parliament, 8–9 George V, 1918.

THE HOUSE OF COMMONS OF CANADA

# BILL 28.

An Act respecting The Belleville Prince Edward Bridge Company.

First reading, April 3, 1918.

(PRIVATE BILL.)

Mr. PORTER.

OTTAWA
J. DE LABROQUERIE TACHÉ
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
37714—1 1918

1st Session, 13th Parliament, 8-9 George V, 1918.

THE HOUSE OF COMMONS OF CANADA.

# BILL 28.

An Act respecting The Belleville Prince Edward Bridge Company.

1899, c. 95; 1908, c. 85.

WHEREAS The Belleville Prince Edward Bridge 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:—

**1.** Section eight of chapter ninety-five of the statutes of 1899, as enacted by section one of chapter eighty-five of the statutes of 1908, is repealed and the following is substituted therefor:—

Powers of directors.

"**8.** (1) The directors of the Company from time to time shall have the control and management of the stock, property and affairs of the Company, and may fix, and from time to time regulate, increase or reduce, the tolls and rates to be charged to persons using the said bridge: Provided, however, that the rates and tolls collected and charged shall not exceed the following, that is to say:—

| | cts. |
|---|---|
| "For each person passing on or over the bridge or that portion of the approach lying between the bridge and Zwick's Island | 10 |
| Children under six years of age accompanied by parent or guardian | Free. |
| Automobiles | 20 |
| Bicycle and rider | 20 |
| For every horse and single carriage, wagon, cart, or other vehicle and driver | 20 |
| For each carriage, wagon, cart or other vehicle drawn by two horses, driver and horses included | 40 |
| For horses and cattle on foot, each | 10 |
| For calves, sheep, goats and swine, on foot, each | 10 |
| For every threshing mill, clover mill or separator | 20 |

For every mule..... 10
For every colt..... 10
Farming implements drawn on their own wheels.... 10

(In no case shall any traction or other engine, or any load or wagon exceeding three tons pass over the said bridge without permission of the Company.)

"The tolls hereby fixed are for passage either way.

Regulation of traffic.

"(2) All horses, colts, cattle, calves, sheep or swine in droves shall pass over the said bridge only in such numbers, in single or divided droves, and at such distances apart, as the Company directs.

Power to reduce tolls.

"(3) So long as all persons are charged equal rates and given equal privileges and facilities, the directors may charge less than the rates above fixed.

Approval of tolls.

"(4) The tolls from time to time charged by the Company shall first be approved by the Governor in Council."

First Session, Thirteenth Parliament, 8-9 George V, 1918.

THE HOUSE OF COMMONS OF CANADA

# BILL 28.

An Act respecting The Belleville Prince Edward Bridge Company.

AS PASSED BY THE HOUSE OF COMMONS, 13th MAY, 1918.

OTTAWA
J. DE LABROQUERIE TACHÉ
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
40741—1 1918

| | Single. | Return. |
|---|---|---|
| For every threshing mill, clover mill or separator | cts. 20 | cts. |
| For every mule | 5 | |
| For every colt | 10 | |
| Farming implements drawn on their own wheels | 5 | |

(In no case shall any traction or other engine, or any load or wagon exceeding three tons pass over the said bridge without permission of the Company.)

The tolls hereby fixed are for passage either way except the first item.

Regulation of traffic.

" (2) All horses, colts, cattle, calves, sheep or swine in droves shall pass over the said bridge only in such numbers, in single or divided droves, and at such distances apart, as the Company directs.

Power to reduce tolls.

" (3) So long as all persons are charged equal rates and given equal privileges and facilities, the directors may charge less than the rates above fixed.

Approval of tolls.

" (4) The tolls from time to time charged by the Company shall first be approved by the Governor in Council."

Power to municipalities to purchase bridge.

**2.** The municipalities of Belleville, the counties of Prince Edward and Hastings, and any other municipality in either of the said counties or any one or more of the said municipalities may, upon giving notice in writing to the Bridge Company within six months from the date of passing of this Act, elect to purchase the bridge and approaches for the sum of seventy-two thousand, five hundred dollars, such purchase to be completed within one year from the date of passing of this Act; and the Company shall be entitled to the tolls received and any necessary capital expenditures made up to the date of completion of the purchase.

Commencement of tolls.

**3.** The tolls provided herein shall come into effect at the expiration of three months from the passing of this Act.

Section renumbered.

**4.** Section two of the original Act shall be numbered section four.

First Session, Thirteenth Parliament, 8-9 George V, 1918.

THE HOUSE OF COMMONS OF CANADA

# BILL 29.

An Act respecting a patent of O. G. C. L. J. Overbeck.

First reading, April 3, 1918.

(PRIVATE BILL.)

Mr. FRIPP.

OTTAWA
J. DE LABROQUERIE TACHÉ
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
36526—1 1918

1st Session, 13th Parliament, 8-9 George V, 1918.

# THE HOUSE OF COMMONS OF CANADA.

# BILL 29.

An Act respecting a patent of O. G. C. L. J. Overbeck.

Preamble.

WHEREAS O. G. C. L. J. Overbeck, a subject of His Majesty, residing at Grimsby, England, has by his petition represented that he is the holder of a patent issued under seal of the Patent Office, and dated the eighth day of August, one thousand nine hundred and eleven, namely, number one hundred and thirty four thousand eight hundred and eighty, for dealcoholizing liquids, and has 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:—

Power to receive fees, extend term, and extend time to construct and manufacture for period of war and six months thereafter.

**1.** Notwithstanding anything in the *Patent Act*, or in the patent mentioned in the preamble, the failure to construct or manufacture in Canada the invention patented under the said patent, and to pay the fees for the second term within the statutory limit, shall be deemed not to have affected the validity of the said patent, and the Commissioner of Patents may, within three months after the passing of this Act, receive from the holder of the aforesaid patent an application for the certificates of payment of further fees, and the usual fees for the second and third terms for the said patent, and may grant and issue to the said holder certificates of payments of such fees provided for by the *Patent Act*, and extensions of the terms of the duration of the said patent in as full and ample a manner as if the application therefor had been duly made within the term in which the partial fee should have been paid, and may extend the time for construction and manufacture of the said patent for the period during the continuance of the war and for six months thereafter.

R.S. c. 69.

Certain rights saved.

**2.** If any person has, in the period between the eighth day of August, one thousand nine hundred and thirteen, and the sixteenth day of February, one thousand nine hundred and eighteen, commenced to construct, manufacture or sell in Canada the invention covered by the said patent, such person may continue to construct, manufacture, use or sell such invention in as full and ample a manner as if this Act had not been passed.

First Session, Thirteenth Parliament, 8-9 George V, 1918.

THE HOUSE OF COMMONS OF CANADA

# BILL 29.

An Act respecting a patent of O. G. C. L. J. Overbeck.

AS PASSED BY THE HOUSE OF COMMONS,
15th APRIL, 1918.

OTTAWA
J. DE LABROQUERIE TACHÉ
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
38943—1 1918

1st Session, 13th Parliament, 8-9 George V, 1918.

# THE HOUSE OF COMMONS OF CANADA.

# BILL 29.

An Act respecting a patent of O. G. C. L. J. Overbeck.

Preamble.

WHEREAS O. G. C. L. J. Overbeck, a subject of His Majesty, residing at Grimsby, England, has by his petition represented that he is the holder of a patent issued under seal of the Patent Office, and dated the eighth day of August, one thousand nine hundred and eleven, namely, number one hundred and thirty four thousand eight hundred and eighty, for dealcoholizing liquids, and has 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:—

Power to receive fees, extend term, and extend time to construct and manufacture for period of war and six months thereafter.

**1.** Notwithstanding anything in the *Patent Act*, or in the patent mentioned in the preamble, the failure to construct or manufacture in Canada the invention patented under the said patent, and to pay the fees for the second term within the statutory limit, shall be deemed not to have affected the validity of the said patent, and the Commissioner of Patents may, within three months after the passing of this Act, receive from the holder of the aforesaid patent an application for the certificates of payment of further fees, and the usual fees for the second and third terms for the said patent, and may grant and issue to the said holder certificates of payments of such fees provided for by the *Patent Act*, and extensions of the terms of the duration of the said patent in as full and ample a manner as if the application therefor had been duly made within the term in which the partial fee should have been paid, and may extend the time for construction and manufacture of the said patent for the period during the continuance of the war and for six months thereafter.

R.S. c. 69.

Certain rights saved.

**2.** If any person has, in the period between the eighth day of August, one thousand nine hundred and thirteen, and the sixteenth day of February, one thousand nine hundred and eighteen, commenced to construct, manufacture, use or sell in Canada the invention covered by the said patent, such person may continue to construct, manufacture, use or sell such invention in as full and ample a manner as if this Act had not been passed.

First Session, Thirteenth Parliament, 8–9 George V, 1918.

THE HOUSE OF COMMONS OF CANADA

# BILL 30.

An Act to incorporate a Council for the Indian Tribes of Canada.

First reading, April 3, 1918.

Mr. PORTER.

OTTAWA
J. DE LABROQUERIE TACHÉ
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
38218—1 1918

1st Session, 13th Parliament, 8-9 George V, 1918.

THE HOUSE OF COMMONS OF CANADA.

# BILL 30.

An Act to incorporate a Council for the Indian Tribes of Canada.

WHEREAS the persons hereinafter named have by their petition prayed to be incorporated under the name of "The Council of Indian Tribes of 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.** James N. Barnhart, Joseph J. Brant, Solomon J. Brant, John A. Maracle, John J. Smart, Robert J. Barnhart, Alex. Maricle, Peter J. Brant, David Brant, William J. Sero, Johnson Lewye, George Hill, Andrew Scero, all Mohawks, of the Bay of Quinte, in the province of Ontario; Louis David, Chief Laren Jocko, Peter D. David, Laren Square, Alex. R. Thompson, Peter Deliz, Chief John David, John Thompson, Tom Thomas, Alexander Barnhart, Thomas Benedict, Mitchell Buckshott, and John Bruce, all Iroquois, of St. Regis, in the province of Quebec; Chief J. Delisle (Grand Councillor), J. T. D'Aillebоust, Peter K. Delorimier, Mike Morris, Chief James Phillips, James Ross, Peter Norton, John D'Aillebоust, Ennis P. Kamtats, Chief F. T. Johns, John T. Canadien, M. Lefebvre, So. Se. Torontento, and John Deerfoot (Saurtes Akenhaienton), all Iroquois, of Caughnawaga, in the province of Quebec; Chief James Moses (Grand Councillor), Chief Mitchell Cole, Joe Laforce, Mitchell Montaur, Joseph Nelson, S. K. Simon, William Etienne, Angus Laforce, Abram Street, Peter Street, Felix Martin, and Angus Jacob, all Iroquois, of Oka, in the province of Quebec; Alfred A. King (Grand Councillor), William Crain, A. W. T. Crain, Margaret A. Crain, Chief Francis L. King, Mrs. F. L. King, Joseph Laform (Councillor), Mrs. Susanna Laform, J. S. Brant, Julius King (Councillor), John King, George Joseph King, and Norman A. King, all Mississauga Algonquins, of New

Credit, in the province of Ontario; S. Ground, Asa Ground, Jonas Siscum, L. B. Siscum, William Nash, William Johnson, Julius Johnson, Paterson Sprague, E. Styres, and Isaac Snow, all Onondagas of Six Nations, of Brantford, in the province of Ontario; Andrew Kee, John Smoke, William John, H. Smoke, William Smoke, Joseph Silversmith, Samuel Buck, Louis Fish, M. Fish, and Giller Smoke, all Cayugas of Six Nations; Jacob Farmer, William A. Sttaats, Francis Martin, E. M. Staats, William J. Martin, John Vanevory, I. K. Skiler, James Johnson, Arnold Farmer, and Jake Hill, all Mohawks of Six Nations; Johnie Brant, T. Green, B. Brant, M. Marocle, Tommy Green, John D. Hill, M. Brant, Arthur Fuller, M. Scero, Cornelous Williams, Peter Williams, Solomon Hill, John Scero, William Hill, Harry Hill, Herman Hill, Herby Brant, Nelson Scero, Robert Moracle, S. Moracle, Isaac Hill, M. Scero, L. B. Scero, Bill Scero, R. Pinn, Wellington Green, and Peter Green, all Mohawks, of Iroquois, in the province of Ontario; Joseph Doreen, E. Doreen, Guss Brant, M. Brant, Simon John, Peter Scero, E. Scero, Sylvester Moses, Alexander Scero, Harrison Scero, Jessie Green, Mike Brant, Mike Brant, Junr., David Barnhart, William Doreen, S. Toppings, David S. Brant, Wellington Jones, Cornelous Morocle, Daniel Morocle, E. Corby, Nicholas Hill, Albert Lewis, Clarence Lewis, Lawrence Loft, Peter Doreen, Denmies Scero, Nathaniel Scero, D. Scero, Jerry Moniker, D. Moniker, E. Corby, Colborne Brant, Rosean Brant, M. Brant, Jacob Scero, Kate Scero, Lizzie Scero, M. Grant, Simon D. Hill, John P Scero, David S. Brant, David Joe Brant, Hugh Brant, Jacob F. Morocle, B. Hill, Peter Morocle, Jakie Morocle, Dick Hill, John Green, John Morocle, S. L. Fuller, and M. Scero, all Mohawks, together with such persons as may become members of the said The Council of Indian Tribes of Canada, are hereby

Name. constituted a body corporate under the name of "The Council of Indian Tribes of Canada," hereinafter called "the Association," for the following purposes and objects:—

Objects.

(*a*) To make and formulate a constitution and by-laws for the government of the Association;

(*b*) To unite fraternally all Indian persons entitled to membership under the constitution and laws to be adopted by the Association, and the word 'laws" shall include general laws and by-laws;

(*c*) To give all material aid in its power to distressed members and those dependent upon it;

(*d*) To educate its members socially, morally and intellectually and to inculcate loyalty to the Crown and country;

(*e*) To encourage and compel the enforcement and observation of the principles of compulsory education

as provided by the law respecting common schools in any province of the Dominion;

(*f*) To encourage the observance of temperance as pertains to the use of intoxicating liquors, and to discover offences, and to assist in the enforcement of the law in regard to the sale or other disposition of intoxicating liquors to Indians;

(*g*) To encourage hygienic principles, and the diffusion of scientific facts tending to improve the health and lower the rate of mortality amongst Indians;

(*h*) To promote increase in production of Indian lands as the result of Indian labour, by directing the labour of Indians and their finances to better and more scientific and extensive cultivation of the land;

(*i*) To enable the Association to establish a fund by assessment of its members for the relief of sick and distressed members, and for other legitimate expenses in maintaining the Association, and to distribute and apply such fund as may be provided by the by-laws of the Association;

(*j*) To secure for its members such other advantages as are from time to time designated by the constitutional laws of the Association.

Head office.

**2.** The head office of the Association shall be in Deseronto, in the province of Ontario, or such other place in Canada as is from time to time determined by the Association.

Branch or Reserve lodges.

**3.** Subject to the constitutional laws of the Association, Branch lodges, under the name of Reserve Lodges, may from time to time be established under the title designated in the warrant constituting such lodges, and the said lodges, if established within Canada, shall be established in some Indian Reservation in the Dominion of Canada, but shall at all times be under the control and direction of the Association as by its constitution and laws from time to time it may determine: Provided, always, that the powers of such Branch Lodge shall not be in excess of those conferred on the Association by this Act.

Value of real estate.

**4.** The value of the real property which the Association may hold shall not exceed the sum of twenty thousand dollars, and in the case of Reserve Lodges, not more than five thousand dollars, and the Association may by by-law determine the manner in which such real property shall be held and conveyed, subject always to the laws of the province in which such real estate is situate.

Limited liability.

**5.** The property of each Reserve Lodge only shall be liable for the debts and engagements of such Lodge.

Constitution and by-laws to be deposited with Secretary of State and Superintendent of Indian Affairs.

**6.** Within three months from the coming into force of this Act, a certified copy of the constitution and laws of the Association shall be deposited in the office of the Secretary of State of Canada, and the Superintendent General of Indian Affairs, and copies of any future changes or amendments thereto shall be so deposited within three months from their adoption by the said Association, and in default, or otherwise failing to comply with any provision of this section, the Association shall incur a penalty of ten dollars for each day during which such default continues.

Control of Indians by Government not affected.

**7.** Nothing in this Act contained shall be construed as in any manner affecting the control of the person and property of Indians by the Government of Canada under the *Indian Act*, or any regulations thereunder, or any other statute of Canada.

First Session, Thirteenth Parliament, 8-9 George V, 1918.

THE HOUSE OF COMMONS OF CANADA

# BILL 31.

An Act to amend the Railway Act.

First reading, April 4, 1918.

Mr. ARMSTRONG,
(Lambton).

OTTAWA
J. DE LABROQUERIE TACHÉ
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
38269—1 1918

1st Session, 13th Parliament, 8-9 George V, 1918.

THE HOUSE OF COMMONS OF CANADA.

# BILL 31.

An Act to amend the Railway Act.

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

**1.** Subsection one of section thirty of the *Railway Act*, Revised Statutes of Canada, 1906, chapter thirty-seven, is amended by inserting the following paragraphs immediately after paragraph (*g*):—

Privilege and concession to be under control of Board.

"(*ga*) With respect to any privilege or concession given by any company or express company or by any person owning or controlling any such steamboat or vessel as is in the next paragraph mentioned, and where any privilege or concession is given by any such person or by any company or express company to any person or class of business or in any part of Canada, the Board may order that such privilege or concession be discontinued or modified or granted to any other person or class of business, or in any other part of Canada, either the same or in a modified form.

Steamboats to be subject to regulations of Board of Railway Commissioners.

"(*gb*) With respect to the traffic accommodation, classification of freight, traffic agreements, tolls and tariffs to be furnished, made, entered into and charged in connection with and by steamboats, and other vessels engaged on a regular route carrying passengers or freight or both from one port or place in Canada to another port or place, or to a port or place outside of Canada and with respect to the places along the line of route where such steamboats and vessels shall call for traffic, the time of call and duration of stay."

Tariffs, etc. to be submitted to Board.

**2.** All tariffs of tolls, tariffs agreements, and classifications of freight charged, entered into or adopted in connection with any steamboat or vessel mentioned in paragraph (*gb*) of this Act shall be submitted to the Board.

First Session, Thirteenth Parliament, 8-9 George V, 1918.

THE HOUSE OF COMMONS OF CANADA

# BILL 32.

An Act respecting the Dominion Bureau of Statistics.

First reading, April 4, 1918.

THE MINISTER OF TRADE AND COMMERCE.

OTTAWA
J. DE LABROQUERIE TACHÉ
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
36817—1 1918

1st Session, 13th Parliament, 8-9 George V, 1918.

# THE HOUSE OF COMMONS OF CANADA.

# BILL 32.

An Act respecting the Dominion Bureau of Statistics.

R.S., c. 68.

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 Statistics Act.*

INTERPRETATION.

Definitions.

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

(*a*) "Minister" means the Minister of Trade and Commerce;

(*b*) "Bureau" means the Dominion Bureau of Statistics;

(*c*) "Transportation Company" means any railway, telegraph, telephone and express company and any carrier by water;

(*d*) "Regulation" means any regulation made under the provisions of this Act or any order of the Governor in Council made under the authority of this Act.

GENERAL.

Dominion Bureau of Statistics.

**3.** There shall be a bureau under the Minister of Trade and Commerce, to be called the Dominion Bureau of Statistics, the duties of which shall be to collect, abstract, compile and publish statistical information relative to the commercial, industrial, social, economic and general activities and condition of the people, to collaborate with all other departments of the Government in the compilation and publication of statistical records of administration according to the regulations, and to take the Census of the Dominion as hereinafter provided.

Dominion Statistician appointment and duties.

**4.** (1) The Governor in Council may appoint an officer to be called the Dominion Statistician, who shall hold office during pleasure, whose duties shall be, under the

direction of the Minister, to prepare all schedules, forms, and instructions, and generally to supervise and control the Bureau, and to report annually to the Minister with regard to the work of the Bureau during the preceding year.

Officials.

(2) Such other officers, clerks and employees may be appointed as are necessary for the proper conduct of the business of the Bureau, all of whom shall hold office during pleasure.

Commissioners, enumerators, and agents.

**5.** The Minister may employ from time to time, subject to the provisions of the *Civil Service Act*, such commissioners, enumerators, agents or persons as are necessary to collect statistics and information for the Bureau relating to such industries and affairs of the country as he deems useful and in the public interest, and the duties of such agents or persons shall be such as the Minister determines.

Oath of office.

**6.** (1) Every officer, census commissioner, enumerator, agent and other person employed in the execution of any duty under this Act or under any regulation made hereunder, before entering on his duties, shall take and subscribe the following oath:—

I.....solemnly swear that I will faithfully and honestly fulfil my duties as ....., in conformity with the requirements of the Act and of all proclamations, orders in council and instructions issued in pursuance thereof, and that I will not, without due authority in that behalf, disclose or make known any matter or thing which comes to my knowledge by reason of my employment as such.....

.....

Attestation.

(2) The oath shall be taken before such person, and returned and recorded in such manner, as the Minister prescribes.

Rules, regulations and forms.

**7.** The Minister shall make and prescribe such rules, regulations, instructions, schedules and forms as he deems requisite for conducting the work and business of the Bureau, the collecting of statistics and other information and taking of any census authorized by this Act; he shall prescribe what schedules, returns and information are to be verified by oath, the form of oath to be taken, and shall specify the officers and persons by and before whom the said oaths are to be taken.

No discrimination.

**8.** The Governor in Council shall not, nor shall the Minister, in the execution of the powers conferred by

this Act, discriminate between individuals or companies to the prejudice of any such individual or company.

Arrangements with provincial governments.

**9.** (1) The Minister may enter into any arrangement with the government of any province providing for any matter necessary or convenient for the purpose of carrying out or giving effect to this Act, and in particular for all or any of the following matters:—

(*a*) The execution by provincial officers of any power or duty conferred or imposed on any officer under this Act or the regulations;

(*b*) The collection by any provincial department or officer of any statistical or other information required for the purpose of carrying out this Act; and,

(*c*) The supplying of statistical information by any provincial department or officer to the Dominion Statistician.

Provincial officers.

(2) All provincial officers executing any power or duty conferred or imposed on any officer under this Act or the regulations, in pursuance of any arrangement entered into under this section, shall, for the purposes of the execution of that power or duty, be deemed to be officers under this Act.

Access to public records.

**10.** Every person who has the custody or charge of any provincial, municipal or other public records or documents, or of any records or documents of any corporation, from which information sought in respect of the objects of this Act can be obtained, or which would aid in the completion or correction thereof, shall grant to any census officer, commissioner, enumerator, agent or other person deputed for that purpose by the Dominion Statistician, access thereto for the obtaining of such information therefrom.

Inquiries under oath.

**11.** The Minister may, by special letter of instruction, direct any officer, census commissioner or other person employed in the execution of this Act, to make inquiry under oath as to any matter connected with the taking of the census or the collection of statistics or other information, or the ascertaining or correction of any supposed defect or inaccuracy therein; and such officer, census commissioner or other person shall then have the same power as is vested in any court of justice, of summoning any person, of enforcing his attendance and of requiring and compelling him to give evidence on oath, whether orally or in writing, and to produce such documents and things as such officer, census commissioner or other person deems requisite to the full investigation of such matter or matters.

Evidence of appointment, removal for instructions.

**12.** (*a*) Any letter purporting to be signed by the Minister or the Dominion Statistician, or by any other person thereunto authorized by the Governor in Council, and notifying any appointment or removal of or setting forth any instructions to any person employed in the execution of this Act; and,

(*b*) Any letter signed by any officer, census commissioner, or other person thereunto duly authorized, notifying any appointment or removal of or setting forth any instructions to any person employed under the superintendence of the signer thereof;

shall be, respectively, *prima facie* evidence of such appointment, removal or instructions, and that such letter was signed and addressed as it purports to be.

Presumption.

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

Remuneration.

**14.** (1) The Minister shall, subject to the approval of the Governor in Council, cause to be prepared one or more tables setting forth the rates of remuneration or allowances for the several census commissioners, enumerators, agents and other persons employed in the execution of this Act, which may be a fixed sum, a rate per diem, or a scale of fees, together with allowances for expenses.

Voted by Parliament.

(2) Such remuneration or allowances and all expenses incurred in carrying this Act into effect shall be paid out of such moneys as are provided by Parliament for that purpose.

Condition of payment.

(3) No remuneration or allowance shall be paid to any person for any service performed in connection with this Act until the services required of such persons have been faithfully and entirely performed.

SECRECY.

No individual return to be published or divulged.

**15.** (1) No individual return, and no part of an individual return, made, and no answer to any question put, for the purposes of this Act, shall, without the previous consent in writing of the person or of owner for the time being of the undertaking in relation to which the return or answer was made or given, be published, nor, except for the purposes of a prosecution under this Act, shall any

person not engaged in connection with the Census be permitted to see any such individual return or any such part of any individual return.

No report to reveal individual particulars.

(2) No report, summary of statistics or other publication under this Act shall contain any of the particulars comprised in any individual return so arranged as to enable any person to identify any particulars so published as being particulars relating to any individual person or business.

CENSUS OF POPULATION AND AGRICULTURE.

Census of population and agriculture every tenth year.

**16.** The Census of population and agriculture of Canada shall be taken by the Bureau under the direction of the Minister on a date in the month of June in the year one thousand nine hundred and twenty-one to be fixed by the Governor in Council, and every tenth year thereafter.

Manitoba, Saskatchewan and Alberta.

**17.** A census of population and agriculture of the Provinces of Manitoba, Saskatchewan and Alberta shall be taken by the Bureau, under the direction of the Minister, on a date in the month of June in the year one thousand nine hundred and twenty-six to be fixed by the Governor in Council, and every tenth year thereafter.

Census districts.

**18.** The Governor in Council shall divide the country in respect of which the census is to be taken into census districts, and each census district into subdistricts to correspond respectively, as nearly as may be, with the electoral divisions and subdivisions for the time being, and, in territories not so defined or so situated as to admit of adhering to boundries already established, into special divisions and subdivisions, for the purpose of the census.

Details.

**19.** Each census of population and agriculture shall be so taken as to ascertain with the utmost possible accuracy for the various territorial divisions of Canada, or of the provinces of Manitoba, Saskatchewan and Alberta as the case may be,—

(*a*) their population and the classification thereof, as regards name, age, sex, conjugal condition, relation to head of household, nationality, race, education, wage-earnings, religion, profession or occupation and otherwise;

(*b*) the number of houses for habitation, whether occupied or vacant, under construction or otherwise, the materials thereof and the number of rooms inhabited;

(*c*) the area of occupied land and its value, and its condition thereof as improved for cultivation, in fallow, in forest, unbroken prairie, marsh or waste land, and otherwise; the tenure and acreage of farms and the value of farm buildings and implements;

(*d*) the products of farms, with the values of such products, and the number and value of domestic animals within the preceding census or calendar year;

(*e*) the municipal, educational, charitable, penal and other institutions thereof; and,

(*f*) such other matters as may be prescribed by the Governor in Council.

CENSUS OF INDUSTRY—MINES, FISHERIES, FORESTRY, MANUFACTURES, ETC.

Census of industry.

**20.** A census of the products of industry shall be taken for the year one thousand nine hundred and eighteen, and subsequently at such intervals as may be determined by the Minister, which census shall be taken so as to ascertain with the utmost possible accuracy,—

(*a*) the products of all mines and quarries, fisheries, forests, manufacturing establishments, and the number and kind of buildings and other works of construction used in connection with the same;

(*b*) any other trade and business which may be prescribed, with the quantity of real estate and the number and kind of buildings and plant used in connection therewith; and

(*c*) any other matters that may be prescribed by the Minister.

Schedules of details.

**21.** (1) The Dominion Statistician shall, under the direction of the Minister, prepare a form for the collection of such data as may be, in his judgment, desirable for the proper presentation of industrial statistics, and the said form shall embody inquiries as to (1) the name of person, partnership or corporation; (2) kind of goods manufactured or business done; (3) capital invested; (4) principal stock or raw materials used, and total value thereof; (5) gross quantity and value of articles manufactured; (6) number of persons employed, distinguished as to sex, adults and children; (7) the power used or generated; (8) total wages and salaries paid; (9) number of days on which it was carried on; and (10) any other specified matter.

Distribution and returns.

(2) The said schedule shall be sent by mail to the owner, operator or manager of each industrial concern with respect to which information is desired, and such owner, operator, or manager, or any other person to whom this schedule or blank form is sent shall answer the inquiries thereon and return the same to the Bureau, properly certified as to its accuracy, not later than the time prescribed thereon, provided, however, that the Minister may, in his discretion, extend the time for returning the schedules, and provided that when deemed expedient, the Minister may employ agents or other persons for the collection of these statistics.

## Statistics of Trade and Commerce.

Statistics of Commerce and Navigation.

**22.** (1) The Dominion Statistician shall, under the direction of the Minister, annually prepare a report on the statistics of Commerce and Navigation of Canada with foreign countries. Such reports shall comprehend all goods, wares and merchandise exported from Canada to other countries, all goods, wares and merchandise imported into Canada from other countries, and all navigation employed in the foreign trade of Canada, which facts shall be stated according to the principles and in the manner defined in the regulations.

Returns of imports and exports from Customs.

(2) The Department of Customs shall send to the Dominion Statistician, in such manner and form and at such periods as the Governor in Council may prescribe, returns of imports from and exports to foreign countries arriving at or leaving Canada by water or by rail, and of the navigation employed in the foreign trade of Canada.

Contents of annual report,

**23.** The annual report of the Statistics of Commerce and Navigation shall state the kinds, quantities and values of the merchandise entered and cleared coastwise into and from the customs collection ports of Canada.

Monthly reports.

**24.** The Dominion Statistician shall, under the direction of the Minister, prepare and publish monthly reports of the exports and imports of Canada, including the quantities and values of accounts drawn from the warehouse and such other statistics relative to the trade and industry of the country as the Minister may consider expedient.

Domestic trade.

**25.** The Dominion Statistician shall prepare and make a report annually containing the results of any information collected during the preceding year upon the domestic trade of Canada.

## Transportation.

Annual transportation returns.

**26.** (1) Every transportation company shall annually prepare returns in such form as may be prescribed by the Governor in Council with respect to its capital, traffic equipment, working expenditure, and such other information as the Governor in Council may prescribe.

Attestation.

(2) Such returns shall be dated and signed by and attested upon the oath of the secretary or some other chief officer of the company, and shall also be attested upon the oath of the president, or, in his absence, of the vice-president or manager of the company.

Period included.

(3) Such returns shall be made for the period beginning from the date to which the then last yearly returns made by the company extended, or, if no such returns have been

previously made, from the commencement of the operation of the railway and ending with the last day of June in the then current year.

Date of forwarding.

(4) Such returns, dated, signed and attested in manner aforesaid, shall be forwarded by such company to the Dominion Statistician within one month after the first day of July in each year.

Traffic returns. monthly.

**27.** (1) Every transportation company shall prepare returns of its traffic monthly, that is to say, from the first to the close of the month inclusive. Such returns shall be in accordance with the form prepared by the Dominion Statistician and approved by the Minister.

Copies forwarded.

(2) A copy of such returns, signed by the officer of the company responsible for the correctness of such returns, shall be forwarded by the company to the Dominion Statistician within seven days from the day to which the said returns have been prepared.

Returns to be privileged.

**28.** All returns made in pursuance of any of the provisions of the two sections of this Act immediately preceding this section shall be privileged communications and shall not be evidence in any court whatever, except in any persecution for,—

(*a*) default in making such returns in accordance with the requirements of this Act;

(*b*) perjury in making any oath required by this Act in connection with such returns;

(*c*) forgery of any such return; or

(*d*) signing any such return knowing the same to be false.

CRIMINAL STATISTICS.

Courts to furnish criminal statistics.

**29.** The clerk of every court or tribunal administering criminal justice, or in case of there being no clerk, the judge or other functionary presiding over such court or tribunal, shall, before the end of October in each year, fill up and transmit to the Dominion Statistician, for the year ending the thirtieth day of September preceding, such schedules as he receives from time to time from the Dominion Statistician relating to the criminal business transacted in such court or tribunal.

Wardens and sheriffs.

**30.** The warden of every penitentiary and reformatory and the sheriff of every county and district shall, before the end of October in each year, fill up and transmit to the Dominion Statistician, for the year ending the thirtieth day of September preceding, such schedules as he receives from time to time from the Dominion Statistician relating to the prisoners committed to the penitentiary, reformatory or gaol.

Records.

**31.** Every person required to transmit any such schedules shall from day to day make and keep entries and records of the particulars to be comprised in such schedules.

Copies of returns.

**32.** Every officer required to transmit to the Minister of Finance true copies of returns made by justices of the peace shall, before the end of October in each year, transmit to the Minister true copies of all such returns for the year ending the thirtieth day of September next preceding.

Pardons.

**33.** The Secretary of State shall, before the end of October in each year, cause to be filled up and transmitted to the Dominion Statistician such schedules for the year ending the thirtieth day of September next preceding, relative to the cases in which the prerogative of mercy has been exercised, as the Minister may prescribe.

GENERAL STATISTICS.

General statistics.

**34.** Subject to the direction of the Minister, the Bureau shall collect, abstract and tabulate annually statistics in relation to all or any of the following matters: (*a*) Population; (*b*) Births, deaths and marriages; (*c*) Immigration and Emigration; (*d*) Agriculture; (*e*) Education; (*f*) Public and Private Finance; (*g*) any other matters prescribed by the Minister or by the Governor in Council.

Special statistics.

**35.** The Governor in Council may authorize the Minister to have any special statistical investigation made that is deemed advisable, and may prescribe the manner and by what means such investigation shall be made.

OFFENCES AND PENALTIES.

**36.** Every person employed in the execution of any duty under this Act or any regulation who,—

Desertion or false declaration.

(*a*) after having taken the prescribed oath, shall desert from his duty, or wilfully makes any false declaration, statement or return touching any such matter; or

Unlawful information.

(*b*) in the pretended performance of his duties thereunder, obtains or seeks to obtain information which he is not duly authorized to obtain; or

Improperly divulging information.

(*c*) shall not keep inviolate the secrecy of the information gathered or entered on the schedules and forms, and who shall, except as allowed by this Act and the regulations, divulge the contents of any schedule or form filled up in pursuance of this Act or any regulation, or any information furnished in pursuance of this Act or any regulation;

Penalty.

shall be guilty of an offence and shall be liable, on summary conviction, to a penalty not exceeding three hundred

dollars and not less than fifty dollars, or to imprisonment for a period not exceeding six months and not less than one month, or to both fine and imprisonment.

Refusal to answer or false answer.

**37.** Every person who, without lawful excuse,—

(*a*) refuses or neglects to answer, or wilfully answers falsely, any question requisite for obtaining any information sought in respect of the objects of this Act or any regulation, or pertinent thereto, which has been asked of him by any person employed in the execution of any duty under this Act or any regulation; or

Refusal or neglect, false information or deception.

(*b*) refuses or neglects to furnish any information or to fill up to the best of his knowledge and belief any schedule or form which he has been required to fill up, and to return the same when and as required of him under this Act or any regulation, or wilfully gives false information or practises any other deception thereunder;

Penalty.

shall, for every such refusal or neglect, or false answer or deception, be guilty of an offence and liable, upon summary conviction, to a penalty not exceeding one hundred dollars and not less than twenty dollars, or to imprisonment for a period not exceeding three months and not less than thirty days, or to both fine and imprisonment.

Wilful refusal or neglect to grant access to records.

**38.** Every person who has the custody or charge of any provincial, municipal or other public records or documents, or of any records or documents of any corporation, from which information sought in respect of the objects of this Act or any regulation can be obtained, or which would aid in the completion or correction thereof, who wilfully or without lawful excuse refuses or neglects to grant access thereto to any census officer, commissioner, enumerator, agent or other person deputed for that purpose by the Dominion Statistician, and every person who wilfully hinders or seeks to prevent or obstruct such access, or otherwise in any way wilfully obstructs or seeks to obstruct any person employed in the execution of any duty under this Act or any regulation, is guilty of an offence and

Penalty.

shall be liable, upon summary conviction, to a penalty not exceeding three hundred dollars and not less than fifty dollars, or to imprisonment for a period not exceeding six months and not less than one month, or to both fine and imprisonment.

Leaving notice at house.

**39.** The leaving by an enumerator, agent or other person employed in the execution of this Act or any regulation, at any house or part of a house, of any schedule or form purporting to be issued under this Act or any regulation, and having thereon a notice requiring that it be filled

up and signed within a stated time by the occupant of such house or part of a house, or in his absence by some other member of the family, shall, as against the occupant, be a sufficient requirement so to fill up and sign the schedule, though the occupant is not named in the notice, or personally served therewith.

Leaving notice at office.

**40.** The leaving by an enumerator or agent or other person employed in the execution of this Act at the office or other place of business of any person or firm or of any body corporate or politic, or the delivery by registered letter to any person, firm or body corporate or politic or his or its agent, or any such schedule or form having thereon a notice requiring that it be filled up and signed within a stated delay, shall, as against the person or the firm and the members thereof and each of them or the body corporate or politic, be a sufficient requirement to fill up and sign the schedule or form, and if so required in the notice, to mail the schedule or form within a stated time to the Bureau.

Application of fines.

**41.** Any fine imposed and recovered for any offence under this Act shall belong to His Majesty for the public uses of Canada, but the Minister may authorize the payment of one-half of any such fine to the prosecutor.

Repeals.

**42.** The *Census and Statistics Act,* chapter sixty-eight of the Revised Statutes of Canada, 1906, is hereby repealed.

First Session, Thirteenth Parliament, 8–9 George V, 1918.

THE HOUSE OF COMMONS OF CANADA

# BILL 32.

An Act respecting the Dominion Bureau of Statistics.

AS PASSED BY THE HOUSE OF COMMONS,
17th APRIL, 1918.

OTTAWA
J. DE LABROQUERIE TACHÉ
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
39119—1 1918

1st Session, 13th Parliament, 8-9 George V, 1918.

# THE HOUSE OF COMMONS OF CANADA.

# BILL 32.

An Act respecting the Dominion Bureau of Statistics.

R.S., c. 68.

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 Statistics Act.*

INTERPRETATION.

Definitions.

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

(*a*) "Minister" means the Minister of Trade and Commerce;

(*b*) "Bureau" means the Dominion Bureau of Statistics;

(*c*) "Transportation Company" means any railway, telegraph, telephone and express company and any carrier by water;

(*d*) "Regulation" means any regulation made under the provisions of this Act or any order of the Governor in Council made under the authority of this Act.

GENERAL.

Dominion Bureau of Statistics.

**3.** There shall be a bureau under the Minister of Trade and Commerce, to be called the Dominion Bureau of Statistics, the duties of which shall be to collect, abstract, compile and publish statistical information relative to the commercial, industrial, social, economic and general activities and condition of the people, to collaborate with all other departments of the Government in the compilation and publication of statistical records of administration according to the regulations, and to take the Census of the Dominion as hereinafter provided.

Dominion Statistician appointment and duties.

**4.** (1) The Governor in Council may appoint an officer to be called the Dominion Statistician, who shall hold office during pleasure, whose duties shall be, under the

direction of the Minister, to prepare all schedules, forms, and instructions, and generally to supervise and control the Bureau, and to report annually to the Minister with regard to the work of the Bureau during the preceding year.

Officials.

(2) Such other officers, clerks and employees may be appointed as are necessary for the proper conduct of the business of the Bureau, all of whom shall hold office during pleasure.

Commissioners, enumerators, and agents.

**5.** The Minister may employ from time to time, subject to the provisions of the *Civil Service Act*, such commissioners, enumerators, agents or persons as are necessary to collect statistics and information for the Bureau relating to such industries and affairs of the country as he deems useful and in the public interest, and the duties of such agents or persons shall be such as the Minister determines.

Oath of office.

**6.** (1) Every officer, census commissioner, enumerator, agent and other person employed in the execution of any duty under this Act or under any regulation made hereunder, before entering on his duties, shall take and subscribe the following oath:—

I.....solemnly swear that I will faithfully and honestly fulfil my duties as ....., in conformity with the requirements of the Act and of all proclamations, orders in council and instructions issued in pursuance thereof, and that I will not, without due authority in that behalf, disclose or make known any matter or thing which comes to my knowledge by reason of my employment as such.....

.....

Attestation.

(2) The oath shall be taken before such person, and returned and recorded in such manner, as the Minister prescribes.

Rules, regulations and forms.

**7.** The Minister shall make and prescribe such rules, regulations, instructions, schedules and forms as he deems requisite for conducting the work and business of the Bureau, the collecting of statistics and other information and taking of any census authorized by this Act; he shall prescribe what schedules, returns and information are to be verified by oath, the form of oath to be taken, and shall specify the officers and persons by and before whom the said oaths are to be taken.

No discrimination.

**8.** The Governor in Council shall not, nor shall the Minister, in the execution of the powers conferred by

this Act, discriminate between individuals or companies to the prejudice of any such individual or company.

Arrangements with provincial governments.

**9.** (1) The Minister may enter into any arrangement with the government of any province providing for any matter necessary or convenient for the purpose of carrying out or giving effect to this Act, and in particular for all or any of the following matters:—

(*a*) The execution by provincial officers of any power or duty conferred or imposed on any officer under this Act or the regulations;

(*b*) The collection by any provincial department or officer of any statistical or other information required for the purpose of carrying out this Act; and,

(*c*) The supplying of statistical information by any provincial department or officer to the Dominion Statistician.

Provincial officers.

(2) All provincial officers executing any power or duty conferred or imposed on any officer under this Act or the regulations, in pursuance of any arrangement entered into under this section, shall, for the purposes of the execution of that power or duty, be deemed to be officers under this Act.

Access to public records.

**10.** Every person who has the custody or charge of any provincial, municipal or other public records or documents, or of any records or documents of any corporation, from which information sought in respect of the objects of this Act can be obtained, or which would aid in the completion or correction thereof, shall grant to any census officer, commissioner, enumerator, agent or other person deputed for that purpose by the Dominion Statistician, access thereto for the obtaining of such information therefrom.

Inquiries under oath.

**11.** The Minister may, by special letter of instruction, direct any officer, census commissioner or other person employed in the execution of this Act, to make inquiry under oath as to any matter connected with the taking of the census or the collection of statistics or other information, or the ascertaining or correction of any supposed defect or inaccuracy therein; and such officer, census commissioner or other person shall then have the same power as is vested in any court of justice, of summoning any person, of enforcing his attendance and of requiring and compelling him to give evidence on oath, whether orally or in writing, and to produce such documents and things as such officer, census commissioner or other person deems requisite to the full investigation of such matter or matters.

Evidence of appointment, removal for instructions.

**12.** (*a*) Any letter purporting to be signed by the Minister or the Dominion Statistician, or by any other person thereunto authorized by the Governor in Council, and notifying any appointment or removal of or setting forth any instructions to any person employed in the execution of this Act; and,

(*b*) Any letter signed by any officer, census commissioner, or other person thereunto duly authorized, notifying any appointment or removal of or setting forth any instructions to any person employed under the superintendence of the signer thereof;

shall be, respectively, *prima facie* evidence of such appointment, removal or instructions, and that such letter was signed and addressed as it purports to be.

Presumption.

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

Remuneration.

**14.** (1) The Minister shall, subject to the approval of the Governor in Council, cause to be prepared one or more tables setting forth the rates of remuneration or allowances for the several census commissioners, enumerators, agents and other persons employed in the execution of this Act, which may be a fixed sum, a rate per diem, or a scale of fees, together with allowances for expenses.

Voted by Parliament.

(2) Such remuneration or allowances and all expenses incurred in carrying this Act into effect shall be paid out of such moneys as are provided by Parliament for that purpose.

Condition of payment.

(3) No remuneration or allowance shall be paid to any person for any service performed in connection with this Act until the services required of such persons have been faithfully and entirely performed.

SECRECY.

No individual return to be published or divulged.

**15.** (1) No individual return, and no part of an individual return, made, and no answer to any question put, for the purposes of this Act, shall, without the previous consent in writing of the person or of owner for the time being of the undertaking in relation to which the return or answer was made or given, be published, nor, except for the purposes of a prosecution under this Act, shall any

person not engaged in connection with the Census be permitted to see any such individual return or any such part of any individual return.

No report to reveal individual particulars.

(2) No report, summary of statistics or other publication under this Act shall contain any of the particulars comprised in any individual return so arranged as to enable any person to identify any particulars so published as being particulars relating to any individual person or business.

CENSUS OF POPULATION AND AGRICULTURE.

Census of population and agriculture every tenth year.

**16.** The Census of population and agriculture of Canada shall be taken by the Bureau under the direction of the Minister on a date in the month of June in the year one thousand nine hundred and twenty-one to be fixed by the Governor in Council, and every tenth year thereafter.

Manitoba, Saskatchewan and Alberta.

**17.** A census of population and agriculture of the Provinces of Manitoba, Saskatchewan and Alberta shall be taken by the Bureau, under the direction of the Minister, on a date in the month of June in the year one thousand nine hundred and twenty-six to be fixed by the Governor in Council, and every tenth year thereafter.

Census districts.

**18.** The Governor in Council shall divide the country in respect of which the census is to be taken into census districts, and each census district into subdistricts to correspond respectively, as nearly as may be, with the electoral divisions and subdivisions for the time being, and, in territories not so defined or so situated as to admit of adhering to boundries already established, into special divisions and subdivisions, for the purpose of the census.

Details.

**19.** Each census of population and agriculture shall be so taken as to ascertain with the utmost possible accuracy for the various territorial divisions of Canada, or of the provinces of Manitoba, Saskatchewan and Alberta as the case may be,—

(*a*) their population and the classification thereof, as regards name, age, sex, conjugal condition, relation to head of household, nationality, race, education, wage-earnings, religion, profession or occupation and otherwise;

(*b*) the number of houses for habitation, whether occupied or vacant, under construction or otherwise, the materials thereof and the number of rooms inhabited;

(*c*) the area of occupied land and its value, and its condition thereof as improved for cultivation, in fallow, in forest, unbroken prairie, marsh or waste land, and otherwise; the tenure and acreage of farms and the value of farm buildings and implements;

(*d*) the products of farms, with the values of such products, and the number and value of domestic animals within the preceding census or calendar year;

(*e*) the municipal, educational, charitable, penal and other institutions thereof; and,

(*f*) such other matters as may be prescribed by the Governor in Council.

CENSUS OF INDUSTRY—MINES, FISHERIES, FORESTRY, MANUFACTURES, ETC.

Census of industry.

**20.** A census of the products of industry shall be taken for the year one thousand nine hundred and eighteen, and subsequently at such intervals as may be determined by the Minister, which census shall be taken so as to ascertain with the utmost possible accuracy,—

(*a*) the products of all mines and quarries, fisheries, forests, manufacturing establishments, and the number and kind of buildings and other works of construction used in connection with the same;

(*b*) any other trade and business which may be prescribed, with the quantity of real estate and the number and kind of buildings and plant used in connection therewith; and

(*c*) any other matters that may be prescribed by the Minister.

Schedules of details.

**21.** (1) The Dominion Statistician shall, under the direction of the Minister, prepare a form for the collection of such data as may be, in his judgment, desirable for the proper presentation of industrial statistics, and the said form shall embody inquiries as to (1) the name of person, partnership or corporation; (2) kind of goods manufactured or business done; (3) capital invested; (4) principal stock or raw materials used, and total value thereof; (5) gross quantity and value of articles manufactured; (6) number of persons employed, distinguished as to sex, adults and children; (7) the power used or generated; (8) total wages and salaries paid; (9) number of days on which it was carried on; and (10) any other specified matter.

Distribution and returns.

(2) The said schedule shall be sent by mail to the owner, operator or manager of each industrial concern with respect to which information is desired, and such owner, operator, or manager, or any other person to whom this schedule or blank form is sent shall answer the inquiries thereon and return the same to the Bureau, properly certified as to its accuracy, not later than the time prescribed thereon, provided, however, that the Minister may, in his discretion, extend the time for returning the schedules, and provided that when deemed expedient, the Minister may employ agents or other persons for the collection of these statistics.

## Statistics of Trade and Commerce.

Statistics of Commerce and Navigation.

**22.** (1) The Dominion Statistician shall, under the direction of the Minister, annually prepare a report on the statistics of Commerce and Navigation of Canada with foreign countries. Such reports shall comprehend all goods, wares and merchandise exported from Canada to other countries, all goods, wares and merchandise imported into Canada from other countries, and all navigation employed in the foreign trade of Canada, which facts shall be stated according to the principles and in the manner defined in the regulations.

Returns of imports and exports from Customs.

(2) The Department of Customs shall send to the Dominion Statistician, in such manner and form and at such periods as the Governor in Council may prescribe, returns of imports from and exports to foreign countries arriving at or leaving Canada by water or by rail, and of the navigation employed in the foreign trade of Canada.

Contents of annual report,

**23.** The annual report of the Statistics of Commerce and Navigation shall state the kinds, quantities and values of the merchandise entered and cleared coastwise into and from the customs collection ports of Canada.

Monthly reports.

**24.** The Dominion Statistician shall, under the direction of the Minister, prepare and publish monthly reports of the exports and imports of Canada, including the quantities and values of accounts drawn from the warehouse and such other statistics relative to the trade and industry of the country as the Minister may consider expedient.

Domestic trade.

**25.** The Dominion Statistician shall prepare and make a report annually containing the results of any information collected during the preceding year upon the domestic trade of Canada.

## Transportation.

Annual transportation returns.

**26.** (1) Every transportation company shall annually prepare returns in such form as may be prescribed by the Governor in Council with respect to its capital, traffic equipment, working expenditure, and such other information as the Governor in Council may prescribe.

Attestation.

(2) Such returns shall be dated and signed by and attested upon the oath of the secretary or some other chief officer of the company, and shall also be attested upon the oath of the president, or, in his absence, of the vice-president or manager of the company.

Period included.

(3) Such returns shall be made for the period beginning from the date to which the then last yearly returns made by the company extended, or, if no such returns have been

previously made, from the commencement of the operation of the railway and ending with the last day of June in the then current year.

Date of forwarding.

(4) Such returns, dated, signed and attested in manner aforesaid, shall be forwarded by such company to the Dominion Statistician within one month after the first day of July in each year.

Traffic returns, monthly.

**27.** (1) Every transportation company shall prepare returns of its traffic monthly, that is to say, from the first to the close of the month inclusive. Such returns shall be in accordance with the form prepared by the Dominion Statistician and approved by the Minister.

Copies forwarded.

(2) A copy of such returns, signed by the officer of the company responsible for the correctness of such returns, shall be forwarded by the company to the Dominion Statistician within seven days from the day to which the said returns have been prepared.

Returns to be privileged.

**28.** All returns made in pursuance of any of the provisions of the two sections of this Act immediately preceding this section shall be privileged communications and shall not be evidence in any court whatever, except in any persecution for,—

(*a*) default in making such returns in accordance with the requirements of this Act;

(*b*) perjury in making any oath required by this Act in connection with such returns;

(*c*) forgery of any such return; or

(*d*) signing any such return knowing the same to be false.

CRIMINAL STATISTICS.

Courts to furnish criminal statistics.

**29.** The clerk of every court or tribunal administering criminal justice, or in case of there being no clerk, the judge or other functionary presiding over such court or tribunal, shall, before the end of October in each year, fill up and transmit to the Dominion Statistician, for the year ending the thirtieth day of September preceding, such schedules as he receives from time to time from the Dominion Statistician relating to the criminal business transacted in such court or tribunal.

Wardens and sheriffs.

**30.** The warden of every penitentiary and reformatory and the sheriff of every county and district shall, before the end of October in each year, fill up and transmit to the Dominion Statistician, for the year ending the thirtieth day of September preceding, such schedules as he receives from time to time from the Dominion Statistician relating to the prisoners committed to the penitentiary, reformatory or gaol.

Records.

**31.** Every person required to transmit any such schedules shall from day to day make and keep entries and records of the particulars to be comprised in such schedules.

Copies of returns.

**32.** Every officer required to transmit to the Minister of Finance true copies of returns made by justices of the peace shall, before the end of October in each year, transmit to the Minister true copies of all such returns for the year ending the thirtieth day of September next preceding.

Pardons.

**33.** The Secretary of State shall, before the end of October in each year, cause to be filled up and transmitted to the Dominion Statistician such schedules for the year ending the thirtieth day of September next preceding, relative to the cases in which the prerogative of mercy has been exercised, as the Minister may prescribe.

GENERAL STATISTICS.

General statistics.

**34.** Subject to the direction of the Minister, the Bureau shall collect, abstract and tabulate annually statistics in relation to all or any of the following matters: (*a*) Population; (*b*) Births, deaths and marriages; (*c*) Immigration and Emigration; (*d*) Agriculture; (*e*) Education; (*f*) Public and Private Finance; (*g*) any other matters prescribed by the Minister or by the Governor in Council.

Special statistics.

**35.** The Governor in Council may authorize the Minister to have any special statistical investigation made that is deemed advisable, and may prescribe the manner and by what means such investigation shall be made.

OFFENCES AND PENALTIES.

**36.** Every person employed in the execution of any duty under this Act or any regulation who,—

Desertion or false declaration.

(*a*) after having taken the prescribed oath, shall desert from his duty, or wilfully makes any false declaration, statement or return touching any such matter; or

Unlawful information.

(*b*) in the pretended performance of his duties thereunder, obtains or seeks to obtain information which he is not duly authorized to obtain; or

Improperly divulging information.

(*c*) shall not keep inviolate the secrecy of the information gathered or entered on the schedules and forms, and who shall, except as allowed by this Act and the regulations, divulge the contents of any schedule or form filled up in pursuance of this Act or any regulation, or any information furnished in pursuance of this Act or any regulation;

Penalty.

shall be guilty of an offence and shall be liable, on summary conviction, to a penalty not exceeding three hundred

dollars and not less than fifty dollars, or to imprisonment for a period not exceeding six months and not less than one month, or to both fine and imprisonment.

Refusal to answer or false answer.

**37.** Every person who, without lawful excuse,—

(*a*) refuses or neglects to answer, or wilfully answers falsely, any question requisite for obtaining any information sought in respect of the objects of this Act or any regulation, or pertinent thereto, which has been asked of him by any person employed in the execution of any duty under this Act or any regulation; or

Refusal or neglect, false information or deception.

(*b*) refuses or neglects to furnish any information or to fill up to the best of his knowledge and belief any schedule or form which he has been required to fill up, and to return the same when and as required of him under this Act or any regulation, or wilfully gives false information or practises any other deception thereunder;

Penalty.

shall, for every such refusal or neglect, or false answer or deception, be guilty of an offence and liable, upon summary conviction, to a penalty not exceeding one hundred dollars and not less than twenty dollars, or to imprisonment for a period not exceeding three months and not less than thirty days, or to both fine and imprisonment.

Wilful refusal or neglect to grant access to records.

**38.** Every person who has the custody or charge of any provincial, municipal or other public records or documents, or of any records or documents of any corporation, from which information sought in respect of the objects of this Act or any regulation can be obtained, or which would aid in the completion or correction thereof, who wilfully or without lawful excuse refuses or neglects to grant access thereto to any census officer, commissioner, enumerator, agent or other person deputed for that purpose by the Dominion Statistician, and every person who wilfully hinders or seeks to prevent or obstruct such access, or otherwise in any way wilfully obstructs or seeks to obstruct any person employed in the execution of any duty under this Act or any regulation, is guilty of an offence and

Penalty.

shall be liable, upon summary conviction, to a penalty not exceeding three hundred dollars and not less than fifty dollars, or to imprisonment for a period not exceeding six months and not less than one month, or to both fine and imprisonment.

Leaving notice at house.

**39.** The leaving by an enumerator, agent or other person employed in the execution of this Act or any regulation, at any house or part of a house, of any schedule or form purporting to be issued under this Act or any regulation, and having thereon a notice requiring that it be filled

up and signed within a stated time by the occupant of such house or part of a house, or in his absence by some other member of the family, shall, as against the occupant, be a sufficient requirement so to fill up and sign the schedule, though the occupant is not named in the notice, or personally served therewith.

Leaving notice at office.

**40.** The leaving by an enumerator or agent or other person employed in the execution of this Act at the office or other place of business of any person or firm or of any body corporate or politic, or the delivery by registered letter to any person, firm or body corporate or politic or his or its agent, or any such schedule or form having thereon a notice requiring that it be filled up and signed within a stated delay, shall, as against the person or the firm and the members thereof and each of them or the body corporate or politic, be a sufficient requirement to fill up and sign the schedule or form, and if so required in the notice, to mail the schedule or form within a stated time to the Bureau.

Application of fines.

**41.** Any fine imposed and recovered for any offence under this Act shall belong to His Majesty for the public uses of Canada, but the Minister may authorize the payment of one-half of any such fine to the prosecutor.

Repeals.

**42.** The *Census and Statistics Act*, chapter sixty-eight of the Revised Statutes of Canada, 1906, is hereby repealed.

First Session, Thirteenth Parliament, 8-9 George V, 1918.

THE HOUSE OF COMMONS OF CANADA

# BILL 33.

An Act respecting Brazeau Collieries, Limited.

First reading, April 5, 1918.

(PRIVATE BILL.)

Mr. BUCHANAN.

OTTAWA
J. DE LABROQUERIE TACHÉ
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1918

1st Session, 13th Parliament, 8-9 George V, 1918

THE HOUSE OF COMMONS OF CANADA.

# BILL 33.

An Act respecting Brazeau Collieries, Limited.

Preamble.

WHEREAS Brazeau Collieries, Limited, a company incorporated under the *Companies Act*, hereinafter called " the Company," by its petition alleges that at the commencement of war between Great Britain and Germany the whole of an issue of five per cent first mortgage bearer bonds, hereinafter called " the said bonds," created by the Company to an amount of five million five hundred thousand dollars secured by its Trust Deed dated the twentieth day of May, 1911, hereinafter called the " said Trust Deed," upon certain coal mining locations and properties upon and under Dominion lands in the province of Alberta were deposited and held in Belgium, or in other places now in the occupation of the enemy; and whereas the Company also alleges that certain of the said bonds so deposited or held were unissued bonds, the issue to be completed by delivery upon compliance with certain conditions precedent based upon the making of advances or payments to the Company, while other bonds of such issue were actually issued as security for advances made under an agreement with the Company dated the eleventh day of April, 1910; and whereas the Company further alleges that it is impossible to ascertain what has become of the said bonds; that some of them may have been seized or confiscated by the enemy or otherwise dealt with improperly, and that it is necessary, in view of the fact that the said bonds are bearer bonds, to limit the transferability and use thereof so as to protect the interest of the rightful owners therein and to prevent the said bonds from being of advantage to the enemy; and has 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:—

Bonds for $5,500,000 upon coal mines in Alberta deposited and held in Belgium or places occupied by enemy.

Seizure and confiscation of Bonds by enemy.

Bonds not negotiable and company relieved from liability subject to terms of this Act.

**1.** Notwithstanding anything to the contrary contained in any of the said bonds or in any coupons attached thereto, or in any mortgage or deed of trust securing the same, or by reason of any statute or law, or principle of law or equity relating thereto, from and after the fourth day of August, 1914, the said bonds and coupons ceased to be negotiable securities or instruments negotiable by delivery, and have since continued to be and now are securities not capable of being enforced against the Company or its assets but capable only of being dealt with as in this Act provided.

Conditions under which holder may surrender bonds and coupons and receive certificate of stock.

**2.** The holder of any of the said bonds or coupons upon production and surrender thereof to a registrar or transfer officer appointed under the provisions of the said Trust Deed, and upon furnishing evidence satisfactory to the directors of the Company that,—

(*a*) he is not an enemy subject;

(*b*) he was entitled by law or in equity on the fourth day of August, 1914, to the said bonds and coupons so produced and surrendered under the agreement with the Company dated the eleventh day of April, 1910; or,

(*c*) he is lawfully entitled to the said bonds and coupons by virtue of written transfers satisfactory to the directors of the Company from and through the persons mentioned in paragraph (*b*) of this section;

may obtain from the Company a certificate of debenture stock, issued under the said Trust Deed, to the face amount of the principal of the bonds so surrendered. The matured interest coupons so surrendered may, in the discretion of the directors of the Company, be either paid in cash concurrently with the issue of such debenture stock certificates, or the certificates or some of them may be dated back to some coupon maturity date so as to entitle the holder thereof to the interest represented by the coupons attached to the bonds so surrendered, or the certificate date may be otherwise fixed and an adjustment made and paid in cash by the Company for any broken interest period.

Cancellation of bonds surrendered.

(2) Bonds and coupons so surrendered and in respect of which debenture stock certificates are issued as herein provided shall forthwith be delivered to one of the trustees for cancellation.

Regulations.

(3) The directors may make regulations for the guidance of the Company's officers for the carrying into effect of the provisions of this Act.

No other rights created by negotiation.

**3.** No dealing with any of the said bonds or coupons, other than as provided in this Act, whether heretofore since the fourth day of August, 1914, or hereafter made, shall be deemed to have passed or created, or shall pass or create, any right, title, interest, charge, cause of action or property

in, to or out of any of the said bonds or coupons or any properties on which the same may be charged.

Power to issue new bonds or bearer bonds after peace is declared.

**4.** Nothing in this Act shall prevent the Company after the signing of peace between Great Britain and Germany from issuing or exchanging bearer bonds secured by the said Trust Deed in lieu of or for any of the aforesaid debenture stock, nor from issuing new bonds so secured in lieu of any of the said bonds heretofore issued which may be proved to the satisfaction of the directors to have been lost or destroyed, or from substituting other bonds for any unissued bonds which may have been executed by the Company prior to the fourth day of August, 1914.

First Session, Thirteenth Parliament, 8–9 George V, 1918.

THE HOUSE OF COMMONS OF CANADA

# BILL 34.

An Act respecting The Canadian Northern Ontario Railway Company.

First reading, April 5, 1918.

(PRIVATE BILL.)

Mr. MORPHY.

OTTAWA
J. DE LABROQUERIE TACHÉ
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1918

1st Session, 13th Parliament, 8-9 George V, 1918.

# THE HOUSE OF COMMONS OF CANADA.

# BILL 34.

An Act respecting The Canadian Northern Ontario Railway Company.

1907, c. 72; 1909, c. 63; 1911, c. 57; 1912, c. 75; 1914, c. 79; 1916, c. 37.

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

Short title.

**1.** This Act may be cited as *The Canadian Northern Ontario Railway Act, 1918.*

Extension of time for construction.

**2.** The Canadian Northern Ontario Railway Company, hereinafter called "the Company," may commence and construct the line of railway authorized by paragraph (*b*) of section two of chapter thirty-seven of the statutes of 1916, described as follows:—

From a point on its authorized line between Port Arthur and Sudbury, near the head of Long Lake, thence by the shortest practicable route in a generally northerly and westerly direction to a junction with the National Transcontinental Railway east of Lake Nipigon.

Limitation.

**3.** If the said line is not commenced within two years and completed and put in operation within five years from the passing of this Act, the powers granted for the construction thereof shall cease and determine with respect to such part of the said line as then remains uncompleted.

First Session, Thirteenth Parliament, 8–9 George V, 1918.

THE HOUSE OF COMMONS OF CANADA

# BILL 34.

An Act respecting The Canadian Northern Ontario Railway Company.

AS PASSED BY THE HOUSE OF COMMONS, 22nd APRIL, 1918.

OTTAWA
J. DE LABROQUERIE TACHÉ
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1918

1st Session, 13th Parliament, 8-9 George V, 1918.

THE HOUSE OF COMMONS OF CANADA

# BILL 34.

An Act respecting The Canadian Northern Ontario Railway Company.

1907, c. 72; 1909, c. 63; 1911, c. 57; 1912, c. 75; 1914, c. 79; 1916, c. 37.

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

Short title.

**1.** This Act may be cited as *The Canadian Northern Ontario Railway Act, 1918.*

Extension of time for construction.

**2.** The Canadian Northern Ontario Railway Company, hereinafter called "the Company," may commence and construct the line of railway authorized by paragraph (*b*) of section two of chapter thirty-seven of the statutes of 1916, described as follows:—

From a point on its authorized line between Port Arthur and Sudbury, near the head of Long Lake, thence by the shortest practicable route in a generally northerly and westerly direction to a junction with the National Transcontinental Railway east of Lake Nipigon.

Limitation.

**3.** If the said line is not commenced within two years and completed and put in operation within five years from the passing of this Act, the powers granted for the construction thereof shall cease and determine with respect to such part of the said line as then remains uncompleted.

First Session, Thirteenth Parliament, 8–9 George V, 1918.

THE HOUSE OF COMMONS OF CANADA

# BILL 35.

An Act respecting the Ottawa Gas Company.

First reading, April 5, 1918.

(PRIVATE BILL.)

Mr. FRIPP.

OTTAWA
J. DE LABROQUERIE TACHÉ
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1918

1st Session, 13th Parliament, 8-9 George V, 1918.

# THE HOUSE OF COMMONS OF CANADA.

# BILL 35.

An Act respecting The Ottawa Gas Company.

1876, c. 71; 1894, c. 112; 1897, c. 74; 1913, c. 168.

WHEREAS The Ottawa Gas 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:—

Increase of capital stock.

**1.** The capital stock of The Ottawa Gas Company is increased from two million dollars to five million dollars.

Borrowing powers.

**2.** Section one of chapter one hundred and twelve of the statutes of 1894 is hereby repealed and the following is enacted in lieu thereof:—

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

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

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

(*c*) issue bonds, debentures, debenture stock, or other securities of the Company, and pledge or sell the same for such sums and at such prices as may be deemed expedient;

(*d*) hypothecate, mortgage, or pledge the real or personal property of the Company, or both, to secure any such bonds, debentures, debenture stock, or other securities and any money borrowed for the purposes of the Company.

Bills and notes.

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

First Session, Thirteenth Parliament, 8–9 George V, 1918.

THE HOUSE OF COMMONS OF CANADA

# BILL 36.

An Act respecting Ottawa and Montreal Transmission Company, Limited.

First reading, April 5, 1918.

(PRIVATE BILL.)

Mr. FRIPP.

OTTAWA
J. DE LABROQUERIE TACHÉ
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1918

1st Session, 13th Parliament, 8-9 George V, 1918.

# THE HOUSE OF COMMONS OF CANADA.

# BILL 36.

An Act respecting Ottawa and Montreal Transmission Company, Limited.

1910, c. 142; 1913, c. 169.

WHEREAS Ottawa and Montreal Transmission Company, Limited, 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:—

Extension of time for completion of works.

**1.** Ottawa and Montreal Transmission Company, Limited, may, within three years after the passing of this Act, commence construction of the works which by chapter one hundred and forty-two of the statutes of 1910 it is authorized to construct, and may complete the said works within five years after the passing of this Act; and if within the said periods respectively, the said works are not commenced or are not completed, the powers of construction conferred upon the said Company under the said Act by Parliament shall cease and be null and void as respects so much of the said works as then remains uncompleted.

Repeal.

**2.** Chapter one hundred and sixty-nine of the statutes of 1913 is hereby repealed.

First Session, Thirteenth Parliament, 8–9 George V, 1918.

THE HOUSE OF COMMONS OF CANADA

# BILL 36.

An Act respecting Ottawa and Montreal Transmission Company, Limited.

**AS PASSED BY THE HOUSE OF COMMONS, 29th APRIL, 1918.**

OTTAWA
J. DE LABROQUERIE TACHÉ
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1918

1st Session, 13th Parliament, 8-9 George V, 1918.

# THE HOUSE OF COMMONS OF CANADA.

# BILL 36.

An Act respecting Ottawa and Montreal Transmission Company, Limited.

1910, c. 142; 1913, c. 169.

WHEREAS Ottawa and Montreal Transmission Company, Limited, 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:—

Extension of time for completion of works.

**1.** Ottawa and Montreal Transmission Company, Limited, may, within three years after the passing of this Act, commence construction of the works which by chapter one hundred and forty-two of the statutes of 1910 it is authorized to construct, and may complete the said works within five years after the passing of this Act; and if within the said periods respectively, the said works are not commenced or are not completed, the powers of construction conferred upon the said Company under the said Act by Parliament shall cease and be null and void as respects so much of the said works as then remains uncompleted.

Repeal.

**2.** Chapter one hundred and sixty-nine of the statutes of 1913 is hereby repealed.

First Session, Thirteenth Parliament, 8–9 George V, 1918.

THE HOUSE OF COMMONS OF CANADA

# BILL 37.

An Act respecting The Toronto, Niagara and Western Railway Company.

First reading, April 5, 1918.

(PRIVATE BILL.)

Mr. MORPHY.

OTTAWA
J. DE LABROQUERIE TACHÉ
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1918

1st Session, 13th Parliament, 8-9 George V, 1918.

# THE HOUSE OF COMMONS OF CANADA.

# BILL 37.

An Act respecting The Toronto, Niagara and Western Railway Company.

1903, c. 196; 1904, c. 135; 1906, c. 169; 1909, c. 143; 1914, c. 112; 1916, c. 51.

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

Short title.

**1.** This Act may be cited as *The Toronto, Niagara and Western Railway Act, 1918.*

Extension of time for construction.

**2.** The Toronto, Niagara and Western Railway Company, hereinafter called "the Company," may commence and construct the lines of railway authorized by paragraphs (*a*) and (*b*) of section two of chapter fifty-one of the statutes of 1916, described as follows:—

(*a*) From a point in or near the city of Toronto, in the county of York, to some point in or near the city of Hamilton, in the county of Wentworth, passing through the counties of York, Peel, Halton and Wentworth, in the province of Ontario; but nothing in this Act shall authorize or empower the Company to lay out or construct any railway track upon or along any portion of Burlington Beach in the said county of Wentworth without the consent of the Burlington Beach Commission, or upon or along any portion of Burlington Beach in the said county of Halton without the consent of the municipal corporation of the township of Nelson;

(*b*) From a point in or near the city of Hamilton, in the county of Wentworth, to some point on the international boundary line at or near Grand Island, or the town of Niagara Falls, in the county of Welland, and, with the consent of the proper authorities, beyond the limits of the province to a point in the state of New York; and also a branch line from a point on the railway hereby authorized in the city of St. Catharines, in the county of Lincoln, passing through or near the town of

Thorold, to the town of Port Colborne, in the county of Welland.

Limitation.

**3.** If the said lines are not commenced within two years and completed and put in operation within five years from the passing of this Act, the powers granted for the construction thereof shall cease and determine with respect to such parts of the said lines as then remain uncompleted.

First Session, Thirteenth Parliament, 8–9 George V, 1918.

THE HOUSE OF COMMONS OF CANADA

# BILL 37.

An Act respecting The Toronto, Niagara and Western Railway Company.

AS PASSED BY THE HOUSE OF COMMONS, 6th MAY, 1918.

OTTAWA
J. DE LABROQUERIE TACHÉ
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
40361—1 1918

1st Session, 13th Parliament, 8-9 George V, 1918.

# THE HOUSE OF COMMONS OF CANADA.

# BILL 37.

An Act respecting The Toronto, Niagara and Western Railway Company.

1903, c. 196; 1904, c. 135; 1906, c. 169; 1909, c. 143; 1914, c. 112; 1916, c. 51.

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

Short title.

**1.** This Act may be cited as *The Toronto, Niagara and Western Railway Act, 1918.*

Extension of time for construction.

**2.** The Toronto, Niagara and Western Railway Company, hereinafter called "the Company," may commence and construct the lines of railway authorized by paragraphs (*a*) and (*b*) of section two of chapter fifty-one of the statutes of 1916, described as follows:—

(*a*) From a point in or near the city of Toronto, in the county of York, to some point in or near the city of Hamilton, in the county of Wentworth, passing through the counties of York, Peel, Halton and Wentworth, in the province of Ontario; but nothing in this Act shall authorize or empower the Company to lay out or construct any railway track upon or along any portion of Burlington Beach in the said county of Wentworth without the consent of the Burlington Beach Commission, or upon or along any portion of Burlington Beach in the said county of Halton without the consent of the municipal corporation of the township of Nelson;

(*b*) From a point in or near the city of Hamilton, in the county of Wentworth, to some point on the international boundary line at or near Grand Island, or the town of Niagara Falls, in the county of Welland, and, with the consent of the proper authorities, beyond the limits of the province to a point in the state of New York; and also a branch line from a point on the railway

hereby authorized in the city of St. Catharines, in the county of Lincoln, passing through or near the town of Thorold, to the town of Port Colborne, in the county of Welland.

Limitation.

**3.** If the said lines are not commenced within two years and completed and put in operation within five years from the passing of this Act, the powers granted for the construction thereof shall cease and determine with respect to such parts of the said lines as then remain uncompleted.

First Session, Thirteenth Parliament, 8-9 George V, 1918.

THE HOUSE OF COMMONS OF CANADA

# BILL 38.

An Act for granting to His Majesty aid for Military and Naval Defence.

First reading, April 5, 1918.

The PRIME MINISTER.

OTTAWA
J. DE LABROQUERIE TACHÉ
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1918

1st Session, 13th Parliament, 8-9 George V, 1918.

THE HOUSE OF COMMONS OF CANADA.

# BILL 38.

An Act for granting to His Majesty aid for Military and Naval Defence.

WHEREAS a state of war exists between His Majesty and the German Emperor, the Emperor of Austria, King of Hungary, the Sultan of Turkey, and the King of the Bulgarians; and whereas it is necessary that measures be taken for the common defence and security, and to this end it is expedient that aid as hereinafter provided be rendered to His Majesty: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Short title.

**1.** This Act may be cited as *The War Appropriation Act, 1918.*

Payment of five hundred million dollars may be made.

**2.** From and out of the Consolidated Revenue Fund there may be paid and applied beyond the ordinary grants of Parliament a sum not exceeding five hundred million dollars towards defraying any expenses that may be incurred by or under the authority of the Governor in Council during the year ending the thirty-first day of March, 1919, for—

Purposes.

(*a*) the defence and security of Canada;

(*b*) the conduct of naval and military operations in or beyond Canada;

(*c*) promoting the continuance of trade, industry, and business communications, whether by means of insurance or indemnity against war risk or otherwise;

(*d*) the carrying out of any measures deemed necessary or advisable by the Governor in Council in consequence of the existence of a state of war; and

(*e*) payments made for the said purposes during the fiscal year ending the thirty-first day of March, nineteen hundred and eighteen, in excess of the amount authorized by *The War Appropriation Act, 1917.*

Regulations.

**3.** The Governor in Council, in addition to any regulations deemed necessary to give effect to the provisions of this Act, shall make all such regulations as to the rates of pay and allowances of officers and men payable out of the moneys provided under this Act as may by the Governor in Council be deemed proper.

Loan authorized.

**4.** The Governor in Council may, in addition to the sums now remaining unborrowed and negotiable of the loans authorized by any Act of Parliament heretofore passed, raise by way of loan, by the issue and sale or pledge of securities of Canada, in such form, for such separate sums, at such rates of interest and upon such other terms and conditions as the Governor in Council may approve, such sum or sums of money as are required for the purpose of making any payment authorized by this Act, and the sums so raised shall form part of the Consolidated Revenue Fund of Canada.

Power to re-issue, sell or pledge securities.

**5.** When securities issued under this Act have been pledged as security for a loan, and the loan has been paid off and the pledge redeemed, the securities shall not be deemed to have been extinguished, but shall be deemed to be still alive, and may be re-issued and sold and pledged as if the former pledging had not taken place.

Charged to Con. Rev. Fund.

**6.** The principal raised by way of loan under this Act and the interest thereon, shall be charged upon and payable out of the Consolidated Revenue Fund.

38.

First Session, Thirteenth Parliament, 8–9 George V, 1918.

THE HOUSE OF COMMONS OF CANADA

# BILL 38.

An Act for granting to His Majesty aid for Military and Naval Defence.

AS PASSED BY THE HOUSE OF COMMONS, 24th APRIL, 1918.

OTTAWA
J. DE LABROQUERIE TACHÉ
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1918

1st Session, 13th Parliament, 8-9 George V, 1918.

THE HOUSE OF COMMONS OF CANADA.

# BILL 38.

An Act for granting to His Majesty aid for Military and Naval Defence.

WHEREAS a state of war exists between His Majesty and the German Emperor, the Emperor of Austria, King of Hungary, the Sultan of Turkey, and the King of the Bulgarians; and whereas it is necessary that measures be taken for the common defence and security, and to this end it is expedient that aid as hereinafter provided be rendered to His Majesty: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Short title.

**1.** This Act may be cited as *The War Appropriation Act, 1918.*

Payment of five hundred million dollars may be made.

**2.** From and out of the Consolidated Revenue Fund there may be paid and applied beyond the ordinary grants of Parliament a sum not exceeding five hundred million dollars towards defraying any expenses that may be incurred by or under the authority of the Governor in Council during the year ending the thirty-first day of March, 1919, for—

Purposes.

(*a*) the defence and security of Canada;

(*b*) the conduct of naval and military operations in or beyond Canada;

(*c*) promoting the continuance of trade, industry, and business communications, whether by means of insurance or indemnity against war risk or otherwise;

(*d*) the carrying out of any measures deemed necessary or advisable by the Governor in Council in consequence of the existence of a state of war; and,

(*e*) payments made for the said purposes during the fiscal year ending the thirty-first day of March, nineteen hundred and eighteen, in excess of the amount authorized by *The War Appropriation Act, 1917.*

Regulations.

**3.** The Governor in Council, in addition to any regulations deemed necessary to give effect to the provisions of this Act, shall make all such regulations as to the rates of pay and allowances of officers and men payable out of the moneys provided under this Act as may by the Governor in Council be deemed proper.

Loan authorized.

**4.** The Governor in Council may, in addition to the sums now remaining unborrowed and negotiable of the loans authorized by any Act of Parliament heretofore passed, raise by way of loan, by the issue and sale or pledge of securities of Canada, in such form, for such separate sums, at such rates of interest and upon such other terms and conditions as the Governor in Council may approve, such sum or sums of money as are required for the purpose of making any payment authorized by this Act, and the sums so raised shall form part of the Consolidated Revenue Fund of Canada.

Power to re-issue, sell or pledge securities.

**5.** When securities issued under this Act have been pledged as security for a loan, and the loan has been paid off and the pledge redeemed, the securities shall not be deemed to have been extinguished, but shall be deemed to be still alive, and may be re-issued and sold and pledged as if the former pledging had not taken place.

Charged to Con. Rev. Fund.

**6.** The principal raised by way of loan under this Act and the interest thereon, shall be charged upon and payable out of the Consolidated Revenue Fund.

First Session, Thirteenth Parliament, 8–9 George V, 1918.

THE HOUSE OF COMMONS OF CANADA

# BILL 39.

An Act to amend the Yukon Act.

First reading, April 8, 1918.

The MINISTER OF THE INTERIOR.

OTTAWA
J. DE LABROQUERIE TACHÉ
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
38267—1 1918

1st Session, 13th Parliament, 8-9 George V, 1918.

THE HOUSE OF COMMONS OF CANADA.

# BILL 39.

An Act to amend the Yukon Act.

R.S., c. 63; 1907, c. 53; 1908, c. 76; 1909, c. 37; 1912, c. 56.

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

**1.** The *Yukon Act*, chapter sixty-three of the Revised Statutes of Canada, 1906, is amended by adding thereto the following sections and sub-heading:—

"ABOLITION OF COUNCIL, ETC.

Abolition of Council and new Council provided for.

"**115.** The Governor in Council may at any time abolish the Council mentioned in section seven of this Act, and may substitute therefor a Council composed of two or more members, appointed by warrant of the Governor General under his Privy Seal, and to the Council so appointed may transfer any or all of the duties and powers of the Council mentioned in section seven.

Governor in Council may abolish offices, and transfer duties.

"**116.** The Governor in Council may abolish any position or office authorized or created under the provisions of this Act, and may transfer to any officer of the Crown any or all of the duties or functions of the position or office so abolished, whether any of such duties or functions are defined in this Act, or in any other Act, or in any regulations made under the authority of this Act or any other Act applying to the Yukon Territory. This section shall be deemed to have come into effect on the twenty-seventh day of March, 1918."

Retroactive.

Auditor General may send an officer to audit accounts in Territory when he deems it necessary instead of yearly as heretofore.

**2.** Subsection two of section twenty of chapter seventy-six of the statutes of 1908, intituled *An Act to amend the Yukon Act*, is repealed and the following is substituted therefor:—

"(2) The Auditor General shall whenever he deems it necessary or desirable send an officer of his office to the Territory for the purpose of examining and auditing such receipt, expenditure and accounts, and reporting thereon to him."

39.

First Session, Thirteenth Parliament, 8-9 George V, 1918.

THE HOUSE OF COMMONS OF CANADA

# BILL 39.

An Act to amend the Yukon Act.

AS PASSED BY THE HOUSE OF COMMONS,
17th APRIL, 1918,

OTTAWA
J. DE LABROQUERIE TACHÉ
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
39120—1 1918

1st Session, 13th Parliament, 8-9 George V, 1918.

THE HOUSE OF COMMONS OF CANADA.

# BILL 39.

An Act to amend the Yukon Act.

R.S., c. 63; 1907, c. 53; 1908, c. 76; 1909, c. 37; 1912, c. 56.

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

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"ABOLITION OF COUNCIL, ETC.

Abolition of Council and new Council provided for.

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First Session, Thirteenth Parliament, 8-9 George V, 1918.

THE HOUSE OF COMMONS OF CANADA

# BILL 40.

An Act to amend the Public Works Act.

First reading, April 8, 1918.

The MINISTER OF PUBLIC WORKS.

OTTAWA
J. DE LABROQUERIE TACHÉ
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1918

1st Session, 13th Parliament, 8-9 George V, 1918.

THE HOUSE OF COMMONS OF CANADA.

# BILL 40.

An Act to amend the Public Works Act.

R.S., c. 39.

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

**1.** The *Public Works Act*, chapter thirty-nine of the Revised Statutes of Canada, 1906, is amended by inserting the following section immediately after section thirty-six of the said Act:—

Power to dredge, etc., beds of navigable waters.

"**36A.** Whenever the Governor in Council, or the Minister charged with any work for the improvement of navigation, directs any work to be performed in any navigable water for the improvement of the navigation thereof, it shall be lawful for the officers or servants of His Majesty or the contractors for the work, under the direction of the Governor in Council or of the Minister, to enter upon, dig up, dredge and remove any part of the bed of such navigable water, or to build or erect any works thereon, as may be directed or authorized by the Governor in Council or by the Minister for the improvement of the navigation."

First Session, Thirteenth Parliament, 8–9 George V, 1918.

THE HOUSE OF COMMONS OF CANADA

# BILL 40.

An Act to amend the Public Works Act.

AS PASSED BY THE HOUSE OF COMMONS, 12TH APRIL, 1918.

OTTAWA
J. DE LABROQUERIE TACHÉ
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1918

1st Session, 13th Parliament, 8-9 George V, 1918.

THE HOUSE OF COMMONS OF CANADA.

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First Session, Thirteenth Parliament, 8–9 George V, 1918.

THE HOUSE OF COMMONS OF CANADA

# BILL 41.

An Act to amend the Navigable Waters Protection Act.

First reading, April 8, 1918.

The MINISTER OF PUBLIC WORKS.

OTTAWA
J. DE LABROQUERIE TACHÉ
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
38447—1 1918

1st Session, 13th Parliament, 8-9 George V, 1918.

THE HOUSE OF COMMONS OF CANADA.

# BILL 41.

An Act to amend the Navigable Waters Protection Act.

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

R.S., c. 115; 1909, c, 28; 1910, c. 44.

**1.** Paragraph (*a*) of section two of the *Navigable Waters Protection Act*, chapter one hundred and fifteen of the Revised Statutes, 1906, is repealed and the following is substituted therefor:—

Definition of "work".

"(*a*) 'work' includes any bridge, boom, dam, aboiteau, wharf, dock, pier or other structure, tunnel or pipe, or telegraph or power cable or wire and the approaches or other works necessary or appurtenant thereto, or any work, structure or device, whether similar in character to the foregoing or not, which in the opinion of the Minister of Public Works may interfere with navigation."

**2.** Sections four and five of the *Navigable Waters Protection Act*, as enacted by chapter forty-four of the statutes of 1910, are repealed and the following are substituted therefor:—

Construction of works in navigable waters subject to approval.

"**4.** No work shall be built or placed in, upon, over, under, through or across any navigable water unless the site thereof has, upon the recommendation of the Minister of Public Works, been approved by the Governor in Council, nor unless such work is built, placed and maintained in accordance with plans and regulations approved or made by the Governor in Council.

Small works excepted.

"2. The provisions of this section shall not apply to small wharfs or groynes or other bank or beach protection works, or boat-houses, provided that, in the opinion of the Minister of Public Works, (*a*) they do not interfere with navigation, and, (*b*) do not cost more than one thousand dollars.

Removal of unauthorized works.

"**5.** Any work to which this part applies which is bulit or placed upon a site not approved by the Governor in

Council, or which is not built or placed in accordance with plans so approved, or which, having been so built or placed, is not maintained in accordance with such plans and regulations, may be removed and destroyed under the authority of the Governor in Council by the Minister of Public Works, and the materials contained in the said work may be sold, given away or otherwise disposed of, and the costs of and incidental to the removal, destruction or disposition of such work, deducting therefrom any sum which may be realized by sale or otherwise, shall be recoverable with costs in the name of His Majesty from the owner.

Cost of removal, how recovered.

"Owner", definition of.

"2. In this section 'owner' includes the person authorizing or otherwise responsible for the erection or maintenance of any work referred to in this section, and the actual or reputed owner or person in possession or claiming ownership thereof for the time being, and all or any of such persons jointly and severally."

First Session, Thirteenth Parliament, 8-9 George V, 1918.

THE HOUSE OF COMMONS OF CANADA

# BILL 41.

An Act to amend the Navigable Waters Protection Act.

AS PASSED BY THE HOUSE OF COMMONS,
12TH APRIL, 1918.

OTTAWA
J. DE LABROQUERIE TACHÉ
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
38811—1 1918

1st Session, 13th Parliament, 8-9 George V, 1918.

THE HOUSE OF COMMONS OF CANADA.

# BILL 41.

An Act to amend the Navigable Waters Protection Act.

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

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"**4.** (1) No work shall be built or placed in, upon, over, under, through or across any navigable water unless the site thereof has, upon the recommendation of the Minister of Public Works, been approved by the Governor in Council, nor unless such work is built, placed and maintained in accordance with plans and regulations approved or made by the Governor in Council.

Small works excepted.

"(2). The provisions of this section shall not apply to small wharfs or groynes or other bank or beach protection works, or boat-houses, provided that, in the opinion of the Minister of Public Works, (*a*) they do not interfere with navigation, and, (*b*) do not cost more than one thousand dollars.

Removal of unauthorized works.

"**5.** (1) Any work to which this part applies which is built or placed upon a site not approved by the Governor in

Council, or which is not built or placed in accordance with plans so approved, or which, having been so built or placed, is not maintained in accordance with such plans and regulations, may be removed and destroyed under the authority of the Governor in Council by the Minister of Public Works, and the materials contained in the said work may be sold, given away or otherwise disposed of, and the costs of and incidental to the removal, destruction or disposition of such work, deducting therefrom any sum which may be realized by sale or otherwise, shall be recoverable with costs in the name of His Majesty from the owner.

Cost of removal, how recovered.

"(2). In this section 'owner' includes the person authorizing or otherwise responsible for the erection or maintenance of any work referred to in this section, and the actual or reputed owner or person in possession or claiming ownership thereof for the time being, and all or any of such persons jointly and severally."

"Owner", definition of.

First Session, Thirteenth Parliament, 8–9 George V, 1918.

THE HOUSE OF COMMONS OF CANADA

# BILL 42.

An Act to amend the Department of Railways and Canals Act.

First reading, April 9, 1918.

The MINISTER OF RAILWAYS AND CANALS.

OTTAWA
J. DE LABROQUERIE TACHÉ
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
38073—1 1918

1st Session, 13th Parliament, 8-9 George V, 1918.

THE HOUSE OF COMMONS OF CANADA.

# BILL 42.

An Act to amend the Department of Railways and Canals Act.

R.S., c. 35; 1911, c. 8.

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

**1.** The *Department of Railways and Canals Act*, chapter thirty-five of the Revised Statutes of Canada, 1906, is amended by inserting the following section immediately after section ten thereof:—

Minister may acquire rolling stock and equipment.

"**10A.** (1) Notwithstanding anything in this Act or in any other statute or law, the Minister, during the present fiscal year, with the approval of the Governor in Council, may acquire, directly or indirectly, or assist in acquiring, engines, cars, rails and other railway equipment and materials to an amount not exceeding fifty million dollars, (hereinafter called equipment) and may sell, lease or otherwise dispose of any such equipment to any Canadian railway company or companies upon such terms and conditions as may be approved by the Governor in Council, and may defray all expenditure made hereunder out of any unappropriated moneys in the Consolidated Revenue Fund of Canada.

Payment.

"(2) For the payment in whole or in part of any such equipment the Minister of Finance, with the approval of the Governor in Council, may issue equipment notes or other obligations (hereinafter called securities) or may guarantee the principal and interest of any securities issued by any company approved by the Governor in Council.

Form of securities, trust deeds, etc.

"(3) The times and manner of the issue of such securities and the forms and terms thereof, and the forms and terms of any trust deed, lease or other instrument incident thereto, and the trustees of any such trust deed, shall be such as the Governor in Council shall from time to time approve,

Section 4, c. 38 of 1907 to apply.

and the provisions of section four of chapter thirty-eight of the statutes of 1907 shall apply to any instrument relating to such equipment executed under this Act. Provided,

however, that the securities shall be made payable by instalments, the last instalment to be made payable on or before the expiry of ten years from the issue thereof.

Equipment may be transferred to Government Railways.

"(4) The Minister may transfer to the Canadian Government Railways any equipment so acquired and, in such event, there shall be charged to the accounts of the said railways such amounts as may properly be chargeable therefor.

Audit Act to apply.

"(5) The provisions of the Consolidated Revenue and Audit Act shall, as far as applicable, extend to the accounts and charges incurred under this Act."

First Session, Thirteenth Parliament, 8-9 George V, 1918.

THE HOUSE OF COMMONS OF CANADA

# BILL 42.

An Act to amend the Department of Railways and Canals Act.

AS PASSED BY THE HOUSE OF COMMONS, 12TH APRIL, 1918.

OTTAWA
J. DE LABROQUERIE TACHÉ
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
38812—1 1918

1st Session, 13th Parliament, 8-9 George V, 1918.

THE HOUSE OF COMMONS OF CANADA.

# BILL 42.

An Act to amend the Department of Railways and Canals Act.

R.S., c. 35; 1911, c. 8.

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

**1.** The *Department of Railways and Canals Act*, chapter thirty-five of the Revised Statutes of Canada, 1906, is amended by inserting the following section immediately after section ten thereof:—

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"**10A.** (1) Notwithstanding anything in this Act or in any other statute or law, the Minister, during the present fiscal year, with the approval of the Governor in Council, may acquire, directly or indirectly, or assist in acquiring, engines, cars, rails and other railway equipment and materials to an amount not exceeding fifty million dollars, (hereinafter called equipment) and may sell, lease or otherwise dispose of any such equipment to any Canadian railway company or companies upon such terms and conditions as may be approved by the Governor in Council, and may defray all expenditure made hereunder out of any unappropriated moneys in the Consolidated Revenue Fund of Canada.

Payment.

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Form of securities, trust deeds, etc.

"(3) The times and manner of the issue of such securities and the forms and terms thereof, and the forms and terms of any trust deed, lease or other instrument incident thereto, and the trustees of any such trust deed, shall be such as the Governor in Council shall from time to time approve,

Section 4, c. 38 of 1907 to apply.

and the provisions of section four of chapter thirty-eight of the statutes of 1907 shall apply to any instrument relating to such equipment executed under this Act: Provided,

however, that the securities shall be made payable by instalments, the last instalment to be made payable on or before the expiry of ten years from the issue thereof.

Equipment may be transferred to Government Railways.

"(4) The Minister may transfer to the Canadian Government Railways any equipment so acquired and, in such event, there shall be charged to the accounts of the said railways such amounts as may properly be chargeable therefor.

Audit Act to apply.

"(5) The provisions of the Consolidated Revenue and Audit Act shall, as far as applicable, extend to the accounts and charges incurred under this Act."

First Session, Thirteenth Parliament, 8-9 George V, 1918.

THE HOUSE OF COMMONS OF CANADA

# BILL 43.

An Act to incorporate The Canadian Niagara Bridge Company.

First reading, April 10, 1918.

(PRIVATE BILL.)

Mr. STEWART.

OTTAWA
J. DE LABROQUERIE TACHÉ
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
37629—1 1918

1st Session, 13th Parliament, 8-9 George V, 1918.

# THE HOUSE OF COMMONS OF CANADA.

# BILL 43.

An Act to incorporate The Canadian Niagara Bridge Company.

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

Incorporation.

**1.** The Right Honourable Baron Shaughnessy, K.C.V.O., of Montreal, Alfred H. Smith, of the town of Chappaqua, state of New York, railroad president, John N. Beckley, of the city of Rochester, state of New York, railroad president, Edwin Donaldson Cahill, of the city of Hamilton, province of Ontario, one of His Majesty's Counsel, and William Percy Torrance, of the city of Toronto, province of Ontario, barrister-at-law, together with such persons as become shareholders in the company, are hereby incorporated

Name.

under the name of "The Canadian Niagara 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.** The said the Right Honourable Baron Shaughnessy, K.C.V.O., of Montreal, Alfred H. Smith, John N. Beckley, Edwin Donaldson Cahill and William Percy Torrance, named in section one of this Act, are constituted provisional directors of the Company.

Capital stock.

**4.** The capital stock of the Company shall be three million dollars. No one call thereon shall exceed ten per cent on the shares subscribed.

Head office.

**5.** The head office of the Company shall be at the city of Hamilton in the province of Ontario.

Annual meeting.

**6.** The annual meeting of the shareholders shall be held on the Tuesday next prior to the first Wednesday in June each year.

Directors.

**7.** The number of directors shall be not less than five nor more than eleven, one or more of whom may be paid directors; and it shall not be necessary that a majority of the directors be resident in Canada or subjects of His Majesty.

Power to construct bridge across Niagara River.

R. S. c. 37; R. S. c. 115.

**8.** Subject to the provisions of the *Railway Act* and of the *Navigable Waters Protection Act*, the Company may,—

(*a*) construct, maintain and operate a railway bridge across the Niagara river from some convenient point in the province of Ontario between Chippewa and Fort Erie in the county of Welland to the opposite side of the river in the state of New York, and may lay, maintain and use tracks on the said bridge for the passage of locomotive engines, railway trains, and rolling stock, with all necessary approaches, machinery and appurtenances required for the said bridge;

Track connections.

(*b*) construct, maintain and operate lines of railway not exceeding six miles in length to connect the said bridge with any railway or railways now or hereafter constructed on either side of the said river;

Way for pedestrians, cars and vehicles.

(*c*) construct as part of the said bridge or at any time after the completion thereof a way for general traffic purposes for the passage of pedestrians, carriages, cars and vehicles propelled or drawn by any motive power, and in the event of the Company electing to construct the said way, it may make by-laws, rules and regulations for the management, control and use of the said way;

Lands for bridges, yards and works.

(*d*) purchase, lease or otherwise acquire and hold lands for the bridge, tracks, terminal yards, accommodation works and facilities required for the convenient working of traffic to, from and over the said bridge and for said lines of railway as the Company thinks necessary for any of the said purposes;

Expropriation.

(*e*) expropriate and take an easement in, over, under or through any lands without the necessity of acquiring a title in fee simple thereto;

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

(*f*) 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 decision 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 Railway Commissioners for Canada;

Right of entry, and compensation for damages.

(*g*) 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 sixteen 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;

Tolls.

(*h*) charge tolls for the passage of locomotives, engines, railway trains and rolling stock, and for pedestrians, carriages, cars, vehicles and general traffic over the said bridge or for the use thereof or any part thereof; and

Powers of a railway company.

(*i*) for the purposes of its undertaking, exercise under and subject to the provisions of the *Railway Act*, all or any of the powers, rights and privileges of a railway company.

Approval of United States.

**9.** The Company shall not commence the actual construction of the said bridge until an Act of the Congress of the United States or other competent authority has been passed authorizing or approving the 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.

Consent of municipalities.

**10.** The Company shall not construct or operate any of the works mentioned in section eight of this Act along 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 or other public place, and upon terms to be agreed upon with such municipality, and failing such consent then upon such terms as are fixed by the Board of Railway Commissioners for Canada.

Plans and location of bridge subject to approval.

**11.** The said bridge shall be constructed and located under, and be subject to, such regulations 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 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 approved.

Powers of Niagara Falls Parks Commission preserved.

**12.** Notwithstanding anything in this Act contained, the jurisdiction and control of the Commissioners for the Queen Victoria Niagara Falls Park in respect to the matters placed under their jurisdiction and control by virtue of chapter ninety-six of the statutes of 1892 of the legislature of Ontario, and the powers of the said legislature in respect of the Niagara Falls Park and River Railway Company, shall continue the same as if this Act had not been passed, nor shall anything in this Act contained vary the agreement of the fourth of December, one thousand eight hundred and ninety-one, by the said statutes of 1892 ratified and confirmed.

Power to borrow money and issue bonds, etc.

**13.** The directors may borrow money on behalf of the Company, and may in the manner prescribed by the *Railway Act*, issue, sell or pledge and secure bonds, debentures and other securities to an amount not exceeding four million dollars.

Tolls to be approved by Railway Commission.

**14.** The directors may fix and regulate the tolls and rates to be charged, and such tolls and rates shall, before being imposed, be submitted to and approved of by the Board of Railway Commissioners for Canada, which Board may revise the same from time to time.

Amalgamation and agreements with other companies.

**15.** The Company may unite with any company or companies incorporated under the laws of Canada or of the state of New York or of the United States, in building, working, managing, maintaining and using the said bridge, terminals and approaches, and may make agreements with any such company or companies respecting the construction, maintenance, management and use of the said bridge and its appurtenances, and acquiring the approaches and lands therefor, in New York as well as in Canada, and may, subject to the provisions of the *Railway Act*, make arrange-

ments with any such company or companies for conveying or leasing the said bridge to such company or companies in whole or in part, or any rights or powers acquired by it, as also the franchise, surveys, plans, works, plant, machinery and other property to it belonging, or for an amalgamation with any such company on such terms and conditions as are agreed upon and subject to such restrictions as the directors deem fit: Provided that such agreement has been first approved by two-thirds of the votes at a special general meeting of the shareholders, duly called for the purpose of considering it, at which meeting shareholders representing at least two-thirds in value of the subscribed stock of the Company are present, or represented by proxy, and that such agreement has also received the sanction of the Governor in Council; and certified copies of such agreement shall be filed forthwith in the office of the Secretary of State for Canada, and also in the office of the Minister of Railways and Canals.

Approved by shareholders.

Sanction of Governor in Council.

Assets and liabilities of amalgamated company.

**16.** Upon an amalgamation agreement being sanctioned by the Governor in Council under the last preceding section, the companies, parties to such agreement shall, subject to the provisions of the *Railway Act*, be amalgamated, and shall form one company under the name and upon the terms and conditions in such agreement provided; and the amalgamated company 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 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 were or either of them was at the time the said amalgamation took effect.

Amalgamated company may borrow money and mortgage property.

**17.** The said new or amalgamated company may from time to time borrow such sums of money 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 under the provisions of the *Railway Act*.

Railway companies may loan credit to or own shares of company or amalgamated company.

**18.** Any railway company or companies in Canada or elsewhere may agree either jointly or severally with the Company, or with the amalgamated company, for the loan of its credit to, or may subscribe to or become the owner of shares of the capital stock of, the Company hereby created or the amalgamated company, in the same manner

and with like rights as individuals, and may guarantee either jointly or severally bonds, debentures and other securities of the Company or of the amalgamated company.

Time for commencement and completion of bridge.

**19.** The said bridge shall be commenced within two 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 five 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 five years after the passing of this Act, the powers granted for the construction of the said bridge shall cease and be null and void. Section one hundred and fifty of the *Railway Act* shall not apply to the Company.

Equal rights of passage to other companies.

Approval of Railway Commission.

**20.** Every railway company, whose line of railway now has or shall hereafter have a terminus at, or shall run its trains to or from, any point at or near either end of the said bridge, or shall run its trains in connection with any railway having such terminus or upon which trains are or shall be run to or from the localities aforesaid, whether incorporated by Parliament or by any provincial legislature, or by any authority in the state of New York, or by the Congress of the United States, shall have and be entitled to the same and equal rights and privileges in the passage of the said bridge, without discrimination or preference, upon such terms and conditions as are fixed by the Board of Railway Commissioners for Canada; and the said Board may make and enforce such orders for the purpose of carrying out the provisions of this section as it thinks necessary.

Definition.

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

Application of Railway Act.

Railway to mean bridge.

**22.** The *Railway Act* shall, so far as is not inconsistent with the special provisions of this Act, apply to the works and undertaking of the Company, and wherever in the *Railway Act* the word "railway "occurs, it shall, for the purposes of the Company, and unless the context otherwise requires, mean the said bridge.

Companies Act not to apply.

**23.** The *Companies Act* shall not apply to the Company.

First Session, Thirteenth Parliament, 8-9 George V, 1918.

THE HOUSE OF COMMONS OF CANADA

# BILL 43.

An Act to incorporate The Canadian Niagara Bridge Company.

AS PASSED BY THE HOUSE OF COMMONS,
3rd MAY, 1918.

OTTAWA
J. DE LABROQUERIE TACHÉ
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
40223—1 1918

1st Session, 13th Parliament, 8-9 George V, 1918.

# THE HOUSE OF COMMONS OF CANADA.

# BILL 43.

## An Act to incorporate The Canadian Niagara Bridge Company.

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

Incorporation.

**1.** The Right Honourable Baron Shaughnessy, K.C.V.O., of Montreal, Alfred H. Smith, of the town of Chappaqua, state of New York, railroad president, John N. Beckley, of the city of Rochester, state of New York, railroad president, Edwin Donaldson Cahill, of the city of Hamilton, province of Ontario, one of His Majesty's Counsel, and William Percy Torrance, of the city of Toronto, province of Ontario, barrister-at-law, together with such persons as become shareholders in the company, are hereby incorporated

Name.

under the name of "The Canadian Niagara 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.** The said the Right Honourable Baron Shaughnessy, K.C.V.O., of Montreal, Alfred H. Smith, John N. Beckley, Edwin Donaldson Cahill and William Percy Torrance, named in section one of this Act, are constituted provisional directors of the Company.

Capital stock.

**4.** The capital stock of the Company shall be three million dollars. No one call thereon shall exceed ten per cent on the shares subscribed.

Head office.

**5.** The head office of the Company shall be at the city of Hamilton in the province of Ontario.

Annual meeting.

**6.** The annual meeting of the shareholders shall be held on the Tuesday next prior to the first Wednesday in June each year.

Directors.

**7.** The number of directors shall be not less than five nor more than eleven, one or more of whom may be paid directors; and it shall not be necessary that a majority of the directors be resident in Canada or subjects of His Majesty.

R. S. c. 37; R. S. c. 115.

**8.** Subject to the provisions of the *Railway Act* and of the *Navigable Waters Protection Act*, the Company may,—

Power to construct bridge across Niagara River.

(*a*) construct, maintain and operate a railway and general traffic bridge across the Niagara river from some convenient point in the province of Ontario between a point not less than two miles upstream from Chippawa Creek and Fort Erie in the county of Welland to the opposite side of the river in the state of New York, and may lay, maintain and use tracks on the said bridge for the passage of locomotive engines, railway trains, and rolling stock, with all necessary approaches, machinery and appurtenances required for the said bridge;

Track connections.

(*b*) construct, maintain and operate lines of railway not exceeding six miles in length to connect the said bridge with any railway or railways now or hereafter constructed on either side of the said river;

Way for pedestrians, cars and vehicles.

(*c*) and the Company shall construct as part of the said bridge a way for general traffic purposes for the passage of pedestrians, carriages, cars and vehicles propelled or drawn by any motive power, and may make by-laws, rules and regulations for the management, control and use of the said way;

Lands for bridges, yards and works.

(*d*) and the Company may purchase, lease or otherwise acquire and hold lands for the bridge, tracks, terminal yards, accommodation works and facilities required for the convenient working of traffic to, from and over the said bridge and for said lines of railway as the Company thinks necessary for any of the said purposes;

Expropriation.

(*e*) expropriate and take an easement in, over, under or through any lands without the necessity of acquiring a title in fee simple thereto;

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

(*f*) 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 decision 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 Railway Commissioners for Canada;

Right of entry, and compensation for damages.

(*g*) 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 sixteen 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;

Tolls.

(*h*) charge tolls for the passage of locomotives, engines, railway trains and rolling stock, and for pedestrians, carriages, cars, vehicles and general traffic over the said bridge or for the use thereof or any part thereof; and

Powers of a railway company.

(*i*) for the purposes of its undertaking, exercise under and subject to the provisions of the *Railway Act*, all or any of the powers, rights and privileges of a railway company.

Approval of United States.

**9.** The Company shall not commence the actual construction of the said bridge until an Act of the Congress of the United States or other competent authority has been passed authorizing or approving the 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.

Consent of municipalities.

**10.** (1) The Company shall not construct or operate any of the works mentioned in section eight of this Act along 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 or other public place, and upon terms to be agreed upon with such municipality, and failing such consent then upon such terms as are fixed by the Board of Railway Commissioners for Canada.

Consent of Queen Victoria Niagara Falls Park Commission.

(2) The Company shall not construct or operate any of the works mentioned in section eight of this Act upon or over the boulevard of the Queen Victoria Niagara Falls Park Commission without first obtaining the consent in writing of the Commissioners of the Queen Victoria Niagara Falls Park upon terms to be agreed upon with the said Commissioners, and failing such consent then upon such terms as are fixed by the Board of Railway Commissioners for Canada.

Plans and location of bridge subject to approval.

**11.** The said bridge shall be constructed and located under, and be subject to, such regulations 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 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 approved.

Powers of Niagara Falls Parks Commission preserved.

**12.** Notwithstanding anything in this Act contained, the jurisdiction and control of the Commissioners for the Queen Victoria Niagara Falls Park in respect to the matters placed under their jurisdiction and control by virtue of chapter ninety-six of the statutes of 1892 of the legislature of Ontario, and the powers of the said legislature in respect of the Niagara Falls Park and River Railway Company, shall continue the same as if this Act had not been passed, nor shall anything in this Act contained vary the agreement of the fourth of December, one thousand eight hundred and ninety-one, by the said statutes of 1892 ratified and confirmed.

Power to borrow money and issue bonds, etc.

**13.** The directors may borrow money on behalf of the Company, and may in the manner prescribed by the *Railway Act*, issue, sell or pledge and secure bonds, debentures and other securities to an amount not exceeding four million dollars.

Tolls to be approved by Railway Commission.

**14.** The directors may fix and regulate the tolls and rates to be charged, and such tolls and rates shall, before being imposed, be submitted to and approved of by the Board of Railway Commissioners for Canada, which Board may revise the same from time to time.

Amalgamation and agreements with other companies.

**15.** The Company may unite with any company or companies incorporated under the laws of Canada or of the state of New York or of the United States, in building, working, managing, maintaining and using the said bridge, terminals and approaches, and may make agreements with any such company or companies respecting the construction, maintenance, management and use of the said bridge and its appurtenances, and acquiring the approaches and lands therefor, in New York as well as in Canada, and may, subject to the provisions of the *Railway Act*, make arrangements with any such company or companies for conveying or leasing the said bridge to such company or companies in whole or in part, or any rights or powers acquired by it, as also the franchise, surveys, plans, works, plant, machinery and other property to it belonging, or for an amalgamation with any such company on such terms and conditions as are agreed upon and subject to such restrictions as the directors deem fit: Provided that such agreement has been first approved by two-thirds of the votes at a special general meeting of the shareholders, duly called for the purpose of considering it, at which meeting shareholders representing at least two-thirds in value of the subscribed stock of the Company are present, or represented by proxy, and that such agreement has also received the sanction of the Governor in Council; and certified copies of such agreement shall be filed forthwith in the office of the Secretary of State for Canada, and also in the office of the Minister of Railways and Canals.

Approved by shareholders.

Sanction of Governor in Council.

Assets and liabilities of amalgamated company.

**16.** Upon an amalgamation agreement being sanctioned by the Governor in Council under the last preceding section, the companies, parties to such agreement shall, subject to the provisions of the *Railway Act*, be amalgamated, and shall form one company under the name and upon the terms and conditions in such agreement provided; and the amalgamated company 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 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 were or either of them was at the time the said amalgamation took effect.

Amalgamated company may borrow money and mortgage property.

**17.** The said new or amalgamated company may from time to time borrow such sums of money ,not exceeding eight 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 under the provisions of the *Railway Act*.

Railway companies may loan credit to or own shares of company or amalgamated company.

**18.** Any railway company or companies in Canada or elsewhere may agree either jointly or severally with the Company, or with the amalgamated company, for the loan of its credit to, or may subscribe to or become the owner of shares of the capital stock of, the Company hereby created or the amalgamated company, in the same manner and with like rights as individuals, and may guarantee either jointly or severally bonds, debentures and other securities of the Company or of the amalgamated company.

Time for commencement and completion of bridge.

**19.** The said bridge shall be commenced within two 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 five 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 five years after the passing of this Act, the powers granted for the construction of the said bridge shall cease and be null and void. Section one hundred and fifty of the *Railway Act* shall not apply to the Company.

Equal rights of passage to other companies.

**20.** Every railway company, whose line of railway now has or shall hereafter have a terminus at, or shall run its trains to or from, any point at or near either end of the said bridge, or shall run its trains in connection with any railway having such terminus or upon which trains are or shall be run to or from the localities aforesaid, whether incorporated by Parliament or by any provincial legislature, or by any authority in the state of New York, or by the Congress of the United States, shall have and be entitled to the same and equal rights and privileges in the passage of the said bridge, without discrimination or preference, upon such terms and conditions as are fixed by the Board of Railway Commissioners for Canada; and the said Board may make and enforce such orders for the purpose of carrying out the provisions of this section as it thinks necessary.

Approval of Railway Commission.

Definition.

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

Application of Railway Act.

**22.** The *Railway Act* shall, so far as is not inconsistent with the special provisions of this Act, apply to the works and undertaking of the Company, and wherever in the

Railway to mean bridge.

*Railway Act* the word "railway "occurs, it shall, for the purposes of the Company, and unless the context otherwise requires, mean the said bridge.

Companies Act not to apply.

**23.** The *Companies Act* shall not apply to the Company.

First Session, Thirteenth Parliament, 8-9 George V, 1918.

THE HOUSE OF COMMONS OF CANADA

# BILL 44.

An Act respecting The Kettle Valley Railway Company.

First reading, April 10, 1918.

(PRIVATE BILL.)

Mr. GREEN.

OTTAWA
J. DE LABROQUERIE TACHÉ
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1918

1st Session, 13th Parliament, 8-9 George V, 1918.

THE HOUSE OF COMMONS OF CANADA.

# BILL 44.

An Act respecting The Kettle Valley Railway Company.

1911, c. 101; 1912, c. 110; 1913, c. 140; 1914, c. 92; 1915, c. 46; 1916, c. 45.

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

Powers revived and time extended to construct authorized lines.

**1.** The powers granted to The Kettle Valley Railway Company, hereinafter called "the Company", by section two of chapter one hundred and one of the statutes of 1911, and section one of chapter one hundred and forty of the statutes of 1913, to construct the following branch lines of railway, namely:—

(*a*) From a point at or near Penticton in the province of British Columbia by the most feasible route to a point on the international boundary at or near the shore line of Osoyoos Lake;

(*b*) From a point on its authorized line at or near Summer Creek or One Mile Creek by the most feasible route to the Copper Mountain and Voight Mining Camp, situate about fifteen miles southwest of Princeton, in the province of British Columbia;

(*c*) From a point at or near Vernon in a southerly or southeasterly direction by way of Kelowna and by the most feasible route to a point at or near Penticton, in the said province;

(*d*) From a point on the line described in paragraph (*c*) of section one of chapter one hundred and forty of the statutes of 1913, at or near Tulameen, in a westerly direction up the Tulameen River, in the said province, a distance of about fifty miles;

are revived and declared to be in force, and the Company may commence the construction of the said lines of railway within two years after the passing of this Act, and within five years after the passing of this Act complete the said

lines of railway; and if, within the said periods respectively, the said lines are not so completed and put in operation, the powers of construction conferred upon the Company by Parliament shall cease and be null and void as respects so much of the said lines as then remains uncompleted.

Extension of time for construction.

**2.** The Company may, within two years after the passing of this Act, commence to construct, and within five years after the passing of this Act, complete and put in operation, the branch line of railway, which it is authorized to construct by section one of chapter ninety-two of the statutes of 1914, as re-enacted by section one of chapter forty-five of the statutes of 1916, namely:—

1914, c. 92; 1916, c. 45.

From a point at or near Otter Summit by the most feasible route to the Aspengrove Mineral District in the province of British Columbia, not exceeding 30 miles;

and if, within the said periods respectively, the said branch line is not so commenced or not so completed and put in operation, the powers of construction conferred upon the Company by Parliament shall cease and be null and void as respects so much of the said branch line as then remains uncompleted.

Securities.

**3.** (1) Except as provided in subsection two of this section, the securities issued by the Company in respect of the said lines shall not exceed forty thousand dollars per mile of the railway, and may be issued only in proportion to the length of railway constructed or under contract to be constructed.

(2) The securities issued by the Company in respect of the branch line mentioned in paragraph (*b*) of section one of this Act shall not exceed seventy thousand dollars per mile of railway, and may be issued only in proportion to the length of railway constructed or under contract to be constructed.

First Session, Thirteenth Parliament, 8-9 George V, 1918.

THE HOUSE OF COMMONS OF CANADA

# BILL 44.

An Act respecting The Kettle Valley Railway Company.

**AS PASSED BY THE HOUSE OF COMMONS, 29th APRIL, 1918.**

OTTAWA
J. DE LABROQUERIE TACHÉ
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY

1st Session, 13th Parliament, 8-9 George V, 1918.

THE HOUSE OF COMMONS OF CANADA.

# BILL 44.

An Act respecting The Kettle Valley Railway Company.

1911, c. 101; 1912, c. 110; 1913, c. 140; 1914, c. 92; 1915, c. 46; 1916, c. 45.

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

Powers revived and time extended to construct authorized lines.

**1.** The powers granted to The Kettle Valley Railway Company, hereinafter called "the Company", by section two of chapter one hundred and one of the statutes of 1911, and section one of chapter one hundred and forty of the statutes of 1913, to construct the following branch lines of railway, namely:—

(*a*) From a point at or near Penticton in the province of British Columbia by the most feasible route to a point on the international boundary at or near the shore line of Osoyoos Lake;

(*b*) From a point on its authorized line at or near Summer Creek or One Mile Creek by the most feasible route to the Copper Mountain and Voigt Mining Camp, situate about fifteen miles southwest of Princeton, in the province of British Columbia;

(*c*) From a point at or near Vernon in a southerly or southeasterly direction by way of Kelowna and by the most feasible route to a point at or near Penticton, in the said province;

(*d*) From a point on the line described in paragraph (*c*) of section one of chapter one hundred and forty of the statutes of 1913, at or near Tulameen, in a westerly direction up the Tulameen River, in the said province, a distance of about fifty miles;

are revived and declared to be in force, and the Company may commence the construction of the said lines of railway within two years after the passing of this Act, and within five years after the passing of this Act complete the said

lines of railway; and if, within the said periods respectively, the said lines are not so completed and put in operation, the powers of construction conferred upon the Company by Parliament shall cease and be null and void as respects so much of the said lines as then remains uncompleted.

Extension of time for construction.

**2.** The Company may, within two years after the passing of this Act, commence to construct, and within five years after the passing of this Act, complete and put in operation, the branch line of railway, which it is authorized to construct by section one of chapter ninety-two of the statutes of 1914, as re-enacted by section one of chapter forty-five of the statutes of 1916, namely:—

1914, c. 92; 1916, c. 45.

From a point at or near Otter Summit by the most feasible route to the Aspen Grove Mineral District in the province of British Columbia, not exceeding 30 miles;

and if, within the said periods respectively, the said branch line is not so commenced or not so completed and put in operation, the powers of construction conferred upon the Company by Parliament shall cease and be null and void as respects so much of the said branch line as then remains uncompleted.

Securities.

**3.** (1) Except as provided in subsection two of this section, the securities issued by the Company in respect of the said lines shall not exceed forty thousand dollars per mile of the railway, and may be issued only in proportion to the length of railway constructed or under contract to be constructed.

(2) The securities issued by the Company in respect of the branch line mentioned in paragraph (*b*) of section one of this Act shall not exceed seventy thousand dollars per mile of railway, and may be issued only in proportion to the length of railway constructed or under contract to be constructed.

First Session, Thirteenth Parliament, 8-9 George V, 1918.

THE HOUSE OF COMMONS OF CANADA

# BILL 45.

An Act respecting The Nipissing Central Railway Company.

First reading, April 10, 1918.

(PRIVATE BILL.)

Mr. Boys.

OTTAWA
J. DE LABROQUERIE TACHÉ
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
38265—1 1918

1st Session, 13th Parliament, 8-9 George V, 1918.

THE HOUSE OF COMMONS OF CANADA.

# BILL 45.

An Act respecting The Nipissing Central Railway Company.

1907, c. 112; 1908, c. 135; 1913, c. 160.

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

Extension of time for completion.

**1.** The Nipissing Central Railway Company may, within five years from the passing of this Act, complete and put in operation the lines of railway and branch which the said Company is by section seven of chapter one hundred and twelve of the statutes of 1907 authorized to construct and operate, namely:—

(*a*) Extending from a point in or near the town of Latchford, in the district of Nipissing, in the province of Ontario, thence through the townships of Coleman, Bucke, Dymond, Harris and Casey to a point on or near Blanche River, thence in a northerly direction to a point at or near Windigo Lake, thence in a northeasterly direction to a point on the line of the Grand Trunk Pacific Railway in the province of Quebec at or near the Matagami River; also,

(*b*) Extending from Latchford in a course following the Montreal River through the townships of Coleman, Barr, Lundy, Auld, Cane, Barber, Tudhope, Truax, James, Smyth, Davidson and Willison, and thence in a northerly direction, by the most direct line to a point on the line of the Grand Trunk Pacific Railway; also,

(*c*) Extending from Latchford in a southerly direction to a point at or near Temagami Station; also,

(*d*) Extending from a point in or near New Liskeard in the said district of Nipissing in a westerly direction

through the townships of Dymond, Hudson, Lundy, and Auld to meet the line above described as (*b*); also,

(*e*) Extending from a point at or near Windigo Lake on the line above described as (*a*) in a westerly direction to the line of the Temiskaming and Northern Ontario Railway; also,

(*f*) Extending from a point in or near New Liskeard in a north-westerly direction through the townships of Kearns, Armstrong, Evanturel, Beauchamp and Dack to Charlton; also,

(*g*) A branch extending from a point in the township of Casey on the line above described as (*a*) to North Temiscamingue on the River des Quinze;

and if the said lines and branch are not within the said period completed and put in operation, the powers for the construction thereof conferred upon the said Company by Parliament shall cease and be null and void as respects so much of the said lines and branch as then remains uncompleted.

Repeal.

**2.** Section one of chapter one hundred and sixty of the statutes of 1913 is hereby repealed.

First Session, Thirteenth Parliament, 8-9 George V, 1918.

THE HOUSE OF COMMONS OF CANADA

# BILL 45.

An Act respecting The Nipissing Central Railway Company.

**AS PASSED BY THE HOUSE OF COMMONS, 29th APRIL, 1918.**

OTTAWA
J. DE LABROQUERIE TACHÉ
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
39907—1 1918

1st Session, 13th Parliament, 8-9 George V, 1918.

THE HOUSE OF COMMONS OF CANADA.

# BILL 45.

An Act respecting The Nipissing Central Railway Company.

1907, c. 112; 1908, c. 135; 1913, c. 160.

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

Extension of time for completion.

**1.** The Nipissing Central Railway Company may, within five years from the passing of this Act, complete and put in operation the lines of railway and branch which the said Company is by section seven of chapter one hundred and twelve of the statutes of 1907 authorized to construct and operate, namely:—

(*a*) Extending from a point in or near the town of Latchford, in the district of Nipissing, in the province of Ontario, thence through the townships of Coleman, Bucke, Dymond, Harris and Casey to a point on or near Blanche River, thence in a northerly direction to a point at or near Windigo Lake, thence in a northeasterly direction to a point on the line of the Grand Trunk Pacific Railway in the province of Quebec at or near the Matagami River; also,

(*b*) Extending from Latchford in a course following the Montreal River through the townships of Coleman, Barr, Lundy, Auld, Cane, Barber, Tudhope, James, Smyth and Willison, and thence in a northerly direction, by the most direct line to a point on the line of the Grand Trunk Pacific Railway; also,

(*c*) Extending from Latchford in a southerly direction to a point at or near Temagami Station; also,

(*d*) Extending from a point in or near New Liskeard in the said district of Nipissing in a westerly direction through the townships of Dymond, Hudson, Lundy,

and Auld to meet the line above described as (*b*); also,

(*e*) Extending from a point at or near Windigo Lake on the line above described as (*a*) in a westerly direction to the line of the Temiskaming and Northern Ontario Railway; also,

(*f*) Extending from a point in or near New Liskeard in a north-westerly direction through the townships of Kearns, Armstrong, Evanturel, Beauchamp and Dack to Charlton; also,

(*g*) A branch extending from a point in the township of Casey on the line above described as (*a*) to North Temiscamingue on the River des Quinze;

and if the said lines and branch are not within the said period completed and put in operation, the powers for the construction thereof conferred upon the said Company by Parliament shall cease and be null and void as respects so much of the said lines and branch as then remains uncompleted.

Line through Truax and Davidson.

**2.** The line of railway mentioned in paragraph (*b*) of section one of this Act may be constructed through the townships of Truax and Davidson.

Repeal.

**3.** Section one of chapter one hundred and sixty of the statutes of 1913 is hereby repealed.

First Session, Thirteenth Parliament, 8-9 George V, 1918.

THE HOUSE OF COMMONS OF CANADA

# BILL 46.

An Act respecting United Grain Growers, Limited, formerly The Grain Growers' Grain Company, Limited.

First reading, April 10, 1918.

(PRIVATE BILL.)

Mr. BUCHANAN.

OTTAWA
J. DE LABROQUERIE TACHÉ
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1918

1st Session, 13th Parliament, 8-9 George V, 1918.

THE HOUSE OF COMMONS OF CANADA.

# BILL 46.

An Act respecting United Grain Growers, Limited, formerly The Grain Growers' Grain Company, Limited.

1911, c. 80; 1915, c. 73; 1917, c. 79.

WHEREAS United Grain Growers, Limited, formerly The Grain Growers' Grain Company, Limited, 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:—

Power to make contracts of guarantee or surety.

**1.** United Grain Growers, Limited, hereinafter called "the Company," formerly The Grain Growers' Grain Company, Limited, a company incorporated by chapter eighty of the statutes of 1911, is hereby empowered by by-law for the purpose, adopted by a vote of not less than two-thirds of the delegates present at a general or special meeting of the Company duly called to consider said by-law, to vest power in the directors of the Company to enter into, from time to time on behalf of the Company, contracts to guarantee or answer for debts, obligations, contracts or liabilities of any company or society whose shares, bonds, debentures or securities, or any of which, are held or hereafter may be held by the Company. Upon the adoption of said by-law the directors shall have and be invested with said power. This section shall be in amendment of said chapter eighty and amending Acts, and without altering the effect of the foregoing provision, it is declared that the power hereby conferred upon the Company shall be as complete as though the name "United Grain Growers, Limited," had been used in said chapter eighty.

Retroactive effect.

**2.** The said chapter eighty is hereby amended by inserting between sections eight and nine thereof the following as section 8A:—

Number of directors.

"**8A.** Notwithstanding the provisions of section one hundred and twenty-five of the *Companies Act*, the affairs

of the Company shall be managed by a board of not more than fifteen and not less than three directors; and the provisions of this section shall be deemed to have applied to the Company from the twenty-fifth day of July, 1917."

First Session, Thirteenth Parliament, 8–9 George V, 1918.

THE HOUSE OF COMMONS OF CANADA

# BILL 46.

An Act respecting United Grain Growers, Limited, formerly The Grain Growers' Grain Company, Limited.

AS PASSED BY THE HOUSE OF COMMONS, 29th APRIL, 1918.

OTTAWA
J. DE LABROQUERIE TACHÉ
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1918

1st Session, 13th Parliament, 8-9 George V, 1918.

THE HOUSE OF COMMONS OF CANADA.

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Number of directors.

"**8A.** Notwithstanding the provisions of section one hundred and twenty-five of the *Companies Act*, the affairs

of the Company shall be managed by a board of not more than fifteen and not less than three directors; and the provisions of this section shall be deemed to have applied to the Company from the twenty-fifth day of July, 1917."

First Session, Thirteenth Parliament, 8–9 George V, 1918.

THE HOUSE OF COMMONS OF CANADA

# BILL 47.

An Act to confirm an Agreement between Vancouver, Victoria and Eastern Railway and Navigation Company and Northern Pacific Railway Company.

First reading, April 10, 1918.

(PRIVATE BILL.)

Mr. CROWE.

OTTAWA
J. DE LABROQUERIE TACHÉ
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
36710—1 1918

1st Session, 13th Parliament, 8-9 George V, 1918.

THE HOUSE OF COMMONS OF CANADA.

# BILL 47.

An Act to confirm an agreement made between Vancouver, Victoria and Eastern Railway and Navigation Company and Northern Pacific Railway Company.

1898, c. 89; 1902, c. 111; 1904, c. 137; 1905, c. 172; 1910, c. 172; 1914, c. 92; 1915, c. 59; 1916, c. 45; 1917, c. 59.

WHEREAS Vancouver, Victoria and Eastern Railway and Navigation 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:—

Contract for joint possession and use of tracks, right of way, etc., between International Boundary at Sumas, Wash., and Vancouver, B.C.

**1.** The agreement made between Vancouver, Victoria and Eastern Railway and Navigation Company and Northern Pacific Railway Company, dated the eleventh day of August, one thousand nine hundred and thirteen, 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 and each and every clause thereof were set out at length and enacted in this Act, and the parties to the said agreement and each of them are hereby authorized and empowered to do whatever may be necessary to give full effect to the provisions of the said agreement.

Power of Railway Board. Application of Railway Act.

**2.** Nothing in this Act contained shall be deemed in any way to impair the powers of the Board of Railway Commissioners for Canada, and all the provisions of the *Railway Act* now applying to the said Companies and their respective railways and undertakings, and not inconsistent with the provisions of this Act, shall continue to apply to the same.

## SCHEDULE.

Contract, made the 11th day of August, A.D. 1913, between Vancouver, Victoria & Eastern Railway & Navigation Company, a corporation organized under the laws

of the Dominion of Canada, hereinafter called the " Vancouver Company ", and Northern Pacific Railway Company, a corporation organized under the laws of the State of Wisconsin, hereinafter called the " Pacific Company ".

In consideration of the mutual dependent promises stated in this contract, the parties agree:

## Article I.

Section 1. The Vancouver Company grants to the Pacific Company:

The equal joint possession and use (in common with the Vancouver Company and such other companies as it may admit), save as hereinafter in paragraphs 4 and 5 of Article III provided, of all that part of the railway and appurtenant property of the Vancouver Company, including telegraph and telephone lines, between the point of connection between the tracks of the parties at their intersection with the International Boundary at Sumas, Washington, (designated " A " on the plat " Exhibit A ", hereto attached, identified by the signatures of the Chief Engineers of the parties and made a part hereof), and a point of connection with the southerly approach of the Provincial Bridge over the Fraser River at New Westminster (marked " B " on said Exhibit A) and from the point of connection with the northerly approach of the Provincial Bridge over the Fraser River at New Westminster (marked " C " on said Exhibit A), to a point of connection with jointly owned property of the parties in the City of Vancouver, (marked " D " on said Exhibit A); the railway being for greater certainty shown in red on said Exhibit A. The point of beginning at Sumas and the point of connection with said jointly owned property at Vancouver are shown with greater particularity on Exhibits C and D, respectively, hereto attached, identified by the signatures of the Chief Engineers of the parties and hereby made a part hereof.

The Pacific Company by its own employees and equipment may do and transact upon and by means of said railway, stations, terminals, appurtenances, and all additions, improvements and betterments thereto, all such business, save as hereafter in paragraphs 4 and 5 of Article III provided, as is or hereafter may be carried on by a railway company and a common carrier, including mail and express, subject only to the terms and conditions hereinafter stated. The Pacific Company may string its telegraph or telephone wires upon the existing poles upon the right of way of the railroad herein described, in so far as the Vancouver Company has a legal right to grant that privilege, and it may erect its own poles and telegraph and telephone lines upon such right of way and connect such lines with its own or other telegraph or telephone lines.

Section 2. The Vancouver Company will have the general control, management and administration of said railways, stations, terminals and appurtenances and will maintain and at all times keep the same in good condition and repair and suitable for the business of the Pacific Company. It will pay the taxes thereon (except taxes on income or earnings) and comply with all the regulations prescribed by law with respect thereto and will furnish water and other supplies incident to maintenance and operation of the property jointly used. It shall not be bound to furnish any fuel or other supplies, except water, for the trains or equipment of the Pacific Company, nor for the special or exclusive use in any other manner of the Pacific Company or the officers or employees thereof. The Vancouver Company shall have unrestricted power to change, add to, better and repair the property as it may consider advisable, including the right to provide such additional main or other tracks as it shall deem necessary, not however, so as by such changes, additions, betterments or repairs permanently to impair its usefulness to the Pacific Company. If the Pacific Company shall at any time deem the construction of additional main track or tracks or other tracks necessary to the proper conduct of its business and the business of the other users of the property and the Vancouver Company be unwilling to construct any such additional main or other track, then the Pacific Company shall have the right to submit the question of the reasonable necessity of such track to arbitration as hereinafter provided. Should the Vancouver Company change the character of its motive power and use some form of power other than steam and for the purpose of such change add to the leased property facilities of which the Pacific Company makes no use and obtains no benefit, then the Pacific Company will not be required to pay any share of the interest charge or expense of maintenance and operation of the said facilities created by the Vancouver Company. Should the Pacific Company desire to use the special facilities created for the purpose of change in motive power, the Vancouver Company will permit the use of such facilities on the basis of a pro rata share of interest at four and one-half per cent on their value based on the number of companies using such special facilities, and of maintenance and operation cost based on use.

Section 3. The Vancouver Company will order and direct the movement of engines, cars and trains under such reasonable rules and regulations from time to time customary among railways as it may adopt. All rules, regulations and train schedules shall be equal, just and fair as between all parties using the property, and shall not unjustly discriminate against either. All passenger trains shall be given preference over other trains, and the

trains of each of the parties shall be given equal dispatch according to their class.

Except as hereinafter provided, the Pacific Company shall have in every respect the same rights and privileges in the transaction of its business that the Vancouver Company or any other user of the property has as to its business, and any right or privilege at any time granted by the Vancouver Company to any user of the property in respect to its business shall be a right or privilege which the Pacific Company may at its option exercise in respect to its business.

Section 4. All agents and employes engaged upon the said railway or in said station or their appurtenances by the Vancouver Company shall do the business of the Pacific Company and of all other users of the property without discrimination. Such agents and employes shall not solicit business or recommend the routing thereof, but in all respects shall act with entire impartiality as between the railway companies using the property. All agents collecting or receiving money shall be in so far as concerns the business and revenues of the Pacific Company the agents and employees of that company and shall report and remit direct to it. The Pacific Company may bond them or require them to furnish bonds, and the Vancouver Company shall not be liable to the Pacific Company for their acts, neglects or defaults. Any joint employe shall be removed from service on the property on request in writing of the Pacific Company. Any employe engaged in the service of the Pacific Company upon or about trains, coal bunkers or roundhouses shall be withdrawn from service on the property on request in writing of the Vancouver Company giving reasonable grounds for such withdrawal.

## Article II.

Section 1. The Pacific Company will pay:

For the rights and privileges granted by Article I, Section 1, in twelve equal monthly instalments on the 20th day of the month for the preceding month a sum equal to one-twelfth of two and one-fourth per cent per annum upon $3,985,448.75, being the agreed value of the property as of May 31, 1913, the joint use of which is granted by said Article I, Section 1, and this rental will be increased by two and one fourth per cent per annum upon the actual cost to the Vancouver Company of all improvements, betterments and additions to the property properly chargeable to capital account after May 31, 1913. But should the Vancouver Company admit any other railway company or companies to similar use of its line the rental of the Pacific Company shall be readjusted as follows: If one other company shall be admitted its rental shall be two

per cent per annum upon said agreed value plus two per cent per annum upon the aforesaid cost of improvements, betterments and additions, and if two or more companies shall be admitted its rental shall be one and one-half per cent per annum upon said agreed valuation plus one and one-half per cent per annum upon the aforesaid cost of improvements, betterments and additions. Should the Vancouver Company admit any other railway company or companies to similar use of a part of the line the rental of the facilities shall be reduced on the principles above stated and proportionately to the use so granted by the Vancouver Company. The rental fixed shall commence with beginning of use by the Pacific Company, of the property described in Section 1 of Article I, which shall be not later than the first day of January, 1918. The Pacific Company further shall have an option to be exercised within one year from the time at which it shall begin such use thereof, to elect whether it will require the joint use of the spur track of the Vancouver Company along Front Street, referred to in Section 4 of Article III hereof, for the purposes only of reaching its freight house and team tracks. Should it elect not to use such spur the value of the same shall be deducted from the value of the property on which the Pacific Company pays rental.

Section 2. The Pacific Company will also pay such proportion of the cost actually incurred by the Vancouver Company in the maintenance and operation of the property hereinbefore described, which cost shall include all items in the classification of operating expenses for the purpose of railway statistics as promulgated by the Board of Railway Commissioners for Canada, as the number of miles on said railway, or any part thereof, run by engines and cars in its trains bears to the whole number of miles run by engines and cars in trains of all the parties using the same, or any part thereof, each engine and tender to be counted as two cars.

In computing car mileage under this contract switching movements shall not be counted. The Pacific Company shall not be charged on account of maintenance or operation of any telegraph or telephone line not used in its business. The joint operating expenses shall be charged with a proportion of the expenses of maintaining and operating any telegraph or telephone lines used in the operation of the joint line equal to the proportion of wires so used to all the wires on the line.

Section 3. The Pacific Company will make all payments to the Treasurer of the Vancouver Company at the City of Saint Paul, Minnesota. At the option of the Vancouver Company payments for rental shall be made in gold coin of the present standard. Bills for maintenance and operation shall be rendered monthly by the Vancouver Company

as soon as may be after the close of each month and shall be paid within thirty days thereafter. Payment of such bills shall not be delayed for errors which are not serious and important, but bills shall be paid as rendered notwithstanding any error of ordinary character likely to occur in railroad accounts, the necessary corrections to be made in subsequent bills.

Section 4. The books, records, vouchers and papers of the Vancouver Company touching or material to the cost of improvements, betterments or additions to the property, or touching or material to the cost of maintenance or operation, at all times shall be freely open to the examination of the Pacific Company.

Section 5. Should the Pacific Company fail to make any payment when due which it is obligated to make by this contract or fail in any other respect to perform the agreement and such default continue for six months after notice in writing of intention to terminate the contract given by the Vancouver Company to the Pacific Company, the Vancouver Company may at its election declare this agreement terminated and may exclude the Pacific Company from all use of the property described herein; 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.

## Article III.

Section 1. The Vancouver Company shall be bound to use only reasonable and customary care, skill and diligence in maintaining and repairing the roadway, tracks, structures and appliances of and pertaining to the said railway and in managing and operating the same; and all employes of the Vancouver Company (except enginemen and trainmen) employed in maintaining, repairing or operating the railway, or in dispatching, giving orders for or directing movement of trains, or in performing any other service for the common benefit of the railway companies using the property shall for the purposes of this contract be regarded while engaged in such work as joint employes of all the railway companies using the property. Enginemen and trainmen of any work train engaged in maintaining, repairing or adding to the property shall likewise be deemed joint employes. The Pacific Company shall not by reason of any defect in the property, or by reason of the failure or neglect of the Vancouver Company to repair such defect, or by reason of the failure or neglect of any joint employe as herein defined, make against the Vancouver Company any claim or demand for loss, damage or injury arising from such defect, neglect

or failure; but should the Vancouver Company fail to repair any defect within a reasonable time after being notified so to do by the Pacific Company, then the Pacific Company may make the necessary repairs at once, which will be paid by the Vancouver Company and taken over in its bills for maintenance and operation.

Each railway company from time to time using the property will assume, bear, settle and pay all loss, cost, damage or injury which the property jointly used, its property or property in its custody, or which its employes or passengers may suffer while it is running its engines, cars or trains upon or over any part of the property, no matter how such loss, damage or injury may occur; provided, however, that in case of collision between the engines, cars or trains of any of the parties from time to time using the property, or in case of other accident caused by negligence of enginemen or trainmen or of other sole employes of either party, the party whose employe is at fault shall be responsible for and pay the entire loss caused thereby. If such collision or other accident is caused by fault of the train employes of two or more companies using the property or by the fault of a joint employe, each party involved shall bear an equal share of all damage to the property jointly used and all the damage to its own property or property in its custody, or which its employes or passengers may suffer in consequence thereof. Loss and damage caused by the negligence of joint employes not covered by some other provision of this contract shall be charged to operating expenses and divided as herein elsewhere provided.

Except as hereby before provided each railway company from time to time using the property will assume and pay all loss or damage which its engines, cars or trains may do to third persons or to property of third persons, and each indemnifies the other against all claims and demands for any loss or damage which it herein agrees itself to bear.

If any injury shall occur to persons or property by the operation of trains in such a way that it cannot be determined what company's trains caused the injury, the compensation, if any is made to the injured party, shall be apportioned as other operating expenses under this contract.

Neither party 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.

In case a suit shall be commenced against any company using the property for damages for which another user is ultimately liable, the party sued may give notice to the other party of such suit and thereupon the company so

notified shall assume the defense of the suit and save the company sued harmless.

The provisions of this subdivision shall be binding, not only as between the parties hereto, but as between them and all railway companies from time to time using the property, and the Vancouver Company will cause to be inserted in every contract for use of the property or any part thereof provisions covering the matters treated in this subdivision identical in substance with the provisions in this subdivision stated, and such contracts shall be construed as if each one were signed by all the railway companies at any time running trains over the railway or any part thereof. Failing to cause such provisions to be inserted in the contract with any railway company hereafter admitted to use the property, the Vancouver Company will assume such obligations as such other company would have assumed had such provisions been inserted in its contract.

The parties will settle as between themselves any claim for loss or damage according to the terms of this contract notwithstanding any judgment or decreee of a court or other tribunal in a proceeding brought by third parties.

Section 2. If any train of the Pacific Company shall be wrecked while running over the tracks covered by this contract, the wreck shall be picked up at once and removed by the Vancouver Company, and the Pacific Company (except as herein otherwise provided) shall bear the whole cost of such service.

Section 3. The Vancouver Company will maintain at all stations facilities adequate and suitable for the business of all of the users of the property. Failing so to do the Pacific Company may create its own station facilities under reasonable conditions as to connections with the leased premises. The Vancouver Company shall have the right to purchase at a fair price such facilities when built on its property, in which case the facilities will be for the benefit of all users of the property and the price paid therefor added to the basis of rental like other improvements, betterments and additions.

Section 4. Branch lines of either party shall be allowed to make connections with the railway hereinabove referred to in Article I, Section 1, at suitable and convenient points.

The Pacific Company shall not have the right to use any existing industrial spurs, the freight depot, freight house tracks or team tracks of the Vancouver Company at New Westminster, and shall not do switching at said New Westminster, except to reach its own freight depot and team tracks, to be located at some convenient point alongside the spur track of the Vancouver Company, along Front Street, which spur track is included for that purpose only in the property the use of which is granted in this contract.

It is understood that " New Westminster " as used in this Article extends from the intersection of Columbia Street (North Road) produced northerly with the main track of the Vancouver Company, to the south end of the Front Street spur of the Vancouver Company at Begbie Street; the tracks which the Pacific Company may use at " New Westminster " being shown coloured red on Exhibit B hereto attached.

Except as hereinabove in this section provided, industrial spurs may be created when necessary and the cost thereof shall be added on a basis of rental, as hereinabove provided, in case of improvements, betterments and additions, but if any user of the property objects to the creation of any such spur it shall not be charged on account of the cost of the maintenance thereof, and shall not use the same, but it may at any later day elect to use and from that time on shall be charged its proportion of rental on the cost of such spur, including interest at four and one-half per cent per annum to that date and for the future maintenance thereof.

Section 5. The Pacific Company shall do no industrial switching at New Westminster. The Vancouver Company shall, as and when requested by the Pacific Company, switch the latter's cars to and from industries at New Westminster, and in all respects give to such business of the Pacific Company as favourable treatment as it shall at the same time be giving to its own business or that of any other person or company in the same locality, including promptness and dispatch in handling. As full compensation for such switching service and for the use of the property involved therein, the Vancouver Company shall be entitled to collect and receive from the Pacific Company fair and reasonable switching charges not exceeding the rates at the same time being accepted by it from any other company or person for like service and not exceeding a fair average of the switching charges at the time in force at or in the immediate vicinity of the railway for switching corresponding distances; subject to the provisions of the General Interswitching Order of the Board of Railway Commissioners for Canada, dated July 8, 1908, so far as the same may be applicable.

Section 6. If at any time a question shall arise touching the construction of this contract, or concerning the business or manner of transacting the business to be carried on under its provisions, or concerning the observance or performance of any of its covenants, upon which question the parties cannot agree, such question shall be submitted to the arbitrament of three disinterested persons familiar with such business and experienced in railway management. The party demanding such reference shall give to the other party notice of such demand stating specifically the question to be submitted for decision and nominating a person who

has the required qualifications to act as one referee. If at the expiration of thirty days from the receipt of such notice the party receiving it has not notified the party demanding the referee of its nomination of a second referee having like qualifications, the party making the demand may make such selection. The first and second referees chosen shall select a third and when the board is complete the referees shall fix a day and place for the hearing of which the parties shall be severally notified. If the referees chosen shall be unable to agree upon the third referee such third referee may be appointed upon ten days' notice upon motion of either party by a judge of any court of general jurisdiction, and being a court of record in the Province of British Columbia. After hearing the testimony and arguments which may be submitted by each party, the referees, if they unanimously agree upon an award, shall state it in writing, which when delivered to both parties shall be binding and conclusive upon each, and each party hereby expressly agrees to be bound conclusively thereby. If they cannot agree unanimously they shall forthwith select two additional referees having like qualifications. If the two additional referees cannot be agreed upon they may be appointed by any judge hereinbefore in this section referred to. To the Board thus constituted shall be submitted a statement touching the facts as to which there is a unanimous agreement between the three referees first selected and the testimony as to matters remaining in dispute. The award of a majority of the five referees shall be in writing, and when delivered to the parties shall be final and conclusive as an award by the first chosen referees would have been. Immediately after any award each party will make such changes in the conduct of its business, or such payments or restitution as the case may be, as are in and by such award required of it to be made. But if the question at issue affects the use of the property by more than two railway companies such notice of a demand for arbitration shall be given to each company interested and each shall have a right and be obligated to name an arbitrator having the qualifications before stated. Should any company fail within thirty days after receipt of such notice to name its arbitrator those who shall be named as arbitrators shall select one for the company so failing, and if they cannot agree he may be appointed on ten days' notice by any judge hereinbefore in this section referred to. The referees so chosen, if an even number, shall select three, if an odd number two additional arbitrators having the qualifications before stated. If they fail the additional arbitrators may on motion of any one of the companies be appointed by a judge as and in the manner before stated. After hearing the parties the board so constituted shall make an award by majority vote which shall be final and conclusive as between

all the railway companies using the property. In order to insure settlements in such cases which bind all the companies using the property, the Vancouver Company will cause to be inserted in every contract admitting any other railway company clauses for arbitration similar to those contained herein and such arbitration clauses shall be construed as if signed by all the railway companies using the property.

The books and papers of both parties as far as they relate to any matter submitted to arbitration shall be open to the examination of the arbitrators, and the party against whom the award is made shall pay all the fees and expenses of the arbitration; and until the arbitrators shall make their award upon any question submitted to them the business, settlements and payments to be transacted and made under the terms of this contract shall continue to be transacted and made in the manner and form existing prior to the arising of such question.

If either party shall refuse to keep and perform any award, the adverse party may enforce the same by apt proceedings in any court of law or equity.

Section 7. The Vancouver Company will make application to the Parliament of Canada for the necessary legislation confirming and ratifying this contract, and the Pacific Company consents that such legislation may be enacted and hereby agrees to co-operate with the Vancouver Company in obtaining the same. The expense in connection with such application shall be charged to operating expense and apportioned and paid accordingly.

Section 8. Subject to obtaining approval as in the section next preceding provided this contract shall take effect at its date, and from the time rentals commence to accrue they shall continue during the term whether the Pacific Company uses the property or not. The contract shall continue nine hundred and ninety-nine years from August 11, 1913. The Pacific Company shall have no right to admit any other railway company as a user of the property, except that the rights of the Pacific Company acquired hereunder shall be deemed appurtenant to and running with its railroad, and it may sell, assign, lease or mortgage as an entirety said rights in connection with and as a part of its railroad. The covenants and agreements herein contained shall bind the parties hereto, their successors, assigns and lessees, and shall inure in favour of the successors, assigns and lessees, of the parties for whose benefit made.

Section 9. Notices under this contract shall be given in writing to the President, Vice-President or Secretary of the other company.

Section 10. The Pacific Company shall obtain for itself from His Majesty the King in the right of the Province of British Columbia, the right to run its locomotives, cars and

trains over the Provincial Bridge across the Fraser River at New Westminster.

In witness whereof, the parties hereto have caused this contract to be executed for and in their behalf by their proper officers thereunto duly authorized the day and year first hereinabove written.

VANCOUVER, VICTORIA & EASTERN RAILWAY & NAVIGATION COMPANY,

By C. R. GRAY,
President.

Attest: L. E. KATZENBACH,
Ass't. Secretary.

In the presence of:

Sanford H. E. Freund,
M. C. Byers.

(Seal)

NORTHERN PACIFIC RAILWAY COMPANY,

By HOWARD ELLIOTT,
President.

Attest: R. H. RELF,
Assistant Secretary.

In the presence of

E. W. Osborne,
W. H. Phillips.

(Seal)

First Session, Thirteenth Parliament, 8–9 George V, 1918.

THE HOUSE OF COMMONS OF CANADA

# BILL 47.

An Act to confirm an Agreement between Vancouver, Victoria and Eastern Railway and Navigation Company and Northern Pacific Railway Company.

AS PASSED BY THE HOUSE OF COMMONS, 29th APRIL, 1918.

OTTAWA
J. DE LABROQUERIE TACHÉ
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
39906—1 1918

1st Session, 13th Parliament, 8-9 George V, 1918.

THE HOUSE OF COMMONS OF CANADA.

# BILL 47.

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1898, c. 89; 1902, c. 111; 1904, c. 137; 1905, c. 172; 1910, c. 172; 1914, c. 92; 1915, c. 59; 1916, c. 45; 1917, c. 59.

WHEREAS Vancouver, Victoria and Eastern Railway and Navigation 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:—

Contract for joint possession and use of tracks, right of way, etc., between International Boundary at Sumas, Wash., and Vancouver, B.C.

**1.** The agreement made between Vancouver, Victoria and Eastern Railway and Navigation Company and Northern Pacific Railway Company, dated the eleventh day of August, one thousand nine hundred and thirteen, 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 and each and every clause thereof were set out at length and enacted in this Act, and the parties to the said agreement and each of them are hereby authorized and empowered to do whatever may be necessary to give full effect to the provisions of the said agreement.

Power of Railway Board. Application of Railway Act.

**2.** Nothing in this Act contained shall be deemed in any way to impair the powers of the Board of Railway Commissioners for Canada, and all the provisions of the *Railway Act* now applying to the said Companies and their respective railways and undertakings, and not inconsistent with the provisions of this Act, shall continue to apply to the same.

## SCHEDULE.

Contract, made the 11th day of August, A.D. 1913, between Vancouver, Victoria & Eastern Railway & Navigation Company, a corporation organized under the laws

of the Dominion of Canada, hereinafter called the " Vancouver Company ", and Northern Pacific Railway Company, a corporation organized under the laws of the State of Wisconsin, hereinafter called the " Pacific Company ".

In consideration of the mutual dependent promises stated in this contract, the parties agree:

ARTICLE I.

Section 1. The Vancouver Company grants to the Pacific Company:

The equal joint possession and use (in common with the Vancouver Company and such other companies as it may admit), save as hereinafter in paragraphs 4 and 5 of Article III provided, of all that part of the railway and appurtenant property of the Vancouver Company, including telegraph and telephone lines, between the point of connection between the tracks of the parties at their intersection with the International Boundary at Sumas, Washington, (designated " A " on the plat " Exhibit A ", hereto attached, identified by the signatures of the Chief Engineers of the parties and made a part hereof), and a point of connection with the southerly approach of the Provincial Bridge over the Fraser River at New Westminster (marked " B " on said Exhibit A) and from the point of connection with the northerly approach of the Provincial Bridge over the Fraser River at New Westminster (marked " C " on said Exhibit A), to a point of connection with jointly owned property of the parties in the City of Vancouver, (marked " D " on said Exhibit A); the railway being for greater certainty shown in red on said Exhibit A. The point of beginning at Sumas and the point of connection with said jointly owned property at Vancouver are shown with greater particularity on Exhibits C and D, respectively, hereto attached, identified by the signatures of the Chief Engineers of the parties and hereby made a part hereof.

The Pacific Company by its own employees and equipment may do and transact upon and by means of said railway, stations, terminals, appurtenances, and all additions, improvements and betterments thereto, all such business, save as hereafter in paragraphs 4 and 5 of Article III provided, as is or hereafter may be carried on by a railway company and a common carrier, including mail and express, subject only to the terms and conditions hereinafter stated. The Pacific Company may string its telegraph or telephone wires upon the existing poles upon the right of way of the railroad herein described, in so far as the Vancouver Company has a legal right to grant that privilege, and it may erect its own poles and telegraph and telephone lines upon such right of way and connect such lines with its own or other telegraph or telephone lines.

Section 2. The Vancouver Company will have the general control, management and administration of said railways, stations, terminals and appurtenances and will maintain and at all times keep the same in good condition and repair and suitable for the business of the Pacific Company. It will pay the taxes thereon (except taxes on income or earnings) and comply with all the regulations prescribed by law with respect thereto and will furnish water and other supplies incident to maintenance and operation of the property jointly used. It shall not be bound to furnish any fuel or other supplies, except water, for the trains or equipment of the Pacific Company, nor for the special or exclusive use in any other manner of the Pacific Company or the officers or employees thereof. The Vancouver Company shall have unrestricted power to change, add to, better and repair the property as it may consider advisable, including the right to provide such additional main or other tracks as it shall deem necessary, not however, so as by such changes, additions, betterments or repairs permanently to impair its usefulness to the Pacific Company. If the Pacific Company shall at any time deem the construction of additional main track or tracks or other tracks necessary to the proper conduct of its business and the business of the other users of the property and the Vancouver Company be unwilling to construct any such additional main or other track, then the Pacific Company shall have the right to submit the question of the reasonable necessity of such track to arbitration as hereinafter provided. Should the Vancouver Company change the character of its motive power and use some form of power other than steam and for the purpose of such change add to the leased property facilities of which the Pacific Company makes no use and obtains no benefit, then the Pacific Company will not be required to pay any share of the interest charge or expense of maintenance and operation of the said facilities created by the Vancouver Company. Should the Pacific Company desire to use the special facilities created for the purpose of change in motive power, the Vancouver Company will permit the use of such facilities on the basis of a pro rata share of interest at four and one-half per cent on their value based on the number of companies using such special facilities, and of maintenance and operation cost based on use.

Section 3. The Vancouver Company will order and direct the movement of engines, cars and trains under such reasonable rules and regulations from time to time customary among railways as it may adopt. All rules, regulations and train schedules shall be equal, just and fair as between all parties using the property, and shall not unjustly discriminate against either. All passenger trains shall be given preference over other trains, and the

trains of each of the parties shall be given equal dispatch according to their class.

Except as hereinafter provided, the Pacific Company shall have in every respect the same rights and privileges in the transaction of its business that the Vancouver Company or any other user of the property has as to its business, and any right or privilege at any time granted by the Vancouver Company to any user of the property in respect to its business shall be a right or privilege which the Pacific Company may at its option exercise in respect to its business.

Section 4. All agents and employes engaged upon the said railway or in said station or their appurtenances by the Vancouver Company shall do the business of the Pacific Company and of all other users of the property without discrimination. Such agents and employes shall not solicit business or recommend the routing thereof, but in all respects shall act with entire impartiality as between the railway companies using the property. All agents collecting or receiving money shall be in so far as concerns the business and revenues of the Pacific Company the agents and employees of that company and shall report and remit direct to it. The Pacific Company may bond them or require them to furnish bonds, and the Vancouver Company shall not be liable to the Pacific Company for their acts, neglects or defaults. Any joint employe shall be removed from service on the property on request in writing of the Pacific Company. Any employe engaged in the service of the Pacific Company upon or about trains, coal bunkers or roundhouses shall be withdrawn from service on the property on request in writing of the Vancouver Company giving reasonable grounds for such withdrawal.

## Article II.

Section 1. The Pacific Company will pay:

For the rights and privileges granted by Article I, Section 1, in twelve equal monthly instalments on the 20th day of the month for the preceding month a sum equal to one-twelfth of two and one-fourth per cent per annum upon $3,985,448.75, being the agreed value of the property as of May 31, 1913, the joint use of which is granted by said Article I, Section 1, and this rental will be increased by two and one fourth per cent per annum upon the actual cost to the Vancouver Company of all improvements, betterments and additions to the property properly chargeable to capital account after May 31, 1913. But should the Vancouver Company admit any other railway company or companies to similar use of its line the rental of the Pacific Company shall be readjusted as follows: If one other company shall be admitted its rental shall be two

per cent per annum upon said agreed value plus two per cent per annum upon the aforesaid cost of improvements, betterments and additions, and if two or more companies shall be admitted its rental shall be one and one-half per cent per annum upon said agreed valuation plus one and one-half per cent per annum upon the aforesaid cost of improvements, betterments and additions. Should the Vancouver Company admit any other railway company or companies to similar use of a part of the line the rental of the facilities shall be reduced on the principles above stated and proportionately to the use so granted by the Vancouver Company. The rental fixed shall commence with beginning of use by the Pacific Company, of the property described in Section 1 of Article I, which shall be not later than the first day of January, 1918. The Pacific Company further shall have an option to be exercised within one year from the time at which it shall begin such use thereof, to elect whether it will require the joint use of the spur track of the Vancouver Company along Front Street, referred to in Section 4 of Article III hereof, for the purposes only of reaching its freight house and team tracks. Should it elect not to use such spur the value of the same shall be deducted from the value of the property on which the Pacific Company pays rental.

Section 2. The Pacific Company will also pay such proportion of the cost actually incurred by the Vancouver Company in the maintenance and operation of the property hereinbefore described, which cost shall include all items in the classification of operating expenses for the purpose of railway statistics as promulgated by the Board of Railway Commissioners for Canada, as the number of miles on said railway, or any part thereof, run by engines and cars in its trains bears to the whole number of miles run by engines and cars in trains of all the parties using the same, or any part thereof, each engine and tender to be counted as two cars.

In computing car mileage under this contract switching movements shall not be counted. The Pacific Company shall not be charged on account of maintenance or operation of any telegraph or telephone line not used in its business. The joint operating expenses shall be charged with a proportion of the expenses of maintaining and operating any telegraph or telephone lines used in the operation of the joint line equal to the proportion of wires so used to all the wires on the line.

Section 3. The Pacific Company will make all payments to the Treasurer of the Vancouver Company at the City of Saint Paul, Minnesota. At the option of the Vancouver Company payments for rental shall be made in gold coin of the present standard. Bills for maintenance and operation shall be rendered monthly by the Vancouver Company

as soon as may be after the close of each month and shall be paid within thirty days thereafter. Payment of such bills shall not be delayed for errors which are not serious and important, but bills shall be paid as rendered notwithstanding any error of ordinary character likely to occur in railroad accounts, the necessary corrections to be made in subsequent bills.

Section 4. The books, records, vouchers and papers of the Vancouver Company touching or material to the cost of improvements, betterments or additions to the property, or touching or material to the cost of maintenance or operation, at all times shall be freely open to the examination of the Pacific Company.

Section 5. Should the Pacific Company fail to make any payment when due which it is obligated to make by this contract or fail in any other respect to perform the agreement and such default continue for six months after notice in writing of intention to terminate the contract given by the Vancouver Company to the Pacific Company, the Vancouver Company may at its election declare this agreement terminated and may exclude the Pacific Company from all use of the property described herein; 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.

## Article III.

Section 1. The Vancouver Company shall be bound to use only reasonable and customary care, skill and diligence in maintaining and repairing the roadway, tracks, structures and appliances of and pertaining to the said railway and in managing and operating the same; and all employes of the Vancouver Company (except enginemen and trainmen) employed in maintaining, repairing or operating the railway, or in dispatching, giving orders for or directing movement of trains, or in performing any other service for the common benefit of the railway companies using the property shall for the purposes of this contract be regarded while engaged in such work as joint employes of all the railway companies using the property. Enginemen and trainmen of any work train engaged in maintaining, repairing or adding to the property shall likewise be deemed joint employes. The Pacific Company shall not by reason of any defect in the property, or by reason of the failure or neglect of the Vancouver Company to repair such defect, or by reason of the failure or neglect of any joint employe as herein defined, make against the Vancouver Company any claim or demand for loss, damage or injury arising from such defect, neglect

or failure; but should the Vancouver Company fail to repair any defect within a reasonable time after being notified so to do by the Pacific Company, then the Pacific Company may make the necessary repairs at once, which will be paid by the Vancouver Company and taken over in its bills for maintenance and operation.

Each railway company from time to time using the property will assume, bear, settle and pay all loss, cost, damage or injury which the property jointly used, its property or property in its custody, or which its employes or passengers may suffer while it is running its engines, cars or trains upon or over any part of the property, no matter how such loss, damage or injury may occur; provided, however, that in case of collision between the engines, cars or trains of any of the parties from time to time using the property, or in case of other accident caused by negligence of enginemen or trainmen or of other sole employes of either party, the party whose employe is at fault shall be responsible for and pay the entire loss caused thereby. If such collision or other accident is caused by fault of the train employes of two or more companies using the property or by the fault of a joint employe, each party involved shall bear an equal share of all damage to the property jointly used and all the damage to its own property or property in its custody, or which its employes or passengers may suffer in consequence thereof. Loss and damage caused by the negligence of joint employes not covered by some other provision of this contract shall be charged to operating expenses and divided as herein elsewhere provided.

Except as hereby before provided each railway company from time to time using the property will assume and pay all loss or damage which its engines, cars or trains may do to third persons or to property of third persons, and each indemnifies the other against all claims and demands for any loss or damage which it herein agrees itself to bear.

If any injury shall occur to persons or property by the operation of trains in such a way that it cannot be determined what company's trains caused the injury, the compensation, if any is made to the injured party, shall be apportioned as other operating expenses under this contract.

Neither party 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.

In case a suit shall be commenced against any company using the property for damages for which another user is ultimately liable, the party sued may give notice to the other party of such suit and thereupon the company so

notified shall assume the defense of the suit and save the company sued harmless.

The provisions of this subdivision shall be binding, not only as between the parties hereto, but as between them and all railway companies from time to time using the property, and the Vancouver Company will cause to be inserted in every contract for use of the property or any part thereof provisions covering the matters treated in this subdivision identical in substance with the provisions in this subdivision stated, and such contracts shall be construed as if each one were signed by all the railway companies at any time running trains over the railway or any part thereof. Failing to cause such provisions to be inserted in the contract with any railway company hereafter admitted to use the property, the Vancouver Company will assume such obligations as such other company would have assumed had such provisions been inserted in its contract.

The parties will settle as between themselves any claim for loss or damage according to the terms of this contract notwithstanding any judgment or decreee of a court or other tribunal in a proceeding brought by third parties.

Section 2. If any train of the Pacific Company shall be wrecked while running over the tracks covered by this contract, the wreck shall be picked up at once and removed by the Vancouver Company, and the Pacific Company (except as herein otherwise provided) shall bear the whole cost of such service.

Section 3. The Vancouver Company will maintain at all stations facilities adequate and suitable for the business of all of the users of the property. Failing so to do the Pacific Company may create its own station facilities under reasonable conditions as to connections with the leased premises. The Vancouver Company shall have the right to purchase at a fair price such facilities when built on its property, in which case the facilities will be for the benefit of all users of the property and the price paid therefor added to the basis of rental like other improvements, betterments and additions.

Section 4. Branch lines of either party shall be allowed to make connections with the railway hereinabove referred to in Article I, Section 1, at suitable and convenient points.

The Pacific Company shall not have the right to use any existing industrial spurs, the freight depot, freight house tracks or team tracks of the Vancouver Company at New Westminster, and shall not do switching at said New Westminster, except to reach its own freight depot and team tracks, to be located at some convenient point alongside the spur track of the Vancouver Company, along Front Street, which spur track is included for that purpose only in the property the use of which is granted in this contract.

It is understood that " New Westminster " as used in this Article extends from the intersection of Columbia Street (North Road) produced northerly with the main track of the Vancouver Company, to the south end of the Front Street spur of the Vancouver Company at Begbie Street; the tracks which the Pacific Company may use at " New Westminster " being shown coloured red on Exhibit B hereto attached.

Except as hereinabove in this section provided, industrial spurs may be created when necessary and the cost thereof shall be added on a basis of rental, as hereinabove provided, in case of improvements, betterments and additions, but if any user of the property objects to the creation of any such spur it shall not be charged on account of the cost of the maintenance thereof, and shall not use the same, but it may at any later day elect to use and from that time on shall be charged its proportion of rental on the cost of such spur, including interest at four and one-half per cent per annum to that date and for the future maintenance thereof.

Section 5. The Pacific Company shall do no industrial switching at New Westminster. The Vancouver Company shall, as and when requested by the Pacific Company, switch the latter's cars to and from industries at New Westminster, and in all respects give to such business of the Pacific Company as favourable treatment as it shall at the same time be giving to its own business or that of any other person or company in the same locality, including promptness and dispatch in handling. As full compensation for such switching service and for the use of the property involved therein, the Vancouver Company shall be entitled to collect and receive from the Pacific Company fair and reasonable switching charges not exceeding the rates at the same time being accepted by it from any other company or person for like service and not exceeding a fair average of the switching charges at the time in force at or in the immediate vicinity of the railway for switching corresponding distances; subject to the provisions of the General Interswitching Order of the Board of Railway Commissioners for Canada, dated July 8, 1908, so far as the same may be applicable.

Section 6. If at any time a question shall arise touching the construction of this contract, or concerning the business or manner of transacting the business to be carried on under its provisions, or concerning the observance or performance of any of its covenants, upon which question the parties cannot agree, such question shall be submitted to the arbitrament of three disinterested persons familiar with such business and experienced in railway management. The party demanding such reference shall give to the other party notice of such demand stating specifically the question to be submitted for decision and nominating a person who

has the required qualifications to act as one referee. If at the expiration of thirty days from the receipt of such notice the party receiving it has not notified the party demanding the referee of its nomination of a second referee having like qualifications, the party making the demand may make such selection. The first and second referees chosen shall select a third and when the board is complete the referees shall fix a day and place for the hearing of which the parties shall be severally notified. If the referees chosen shall be unable to agree upon the third referee such third referee may be appointed upon ten days' notice upon motion of either party by a judge of any court of general jurisdiction, and being a court of record in the Province of British Columbia. After hearing the testimony and arguments which may be submitted by each party, the referees, if they unanimously agree upon an award, shall state it in writing, which when delivered to both parties shall be binding and conclusive upon each, and each party hereby expressly agrees to be bound conclusively thereby. If they cannot agree unanimously they shall forthwith select two additional referees having like qualifications. If the two additional referees cannot be agreed upon they may be appointed by any judge hereinbefore in this section referred to. To the Board thus constituted shall be submitted a statement touching the facts as to which there is a unanimous agreement between the three referees first selected and the testimony as to matters remaining in dispute. The award of a majority of the five referees shall be in writing, and when delivered to the parties shall be final and conclusive as an award by the first chosen referees would have been. Immediately after any award each party will make such changes in the conduct of its business, or such payments or restitution as the case may be, as are in and by such award required of it to be made. But if the question at issue affects the use of the property by more than two railway companies such notice of a demand for arbitration shall be given to each company interested and each shall have a right and be obligated to name an arbitrator having the qualifications before stated. Should any company fail within thirty days after receipt of such notice to name its arbitrator those who shall be named as arbitrators shall select one for the company so failing, and if they cannot agree he may be appointed on ten days' notice by any judge hereinbefore in this section referred to. The referees so chosen, if an even number, shall select three, if an odd number two additional arbitrators having the qualifications before stated. If they fail the additional arbitrators may on motion of any one of the companies be appointed by a judge as and in the manner before stated. After hearing the parties the board so constituted shall make an award by majority vote which shall be final and conclusive as between

all the railway companies using the property. In order to insure settlements in such cases which bind all the companies using the property, the Vancouver Company will cause to be inserted in every contract admitting any other railway company clauses for arbitration similar to those contained herein and such arbitration clauses shall be construed as if signed by all the railway companies using the property.

The books and papers of both parties as far as they relate to any matter submitted to arbitration shall be open to the examination of the arbitrators, and the party against whom the award is made shall pay all the fees and expenses of the arbitration; and until the arbitrators shall make their award upon any question submitted to them the business, settlements and payments to be transacted and made under the terms of this contract shall continue to be transacted and made in the manner and form existing prior to the arising of such question.

If either party shall refuse to keep and perform any award, the adverse party may enforce the same by apt proceedings in any court of law or equity.

Section 7. The Vancouver Company will make application to the Parliament of Canada for the necessary legislation confirming and ratifying this contract, and the Pacific Company consents that such legislation may be enacted and hereby agrees to co-operate with the Vancouver Company in obtaining the same. The expense in connection with such application shall be charged to operating expense and apportioned and paid accordingly.

Section 8. Subject to obtaining approval as in the section next preceding provided this contract shall take effect at its date, and from the time rentals commence to accrue they shall continue during the term whether the Pacific Company uses the property or not. The contract shall continue nine hundred and ninety-nine years from August 11, 1913. The Pacific Company shall have no right to admit any other railway company as a user of the property, except that the rights of the Pacific Company acquired hereunder shall be deemed appurtenant to and running with its railroad, and it may sell, assign, lease or mortgage as an entirety said rights in connection with and as a part of its railroad. The covenants and agreements herein contained shall bind the parties hereto, their successors, assigns and lessees, and shall inure in favour of the successors, assigns and lessees, of the parties for whose benefit made.

Section 9. Notices under this contract shall be given in writing to the President, Vice-President or Secretary of the other company.

Section 10. The Pacific Company shall obtain for itself from His Majesty the King in the right of the Province of British Columbia, the right to run its locomotives, cars and

trains over the Provincial Bridge across the Fraser River at New Westminster.

In witness whereof, the parties hereto have caused this contract to be executed for and in their behalf by their proper officers thereunto duly authorized the day and year first hereinabove written.

VANCOUVER, VICTORIA & EASTERN RAILWAY & NAVIGATION COMPANY,

By C. R. GRAY,
President.

Attest: L. E. KATZENBACH,
Ass't. Secretary.

In the presence of:

Sanford H. E. Freund,
M. C. Byers.

(Seal)

NORTHERN PACIFIC RAILWAY COMPANY,

By HOWARD ELLIOTT,
President.

Attest: R. H. RELF,
Assistant Secretary.

In the presence of

E. W. Osborne,
W. H. Phillips.

(Seal)

First Session, Thirteenth Parliament, 8-9 George V, 1918.

THE HOUSE OF COMMONS OF CANADA

# BILL 48.

An Act to amend The Industrial Disputes Investigation Act, 1907.

First reading, April 10, 1918.

The MINISTER OF LABOUR.

OTTAWA
J. DE LABROQUERIE TACHÉ
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
38355—1 1918

1st Session, 13th Parliament, 8-9 George V, 1918.

THE HOUSE OF COMMONS OF CANADA.

# BILL 48.

An Act to amend The Industrial Disputes Investigation Act, 1907.

1907, c. 20; 1910, c. 29.

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

**1.** The following paragraph is inserted immediately after paragraph (*d*) of section two of *The Industrial Disputes Investigation Act, 1907*:—

Employee or employer not to cease to be such for lockout, strike, etc.

"(*dd*) A lockout or strike shall not, nor, where application for a Board is made within thirty days after the dismissal, shall any dismissal, cause any employee to cease to be an employee, or an employer to cease to be an employer, within the meaning and for the purposes of this Act."

**2.** Section six of the said Act is repealed and the following is substituted therefor:—

Minister to appoint Boards on application.

"**6.** (1) Whenever, under this Act, an application is made in due form for the appointment of a Board of Conciliation and Investigation, the Minister, shall, within fifteen days from the date at which the application is received, establish such Board under his hand and seal of office, if satisfied that the provisions of this Act apply.

Decision of Minister final and lawful appointment of Board not to be questioned.

"(2) The decision of the Minister as to the granting or refusal of a Board shall be final, and when a Board is granted by the Minister, it shall be conclusively deemed to be authorized by and to be in accordance with the provisions of this Act, and no order shall be made or process or proceeding had or taken in any court to question the granting or refusal of a Board or to review, prohibit, or restrain the establishment of such Board or the proceedings thereof."

Term of office continued

**3.** Section ten of the said Act is amended by adding at the end thereof the following:—

until report is transmitted.

" and for the purposes of subsection two of section twenty-nine of this Act, from the time the Board is reconvened by the Chairman until the report required under such section is transmitted to the Minister."

**4.** Section twenty-two of the said Act is amended by adding thereto the following subsection:—

Additional matters may be referred to Board.

"(2) Should it at any stage of the proceedings be made to appear to the Minister that it is necessary, in order to deal satisfactorily with the matters in dispute, that some other matter or matters involved in or incidental to those appearing in the application and statement in answer, if any, should also be referred to the Board, the Minister may under his hand and seal of office refer such matters to the Board accordingly."

**5.** Section twenty-nine of the said Act is repealed and the following is substituted therefor:—

Publication of reports.

" **29.** For the information of Parliament and the public, the report and recommendations of the Board, and any minority report, shall, without delay, be published in the *Labour Gazette*, either verbatim or in summary form as the Minister may determine.

Additional matters upon which Minister may require opinion of Board.

"(2) Where any question arises as to the meaning or application of, or as to anything relating to or connected with,—

(*a*) any recommendation made by the Board, or,

(*b*) any settlement agreement drawn up by the Board under section twenty-four of this Act,

the Minister, where he deems it expedient, may, on the application of either party or of his own motion, request from the chairman of the Board an expression of the Board's opinion upon such question, and the chairman shall upon receipt of such request reconvene the Board, and the Board shall as soon as practicable report to the Minister its opinion upon such question."

Minister may in certain cases with or without application order a Board or recommend an inquiry.

**6.** The said Act is amended by inserting the following sections immediately after section sixty-three thereof:—

" **63A.** Where in any industry any strike or lockout has been long continued, and in the public interest or for any other reason it seems to the Minister expedient, the Minister, on the application of any municipality interested or of the mayor, reeve, or other head officer or acting head officer thereof, or of his own motion, may, without application of either of the parties to the dispute, strike, or lockout, whether it involves one or more employers or employees in the employ of one or more employers, constitute a Board of Conciliation and Investigation under this Act in respect of any dispute, or strike or lockout, or may in any such case, if it seems to him expedient, either with or without

an application from any interested party, recommend to the Governor in Council the appointment of some person or persons as commissioner or commissioners under the provisions of the *Inquiries Act* to inquire into the dispute, strike or lockout, or into any matters or circumstances connected therewith.

Minister may order inquiries into industrial matters.

"**63B.** The Minister, where he deems it expedient, may, either upon or without any application in that behalf, make or cause to be made any inquiries he thinks fit regarding industrial matters, and may cause such steps to be taken by his department and the officers thereof as seem calculated to secure industrial peace and to promote conditions favourable to settlement of disputes."

First Session, Thirteenth Parliament, 8-9 George V, 1918.

THE HOUSE OF COMMONS OF CANADA

# BILL 48.

An Act to amend The Industrial Disputes Investigation Act, 1907.

AS PASSED BY THE HOUSE OF COMMONS, 18th APRIL, 1918.

OTTAWA
J. DE LABROQUERIE TACHÉ
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
39198—1 1918

1st Session, 13th Parliament, 8-9 George V, 1918.

THE HOUSE OF COMMONS OF CANADA.

# BILL 48.

An Act to amend The Industrial Disputes Investigation Act, 1907.

1907, c. 20; 1910, c. 29.

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

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Employee or employer not to cease to be such for lockout, strike, etc.

"(*dd*) A lockout or strike shall not, nor, where application for a Board is made within thirty days after the dismissal, shall any dismissal, cause any employee to cease to be an employee, or an employer to cease to be an employer, within the meaning and for the purposes of this Act."

**2.** Section six of the said Act is repealed and the following is substituted therefor:—

Minister to appoint Boards on application.

"**6.** (1) Whenever, under this Act, an application is made in due form for the appointment of a Board of Conciliation and Investigation, the Minister, shall, within fifteen days from the date at which the application is received, establish such Board under his hand and seal of office, if satisfied that the provisions of this Act apply.

Decision of Minister final and lawful appointment of Board not to be questioned.

"(2) The decision of the Minister as to the granting or refusal of a Board shall be final, and when a Board is granted by the Minister, it shall be conclusively deemed to be authorized by and to be in accordance with the provisions of this Act, and no order shall be made or process or proceeding had or taken in any court to question the granting or refusal of a Board or to review, prohibit, or restrain the establishment of such Board or the proceedings thereof."

Term of office continued

**3.** Section ten of the said Act is amended by adding at the end thereof the following:—

until report is transmitted.

" and for the purposes of subsection two of section twenty-nine of this Act, from the time the Board is reconvened by the Chairman until the report required under such section is transmitted to the Minister."

**4.** Section twenty-two of the said Act is amended by adding thereto the following subsection:—

Additional matters may be referred to Board.

"(2) Should it at any stage of the proceedings be made to appear to the Minister that it is necessary, in order to deal satisfactorily with the matters in dispute, that some other matter or matters involved in or incidental to those appearing in the application and statement in answer, if any, should also be referred to the Board, the Minister may under his hand and seal of office refer such matters to the Board accordingly."

**5.** Section twenty-nine of the said Act is repealed and the following is substituted therefor:—

Publication of reports.

" **29.** (1) For the information of Parliament and the public, the report and recommendations of the Board, and any minority report, shall, without delay, be published in the *Labour Gazette*, either verbatim or in summary form as the Minister may determine.

Additional matters upon which Minister may require opinion of Board.

"(2) Where any question arises as to the meaning or application of, or as to anything relating to or connected with,—

(*a*) any recommendation made by the Board, or,

(*b*) any settlement agreement drawn up by the Board under section twenty-four of this Act,

the Minister, where he deems it expedient, may, on the application of either party or of his own motion, request from the chairman of the Board an expression of the Board's opinion upon such question, and the chairman shall upon receipt of such request reconvene the Board, and the Board shall as soon as practicable report to the Minister its opinion upon such question."

Minister may in certain cases with or without application order a Board or recommend an inquiry.

**6.** The said Act is amended by inserting the following sections immediately after section sixty-three thereof:—

" **63A.** Where in any industry any strike or lockout has occurred, and in the public interest or for any other reason it seems to the Minister expedient, the Minister, on the application of any municipality interested or of the mayor, reeve, or other head officer or acting head officer thereof, or of his own motion, may, without application of either of the parties to the dispute, strike, or lockout, whether it involves one or more employers or employees in the employ of one or more employers, constitute a Board of Conciliation and Investigation under this Act in respect of any dispute, or strike or lockout, or may in any such case, if it seems to him expedient, either with or without

an application from any interested party, recommend to the Governor in Council the appointment of some person or persons as commissioner or commissioners under the provisions of the *Inquiries Act* to inquire into the dispute, strike or lockout, or into any matters or circumstances connected therewith.

Minister may order inquiries into industrial matters.

"**63B.** The Minister, where he deems it expedient, may, either upon or without any application in that behalf, make or cause to be made any inquiries he thinks fit regarding industrial matters, and may cause such steps to be taken by his department and the officers thereof as seem calculated to secure industrial peace and to promote conditions favourable to settlement of disputes."

First Session, Thirteenth Parliament, 8-9 George V, 1918.

THE HOUSE OF COMMONS OF CANADA

# BILL 49.

An Act respecting the Naval Discipline (Dominion Naval Forces) Act, 1911.

First reading, April 11, 1918.

The MINISTER OF MARINE AND FISHERIES.

OTTAWA
J. DE LABROQUERIE TACHÉ
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1918

1st Session, 13th Parliament, 8-9 George V, 1918.

THE HOUSE OF COMMONS OF CANADA.

# BILL 49.

An Act respecing the Naval Discipline (Dominion Naval Forces) Act, 1911.

Preamble.

WHEREAS the *Naval Discipline (Dominion Naval Forces) Act, 1911*, enacted by the Parliament of the United Kingdom of Great Britain and Ireland, among other things provides that where in any self-governing dominion provision has been made, either before or after the passing of the Act, for the application to the naval forces raised by the dominion of the *Naval Discipline Act, 1866*, as amended by any subsequent enactment, that Act as so amended shall have effect as if reference therein to His Majesty's navy and His Majesty's ships included the forces and ships raised and provided by the dominion, subject, however, in the application of the said Act to the forces or ships of the dominion, to such modifications and adaptations, if any, as may have been or may be made by the law of the dominion to adapt the Act to the circumstances of the dominion, provided, however, that where any forces or ships of the self-governing dominion have been placed at the disposal of the Admiralty the Act shall apply without any modification or adaptation; and whereas the Act also provides that it shall not come into operation in relation to the forces and ships raised and provided by the self-governing dominion unless and until provision to that effect shall be made in the dominion; and whereas, by section forty-eight of *The Naval Service Act*, chapter forty-three of the statutes of 1910, it is provided that the *Naval Discipline, Act, 1866*, and the Acts in amendment thereof passed by the Parliament of the United Kingdom at the time being in force, with certain modifications, adaptations and exceptions set out and provided for in the said *Naval Service Act*, shall apply to the Naval Service; and whereas it is expedient that the said *Naval Discipline (Dominion Naval Forces) Act, 1911*, should come into operation in relation to the Naval Service of Canada: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Naval Discipline (Dominion Naval Forces) Act, 1911, made applicable to Canada.

**1.** The *Naval Discipline (Dominion Naval Forces) Act, 1911*, enacted by the Parliament of the United Kingdom of Great Britain and Ireland shall come into operation in relation to the naval forces raised by the Dominion of Canada and the ships provided for such naval forces, subject to the modifications, adaptations and exceptions set out and provided for in section forty-eight of *The Naval Service Act*, chapter forty-three of the statutes of 1910.

First Session, Thirteenth Parliament, 8-9 George V, 1918.

THE HOUSE OF COMMONS OF CANADA

# BILL 49.

An Act respecting the Naval Discipline (Dominion Naval Forces) Act, 1911.

AS PASSED BY THE HOUSE OF COMMONS, 17th APRIL, 1918.

OTTAWA
J. DE LABROQUERIE TACHÉ
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
39128—1 1918

1st Session, 13th Parliament, 8-9 George V, 1918.

THE HOUSE OF COMMONS OF CANADA.

# BILL 49.

An Act respecing the Naval Discipline (Dominion Naval Forces) Act, 1911.

Preamble.

WHEREAS the *Naval Discipline (Dominion Naval Forces) Act, 1911*, enacted by the Parliament of the United Kingdom of Great Britain and Ireland, among other things provides that where in any self-governing dominion provision has been made, either before or after the passing of the Act, for the application to the naval forces raised by the dominion of the *Naval Discipline Act, 1866*, as amended by any subsequent enactment, that Act as so amended shall have effect as if reference therein to His Majesty's navy and His Majesty's ships included the forces and ships raised and provided by the dominion, subject, however, in the application of the said Act to the forces or ships of the dominion, to such modifications and adaptations, if any, as may have been or may be made by the law of the dominion to adapt the Act to the circumstances of the dominion, provided, however, that where any forces or ships of the self-governing dominion have been placed at the disposal of the Admiralty the Act shall apply without any modification or adaptation; and whereas the Act also provides that it shall not come into operation in relation to the forces and ships raised and provided by the self-governing dominion unless and until provision to that effect shall be made in the dominion; and whereas, by section forty-eight of *The Naval Service Act*, chapter forty-three of the statutes of 1910, it is provided that the *Naval Discipline, Act, 1866*, and the Acts in amendment thereof passed by the Parliament of the United Kingdom at the time being in force, with certain modifications, adaptations and exceptions set out and provided for in the said *Naval Service Act*, shall apply to the Naval Service; and whereas it is expedient that the said *Naval Discipline (Dominion Naval Forces) Act, 1911*, should come into operation in relation to the Naval Service of Canada: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Naval Discipline (Dominion Naval Forces) Act, 1911, made applicable to Canada.

**1.** The *Naval Discipline (Dominion Naval Forces) Act, 1911,* enacted by the Parliament of the United Kingdom of Great Britain and Ireland shall come into operation in relation to the naval forces raised by the Dominion of Canada and the ships provided for such naval forces, subject to the modifications, adaptations and exceptions set out and provided for in section forty-eight of *The Naval Service Act,* chapter forty-three of the statutes of 1910.

First Session, Thirteenth Parliament, 8-9 George V, 1918.

THE HOUSE OF COMMONS OF CANADA

# BILL 50.

An Act to amend The Gold and Silver Marking Act, 1913.

First reading, April 11, 1918.

The MINISTER OF TRADE AND COMMERCE.

OTTAWA
J. DE LABROQUERIE TACHÉ
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1918

1st Session, 13th Parliament, 8-9 George V, 1918.

THE HOUSE OF COMMONS OF CANADA.

# BILL 50.

An Act to amend The Gold and Silver Marking Act, 1913.

1913, c. 19; 1915, c. 15.

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

**1.** Section eighteen of *The Gold and Silver Marking Act, 1913*, chapter nineteen of the statutes of 1913, is repealed, and the following is substituted therefor:—

Assay Office certificate *prima facie* evidence of ingredients, etc., in article.

"**18.** An official certificate by any Dominion Government Assay Office in Canada that any article to which this Act applies has been assayed by such office shall be *prima facie* evidence that the ingredients and quantities stated by the certificate to be contained in the article are contained therein, and in all legal proceedings had in pursuance of this Act shall be receivable as evidence of the facts set forth in the certificate."

50.

First Session, Thirteenth Parliament, 8-9 George V, 1918.

THE HOUSE OF COMMONS OF CANADA

# BILL 50.

An Act to amend The Gold and Silver Marking Act, 1913.

AS PASSED BY THE HOUSE OF COMMONS, 23rd APRIL, 1917.

OTTAWA
J. DE LABROQUERIE TACHÉ
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1918

1st Session, 13th Parliament, 8-9 George V, 1918.

THE HOUSE OF COMMONS OF CANADA.

# BILL 50.

An Act to amend The Gold and Silver Marking Act, 1913.

1913, c. 19; 1915, c. 15.

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

**1.** Section eighteen of *The Gold and Silver Marking Act, 1913*, chapter nineteen of the statutes of 1913, is repealed and the following is substituted therefor:—

Assay Office certificate *prima facie* evidence of ingredients, etc., in article.

"**18.** An official certificate by the Ottawa Branch of the Royal Mint or by any Dominion Government Assay Office in Canada that any article to which this Act applies has been assayed by such office shall be *prima facie* evidence that the ingredients and quantities stated by the certificate to be contained in the article are contained therein, and in all legal proceedings had in pursuance of this Act shall be receivable as evidence of the facts set forth in the certificate "

First Session, Thirteenth Parliament, 8-9 George V, 1918.

THE HOUSE OF COMMONS OF CANADA

# BILL 51.

An Act to provide Compensation where Employees of His Majesty are killed or suffer injuries while performing their duties.

First reading, April 11, 1918.

The MINISTER OF RAILWAYS AND CANALS.

OTTAWA
J. DE LABROQUERIE TACHÉ
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1918

1st Session, 13th Parliament, 8-9 George V, 1918.

THE HOUSE OF COMMONS OF CANADA.

# BILL 51.

An Act to provide Compensation where Employees of His Majesty are killed or suffer injuries while performing their duties.

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

Compensation to be same as under law of Province where accident occurs.

**1.** (1) An employee in the service of His Majesty who is injured, and the dependents of any such employee who is killed, shall be entitled to the same compensation as the employee, or as the dependent of a deceased employee, of a person other than His Majesty would, under similar circumstances, be entitled to receive under the law of the province in which the accident occurred, and the liability for and the amount of such compensation shall be determined in the same manner and by the same Board, officers or authority, or by such other Board, officers or authority or by such court as the Governor in Council shall from time to time direct.

Compensation to be paid to employee or dependent, etc.

(2) Any compensation awarded to any employee or the dependents of any deceased employee of His Majesty by any Board, officer or authority, or by any court, under the authority of this Act, shall be paid to such employee or dependent or to such person as the Board, officer, or authority or the court may direct, and the said Board, officer, authority and court shall have the same jurisdiction to award costs as in cases between private parties is conferred by the law of the province where the accident occurred.

Costs.

Compensation may be paid out of Consolidated Revenue Fund.

(3) Any compensation or costs awarded hereunder may be paid by the Minister of Finance out of any unappropriated moneys in the Consolidated Revenue Fund of Canada.

Employees on Government Railways must elect between Railway Provident Societies benefits and this Act.

(4) Provided that no employee on the Canadian Government Railways, who is an employee within the meaning of the *Intercolonial and Prince Edward Island Railways Employees' Provident Fund Act*, shall be entitled to compensation under this Act for or on account of any injury for which an allowance is provided under the provisions of the said *Provident Fund Act*, unless such employee has, prior to the date of the injury for which compensation is sought, given notice in writing to the General Manager of the said railways under whom he is employed, electing to accept the compensation under this Act instead of such allowance, and no person who has so elected shall be entitle d to any such allowance; and provided further, that no dependent of any such employee who is killed sha ll be entitled to any compensation under this Act unless such employee has made election as aforesaid

First Session, Thirteenth Parliament, 8-9 George V, 1918.

THE HOUSE OF COMMONS OF CANADA

# BILL 51.

An Act to provide Compensation where Employees of His Majesty are killed or suffer injuries while performing their duties.

AS PASSED BY THE HOUSE OF COMMONS, 17th APRIL, 1918.

OTTAWA
J. DE LABROQUERIE TACHÉ
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
39121—1 1918

1st Session, 13th Parliament, 8-9 George V, 1918.

THE HOUSE OF COMMONS OF CANADA.

# BILL 51.

An Act to provide Compensation where Employees of His Majesty are killed or suffer injuries while performing their duties.

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

Compensation to be same as under law of Province where accident occurs.

**1.** (1) An employee in the service of His Majesty who is injured, and the dependents of any such employee who is killed, shall be entitled to the same compensation as the employee, or as the dependent of a deceased employee, of a person other than His Majesty would, under similar circumstances, be entitled to receive under the law of the province in which the accident occurred, and the liability for and the amount of such compensation shall be determined in the same manner and by the same Board, officers or authority, as that established by the law of the province for determining compensation in similar cases, or by such other Board, officers or authority or by such court as the Governor in Council shall from time to time direct.

Compensation to be paid to employee or dependent, etc.

(2) Any compensation awarded to any employee or the dependents of any deceased employee of His Majesty by any Board, officer or authority, or by any court, under the authority of this Act, shall be paid to such employee or dependent or to such person as the Board, officer, or authority or the court may direct, and the said Board, officer, authority and court shall have the same jurisdiction to award costs as in cases between private parties is conferred by the law of the province where the accident occurred.

Costs.

Compensation may be paid out of Consolidated Revenue Fund.

(3) Any compensation or costs awarded hereunder may be paid by the Minister of Finance out of any unappropriated moneys in the Consolidated Revenue Fund of Canada.

Employees on Government Railways must elect between Railway Provident Societies benefits and this Act.

(4) Provided that no employee on the Canadian Government Railways, who is an employee within the meaning of the *Intercolonial and Prince Edward Island Railways Employees' Provident Fund Act*, shall be entitled to compensation under this Act for or on account of any injury for which an allowance is provided under the provisions of the said *Provident Fund Act*, unless such employee has, prior to the date of the injury for which compensation is sought, given notice in writing to the General Manager of the said railways under whom he is employed, electing to accept the compensation under this Act instead of such allowance, and no person who has so elected shall be entitled to any such allowance; and provided further, that no dependent of any such employee who is killed shall be entitled to any compensation under this Act unless such employee has made election as aforesaid.

Regulations.

**2.** The Governor in Council may make regulations as to the title of the defendant and the effecting of service of process in proceedings under this Act.

52.

First Session, Thirteenth Parliament, 8–9 George V, 1918.

THE HOUSE OF COMMONS OF CANADA

# BILL 52.

An Act to amend the Department of Railways and Canals Act.

First reading, April 11, 1918.

The MINISTER OF RAILWAYS AND CANALS.

OTTAWA
J. DE LABROQUERIE TACHÉ
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1918

1st Session, 13th Parliament, 8-9 George V, 1918.

THE HOUSE OF COMMONS OF CANADA.

# BILL 52.

An Act to amend the Department of Railways and Canals Act.

R. S., c. 35; 1911, c. 8.

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

**1.** Sections twenty and twenty-one of the *Department of Railways and Canals Act*, chapter thirty-five of the Revised Statutes of Canada, 1906, is repealed and the following is substituted therefor:—

Stores accounts.

"**20.** The stores account shall be debited with the cost of materials, equipment and stores purchased and of work performed and expenses incurred in connection therewith, together with the cost of establishing, maintaining and conducting the railway stores, and shall be credited with the values of materials, equipment and stores as issued and charged to proper appropriations, or otherwise disposed of.

Limitation.

"**21.** The balance to the debit of the stores account of the Canadian Government Railways shall not at any time exceed six million dollars."

52.

First Session, Thirteenth Parliament, 8–9 George V, 1918.

THE HOUSE OF COMMONS OF CANADA

# BILL 52.

An Act to amend the Department of Railways and Canals Act.

**AS PASSED BY THE HOUSE OF COMMONS, 16th APRIL, 1918.**

OTTAWA
J. DE LABROQUERIE TACHÉ
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1918

1st Session, 13th Parliament, 8-9 George V, 1918.

THE HOUSE OF COMMONS OF CANADA.

# BILL 52.

An Act to amend the Department of Railways and Canals Act.

R. S., c. 35; 1911, c. 8.

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

**1.** Sections twenty and twenty-one of the *Department of Railways and Canals Act*, chapter thirty-five of the Revised Statutes of Canada, 1906, is repealed and the following is substituted therefor:—

Stores accounts.

"**20.** The stores account shall be debited with the cost of materials, equipment and stores purchased and of work performed and expenses incurred in connection therewith, together with the cost of establishing, maintaining and conducting the railway stores, and shall be credited with the values of materials, equipment and stores as issued and charged to proper appropriations, or otherwise disposed of.

Limitation.

"**21.** The balance to the debit of the stores account of the Canadian Government Railways shall not at any time exceed six million dollars."

First Session, Thirteenth Parliament, 8–9 George V, 1918.

THE HOUSE OF COMMONS OF CANADA

# BILL 53.

An Act respecting the Civil Service of Canada.

First reading, April 12, 1918.

The MINISTER OF FINANCE.

OTTAWA
J. DE LABROQUERIE TACHÉ
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1918

1st Session, 13th Parliament, 8-9 George V, 1918.

THE HOUSE OF COMMONS OF CANADA.

# BILL 53.

An Act respecting the Civil Service of Canada.

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

SHORT TITLE.

Short title.

**1.** This Act may be cited as *The Civil Service Act, 1918.*

DEFINITIONS.

Definitions.

**2.** In this Act and in all regulations made hereunder, unless the context otherwise requires,—

(*a*) "Civil Service" means and includes all classes of officers, clerks and employees in or under the several departments of the Executive Government of Canada and in the office of the Auditor General and in the Northwest Territories and the Yukon Territory, appointed by the Governor in Council or other competent authority before the first day of July, one thousand eight hundred and eighty-two or thereafter appointed or employed in the manner provided by the Civil Service Act for the time being, in force. 1906, s. 2.

(*b*) "Commission" means the Civil Service Commission.

(*c*) "Deputy" or "deputy head" means the deputy of the minister of the Crown presiding over the department, the Clerk of the Privy Council, the Clerks of the Senate and House of Commons, the Librarians of Parliament, the Comptroller of the Royal Northwest Mounted Police, the Superintendent of Insurance, the Dominion Archivist, the Assistant to the Chairman and Secretary to the Commission of Conservation, and, in all cases in which such meaning is not inconsistent with his powers and duties under the *Consolidated Revenue and Audit Act*, the Auditor General. 1906, s. 2, 1908, s. 2, amended.

(*d*) "Head of the department" means the Minister of the Crown for the time being presiding over the department and includes the Speakers of the Senate and House of Commons.

(*e*) "Inside Service" means and includes that part of the Civil Service in or under the several departments of the Executive Government of Canada and in the offices of the Auditor General, the Clerk of the Privy Council, the Governor General's Secretary, the Public Archives, and the Commission of Conservation, employed at the city of Ottawa, or at the Experimental Farm Station or the Dominion Astronomical Observatory near Ottawa, and the staff of the Civil Service Commission employed at Ottawa. 1908, s. 3.

(*f*) "Outside Service" means and includes the other officers, clerks and employees included in the public service, not being part of the Inside Service. R.S. 1906, s. 4.

(*g*) "Public Service" means and includes all officers, clerks or employees in the service of the Crown or of Parliament.—(New).

## PART I.

CIVIL SERVICE COMMISSION.

**3.** (1) There shall be a Commission, to be called the Civil Service Commission, consisting of not more than three members appointed by the Governor in Council.

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

Commission.

(3) The rank and standing of each commissioner shall be that of a deputy head. The chairman shall be paid a salary of six thousand dollars, and each of the other commissioners five thousand dollars; such salaries shall be paid out of the Consolidated Revenue Fund of Canada. Each commissioner shall hold office during good behaviour, but shall be removable by the Governor General on address of the Senate and House of Commons. 1912, c. 10, amended.

Provided, however, that any commissioner hereafter appointed shall hold office during good behaviour for a period of ten years from the date of his appointment, but shall be removable by the Governor General on address of the Senate and House of Commons, and shall cease to hold office upon reaching the age of sixty-five years.

Duties of Commission.

**4.** (1) The duties of the Commission shall be,—

(*a*) to test and pass upon the qualifications of candidates for admission to and transfer and promotion in the public service, and to issue certificates with respect thereto required under this Act or regulations made thereunder;

(*b*) of its own motion to investigate and report upon the operation of this Act, and upon the violation of any of the provisions of this Act or of any regulation made thereunder; and, upon the request of the head of a department, to investigate and report upon any matter relative to the department, its officers, clerks and other employees;

(*c*) to report upon the organization or proposed organization of the departments or any portion of any department or of the public service, and upon any proposed change in such organization;

(*d*) to obtain the assistance of competent persons to assist the Commission in the performance of its duties;

(*e*) to make an annual report on the organization and staff, including the duties and salaries of such staff, of each portion of the public service;

(*f*) to arrange for the transfer of supernumeraries or other officers, clerks and employees from portions of the public service where they are no longer required to other portions of the public service where they are required;

(*g*) such other duties as are assigned to it by the Governor in Council.

Regulations.

(2) The Commission, with the approval of the Governor in Council, may make regulations prescribing how such duties shall be performed, and such regulations shall be published in the *Canada Gazette.* (New.)

Commission to have access to offices, etc.

(3) The deputy heads and all other officers and employees in the public service shall give the Commission such access to their respective departments and offices and such facilities, assistance and information as the Commission may require for the performance of its duties. (New.)

Commission to have powers under Inquiries Act.

(4) In connection with, and for the purposes of, any investigation or report, the Commission or any commissioner holding an investigation shall have all the powers of a commissioner appointed under Part II of *The Inquiries Act.* 1908, s. 10 amended.

Commissioners not to engage in other employment.

(5) A commissioner shall not hold any other office in the public service or engage in any other employment. 1908, s. 10.

Oath of Office.

(6) Each commissioner shall, before entering upon the duties of his office, take and subscribe, before the Clerk of the Privy Council, the oath in Schedule A of this Act, 1908, s. 12 amended.

Proceeding in case of fraud, etc.

**5.** Whenever the Commission is satisfied that any irregularity or fraudulent practice has obtained at an examination held by it or by any person deputed by it, the Commission may summon before it by a summons (which may be in the form in Schedule C of this Act) signed

by the chairman or by any one of the commissioners, and may examine under oath or affirmation any person who, in its opinion, is in a position to give evidence in relation to such irregularity or fraudulent practice. 1906, s. 9.

Fraudulent person to be reported.

**6.** If any person is proved upon any inquiry to have been concerned in any fraudulent practice, or to have been guilty of any breach of the regulations made by the Governor in Council with respect to any examination held under the authority of this Act, such person shall be liable, upon summary conviction, to a penalty not exceeding fifty dollars or to imprisonment for any term not exceeding one month; and if any such person's name is upon the list of persons who have been found qualified for any position the Commission may remove his name from such list. 1906, s. 13, amended.

Personation.

**7.** Every person who, at any examination held under this Act, personates any candidate or employs, induces or allows any person to personate him or connives or assists at any personation, is guilty of an offence and liable, on summary conviction, to imprisonment for a term not exceeding six months, or to a fine not exceeding two hundred dollars, and, if he is employed in the public service, to be dismissed therefrom. 1906, s. 14.

Illegally obtaining examination papers.

**8.** (1) Every person who surreptitiously procures from any printer or other person, and every person who, without authority, furnishes to any other person any examination question paper or any other paper relating to any such examination as aforesaid, is guilty of an offence and liable, on summary conviction, to imprisonment, with or without hard labour, for a term not exceeding six months, or to a fine not exceeding two hundred dollars, and, if he is employed in the public service, to be dismissed therefrom.

(2) No such person shall be allowed to present himself at any subsequent examination. 1906, s. 15.

Soliciting appointments.

**9.** (1) No person shall, directly or indirectly, solicit or endeavour to influence any Minister of the Crown or the head of any department with respect to the appointment of any person to the service, or with respect to the promotion or transfer of or an increase of salary to, any officer, clerk, or employee in the public service.

(2) Any person who, directly or indirectly, solicits or endeavours to influence any Minister of the Crown or the head of any department in favour of his appointment or promotion or to increase his salary, shall be deemed to be unworthy of such appointment, promotion or increase, and it shall not be accorded him; and if he is employed in the public service, he shall be liable to immediate dismissal. 1908, s. 42.

(3) Any person shall have the right to submit to the Commission a representation in writing with respect to the appointment of any person to the public service or with respect to the promotion, transfer of or an increase of salary to any officer, clerk or employee in the public service. (New.)

## PART II.

### General.

#### ORGANIZATION OF DEPARTMENTS.

Organization, how effected.

**10.** (1) The Commission, as soon as may be practicable after the passing of this Act, shall, after consulting with the several deputy heads, the heads of branches and other chief officers, prepare plans for the organization of the Inside Service and the Outside Service of each department and of each branch or portion of the public service. As soon as the plan of organization is completed for either the Inside or Outside Service or any branch or portion of the Outside Service or of any branch or portion of the public service, such plan of organization shall be submitted for the approval of the Governor in Council.

Changes in organization.

(2) If, after such approval, the deputy head or the Commission is of opinion that any such plan of organization might with advantage be in any way changed, the Commission shall in a similar manner prepare a report upon such proposed change, and shall submit the same for the approval of the Governor in Council. No change shall be made in the organization of any department until it has been so reported upon by the said Commission.

Reclassification.

(3) As soon as any plan of organization is confirmed by the Governor in Council, the deputy head shall, subject to the approval of the Commission, forthwith cause the officers, clerks and employees affected thereby to be reclassified for the purpose of placing each officer, clerk and employee in a proper place under such plan of organization.

Supernumeraries.

(4) If, after such organization and classification has been effected, the number of officers, clerks, and employees in any portion of the public service, or in any class or grade thereof, is greater than the number allowed under such organization, the remainder shall be supernumeraries in that class or grade respectively in which they rank, and shall so remain until they are placed in any vacancies that may occur or until they are transferred to another portion of the public service, or until they leave such service.

Status of present employees preserved.

(5) Nothing in this Act shall be construed to prejudicially affect the status or the present salaries or rights to future increase of any officer, clerk or employee, whether

permanent or temporary, who is in the public service on the date of the coming into force of this Act, and if any such officer, clerk or employee is placed in any position where the maximum salary is smaller than the maximum salary of the position or grade in which he is now classified, he shall be eligible for increases until he reaches the maximum heretofore fixed for the position he previously occupied. 1908, s. 8, amended.

Tenure.

**11.** Except where otherwise expressly provided, all appointments to the public service shall be during pleasure. 1906, s. 30.

Addition to salary on appointment.

**12.** The salary on appointment to the public service shall be the minimum salary attached to the position; but a further sum, not exceeding $200, may be added to the said salary by the Commission upon appointment or at any time during the period of probation, upon the report of the deputy head, approved by the Commission, that the duties of the position justify such additional salary and that the person proposed to be appointed or appointed possesses the necessary qualifications to perform such duties: Provided always that such salary shall not exceed the maximum salary of the position to which the appointment is made. 1908, s. 33, amended.

Salary on promotion, etc.

**13.** If a person, on his appointment or promotion to any office or position in the public service, is in receipt of a salary in the public service greater than the minimum salary of the office or position to which he is appointed or promoted, he may be appointed or promoted at any salary not exceeding the salary which he is then receiving if it does not exceed the maximum salary of the said office or position. 1908, s. 34.

PROBATION.

Appointments to be on probation.

**14.** (1) The deputy head may at any time before the expiration of six months reject any person assigned or appointed to any position under his control or direction, and the cause of the rejection shall be reported by the deputy head to the Commission, or he may extend the period of probation within which such person may be rejected for another six months.

(2) Where a person is rejected the Commission shall thereupon select another person to take the place of the one rejected.

(3) The Commission shall decide whether the name of a rejected person shall be struck off the list as unfit for the service generally or whether he shall be allowed a trial in

some other position for which he may be eligible. 1908, s. 19, amended.

Appointment.

**15.** After a person has served in a position for the probationary term of six or twelve months, as the case may be, he shall *ipso facto* be appointed to such position. 1908, s. 20, amended.

PROFESSIONAL AND TECHNICAL POSITIONS.

Appointments to professional, etc. positions.

**16.** In any case where, in the opinion of the Commission, the knowledge and ability requisite for any position in the public service are wholly or in part professional or technical, the Commission, on the recommendation of the deputy head, may appoint a person to such position without reference to the age limit, provided the Commission is satisfied, either with or without examination as is determined by the regulations of the Commission, that he possesses the requisite knowledge and ability and is duly qualified as to health, character and habits; an appointment as a professional or technical officer shall not qualify a person for appointment or transfer to any other position in the public service open to appointment upon competitive examination only. 1908, s. 21, amended.

PROMOTION.

Promotion to be for merit.

**17.** (1) Promotions or increases of salary in the public service shall be made for merit by the Commission on the recommendation of the deputy head. The deputy head shall in each case submit to the Commission a report in such form and containing such information as the Commission may require. No person shall be promoted unless he is to do work that is in the opinion of the Commission of greater importance and responsibility than he has hitherto done, or unless his work is in the opinion of the Commission such as to justify the promotion.

To be on probation.

(2) Every promotion shall be subject to a probation of one year unless after not less than six months probation the person promoted is confirmed in his position by the deputy head, such confirmation to be in writing. The deputy head may at any time during the period of probation cancel the promotion. 1906, s. 47, amended.

TRANSFERS.

Exchanges and transfers.

**18.** (1) An exchange of positions between two officers, clerks or employees serving in different departments, or in different branches of the public service, and the filling of a vacancy in a department by a transfer from the Inside to the Outside Service or from the Outside

to the Inside Service in the same department or in different departments, or in different branches of the public service, may be made on the recommendation of the deputy head or deputy heads, as the case may be, with the approval of the Commission. The Commission shall in each case determine whether a person sought to be transferred or exchanged possesses the requisite knowledge and ability and is duly qualified as to health, character, age and habits. Subject to the provisions aforesaid and to the provisions of section sixteen, nothing in this section or in this Act shall prevent the deputy head from transferring any officer, clerk or employee from one part of his department to another. 1906, s. 50, 1910, s. 5, amended.

(2) Such transfers shall be made without increase of salary to any person transferred. 1906, s. 50.

(3) No person shall be transferred whose age at the date of his first appointment exceeded the age at which he might have been appointed to the position to which he is being transferred. 1906, s. 50, amended.

Temporary transfers.

**19.** Any officer, clerk or employee may be temporarily transferred to any position for a period not exceeding six months, but he shall during such period remain subject to the law relating to his previous position. 1910, s. 6, amended.

INCREASES.

Annual increases, how made.

**20.** No officer, clerk, or employee shall receive any annual increase of salary except on the report of the deputy head, concurred in by the Commission, that such officer, clerk or employee is deserving of such increase. 1906, s. 85, amended.

PAYMENTS.

Date when pay commences.

**21.** The salary or increase of salary on promotion of any officer, clerk or employee may, on the recommendation of the deputy head, with the approval of the Commission, be paid from the date of the commencement of his employment or of his entering upon the work of the position to which he is promoted notwithstanding that his appointment or promotion occurred at a subsequent date: Provided that no such payment shall be made for services in one fiscal year out of money voted for another fiscal year.

Commencement of annual increase.

**22.** (1) Except as herein otherwise provided, any annual increase of salary authorized by or under this Act shall be payable from the first day of the official quarter next succeeding the date on which, from his length of service, any officer, clerk or employee for whom such increase is recommended, is eligible for such increase. 1906, s. 87.

Post office Inspectors.

(2) Annual increases in the salaries of post office inspectors and assistant post office inspectors shall be payable at the expiration of one year from the date of appointment, or at the expiration of one year from the date on which the post office inspector or assistant post office inspector last received an increase, as the case may be. 1906, s. 88.

Increases may be withheld.

Provided, however, that for any sufficient reason the granting of any increase may be postponed or withheld. (New.)

Salary to be raised to new minimum.

**23.** (1) If the salary of any officer, clerk or employee heretofore appointed is less than the minimum salary of his class or grade as fixed by or under this Act, his salary shall be increased to such minimum. 1906, s. 91.

When maximum increased.

(2) Any person who is in receipt of a salary at or above the maximum, as heretofore established, of the class or grade in which he is then serving shall be eligible for the increase of salary provided by or under this Act if he has been or as soon as he has been at such maximum for one year. 1908, s. 35.

ADDITIONAL PAYMENTS.

Additional payments forbidden.

**24.** In the absence of special authority of Parliament no payment additional to the salary authorized by law shall be made to any deputy head, officer, clerk or employee permanently employed in the public service in respect of any service hereafter to be rendered by him, whether in the discharge of his ordinary duties of office or of any other duties which may be imposed upon him, or which he may undertake or volunteer to discharge or otherwise perform:

Exception.

Provided, however, that nothing in this section is intended to prohibit the payment to any officer, clerk or employee of a separate annual salary from each of two or more departments or distinct branches of the public service in respect of separate duties performed for each of such departments or branches respectively, if one of such salaries is not sufficient to compensate him for his whole time, and if the aggregate salaries do not, in the opinion of the deputy head, concurred in by the Commission, exceed reasonable compensation for the discharge of all the duties so performed; and provided further that nothing in this section shall affect the operation of section thirty-seven of this Act. 1910. s. 21, amended.

TEMPORARY EMPLOYMENT.

Employment of extra assistance.

**25.** (1) When from a temporary pressure of work, extra assistance is required in any branch of the public service, the Commission may, on the report of the deputy head that such extra assistance is required, authorize the employ-

ment of such number of temporary officers, clerks or employees as are required to carry on the work. 1906, s. 94, amended.

(2) Persons who have successfully passed the competitive examinations may be given temporary employment in the public service, and when extra assistance in excess of those available from the list of successful competitors is required, additional persons may be employed; but every such person shall, before employment, obtain a certificate of qualification from the Commission, to be given with or without examination, as is determined by the regulations of the Commission, that he possesses the requisite knowledge and ability and is duly qualified as to age, health, character and habits. 1908, s. 23, 1910, s. 19, amended.

(3) Temporary employment in the public service shall only be authorized for such time, not exceeding six months, as the Commission deems necessary, and the period for which the employment is authorized shall be mentioned in the certificate of qualification issued by the Commission. One or more extensions of such period of employment may be granted by the Commission, but each such extension shall be limited to a period not exceeding six months. (New.)

Temporary employees, how paid.

**26.** Temporary employees shall only be paid out of moneys specially voted by Parliament for the purpose. 1906, s. 100.

LEAVE OF ABSENCE.

Holidays.

**27.** (1) The deputy head may grant to each officer, clerk or other employee a yearly leave of absence for a period not exceeding eighteen days in any one fiscal year, exclusive of Sundays and holidays.

(2) Every such officer, clerk or employee shall take the leave so granted at such time each year as the deputy head determines. 1906, s. 101, amended.

Sick leave, etc.

**28.** The Commission, with the approval of the Governor in Council, shall make regulations under which the deputy head may in case of illness or for other sufficient reason grant leave of absence to any officer, clerk or employee for such period or periods, with or without pay, or with reduced pay, during such period or periods, or such part of the same, as the regulations may prescribe. 1906, s. 102, amended.

No pay when absent without leave.

**29.** When any officer, clerk or employee is absent from duty without leave, his salary for each day of such absence shall be deducted from his monthly salary. 1906, s. 92.

DISMISSAL.

Dismissal.

**30.** Subject to the provisions of section three of this Act, nothing herein contained shall impair the power of the Governor in Council to remove or dismiss any deputy head, officer, clerk or employee, but no such deputy head, officer, clerk or employee, whose appointment is of a permanent nature, shall be removed from office except by authority of the Governor in Council. 1906, s. 104.

SUSPENSION.

Suspension.

**31.** (1) The head of a department, and in his absence the deputy head, may,—

(*a*) suspend from the performance of his duty or from the receipt of his salary any officer, clerk or employee guilty of misconduct or negligence in the performance of his duties;

(*b*) remove such suspension;

No pay.

but no person shall receive any salary or pay for the time or any part of the time during which he was under suspension unless the Commission is of opinion that such suspension was unjust or made in error or that the punishment inflicted was too severe.

Report to be made to Commission.

(2) All cases of suspension shall be reported by the deputy head to the Commission. 1906, s. 103, amended.

CONTROL OF STAFF.

Commission to control staff.

**32.** The Civil Service Commission, and the commissioner or commissioners or other members composing any commission or board appointed by the Governor in Council, shall each oversee and direct the officers, clerks and employees under its, his or their control, and shall with respect to such officers, clerks and employees have all the powers conferred by this Act on the deputy head of a department. (New.)

GRATUITY ON DEATH.

Gratuity on death.

**33.** If a person dies while in the public service, after having been at least two years therein, an amount equal to two months of his salary shall be paid to his widow or to such person as the Treasury Board determines. 1908, s. 41.

OATHS.

Oath.

**34.** (1) All deputy heads, officers, clerks, and employees permanently employed in the public service who have not already done so, and every deputy head, officer, clerk and employee hereafter appointed to any permanent position,

before any salary is paid him, shall take and subscribe the oath of allegiance and also the oath contained in Schedule A to this Act, or such other oath as is provided by any other Act, in that behalf.

Oath of secrecy.

(2) In the case of the Clerk of the Privy Council, and all officers, clerks and employees under him, and in the case of any officer, clerk or employee of whom the Governor in Council requires the same, there shall be added to the oath at the asterisks, in the form of the oath in the said Schedule A, the words contained in Schedule B to this Act.

Before whom to be taken.

(3) The Clerk of the Privy Council shall take and subscribe the said oaths before the Governor General or some one appointed by him to administer the same.

(4) In the case of persons residing or coming to reside at the city of Ottawa, the oaths shall be taken and subscribed before the clerk of the Privy Council.

(5) In other cases the oaths may be taken and subscribed before a justice of the peace or other proper authority, who shall forward the same to the clerk of the Privy Council.

Register.

(6) The clerk of the Privy Council shall keep a register of all such oaths. 1906, s. 106.

POLITICAL PARTISANSHIP.

Voting at elections permitted but partisan work forbidden.

**35.** (1) No deputy head, officer, clerk or employee in the public service shall be debarred from voting at any Dominion or provincial election if, under the laws governing the said election, he has the right to vote; but no such deputy head, officer, clerk or employee shall engage in partisan work in connection with any such election, or contribute, receive or in any way deal with any money for any party funds. 1908, s. 43, amended.

Penalty.

(2) Any person violating any of the provisions of this section shall be guilty of an offence and liable, upon summary conviction, to a fine not exceeding five hundred dollars or imprisonment for any period not exceeding one month and to be dismissed from the public service.

ATTENDANCE BOOK.

Record of attendance.

**36.** There shall be kept in each department, in the office of the Auditor General, at the seat of Government, in each office of the public service, and in such other places as the Commission may direct either a book or books to be called the attendance book, which shall be in such form as is determined by the Commission, in which each officer, clerk or employee of such department or office shall sign his name at such times as are determined by the deputy head of the department or some other device or system approved by the Commission for preserving a record of the attendance of officers, clerks and employees. 1906, s. 105.

OFFICERS, ETC., OF PARLIAMENT.

Officers of Parliament what part of Act to apply to.

**37.** So much of this Act as relates to appointment and promotion and to salaries, increases and classification in the Inside Service and the provisions of section thirty-five shall apply to the permanent officers, clerks, and employees of both Houses of Parliament and of the Library of Parliament, and wherever any action is authorized or directed to be taken by the Governor in Council or by order in council, such action, with respect to the officers, clerks and employees of the Senate or the House of Commons, shall be taken by the Senate or the House of Commons, as the case may be, by resolution; and with respect to the officers, clerks and employees of the Library of Parliament, and to such other officers, clerks and employees as are under the joint control of both Houses of Parliament, shall be taken by both Houses of Parliament by resolution, or, if such action is required during the recess of Parliament, by the Governor in Council, subject to ratification by the Senate, House of Commons or both Houses, as the case may be, at the next ensuing session. 1908, s. 3-45.

Work during recess.

**38.** Nothing in this Act shall be held to curtail the privileges now enjoyed by the officers, clerks and employees of the Senate, House of Commons or Library of Parliament with respect to rank and precedence or to attendance, office hours, or leave of absence, or with respect to engaging in such employment during parliamentary recess as may entitle them to receive extra salary or remuneration. 1908, s. 46.

CIVIL SERVICE LIST.

Publication of Civil Service list.

**39.** The Commission shall prepare each year a list, to be called the Civil Service List of Canada, of all persons employed in the several departments of the Government, and in the service of the two Houses of Parliament, upon the first day of April, next preceding, showing the dates of their several appointments and promotions, their age, rank in the service, and salary; and a report of the proceedings of the Commission during the preceding year, which report shall include a copy of the examination papers, a statement of all examinations held, of the number of candidates at each examination, the names of the successful competitors and candidates, the appointments and promotions made, and the rules and regulations made during the year respecting appointments, promotions, transfers, exchanges, examinations and such other matters appertaining to the public service as the Commission may determine. This list and report shall be presented to both Houses of Parliament at its then current or next ensuing session. 1906, s. 107, s. 108, amended.

Regulations.

**40.** The Governor in Council may make such regulations as he deems to be necessary or convenient for carrying out the provisions of this Act.

## PART III.

EXAMINATIONS.

Appointments to be by competitive examinations.

**41.** Except as herein otherwise provided, and except in the case of deputy heads, appointments to positions in the public service shall be by competitive examination which shall be of such a nature as will determine the qualifications of candidates for the particular positions to which they are to be appointed, and shall be held by the Commission in accordance with regulations to be made by the Commission and approved by the Governor in Council. 1908, s. 13.

Exceptions.

Provided, however, that the provisions of this Act shall not apply to positions in connection with the Government railways or any railway owned or controlled by His Majesty, or to any position on any ship of His Majesty until the Governor in Council otherwise directs, and the Governor in Council shall have power to make this Act apply in whole or in part to any of the said positions. Provided, also, that in any case where the Commission decides that it is not practicable to apply this Act to any position or positions, the Commission, with the approval of the Governor in Council,may make such regulations as are deemed advisable, prescribing how such position or positions are to be dealt with. (New.)

Computation of number of probable vacancies.

**42.** (1) Having regard to the requirement of the several departments and other portions of the public service for permanent and temporary officers, clerks and employees, a computation shall be made by the Commission of the number of competitors to be selected at the next ensuing general competitive examination.

Lists how to be made up.

(2) Immediately after each examination, a list of the successful competitors in the case of a competitive examination, and of the successful candidates in order of merit in other examinations, shall be made out, and the list of successful competitors and candidates shall be published in the *Canada Gazette*. 1906, s. 29, amended.

Soldiers to have precedence.

(*a*) Provided, however, that in all examinations persons who have been on active service overseas on the military or naval forces of His Majesty or of any of the allies of His Majesty during the present war; who have left such service with an honourable record or who have been honourably discharged; and who obtain sufficient marks to pass such examinations, shall, irrespective of the marks

they have obtained, be placed in the order of merit on the list of successful candidates above all other candidates.

Age and physical requirements in case of soldiers.

(*b*) The provisions of any statute or regulation prescribing an age limit and physical requirements with respect to any appointment in the public service shall not apply to any such person if the Commission certifies that he is of such an age and in such a satisfactory physical condition that he is then able to perform the duties of the office and will probably be able to continue to do so for a reasonable period after his appointment.

Selections for vacancies.

(3) From the list of successful competitors, the Commission, on the application of the deputy head, shall supply the required officers, clerks and employees.

Order of selection.

(4) The selections shall be, so far as practicable, in the order of the names on the list, but the Commission may select any person who in his examination shows special qualifications for any particular subject. 1908, s. 18.

Those left unappointed on previous lists.

(5) If there remain from a previous examination successful competitors who have not received appointments, their number shall be deducted in making the computation, and their names, in the order of merit, shall be placed at the top of the list to be prepared in accordance with subsection two of this section. 1908, s. 15.

Notifications.

(6) The Commission shall forthwith notify the Treasury Board and the Auditor General of the name and position in the service of each person so supplied and also of the rejection of any such person during his probationary term.

Temporary employment.

(7) Successful competitors may be employed for temporary work until assigned for permanent appointment. Assignment for temporary duty shall not prejudice the right to assignment for permanent duty, and for the purposes of any annual increase the period of such temporary service shall be included in any period of permanent service. 1908, s. 18, amended.

Appointment to positions below places competed for.

(8) The Commission may select for any office or employment any person who is a successful competitor for a higher office or employment: Provided that no such selection shall be made to the prejudice of any person on the list of successful competitors for such lower office or employment. 1910, s. 15.

Notices and examinations to be in both languages.

**43.** (1) Notice of every examination, shall be published in the English and French languages in the *Canada Gazette*, and such notice shall state the number of positions that it is expected will be open for appointments, the positions that are then vacant, and in each case the qualifications required for such positions. 1906, s. 28, amended.

(2) Every examination under this Act shall be held in the English or French language, at the option of the candidate. 1906, s. 27.

Appointees must be British subjects unless special exemption.

**44.** (1) No person shall, without the authority of the Governor in Council, be admitted to any examination unless he is a natural born or naturalized British subject, and also has been a resident of Canada for at least one year. (New.)

Age limits.

(2) The Commission, with the approval of the Governor in Council, may by regulation prescribe the several limits of age within which persons shall be eligible for appointment to positions in the public service. (New).

Age limits for civil servants competing at examinations.

(3) Any person holding a permanent appointment in the public service may enter for any open competition or examination if such person when first appointed was not older than the maximum age prescribed for the position for which the examination is being held and if successful thereat may be appointed irrespective of his age. (New.)

## PART IV.

### INSIDE SERVICE.

Classification.

**45.** The Inside Service shall be classified as follows:—

Deputy Heads;

Technical officers and persons possessing professional or other special technical knowledge and experience;

The First Division—

Grades A and B, consisting of officers having the rank of deputy heads but not being deputy heads administering departments, of assistant deputy ministers, and the principal administrative and executive officers;

Grade C, consisting of the lesser administrative and executive officers;

Grades D, E and F, consisting of clerks, having administrative, executive, or other duties which are of the same character as, but of less importance and responsibility than those of the higher grades.

The Second Division—

Grade A shall consist of clerks and other employees working under supervision or performing other duties of minor importance and responsibility;

Grade B shall consist of clerks and employees who work under supervision and of stenographers and typewriters;

Grade C shall consist of clerks and employees and of stenographers and typewriters whose duties are copying and routine work under supervision;

In these last three grades shall also be included photographers, engrossers, draftsmen, architect's assistants, tech-

nical assistants and such other employees as the Governor in Council may direct;

The Third Division shall consist of messengers, porters, sorters, and packers.

Salary of Deputy Head.

**46.** (1) The salary of a deputy head shall be five thousand dollars per annum: Provided that any deputy head whose duties are of an important professional or technical character or involve grave responsibility may be paid such larger salary as Parliament may provide.

Professional, &c., officers.

(2) The salaries of technical officers of the highest class shall be such as Parliament may provide. Other technical officers shall, for the purpose of determining their salaries and the annual increases thereto, be classified in one of the following grades.

Other salaries.

(3) The minimum and maximum salaries shall be as follows:—

In the First division—

grade A, $3,500 to $4,000;
grade B, $2,900 to $3,400;
grade C, $2,200 to $2,800;
grade D, $1,700 to $2,100;
grade E, $1,400 to $1,600;
grade F, $1,000 to $1,300;

In the Second division—

grade A, $1,350 to $1,500;
grade B, $1,050 to $1,300;
grade C, $600 to $1,000;

In the Third division, $600 to $1,200. 1908, s. 27, 28, 29, 30, 32, amended.

Present employees.

Provided, however, that, until the Inside Service is re-organized under the provisions of section ten of this Act, the classification and salaries heretofore prescribed and paid shall continue in force with respect to all officers, clerks and employees appointed before the date of this Act.

ANNUAL INCREASES.

**47.** There may be given to every officer, clerk, or other employee in the first division, an annual increase of one hundred dollars, and in the other divisions an annual increase of fifty dollars, until the maximum of the grade is reached.

PROMOTIONS.

Promotions.

**48.** (1) Vacancies shall be filled, as far as is consistent with the best interests of the public service, by promotion.

No promotion from certain grades.

(2) There shall be no promotion from the second division to the first division and there shall be no promotion from the third division.

Exception for certain employees.

(3) Provided that any person placed in the third division (now the second division), under the provisions of *The Civil Service Amendment Act, 1908*, and who had theretofore passed the Qualifying Examination or had been appointed under the authority of sections thirty-seven or forty of the *Civil Service Act*, chapter sixteen of the Revised Statutes of Canada, 1906, may be promoted from the second division to the first division under the provisions of section seventeen. 1908, s. 26, and 1917, c. 9, s. 2.

DEPUTY MINISTERS.

Deputy Head for each Department.

**49.** (1) There shall be a deputy head for each department, who shall be appointed by the Governor in Council, and shall hold office during pleasure.

Parliamentary authority necessary to create.

(2) No officer shall hereafter be raised to the rank of deputy head except in the case of a vacancy occurring or when a new department is created by Act of Parliament. 1906, s. 51.

Statement when a deputy head is removed from office.

(3) Whenever a deputy head is removed from his office, a statement of the reasons for so doing shall be laid on the table of both Houses of Parliament within the first fifteen days of the next following session. 1906, s. 52.

Deputy head to direct Department subject to head.

**50.** (1) The deputy head of a department shall, subject to the directions of the head of the department, oversee and direct the officers, clerks and employees of the department, and shall have general control of the business thereof, and shall perform such other duties as are assigned to him by the Governor in Council.

His full time to be given.

(2) He shall give his full time to the public service, and shall discharge all duties required by the head of the department, or by the Governor in Council, whether such duties are in his own department or not. 1906, s. 59.

Who to act in absence of deputy head.

**51.** (1) Unless otherwise provided by the Governor in Council, in the absence of any deputy head, the assistant deputy minister or if there is no assistant deputy minister, or the assistant deputy minister is absent, an officer or clerk named by the head of the department shall have the powers and perform the duties of such deputy head. 1906, s. 60, amended.

Assistant Auditor-General.

(2) There shall be in the office of the Auditor General an assistant auditor general who shall act for the Auditor General in his absence. 1906, s. 60, amended.

PRIVATE SECRETARIES.

Private secretaries appointment and salaries.

**52.** (1) Any person may be appointed by a Minister of the Crown or other member of the Government to be his private secretary, and if such person does not hold a per-

manent position in the public service he may be paid such salary as the Governor in Council may prescribe. If he holds a permanent position in the public service he may be paid an additional salary not exceeding six hundred dollars a year whilst so acting. (New.)

(2) No salary shall be payable to any private secretary unless the amount has been voted by Parliament. 1906, s. 81.

TEMPORARY EMPLOYEES.

Salaries of temporary employees.

**53.** The salary of a temporary officer, clerk or employee in the Inside Service shall be such as the deputy head with the approval of the Commission may prescribe. (New.)

CENSUS AND ELECTION AUDIT EMPLOYEES.

Census and election audit temporaries, appointment of and duration of service.

**54.** (1) Special competitive examinations may be held by the Commission, in accordance with regulations in that behalf made by the Commission and approved by the Governor in Council, for ascertaining the qualifications of persons to be employed as temporary officers, clerks and employees for the compilation of any decennial census or for the audit and payment of fees and expenses in connection with any general election, and the successful competitors may be employed temporarily for the duties aforesaid, the census employees for any period not exceeding three years and the election audit employees for any period not exceeding two years.

Limits of employment.

(2) During such term of service such temporary officers, clerks and employees shall not be eligible for any employment other than the compilation of the decennial census, or the audit and payment of election fees and expenses as the case may be, and they shall not be entitled by reason of such service to any further employment. 1910, s. 7 and s. 12, amended.

## PART IV.

OUTSIDE SERVICE.

Organization, classification and salaries.

**55.** (1) The Commission shall, as soon as practicable after the passing of this Act, after consultation with the several deputy heads and other principal officers and employees, prepare schedules containing lists of the positions and the duties and salaries attached thereto and the salaries and increases or other remuneration that in the opinion of the Commission are necessary and proper for the Outside Service or any portion or branch of the Outside Service of any department and of any other branch or portion of the

Outside Service, and, upon the approval of the same by the Governor in Council, and by resolution passed by both Houses of Parliament, such schedules shall come into operation. Until a schedule is so approved with respect to any portion of the Outside Service, the existing law prescribing the remuneration and salaries of such portion of the Outside Service or under which the remuneration is fixed shall continue in force, and the remuneration shall continue or may be fixed or changed as heretofore.

(2) If any increase or additional remuneration is contained in or authorized by any such schedule, such increase or additional remuneration shall not be paid unless or until Parliament has voted the money necessary for the payment of the same.

REPEAL.

Repeal.

**56.** Subject to the provisions hereinbefore contained, the *Civil Service Act*, chapter sixteen of the Revised Statutes of Canada, 1906, *The Civil Service Amendment Act*, 1908, and chapters six and seven of the statutes of 1909, chapter eight of the statutes of 1910, chapters ten, eleven, twelve, thirteen, fourteen and fifteen of the statutes of 1912, and chapter nine of the statutes of 1917, being acts to amend the *Civil Service Act*, the powers of the Governor in Council and the Postmaster General to appoint or promote postmasters and other officers, clerks and employees under the provisions of the *Post Office Act* and of any act amending the same, and the power of the head of any department under any statute to appoint or promote any officer, clerk or employee, and the power of the Governor in Council to appoint a Superintendent of Printing and a Superintendent of Stationery and the powers of the Superintendent of Printing and the Superintendent of Stationery to make appointments under the provisions of the *Public Printing and Stationery Act*, are repealed. (New.)

## SCHEDULE A.

Oath of allegiance.

I (*A.B.*) solemnly and sincerely swear that I will faithfully and honestly fulfil the duties which devolve upon me as * * * So help me God.

## SCHEDULE B.

(*After the asterisks in schedule A.*)

Oath of secrecy.

And that I will not, without due authority in that behalf, disclose or make known any matter or thing which comes to my knowledge by reason of my employment as (*as the case may be*).

## SCHEDULE C.

Civil Service Commission of Canada

To

Summons for witness under section five.

You are hereby required to appear before the Civil Service Commission at on the day of at o'clock in the noon to testify the truth according to your knowledge in a certain enquiry depending before the Civil Service Commission respecting

(*The following words may be added if the production of any paper or document is required.*)

and that you bring with you and then and there produce the following documents:—

Dated at this day of

A.D.

*Civil Service Commissioner.*

First Session, Thirteenth Parliament, 8–9 George V, 1918.

THE HOUSE OF COMMONS OF CANADA

# BILL 53.

An Act respecting the Civil Service of Canada.

AS PASSED BY THE HOUSE OF COMMONS,
17th MAY, 1918.

OTTAWA
J. DE LABROQUERIE TACHÉ
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1918

1st Session, 13th Parliament, 8-9 George V, 1918.

THE HOUSE OF COMMONS OF CANADA.

# BILL 53.

An Act respecting the Civil Service of Canada.

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

SHORT TITLE.

Short title.

**1.** This Act may be cited as *The Civil Service Act, 1918.*

DEFINITIONS.

Definitions.

**2.** In this Act and in all regulations made hereunder, unless the context otherwise requires,—

(*a*) "Commission" means the Civil Service Commission.

(*b*) "Deputy" or "deputy head" means the deputy of the minister of the Crown presiding over the department, the Clerk of the Privy Council, the Clerks of the Senate and House of Commons, the Librarians of Parliament, the Comptroller of the Royal Northwest Mounted Police, the Superintendent of Insurance, the Dominion Archivist, the Assistant to the Chairman and Secretary to the Commission of Conservation, and, in all cases in which such meaning is not inconsistent with his powers and duties under the *Consolidated Revenue and Audit Act*, the Auditor General. 1906, s. 2, 1908, s. 2, amended.

(*c*) "Head of the department" means the Minister of the Crown for the time being presiding over the department and includes the Speakers of the Senate and House of Commons.

(*d*) " Inside Service " means and includes those officers, clerks and employees who are in or under the several departments of the Executive Government of Canada, and in the offices of the Auditor General, the Clerk of the Privy Council, the Governor General's Secretary, the Public Archives, and the Commission of Conserva-

tion, employed at the city of Ottawa, or at the Experimental Farm Station or the Dominion Astronomical Observatory near Ottawa, and the staff of the Civil Service Commission employed at Ottawa. 1908, s. 3.

(*e*) "Outside Service" means and includes the other officers, clerks and employees included in the civil service, not being part of the Inside Service. R.S. 1906, s. 4.

(*f*) "Civil Service" means and includes all officers, clerks or employees in the service of the Crown.— (New).

## PART I.

### CIVIL SERVICE COMMISSION.

**3.** (1) There shall be a Commission, to be called the Civil Service Commission, consisting of not more than three members appointed by the Governor in Council.

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

Commission.

(3) The rank and standing of each commissioner shall be that of a deputy head. The chairman shall be paid a salary of six thousand dollars, and each of the other commissioners five thousand dollars; such salaries shall be paid out of the Consolidated Revenue Fund of Canada. Each commissioner shall hold office during good behaviour, but shall be removable by the Governor General on address of the Senate and House of Commons. 1912, c. 10, amended.

Provided, however, that any commissioner hereafter appointed shall hold office during good behaviour for a period of ten years from the date of his appointment, but shall be removable by the Governor General on address of the Senate and House of Commons, and shall cease to hold office upon reaching the age of sixty-five years.

Duties of Commission.

**4.** (1) The duties of the Commission shall be,—

(*a*) to test and pass upon the qualifications of candidates for admission to and transfer and promotion in the civil service, and to issue certificates with respect thereto required under this Act or regulations made thereunder;

(*b*) of its own motion to investigate and report upon the operation of this Act, and upon the violation of any of the provisions of this Act or of any regulation made thereunder; and, upon the request of the head of a department, to investigate and report upon any matter relative to the department, its officers, clerks and other employees;

(*c*) to report upon the organization or proposed organization of the departments or any portion of any department or of the civil service, and upon any proposed change in such organization;

(*d*) to obtain the assistance of competent persons to assist the Commission in the performance of its duties;

(*e*) to make an annual report on the organization and staff, including the duties and salaries of such staff, of each portion of the civil service;

(*f*) to arrange for the transfer of supernumeraries or other officers, clerks and employees from portions of the civil service where they are no longer required to other portions of the civil service where they are required;

(*g*) such other duties as are assigned to it by the Governor in Council.

Regulations.

(2) The Commission, with the approval of the Governor in Council, may make regulations prescribing how such duties shall be performed, and such regulations shall be published in the *Canada Gazette*. (New.)

Commission to have access to offices, etc.

(3) The deputy heads and all other officers and employees in the civil service shall give the Commission such access to their respective departments and offices and such facilities, assistance and information as the Commission may require for the performance of its duties. (New.)

Commission to have powers under Inquiries Act.

(4) In connection with, and for the purposes of, any investigation or report, the Commission or any commissioner holding an investigation shall have all the powers of a commissioner appointed under Part II of the *Inquiries Act*. 1908, s. 10 amended.

Commissioners not to engage in other employment.

(5) A commissioner shall not hold any other office in the civil service or engage in any other employment. 1908, s. 10.

Oath of Office.

(6) Each commissioner shall, before entering upon the duties of his office, take and subscribe, before the Clerk of the Privy Council, the oath in Schedule A of this Act, 1908, s. 12 amended.

Proceeding in case of fraud, etc.

**5.** Whenever the Commission is satisfied that any irregularity or fraudulent practice has obtained at an examination held by it or by any person deputed by it, the Commission may summon before it by a summons (which may be in the form in Schedule C of this Act) signed by the chairman or by any one of the commissioners, and may examine under oath or affirmation any person who, in its opinion, is in a position to give evidence in relation to such irregularity or fraudulent practice. 1906, s. 9.

Fraudulent person to be reported.

**6.** If any person is proved upon any inquiry to have been concerned in any fraudulent practice, or to have been guilty of any breach of the regulations made by the Governor in Council with respect to any examination held under the

authority of this Act, such person shall be liable, upon summary conviction, to a penalty not exceeding fifty dollars or to imprisonment for any term not exceeding one month; and if any such person's name is upon the list of persons who have been found qualified for any position the Commission may remove his name from such list. 1906, s. 13, amended.

Personation.

**7.** Every person who, at any examination held under this Act, personates any candidate or employs, induces or allows any person to personate him or connives or assists at any personation, is guilty of an offence and liable, on summary conviction, to imprisonment for a term not exceeding six months, or to a fine not exceeding two hundred dollars, and, if he is employed in the civil service, to be dismissed therefrom. 1906, s. 14.

Illegally obtaining examination papers.

**8.** (1) Every person who surreptitiously procures from any printer or other person, and every person who, without authority, furnishes to any other person any examination question paper or any other paper relating to any such examination as aforesaid, is guilty of an offence and liable, on summary conviction, to imprisonment, with or without hard labour, for a term not exceeding six months, or to a fine not exceeding two hundred dollars, and, if he is employed in the civil service, to be dismissed therefrom.

(2) No such person shall be allowed to present himself at any subsequent examination. 1906, s. 15.

## PART II.

### General.

#### ORGANIZATION OF DEPARTMENTS.

Organization, how effected.

**9.** (1) The Commission, as soon as may be practicable after the passing of this Act, shall, after consulting with the several deputy heads, the heads of branches and other chief officers, prepare plans for the organization of the Inside Service and the Outside Service of each department and of each branch or portion of the civil service, such organization as far as possible to follow the same general principles in all branches of the civil service. As soon as the plan of organization is completed for either the Inside or Outside Service or any branch or portion of the Outside Service or of any branch or portion of the civil service, such plan of organization shall be submitted for the approval of the Governor in Council.

Changes in organization.

(2) If, after such approval, the deputy head or the Commission is of opinion that any such plan of organization

might with advantage be in any way changed, the Commission shall in a similar manner prepare a report upon such proposed change, and shall submit the same for the approval of the Governor in Council. No change shall be made in the organization of any department until it has been so reported upon by the said Commission.

Reclassification.

(3) As soon as any plan of organization is confirmed by the Governor in Council, the deputy head shall, subject to the approval of the Commission, forthwith cause the officers, clerks and employees affected thereby to be reclassified for the purpose of placing each officer, clerk and employee in a proper place under such plan of organization.

Supernumeraries.

(4) If, after such organization and classification has been effected, the number of officers, clerks, and employees in any portion of the civil service, or in any class or grade thereof, is greater than the number allowed under such organization, the remainder shall be supernumeraries in that class or grade respectively in which they rank, and shall so remain until they are placed in any vacancies that may occur or until they are transferred to another portion of the civil service, or until they leave such service.

Status of present employees preserved.

(5) Nothing in this Act shall be construed to prejudicially affect the status or the present salaries or rights to future increase of any officer, clerk or employee, whether permanent or temporary, who is in the civil service on the date of the coming into force of this Act, and if any such officer, clerk or employee is placed in any position where the maximum salary is smaller than the maximum salary of the position or grade in which he is now classified, he shall be eligible for increases until he reaches the maximum heretofore fixed for the position he previously occupied. 1908, s. 8, amended.

Tenure.

**10.** Except where otherwise expressly provided, all appointments to the civil service shall be during pleasure. 1906, s. 30.

Addition to salary on appointment.

**11.** The salary on appointment to the civil service shall be the minimum salary attached to the position; but a further sum, not exceeding $200, may be added to the said salary by the Commission upon appointment or at any time during the period of probation, upon the report of the deputy head, approved by the Commission, that the duties of the position justify such additional salary and that the person proposed to be appointed possesses the necessary qualifications to perform such duties: Provided always that such salary shall not exceed the maximum salary of the position to which the appointment is made. 1908, s. 33, amended.

Salary on promotion, etc.

**12.** If a person, on his appointment or promotion to any office or position in the civil service, is in receipt of a salary in the civil service greater than the minimum salary of the office or position to which he is appointed or promoted, he may be appointed or promoted at any salary not exceeding the salary which he is then receiving if it does not exceed the maximum salary of the said office or position. 1908, s. 34.

PROBATION.

Appointments to be on probation.

**13.** (1) The deputy head may at any time before the expiration of six months reject any person assigned or appointed to any position under his control or direction, or he may extend the period of probation within which such person may be rejected for another six months; and the cause of rejection, or the reason for extending the period of probation, shall be reported by the deputy head to the Commission.

(2) Where a person is rejected the Commission shall thereupon select another person to take the place of the one rejected.

(3) The Commission shall, after investigation, decide whether the name of a rejected person shall be struck off the list as unfit for the service generally or whether he shall be allowed a trial in some other position for which he may be eligible. 1908, s. 19, amended.

Appointment.

**14.** After a person has served in a position for the probationary term of six or twelve months, as the case may be, he shall be deemed to be appointed to such position. 1908, s. 20, amended.

PROFESSIONAL AND TECHNICAL POSITIONS.

Appointments to professional, etc. positions.

**15.** In any case where, in the opinion of the Commission, the knowledge and ability requisite for any position in the civil service are wholly or in part professional or technical, the Commission, on the request in writing of the deputy head, giving his reasons for such request, may appoint a person to such position without reference to the age limit, provided the Commission is satisfied, either with or without competitive examination as is determined by the regulations of the Commission, that he possesses the requisite knowledge and ability and is duly qualified as to health, character and habits; an appointment as a professional or technical officer shall not qualify a person for appointment or transfer to any other position in the civil service open to appointment upon competitive examination only. 1908, s. 21, amended.

PROMOTION.

Promotion to be for merit.

**16.** (1) Promotions or increases of salary in the civil service shall be made for merit by the Commission on the recommendation of the deputy head. The deputy head shall in each case submit to the Commission a report in such form and containing such information as the Commission may require. No person shall be promoted unless he is to do work that is in the opinion of the Commission of greater importance and responsibility than he has hitherto done, or unless his work is in the opinion of the Commission such as to justify the promotion.

To be on probation.

(2) Every promotion shall be subject to a probation of one year unless after not less than six months probation the person promoted is confirmed in his position by the deputy head, such confirmation to be in writing. The deputy head may at any time during the period of probation cancel the promotion, when the cause of such cancellation shall be reported by the deputy head to the Commission; and the person whose promotion is cancelled shall then return to the performance of the duties in which he was previously engaged. 1906, s. 47, amended.

TRANSFERS.

Exchanges and transfers.

**17.** (1) An exchange of positions between two officers, clerks or employees serving in different departments, or in different branches of the civil service, and the filling of a vacancy in a department by a transfer from the Inside to the Outside Service or from the Outside to the Inside Service in the same department or in different departments, or in different branches of the civil service, may be made on the recommendation of the deputy head or deputy heads, as the case may be, with the approval of the head or heads of the department or departments affected, and of the Commission. The Commission shall in each case determine whether a person sought to be transferred or exchanged possesses the requisite knowledge and ability and is duly qualified as to health, character, age and habits. Subject to the provisions aforesaid and to the provisions of section fifteen, nothing in this section or in this Act shall prevent the deputy head from transferring any officer, clerk or employee from one part of his department to another. 1906, s. 50, 1910, s. 5, amended.

(2) Such transfers shall be made without increase of salary to any person transferred. 1906, s. 50.

(3) No person shall be transferred whose age at the date of his first appointment exceeded the age at which he might have been appointed to the position to which he is being transferred. 1906, s. 50, amended.

Temporary transfers.

**18.** Any officer, clerk or employee may be temporarily transferred to any position for a period not exceeding six months, but he shall during such period remain subject to the law relating to his previous position. 1910, s. 6, amended.

PAYMENTS.

Date when pay commences.

**19.** The salary or increase of salary on promotion of any officer, clerk or employee may, on the recommendation of the deputy head, with the approval of the Commission, be paid from the date of the commencement of his employment or of his entering upon the work of the position to which he is promoted notwithstanding that his appointment or promotion occurred at a subsequent date: Provided that no such payment shall be made for services in one fiscal year out of money voted for another fiscal year.

Commencement of annual increase.

**20.** (1) Except as herein otherwise provided, any annual increase of salary authorized by or under this Act shall be payable from the first day of the official quarter next succeeding the date on which, from his length of service, any officer, clerk or employee for whom such increase is recommended, is eligible for such increase. 1906, s. 87.

Post office Inspectors.

(2) Annual increases in the salaries of post office inspectors and assistant post office inspectors shall be payable at the expiration of one year from the date of appointment, or at the expiration of one year from the date on which the post office inspector or assistant post office inspector last received an increase, as the case may be. 1906, s. 88.

Increases may be withheld.

Provided, however, that for any sufficient reason the granting of any increase may be postponed or withheld. (New.)

Salary to be raised to new minimum.

**21.** (1) If the salary of any officer, clerk or employee heretofore appointed is less than the minimum salary of his class or grade as fixed by or under this Act, his salary shall be increased to such minimum. 1906, s. 91.

When maximum increased.

(2) Any person who is in receipt of a salary at or above the maximum, as heretofore established, of the class or grade in which he is then serving shall be eligible for the increase of salary provided by or under this Act if he has been or as soon as he has been at such maximum for one year. 1908, s. 35.

ADDITIONAL PAYMENTS.

Additional payments forbidden.

**22.** In the absence of special authority of Parliament no payment additional to the salary authorized by law shall be made to any deputy head, officer, clerk or employee

permanently employed in the civil service in respect of any service hereafter to be rendered by him, whether in the discharge of his ordinary duties of office or of any other duties which may be imposed upon him, or which he may undertake or volunteer to discharge or otherwise perform: Provided, however, that nothing in this section is intended to prohibit the payment to any officer, clerk or employee of a separate annual salary from each of two or more departments or distinct branches of the civil service in respect of separate duties performed for each of such departments or branches respectively, if one of such salaries is not sufficient to compensate him for his whole time, and if the aggregate salaries do not, in the opinion of the deputy head, concurred in by the Commission, exceed reasonable compensation for the discharge of all the duties so performed; and provided further that nothing in this section shall affect the operation of section thirty-five of this Act. 1910, s. 21, amended.

Exception.

TEMPORARY EMPLOYMENT.

Employment of extra assistance.

**23.** (1) When from a temporary pressure of work, extra assistance is required in any branch of the civil service, the Commission may, on the written report of the deputy head that such extra assistance is required, authorize the employment of such number of temporary officers, clerks or employees as are required to carry on the work. 1906, s. 94, amended.

(2) Persons who have successfully passed the competitive examinations may be given temporary employment in the civil service, and when extra assistance in excess of those available from the list of successful competitors is required, additional persons may be employed; but every such person shall, before employment, obtain a certificate of qualification from the Commission, to be given with or without examination, as is determined by the regulations of the Commission, that he possesses the requisite knowledge and ability and is duly qualified as to age, health, character and habits. 1908, s. 23, 1910, s. 19, amended.

(3) Temporary employment in the civil service shall only be authorized for such time, not exceeding six months, as the Commission deems necessary, and the period for which the employment is authorized shall be mentioned in the certificate of qualification issued by the Commission. One or more extensions of such period of employment may be granted by the Commission, but each such extension shall be limited to a period not exceeding six months. (New.)

Temporary employees, how paid.

**24.** Temporary employees shall only be paid out of moneys specially voted by Parliament for the purpose. 1906, s. 100.

LEAVE OF ABSENCE.

Holidays.

**25.** (1) The deputy head may grant to each officer, clerk or other employee a yearly leave of absence for a period not exceeding eighteen days in any one fiscal year, exclusive of Sundays and holidays, after they have been at least one year in the service.

(2) Every such officer, clerk or employee shall take the leave so granted at such time each year as the deputy head determines. 1906, s. 101, amended.

Sick leave, etc.

**26.** The Commission, with the approval of the Governor in Council, shall make regulations under which the deputy head may in case of illness or for other sufficient reason grant leave of absence to any officer, clerk or employee for such period or periods, with or without pay, or with reduced pay, during such period or periods, or such part of the same, as the regulations may prescribe. 1906, s. 102, amended.

No pay when absent without leave.

**27.** When any officer, clerk or employee is absent from duty without leave, his salary for each day of such absence shall be deducted from his monthly salary. 1906, s. 92.

DISMISSAL.

Dismissal.

**28.** Subject to the provisions of section three of this Act, nothing herein contained shall impair the power of the Governor in Council to remove or dismiss any deputy head, officer, clerk or employee, but no such deputy head, officer, clerk or employee, whose appointment is of a permanent nature, shall be removed from office except by authority of the Governor in Council. 1906, s. 104.

SUSPENSION.

Suspension.

**29.** (1) The head of a department, and in his absence the deputy head, may,—

(*a*) suspend from the performance of his duty any officer, clerk or employee guilty of misconduct or negligence in the performance of his duties;

No pay.

(*b*) remove such suspension;

but no person shall receive any salary or pay for the time or any part of the time during which he was under suspension unless the Commission is of opinion that such suspension was unjust or made in error or that the punishment inflicted was too severe.

Report to be made to Commission.

(2) All cases of suspension, with the reasons therefor, shall be reported in writing by the deputy head to the Commission. 1906, s. 103, amended.

GRATUITY ON DEATH.

Gratuity on death.

**30.** If a person dies while in the civil service, after having been at least two years therein, an amount equal to two months of his salary shall be paid to his widow or to such person as the Treasury Board determines. 1908, s. 41.

OATHS.

Oath.

**31.** (1) All deputy heads, officers, clerks, and employees permanently employed in the civil service, who have not already done so, and every deputy head, officer, clerk and employee hereafter appointed to any permanent position, before any salary is paid him, shall take and subscribe the oath of allegiance and also the oath contained in Schedule A to this Act, or such other oath as is provided by any other Act, in that behalf.

Oath of secrecy.

(2) In the case of the Clerk of the Privy Council, and all officers, clerks and employees under him, and in the case of any officer, clerk or employee of whom the Governor in Council requires the same, there shall be added to the oath at the asterisks, in the form of the oath in the said Schedule A, the words contained in Schedule B to this Act.

Before whom to be taken.

(3) The Clerk of the Privy Council shall take and subscribe the said oaths before the Governor General or some one appointed by him to administer the same.

(4) In the case of persons residing or coming to reside at the city of Ottawa, the oaths shall be taken and subscribed before the clerk of the Privy Council.

(5) In other cases the oaths may be taken and subscribed before a justice of the peace or other proper authority, who shall forward the same to the clerk of the Privy Council.

Register.

(6) The clerk of the Privy Council shall keep a register of all such oaths. 1906, s. 106.

POLITICAL PARTISANSHIP.

Voting at elections permitted but partisan work forbidden.

**32.** (1) No deputy head, officer, clerk or employee in the civil service shall be debarred from voting at any Dominion or provincial election if, under the laws governing the said election, he has the right to vote; but no such deputy head, officer, clerk or employee shall engage in partisan work in connection with any such election, or contribute, receive or in any way deal with any money for any party funds. 1908, s. 43, amended.

Penalty.

(2) Any person violating any of the provisions of this section shall be dismissed from the civil service.

ATTENDANCE BOOK.

Record of attendance.

**33.** There shall be kept and used in each branch of the civil service a book, system or device approved by the Commission for preserving a record of the attendance of officers, clerks and employees.

OFFICERS, ETC., OF PARLIAMENT.

Officers of Parliament what part of Act to apply to.

**34.** So much of this Act as relates to appointment and promotion and to salaries, increases and classification in the Inside Service and the provisions of section thirty-two shall apply to the permanent officers, clerks, and employees of both Houses of Parliament and of the Library of Parliament, and wherever any action is authorized or directed to be taken by the Governor in Council or by order in council, such action, with respect to the officers, clerks and employees of the Senate or the House of Commons, shall be taken by the Senate or the House of Commons, as the case may be, by resolution; and with respect to the officers, clerks and employees of the Library of Parliament, and to such other officers, clerks and employees as are under the joint control of both Houses of Parliament, shall be taken by both Houses of Parliament by resolution, or, if such action is required during the recess of Parliament, by the Governor in Council, subject to ratification by the Senate, House of Commons or both Houses, as the case may be, at the next ensuing session. 1908, s. 3-45.

Work during recess.

**35.** Nothing in this Act shall be held to curtail the privileges now enjoyed by the officers, clerks and employees of the Senate, House of Commons or Library of Parliament with respect to rank and precedence or to attendance, office hours, or leave of absence, or with respect to engaging in such employment during parliamentary recess as may entitle them to receive extra salary or remuneration. 1908, s. 46.

CIVIL SERVICE LIST.

Publication of Civil Service list.

**36.** The Commission shall prepare each year a list, to be called the Civil Service List of Canada, of all persons employed in the several departments of the Government, and in the service of the two Houses of Parliament, upon the first day of April, next preceding, showing the dates of their several appointments and promotions, their age, rank in the service, and salary; and a report of the proceedings of the Commission during the preceding year, which report shall include a copy of the examination papers, a statement of all examinations held, of the number of candidates at each examination, the names of the successful candidates,

the appointments, transfers, and promotions made, and the rules and regulations made during the year respecting appointments, promotions, transfers, exchanges, examinations and such other matters appertaining to the civil service as the Commission may determine. This list and report shall be presented to both Houses of Parliament at its then current or next ensuing session. 1906, s. 107, s. 108, amended.

Regulations.

**37.** The Commission, with the approval of the Governor in Council, may make such regulations as it deems to be necessary or convenient for carrying out the provisions of this Act, and such regulations shall be published in the *Canada Gazette*.

## PART III.

EXAMINATIONS.

Appointments to be by competitive examinations.

**38.** Except as herein otherwise provided, and except in the case of commissioners and other members of any royal or other commission or board and deputy heads, appointments to positions in the civil service shall be by competitive examination which shall be of such a nature as will determine the qualifications of candidates for the particular positions to which they are to be appointed, and shall be held by the Commission in accordance with regulations to be made by the Commission and approved by the Governor in Council. Except as to the Inside Service and commissions and boards at Ottawa or elsewhere, all appointments to any positions in any province, shall, so far as practicable, be made from *bona fide* residents of such province. 1908, s. 13.

Exceptions.

Provided, however, that the provisions of this Act shall not apply to positions in connection with the Government railways or any railway owned or controlled by His Majesty, or to any position on any ship of His Majesty until the Governor in Council otherwise directs, and the Governor in Council shall have power to make this Act apply in whole or in part to any of the said positions. Provided, also, that in any case where the Commission decides that it is not practicable to apply this Act to any position or positions, the Commission, with the approval of the Governor in Council, may make such regulations as are deemed advisable, prescribing how such position or positions are to be dealt with. (New.)

Computation of number of probable vacancies.

**39.** (1) Having regard to the requirement of the several departments and other portions of the civil service for permanent and temporary officers, clerks and employees, a computation shall be made by the Commission of the number of competitors to be selected at the next ensuing general competitive examination.

Lists how to be made up.

(2) Immediately after each examination, a list of the successful competitors in the case of a competitive examination, and of the successful candidates in order of merit in other examinations shall be made out, and the list of successful competitors and candidates shall be published in the *Canada Gazette*. 1906, s. 29, amended.

Soldiers to have precedence.

(*a*) Provided, however, that in all examinations persons who have been on active service overseas on the military or naval forces of His Majesty or of any of the allies of His Majesty during the present war; who have left such service with an honourable record or who have been honourably discharged; and who obtain sufficient marks to pass such examinations, shall, irrespective of the marks they have obtained, be placed in the order of merit on the list of successful candidates above all other candidates.

Age and physical requirements in case of soldiers.

(*b*) The provisions of any statute or regulation prescribing an age limit and physical requirements with respect to any appointment in the civil service shall not apply to any such person if the Commission certifies that he is of such an age and in such a satisfactory physical condition that he is then able to perform the duties of the office and will probably be able to continue to do so for a reasonable period after his appointment.

Selections for vacancies.

(3) From the list of successful competitors, the Commission, on the application of the deputy head, shall appoint the required officers, clerks and employees.

Order of selection.

(4) The selections shall be, so far as practicable, in the order of the names on the list, but the Commission may select any person who in his examination shows special qualifications for any particular subject. 1908, s. 18.

Those left unappointed on previous lists.

(5) If there remain from a previous examination successful competitors who have not received appointments, their number shall be deducted in making the computation, and their names, in the order of merit, shall be placed at the top of the list to be prepared in accordance with subsection two of this section. 1908, s. 15.

Notifications.

(6) The Commission shall forthwith notify the Treasury Board and the Auditor General of the name and position in the service of each person so appointed and also of the rejection of any such person during his probationary term.

Temporary employment.

(7) Successful competitors may be employed for temporary work until assigned for permanent appointment. Assignment for temporary duty shall not prejudice the right to assignment for permanent duty, and for the purposes of

any annual increase the period of such temporary service shall be included in any period of permanent service. 1908, s. 18, amended.

Appointment to positions below places competed for.

(8) The Commission may select for any office or employment any person who is a successful competitor for a higher office or employment: Provided that no such selection shall be made to the prejudice of any person on the list of successful competitors for such lower office or employment. 1910, s. 15.

Notices and examinations to be in both languages.

**40.** (1) Notice of every examination, shall be published in the English and French languages in the *Canada Gazette*, and such notice shall state the number of positions that it is expected will be open for appointments, the positions that are then vacant, and in each case the qualifications required for such positions. 1906, s. 28, amended.

(2) Every examination under this Act shall be held in the English or French language, at the option of the candidate. 1906, s. 27.

Appointees must be British subjects unless special exemption.

**41.** (1) No person shall, without the authority of the Governor in Council, be admitted to any examination unless he is a natural born or naturalized British subject, and also has been a resident of Canada for at least one year. (New.)

Age limits.

(2) The Commission, with the approval of the Governor in Council, may by regulation prescribe the several limits of age within which persons shall be eligible for appointment to positions in the civil service. (New).

Age limits for civil servants competing at examinations.

(3) Any person holding a permanent appointment in the civil service may enter for any open competition or examination if such person when first appointed was not older than the maximum age prescribed for the position for which the examination is being held and if successful thereat may be appointed irrespective of his age. (New.)

## PART IV.

### INSIDE SERVICE.

Classification.

**42.** The Inside Service shall be classified as follows:—

(1) Deputy Heads;

(2) The First Division—

Grades A and B, consisting of officers having the rank of deputy heads but not being deputy heads administering departments, of assistant deputy heads, and the principal administrative, professional, technical and executive officers;

Grade C, consisting of the lesser administrative and executive officers;

Grades D, E and F, consisting of clerks, having administrative, executive, or other duties which are of the same character as, but of less importance and responsibility than those of the higher grades.

(3) The Second Division—

Grade A shall consist of clerks and other employees working under supervision or performing other duties of minor importance and responsibility;

Grade B shall consist of clerks and employees who work under supervision and of stenographers and typewriters;

Grade C shall consist of clerks and employees and of stenographers and typewriters whose duties are copying and routine work under supervision;

(4) The Third Division shall consist of messengers, porters, sorters, and packers.

Salary of Deputy Head.

**43.** (1) The salary of a deputy head shall be five thousand dollars per annum: Provided that any deputy head whose duties are of an important professional or technical character or involve grave responsibility may be paid such larger salary as Parliament may provide.

Professional, &c., officers.

(2) The salaries of technical officers of the highest class shall be such as Parliament may provide. Other technical officers shall, for the purpose of determining their salaries and the annual increases thereto, be classified in one of the following grades.

Other salaries.

(3) The minimum and maximum salaries shall be as follows:—

In the First division—

grade A, $3,500 to $4,000;
grade B, $2,900 to $3,400;
grade C, $2,200 to $2,800;
grade D, $1,700 to $2,100;
grade E, $1,400 to $1,600;
grade F, $1,000 to $1,300;

In the Second division—

grade A, $1,350 to $1,500;
grade B, $1,050 to $1,300;
grade C, $600 to $1,000;

In the Third division, $600 to $1,200. 1908, s. 27, 28, 29, 30, 32, amended.

Present employees.

Provided, however, that, until the Inside Service is re-organized under the provisions of section nine of this Act, the classification and salaries heretofore prescribed and paid shall continue in force with respect to all officers, clerks and employees appointed before the date of this Act.

ANNUAL INCREASES.

**44.** There may be given to every officer, clerk, or other employee in the first division, an annual increase of one hundred dollars, and in the other divisions an annual increase of fifty dollars, until the maximum of the grade is reached.

PROMOTIONS.

Promotions.

**45.** (1) Vacancies shall be filled, as far as is consistent with the best interests of the civil service, by promotion.

No promotion from certain grades.

(2) There shall be no promotion from the second division to the first division and there shall be no promotion from the third division: but any person in either of these divisions may enter for examination for appointment to a higher division.

Exception for certain employees.

(3) Provided that any person placed in the third division (now the second division), under the provisions of *The Civil Service Amendment Act, 1908*, and who has passed the Qualifying Examination or had been appointed under the authority of sections thirty-seven or forty of the *Civil Service Act*, chapter sixteen of the Revised Statutes of Canada, 1906, may be promoted from the second division to the first division under the provisions of section sixteen. 1908, s. 26, and 1917, c. 9, s. 2.

DEPUTY MINISTERS.

Deputy Head for each Department.

**46.** (1) There shall be a deputy head for each department, who shall be appointed by the Governor in Council, and shall hold office during pleasure.

Parliamentary authority necessary to create.

(2) No officer shall hereafter be raised to the rank of deputy head except in the case of a vacancy occurring or when a new department is created by Act of Parliament. 1906, s. 51.

Statement when a deputy head is removed from office.

(3) Whenever a deputy head is removed from his office, a statement of the reasons for so doing shall be laid on the table of both Houses of Parliament within the first fifteen days of the next following session. 1906, s. 52.

Deputy head to direct Department subject to head.

**47.** (1) The deputy head of a department shall, subject to the directions of the head of the department, oversee and direct the officers, clerks and employees of the department, and shall have general control of the business thereof, and shall perform such other duties as are assigned to him by the Governor in Council.

His full time to be given.

(2) He shall give his full time to the civil service, and shall discharge all duties required by the head of the department, or by the Governor in Council, whether such duties are in his own department or not. 1906, s. 59.

Who to act in absence of deputy head.

**48.** (1) Unless otherwise provided by the Governor in Council, in the absence of any deputy head, the assistant deputy head, or if there is no assistant deputy head, or the assistant deputy head is absent, an officer or clerk named by the head of the department shall have the powers and perform the duties of such deputy head. 1906, s. 60, amended.

Assistant Auditor-General.

(2) There shall be in the office of the Auditor General an assistant auditor general who shall act for the Auditor General in his absence. 1906, s. 60, amended.

PRIVATE SECRETARIES.

Private secretaries appointment and salaries.

**49.** (1) Any person may be appointed by a Minister of the Crown or other member of the Government to be his private secretary, and if such person does not hold a permanent position in the civil service he may be paid such salary as the Governor in Council may prescribe. If he holds a permanent position in the public service he may be paid an additional salary not exceeding six hundred dollars a year whilst so acting. (New.)

(2) No salary shall be payable to any private secretary unless the amount has been voted by Parliament. 1906, s. 81.

TEMPORARY EMPLOYEES.

Salaries of temporary employees.

**50.** The salary of a temporary officer, clerk or employee in the Inside Service shall be such as the deputy head with the approval of the Commission may prescribe. (New.)

CENSUS AND ELECTION AUDIT EMPLOYEES.

Census and election audit temporaries, appointment of and duration of service.

**51.** (1) Special competitive examinations may be held by the Commission, in accordance with regulations in that behalf made by the Commission and approved by the Governor in Council, for ascertaining the qualifications of persons to be employed as temporary officers, clerks and employees for the compilation of any census or for the audit and payment of fees and expenses in connection with any general election, and the successful competitors may be employed temporarily for the duties aforesaid, the census employees for any period not exceeding three years, and the election audit employees for any period not exceeding two years.

Limits of employment.

(2) During such term of service such temporary officers, clerks and employees shall not be eligible for any employment other than the compilation of a census, or the audit and payment of election fees and expenses as the case may be, and they shall not be entitled by reason of such service to any further employment. 1910, s. 7 and s. 12, amended.

# PART IV.

## OUTSIDE SERVICE.

Organization, classification and salaries.

**52.** (1) The Commission shall, as soon as practicable after the passing of this Act, after consultation with the several deputy heads and other principal officers and employees, prepare schedules containing lists of the positions and the duties and salaries attached thereto and the salaries and increases or other remuneration that in the opinion of the Commission are necessary and proper for the Outside Service or any portion or branch of the Outside Service of any department and of any other branch or portion of the Outside Service, and, upon the approval of the same by the Governor in Council, and by resolution passed by both Houses of Parliament, such schedules shall come into operation. Until a schedule is so approved with respect to any portion of the Outside Service, the existing law prescribing the remuneration and salaries of such portion of the Outside Service or under which the remuneration is fixed shall continue in force, and the remuneration shall continue or may be fixed or changed as heretofore.

(2) If any increase or additional remuneration is contained in or authorized by any such schedule, such increase or additional remuneration shall not be paid unless or until Parliament has voted the money necessary for the payment of the same.

## REPEAL.

Repeal.

**53.** Subject to the provisions hereinbefore contained, the *Civil Service Act*, chapter sixteen of the Revised Statutes of Canada, 1906, *The Civil Service Amendment Act*, 1908, and chapters six and seven of the statutes of 1909, chapter eight of the statutes of 1910, chapters ten, eleven, twelve, thirteen, fourteen and fifteen of the statutes of 1912, and chapter nine of the statutes of 1917, being acts to amend the *Civil Service Act*, the powers of the Governor in Council and the Postmaster General to appoint or promote postmasters and other officers, clerks and employees under the provisions of the *Post Office Act* and of any act amending the same, and the power of the head of any department under any statute to appoint or promote any officer, clerk or employee, and the power of the Governor in Council to appoint a Superintendent of Printing and a Superintendent of Stationery and the powers of the Superintendent of Printing and the Superintendent of Stationery to make appointments under the provisions of the *Public Printing and Stationery Act*, are repealed. (New.)

## SCHEDULE A.

Oath of office.

I (*A.B.*) solemnly and sincerely swear that I will faithfully and honestly fulfil the duties which devolve upon me as * * * So help me God.

## SCHEDULE B.

(*After the asterisks in schedule A.*)

Oath of secrecy.

And that I will not, without due authority in that behalf, disclose or make known any matter or thing which comes to my knowledge by reason of my employment as (*as the case may be*).

## SCHEDULE C.

Civil Service Commission of Canada

To

Summons for witness under section five.

You are hereby required to appear before the Civil Service Commission at on the day of at o'clock in the noon to testify the truth according to your knowledge in a certain enquiry pending before the Civil Service Commission respecting

(*The following words may be added if the production of any paper or document is required.*)

and that you bring with you and then and there produce the following documents:—

Dated at this day of

A.D.

*Civil Service Commissioner.*

First Session, Thirteenth Parliament, 8-9 George V, 1918.

THE HOUSE OF COMMONS OF CANADA

# BILL 54.

An Act to amend the Railway Belt Act.

First reading, April 15, 1918.

The MINISTER OF THE INTERIOR.

OTTAWA
J. DE LABROQUERIE TACHÉ
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1918

1st Session, 13th Parliament, 8-9 George V, 1918.

THE HOUSE OF COMMONS OF CANADA.

# BILL 54.

An Act to amend the Railway Belt Act.

R.S., c. 59; 1907, c. 39.

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

**1.** Section five of the *Railway Belt Act*, chapter fifty-nine of the Revised Statutes of Canada, 1906, is hereby amended by adding thereto the following subsection:—

Issue of patent for land held by deceased settler.

"(3) In the event of the decease of any settler before the issue of patent for the land held by him under entry or sale, the patent for such land may be issued in the name of the deceased settler on proof, satisfactory to the Minister of the Interior, being filed that the requirements of the law have been fulfilled."

First Session, Thirteenth Parliament, 8-9 George V, 1918.

THE HOUSE OF COMMONS OF CANADA

# BILL 54.

An Act to amend the Railway Belt Act.

AS PASSED BY THE HOUSE OF COMMONS,
17th APRIL, 1918.

OTTAWA
J. DE LABROQUERIE TACHÉ
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1918

1st Session, 13th Parliament, 8-9 George V, 1918.

THE HOUSE OF COMMONS OF CANADA.

# BILL 54.

An Act to amend the Railway Belt Act.

R.S., c. 59; 1907, c. 39.

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**1.** Section five of the *Railway Belt Act*, chapter fifty-nine of the Revised Statutes of Canada, 1906, is hereby amended by adding thereto the following subsection:—

Issue of patent for land held by deceased settler.

"(3) In the event of the decease of any settler before the issue of patent for the land held by him under entry or sale, the patent for such land may be issued in the name of the deceased settler on proof, satisfactory to the Minister of the Interior, being filed that the requirements of the law have been fulfilled."

55.

First Session, Thirteenth Parliament, 8-9 George V, 1918.

THE HOUSE OF COMMONS OF CANADA

# BILL 55.

An Act to amend The Meat and Canned Foods Act.

First reading, April 16, 1918.

The MINISTER OF AGRICULTURE.

OTTAWA
J. DE LABROQUERIE TACHÉ
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
38064—1 1918

1st Session, 13th Parliament, 8-9 George V, 1918.

# THE HOUSE OF COMMONS OF CANADA.

# BILL 55.

An Act to amend The Meat and Canned Foods Act.

1907, c. 27; 1908, c. 47; 1910, c. 38; 1917, c. 33.

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

**1.** Paragraph (*b*) of section two and section thirteen of *The Meat and Canned Foods Act*, chapter twenty-seven of the statutes of 1907, are repealed and the following are, respectively, substituted therefor:—

Definition.

"Establishment."

"(*b*) "establishment" means any abattoir, packing house, or other premises in which such animals are slaughtered, or in which any parts thereof or products thereof, or fish, or fruit, or vegetables, or any food or food product which may be named by the Governor in Council, are prepared for food for export or are stored for export;

Fish, fruit, vegetables, food and products thereof, to be fit for food.

"**13.** All fish, fruit, or vegetables, or products thereof, or any food or food products which may be named by the Governor in Council, under the provisions of section sixteen A of this Act, used in any establishment where these articles are prepared for export, shall be sound, wholesome, and fit for food; and any such articles or products thereof found in the said establishment unsound or unwholesome shall be confiscated and destroyed in such manner as may be provided by the regulations."

**2.** Sections sixteen and seventeen of the said Act as amended by chapter thirty-eight of the statutes of 1910, and by chapter forty-seven of the statutes of 1908, respectively, are repealed and the following sections are inserted immediately after section fifteen A thereof:—

Export or imports of uninspected articles.

Proof to be furnished as to whether or

"**16.** No person shall offer or accept for export or import, or shall export or import, any articles subject to inspection under this Act, unless the requirements regarding inspection and marking have been complied with in respect to such articles. Every person offering any carcass, or portion or product thereof, or fruit

not articles are subject to inspection.

or vegetable, or products thereof, or food or food products named by the Governor in Council under the provisions of section sixteen A of this Act, for export or import, or exporting or importing such carcass, portion or product, or any fruit or vegetable, or products thereof, or food or food products named by the Governor in Council as aforesaid, shall furnish such proof as is required by the regulations as to whether the articles so offered for export or import, or exported or imported, are subject to inspection or not.

Proof required that meat or meat product has passed inspection in country of origin.

"**16A.** (1) No carcass or portion or product thereof intended for food shall be imported into Canada unless proof satisfactory to the Minister accompany it that the same has passed Government inspection in the country of origin, and any such carcass or portion or product thereof imported into Canada shall be subject to such further inspection, and shall conform to such requirements as the Governor in Council may by regulation prescribe.

Imported or exported articles to conform to requirements.

(2) No fruit or vegetables or products thereof, or food or food products which may be named by the Governor in Council, shall be imported into Canada or exported from Canada unless the same conform to such requirements as the Governor in Council may by regulation prescribe.

Forfeiture where articles do not conform to requirements.

(3) Any carcass, or portion or product thereof, or fruit or vegetable or products thereof, or food or food product, that does not conform to the requirements of such regulations shall, upon condemnation by any inspector, be forfeit to His Majesty, and may be disposed of as the Minister may direct.

False marking as to name.

"**17.** (1) No article subject to inspection under this Act shall be offered or sold for export or import, or exported or imported, under any name intended or calculated to deceive as to its true nature.

As to weight, brand or mark.

(2) No package containing any article subject to inspection under this Act shall be marked with any label, brand or mark which falsely represents the quantity or weight or contents of such package.

As to date.

(3) No package containing any article subject to inspection under this Act shall be marked with any label, brand or mark which falsely represents the date when the articles or goods contained therein were packed."

First Session, Thirteenth Parliament, 8-9 George V, 1918.

THE HOUSE OF COMMONS OF CANADA

# BILL 55.

An Act to amend The Meat and Canned Foods Act.

AS PASSED BY THE HOUSE OF COMMONS, 23rd APRIL, 1917.

OTTAWA
J. DE LABROQUERIE TACHÉ
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
39559—1 1918

1st Session, 13th Parliament, 8-9 George V, 1918.

# THE HOUSE OF COMMONS OF CANADA.

# BILL 55.

An Act to amend The Meat and Canned Foods Act.

1907, c. 27; 1908, c. 47; 1910, c. 38; 1917, c. 33.

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

**1.** Paragraph (*b*) of section two and section thirteen of *The Meat and Canned Foods Act*, chapter twenty-seven of the statutes of 1907, are repealed and the following are, respectively, substituted therefor:—

Definition. "Establishment."

"(*b*) "establishment" means any abattoir, packing house, or other premises in which such animals are slaughtered, or in which any parts thereof or products thereof, or fish, or fruit, or vegetables, or any food or food product which may be named by the Governor in Council, are prepared for food for export or are stored for export;

Fish, fruit, vegetables, food and products thereof, to be fit for food.

"**13.** All fish, fruit, or vegetables, or products thereof, or any food or food products which may be named by the Governor in Council, under the provisions of section sixteen A of this Act, used in any establishment where these articles are prepared for export, shall be sound, wholesome, and fit for food; and any such articles or products thereof found in the said establishment unsound or unwholesome shall be confiscated and destroyed in such manner as may be provided by the regulations."

**2.** Sections sixteen and seventeen of the said Act as amended by chapter thirty-eight of the statutes of 1910, and by chapter forty-seven of the statutes of 1908, respectively, are repealed and the following sections are inserted immediately after section fifteen A thereof:—

Export or imports of uninspected articles.

"**16.** No person shall offer or accept for export or import, or shall export or import, any articles subject to inspection under this Act, unless the requirements regarding inspection and marking have been complied with in respect to such articles. Every person offering any carcass, or portion or product thereof, or fruit

Proof to be furnished as to whether or

not articles are subject to inspection.

or vegetable, or products thereof, or food or food products named by the Governor in Council under the provisions of section sixteen A of this Act, for export or import, or exporting or importing such carcass, portion or product, or any fruit or vegetable, or products thereof, or food or food products named by the Governor in Council as aforesaid, shall furnish such proof as is required by the regulations as to whether the articles so offered for export or import, or exported or imported, are subject to inspection or not.

Proof required that meat or meat product has passed inspection in country of origin.

"**16A.** (1) No carcass or portion or product thereof intended for food shall be imported into Canada unless proof satisfactory to the Minister accompany it that the same has passed Government inspection in the country of origin, and any such carcass or portion or product thereof imported into Canada shall be subject to such further inspection, and shall conform to such requirements as the Governor in Council may by regulation prescribe.

Imported or exported articles to conform to requirements.

(2) No fruit or vegetables or products thereof, or food or food products which may be named by the Governor in Council, shall be imported into Canada or exported from Canada unless the same conform to such requirements as the Governor in Council may by regulation prescribe.

Forfeiture where articles do not conform to requirements.

(3) Any carcass, or portion or product thereof, or fruit or vegetable or products thereof, or food or food product, that does not conform to the requirements of such regulations shall, upon condemnation by any inspector, be forfeit to His Majesty, and may be disposed of as the Minister may direct.

False marking as to name.

"**17.** (1) No article subject to inspection under this Act shall be offered or sold for export or import, or exported or imported, under any name intended or calculated to deceive as to its true nature.

As to weight, brand or mark.

(2) No package containing any article subject to inspection under this Act shall be marked with any label, brand or mark which falsely represents the quantity or weight or contents of such package.

As to date.

(3) No package containing any article subject to inspection under this Act shall be marked with any label, brand or mark which falsely represents the date when the articles or goods contained therein were packed."

First Session, Thirteenth Parliament, 8–9 George V, 1918.

THE HOUSE OF COMMONS OF CANADA

# BILL 56.

An Act to amend the Animal Contagious Diseases Act.

First reading, April 16, 1918.

The MINISTER OF AGRICULTURE.

OTTAWA
J. DE LABROQUERIE TACHÉ
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
37740—1 1918

1st Session, 13th Parliament, 8-9 George V, 1918.

THE HOUSE OF COMMONS OF CANADA.

# BILL 56.

An Act to amend the Animal Contagious Diseases Act.

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

R.S., c. 75. 1909, c. 3; 1913, c. 6.

**1.** Subsection one of section six of the *Animal Contagious Diseases Act*, chapter seventy-five of the Revised Statutes of Canada, 1906, as enacted by chapter six of the statutes of 1913, is repealed and the following is substituted therefor:—

Compensation for slaughtered animals increased.

"**6.** The Governor in Council may order a compensation to be paid to the owners of animals slaughtered under the provisions of this Act; and in all cases the value of the animal for which compensation is ordered shall be determined by the Minister or by some person appointed by him, but, except as hereinafter provided, such value shall not exceed, in the case of grade animals, two hundred dollars for each horse, eighty dollars for each head of cattle, and twenty dollars for each pig or sheep; and in the case of pure-bred animals, five hundred dollars for each horse, two hundred and fifty dollars for each head of cattle, and seventy-five dollars for each pig or sheep."

Grade-Cattle, $60 to $80.

Pigs, etc., $15 to $20.

Pure-Cattle, $150 to $250.

Pigs, etc., $50 to $75.

Duration of Act.

**2.** This Act shall only remain in operation for three years from the passing thereof.

First Session, Thirteenth Parliament, 8-9 George V, 1918.

THE HOUSE OF COMMONS OF CANADA

# BILL 56.

An Act to amend the Animal Contagious Diseases Act.

**AS PASSED BY THE HOUSE OF COMMONS, 17th APRIL, 1918.**

OTTAWA
J. DE LABROQUERIE TACHÉ
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
39130—1 1918

1st Session, 13th Parliament, 8-9 George V, 1918.

THE HOUSE OF COMMONS OF CANADA.

# BILL 56.

An Act to amend the Animal Contagious Diseases Act.

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

R.S., c. 75. 1909, c. 3; 1913, c. 6.

**1.** Subsection one of section six of the *Animal Contagious Diseases Act*, chapter seventy-five of the Revised Statutes of Canada, 1906, as enacted by chapter six of the statutes of 1913, is repealed and the following is substituted therefor:—

Compensation for slaughtered animals increased.

"**6.** The Governor in Council may order a compensation to be paid to the owners of animals slaughtered under the provisions of this Act; and in all cases the value of the animal for which compensation is ordered shall be determined by the Minister or by some person appointed by him, but, except as hereinafter provided, such value shall not exceed, in the case of grade animals, two hundred dollars for each horse, eighty dollars for each head of cattle, and twenty dollars for each pig or sheep; and in the case of pure-bred animals, five hundred dollars for each horse, two hundred and fifty dollars for each head of cattle, and seventy-five dollars for each pig or sheep."

Grade-Cattle, $60 to $80.

Pigs, etc., $15 to $20.

Pure-Cattle, $150 to $250.

Pigs, etc., $50 to $75.

Duration of Act.

**2.** This Act shall only remain in operation for three years from the passing thereof.

First Session, Thirteenth Parliament, 8–9 George V, 1918.

THE HOUSE OF COMMONS OF CANADA

# BILL 57.

An Act to Aid and Encourage the Organization and Co-ordination of Employment Offices.

First reading, April 17, 1918.

The MINISTER OF LABOUR.

OTTAWA
J. DE LABROQUERIE TACHÉ
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
38266—1 1918

1st Session, 13th Parliament, 8-9 George V, 1918.

THE HOUSE OF COMMONS OF CANADA.

# BILL 57.

An Act to Aid and Encourage the Organization and Co-ordination of Employment Offices.

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 Employment Offices Co-ordination Act.*

Definitions.

**2.** In this Act and in any regulation made thereunder, unless the context otherwise requires,—

(*a*) "Minister" means the Minister of Labour;

(*b*) "employment office" means an employment office operated by any provincial government;

(*c*) "employer" includes a person seeking employees;

(*d*) "employee" includes a person seeking employment.

Powers of Minister.

**3.** The Minister is authorized and empowered,—

(*a*) to aid and encourage the organization and co-ordination of employment offices and to promote uniformity of methods among them;

(*b*) to establish one or more clearing house for the interchange of information between employment offices concerning the transfer of labour and other matters;

(*c*) to compile and distribute information received from employment offices and from other sources, regarding prevailing conditions of employment.

Money grants.

**4.** For the purposes of such organization and co-ordination, and subject to the conditions set forth in section seven, the following sums shall be appropriated and paid out of the Consolidated Revenue Fund of Canada during each fiscal year beginning with the fiscal year beginning the first day of April, one thousand nine hundred and eighteen, namely:—

During the fiscal year beginning the first day of April, one thousand nine hundred and eighteen, the sum of fifty thousand dollars;

During the fiscal year beginning the first day of April, one thousand nine hundred and nineteen, the sum of one hundred thousand dollars;

During each succeeding fiscal year the sum of one hundred and fifty thousand dollars.

Money, how allotted.

**5.** The moneys appropriated for each year shall be allotted and paid to the governments of the respective provinces in the proportion which their expenditure for the maintenance of employment offices bears to the total of the expenditures of all the provinces for such purposes, but in no case shall the allotment to a province exceed the amount expended for the maintenance of employment offices by such province.

Payments conditional upon agreement between Minister and Province and approval.

**6.** The payments hereinbefore authorized shall, as to each province, be conditional upon agreement between the Minister and the government of the province as to the terms, conditions and purposes within the meaning of this Act upon and for which the payments are to be made and applied, and upon such agreement being approved by the Governor in Council.

Conditions that may be stated in agreement.

**7.** In any agreement so made the following conditions respecting the operation of employment offices may be stated:—

(*a*) That the offices shall endeavour to fill situations in all trades and for both male and female employees;

(*b*) That the offices shall make such returns and submit to such inspection as the Minister may require.

Officers, appointment of.

**8.** Such officers shall be appointed as are required for carrying out the provisions of this Act, and for such inspection, examination and report as are necessary to ensure the expenditure of the moneys paid in accordance with the intention of this Act and the agreements and regulations made under its authority. Such appointments shall be made under the provisions of the laws relating to the civil service, and the salaries and expenses of such officers shall be paid out of the moneys appropriated by Parliament for that purpose.

Report to Parliament.

**9.** The Minister shall annually lay before Parliament during the first ten days of the session, a report of all proceedings under this Act for the last preceding fiscal year, which report shall contain a statement of the moneys expended, the purposes to which they have been applied, and the work done by the several provinces in the earning of the subsidies paid or authorized to be paid.

Regulations.

**10.** The Minister may make any regulations not inconsistent with this Act which he may deem necessary or convenient for carrying this Act into effect.

First Session, Thirteenth Parliament, 8-9 George V, 1918.

THE HOUSE OF COMMONS OF CANADA

# BILL 57.

An Act to Aid and Encourage the Organization and Co-ordination of Employment Offices.

AS PASSED BY THE HOUSE OF COMMONS, 24th APRIL, 1918.

OTTAWA
J. DE LABROQUERIE TACHÉ
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
39649—1 1918

1st Session, 13th Parliament, 8-9 George V, 1918.

THE HOUSE OF COMMONS OF CANADA.

# BILL 57.

An Act to Aid and Encourage the Organization and Co-ordination of Employment Offices.

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 Employment Offices Co-ordination Act.*

Definitions.

**2.** In this Act and in any regulation made thereunder, unless the context otherwise requires,—

(*a*) "Minister" means the Minister of Labour;

(*b*) "employment office" means an employment office operated by any provincial government;

(*c*) "employer" includes a person seeking employees;

(*d*) "employee" includes a person seeking employment.

Powers of Minister.

**3.** The Minister is authorized and empowered,—

(*a*) to aid and encourage the organization and co-ordination of employment offices and to promote uniformity of methods among them;

(*b*) to establish one or more clearing house for the interchange of information between employment offices concerning the transfer of labour and other matters;

(*c*) to compile and distribute information received from employment offices and from other sources, regarding prevailing conditions of employment.

Money grants.

**4.** For the purposes of such organization and co-ordination, and subject to the conditions set forth in section seven, the following sums shall be appropriated and paid out of the Consolidated Revenue Fund of Canada during each fiscal year beginning with the fiscal year beginning the first day of April, one thousand nine hundred and eighteen, namely:—

During the fiscal year beginning the first day of April, one thousand nine hundred and eighteen, the sum of fifty thousand dollars;

During the fiscal year beginning the first day of April, one thousand nine hundred and nineteen, the sum of one hundred thousand dollars;

During each succeeding fiscal year the sum of one hundred and fifty thousand dollars.

Money, how allotted.

**5.** The moneys appropriated for each year shall be allotted and paid to the governments of the respective provinces in the proportion which their expenditure for the maintenance of employment offices bears to the total of the expenditures of all the provinces for such purposes, but in no case shall the allotment to any province exceed one half the amount expended for the maintenance of employment offices by such province.

Payments conditional upon agreement between Minister and Province and approval.

**6.** The payments hereinbefore authorized shall, as to each province, be conditional upon agreement between the Minister and the government of the province as to the terms, conditions and purposes within the meaning of this Act upon and for which the payments are to be made and applied, and upon such agreement being approved by the Governor in Council.

Conditions that may be stated in agreement.

**7.** In any agreement so made the following conditions respecting the operation of employment offices may be stated:—

(*a*) That the offices shall endeavour to fill situations in all trades and for both male and female employees;

(*b*) That the offices shall make such returns and submit to such inspection as the Minister may require.

Officers, appointment of.

**8.** Such officers shall be appointed as are required for carrying out the provisions of this Act, and for such inspection, examination and report as are necessary to ensure the expenditure of the moneys paid in accordance with the intention of this Act and the agreements and regulations made under its authority. Such appointments shall be made under the provisions of the laws relating to the civil service, and the salaries and expenses of such officers shall be paid out of the moneys appropriated by Parliament for that purpose.

Report to Parliament.

**9.** The Minister shall annually lay before Parliament during the first ten days of the session, a report of all proceedings under this Act for the last preceding fiscal year, which report shall contain a statement of the moneys expended, the purposes to which they have been applied, and the work done by the several provinces in the earning of the subsidies paid or authorized to be paid.

Regulations.

**10.** The Minister may make any regulations not inconsistent with this Act which he may deem necessary or convenient for carrying this Act into effect, subject to the approval of the Governor in Council.

First Session, Thirteenth Parliament, 8-9 George V, 1918.

THE HOUSE OF COMMONS OF CANADA

# BILL 58.

An Act respecting certain patents of The Dynamic Balancing Machine Company.

First reading, April 18, 1918.

(PRIVATE BILL.)

Mr. FRIPP.

OTTAWA
J. DE LABROQUERIE TACHÉ
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1918

1st Session, 13th Parliament, 8-9 George V, 1918.

THE HOUSE OF COMMONS OF CANADA.

# BILL 58.

An Act respecting certain patents of The Dynamic Balancing Machine Company.

WHEREAS The Dynamic Balancing Machine Company, a company duly incorporated, and having its place of business in the city of Philadelphia, state of Pennsylvania, one of the United States of America, has by its petition represented that it is the owner of certain patents issued under the seal of the Patent Office, namely, number one hundred and seventy-one thousand, one hundred and forty-six, dated the first day of August, nineteen hundred and sixteen, for improvements in method of and means for detecting and correcting the lack of dynamic balance of a rotatable body while the same is rotating; and number one hundred and seventy-five thousand, four hundred and twelve, dated the twenty-seventh day of February, nineteen hundred and seventeen, for improvements in dynamic balancing machines, of both of which letters patent Nicholas W. Akimoff, of Philadelphia, subject of the Czar of Russia, was the inventor, and who assigned all his right, title and interest in and to both of the said letters patent to The Dynamic Balancing Machine Company, by assignment recorded in the Patent Office the twenty-fifth day of October, nineteen hundred and sixteen; and has 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:—

Authority for variation of conditions of manufacture.

**1.** Notwithstanding anything in the *Patent Act* or the patents mentioned in the preamble, the Commissioner of Patents may, within three months after the passing of this Act, receive petitions for and may make orders that the said patents, instead of being subject to the conditions set forth in paragraph (*a*) of section thirty-eight of the *Patent Act*, shall be subject to the conditions set forth in paragraphs (*a*), (*b*), (*c*) and (*d*) of section forty-four of the

R.S. c. 69.

*Patent Act;* and the said patents shall not be held as invalid by reason of the failure of the patentee to comply with the conditions of paragraph (*a*) of section thirty-eight of the *Patent Act.*

Certain rights saved.

**2.** If any person has, in the period between the expiry of two years from the date of the said patent and the sixteenth day of March, nineteen hundred and eighteen, commenced to construct, manufacture, use or sell in Canada the invention covered by the said patent, such person may continue to construct, manufacture, use or sell the said invention in as full and ample a manner as if this Act had not been passed.

First Session, Thirteenth Parliament, 8–9 George V, 1918.

THE HOUSE OF COMMONS OF CANADA

# BILL 58.

An Act respecting certain patents of The Dynamic Balancing Machine Company.

AS PASSED BY THE HOUSE OF COMMONS, 3rd MAY, 1918.

OTTAWA
J. DE LABROQUERIE TACHÉ
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1918

1st Session, 13th Parliament, 8-9 George V, 1918.

THE HOUSE OF COMMONS OF CANADA.

# BILL 58.

An Act respecting certain patents of The Dynamic Balancing Machine Company.

WHEREAS The Dynamic Balancing Machine Company, a company duly incorporated, and having its place of business in the city of Philadelphia, state of Pennsylvania, one of the United States of America, has by its petition represented that it is the owner of certain patents issued under the seal of the Patent Office, namely, number one hundred and seventy-one thousand, one hundred and forty-six, dated the first day of August, nineteen hundred and sixteen, for improvements in method of and means for detecting and correcting the lack of dynamic balance of a rotatable body while the same is rotating; and number one hundred and seventy-five thousand, four hundred and twelve, dated the twenty-seventh day of February, nineteen hundred and seventeen, for improvements in dynamic balancing machines, of both of which letters patent Nicholas W. Akimoff, of Philadelphia, subject of the Czar of Russia, was the inventor, and who assigned all his right, title and interest in and to both of the said letters patent to The Dynamic Balancing Machine Company, by assignment recorded in the Patent Office the twenty-fifth day of October, nineteen hundred and sixteen; and has 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:—

Authority for variation of conditions of manufacture.

**1.** Notwithstanding anything in the *Patent Act* or the patents mentioned in the preamble, the Commissioner of Patents may, within three months after the passing of this Act, receive petitions for and may make orders that the said patents, instead of being subject to the conditions set forth in paragraph (*a*) of section thirty-eight of the *Patent Act*, shall be subject to the conditions set forth in paragraphs (*a*), (*b*), (*c*) and (*d*) of section forty-four of the *Patent Act*.

R.S. c. 69.

waters of Canada when fishing such fish is prohibited inside the territorial waters of Canada opposite or nearest to the place where such fish was caught, or shall bring into Canada any vessels, boats, nets, fishing gear, implements or appliances used in such fishing.

When section to go into operation.

Provided, however, that this section shall not go into operation until the United States of America prohibits her citizens, boats and vessels from bringing into the said United States lobsters caught outside and near the territorial waters of Canada during any period when Canadian fishermen are forbidden to catch lobsters in such territorial waters.

Treaty rights not to be affected.

(2) Nothing in this section shall be construed as in any way limiting, restricting, revoking or annulling any right granted to the citizens of any foreign nation by any treaty or conventon, and such citizens shall enjoy any such right as if this section had not been passed."

First Session, Thirteenth Parliament, 8-9 George V, 1918.

THE HOUSE OF COMMONS OF CANADA

# BILL 59.

An Act to incorporate the Gospel Workers Church in Canada.

First reading, April 18, 1918.

(PRIVATE BILL.)

Mr. MIDDLEBRO.

OTTAWA
J. DE LABROQUERIE TACHÉ
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
37205—1 1918

1st Session, 13th Parliament, 8-9 George V, 1918.

THE HOUSE OF COMMONS OF CANADA.

# BILL 59.

An Act to incorporate the Gospel Workers Church in Canada.

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.** Frank D. Goff, Albert Mills, Albert E. Armstrong, Abraham L. Shunk, W. Franklin Dean, Christopher J. McNichol, and J. Gordon Bennett, together with such persons as are at present or who may become members of the Church, are hereby incorporated under the name of "The Gospel Workers Church in Canada," hereinafter called "the Church."

Corporate name.

Of whom Church composed.

**2.** The Church shall consist of the president, vice-president, secretary, treasurer, ministers, evangelists and members admitted according to the constitutions hereinafter provided for.

Powers.

**3.** The Church may meet in general conference, and may adopt and frame constitutions and make by-laws and regulations for the organization, for membership, and for enforcing discipline in the Church, and for the appointment, deposition, deprivation, or removal of any person bearing office therein, and for the convenient and orderly management of the property, affairs and interest of the Church in matters relating to and affecting only the Church.

First general conference.

**4.** The first general conference after the incorporation shall consist of the following ordained ministers, evangelists and laymen of the Church, namely:—Ordained ministers—Frank D. Goff, Albert Mills, Albert E. Armstrong, Abraham L. Shunk, W. Franklin Dean, Christopher J. McNichol,

and J. Gordon Bennett; and the following evangelists, namely:—Benjamin Heslip, Eliza Jolley, M. Ellen Wright, Bertha M. McAuslan, Mary B. Shunk, Louise Mills; and the following laymen, namely:—G. Washington Dinsmore, Thomas Shaw, Norman Reid, Thomas S. Freetley, George Thomson, Silas Elya, and James Rutledge; together with such ministers as may be recognized and admitted by the said conference.

Power to acquire property.

**5.** The Church may, from time to time, acquire and receive conveyances of such lands, moneys, mortgages and securities or other property as may be required for the purpose of churches, colleges, camp-grounds, schools, or other educational purposes connected with the Church, or for the purpose of a conference building, or for the purpose of printing and publishing houses in connection with the Church and carrying on the business of such printing and publishing houses, and for the purpose of endowing and supporting such churches, colleges, camp-grounds, schools and such printing and publishing houses and any book depository in connection therewith; and may also receive the benefit of any gift or devise, by will or otherwise, in its corporate name for the uses and purposes of the Church: Provided, that the annual value of real estate which the Church may possess in any one municipality shall not exceed the sum of twenty thousand dollars; and provided also that the Church shall, within seven years after its acquisition of any real estate, dispose of and alienate so much of the said real estate as is not required for the use and occupation of the Church.

Limit of value.

Disposal of unused real estate.

Power to sell, mortgage, or lease property.

**6.** The Church may, in addition to the powers conferred upon it by the next preceding section and subject to the provisions thereof, sell, exchange, alienate, mortgage, lease or demise any lands, tenements and hereditaments held by the Church, whether simply by way of investment for the uses and purposes set forth in the next preceding section or not, and the Church may also, from time to time, invest any of its funds and moneys in and upon any mortgage security of lands, tenements, and hereditaments, and in debentures of municipal or public school corporations or in Dominion or provincial stock or securities in any part of Canada, and for the purposes of such investments may take, receive and accept mortgages, or assignments thereof, whether such mortgages or assignments be made and executed directly to it in its own corporate name, or to some other company or person in trust for it, and shall have and enjoy the same; and furthermore, may sell, grant, assign and transfer such mortgages, to any person, company or body capable of receiving an assignment thereof,

Investment of funds.

and may release and discharge such mortgages, either wholly or partly.

Execution of documents.

**7.** All conveyances and instruments of the Church shall be executed by affixing the corporate seal of the Church, and the signatures of the president or vice-president and the secretary for the time being of the Church, or of such other officers or persons as may be authorized by the by-laws or regulations passed by the conference of said Church.

Required returns of property to be made.

**8.** The Church shall at all times, when required, make a full return under oath, showing the property, real and personal, held by it, for the purposes mentioned in section five or any of them, the income derived from such property and such other information relating thereto as is required by the Governor in Council, or either House of Parliament.

First Session, Thirteenth Parliament, 8-9 George V, 1918.

THE HOUSE OF COMMONS OF CANADA

# BILL 59.

An Act to incorporate the Gospel Workers Church in Canada.

**AS PASSED BY THE HOUSE OF COMMONS, 3rd MAY, 1918.**

OTTAWA
J. DE LABROQUERIE TACHÉ
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
40222—1 1918

1st Session, 13th Parliament, 8-9 George V, 1918.

THE HOUSE OF COMMONS OF CANADA.

# BILL 59.

An Act to incorporate the Gospel Workers Church in Canada.

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.** Frank D. Goff, Albert Mills, Albert E. Armstrong, Abraham L. Shunk, W. Franklin Dean, Christopher J. McNichol, and J. Gordon Bennett, together with such persons as are at present or who may become members of the Church, are hereby incorporated under the name of "The Gospel Workers Church in Canada," hereinafter called "the Church."

Corporate name.

Of whom Church composed.

**2.** The Church shall consist of the president, vice-president, secretary, treasurer, ministers, evangelists and members admitted according to the constitutions hereinafter provided for.

Powers.

**3.** The Church may meet in general conference, and may make by-laws not contrary to law, or to the provisions of this Act, and may adopt and frame constitutions and regulations for the organization, for membership, and for enforcing discipline in the Church, and for the appointment, deposition, deprivation, or removal of any person bearing office therein, and for the convenient and orderly management of the property, affairs and interest of the Church in matters relating to and affecting only the Church.

First general conference.

**4.** The first general conference after the incorporation shall be held on or before the first day of December, one thousand nine hundred and eighteen, and shall consist of the following ordained ministers, evangelists and laymen of the Church, namely:—Ordained ministers— Frank D. Goff, Albert Mills, Albert E. Armstrong, Abraham L. Shunk, W. Franklin Dean, Christopher J. McNichol,

and J. Gordon Bennett; and the following evangelists, namely:—Benjamin Heslip, Eliza Jolley, M. Ellen Wright, Bertha M. McAuslan, Mary B. Shunk, Louise Mills; and the following laymen, namely:—G. Washington Dinsmore, Thomas Shaw, Norman Reid, Thomas S. Freetley, George Thomson, Silas Elya, and James Rutledge; together with such ministers as may be recognized and admitted by the said conference.

Head office.

**5.** The head office of the Church shall be in the town of Thornbury in the province of Ontario, or in such other place in Canada as may from time to time be designated by by-law of the Church.

Power to acquire property.

**6.** The Church may, from time to time, acquire and receive conveyances of such lands, moneys, mortgages and securities or other property as may be required for the purpose of churches, colleges, camp-grounds, schools, or other educational purposes connected with the Church, or for the purpose of a conference building, or for the purpose of printing and publishing houses in connection with the Church and carrying on the business of such printing and publishing houses, and for the purpose of endowing and supporting such churches, colleges, camp-grounds, schools and such printing and publishing houses and any book depository in connection therewith; and may also receive the benefit of any gift or devise, by will or otherwise, in its corporate name for the uses and purposes of the Church: Provided, that the value of real estate which the Church may possess in any one municipality shall not exceed the sum of two hundred thousand dollars; and provided also that the Church shall, within seven years after its acquisition of any real estate, dispose of and alienate so much of the said real estate as is not required for the use and occupation of the Church.

Limit of value.

Disposal of unused real estate.

Power to sell, mortgage, or lease property.

**7.** The Church may, in addition to the powers conferred upon it by the next preceding section and subject to the provisions thereof, sell, exchange, alienate, mortgage, lease or demise any lands, tenements and hereditaments held by the Church, whether simply by way of investment for the uses and purposes set forth in the next preceding section or not, and the Church may also, from time to time, invest any of its funds and moneys in and upon any mortgage security of lands, tenements, and hereditaments, and in debentures of municipal or public school corporations or in Dominion or provincial stock or securities in any part of Canada, and for the purposes of such investments may take, receive and accept mortgages, or assignments thereof, whether such mortgages or assignments be made and executed directly to it in its own corporate name, or to

Investment of funds.

some other company or person in trust for it, and shall have and enjoy the same; and furthermore, may sell, grant, assign and transfer such mortgages, to any person, company or body capable of receiving an assignment thereof, and may release and discharge such mortgages, either wholly or partly.

Execution of documents.

**7.** All conveyances and instruments of the Church shall be executed by affixing the corporate seal of the Church, and the signatures of the president or vice-president and the secretary for the time being of the Church, or of such other officers or persons as may be authorized by the by-laws or regulations passed by the conference of said Church.

Required returns of property to be made.

**8.** The Church shall at all times, when required, make a full return under oath, showing the property, real and personal, held by it, for the purposes mentioned in section five or any of them, the income derived from such property and such other information relating thereto as is required by the Governor in Council, or either House of Parliament.

First Session, Thirteenth Parliament, 8-9 George V, 1918.

THE HOUSE OF COMMONS OF CANADA

# BILL 60.

An Act to incorporate Montreal, Joliette and Transcontinental Junction Railway Company.

First reading, April 18, 1918.

(PRIVATE BILL.)

Mr. DENIS.

OTTAWA
J. DE LABROQUERIE TACHÉ
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1918

1st Session, 13th Parliament, 8-9 George V, 1918.

THE HOUSE OF COMMONS OF CANADA.

# BILL 60.

## An Act to incorporate Montreal, Joliette and Transcontinental Junction Railway Company.

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

Incorporation.

**1.** Edmund Joseph Walsh, civil engineer; Timothy Fahey Delaney, contractor; Harold Hastings Short, accountant; Charles William Butler, financial agent; and Louis Joseph Kehoe, barrister-at-law, all of the city of Ottawa, in the province of Ontario, together with such persons as become shareholders in the Company, are incorporated under the name of "Montreal, Joliette and Transcontinental Junction Railway Company" hereinafter called "the Company."

Declaratory.

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

Provisional directors.

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

Capital stock.

**4.** The capital stock of the Company shall be one million five hundred thousand dollars. No one call shall exceed ten per cent of the shares subscribed.

Preference stock.

**5.** (1) The Company if previously authorized by a resolution passed by the ordinary shareholders at any annual meeting or at any special general meeting duly called for that purpose, at which meeting shareholders representing at least three fourths in value of the subscribed ordinary stock of the Company are present or represented by proxy, may issue any portion of its capital stock, as preference stock, and preference stock so issued shall have such preference and priority as respects dividends

or otherwise, over ordinary stock as is declared by such resolution.

Preference shareholders.

(2) Holders of such preference stock shall be shareholders within the meaning of this Act, and of the *Railway Act*, and shall in all respects other than the preference and priority provided by this section, possess the rights and be subject to the liabilities of such shareholders.

Head office.

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

Annual meeting.

**7.** The annual meeting of the shareholders shall be held on the second Tuesday in September.

Directors.

**8.** The number of directors shall not be less than five nor more than nine, one or more of whom may be paid directors.

Railway authorized.

**9.** The Company may lay out, construct and operate a railway of the gauge of four feet eight and one half inches from a point in or near the city of Montreal, in the province of Quebec, in a northerly direction through the counties of Hochelaga, L'Assomption and Montcalm to a point in or near the town of Joliette, in the county of Joliette, thence in a north by northwesterly direction to a point in or near the village of St. Michel des Saints, in the county of Berthier, and thence by the most feasible route to a point on the National Transcontinental Railway a distance of about one hundred and eighty miles.

Consent of municipalities or other authority.

**10.** The Company shall not construct or operate its railway along 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 or other public place, and if there is no such municipality, then without first obtaining the consent of the authority having jurisdiction over such highway, street or other public place, and upon the terms to be agreed upon with such municipality, or such other authority.

Telegraphs and telephones.

R.S. c. 37.

**11.** (1) The Company may, subject to the provisions of the *Railway Act*, construct and operate telegraph and telephone lines upon its railway, and establish offices for and undertake the transmission of messages for the public and collect tolls therefor; and for the purposes of operating such lines, or exchanging or transmitting messages, may, subject to the provisions of the said Act, enter into contracts with any companies having telegraph or telephone powers, and may connect its own lines with the lines of, or lease its own lines to any such companies.

Tolls.

(2) No toll or charge shall be demanded or taken for the transmission of any message, or for leasing or using the telegraphs or telephones of the Company, until it has been approved of by the Board of Railway Commissioners for Canada, which Board may also revise such tolls and charges.

R.S.c. 126.

(3) Part II of the *Telegraphs Act*, except such portions thereof as are inconsistent with this Act or with the *Railway Act*, shall apply to the telegraphic business of the Company.

Bonds on railway.

**12.** The securities issued by the Company shall not exceed thirty-five thousand dollars per mile of the railway, and may be issued only in proportion to the length of railway constructed or under contract to be constructed.

Borrowing.

**13.** In addition to the securities authorized by section twelve of this Act, the directors, if previously authorized as prescribed by section one hundred and thirty six of the *Railway Act*, may from time to time, borrow moneys for the acquisition, construction, extension or development of any such properties, assets or works, other than the railway, as the Company is authorized to acquire, construct, or operate; and, to provide for the repayment of moneys so borrowed, may issue bonds, debentures, debenture stock, perpetual or terminable, or other securities; but such bonds, debentures, debenture stock, or other securities shall not exceed in amount the value of the properties, assets or works in respect whereof the issue is made.

Vessels, wharves, docks, etc.

**14.** The Company may for the purposes of its undertaking, construct, acquire, charter and navigate steam and other vessels for the conveyance of passengers, goods and merchandise; and may construct, acquire, and dispose of wharves, docks, elevators, warehouses, offices and other structures to be used to facilitate the carrying on of business in connection therewith; and may carry on the business of warehousemen and wharfingers; and may charge wharfage and other dues for the use of any such property.

Electric and other power.

**15.** For the purpose of its undertaking, and subject to the provisions of section two hundred and forty-seven of the *Railway Act*, the Company may acquire, but not by expropriation, electric or other power or energy, and transmit and deliver the same to any place in the municipalities through which the railway has been constructed; and may receive, transform, transmit, distribute and supply such power or energy in any form, and may dispose of the surplus thereof, and may collect rates and charges therefor; but no such rate or charge shall be demanded or taken until it has been approved of by the Board of Railway Commissioners for Canada, which Board may also revise such rates and charges.

Transmission of electric power.

**16.** Subject to the consent and approval of the Board of Railway Commissioners for Canada, the Company may lease or may grant an easement over a portion of its right of way, for the transmission of electrical power.

Consent of municipalities or other authority for lines upon highways, etc.

**17.** Nothing in this Act or in the *Telegraphs Act* shall authorize the Company, or any lessee or grantee under section sixteen of this Act, to construct or operate any telegraph or telephone lines for the purpose of distributing electricity for lighting, heating or motor purposes, or disposing of surplus power generated by the Company's works and not required for the undertaking of the Company, upon, along or across any highway, street or public place, without first obtaining the consent, expressed by by-law, of the municipality having jurisdiction over such highway, street or public place, or, if there is no such municipality, then without first obtaining the consent of the authority having jurisdiction over such highway, street, or public place, and upon terms to be agreed upon with such municipality or other such authority, or to sell, dispose of or distribute power or energy within or for use within the limits of any municipality, without the consent, expressed by by-law, of such municipality or such other authority.

Agreements for sale lease or amalgamation of railway.

**18.** Subject to the provisions of sections three hundred and sixty-one, three hundred and sixty-two and three hundred and sixty-three of the *Railway Act*, the Company may, for any of the purposes specified in the said section three hundred and sixty-one, enter into agreements with The Grand Trunk Pacific Railway Company, The Canadian Northern Railway Company and The Canadian Pacific Railway Company, or any of them.

Power to issue bonds or shares in payment for works or bona fide claims.

[**19.** The Company may issue bonds or fully paid up shares or both, whether subscribed for or not, and may allot and hand over any such bonds or shares in payment for all or any of the undertakings, properties, movable or immovable, rights, powers, franchises, plant, rolling stock, docks, elevators, wharves, warehouses, vessels or material of any kind, and also for the *bona fide* claims of contractors and engineers or other persons having claims against the Company for services rendered or work done, due regard being had to the then market value of said shares or bonds, and such issue and allotment of bonds and shares or both, shall be binding on the Company and such shares or bonds shall not be subject to calls.]

First Session, Thirteenth Parliament, 8–9 George V, 1918.

THE HOUSE OF COMMONS OF CANADA

# BILL 60.

An Act to incorporate Montreal, Joliette and Transcontinental Junction Railway Company.

**AS PASSED BY THE HOUSE OF COMMONS, 10th MAY, 1918.**

OTTAWA
J. DE LABROQUERIE TACHÉ
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1918

1st Session, 13th Parliament, 8-9 George V, 1918.

# THE HOUSE OF COMMONS OF CANADA.

# BILL 60.

## An Act to incorporate Montreal, Joliette and Transcontinental Junction Railway Company.

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

Incorporation.

**1.** Edmund Joseph Walsh, civil engineer; Timothy Fahey Delaney, contractor; Harold Hastings Short, accountant; Charles William Butler, financial agent; and Louis Joseph Kehoe, barrister-at-law, all of the city of Ottawa, in the province of Ontario, together with such persons as become shareholders in the Company, are incorporated under the name of "Montreal, Joliette and Transcontinental Junction Railway Company" hereinafter called "the Company."

Declaratory.

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

Provisional directors.

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

Capital stock.

**4.** The capital stock of the Company shall be one million five hundred thousand dollars. No one call shall exceed ten per cent of the shares subscribed.

Preference stock.

**5.** (1) The Company if previously authorized by a resolution passed by the ordinary shareholders at any annual meeting or at any special general meeting duly called for that purpose, at which meeting shareholders representing at least three fourths in value of the subscribed ordinary stock of the Company are present or represented by proxy, may issue any portion of its capital stock, as preference stock, and preference stock so issued shall have such preference and priority as respects dividends

or otherwise, over ordinary stock as is declared by such resolution.

Preference shareholders.

(2) Holders of such preference stock shall be shareholders within the meaning of this Act, and of the *Railway Act*, and shall in all respects other than the preference and priority provided by this section, possess the rights and be subject to the liabilities of such shareholders.

Head office.

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

Annual meeting.

**7.** The annual meeting of the shareholders shall be held on the second Tuesday in September.

Directors.

**8.** The number of directors shall not be less than five nor more than nine, one or more of whom may be paid directors.

Railway authorized.

**9.** The Company may lay out, construct and operate a railway of the gauge of four feet eight and one half inches from a point at the city of Maisonneuve, in the province of Quebec, in a northerly direction through the counties of Hochelaga, L'Assomption and Montcalm to a point in or near the town of Joliette, in the county of Joliette, thence in a north by northwesterly direction to a point in or near the village of St. Michel des Saints, in the county of Berthier, and thence by the most feasible route to a point on the National Transcontinental Railway at or near Parent a distance of about one hundred and eighty miles.

Consent of municipalities or other authority.

**10.** The Company shall not construct or operate its railway along 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 or other public place, and if there is no such municipality, then without first obtaining the consent of the authority having jurisdiction over such highway, street or other public place, and upon the terms to be agreed upon with such municipality, or such other authority.

Telegraphs and telephones.

R.S. c. 37.

**11.** (1) The Company may, subject to the provisions of the *Railway Act*, construct and operate telegraph and telephone lines upon its railway, and establish offices for and undertake the transmission of messages for the public and collect tolls therefor; and for the purposes of operating such lines, or exchanging or transmitting messages, may, subject to the provisions of the said Act, enter into contracts with any companies having telegraph or telephone powers, and may connect its own lines with the lines of, or lease its own lines to any such companies.

Tolls.

(2) No toll or charge shall be demanded or taken for the transmission of any message, or for leasing or using the telegraphs or telephones of the Company, until it has been approved of by the Board of Railway Commissioners for Canada, which Board may also revise such tolls and charges.

R.S.c. 126.

(3) Part II of the *Telegraphs Act*, except such portions thereof as are inconsistent with this Act or with the *Railway Act*, shall apply to the telegraphic business of the Company.

Bonds on railway.

**12.** The securities issued by the Company shall not exceed thirty-five thousand dollars per mile of the railway, and may be issued only in proportion to the length of railway constructed or under contract to be constructed.

Borrowing.

**13.** In addition to the securities authorized by section twelve of this Act, the directors, if previously authorized as prescribed by section one hundred and thirty six of the *Railway Act*, may from time to time, borrow moneys for the acquisition, construction, extension or development of any such properties, assets or works, other than the railway, as the Company is authorized to acquire, construct, or operate; and, to provide for the repayment of moneys so borrowed, may issue bonds, debentures, debenture stock, perpetual or terminable, or other securities; but such bonds, debentures, debenture stock, or other securities shall not exceed in amount the value of the properties, assets or works in respect whereof the issue is made.

Vessels, wharves, docks, etc.

**14.** The Company may for the purposes of its undertaking, construct, acquire, charter and navigate steam and other vessels for the conveyance of passengers, goods and merchandise; and may construct, acquire, and dispose of wharves, docks, elevators, warehouses, offices and other structures to be used to facilitate the carrying on of business in connection therewith; and may carry on the business of warehousemen and wharfingers; and may charge wharfage and other dues for the use of any such property.

Electric and other power.

**15.** For the purpose of its undertaking, and subject to the provisions of section two hundred and forty-seven of the *Railway Act*, the Company may acquire, but not by expropriation, electric or other power or energy, and transmit and deliver the same to any place in the municipalities through which the railway has been constructed; and may receive, transform, transmit, distribute and supply such power or energy in any form, and may dispose of the surplus thereof, and may collect rates and charges therefor; but no such rate or charge shall be demanded or taken until it has been approved of by the Board of Railway Commissioners for Canada, which Board may also revise such rates and charges.

Transmission of electric power.

**16.** Subject to the consent and approval of the Board of Railway Commissioners for Canada, the Company may lease or may grant an easement over a portion of its right of way, for the transmission of electrical power.

Consent of municipalities or other authority for lines upon highways, etc.

**17.** Nothing in this Act or in the *Telegraphs Act* shall authorize the Company, or any lessee or grantee under section sixteen of this Act, to construct or operate any telegraph or telephone lines for the purpose of distributing electricity for lighting, heating or motor purposes, or disposing of surplus power generated by the Company's works and not required for the undertaking of the Company, upon, along or across any highway, street or public place, without first obtaining the consent, expressed by by-law, of the municipality having jurisdiction over such highway, street or public place, or, if there is no such municipality, then without first obtaining the consent of the authority having jurisdiction over such highway, street, or public place, and upon terms to be agreed upon with such municipality or other such authority, or to sell, dispose of or distribute power or energy within or for use within the limits of any municipality, without the consent, expressed by by-law, of such municipality or such other authority.

Agreements for sale lease or amalgamation of railway.

**18.** Subject to the provisions of sections three hundred and sixty-one, three hundred and sixty-two and three hundred and sixty-three of the *Railway Act*, the Company may, for any of the purposes specified in the said section three hundred and sixty-one, enter into agreements with The Canadian Northern Quebec Railway Company and The Canadian Pacific Railway Company, and as regards the National Transcontinental Railway with the Minister of Railways and Canals, or any of them.

First Session, Thirteenth Parliament, 8-9 George V, 1918.

THE HOUSE OF COMMONS OF CANADA

# BILL 61.

An Act respecting The Toronto, Hamilton and Buffalo Railway Company.

First reading, April 18, 1918.

(PRIVATE BILL.)

Mr. STEWART.

OTTAWA
J. DE LABROQUERIE TACHÉ
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1918

1st Session, 13th Parliament, 8-9 George V, 1918.

# THE HOUSE OF COMMONS OF CANADA.

# BILL 61.

An Act respecting The Toronto, Hamilton and Buffalo Railway Company.

1891, c. 86; 1893, c. 62; 1895, c. 66; 1896, (1) c. 39; 1903, c. 197; 1905, c. 165; 1915, c. 57; 1916, c. 50; 1917, c. 58.

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

Traffic arrangements.

**1.** Section one of chapter fifty-eight of the statutes of 1917 is hereby amended by adding thereto after the word "Company" in the sixth line thereof the words "The Canadian Pacific Railway Company."

Agreement with Hamilton and Dundas Street Ry. Co. confirmed.

**2.** (1) The agreement made between The Toronto, Hamilton and Buffalo Railway Company and The Hamilton and Dundas Street Railway Company, dated the seventeenth day of June, one thousand eight hundred and ninety-seven, a copy of which is set forth in 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 and each and every clause thereof were set out at length and enacted in this Act, and the said Companies, parties to the said agreement, are and each of them is hereby authorized and empowered to do whatever may be necessary to carry out and give full effect to the provisions of the said agreement.

In force for fifty years.

(2) The said agreement set forth in the Schedule shall, subject to the provisions thereof, be and remain in force for the period of fifty years from the fifteenth day of November, 1897.

Power of Railway Board.

(3) Nothing in this Act contained shall be deemed in any way to impair or restrict the powers of the Board of Railway Commissioners for Canada, and all the provisions of The *Railway Act* now applying to the said Companies or either

Application of Railway Act.

of them and their respective railways and undertakings, and not inconsistent with the provisions of this Act, shall continue to apply to the same.

## SCHEDULE.

This Agreement made the seventeenth day of June, A.D. 1897, between The Hamilton and Dundas Street Railway Company hereinafter called the H. & D. Co., of the first part; and The Toronto, Hamilton and Buffalo Railway Company hereinafter called the T. H. & B. Co, of the second part;

Whereby the parties agree as follows:—

1. The H. & D. Co. will change their route so as to make a connection between their track and the T.H. & B. Co's track at a point on the lands of one George Bamberger in the Gore of Ancaster, or at such other point as may be selected by W. T. Jennings, engineer.

2. The H. & D. Co. will construct an extension of their line from the present terminus at Dundas to Fishers' Mills in the said town with sufficient sidings at or near the junction of Bond and James Streets in the said town for the produce and coal trade of the townships of Beverly and West Flamboro, and they will furnish a freight station and suitable freight sidings in a more central point in the town of Dundas, and they will also rebuild their bridges between the point of junction near Bamberger's and the town of Dundas so that all structures shall be of the government railway standard, and the whole of the said track from the point of junction of the T.H. & B. Co. and Fishers' Mills shall be laid with steel rails weighing about 65 pounds to the lineal yard, and the said H. & D. Co. shall maintain within the period of this agreement the whole of the said works with all suitable turnouts and switches fit for the passage of locomotives and freight cars so that the T.H. & B. Co. and other railways connected therewith may in an efficient way receive and deliver freight from and to the town of Dundas and the junction between the H. & D. Co's track and the T.H. & B. Co's track.

3. The H. & D. Co. are to appoint an agent and to provide the necessary clerical service, office and telephone accomodation required to satisfactorily conduct the business in the said town of Dundas, subject to the approval of the T.H. & B. Co.

4. The H. & D. Co's passenger service is to have the first right of track; but the H. & D. Co. is to so arrange its passenger schedule as to give the T.H. & B. Co. all necessary time and accommodation for performing the freight service contemplated by this agreement..

5. No engine or car of the T. H. & B. Co. upon the H. & D. Co's track shall be moved at a faster rate than six miles per hour in the town of Dundas and eight miles per hour elsewhere, and the managers of the said companies

shall make regulations from time to time as to the method by which the said freight service is to be conducted, first regard being had to the absolute safety of the passenger cars of the said H. & D. Co.

6. The said T.H. & B. Co. shall pay to the said H. & D. Co. for the use of the said tracks and for the accommodation aforesaid the clear yearly sum of $2,750.00 by quarterly payments payable on the first days of October, January, April and July in each year, and the said T.H. & B. Co. shall also pay to the H. & D. Co. by similar quarterly payments on the said dates the sum of $1,500.00 per annum subject to be increased or reduced as hereinafter provided; the said last sum being estimated as the amount required for the renewal and maintenance of that part of the said track which will be exclusively used by the T.H. & B. Co., and of about 400 feet of track being the extra length of main line which the change of route aforesaid calls for and for half the amount required for the renewal and maintenance of that portion thereof which is used in common by the two companies; the said sum is also calculated to include one-half the municipal taxes, a sufficient amount to cover the repairs and taxes on the freight station, and one-half the salary of the agent and the clerical office and telephone expenses at Dundas; and one-half the special maintenance of embankments and waterways under the contract of the H. & D. Co. with the town.

7. Upon the lapse of two years after working under this agreement either party may claim that the said sum of $1,500.00 is too much or too little to pay for the expenditure and other matters provided for in the last paragraph, and thereupon if the parties cannot agree, the matter shall be referred to some disinterested railway engineer or manager to settle the proper amount to be paid for the above items, and at the end of each subsequent period of five years a like readjustment is to be made at the request of either of the parties hereto; and the T.H. & B. Co. may at any time undertake the renewal and maintenance of any portion of the said line which is exclusively used by them for freight purposes, in which case there shall be abated from the said sum of $1,500.00 or other substituted sum, the cost of such maintenance and renewal so undertaken as aforesaid by the T.H. & B. Co.

8. This agreement shall continue and be in force for a period of twenty-one years, commencing from the date when the said connection shall be completed, which date shall be endorsed hereon by W. T. Jennings, the engineer in charge of the said works, and there shall be added the further term of twenty-nine years hereto if the same is legal or is hereinafter legalized, and either party may apply to Parliament or to the Legislature or both to ratify and confirm the same.

In Witness whereof the said companies have affixed their corporate seal, and have caused the signature of their proper officers to be attached.

Corporate Seal of the Hamilton & Dundas Street Railway Co.

B. B. OSLER,
President H. & D. Co.
W. S. McBRAYNE,
Secretary H. & D. Co.

Corporate Seal of The Toronto, Hamilton and Buffalo Railway Co.

TORONTO, HAMILTON AND BUFFALO RAILWAY COMPANY,
By J. N. BECKLEY,
President.

Attest
C. F. Cox,
Secretary.

First Session, Thirteenth Parliament, 8-9 George V, 1918.

THE HOUSE OF COMMONS OF CANADA

# BILL 61.

An Act respecting The Toronto, Hamilton and Buffalo Railway Company.

**AS PASSED BY THE HOUSE OF COMMONS, 10th MAY, 1918.**

OTTAWA
J. DE LABROQUERIE TACHÉ
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1918

1st Session, 13th Parliament, 8-9 George V, 1918.

# THE HOUSE OF COMMONS OF CANADA.

# BILL 61.

An Act respecting The Toronto, Hamilton and Buffalo Railway Company.

1891, c. 86; 1893, c. 62; 1895, c. 66; 1896, (1) c. 39; 1903, c. 197; 1905, c. 165; 1915, c. 57; 1916, c. 50; 1917, c. 58.

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

Traffic arrangements.

**1.** Section one of chapter fifty-eight of the statutes of 1917 is hereby amended by adding thereto after the word "Company" in the sixth line thereof the words "The Canadian Pacific Railway Company."

Agreement with Hamilton and Dundas Street Ry. Co. confirmed.

**2.** (1) The agreement made between The Toronto, Hamilton and Buffalo Railway Company and The Hamilton and Dundas Street Railway Company, dated the seventeenth day of June, one thousand eight hundred and ninety-seven, a copy of which is set forth in 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 and each and every clause thereof were set out at length and enacted in this Act, and the said Companies, parties to the said agreement, are and each of them is hereby authorized and empowered to do whatever may be necessary to carry out and give full effect to the provisions of the said agreement.

In force for fifty years.

(2) The said agreement set forth in the Schedule shall, subject to the provisions thereof and to the provisions of section three of this Act, be and remain in force for the period of fifty years from the fifteenth day of November, 1897.

Power of Railway Board.

Application of Railway Act.

(3) Nothing in this Act contained shall be deemed in any way to impair or restrict the powers of the Board of Railway Commissioners for Canada, and all the provisions of The *Railway Act* now applying to the said Companies or either

of them and their respective railways and undertakings, and not inconsistent with the provisions of this Act, shall continue to apply to the same.

Power to apply to Railway Board for order to require Toronto, H. & B. Ry. Co. to operate in Dundas by other power than steam from bituminous coal.

**3.** Notwithstanding anything in this Act or in the Schedule thereto contained, the municipal corporation of the town of Dundas may at any time after the expiration of twelve years from the passage of this Act apply to the Board of Railway Commissioners for Canada for an order requiring the railway company to operate its trains over the tracks of the Hamilton and Dundas Street Railway Company in Dundas by other motive power than steam produced from bituminous coal, and upon such terms and conditions as to compensation, construction, reconstruction, operation and maintenance as the Board may prescribe, and in case the Board shall make an order requiring a change in motive power, it may apportion the cost of new construction or reconstruction rendered necessary thereby between the railway company and the town in such proportions as it may deem just. Provided that should the municipal corporation of the town of Dundas consider the terms and conditions of the order of the Board too onerous or expensive it shall be at liberty to withdraw its application, and the Company shall thereupon continue to operate its trains in the same manner as if such application had not been made; and provided further that should the railway company consider such order of the Board to be too onerous or expensive it may so notify the town, and thereupon the agreement which forms the Schedule to this Act shall cease to be effective and shall terminate at the expiration of three months from the service of such notification.

## SCHEDULE.

This Agreement made the seventeenth day of June, A.D. 1897, between The Hamilton and Dundas Street Railway Company hereinafter called the H. & D. Co., of the first part; and The Toronto, Hamilton and Buffalo Railway Company hereinafter called the T. H. & B. Co, of the second part;

Whereby the parties agree as follows:—

1. The H. & D. Co. will change their route so as to make a connection between their track and the T.H. & B. Co's track at a point on the lands of one George Bamberger in the Gore of Ancaster, or at such other point as may be selected by W. T. Jennings, engineer.

2. The H. & D. Co. will construct an extension of their line from the present terminus at Dundas to Fishers' Mills in the said town with sufficient sidings at or near the junction of Bond and James Streets in the said town for the produce and coal trade of the townships of Beverly

and West Flamboro, and they will furnish a freight station and suitable freight sidings in a more central point in the town of Dundas, and they will also rebuild their bridges between the point of junction near Bamberger's and the town of Dundas so that all structures shall be of the government railway standard, and the whole of the said track from the point of junction of the T.H. & B. Co. and Fishers' Mills shall be laid with steel rails weighing about 65 pounds to the lineal yard, and the said H. & D. Co. shall maintain within the period of this agreement the whole of the said works with all suitable turnouts and switches fit for the passage of locomotives and freight cars so that the T.H. & B. Co. and other railways connected therewith may in an efficient way receive and deliver freight from and to the town of Dundas and the junction between the H. & D. Co's track and the T.H. & B. Co's track.

3. The H. & D. Co. are to appoint an agent and to provide the necessary clerical service, office and telephone accomodation required to satisfactorily conduct the business in the said town of Dundas, subject to the approval of the T.H. & B. Co.

4. The H. & D. Co's passenger service is to have the first right of track; but the H. & D. Co. is to so arrange its passenger schedule as to give the T.H. & B. Co. all necessary time and accommodation for performing the freight service contemplated by this agreement..

5. No engine or car of the T. H. & B. Co. upon the H. & D. Co's track shall be moved at a faster rate than six miles per hour in the town of Dundas and eight miles per hour elsewhere, and the managers of the said companies shall make regulations from time to time as to the method by which the said freight service is to be conducted, first regard being had to the absolute safety of the passenger cars of the said H. & D. Co.

6. The said T.H. & B. Co. shall pay to the said H. & D. Co. for the use of the said tracks and for the accommodation aforesaid the clear yearly sum of $2,750.00 by quarterly payments payable on the first days of October, January, April and July in each year, and the said T.H. & B. Co. shall also pay to the H. & D. Co. by similar quarterly payments on the said dates the sum of $1,500.00 per annum subject to be increased or reduced as hereinafter provided; the said last sum being estimated as the amount required for the renewal and maintenance of that part of the said track which will be exclusively used by the T.H. & B. Co., and of about 400 feet of track being the extra length of main line which the change of route aforesaid calls for and for half the amount required for the renewal and maintenance of that portion thereof which is used in common by the two companies; the said sum is also calculated to include one-half the municipal taxes, a sufficient amount to cover the

repairs and taxes on the freight station, and one-half the salary of the agent and the clerical office and telephone expenses at Dundas; and one-half the special maintenance of embankments and waterways under the contract of the H. & D. Co. with the town.

7. Upon the lapse of two years after working under this agreement either party may claim that the said sum of $1,500.00 is too much or too little to pay for the expenditure and other matters provided for in the last paragraph, and thereupon if the parties cannot agree, the matter shall be referred to some disinterested railway engineer or manager to settle the proper amount to be paid for the above items, and at the end of each subsequent period of five years a like readjustment is to be made at the request of either of the parties hereto; and the T.H. & B. Co. may at any time undertake the renewal and maintenance of any portion of the said line which is exclusively used by them for freight purposes, in which case there shall be abated from the said sum of $1,500.00 or other substituted sum, the cost of such maintenance and renewal so undertaken as aforesaid by the T.H. & B. Co.

8. This agreement shall continue and be in force for a period of twenty-one years, commencing from the date when the said connection shall be completed, which date shall be endorsed hereon by W. T. Jennings, the engineer in charge of the said works, and there shall be added the further term of twenty-nine years hereto if the same is legal or is hereinafter legalized, and either party may apply to Parliament or to the Legislature or both to ratify and confirm the same.

In Witness whereof the said companies have affixed their corporate seal, and have caused the signature of their proper officers to be attached.

Corporate Seal of the Hamilton & Dundas Street Railway Co.

B. B. OSLER,
President H. & D. Co.
W. S. MCBRAYNE,
Secretary H. & D. Co.

Corporate Seal of The Toronto, Hamilton and Buffalo Railway Co.

TORONTO, HAMILTON AND BUFFALO RAILWAY COMPANY,
By J. N. BECKLEY,
President.

Attest
C. F. Cox,
Secretary.

First Session, Thirteenth Parliament, 8–9 George V, 1918.

THE HOUSE OF COMMONS OF CANADA

# BILL 62.

An Act to amend The Insurance Act, 1917.

First reading, April 18, 1918.

The MINISTER OF FINANCE.

OTTAWA
J. DE LABROQUERIE TACHÉ
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1918

1st Session, 13th Parliament, 8-9 George V, 1918.

THE HOUSE OF COMMONS OF CANADA.

# BILL 62.

An Act to amend The Insurance Act, 1917.

1917, c. 29.

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

Deposit of securities by Canadian Company.

**1.** (1) Subsection one of section fourteen of *The Insurance Act, 1917*, is amended by inserting after the words " every " in the second line the word " Canadian ".

(2) The said section is further amended by inserting immediately after subsection one the following new subsection:—

By British and foreign Company.

"(1a) Every British and foreign company carrying on the business of fire insurance shall, before the issue of such license, deposit with the Minister in such securities the sum of one hundred thousand dollars."

**2.** Section nineteen of the said Act is repealed and the following is substituted therefor:—

Deficiency of assets—fire and inland marine insurance.

" **19.** Subject to the provisions of section one hundred and twenty-five of this Act, if it appears from the annual statements or from an examination of the affairs and condition of any company carrying on the business of fire or inland marine insurance that its assets in Canada, including the deposit in the hands of the Minister, exceed by less than twenty-five per cent the reinsurance value of all its risks outstanding in Canada together with other liabilities in Canada, the company shall be notified by the Minister to increase its said assets in Canada by an amount such that the accepted value of its assets in Canada shall exceed by at least twenty-five per cent its liabilities in Canada as aforesaid, and on its failure to so increase its assets in Canada within sixty days after being so notified, the Minister may withdraw its license."

Assets, minimum amount of.

**3.** Section one hundred and twenty-five of the said Act is amended by striking out the word " fifteen " in the sixth line of subsection one thereof and substituting therefor the word " twenty-five ".

63.

First Session, Thirteenth Parliament, 8-9 George V, 1918.

THE HOUSE OF COMMONS OF CANADA

# BILL 63.

An Act to amend The Fisheries Act.

First reading, April 18, 1918.

The MINISTER OF MARINE AND FISHERIES.

OTTAWA
J. DE LABROQUERIE TACHÉ
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1918

1st Session, 13th Parliament, 8-9 George V, 1918.

THE HOUSE OF COMMONS OF CANADA.

# BILL 63.

An Act to amend The Fisheries Act.

1914, c. 8; 1917, c. 16.

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 Fisheries Amendment Act, 1918.*

Sections *re* labelling lobster cases, etc., repealed.

**2.** Sections twenty-two, twenty-three, twenty-five, sixty-five and sixty-six of *The Fisheries Act, 1914*, chapter eight of the statutes of 1914, are repealed.

License in B.C. for boats and buyers of fresh salmon.

**3.** The following section is inserted in the said Act immediately after section eighteen:—

"**18A.** (1) In British Columbia no unlicensed boat shall be used in buying fresh salmon, and no person engaged in cold storage or fish packing shall buy fresh salmon from any fisherman unless such person holds a license authorizing such purchases.

License fee.

(2) The Minister may make regulations prescribing how such licenses may be granted and the respective forms thereof. The fee for each license shall be one dollar.

For what licenses are to be liable to cancellation.

(3) In addition to any other penalties that may have been incurred, such license shall be liable to cancellation if the holder thereof buys any salmon that has been caught illegally, and if any licensed boat is used for purchasing or carrying salmon that has been illegally caught the license of such boat shall be liable to cancellation."

**4.** The following section is inserted in the said Act immediately after section forty-three:—

Fish not to be caught outside territorial waters when catching is forbidden in such waters.

"**43A.** (1) No one shall leave any port or place in Canada to fish outside the territorial waters of Canada for fish the catching of which is at such time prohibited in the territorial waters of Canada opposite to or nearest the place where such person proposes to fish, and no one shall bring into Canada any fish caught outside the territorial

waters of Canada when fishing such fish is prohibited inside the territorial waters of Canada opposite or nearest to the place where such fish was caught, or shall bring into Canada any vessels, boats, nets, fishing gear, implements or appliances used in such fishing.

When section to go into operation.

Provided, however, that this section shall not go into operation until the United States of America prohibits her citizens, boats and vessels from bringing into the said United States lobsters caught outside and near the territorial waters of Canada during any period when Canadian fishermen are forbidden to catch lobsters in such territorial waters.

Treaty rights not to be affected.

(2) Nothing in this section shall be construed as in any way limiting, restricting, revoking or annulling any right granted to the citizens of any foreign nation by any treaty or conventon, and such citizens shall enjoy any such right as if this section had not been passed."

First Session, Thirteenth Parliament, 8-9 George V, 1918.

THE HOUSE OF COMMONS OF CANADA

# BILL 63.

An Act to amend The Fisheries Act, 1914.

AS PASSED BY THE HOUSE OF COMMONS,
19th APRIL, 1918.

OTTAWA
J. DE LABROQUERIE TACHÉ
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1918

1st Session, 13th Parliament, 8-9 George V, 1918.

THE HOUSE OF COMMONS OF CANADA.

# BILL 63.

An Act to amend The Fisheries Act, 1914.

1914, c. 8; 1917, c. 16.

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 Fisheries Amendment Act, 1918.*

Sections *re* labelling lobster cases, etc., repealed.

**2.** Sections twenty-two, twenty-three, twenty-five, sixty-five and sixty-six of *The Fisheries Act, 1914*, chapter eight of the statutes of 1914, are repealed.

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**3.** The following section is inserted in the said Act immediately after section eighteen:—

"**18A.** (1) In British Columbia no unlicensed boat shall be used in buying fresh salmon, and no person engaged in cold storage or fish packing shall buy fresh salmon from any fisherman unless such person holds a license authorizing such purchases.

License fee.

(2) The Minister may make regulations prescribing how such licenses may be granted and the respective forms thereof. The fee for each license shall be one dollar.

For what licenses are to be liable to cancellation.

(3) In addition to any other penalties that may have been incurred, such license shall be liable to cancellation if the holder thereof buys any salmon that has been caught illegally, and if any licensed boat is used for purchasing or carrying salmon that has been illegally caught the license of such boat shall be liable to cancellation."

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"**43A.** (1) No one shall leave any port or place in Canada to fish outside the territorial waters of Canada for fish the catching of which is at such time prohibited in the territorial waters of Canada opposite to or nearest the place where such person proposes to fish, and no one shall bring into Canada any fish caught outside the territorial

First Session, Thirteenth Parliament, 8–9 George V, 1918.

THE HOUSE OF COMMONS OF CANADA

# BILL 64.

An Act to amend the Indian Act.

First reading, April 19, 1918.

The MINISTER OF THE INTERIOR.

OTTAWA
J. DE LABROQUERIE TACHÉ
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
39024—1 1918

1st Session, 13th Parliament, 8-9 George V, 1918.

THE HOUSE OF COMMONS OF CANADA

# BILL 64.

An Act to amend the Indian Act.

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

Will of Indian devising property to be approved.

**1.** (1) Section twenty-five of the *Indian Act*, chapter 81 of the Revised Statutes of Canada, 1906, is amended by striking out the words " no devise or bequest of land in a reserve or of any interest therein unless to the daughter, sister or grandchildren of the testator, shall be made to any one not entitled to reside on such reserve, and that."

(2) Section twenty-five of the said Act is further amended by adding thereto the following subsection:—

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

"(2) No one who is not entitled to reside on the reserve shall by reason of any devise or bequest or by reason of any intestacy be entitled to hold land in a reserve, but any land in a reserve devised by will or devolving on an intestacy, to some one not entitled to reside on the reserve, shall be sold by the Superintendent General to some member of the band and the proceeds thereof shall be paid to such devisee or heir."

Proof of assent to release or surrender.

**2.** Subsection three of section forty-nine of the said Act is amended by striking out all of the subsection after the word " before " in the sixth line thereof and substituting therefor the words " Any person having authority to take affidavits and having jurisdiction within the place where the oath is administered."

Indian may be summoned as witness.

**3.** (1) Section sixty-seven of the said Act is amended by inserting the words " or Indian " immediately after the word " person " in the third line thereof.

(2) Subsection two of section sixty-seven is amended by adding the words "or Indian" immediately after the word "person" in the first and sixth lines thereof.

Direction of expenditure of capital of band, without consent.

**4.** Section ninety of the said Act is amended by adding thereto the following subsections:—

"(2) In the event of a band refusing to consent to the expenditure of such capital moneys as the Superintendent General may consider advisable for any of the purposes mentioned in this section, and it appearing to the Superintendent General that such refusal is detrimental to the progress or welfare of the band, the Governor in Council may, without the consent of the band, authorize and direct the expenditure of such capital for such of the said purposes as may be considered reasonable and proper.

Lease of lands in a reserve if band or individual neglects cultivation.

" (3) Whenever any land in a reserve whether held in common or by an individual Indian is uncultivated and the band or individual is unable or neglects to cultivate the same, the Superintendent General, notwithstanding anything in this Act to the contrary, may, without a surrender, grant a lease of such lands for agricultural or grazing purposes for the benefit of the band or individual, or may employ such persons as may be considered necessary to improve or cultivate such lands during the pleasure of the Superintendent General, and may authorize and direct the expenditure of so much of the capital funds of the band as may be considered necessary for the improvements of such land, or for the purchase of such stock, machinery, material or labour as may be considered necessary for the cultivation or grazing of the same, and in such case all the proceeds derived from such lands, except a reasonable rent to be paid for any individual holding, shall be placed to the credit of the band: Provided that in the event of improvements being made on the lands of an individual the Superintendent General may deduct the value of such improvements from the rental payable for such lands."

Regulations.

**5.** (1) Section ninety-two of the said Act, as amended by section six of chapter thirty-five of the statutes of 1914, is amended by adding thereto the following paragraph:—

Taxation of dogs, and protection of sheep.

"(*f*) May make by-laws for the taxation, control and destruction of dogs and for the protection of sheep, and such by-laws may be applied to such reserves or parts thereof from time to time as the Superintendent General may direct."

(2) The said section is further amended by adding thereto the following subsection:—

Penalties.

"(3) In any regulations or by-laws made under the provisions of this section, the Superintendent General may provide for the imposition of a fine not exceeding thirty dollars or imprisonment not exceeding thirty days, for the violation of any of the provisions thereof."

**6.** The following section is inserted immediately after section one hundred and twenty-two:—

Enfranchisement of Indians.

"**122A.** (1) If an Indian who holds no land in a reserve, does not reside on a reserve and does not follow the Indian mode of life, makes application to be enfranchised, and satisfies the Superintendent General that he is self-supporting and fit to be enfranchised, and surrenders all claims whatsoever to any interest in the lands of the band to which he belongs, and accepts his share of the funds at the credit of the band including the principal of the annuities of the band, to which share he would have been entitled had he been enfranchised under the foregoing sections of the Act, in full of all claims to the property of the band, or in case the band to which he belongs has no funds or principal of annuities, surrender all claim whatsoever to any property of the band, the Governor in Council may order that such Indian be enfranchised and paid his asid share if any, and from the date of such order such Indian, together with his wife and unmarried minor children, shall be held to be enfranchised.

Indian women.

"(2) Any unmarried Indian woman of the age of twenty-one years, and any Indian widow and her minor unmarried children, may be enfranchised in the like manner in every respect as a male Indian and his said children.

Application.

"(3) This section shall apply to the Indians in any part of Canada."

Illegal celebrations.

**7.** Section one hundred and forty-nine of the said Act is amended by striking out the word "indictable" in the tenth line thereof, and by inserting after the word "liable" in the eleventh line the words "on summary conviction."

64.

First Session, Thirteenth Parliament, 8-9 George V, 1918.

THE HOUSE OF COMMONS OF CANADA

# BILL 64.

An Act to amend the Indian Act.

AS PASSED BY THE HOUSE OF COMMONS,
24th APRIL, 1918.

OTTAWA
J. DE LABROQUERIE TACHÉ
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
39651—1 1918

1st Session, 13th Parliament, 8-9 George V, 1918.

THE HOUSE OF COMMONS OF CANADA

# BILL 64.

An Act to amend the Indian Act.

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

Will of Indian devising property to be approved.

**1.** (1) Section twenty-five of the *Indian Act*, chapter 81 of the Revised Statutes of Canada, 1906, is amended by striking out the words " no devise or bequest of land in a reserve or of any interest therein unless to the daughter, sister or grandchildren of the testator, shall be made to any one not entitled to reside on such reserve, and that."

(2) Section twenty-five of the said Act is further amended by adding thereto the following subsection:—

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

"(2) No one who is not entitled to reside on the reserve shall by reason of any devise or bequest or by reason of any intestacy be entitled to hold land in a reserve, but any land in a reserve devised by will or devolving on an intestacy, to some one not entitled to reside on the reserve, shall be sold by the Superintendent General to some member of the band and the proceeds thereof shall be paid to such devisee or heir."

Proof of assent to release or surrender.

**2.** Subsection three of section forty-nine of the said Act is amended by striking out all of the subsection after the word " before " in the sixth line thereof and substituting therefor the words " Any person having authority to take affidavits and having jurisdiction within the place where the oath is administered."

Indian may be summoned as witness.

**3.** (1) Section sixty-seven of the said Act is amended by inserting the words " or Indian " immediately after the word " person " in the third line thereof.

(2) Subsection two of section sixty-seven is amended by adding the words "or Indian" immediately after the word "person" in the first and sixth lines thereof.

Direction of expenditure of capital of band, without consent.

**4.** Section ninety of the said Act is amended by adding thereto the following subsections:—

"(2) In the event of a band refusing to consent to the expenditure of such capital moneys as the Superintendent General may consider advisable for any of the purposes mentioned in subsection one of this section, and it appearing to the Superintendent General that such refusal is detrimental to the progress or welfare of the band, the Governor in Council may, without the consent of the band, authorize and direct the expenditure of such capital for such of the said purposes as may be considered reasonable and proper.

Lease of lands in a reserve if band or individual neglects cultivation.

" (3) Whenever any land in a reserve whether held in common or by an individual Indian is uncultivated and the band or individual is unable or neglects to cultivate the same, the Superintendent General, notwithstanding anything in this Act to the contrary, may, without a surrender, grant a lease of such lands for agricultural or grazing purposes for the benefit of the band or individual, or may employ such persons as may be considered necessary to improve or cultivate such lands during the pleasure of the Superintendent General, and may authorize and direct the expenditure of so much of the capital funds of the band as may be considered necessary for the improvements of such land, or for the purchase of such stock, machinery, material or labour as may be considered necessary for the cultivation or grazing of the same, and in such case all the proceeds derived from such lands, except a reasonable rent to be paid for any individual holding, shall be placed to the credit of the band: Provided that in the event of improvements being made on the lands of an individual the Superintendent General may deduct the value of such improvements from the rental payable for such lands."

Regulations.

**5.** (1) Section ninety-two of the said Act, as amended by section six of chapter thirty-five of the statutes of 1914, is amended by adding thereto the following paragraph:—

Taxation of dogs, and protection of sheep.

"(*f*) May make by-laws for the taxation, control and destruction of dogs and for the protection of sheep, and such by-laws may be applied to such reserves or parts thereof from time to time as the Superintendent General may direct."

(2) The said section is further amended by adding thereto the following subsection:—

Penalties.

"(3) In any regulations or by-laws made under the provisions of this section, the Superintendent General may provide for the imposition of a fine not exceeding thirty dollars or imprisonment not exceeding thirty days, for the violation of any of the provisions thereof."

**6.** The following section is inserted immediately after section one hundred and twenty-two:—

Enfranchisement of of Indians.

"**122A.** (1) If an Indian who holds no land in a reserve, does not reside on a reserve and does not follow the Indian mode of life, makes application to be enfranchised, and satisfies the Superintendent General that he is self-supporting and fit to be enfranchised, and surrenders all claims whatsoever to any interest in the lands of the band to which he belongs, and accepts his share of the funds at the credit of the band including the principal of the annuities of the band, to which share he would have been entitled had he been enfranchised under the foregoing sections of the Act, in full of all claims to the property of the band, or in case the band to which he belongs has no funds or principal of annuities, surrender all claim whatsoever to any property of the band, the Governor in Council may order that such Indian be enfranchised and paid his said share if any, and from the date of such order such Indian, together with his wife and unmarried minor children, shall be held to be enfranchised.

Indian women.

"(2) Any unmarried Indian woman of the age of twenty-one years, and any Indian widow and her minor unmarried children, may be enfranchised in the like manner in every respect as a male Indian and his said children.

Application.

"(3) This section shall apply to the Indians in any part of Canada."

Illegal celebrations.

**7.** Section one hundred and forty-nine of the said Act is amended by striking out the word "indictable" in the tenth line thereof, and by inserting after the word "liable" in the eleventh line the words "on summary conviction."

65.

First Session, Thirteenth Parliament, 8-9 George V, 1918.

THE HOUSE OF COMMONS OF CANADA

# BILL 65.

An Act to amend the Companies Act.

First reading, April 22, 1918.

The MINISTER OF JUSTICE.

OTTAWA
J. DE LABROQUERIE TACHÉ
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1918

1st Session, 13th Parliament, 8-9 George V, 1918.

THE HOUSE OF COMMONS OF CANADA.

# BILL 65.

An Act to amend the Companies Act.

R.S. c. 79; 1908, c. 16; 1914, c. 23; 1917, c. 25.

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

**1.** The *Companies Act*, chapter seventy-nine of the Revised Statutes of Canada, 1906, is amended by inserting the following section immediately after section sixty-nine L thereof as enacted by chapter twenty-five of the statutes of 1917:—

Quebec notarial copies to be deemed originals.

"**69**M. A duly certified notarial copy of any deed, mortgage, hypothec or other authentic instrument executed in the province of Quebec and preserved in the records of a notary public of the province of Quebec shall be deemed to be an original deed, mortgage or instrument for the purposes of this Act, and the term 'mortgage' shall include 'hypothec.'

'Mortgage' to include hypothec.'

First Session, Thirteenth Parliament, 8–9 George V, 1918.

THE HOUSE OF COMMONS OF CANADA

# BILL 65.

An Act to amend the Companies Act.

AS PASSED BY THE HOUSE OF COMMONS,
26th APRIL, 1918.

OTTAWA
J. DE LABROQUERIE TACHÉ
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1918

1st Session, 13th Parliament, 8-9 George V, 1918.

THE HOUSE OF COMMONS OF CANADA.

# BILL 65.

An Act to amend the Companies Act.

R.S. c. 79; 1908, c. 16; 1914, c. 23; 1917, c. 25.

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

**1.** The *Companies Act*, chapter seventy-nine of the Revised Statutes of Canada, 1906, is amended by inserting the following section immediately after section sixty-nine L thereof as enacted by chapter twenty-five of the statutes of 1917:—

Quebec notarial copies to be deemed originals.

"**69**M. A duly certified copy of any deed, mortgage, hypothec or other authentic instrument executed in the province of Quebec and preserved in the records of a notary public of the province of Quebec, or in the office of a prothonotary of the Superior Court in any district of the said province, shall be deemed to be an original deed, mortgage or instrument for the purposes of this Act, and the term 'mortgage' shall include 'hypothec.'

'Mortgage' to include hypothec.'

First Session, Thirteenth Parliament, 8-9 George V, 1918.

THE HOUSE OF COMMONS OF CANADA

# BILL 66.

An Act to correct a clerical error in the French version of The Naturalization Act, 1914.

First reading, April 22, 1918.

The MINISTER OF JUSTICE.

OTTAWA
J. DE LABROQUERIE TACHÉ
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
39287—1 1918

1st Session, 13th Parliament, 8-9 George V, 1918.

THE HOUSE OF COMMONS OF CANADA

# BILL 66.

An Act to correct a clerical error in the French version of The Naturalization Act, 1914.

1914, c. 44; 1914, 2nd Sess. c. 7.

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

French version corrected as to status of children.

**1.** The first seven lines of the French version of subsection one of section twelve of *The Naturalization Act, 1914*, chapter forty-four of the statutes of 1914, are repealed and the following are substituted therefor:—

Nationalité des enfants.

«12. Lorsqu'une personne, etant sujet britannique, cesse de l'être par une déclaration d'extranéité ou autrement, tout enfant mineur de cette personne cesse en même temps d'être sujet britannique, sauf dans le cas où tel enfant ne devient pas, en vertu de la loi d'un autre pays, par le fait que telle personne a cessé d'être sujet britannique, naturalisé dans cet autre pays.»

66.

First Session, Thirteenth Parliament, 8-9 George V, 1918.

THE HOUSE OF COMMONS OF CANADA

# BILL 66.

An Act to correct a clerical error in the French version of The Naturalization Act, 1914.

AS PASSED BY THE HOUSE OF COMMONS, 25th APRIL, 1918.

OTTAWA
J. DE LABROQUERIE TACHÉ
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
39722—1 1918

1st Session, 13th Parliament, 8-9 George V, 1918.

THE HOUSE OF COMMONS OF CANADA

# BILL 66.

An Act to correct a clerical error in the French version of The Naturalization Act, 1914.

1914, c. 44; 1914, 2nd Sess. c. 7.

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

French version corrected as to status of children.

**1.** The first seven lines of the French version of subsection one of section twelve of *The Naturalization Act, 1914*, chapter forty-four of the statutes of 1914, are repealed and the following are substituted therefor:—

Nationalité des enfants.

«**12.** Lorsqu'une personne, etant sujet britannique, cesse de l'être par une déclaration d'extranéité ou autrement, tout enfant mineur de cette personne cesse en même temps d'être sujet britannique, sauf dans le cas où tel enfant ne devient pas, en vertu de la loi d'un autre pays, par le fait que telle personne a cessé d'être sujet britannique, naturalisé dans cet autre pays.»

First Session, Thirteenth Parliament, 8-9 George V, 1918.

THE HOUSE OF COMMONS OF CANADA

# BILL 67.

An Act respecting The International Bridge and Terminal Company.

First reading, April 26, 1918.

(PRIVATE BILL.)

Mr. MANION.

OTTAWA
J. DE LABROQUERIE TACHÉ
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1918

1st Session, 13th Parliament, 8-9 George V, 1918.

THE HOUSE OF COMMONS OF CANADA.

# BILL 67.

An Act respecting The International Bridge and Terminal Company.

1905, c. 108.

WHEREAS The International Bridge and Terminal 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:—

Power to construct branch railway lines.

**1.** The International Bridge and Terminal Company, hereinafter called " the Company," may, for the purposes of its undertaking, and to connect its bridge and approaches with the lines of any railway or railways now or hereafter constructed, or with the works or undertakings of any other company, construct, maintain, and operate branch railway lines, not exceeding in any one case six miles in length, from the bridge constructed under the authority of section seven of chapter one hundred and eight of the statutes of 1905, in manner as provided by and subject to the provisions of sections two hundred and twenty-one to two hundred and twenty-five, both inclusive, of the *Railway Act.*

R. S., c. 37.

Issue of securities.

**2.** In addition to the securities authorized to be issued by the Company under the provisions of section eleven of its Act of incorporation, the Company may issue securities to an extent not exceeding forty thousand dollars per mile of the railways authorized by section one of this Act, and such securities may be issued only in proportion to the length of railway constructed or under contract to be constructed.

Consent of municipalities or other authority.

**3.** The Company shall not construct or operate its railway along 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 or other public place, and if there is no such munici-

pality, then without first obtaining the consent of the authority having jurisdiction over such highway, street or other public place, and upon the terms to be agreed upon with such municipality, or such other authority.

First Session, Thirteenth Parliament, 8–9 George V, 1918.

THE HOUSE OF COMMONS OF CANADA

# BILL 67.

An Act respecting The International Bridge and Terminal Company.

AS PASSED BY THE HOUSE OF COMMONS, 10th MAY, 1918.

OTTAWA
J. DE LABROQUERIE TACHÉ
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1918

1st Session, 13th Parliament, 8-9 George V, 1918.

THE HOUSE OF COMMONS OF CANADA.

# BILL 67.

An Act respecting The International Bridge and Terminal Company.

1905, c. 108.

WHEREAS The International Bridge and Terminal 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:—

Power to construct branch railway lines.

**1.** Subject to the provisions of the *Railway Act*, The International Bridge and Terminal Company, hereinafter called "the Company," may, for the purposes of its undertaking, and to connect its bridge and approaches with the lines of any railway or railways now or hereafter constructed, or with the works or undertakings of any other company, construct, maintain, and operate railway lines, not exceeding in any one case six miles in length, from the bridge constructed under the authority of section seven of chapter one hundred and eight of the statutes of 1905.

Issue of securities.

**2.** In addition to the securities authorized to be issued by the Company under the provisions of section eleven of its Act of incorporation, the Company may issue securities to an extent not exceeding forty thousand dollars per mile of the railways authorized by section one of this Act, and such securities may be issued only in proportion to the length of railway constructed or under contract to be constructed.

Consent of municipalities or other authority.

**3.** The Company shall not construct or operate its railway along any highway, street, water front or other public place without first obtaining the consent, expressed by by-law, of the municipality having jurisdiction over such highway, street, water front or other public place, and if there is no such municipality, then without first obtaining the consent of the authority having jurisdiction over

such highway, street or other public place, and upon the terms to be agreed upon with such municipality, or such other authority, and failing such consent then upon such terms as are fixed by the Board of Railway Commissioners for Canada.

First Session, Thirteenth Parliament, 8–9 George V, 1918.

THE HOUSE OF COMMONS OF CANADA

# BILL 68.

An Act to amend the Dominion Elections Act.

First reading, April 29, 1918.

Mr. KEEFER.

OTTAWA
J. DE LABROQUERIE TACHÉ
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1918

1st Session, 13th Parliament, 8-9 George V, 1918.

THE HOUSE OF COMMONS OF CANADA.

# BILL 68.

An Act to amend the Dominion Elections Act.

R.S., c. 6; 1908, c. 26; 1912, c. 24; 1915, cc. 11, 14; 1917, cc. 34, 39.

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

Certificate to enable railway employee, living at a divisional point, to vote at another polling station.

**1.** The returning officer, on the request of any elector employed on any railway, and living at a divisional point on such railway, whose duties required him to leave the place in which or in the vicinity of which is situate the polling station at which he would be entitled to vote at any election held under the provisions of this Act, shall give to such elector a certificate in the form in the Schedule hereto specifying in such certificate a polling station in the same electoral district at which it would be convenient for the elector to vote, and on the production of such certificate the said elector shall have the right to vote at such polling station instead of the polling station where he would otherwise have been entitled to vote. Before voting, the elector shall deliver the certificate to the deputy returning officer, to be returned by him to the returning officer with the ballot box, ballot papers and other documents. Provided, that any elector claiming the right to vote by virtue of such certificate shall, before voting, take the oath in Form V, with such changes in the description of the voter as the case may require.

## SCHEDULE.

FORM.

This is to certify that (*here insert name of elector*) who resides at.....being a divisional point on the.....Railway, and who is employed on such railway and whose duties prevent

him from voting at....., is entitled to vote at Polling Station Number.....

.....

Returning Officer.

To the Deputy Returning Officer
at Polling Station Number.....
at.....

First Session, Thirteenth Parliament, 8–9 George V, 1918.

THE HOUSE OF COMMONS OF CANADA

# BILL 69.

An Act to amend the Criminal Code.

**AS PASSED BY THE HOUSE OF COMMONS, 11th MAY, 1918.**

OTTAWA
J. DE LABROQUERIE TACHÉ
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1918

1st Session, 13th Parliament, 8-9 George V, 1918.

THE HOUSE OF COMMONS OF CANADA

# BILL 69.

An Act to amend the Criminal Code.

1907, cc. 7, 8, 9, 45; 1908, cc. 10, 18; 1909, c. 9; 1910, cc. 10, 11, 12, 13; 1912, cc. 18, 19; 1913, c. 13; 1914, c. 24; 1915, c. 12; 1917, cc. 13, 14, 26.

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

**1.** Section two hundred and eleven of the *Criminal Code*, chapter one hundred and forty-six of the Revised Statutes of Canada, 1906, is repealed and the following is substituted therefor:—

Seduction of girls between 16 and 18.

"**211.** (1) Every one is guilty of an indictable offence and liable to two years' imprisonment who seduces or has illicit connection with any girl of previously chaste character, of or above the age of sixteen years and under the age of eighteen years. Proof that a girl has on previous occasions had illicit connection with the accused shall not be deemed to be evidence that she was not of previously chaste character.

Male persons under 18 not to be prosecuted.

"(2) No male person under the age of eighteen years shall be prosecuted for any offence under the provisions of this section."

Seducing female employees.

**2.** Paragraph (*b*) of section two hundred and thirteen of the said Act is repealed and the following is substituted therefor:—

"(*b*) who seduces or has illicit connection with any woman or girl previously chaste and under the age of twenty-one years who is in his employment, or who, being in a common, but not necessarily similar, employment with him is, in respect of her employment or work under or in any way subject to his control or direction, or receives her wages or salary directly or indirectly from him. Proof that a woman or girl has on previous occasions had illicit connection with the accused shall not be deemed to be evidence that she was not previously chaste."

Carnally knowing girl between 14 and 16.

**3.** Section three hundred and one of the said Act is amended by adding thereto the following subsection:—

"(2) Every one is guilty of an indictable offence and liable to imprisonment for five years who carnally knows any girl under the age of sixteen and above the age of fourteen, not being his wife, and whether he believes her to be above the age of sixteen years or not."

**4.** The said Act is amended by inserting the following sections immediately after section two hundred and twenty:—

Unmarried man and woman registering as man and wife at hotel, etc.

"**220A.** Every one is guilty of an offence and liable, upon summary conviction, to a penalty not exceeding five hundred dollars or six months' imprisonment, who, at any hotel, boarding or lodging house, whether by registering in any book kept in such hotel, boarding or lodging house or otherwise, represents or pretends that a woman or man to whom he or she is not married is his wife or her husband, as the case may be.

Corrupting children.

"**220B.** (1) Any person who by indulgence in sexual immorality, in habitual drunkenness or in any other form of vice, causes a child to be in danger of being or becoming immoral, dissolute or criminal, or the morals of a child to be injuriously affected, or renders the home of a child an unfit place for such child to be in, shall be liable, on summary conviction, to a fine not exceeding five hundred dollars or to imprisonment for a period not exceeding one year or to both fine and imprisonment.

"(2) For the purposes of this section, 'child' means a boy or girl apparently or actually under the age of sixteen years.

"(3) It shall not be a valid defence to a prosecution under this section that the child is of too tender years to understand or appreciate the nature of the act complained of or to be immediately affected thereby.

"(4) No prosecution shall be instituted under this section unless it be at the instance of some organized Child Welfare Society or Association with like object, without the authorization of the Attorney General of the province in which the offence is alleged to have been committed, nor shall any such prosecution be commenced after the expiration of six months from the time of the commission of the alleged offence."

Common gaming house, definition of extended.

**5.** Section two hundred and twenty-six of the said Act is amended by inserting the following clause immediately after clause (i) of paragraph (*b*):—

"(i*a*) the whole or any portion of the stakes or bets or other proceeds at or from such games is either directly or indirectly paid to the person keeping such house, room or place; or"

Theft of motor cars, punishment increased.

**6.** Section two hundred and eighty-five B of the said Act, as enacted by chapter eleven of the statutes of 1910, is amended by striking out the words "fifty dollars and costs or to imprisonment for a term not exceeding thirty days" in the two last lines thereof and substituting the following therefor: "five hundred dollars and costs or to imprisonment for any term not exceeding twelve months or to both fine and imprisonment."

Instruments proof of house being gaming house.

**7.** Section nine hundred and eighty-five of the said Act is amended by striking out the words "any unlawful game" in the second line thereof and substituting therefor the words "any game of chance or any mixed game of chance and skill."

Evidence of house being gaming house.

**8.** Section nine hundred and eighty-six of the said Act, as enacted by chapter thirteen of the statutes of 1913, is amended by striking out the words "unlawful gaming" in the eight and ninth lines thereof and substituting therefor the words "playing any game of chance or any mixed game of chance and skill."

First Session, Thirteenth Parliament, 8-9 George V, 1918.

THE HOUSE OF COMMONS OF CANADA

# BILL 69.

An Act to amend the Criminal Code.

AS PASSED BY THE HOUSE OF COMMONS,
11th MAY, 1918.

OTTAWA
J. DE LABROQUERIE TACHÉ
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1918

1st Session, 13th Parliament, 8-9 George V, 1918.

THE HOUSE OF COMMONS OF CANADA

# BILL 69.

An Act to amend the Criminal Code.

1907, cc. 7, 8, 9, 45; 1908, cc. 10, 18; 1909, c. 9; 1910, cc. 10, 11, 12, 13; 1912, cc. 18, 19; 1913, c. 13; 1914, c. 24; 1915, c. 12; 1917, cc. 13, 14, 26.

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

**1.** Section two hundred and eleven of the *Criminal Code*, chapter one hundred and forty-six of the Revised Statutes of Canada, 1906, is repealed and the following is substituted therefor:—

Seduction of girls between 16 and 18.

"**211.** (1) Every one is guilty of an indictable offence and liable to two years' imprisonment who seduces or has illicit connection with any girl of previously chaste character, of or above the age of sixteen years and under the age of eighteen years. Proof that a girl has on previous occasions had illicit connection with the accused shall not be deemed to be evidence that she was not of previously chaste character.

Male persons under 18 not to be prosecuted.

"(2) No male person under the age of eighteen years shall be prosecuted for any offence under the provisions of this section."

Seducing female employees.

**2.** Paragraph (*b*) of section two hundred and thirteen of the said Act is repealed and the following is substituted therefor:—

"(*b*) who seduces or has illicit connection with any woman or girl previously chaste and under the age of twenty-one years who is in his employment, or who, being in a common, but not necessarily similar, employment with him is, in respect of her employment or work under or in any way subject to his control or direction, or receives her wages or salary directly or indirectly from him. Proof that a woman or girl has on previous occasions had illicit connection with the accused shall not be deemed to be evidence that she was not previously chaste."

Carnally knowing girl between 14 and 16.

**3.** Section three hundred and one of the said Act is amended by adding thereto the following subsection:—

"(2) Every one is guilty of an indictable offence and liable to imprisonment for five years who carnally knows any girl under the age of sixteen and above the age of fourteen, not being his wife, and whether he believes her to be above the age of sixteen years or not."

**4.** The said Act is amended by inserting the following sections immediately after section two hundred and twenty:—

Unmarried man and woman registering as man and wife at hotel, etc.

"**220A.** Every one is guilty of an offence and liable, upon summary conviction, to a penalty not exceeding five hundred dollars or six months' imprisonment, who, at any hotel, boarding or lodging house, whether by registering in any book kept in such hotel, boarding or lodging house or otherwise, represents or pretends that a woman or man to whom he or she is not married is his wife or her husband, as the case may be.

Corrupting children.

"**220B.** (1) Any person who by indulgence in sexual immorality, in habitual drunkenness or in any other form of vice, causes a child to be in danger of being or becoming immoral, dissolute or criminal, or the morals of a child to be injuriously affected, or renders the home of a child an unfit place for such child to be in, shall be liable, on summary conviction, to a fine not exceeding five hundred dollars or to imprisonment for a period not exceeding one year or to both fine and imprisonment.

"(2) For the purposes of this section, 'child' means a boy or girl apparently or actually under the age of sixteen years.

"(3) It shall not be a valid defence to a prosecution under this section that the child is of too tender years to understand or appreciate the nature of the act complained of or to be immediately affected thereby.

"(4) No prosecution shall be instituted under this section unless it be at the instance of some organized Child Welfare Society or Association with like object, without the authorization of the Attorney General of the province in which the offence is alleged to have been committed, nor shall any such prosecution be commenced after the expiration of six months from the time of the commission of the alleged offence."

Common gaming house, definition of extended.

**5.** Section two hundred and twenty-six of the said Act is amended by inserting the following clause immediately after clause (i) of paragraph (*b*):—

"(i*a*) the whole or any portion of the stakes or bets or other proceeds at or from such games is either directly or indirectly paid to the person keeping such house, room or place; or"

Theft of motor cars, punishment increased,

**6.** Section two hundred and eighty-five B of the said Act, as enacted by chapter eleven of the statutes of 1910, is amended by striking out the words "fifty dollars and costs or to imprisonment for a term not exceeding thirty days" in the two last lines thereof and substituting the following therefor: "five hundred dollars and costs or to imprisonment for any term not exceeding twelve months or to both fine and imprisonment."

Instruments proof of house being gaming house.

**7.** Section nine hundred and eighty-five of the said Act is amended by striking out the words "any unlawful game" in the second line thereof and substituting therefor the words "any game of chance or any mixed game of chance and skill."

Evidence of house being gaming house.

**8.** Section nine hundred and eighty-six of the said Act, as enacted by chapter thirteen of the statutes of 1913, is amended by striking out the words "unlawful gaming" in the eight and ninth lines thereof and substituting therefor the words "playing any game of chance or any mixed game of chance and skill."

First Session, Thirteenth Parliament, 8–9 George V, 1918.

THE HOUSE OF COMMONS OF CANADA

# BILL 72.

An Act to amend Chapter Thirty-nine of the Statutes of 1917.

First reading, May 6, 1918.

The PRIME MINISTER.

OTTAWA
J. DE LABROQUERIE TACHÉ
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1918

1st Session, 13th Parliament, 8-9 George V, 1918.

THE HOUSE OF COMMONS OF CANADA.

# BILL 72.

An Act to amend Chapter Thirty-Nine of the Statutes of 1917.

1917, c. 39.

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

Par (*g*) of S. 2 only to apply to general elections.

**1.** (1) Paragraph (*g*) of section two of *The War-time Elections Act* chapter thirty-nine of the statutes of 1917, shall apply only to a general election.

Commencement of Act.

(2) This Act shall be deemed to have come into operation on the eighteenth day of March in the year one thousand nine hundred and eighteen.

72.

First Session, Thirteenth Parliament, 8–9 George V, 1918.

THE HOUSE OF COMMONS OF CANADA

# BILL 72.

An Act to amend Chapter Thirty-nine of the Statutes of 1917.

AS PASSED BY THE HOUSE OF COMMONS, 23rd MAY, 1918.

OTTAWA
J. DE LABROQUERIE TACHÉ
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1918

1st Session, 13th Parliament, 8-9 George V, 1918.

THE HOUSE OF COMMONS OF CANADA.

# BILL 72.

An Act to amend Chapter Thirty-Nine of the Statutes of 1917.

1917, c. 39.

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

Statutes 1917, c. 39 only to apply to general elections.

**1.** Notwithstanding anything contained in chapter thirty-nine of the statutes of 1917, section one hundred and thirty-one of the *Dominion Elections Act*, chapter six of the Revised Statutes of Canada, 1906, shall be deemed to be amended only in the case of a general election and shall apply without amendment to any other election of a member of the House of Commons.

Commencement of Act.

**2.** This Act shall be deemed to have come into operation on the eighteenth day of March in the year one thousand nine hundred and eighteen.

First Session, Thirteenth Parliament, 8-9 George V, 1918.

THE HOUSE OF COMMONS OF CANADA

# BILL 75.

An Act respecting The Protective Association of Canada.

First reading, May 7, 1918.

(PRIVATE BILL.)

Mr. DEMERS.

OTTAWA
J. DE LABROQUERIE TACHÉ
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
29019—1 1918

1st Session, 13th Parliament, 8-9 George V, 1918.

THE HOUSE OF COMMONS OF CANADA

# BILL 75.

An Act respecting The Protective Association of Canada.

1907, c. 118.

WHEREAS The Protective Association of Canada, hereinafter called " the Association," 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:—

Objects of Association.

**1.** Section five of chapter one hundred and eighteen of the statutes of 1907, incorporating the Association, is hereby amended by adding thereto the following new subsections:—

Increased payments for death claims and sick benefits upon increase of paid capital.

" (2) When the amount paid upon the capital stock of the Association has been increased to at least twenty-five thousand dollars, the amount payable in case of death due to accident may be increased to one thousand dollars, and the sick benefit in case of sickness arising from natural causes, mentioned in paragraph (*b*) of subsection one of this section, may be increased to twenty-five dollars, and may be paid for a period limited to thirty weeks in any consecutive twelve months of which the full benefit shall be paid for a period not exceeding fifteen weeks.

" (3) When the amount paid upon the capital stock of the Association has been increased to at least thirty thousand dollars, the amount payable in case of death due to accident may be increased to two thousand dollars.

" (4) When the amount paid upon the capital stock of the Association has been increased to at least forty thousand dollars, the amount payable in case of death due to accident and the period for which the benefit in case of sickness arising from natural causes, hereinbefore mentioned, may be paid, shall be such as may be provided by the by-laws of the Association."

First Session, Thirteenth Parliament, 8-9 George V, 1918.

THE HOUSE OF COMMONS OF CANADA

# BILL 75.

An Act respecting The Protective Association of Canada.

**AS PASSED BY THE HOUSE OF COMMONS, 14th MAY, 1918.**

OTTAWA
J. DE LABROQUERIE TACHÉ
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1918

1st Session, 13th Parliament, 8-9 George V, 1918.

THE HOUSE OF COMMONS OF CANADA

# BILL 75.

An Act respecting The Protective Association of Canada.

1907, c. 118.

WHEREAS The Protective Association of Canada, hereinafter called "the Association," 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:—

Objects of Association.

**1.** Section five of chapter one hundred and eighteen of the statutes of 1907, incorporating the Association, is hereby amended by adding thereto the following new subsections:—

Increased payments for death claims and sick benefits upon increase of paid capital.

"(2) When the amount paid upon the capital stock of the Association has been increased to at least twenty-five thousand dollars, the amount payable in case of death due to accident may be increased to one thousand dollars, and the sick benefit in case of sickness arising from natural causes, mentioned in paragraph (*b*) of subsection one of this section, may be increased to twenty-five dollars, and may be paid for a period limited to thirty weeks in any consecutive twelve months of which the full benefit shall be paid for a period not exceeding fifteen weeks.

"(3) When the amount paid upon the capital stock of the Association has been increased to at least thirty thousand dollars, the amount payable in case of death due to accident may be increased to two thousand dollars.

"(4) When the amount paid upon the capital stock of the Association has been increased to at least forty thousand dollars, the amount payable in case of death due to accident and the period for which the benefit in case of sickness arising from natural causes, hereinbefore mentioned, may be paid, shall be such as may be provided by the by-laws of the Association."

First Session, Thirteenth Parliament, 8-9 George V, 1918.

THE HOUSE OF COMMONS OF CANADA

# BILL 81.

An Act to amend The Customs Tariff, 1907.

First reading, May 8, 1918.

The MINISTER OF FINANCE.

OTTAWA
J. DE LABROQUERIE TACHÉ,
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1918

40201—1

1st Session, 13th Parliament, 8-9 George V, 1918.

THE HOUSE OF COMMONS OF CANADA.

# BILL 81.

1907, c. 11; 1909, c. 10; 1910, c. 16; 1911, c. 7; 1913, c. 15; 1914, c. 26; 1914 (2), c. 5; 1915, c. 3; 1916, c. 7.

An Act to amend The Customs Tariff, 1907.

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 Customs Tariff Amendment Act, 1918.*

Schedule A amended.

**2.** Schedule A of *The Customs Tariff, 1907*, as amended by chapter five of the Acts of 1914, second session, and by chapter three of the Acts of 1915, is amended by striking out tariff items 24, 25, 25a, 26, 27, 28, 28a, 29, 29a, 143, 144, 145, the several enumerations of goods respectively and the several rates of duties of Customs, if any, set opposite each of the said items, and by providing that the following items, enumerations and rates of duties be inserted in said Schedule A:—

| Tariff Items. | | British Preferential Tariff. | Intermediate Tariff. | General Tariff. |
|---|---|---|---|---|
| 24 | Chicory, raw or green, per pound. | 5 cents. | 7 cents. | 7 cents. |
| 25 | Chicory, kiln-dried, roasted or ground.....per pound | 8 cents. | 10 cents. | 10 cents. |
| 25a | Coffee, extract of, n.o.p., and substitutes thereof of all kinds, per pound..... | 9 cents. | 12 cents. | 12 cents. |
| 26 | Coffee, roasted or ground, and all imitations thereof and substitutes therefor, including acorn nuts, n.o.p. per pound..... | 8 cents. | 10 cents. | 10 cents. |
| 27 | Coffee, roasted or ground, when not imported direct from the country of growth and production per pound..... | 8 cents. and 7½ p.c. | 10 cents. 10 p.c. | 10 cents. 10 p.c. |
| 28 | Coffee, green, imported direct from the country of growth and production, and green coffee purchased in bond in the United Kingdom per pound..... | 5 cents. | 7 cents. | 7 cents. |

| Tariff Items. | | British Preferential Tariff. | Intermediate Tariff. | General Tariff. |
|---|---|---|---|---|
| 28a | Tea imported direct from the country of growth and production, and tea purchased in bond in the United Kingdom.....per pound<br>When in wrappings, cartons or other packages weighing five pounds or less, the weight of the wrappings, cartons or other packages to be included in the weight for duty. | 10 cents. | 10 cents. | 10 cents. |
| 29 | Coffee, green, n.o.p. per pound.. | 5 cents. | 7 cents. | 7 cents. |
| | | and 7½ p.c. | 10 p.c. | 10 p.c. |
| 29a | Tea, n.o.p.....per pound<br>When in wrappings, cartons or other packages weighing five pounds or less, the weight of the wrappings, cartons or other packages to be included in the weight for duty. | 10 cents. and 10 p.c. | 10 cents. 10 p.c. | 10 cents. 10 p.c. |
| 143 | Cigars and cigarettes, the weight of cigars to include bands and ribbons, and the weight of cigarettes to include the paper covering per pound..... | $ 4 10 and 25 p.c. | $ 4 10 25 p.c. | $ 4 10 25 p.c. |
| 144 | Cut tobacco.....per pound. | 95 cents. | 95 cents. | 95 cents. |
| 145 | Manufactured tobacco, n.o.p. and snuff.....per pound | 90 cents. | 90 cents. | 90 cents. |
| 147a | Beverages in the manufacture of which malt, rice or corn is used, when containing not more than two and one-half per centum of proof spirit. | 25 p.c. | 40 p.c. | 40 p.c. |
| 657a | Cinematograph or moving picture films, positives, one and one-eight of an inch in width and over, per linear foot..... | 2 cents. | 3 cents. | 3 cents. |

Provided, however, that the goods hereinbefore enumerated shall be exempt from the rates of duties of Customs specified in section three of *The Customs Tariff War Revenue Act, 1915.*

Commencement of Act.

**3.** This Act shall be deemed to have come into force on the first day of May, one thousand nine hundred and eighteen, and to have applied to all goods mentioned in the preceding section, imported or taken out of warehouse for consumption on and after that day, and to have also applied to goods previously imported for which no entry for consumption was made before that day.

First Session, Thirteenth Parliament, 8-9 George V, 1918.

THE HOUSE OF COMMONS OF CANADA

# BILL 81.

An Act to amend The Customs Tariff, 1907.

AS PASSED BY THE HOUSE OF COMMONS,
20th MAY, 1918.

OTTAWA
J. DE LABROQUERIE TACHÉ,
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1918

1st Session, 13th Parliament, 8-9 George V, 1918.

THE HOUSE OF COMMONS OF CANADA.

# BILL 81.

1907, c. 11;
1909, c. 10;
1910, c. 16;
1911, c. 7;
1913, c. 15;
1914, c. 26;
1914 (2), c. 5;
1915, c. 3;
1916, c. 7.

An Act to amend The Customs Tariff, 1907.

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 Customs Tariff Amendment Act, 1918.*

Schedule A amended.

**2.** Schedule A of *The Customs Tariff, 1907*, as amended by chapter five of the Acts of 1914, second session, and by chapter three of the Acts of 1915, is amended by striking out tariff items 24, 25, 25a, 26, 27, 28, 28a, 29, 29a, 143, 144, 145, the several enumerations of goods respectively and the several rates of duties of Customs, if any, set opposite each of the said items, and by providing that the following items, enumerations and rates of duties be inserted in said Schedule A:—

| Tariff Items. | | British Preferential Tariff. | Intermediate Tariff. | General Tariff. |
|---|---|---|---|---|
| 24 | Chicory, raw or green, per pound. | 5 cents. | 7 cents. | 7 cents. |
| 25 | Chicory, kiln-dried, roasted or ground.....per pound | 8 cents. | 10 cents. | 10 cents. |
| 25a | Coffee, extract of, n.o.p., and substitutes thereof of all kinds, per pound..... | 9 cents. | 12 cents. | 12 cents. |
| 26 | Coffee, roasted or ground, and all imitations thereof and substitutes therefor, including acorn nuts, n.o.p. per pound..... | 8 cents. | 10 cents. | 10 cents. |
| 27 | Coffee, roasted or ground, when not imported direct from the country of growth and production per pound..... | 8 cents. and 7½ p.c. | 10 cents. 10 p.c. | 10 cents. 10 p.c. |
| 28 | Coffee, green, imported direct from the country of growth and production, and green coffee purchased in bond in the United Kingdom per pound..... | 5 cents. | 7 cents. | 7 cents. |

| Tariff Items. | | British Preferential Tariff. | Intermediate Tariff. | General Tariff. |
|---|---|---|---|---|
| 28a | Tea imported direct from the country of growth and production, and tea purchased in bond in the United Kingdom.....per pound<br>When in wrappings, cartons or other packages weighing five pounds or less, the weight of the wrappings, cartons or other packages to be included in the weight for duty. | 10 cents. | 10 cents. | 10 cents. |
| 29 | Coffee, green, n.o.p. per pound.. | 5 cents. | 7 cents. | 7 cents. |
| | | and 7½ p.c. | 10 p.c. | 10 p.c. |
| 29a | Tea, n.o.p.....per pound<br>When in wrappings, cartons or other packages weighing five pounds or less, the weight of the wrappings, cartons or other packages to be included in the weight for duty. | 10 cents. and 10 p.c. | 10 cents. 10 p.c. | 10 cents. 10 p.c. |
| 143 | Cigars and cigarettes, the weight of cigars to include bands and ribbons, and the weight of cigarettes to include the paper covering per pound..... | $ 4 10 and 25 p.c. | $ 4 10 25 p.c. | $ 4 10 25 p.c. |
| 144 | Cut tobacco.....per pound. | 95 cents. | 95 cents. | 95 cents. |
| 145 | Manufactured tobacco, n.o.p. and snuff.....per pound | 90 cents. | 90 cents. | 90 cents. |
| 147a | Beverages in the manufacture of which malt, rice or corn is used, when containing not more than two and one-half per centum of proof spirit. | 25 p.c. | 40 p.c. | 40 p.c. |
| 657a | Cinematograph or moving picture films, positives, one and one-eight of an inch in width and over, per linear foot..... | 2 cents. | 3 cents. | 3 cents. |

Provided, however, that the goods hereinbefore enumerated shall be exempt from the rates of duties of Customs specified in section three of *The Customs Tariff War Revenue Act, 1915.*

Commencement of Act.

**3.** This Act shall be deemed to have come into force on the first day of May, one thousand nine hundred and eighteen, and to have applied to all goods mentioned in the preceding section, imported or taken out of warehouse for consumption on and after that day, and to have also applied to goods previously imported for which no entry for consumption was made before that day.

First Session, Thirteenth Parliament, 8–9 George V, 1918.

THE HOUSE OF COMMONS OF CANADA

# BILL 82.

An Act to amend the Inland Revenue Act.

First reading, May 8, 1918.

The MINISTER OF FINANCE.

OTTAWA
J. DE LABROQUERIE TACHÉ
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
40052—1 1918

1st Session, 13th Parliament, 8-9 George V, 1918.

THE HOUSE OF COMMONS OF CANADA

# BILL 82.

An Act to amend the Inland Revenue Act.

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

R.S., c. 51; 1908, c. 34; 1910, c. 30; 1911, c. 13; 1914, (2) c. 6; 1915, c. 17.

**1.** Section two hundred and seventy-nine of the *Inland Revenue Act*, chapter fifty-one of the Revised Statutes, 1906, as enacted by chapter six of the statutes of 1914 (Second Session) is repealed and the following is substituted therefor:—

Duties of excise on manufactured tobacco.

"**279.** (1) There shall be imposed, levied and collected on tobacco and cigars manufactured in Canada the following duties of excise which shall be paid to the collector as by this Act provided, that is to say:—

(*a*) On all chewing and smoking tobacco, fine-cut, cavendish, plug or twist, cut or granulated, of every description,—on tobacco twisted by hand or reduced into a condition to be consumed or in any manner other than the ordinary mode of drying and curing, prepared for sale or consumption, even if prepared without the use of any machine or instrument and without being pressed or sweetened,—and on all fine-cut shorts and refuse scraps, cuttings and sweepings of tobacco made from raw leaf tobacco or the product in any form, other than in this Act otherwise provided, of raw leaf tobacco, twenty cents per pound, actual weight;

On common Canada twist.

(*b*) On common Canada twist, when made solely from tobacco grown in Canada, and on the farm or premises where grown, by the cultivator duly licensed therefor, or in a licensed tobacco manufactory, twenty cents per pound, actual weight;

On snuff.

(*c*) On all snuff made from raw leaf tobacco, or the product in any form of raw leaf tobacco or any substitute for tobacco, ground, dry, scented or otherwise, of all descriptions, when prepared for use, twenty cents per pound, actual weight;

On snuff flour.

(*d*) Snuff flour, when sold or removed for use or consumption, shall pay the same duty as snuff, and shall be put up in packages and stamped in the same manner as herein prescribed for snuff completely manufactured, except that snuff flour not prepared for use, but which needs to be subjected to further processes, by sifting, pickling, scenting or otherwise, before it is in a condition fit for use or consumption, may be sold by one tobacco manufacturer directly to another tobacco manufacturer, and without payment of the duty, under such regulations as are provided in that behalf by the Department;

On cigars.

(*e*) On cigars of all descriptions, made from raw leaf tobacco, or any substitute therefor, six dollars per thousand;

Less than ten in packages.

(*f*) On all cigars, when put up in packages containing less than ten cigars each, seven dollars per thousand;

On cigarettes.

(*g*) On cigarettes made from raw leaf tobacco or any substitute therefor, weighing not more than three pounds per thousand, six dollars per thousand;

Over 3 lb. per 1000.

(*h*) On cigarettes made from raw leaf tobacco or any substitute therefor, weighing more than three pounds per thousand, eleven dollars per thousand;

On foreign leaf unstemmed.

(*i*) On all foreign raw leaf tobacco, unstemmed, taken out of warehouse for manufacture in any cigar or tobacco manufactory, forty cents per pound, computed according to the standard of leaf tobacco as hereinbefore established;

On foreign leaf stemmed.

(*j*) On all foreign raw leaf tobacco, stemmed, taken out of warehouse for manufacture in any cigar or tobacco manufactory, sixty cents per pound, computed according to the standard of leaf tobacco as hereinbefore established.

Duties on other materials.

(2) In all tobacco manufactories where less than fifty per cent Canadian raw leaf tobacco is used, and where ten per cent, or more, of other materials is used, such materials shall be subject to a duty of twenty-three cents per pound, actual weight."

**2.** The said *Inland Revenue Act* is amended by inserting the following section immediately after section three hundred and twenty-eight:—

License to grow tobacco.

"**328A.** (1) Every person who desires to grow tobacco shall make application to the collector for the division in which the farm or other property upon which he proposes to grow the tobacco is situated, for a license therefor.

Fee.

"(2) The cultivator in whose favour the license is granted for growing tobacco, shall, upon receiving such license, pay to the collector the sum of two dollars.

Excise duty.

"(3) There shall be levied, collected and paid an excise duty on all tobacco grown in Canada for consumption

therein of five cents per pound, computed according to the standard of leaf tobacco as hereinbefore established.

Exception if tobacco grown for personal or family use.

"(4) Provided, however, that a person who grows tobacco on his own land or property solely for the use of himself and such members of his family as are resident with him on the farm or property on which the tobacco is grown, and not for sale, and if the quantity so grown in any one year does not exceed thirty pounds for every adult male member of the family resident on the farm or premises as aforesaid, shall not require a license, nor shall the tobacco so grown be subject to the excise duty.

Limited quantity free of duty.

"(5) Every person licensed to grow tobacco shall be entitled to a quantity not exceeding thirty pounds of the tobacco grown by him for every adult male member of the family resident on his farm or premises free of excise duty.

Regulations.

"(6) The Minister charged with the collection of the tax imposed under this section shall have power to make such regulations as he deems necessary or advisable for carrying out the provisions of this section.

Penalty.

"(7) Every person who cultivates tobacco without having obtained such license, and every person who neglects or refuses to pay such excise duty, shall be liable, upon summary conviction, to a fine of not less than fifty dollars and not exceeding two hundred dollars, or to imprisonment for any term not exceeding two months, or to both fine and imprisonment, and all tobacco grown by such person shall be forfeited to His Majesty."

First Session, Thirteenth Parliament, 8-9 George V, 1918.

THE HOUSE OF COMMONS OF CANADA

# BILL 82.

An Act to amend the Inland Revenue Act.

AS PASSED BY THE HOUSE OF COMMONS,
15th MAY, 1918.

OTTAWA
J. DE LABROQUERIE TACHÉ
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
40896—1 1918

1st Session, 13th Parliament, 8-9 George V, 1918.

THE HOUSE OF COMMONS OF CANADA

# BILL 82.

An Act to amend the Inland Revenue Act.

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

R.S., c. 51; 1908, c. 34; 1910, c. 30; 1911, c. 13; 1914, (2) c. 6; 1915, c. 17.

**1.** Section two hundred and seventy-nine of the *Inland Revenue Act*, chapter fifty-one of the Revised Statutes, 1906, as enacted by chapter six of the statutes of 1914 (Second Session) is repealed and the following is substituted therefor:—

Duties of excise on manufactured tobacco.

"**279.** (1) There shall be imposed, levied and collected on tobacco and cigars manufactured in Canada the following duties of excise which shall be paid to the collector as by this Act provided, that is to say:—

(*a*) On all chewing and smoking tobacco, fine-cut, cavendish, plug or twist, cut or granulated, of every description,—on tobacco twisted by hand or reduced into a condition to be consumed or in any manner other than the ordinary mode of drying and curing, prepared for sale or consumption, even if prepared without the use of any machine or instrument and without being pressed or sweetened,—and on all fine-cut shorts and refuse scraps, cuttings and sweepings of tobacco made from raw leaf tobacco or the product in any form, other than in this Act otherwise provided, of raw leaf tobacco, twenty cents per pound, actual weight;

On common Canada twist.

(*b*) On common Canada twist, when made solely from tobacco grown in Canada, and on the farm or premises where grown, by the cultivator duly licensed therefor, or in a licensed tobacco manufactory, twenty cents per pound, actual weight;

On snuff.

(*c*) On all snuff made from raw leaf tobacco, or the product in any form of raw leaf tobacco or any substitute for tobacco, ground, dry, scented or otherwise, of all descriptions, when prepared for use, twenty cents per pound, actual weight;

On snuff flour.

(*d*) Snuff flour, when sold or removed for use or consumption, shall pay the same duty as snuff, and shall be put up in packages and stamped in the same manner as herein prescribed for snuff completely manufactured, except that snuff flour not prepared for use, but which needs to be subjected to further processes, by sifting, pickling, scenting or otherwise, before it is in a condition fit for use or consumption, may be sold by one tobacco manufacturer directly to another tobacco manufacturer, and without payment of the duty, under such regulations as are provided in that behalf by the Department;

On cigars.

(*e*) On cigars of all descriptions, made from raw leaf tobacco, or any substitute therefor, six dollars per thousand;

Less than ten in packages.

(*f*) On all cigars, when put up in packages containing less than ten cigars each, seven dollars per thousand;

On cigarettes.

(*g*) On cigarettes made from raw leaf tobacco or any substitute therefor, weighing not more than three pounds per thousand, six dollars per thousand;

Over 3 lb. per 1000.

(*h*) On cigarettes made from raw leaf tobacco or any substitute therefor, weighing more than three pounds per thousand, eleven dollars per thousand;

On foreign leaf unstemmed.

(*i*) On all foreign raw leaf tobacco, unstemmed, taken out of warehouse for manufacture in any cigar or tobacco manufactory, forty cents per pound, computed according to the standard of leaf tobacco as hereinbefore established;

On foreign leaf stemmed.

(*j*) On all foreign raw leaf tobacco, stemmed, taken out of warehouse for manufacture in any cigar or tobacco manufactory, sixty cents per pound, computed according to the standard of leaf tobacco as hereinbefore established.

Duties on other materials.

(2) In all tobacco manufactories where less than fifty per cent Canadian raw leaf tobacco is used, and where ten per cent, or more, of other materials is used, such materials shall be subject to a duty of twenty-three cents per pound, actual weight."

**2.** The said *Inland Revenue Act* is amended by inserting the following section immediately after section three hundred and twenty-eight:—

License to grow tobacco.

"**328A.** (1) Every person who desires to grow tobacco shall make application to the collector for the division in which the farm or other property upon which he proposes to grow the tobacco is situated, for a license therefor.

Fee.

"(2) The cultivator in whose favour the license is granted for growing tobacco, shall, upon receiving such license, pay to the collector the sum of two dollars.

Excise duty.

"(3) There shall be levied, collected and paid an excise duty on all tobacco grown in Canada for consumption

therein of five cents per pound, computed according to the standard of leaf tobacco as hereinbefore established.

Exception if tobacco grown for personal or family use.

" (4) Provided, however, that a person who grows tobacco on his own land or property solely for the use of himself and such members of his family as are resident with him on the farm or property on which the tobacco is grown, and not for sale, and if the quantity so grown in any one year does not exceed thirty pounds for every adult male member of the family resident on the farm or premises as aforesaid, shall not require a license, nor shall the tobacco so grown be subject to the excise duty.

Limited quantity free of duty.

" (5) Every person licensed to grow tobacco shall be entitled to a quantity not exceeding thirty pounds of the tobacco grown by him for every adult male member of the family resident on his farm or premises free of excise duty.

Regulations.

" (6) The Minister charged with the collection of the tax imposed under this section shall have power to make such regulations as he deems necessary or advisable for carrying out the provisions of this section.

Penalty.

" (7) Every person who cultivates tobacco without having obtained such license, and every person who neglects or refuses to pay such excise duty, shall be liable, upon summary conviction, to a fine of not less than fifty dollars and not exceeding two hundred dollars, or to imprisonment for any term not exceeding two months, or to both fine and imprisonment, and all tobacco grown by such person shall be forfeited to His Majesty."

First Session, Thirteenth Parliament, 8–9 George V, 1918.

THE HOUSE OF COMMONS OF CANADA

# BILL 83.

An Act to amend The Special War Revenue Act, 1915.

First reading, May 8, 1918.

The MINISTER OF FINANCE.

OTTAWA
J. DE LABROQUERIE TACHÉ
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
39976—1 1918

1st Session, 13th Parliament, 8-9 George V, 1918.

THE HOUSE OF COMMONS OF CANADA

# BILL 83.

An Act to amend The Special War Revenue Act, 1915.

1915, c. 8.

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

**1.** Subsection three of section nine of *The Special War Revenue Act, 1915*, chapter eight of the statutes of 1915, is repealed and the following is substituted therefor:—

Tax on berths and parlour car seats increased.

"(3) Every purchaser of a seat in a pullman or parlour car and of a berth in a sleeping car shall, in addition to the regular charge for the seat or berth, pay to the person selling the seat or berth, for the Consolidated Revenue Fund, ten cents for each seat and an amount equal to ten per cent of the price of each berth, but in no case shall the tax be less than twenty-five cents for each berth."

Definitions.

**2.** (1) Paragraph (i) of section fourteen of the said Act is repealed and the following is substituted therefor:—

"consumer."

"(i) 'consumer' means any person who uses or purchases

(*a*) a proprietary or patent medicine,

(*b*) perfumery,

(*c*) wine of the grape, non-sparkling, or

(*d*) champagne or sparkling wine,

"selling to a consumer"

whether for his own use, for producing therefrom any article of value, or for any other purpose; and 'selling to a consumer' means selling by retail;"

Proprietary and patent medicines.

(2) Paragraph (iv) of the said section is amended by adding at the end thereof the following:—

"when sold under the name used for them in the said publications; or any preparation manufactured for sale exclusively for the medical profession and on the labels of which no claim is made that the preparation has medicinal or curative powers or any directions with respect to the amount that constitutes a proper dose."

**3.** The said Act is amended by inserting the following section immediately after section sixteen:—

Tax on matches.

"**16A.** (1) Every manufacturer and every importer of matches shall affix to every package of matches manufactured by him or imported into Canada after the thirtieth day of April, one thousand nine hundred and eighteen, an adhesive or other stamp of the value of one cent for each one hundred matches or fraction of one hundred matches contained in such package, and no manufacturer or importer shall sell or import matches unless they are in packages.

Tax on playing cards.

"(2) Every manufacturer and every importer of playing cards shall affix to every package of playing cards manufactured by him or imported into Canada after the thirtieth day of April, one thousand nine hundred and eighteen, an adhesive or other stamp of the value of eight cents, for every fifty-four cards or fraction of fifty-four in each package, and no manufacturer or importer shall sell or import playing cards except in packages.

Stamps on imported packages, when to be affixed.

"(3) When matches or playing cards are imported into Canada the adhesive or other stamps shall be affixed to the packages while they are in the custody of the proper Customs Officers.

Stamps on matches and playing cards in stock.

"(4) Every wholesale and retail dealer shall affix on each unstamped package of matches an adhesive or other stamp of the value of one cent for each one hundred matches or fraction of one hundred matches contained in such package, and an adhesive or other stamp of the value of eight cents on each unstamped package of playing cards held by him for sale on the first day of July, one thousand nine hundred and eighteen.

Packages for export excepted.

"(5) Provided, however, that it shall not be necessary to affix adhesive or other stamps to packages of matches and playing cards manufactured in Canada, for export out of Canada when they are manufactured and exported under regulations made under the provisions of the following subsection.

Regulations.

"(6) The Minister charged by the Governor in Council with the administration of the law contained in this section may make such regulations as he deems necessary or advisable for carrying out the provisions of this section."

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

Penalty.

"**17.** Every person required by this Part to affix an adhesive or other stamp to a bottle or package containing

(*a*) a proprietary or patent medicine,
(*b*) perfumery,
(*c*) wine of the grape, non-sparkling,
(*d*) champagne or sparkling wine,
(*e*) matches, or
(*f*) playing cards,

who fails or neglects to affix an adhesive or other stamp as required by this Part, or violates any of the other provisions of section sixteen A, shall incur a penalty of not less than fifty dollars and not exceeding two hundred and fifty dollars."

**5.** The said Act is amended by inserting the following Part immediately after section nineteen:—

"PART IV.

Definiton. "Duty paid value."

"**19A.** For the purposes of this Part the "duty paid value" of any article means the value of the article as determined under the laws relating to the Customs and the Customs Tariff for the purpose of determining the amount of the customs duties payable thereon on importation into Canada and in addition the amount of the customs duties payable thereon; and the term "Minister" shall mean the Minister charged by the Governor in Council with the administration of the law contained in this Part.

Tax on articles in schedule.

"**19B.** (1) There shall be levied, collected and paid on each of the articles mentioned in the Schedule to this Part, when imported into Canada after the thirtieth day of April, one thousand nine hundred and eighteen, in addition to any duty or tax that may be payable under any other statute or law, a war excise tax equal to ten per centum of the duty paid value of the same; and there shall also be levied, collected and paid, when any such article is manufactured and sold in Canada after the thirtieth day of April, one thousand nine hundred and eighteen, a war excise tax equal to ten per centum of the price for which the same is sold. Where the article is imported such war excise tax shall be paid by the importer, and where the article is manufactured and sold such war excise tax shall be paid by the manufacturer. Provided, however, that such war excise tax shall not be paid on any of the said articles when they are manufactured in Canada and are exported under regulations made by the Minister, and such war excise tax shall not be payable by any manufacturer of jewelry who does not manufacture jewelry to the value of more than one thousand dollars in any one calendar year. The price charged by the manufacturer shall be deemed to be the value of such jewelry.

Articles for export excepted.

Automobiles and jewelry in stock on 30th April liable to tax.

"(2) There shall be levied, collected and paid upon automobiles and jewelry imported into Canada for sale or manufacture in Canada on or before the thirtieth day of April, one thousand nine hundred and eighteen, and which on that date have not been sold to *bona fide* users, a war excise tax equal to ten per centum of the duty paid value

when the same are imported, and ten per centum of the price of the manufacturer when the same have been manufactured in Canada. Provided, that no war excise tax shall be payable on automobiles manufactured in Canada and exported therefrom under regulations made by the Minister, and that no war excise tax shall be payable on jewelry imported into or manufactured in Canada before the first day of October, 1917, or upon jewelry imported or manufactured and which has not been sold where the total duty paid value or price of the entire stock of the same held by any one person does not exceed one thousand dollars.

Exceptions.

Tax on tea.

"(3) There shall be levied, collected and paid a war excise tax of ten cents per pound on all tea entered at Customs on or before the thirtieth day of April, 1918, by any importer or dealer and which remained unsold on that day. Provided that retail dealers shall only pay such war excise tax upon tea held by them on that day in excess of one thousand pounds.

Tax on moving picture films.

"(4) There shall be levied, collected and paid a war excise tax on all cinematagraph or moving picture films, positives, one and one-eighth inch in width and over, of fifteen cents on each film for each day upon which such film is used.

Records, books, etc., of manufacturers to be open to officers' inspection.

"(5) The records, books, accounts and vouchers of all manufacturers and of importers and dealers in any of the said articles shall be open at all reasonable hours to the inspection of the officers or other persons authorized to inspect the same by the Minister, and any person who in any way prevents any such officer or other person from having access to or inspecting the same, or refuses to produce the same or any of them, shall be guilty of an offence and liable to a penalty not exceeding one thousand dollars.

Regulations.

"**19C.** The Minister may make such regulations as he deems necessary or advisable for carrying out the provisions of this Part.

Penalty.

"**19D.** Any person who neglects or refuses to pay any war excise tax imposed by this Part shall be liable to a penalty equal to double the amount of the war excise tax which should have been paid, but in no case less than one hundred dollars."

Customs Act to apply to importations.

**6.** (1) The provisions of the *Customs Act*, chapter forty-eight of the Revised Statutes of Canada, 1906, and the Acts amending the same, shall apply to any war excise tax payable under this Act upon the importation of any article into Canada in the same way and to the same extent as if such war excise tax was payable under *The Customs Tariff, 1907*, chapter eleven of the statutes of 1907, or the Acts amending the same.

Board of Customs to settle doubts and differences.

(2) Whenever any difference arises or whenever any doubt exists as to whether any or what rate of war excise tax is payable on any article and there is no previous decision upon

the question by any competent tribunal binding throughout Canada, the Board of Customs appointed under the *Customs Act* may declare what the duty paid value of such article is or what the price of such article is, as the case may be, and what amount of war excise tax is payable on the article in question, or that such article is exempt from war excise tax, and any such declaration of the Board of Customs shall have force and effect as if the same had been sanctioned by statute.

Sections 20 amended.

**7.** Paragraph (*b*) of subsection (2) of section twenty of the said Act is amended by striking out the words "*The Summary Convictions Act*" at the end thereof and substituting therefor the words "Part XV of the *Criminal Code*."

Schedule.

## SCHEDULE TO PART IV.

Automobiles adapted or adaptable for passenger use.

Graphophones, gramophones, phonographs, talking machines, cylinders and records therefor.

Mechanical piano and organ players and records therefor.

Articles commonly or commercially known as jewelry, whether real or imitation, for personal use or for adornment of the person.

First Session, Thirteenth Parliament, 8–9 George V, 1918.

THE HOUSE OF COMMONS OF CANADA

# BILL 83.

An Act to amend The Special War Revenue Act, 1915.

AS PASSED BY THE HOUSE OF COMMONS,
16th MAY, 1918.

OTTAWA
J. DE LABROQUERIE TACHÉ
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1918

1st Session, 13th Parliament, 8-9 George V, 1918.

THE HOUSE OF COMMONS OF CANADA

# BILL 83.

An Act to amend The Special War Revenue Act, 1915.

1915, c. 8.

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

**1.** Subsection three of section nine of *The Special War Revenue Act, 1915*, chapter eight of the statutes of 1915, is repealed and the following is substituted therefor:—

Tax on berths and parlour car seats increased.

"(3) Every purchaser of a seat in a pullman or parlour car and of a berth in a sleeping car shall, in addition to the regular charge for the seat or berth, pay to the person selling the seat or berth, for the Consolidated Revenue Fund, ten cents for each seat and an amount equal to ten per cent of the price of each berth, but in no case shall the tax be less than twenty-five cents for each berth."

Definitions.

**2.** (1) Paragraph (i) of section fourteen of the said Act is repealed and the following is substituted therefor:—

"consumer."

"(i) 'consumer' means any person who uses or purchases

(*a*) a proprietary or patent medicine,

(*b*) perfumery,

(*c*) wine of the grape, non-sparkling, or

(*d*) champagne or sparkling wine,

"selling to a consumer"

whether for his own use, for producing therefrom any article of value, or for any other purpose; and 'selling to a consumer' means selling by retail;"

Proprietary and patent medicines.

(2) Paragraph (iv) of the said section is amended by adding at the end thereof the following:—

"when sold under the name used for them in the said publications; or any preparation manufactured for sale exclusively for the medical profession and on the labels of which no claim is made that the preparation has medicinal or curative powers or any directions with respect to the amount that constitutes a proper dose."

**3.** The said Act is amended by inserting the following section immediately after section sixteen:—

Tax on matches.

"**16A.** (1) Every manufacturer and every importer of matches shall affix to every package of matches manufactured by him or imported into Canada after the thirtieth day of April, one thousand nine hundred and eighteen, an adhesive or other stamp of the value of one cent for each one hundred matches or fraction of one hundred matches contained in such package, and no manufacturer or importer shall sell or import matches unless they are in packages.

Tax on playing cards.

"(2) Every manufacturer and every importer of playing cards shall affix to every package of playing cards manufactured by him or imported into Canada after the thirtieth day of April, one thousand nine hundred and eighteen, an adhesive or other stamp of the value of eight cents, for every fifty-four cards or fraction of fifty-four in each package, and no manufacturer or importer shall sell or import playing cards except in packages.

Stamps on imported packages, when to be affixed.

"(3) When matches or playing cards are imported into Canada the adhesive or other stamps shall be affixed to the packages while they are in the custody of the proper Customs Officers.

Stamps on matches and playing cards in stock.

"(4) Every wholesale and retail dealer shall affix on each unstamped package of matches an adhesive or other stamp of the value of one cent for each one hundred matches or fraction of one hundred matches contained in such package, and an adhesive or other stamp of the value of eight cents on each unstamped package of playing cards held by him for sale on the first day of July, one thousand nine hundred and eighteen.

Packages for export excepted.

"(5) Provided, however, that it shall not be necessary to affix adhesive or other stamps to packages of matches and playing cards manufactured in Canada, for export out of Canada when they are manufactured and exported under regulations made under the provisions of the following subsection.

Regulations.

"(6) The Minister charged by the Governor in Council with the administration of the law contained in this section may make such regulations as he deems necessary or advisable for carrying out the provisions of this section."

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

Penalty.

"**17.** Every person required by this Part to affix an adhesive or other stamp to a bottle or package containing

(*a*) a proprietary or patent medicine,
(*b*) perfumery,
(*c*) wine of the grape, non-sparkling,
(*d*) champagne or sparkling wine,
(*e*) matches, or
(*f*) playing cards,

who fails or neglects to affix an adhesive or other stamp as required by this Part, or violates any of the other provisions of section sixteen A, shall incur a penalty of not less than fifty dollars and not exceeding two hundred and fifty dollars."

**5.** The said Act is amended by inserting the following Part immediately after section nineteen:—

"PART IV.

Definiton. "Duty paid value."

"**19A.** For the purposes of this Part the "duty paid value" of any article means the value of the article as determined under the laws relating to the Customs and the Customs Tariff for the purpose of determining the amount of the customs duties payable thereon on importation into Canada and in addition the amount of the customs duties payable thereon; and the term "Minister" shall mean the Minister charged by the Governor in Council with the administration of the law contained in this Part.

Tax on articles in schedule.

"**19B.** (1) There shall be levied, collected and paid on each of the articles mentioned in the Schedule to this Part, when imported into Canada after the thirtieth day of April, one thousand nine hundred and eighteen, in addition to any duty or tax that may be payable under any other statute or law, a war excise tax equal to ten per centum of the duty paid value of the same; and there shall also be levied, collected and paid, when any such article is manufactured and sold in Canada after the thirtieth day of April, one thousand nine hundred and eighteen, a war excise tax equal to ten per centum of the price for which the same is sold. Where the article is imported such war excise tax shall be paid by the importer, and where the article is manufactured and sold such war excise tax shall be paid by the manufacturer. Provided, however, that such war excise tax shall not be paid on any of the said articles when they are manufactured in Canada and are exported under regulations made by the Minister, and such war excise tax shall not be payable by any manufacturer of jewelry who does not manufacture jewelry to the value of more than one thousand dollars in any one calendar year. The price charged by the manufacturer shall be deemed to be the value of such jewelry.

Articles for export excepted.

Automobiles and jewelry in stock on 30th April liable to tax.

"(2) There shall be levied, collected and paid upon automobiles and jewelry imported into Canada for sale or manufactured in Canada on or before the thirtieth day of April, one thousand nine hundred and eighteen, and which on that date have not been sold to *bona fide* users, a war excise tax equal to ten per centum of the duty paid value

when the same are imported, and ten per centum of the price of the manufacturer when the same have been manufactured in Canada. Provided, that no war excise tax shall be payable on automobiles manufactured in Canada and exported therefrom under regulations made by the Minister, and that no war excise tax shall be payable on jewelry imported into or manufactured in Canada before the first day of October, 1917, or upon jewelry imported or manufactured and which has not been sold where the total duty paid value or price of the entire stock of the same held by any one person does not exceed one thousand dollars.

Exceptions.

Tax on tea.

"(3) There shall be levied, collected and paid a war excise tax of ten cents per pound on all tea entered at Customs on or before the thirtieth day of April, 1918, by any importer or dealer and which remained unsold on that day. Provided that retail dealers shall only pay such war excise tax upon tea held by them on that day in excess of one thousand pounds.

Tax on moving picture films.

"(4) There shall be levied, collected and paid a war excise tax on all cinematograph or moving picture films, positives, one and one-eighth inch in width and over, of fifteen cents on each film for each day upon which such film is used.

Records, books, etc., of manufacturers to be open to officers' inspection.

"(5) The records, books, accounts and vouchers of all manufacturers and of importers and dealers in any of the said articles shall be open at all reasonable hours to the inspection of the officers or other persons authorized to inspect the same by the Minister, and any person who in any way prevents any such officer or other person from having access to or inspecting the same, or refuses to produce the same or any of them, shall be guilty of an offence and liable to a penalty not exceeding one thousand dollars.

Regulations.

"**19C.** The Minister may make such regulations as he deems necessary or advisable for carrying out the provisions of this Part.

Penalty.

"**19D.** Any person who neglects or refuses to pay any war excise tax imposed by this Part shall be liable to a penalty equal to double the amount of the war excise tax which should have been paid, but in no case less than one hundred dollars."

Customs Act to apply to importations.

**6.** (1) The provisions of the *Customs Act*, chapter forty-eight of the Revised Statutes of Canada, 1906, and the Acts amending the same, shall apply to any war excise tax payable under this Act upon the importation of any article into Canada in the same way and to the same extent as if such war excise tax was payable under *The Customs Tariff, 1907*, chapter eleven of the statutes of 1907, or the Acts amending the same.

Board of Customs to settle doubts and differences.

(2) Whenever any difference arises or whenever any doubt exists as to whether any or what rate of war excise tax is payable on any article and there is no previous decision upon

the question by any competent tribunal binding throughout Canada, the Board of Customs appointed under the *Customs Act* may declare what the duty paid value of such article is or what the price of such article is, as the case may be, and what amount of war excise tax is payable on the article in question, or that such article is exempt from war excise tax, and any such declaration of the Board of Customs shall have force and effect as if the same had been sanctioned by statute.

Sections 20 amended.

**7.** Paragraph (*b*) of subsection (2) of section twenty of the said Act is amended by striking out the words "*The Summary Convictions Act*" at the end thereof and substituting therefor the words "Part XV of the *Criminal Code*."

Schedule.

## SCHEDULE TO PART IV.

Automobiles adapted or adaptable for passenger use.

Graphophones, gramophones, phonographs, talking machines, cylinders and records therefor.

Mechanical piano and organ players and records therefor.

Articles commonly or commercially known as jewelry, whether real or imitation, for personal use or for adornment of the person.

First Session, Thirteenth Parliament, 8–9 George V, 1918.

THE HOUSE OF COMMONS OF CANADA

# BILL 84.

An Act to amend The Business Profits War Tax Act, 1916.

First reading, May 8, 1918.

The MINISTER OF FINANCE.

OTTAWA
J. DE LABROQUERIE TACHÉ,
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1918

39971—1

1st Session, 13th Parliament, 8-9 George V, 1918.

THE HOUSE OF COMMONS OF CANADA

# BILL 84.

An Act to amend The Business Profits War Tax Act, 1916.

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

1916, c. 11; 1917, c. 6.

**1.** (1) Section three of *The Business Profits War Tax Act, 1916*, chapter eleven of the statutes of 1916, as amended by chapter six of the statutes of 1917, is amended by adding the following immediately before the proviso to the said section:—

Tax on businesses with capital $25,000 to $50,000.

"Any person having a business with a capital of not less than twenty-five thousand dollars and under fifty thousand dollars shall pay a tax of twenty-five per centum of the amount of the profits exceeding ten per centum per annum upon the amount of the capital employed therein."

(2) Paragraph (*a*) of the proviso to said section three is repealed and the following is substituted therefor:—

Taxes paid under Acts mentioned to be deducted but not to be included in business expenses.

"(*a*) that the amount paid or payable by any person under the provisions of Part One of *The Special War Revenue Act, 1915*, and *The Income War Tax Act, 1917*, shall be deducted from the amount which such person would otherwise be liable to pay under the provisions of this Act, and the Minister shall have power to determine any questions that may arise in consequence of any difference in the several periods for which the taxes under the said Acts and under this Act respectively are payable, and the decision of the Minister thereon shall be final and conclusive, but in computing the profits of his business no taxpayer shall include any taxes paid under the said Acts in the expenses of his business;"

Par. (*c*) of s. 3 repealed.

(3) Paragraph (*c*) of the said proviso to section three is repealed.

Exceptions in s. 5 reduced.

**2.** Paragraph (*a*) of section five of the said Act is amended by striking out the word "fifty" in the third

line thereof and substituting therefor the words " twenty-five ".

Dividends paid considered a reduction of reserve, etc.

**3.** Subsection four of section seven, as enacted by chapter six of the statutes of 1917, is amended by adding thereto the following:—

" and dividends paid during an accounting period shall be considered as a reduction of unimpaired reserve, rest or accumulated profits."

Tax continued for another twelve months.

**4.** Section twenty-six as amended by section four of chapter six of the statutes of 1917 is repealed, and the following is substituted therefor:—

" **26.** The provisions of section three of this Act shall not continue in force after the thirty-first day of December, one thousand nine hundred and eighteen.

" Provided, however, that with respect to every business liable to taxation hereunder the period for which the returns shall be made and during which it shall be liable for assessment shall be at least forty-eight months, commencing with the beginning of the first accounting period ending after the thirty-first day of December, one thousand nine hundred and fourteen, or for such less period as the business may have been carried on from the beginning of the said accounting period to the end of the period for which the said tax may be levied under this Act.

When tax on businesses from $25,000 to $50,000 capital begins.

" Provided, also, that the tax payable in respect of any business with a capital of not less than twenty-five thousand dollars and under fifty thousand dollars shall be payable for all accounting periods commencing after the thirty-first day of December, 1917."

First Session, Thirteenth Parliament, 8-9 George V, 1918.

THE HOUSE OF COMMONS OF CANADA

# BILL 84.

An Act to amend The Business Profits War Tax Act, 1916.

AS PASSED BY THE HOUSE OF COMMONS, 20th MAY, 1918.

OTTAWA
J. DE LABROQUERIE TACHÉ,
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1918

1st Session, 13th Parliament, 8-9 George V, 1918.

THE HOUSE OF COMMONS OF CANADA

# BILL 84.

An Act to amend The Business Profits War Tax Act, 1916.

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

1916, c. 11; 1917, c. 6.

**1.** (1) Section three of *The Business Profits War Tax Act, 1916*, chapter eleven of the statutes of 1916, as amended by chapter six of the statutes of 1917, is amended by adding the following immediately before the proviso to the said section:—

Tax on businesses with capital $25,000 to $50,000.

"Any person having a business with a capital of not less than twenty-five thousand dollars and under fifty thousand dollars shall pay a tax of twenty-five per centum of the amount of the profits exceeding ten per centum per annum upon the amount of the capital employed therein."

(2) Paragraph (*a*) of the proviso to said section three is repealed and the following is substituted therefor:—

Taxes paid under Acts mentioned to be deducted but not to be included in business expenses.

"(*a*) that the amount paid or payable by any person under the provisions of Part One of *The Special War Revenue Act, 1915*, and *The Income War Tax Act, 1917*, shall be deducted from the amount which such person would otherwise be liable to pay under the provisions of this Act, and the Minister shall have power to determine any questions that may arise in consequence of any difference in the several periods for which the taxes under the said Acts and under this Act respectively are payable, and the decision of the Minister thereon shall be final and conclusive, but in computing the profits of his business no taxpayer shall include any taxes paid under the said Acts in the expenses of his business;"

Par. (*c*) of s. 3 repealed.

(3) Paragraph (*c*) of the said proviso to section three is repealed.

Exceptions in s. 5 reduced.

**2.** Paragraph (*a*) of section five of the said Act is amended by striking out the word "fifty" in the third

line thereof and substituting therefor the words " twenty-five ".

Dividends paid considered a reduction of reserve, etc.

**3.** Subsection four of section seven, as enacted by chapter six of the statutes of 1917, is amended by adding thereto the following:—

" and dividends paid during an accounting period shall be considered as a reduction of unimpaired reserve, rest or accumulated profits."

Tax continued for another twelve months.

**4.** Section twenty-six as amended by section four of chapter six of the statutes of 1917 is repealed, and the following is substituted therefor:—

" **26.** The provisions of section three of this Act shall not continue in force after the thirty-first day of December, one thousand nine hundred and eighteen.

" Provided, however, that with respect to every business liable to taxation hereunder the period for which the returns shall be made and during which it shall be liable for assessment shall be at least forty-eight months, commencing with the beginning of the first accounting period ending after the thirty-first day of December, one thousand nine hundred and fourteen, or for such less period as the business may have been carried on from the beginning of the said accounting period to the end of the period for which the said tax may be levied under this Act.

When tax on businesses from $25,000 to $50,000 capital begins.

" Provided, also, that the tax payable in respect of any business with a capital of not less than twenty-five thousand dollars and under fifty thousand dollars shall be payable for all accounting periods commencing after the thirty-first day of December, 1917."

First Session, Thirteenth Parliament, 8–9 George V, 1918.

THE HOUSE OF COMMONS OF CANADA

# BILL 85.

An Act to amend The Income War Tax Act, 1917.

First reading, May 8, 1918.

The MINISTER OF FINANCE.

OTTAWA
J. DE LABROQUERIE TACHÉ
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
40052—1 1918

1st Session, 13th Parliament, 8-9 George V, 1918.

THE HOUSE OF COMMONS OF CANADA

# BILL 85.

An Act to amend The Income War Tax Act, 1917.

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

1917, c. 28.

**1.** (1) Paragraph (*e*) of section two of *The Income War Tax Act, 1917*, chapter twenty-eight of the statutes of 1917, is repealed and the following is substituted therefor:—

Definitions.

"(*e*) "supertax" means the taxes authorized by paragraphs (*b*) to (*m*), both inclusive, of section four of this Act;"

(2) Section two of the said Act is amended by adding thereto the following paragraphs:—

"(*h*) "surtax" means the taxes authorized by paragraphs (*n*) to (*q*), both inclusive, of section four of this Act;

"(*i*) "dependent child" means a child under twenty-one years of age and dependent on his parent for support, or over twenty-one years of age and dependent on his parent for support on account of physical or mental incapacity."

Par. relating to payments at source.

**2.** (1) Paragraph (*b*) of section three of the said Act is repealed and the following is substituted therefor:—

"(*b*) two hundred dollars for each child under sixteen years of age who is dependent upon the taxpayer for support."

Par. (*d*) of s. 3 amended.

(2) Paragraph (*d*) of the said section three is amended by striking out the words "or from the net earnings" in the third and fourth lines thereof.

**3.** Subsections one and two of section four of the said Act are repealed and the following are substituted therefor:—

Income tax.

"**4.** (1) There shall be assessed, levied and paid, upon the income during the preceding year of every person residing or ordinarily resident in Canada or carrying on any business in Canada, and upon the income received by any person from any source within Canada, the following taxes:

(*a*) two per centum upon all income exceeding one thousand dollars but not exceeding fifteen hundred dollars in the case of unmarried persons and widows or widowers without dependent children, and exceeding two thousand dollars but not exceeding three thousand dollars in the case of all other persons; four per centum upon all income exceeding fifteen hundred dollars in the case of unmarried persons and widows or widowers without dependent children, and exceeding three thousand dollars in the case of all other persons;

Supertax. and in addition thereto the following supertax:—

(*b*) two per centum upon the amount by which the income exceeds six thousand dollars and does not exceed ten thousand dollars; and

(*c*) five per centum upon the amount by which the income exceeds ten thousand dollars and does not exceed twenty thousand dollars; and,

(*d*) eight per centum of the amount by which the income exceeds twenty thousand dollars and does not exceed thirty thousand dollars; and

(*e*) ten per centum of the amount by which the income exceeds thirty thousand dollars and does not exceed fifty thousand dollars; and

(*f*) fifteen per centum of the amount by which the income exceeds fifty thousand dollars and does not exceed seventy-five thousand dollars; and

(*g*) twenty per centum of the amount by which the income exceeds seventy-five thousand dollars and does not exceed one hundred thousand dollars; and

(*h*) twenty-five per centum of the amount by which the income exceeds one hundred thousand dollars and does not exceed two hundred thousand dollars; and

(*i*) thirty per centum of the amount by which the income exceeds two hundred thousand dollars and does not exceed four hundred thousand dollars; and

(*j*) thirty-five per centum of the amount by which the income exceeds four hundred thousand dollars and does not exceed six hundred thousand dollars; and

(*k*) forty per centum of the amount by which the income exceeds six hundred thousand dollars and does not exceed eight hundred thousand dollars; and

(*l*) forty-five per centum of the amount by which the income exceeds eight hundred thousand dollars and does not exceed one million dollars; and

(*m*) fifty per centum of the amount by which the income exceeds one million dollars;

Surtax. and in addition thereto the following surtax:—

(*n*) upon income in excess of six thousand dollars but not exceeding ten thousand dollars, five per cent of the normal tax and supertax payable thereon;

(*o*) upon income in excess of ten thousand dollars but not exceeding one hundred thousand dollars, ten per centum of the normal tax and supertax payable thereon;

(*p*) upon income exceeding one hundred thousand dollars but not exceeding two hundred thousand dollars fifteen per centum of the normal tax and supertax payable thereon;

(*q*) upon income exceeding two hundred thousand dollars, thirty-five per centum of the normal tax and supertax payable thereon.

Corporation income tax.

"(2) Corporations and joint stock companies, no matter how created or organized, shall pay six per centum upon income exceeding three thousand dollars, but shall not be liable to pay the supertax or surtax; and the Minister may permit any corporation or joint stock company the fiscal year of which is not the calendar year, to make a return and to have the tax payable by it computed upon its income for the twelve months ending with its last fiscal year preceding the date of assessment."

Exemptions from tax.

**4.** Section five of the said Act is amended by adding thereto the following paragraphs:—

"(*k*) the income of such portion of the income of judges and retired judges as comes within the provisions of subsection three of section twenty-seven of the *Judges Act* under which the salaries, retiring allowances or annuities mentioned in the Act are free and clear of all taxes and deductions whatsoever imposed under any Act of the Parliament of Canada;

"(*l*) the income of incorporated companies whose business and assets are carried on and situate entirely outside of Canada."

Payment of tax at source.

**5.** Section six of the said Act is repealed.

Returns by agents, etc.

**6.** Subsection four of section seven of the said Act is amended by inserting after the word members in the sixth line thereof the following:—"and all persons in whatever capacity acting, having the control, receipt, disposal or payment of fixed or determinable annual or periodical gains, profits or income of any taxpayer, shall make and render a separate and distinct return to the Minister of such gains, profits or income, containing the name and address of each taxpayer."

First Session, Thirteenth Parliament, 8–9 George V, 1918.

THE HOUSE OF COMMONS OF CANADA

# BILL 85.

An Act to amend The Income War Tax Act, 1917.

**AS PASSED BY THE HOUSE OF COMMONS, 20th MAY, 1918.**

OTTAWA
J. DE LABROQUERIE TACHÉ
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1918

1st Session, 13th Parliament, 8-9 George V, 191 .

THE HOUSE OF COMMONS OF CANADA

# BILL 85.

An Act to amend The Income War Tax Act, 1917.

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

1917, c. 28.

**1.** (1) Paragraph (*e*) of section two of *The Income War Tax Act, 1917*, chapter twenty-eight of the statutes of 1917, is repealed and the following is substituted therefor:—

Definitions.

"(*e*) "supertax" means the taxes authorized by paragraphs (*b*) to (*m*), both inclusive, of section four of this Act;"

(2) Section two of the said Act is amended by adding thereto the following paragraphs:—

"(*h*) "surtax" means the taxes authorized by paragraphs (*n*) to (*q*), both inclusive, of section four of this Act;

"(*i*) "dependent child" means a child under twenty-one years of age and dependent on his parent for support, or over twenty-one years of age and dependent on his parent for support on account of physical or mental incapacity."

Par. relating to payments at source.

**2.** (1) Paragraph (*b*) of section three of the said Act is repealed and the following is substituted therefor:—

"(*b*) two hundred dollars for each child under sixteen years of age who is dependent upon the taxpayer for support."

Par. (*d*) of s. 3 amended.

(2) Paragraph (*d*) of the said section three is amended by striking out the words "or from the net earnings" in the third and fourth lines thereof.

**3.** Subsections one and two of section four of the said Act are repealed and the following are substituted therefor:—

Income tax.

"**4.** (1) There shall be assessed, levied and paid, upon the income during the preceding year of every person residing or ordinarily resident in Canada or carrying on any business in Canada, and upon the income received by any person from any source within Canada, the following taxes:

(*a*) two per centum upon all income exceeding one thousand dollars but not exceeding fifteen hundred dollars in the case of unmarried persons and widows or widowers without dependent children, and exceeding two thousand dollars but not exceeding three thousand dollars in the case of all other persons; four per centum upon all income exceeding fifteen hundred dollars in the case of unmarried persons and widows or widowers without dependent children, and exceeding three thousand dollars in the case of all other persons;

Supertax. and in addition thereto the following supertax:—

(*b*) two per centum upon the amount by which the income exceeds six thousand dollars and does not exceed ten thousand dollars; and

(*c*) five per centum upon the amount by which the income exceeds ten thousand dollars and does not exceed twenty thousand dollars; and,

(*d*) eight per centum of the amount by which the income exceeds twenty thousand dollars and does not exceed thirty thousand dollars; and

(*e*) ten per centum of the amount by which the income exceeds thirty thousand dollars and does not exceed fifty thousand dollars; and

(*f*) fifteen per centum of the amount by which the income exceeds fifty thousand dollars and does not exceed seventy-five thousand dollars; and

(*g*) twenty per centum of the amount by which the income exceeds seventy-five thousand dollars and does not exceed one hundred thousand dollars; and

(*h*) twenty-five per centum of the amount by which the income exceeds one hundred thousand dollars and does not exceed two hundred thousand dollars; and

(*i*) thirty per centum of the amount by which the income exceeds two hundred thousand dollars and does not exceed four hundred thousand dollars; and

(*j*) thirty-five per centum of the amount by which the income exceeds four hundred thousand dollars and does not exceed six hundred thousand dollars; and

(*k*) forty per centum of the amount by which the income exceeds six hundred thousand dollars and does not exceed eight hundred thousand dollars; and

(*l*) forty-five per centum of the amount by which the income exceeds eight hundred thousand dollars and does not exceed one million dollars; and

(*m*) fifty per centum of the amount by which the income exceeds one million dollars;

Surtax. and in addition thereto the following surtax:—

(*n*) upon income in excess of six thousand dollars but not exceeding ten thousand dollars, five per cent of the normal tax and supertax payable thereon;

(*o*) upon income in excess of ten thousand dollars but not exceeding one hundred thousand dollars, ten per centum of the normal tax and supertax payable thereon;

(*p*) upon income exceeding one hundred thousand dollars but not exceeding two hundred thousand dollars fifteen per centum of the normal tax and supertax payable thereon;

(*q*) upon income exceeding two hundred thousand dollars, thirty-five per centum of the normal tax and supertax payable thereon.

Corporation income tax.

"(2) Corporations and joint stock companies, no matter how created or organized, shall pay six per centum upon income exceeding three thousand dollars, but shall not be liable to pay the supertax or surtax; and the Minister may permit any corporation or joint stock company the fiscal year of which is not the calendar year, to make a return and to have the tax payable by it computed upon its income for the twelve months ending with its last fiscal year preceding the date of assessment."

Exemptions from tax.

**4.** Section five of the said Act is amended by adding thereto the following paragraph:—

"(*k*) the income of incorporated companies whose business and assets are carried on and situate entirely outside of Canada."

Payment of tax at source.

**5.** Section six of the said Act is repealed.

Returns by agents, etc.

**6.** Subsection four of section seven of the said Act is amended by inserting after the word members in the sixth line thereof the following:—"and all persons in whatever capacity acting, having the control, receipt, disposal or payment of fixed or determinable annual or periodical gains, profits or income of any taxpayer, shall make and render a separate and distinct return to the Minister of such gains, profits or income, containing the name and address of each taxpayer."

First Session, Thirteenth Parliament, 8–9 George V, 1918.

THE HOUSE OF COMMONS OF CANADA

# BILL 86.

An Act to amend The Daylight Saving Act, 1918.

First reading, May 10, 1918.

The MINISTER OF TRADE AND COMMERCE.

OTTAWA
J. DE LABROQUERIE TACHÉ
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1918

1st Session, 13th Parliament, 8-9 George V, 1918.

THE HOUSE OF COMMONS OF CANADA.

# BILL 86.

An Act to amend The Daylight Saving Act, 1918.

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

Dominion and provincial time to agree.

**1.** Section two of *The Daylight Saving Act, 1918*, is amended by inserting after the word "province" in the fourth line thereof the words "at the time of the coming into force of this Act"; and by inserting after the word "the," in the sixth line, the word "then."

First Session, Thirteenth Parliament, 8-9 George V, 1918.

THE HOUSE OF COMMONS OF CANADA

# BILL 86.

An Act to amend The Daylight Saving Act, 1918.

**AS PASSED BY THE HOUSE OF COMMONS, 14th MAY, 1918.**

OTTAWA
J. DE LABROQUERIE TACHÉ
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1918

1st Session, 13th Parliament, 8-9 George V, 1918.

THE HOUSE OF COMMONS OF CANADA.

# BILL 86.

An Act to amend The Daylight Saving Act, 1918.

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

Dominion and provincial time to agree.

**1.** Section two of *The Daylight Saving Act, 1918,* is amended by inserting after the word "province" in the fourth line thereof the words "at the time of the coming into force of this Act"; and by inserting after the word "the" in the sixth line the word "then."

First Session, Thirteenth Parliament, 8–9 George V, 1918.

THE HOUSE OF COMMONS OF CANADA

# BILL 87.

An Act supplementary to Chapter Twenty-Four of the Statutes of 1917, respecting the Canadian Northern Railway System

First reading, May 10, 1918.

The MINISTER OF FINANCE.

OTTAWA
J. DE LABROQUERIE TACHÉ
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
39272—1 1918

1st Session, 13th Parliament, 8-9 George V, 1918.

THE HOUSE OF COMMONS OF CANADA.

# BILL 87.

An Act supplementary to Chapter Twenty-Four of the Statutes of 1917, respecting the Canadian Northern Railway System.

1914, c. 20; 1915, c. 4; 1916, c. 29; 1917, c. 24.

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

Guarantee on renewal or postponement of payments.

**1.** The five-sixths of the shares mentioned in section three of chapter twenty-four of the statutes of Canada for the year 1917, having been transferred as required by said Act, the Governor in Council may from time to time assist the Canadian Northern Railway Company or any Company included in the Canadian Northern Railway System in renewing or postponing the payment of any indebtedness of any such Company, on such terms as may be agreed on, by guaranteeing in whole or part the payment thereof with interest or the notes or obligations given for such renewal or postponement: Provided that the amount of principal to be so guaranteed from time to time shall not exceed the amount of the indebtedness the payment of which is from time to time renewed or postponed.

Form, effect, and payments of guarantee.

**2.** The guarantee shall be in such form and signed by such person as the Governor in Council may approve of, and shall enure for the benefit and security of the holder for the time being of the indebtedness or the notes or other obligations representing the same, and any payments which may be required to be made pursuant to any such guarantee shall be made out of the Consolidated Revenue Fund of Canada.

Evidence of compliance.

**3.** The order in council authorizing such guarantee shall be conclusive evidence for such holder that the terms and conditions of this Act have been complied with and that such guarantee is legal and binding.

First Session, Thirteenth Parliament, 8–9 George V, 1918.

THE HOUSE OF COMMONS OF CANADA

# BILL 87.

An Act supplementary to Chapter Twenty-Four of the Statutes of 1917, respecting the Canadian Northern Railway System

**AS PASSED BY THE HOUSE OF COMMONS, 17th MAY, 1918.**

OTTAWA
J. DE LABROQUERIE TACHÉ
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
41069—1 1918

1st Session, 13th Parliament, 8-9 George V, 1918.

THE HOUSE OF COMMONS OF CANADA.

# BILL 87.

An Act supplementary to Chapter Twenty-Four of the Statutes of 1917, respecting the Canadian Northern Railway System.

1914, c. 20; 1915, c. 4; 1916, c. 29; 1917, c. 24.

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

Guarantee on renewal or postponement of payments.

**1.** The five-sixths of the shares mentioned in section three of chapter twenty-four of the statutes of Canada for the year 1917, having been transferred as required by said Act, the Governor in Council may from time to time assist the Canadian Northern Railway Company or any Company included in the Canadian Northern Railway System in renewing or postponing the payment of any indebtedness of any such Company, on such terms as may be agreed on, by guaranteeing in whole or part the payment thereof with interest or the notes or obligations given for such renewal or postponement: Provided that the amount of principal to be so guaranteed from time to time shall not exceed the amount of the indebtedness the payment of which is from time to time renewed or postponed.

Form, effect, and payments of guarantee.

**2.** The guarantee shall be in such form and signed by such person as the Governor in Council may approve of, and shall enure for the benefit and security of the holder for the time being of the indebtedness or the notes or other obligations representing the same, and any payments which may be required to be made pursuant to any such guarantee shall be made out of the Consolidated Revenue Fund of Canada.

Evidence of compliance.

**3.** The order in council authorizing such guarantee shall be conclusive evidence for such holder that the terms and conditions of this Act have been complied with and that such guarantee is legal and binding.

First Session, Thirteenth Parliament, 8-9 George V, 1918.

THE HOUSE OF COMMONS OF CANADA

# BILL 108.

An Act to amend the Inspection and Sale Act (Fruit, Fruit Marks and Potatoes).

First reading, May 18, 1918.

The MINISTER OF AGRICULTURE.

OTTAWA
DE LABROQUERIE TACHÉ
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
39817—1 1918

1st Session, 13th Parliament, 8-9 George V, 1918.

THE HOUSE OF COMMONS OF CANADA

# BILL 108.

An Act to amend the Inspection and Sale Act (Fruit, Fruit Marks and Potatoes).

Part IX. R.S. c. 85; 1907, c. 21; 1908, c. 35; 1913, c. 25.

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

Repeal.

**1.** Sections three hundred and nineteen, three hundred and twenty, three hundred and twenty A, three hundred and twenty-one, three hundred and twenty-two, three hundred and twenty-eight, three hundred and twenty-nine, and three hundred and thirty-two of the *Inspection and Sale Act*, chapter eighty-five of the Revised Statutes of Canada, 1906, are repealed, and sections three hundred and twenty-five, and three hundred and twenty-six of the said Act shall be repealed and shall cease to have any force or effect on and after the first day of June, 1919. The following sections are substituted for the said sections repealed and to be repealed respectively:—

## PART IX.

### FRUIT AND FRUIT MARKS.

*Interpretation.*

Definitions.

"**319.** In this Part, unless the context otherwise requires,—

(*a*) 'closed package' means a box or a barrel of which the contents cannot be seen or inspected when such package is closed;

(*b*) 'fruit' shall not include wild fruit, nor cranberries, whether wild or cultivated;

(*c*) 'culls' means fruit that is either very small for the variety, is seriously deformed, or has fifteen per cent or more of its surface affected by any of or by the

combined injuries caused by apple scab (venturia pomi), insects, cuts, bruises or other causes, or the flesh of which is not in an edible condition, or the skin of which is broken so as to expose the tissue beneath.

(*d*) 'Immature fruit' means fruit not ripe enough for dessert purposes and which will not attain such condition after being picked from the tree, bush, plant or vine.

*The Marking of Fruit.*

Marks required.

"**320.** (1) Every person who, by himself or through the agency of another person, packs fruit in a closed package, intended for sale, shall cause the package to be marked in a plain and indelible manner in letters not less than three-quarters of an inch in length, before it is taken from the premises where it is packed,—

(*a*) With the words 'packed by' and with the initials of his christian names, and his full surname and address, or, in the case of a firm or corporation, with the firm or corporate name and address;

(*b*) with the name of the variety or varieties; and,

Grades.

(*c*) with a designation of the grade of fruit which shall include one of the following four marks, viz.: No. 1, No. 2, Domestic, No. 3.

Such mark may be accompanied by any other designation of grade or brand, if that designation or brand is not inconsistent with, or marked more conspicuously than, the one of the said four marks which is used on the said package.

Repacking.

"(2) Every person who, by himself or through the agency of another person, repacks fruit in a closed package, intended for sale, shall cause such package to be marked before it is taken from the premises where it is repacked with the words 'Repacked by' followed by the initials of his christian names and his full surname and address or in the case of a firm or corporation, with the firm or corporate name and address, together with one of the four grade-marks prescribed in subsection one of this section in a plain and indelible manner, in letters not less than three-quarters of an inch in length.

Open packages.

"(3) Every person who, by himself or through the agency of another person, packs fruit in an open package, intended for sale, shall cause such package to be marked, before it is taken from the premises where it is packed, with the initials of his christian names and his full surname and address, or in the case of a firm or corporation, with the firm or corporate name and address, in a plain and indelible manner, in letters not less than one-quarter of an inch in length. Provided that any co-operative association or person dealing wholesale in fruit may cause the packages containing such fruit to be marked with his own name and address, but such packages must also be marked with a

Dealers may mark with their own names, etc.

number or other mark approved by the Minister which will designate who is the original packer of such fruit.

Repacking open packages.

" (4) Every person who, by himself or through the agency of another person, repacks fruit in an open package, intended for sale, shall cause such package to be marked, before it is taken from the premises where it is repacked, with the words ' Repacked by ' followed by the initials of his christian names and his full surname and address, or in the case of a firm or corporation with the firm or corporate name and address, in a plain and indelible manner, in letters not less than one-quarter of an inch in length.

Immature fruit.

" (5) Every person who, by himself or through the agency of another person, packs immature peaches, plums, pears, prunes or grapes, intended for sale, shall cause such package to be marked, in a plain and indelible manner, in letters not less than three-quarters of an inch in length, with the words ' Immature fruit,' before it is taken from the premises where it is packed.

Obliterating old marks when re-using packages.

" (6) Every person who, by himself or through the agency of another person, again uses, for the sale of fruit, any package standardized in this Part, upon which appear any of the marks required by this section, shall cause such marks to be completely removed, erased or obliterated.

Regulations.

" **320A.** (1) The Governor in Council, by regulation, may,—

(*a*) prescribe the kinds of imported fruit the packages containing which must be branded or marked;

(*b*) prescribe the brands or marks to be used thereon;

(*c*) prescribe the manner and places in and at which such fruit is to be inspected and such packages branded or marked.

Publication.

" (2) All regulations made under the provisions of this section shall be published in the *Canada Gazette*.

Forfeiture.

" (3) All packages of fruit not branded or marked in accordance with such regulations shall be forfeited to His Majesty, and may be destroyed or otherwise disposed of as the Minister may direct.

Penalty.

" (4) Any person violating any regulation made under the provisions of this section shall be liable, on summary conviction, to a fine of not more than fifty dollars and costs, or, in default of payment, to imprisonment for a term not exceeding one month.

Closed package marks.

" **321.** (1) No person shall sell, or offer, expose or have in his possession for sale any fruit packed in a closed package, and intended for sale or in an open package and intended for sale, unless such package is marked as required by this Part.

No. 1.

" (2) No person shall sell, or offer, expose or have in his possession for sale, any fruit packed in a closed package upon which package is marked ' No. 1 ' unless such fruit includes no culls and consists of well grown specimens of

one variety, sound, of not less than medium size and of good colour for the variety, of normal shape and not less than ninety per cent free from scab, wormholes, bruises and other defects, and properly packed.

No. 2.

" (3) No person shall sell, or offer, expose or have in possession for sale, any fruit packed in a closed package, upon which package is marked ' No. 2 ' unless such fruit includes no culls and consists of specimens of not less than nearly medium size and some colour for the variety, sound, and not less than eighty-five per cent free from scab, worm holes, bruises and other defects, and properly packed.

Domestic.

" (4) No person shall sell, or offer, expose or have in his possession for sale, any fruit packed in a closed package, upon which package is marked ' Domestic ' unless such fruit includes no culls and consists of fruit of not less than medium size for the variety, sound, and not less than eighty per cent free from wormholes (but may be slightly affected with scab and other minor defects), and properly packed.

No. 3.

" (5) No person shall sell, or offer, expose or have in his possession for sale, any fruit packed in a closed package, upon which package is marked ' No. 3 ' unless such fruit includes no culls and is properly packed.

Fraudulent packing.

" (6) No person shall sell, or offer, expose or have in his possession for sale, any fruit packed in any package in which the faced or shown surface gives a false representation of the contents of such package; and it shall be considered a false representation when more than ten per cent of such fruit is smaller in size than, or inferior in grade to, or different in variety from, the faced or shown surface of such package.

Fruit unfit for use.

" (7) No person shall sell, or offer, expose or have in his possession for sale, any fruit in any package that is so diseased, wormy or otherwise depreciated as to render it unfit for consumption.

Packages must be full.

" (8) No person shall sell, or offer, expose or have in his possession for sale, at original point of shipment, any fruit in any package unless such package is well and properly filled.

" (9) No person shall sell, or offer, expose or have in his possession for sale, any fruit in any package that has been repacked, unless such package is well and properly filled.

*Branding.*

Fraudulent filled packages to be marked "overfaced."

" **322.** (1) Whenever any fruit in any package is found to be so packed that the faced or shown surface gives a false representation of the contents of the package, any inspector charged with the enforcement of this Part may mark the words *Over-faced* in a plain and indelible manner on the package.

Fruit below grade.

" (2) Whenever any fruit packed in a closed package is found to be falsely marked, the said inspector may mark the words *Below grade* in a plain and indelible manner on the package, or he may efface such false marks and place the proper grade mark upon the package.

Notice to packer.

" (3) The inspector shall give notice, by letter or telegram, to the packer whose name is marked on the package, within twenty-four hours after he marks the words *Overfaced* or *Below grade* on the package or has reduced the grade on the package.

*Fruit Packages.*

Apple barrels dimensions.

"**325.** On and after the first day of June, 1919, the following provisions shall come into operation:—

(*a*) all apples packed in Canada for sale in Canada by the barrel, in closed barrels, shall be packed in good and strong barrels of seasoned wood of the following dimensions, as nearly as practicable: length of stave, twenty-eight and one-half inches; diameter of head, seventeen and one-eighth inches; distance between heads, twenty-six inches; circumference at bulge, sixty-four inches outside measurement, representing as nearly as possible seven thousand and fifty-six cubic inches.

(*b*) When apples, pears or quinces are sold by the barrel, as a measure of capacity, such barrel shall not be of lesser dimensions than those specified in this section.

Apple boxes dimensions.

(*c*) All apples packed in Canada for sale in Canada by the box, shall be packed in good strong boxes of seasoned wood, the inside dimensions of which shall be length, eighteen inches, width, eleven and one-half inches, depth, ten and one-half inches, representing as nearly as possible two thousand one hundred and seventy-four cubic inches.

Packages with trays and fillers.

(*d*) When apples are packed in boxes or barrels having trays or fillers wherein it is intended to have a separate compartment for each apple, the provisions of this section as to boxes and barrels shall not apply.

Apple crates.

(*e*) All apples packed in Canada for sale in Canada in crates, shall be packed in good and strong crates of seasoned wood, the inside dimensions of which shall be: length, eighteen inches; width, eleven and one-half inches; depth, ten and one-half inches, with slats at least three-quarters of an inch apart.

Boxes for pears and crab apples.

(*f*) All pears or crab apples packed in Canada for sale in Canada by the box, shall be packed in good and strong boxes of seasoned wood, the inside dimensions of which shall be: length, eighteen inches; width, eleven and one-half inches; depth, eight and one-half inches, representing as nearly as possible one thousand seven hundred and sixty cubic inches.

Peach boxes.

(*g*) All peaches packed in Canada for sale in Canada by the box, shall be packed in good and strong boxes of seasoned wood of one of the following dimensions, inside measurement: length, eighteen inches; width, eleven and one-half inches, and depth, either four and one-half inches, four inches or three and one-half inches.

Plum boxes.

(*h*) All plums or prunes packed in Canada for sale in Canada by the box shall be packed in good and strong boxes of seasoned wood, the inside dimensions of which shall be: length, eighteen inches; width, eleven and one-half inches; depth, three and one-half inches.

Cherry boxes.

(*i*) All cherries packed in Canada for sale in Canada by the box shall be packed in good and strong boxes of seasoned wood, the inside dimensions of which shall be: length, eighteen inches; width, fourteen inches; depth, five and one-half inches.

Four-basket crates.

(*j*) All fruit packed in Canada for sale in Canada by the four-basket crate, shall be packed in baskets and crates of the following dimensions, inside measurement: Baskets: seven and one-half inches by seven and one-half inches at the top, six and one-half inches by six and one-half inches at the bottom, three and three-quarter inches deep, measured perpendicularly. Crates: fifteen and three-quarter inches by fifteen and three-quarter inches by four and one-quarter inches.

*Berries and Currants.*

Contents of berry boxes.

"**326.** On and after the first day of June, 1919, every box of berries or currants packed in Canada for sale in Canada, and every berry or currant box manufactured and offered for sale in Canada, shall contain when level full as nearly as practicable one or other of the following quantities:—

Four-fifths of quart.

(*a*) four-fifths of a quart;

One pint.

(*b*) one pint, and shall be four and three-eighths by four and three-eighths inches at top and bottom, and one and seven-eighths inches deep;

Two-fifths of quart.

(*c*) two-fifths of a quart.

Veneer boxes.

"(2) Every wood veneer basket of fruit packed in Canada for sale in Canada, or manufactured and offered for sale in Canada, shall contain, when level full, as nearly as practicable, one or other of the following quantities:—

Bushel.

(*a*) one bushel;

Eleven quarts.

(*b*) Eleven quarts, which shall be of the following dimensions and specifications, inside measurement, as nearly exactly as practicable: six inches deep perpendicularly, eighteen and one-fourth inches in length and seven and three-fourths inches in width at the top of the basket, sixteen and three-fourths inches in length

and six and one-fourth inches in width at the bottom of the basket, all measurements to be inside of the veneer proper and not to include the top band. The veneer to be cut fourteen to the inch minimum; bottoms to be three-eighths inches thick, minimum; top bands to be three-fourths inches in width, cut twelve to the inch minimum and secured with twelve tacks, bottom bands to be one-half inch in width, cut fourteen to the inch minimum and secured with twelve nails, all nails and tacks to be exclusive of handles, and all bands to be drawn tight so as to fit snugly over forms; the handles to be twenty-five and one-half inches in length and one and one-eighth inches in width, cut seven to the inch minimum, with one tack in each side of the handle at top band, and two nails in each end of the handle at bottom band, the handles to be outside of bands and to be so shaped that pinching of the baskets when handles are attached will be avoided; the veneer for the covers to be not less than two inches in width and cut ten to the inch minimum and constructed in such a manner as to fit properly; the basket to be constructed over blocks measuring seventeen and three-fourths inches in length and seven and five-sixteenths inches in width at top, with a radius of one and three-fourths inches at corners. The covers and baskets to be made of sound, well seasoned wood, free from material defects;

Six quarts.

(*c*) six quarts, which shall be of the following dimensions and specifications, inside measurement, as nearly as practicable: four and one-half inches deep perpendicularly, fifteen and one-fourth inches in length and seven inches in width at the top of the basket, thirteen and one-half inches in length and five and seven-eighths inches in width at the bottom of the basket, all measurements to be inside the veneer proper and not to include the top band. The veneer to be cut sixteen to the inch minimum; bottoms to be three-eighths inches thick, minimum; top bands to be three-fourths inches in width, cut fourteen to the inch minimum and secured with twelve tacks, bottom bands to be one-half inch in width, cut fourteen to the inch minimum and secured with eight nails, all nails and tacks to be exclusive of handles, and all bands to be drawn tight so as to fit snugly over forms; the handles to be twenty-one and one-half inches in length, cut eight to the inch minimum, with one tack in each side of the handle at the top band and one nail in each end of the handle at the bottom band, the handles to be outside of bands; the veneer for the covers to be not less than two inches in width, cut ten to the inch minimum and constructed in such a manner as to fit

properly; the basket to be constructed over blocks measuring fourteen and three-fourths inches in length and six and five-eighths inches in width at top with a radius of one and three-fourths inches at corners. The covers and baskets to be made of sound, well seasoned wood, free from material defects. When wire stitching machines are used in the manufacture of these baskets, the baskets must be as securely constructed as though the above specifications as to nailing had been followed.

Three quarts. (*d*) Three quarts.

"(3) Every basket of fruit packed in Canada, for sale in Canada, and every basket manufactured and offered for sale in Canada, of other material than wood veneer shall be of such dimensions as may be specified by the Minister of Agriculture, and shall contain, when level full, as nearly as practicable, one or other of the following quantities:—

Eleven quarts (*a*) eleven quarts;

Six quarts. (*b*) six quarts;

Three quarts. (*c*) three quarts.

Permits for other sizes. Provided that the said Minister may issue permits allowing any person or persons to use packages of other sizes than those specified in the foregoing section.

Penalty for violating ss. 320 and 321. "**328.** (1) Every person who, by himself or through the agency of any other person, violates any of the provisions of sections three hundred and twenty and three hundred and twenty-one of this Act, shall be liable, upon summary conviction, for the first offence, to a fine not exceeding twenty-five dollars and not less than ten dollars; for the second offence, to a fine not exceeding fifty dollars, and not less than twenty-five dollars; and for the third and each subsequent offence, to a fine not exceeding two hundred dollars and not less than fifty dollars, together, in all cases, with the costs of prosecution; and in default of payment of such fine and costs shall be liable to imprisonment for any term not exceeding one month, unless such fine and costs, and the costs of enforcing them, are sooner paid.

Additional penalty. "(2) Whenever any such violation is with respect to a lot or shipment consisting of fifty or more closed packages, there may be imposed, in addition to any penalty provided by subsection one of this section, for the first offence twenty-five cents, for the second offence fifty cents, and for the third and each subsequent offence one dollar, for each closed package in excess of fifty with respect to which such violation is committed.

Illegally effacing marks penalty. "**329.** Every person who, not being an inspector, wilfully alters, effaces, or obliterates, wholly or partially, or causes to be altered, effaced, or obliterated, any marks on any package which has undergone inspection, shall be

guilty of an offence and liable upon summary conviction to a fine not exceeding forty dollars.

Penalty for destroying or pilfering fruit.

" **331.** Every person who carelessly handles, wilfully destroys or pilfers any fruit packed in any of the packages prescribed in this Part shall be guilty of an offence and liable upon summary conviction to a penalty not exceeding twenty-five dollars.

Penalty for obstructing officer, etc.

" **332.** Every person who obstructs any person charged with the enforcement of this Part in entering any premises to make examination of packages of fruit as provided by this Part, or who refuses to permit the making of any such examination, shall be guilty of an offence and liable, upon summary conviction, to a fine not exceeding five hundred dollars and not less than twenty-five dollars, together with the costs of prosecution, and in default of payment of such fine and costs, shall be liable to imprisonment for any term not exceeding six months, unless such fine and costs and the costs of enforcing the same are sooner paid."

POTATO GRADES.

The said *Inspection and Sale Act* is amended by inserting the following section immediately after section three hundred and thirty-seven:—

Potato grades.

" **337A.** (1) No person shall sell or offer for sale any potatoes represented to be of,—

Number 1.

(*a*) Number 1 quality unless such potatoes consist of specimens which are sound, of similar varietal characteristics, which are practically free from dirt, or other foreign matter, frost injury, sunburn, second growth, cuts, scab, blight, dry rot and damage caused by disease, insects, or mechanical means. The minimum diameter of potatoes of the round varieties shall be one and seven-eighths inches, and of potatoes of the long varieties one and three-fourths inches. In order to allow for variations incident to commercial grading and handling, five per centum by weight of any lot may be under the prescribed size and, in addition, three per centum by weight of any such lot may be below the remaining requirements of this grade.

Number 2.

(*b*) Number 2 quality unless such potatoes consist of specimens which are sound and practically free from dirt or other foreign matter, frost injury, sunburn, second growth, cuts, scab, blight, dry rot, and damage caused by disease, insects, or mechanical means. The minimum diameter of potatoes of the round varieties shall be one and seven-eighths inches, and of potatoes of the long varieties one and three-fourths inches. In order to allow for variations incident to commercial grading and handling, five per centum by weight of any lot may be under the prescribed size and, in

addition, three per centum by weight of any such lot may be below the remaining requirements of this grade.

Seed potatoes excepted.

" (2) This section shall not apply to seed potatoes.

Definition. "Practically free."

" (3) 'Practically free' means that the appearance shall not be injured to an extent readily apparent upon casual examination, and that any damage from the causes aforesaid can be removed by the ordinary processes of paring without appreciable increase in waste over that which would occur if the potato were perfect. Loss of the outer skin (epidermis) only shall not be considered as an injury to the appearance.

"Diameter."

'Diameter' means the greatest dimension at right angles to the longitudinal axis."

Penalty for violating this section.

" (4) Every person who, by himself or through the agency of any other person, violates any of the provisions of this section shall be liable, upon summary conviction, for the first offence, to a fine not exceeding twenty-five dollars and not less than ten dollars; for the second offence, to a fine not exceeding fifty dollars, and not less than twenty-five dollars; and for the third and each subsequent offence, to a fine not exceeding two hundred dollars and not less than fifty dollars, together, in all cases, with the costs of prosecution; and in default of payment of such fine and costs shall be liable to imprisonment for any term not exceeding one month, unless such fine and costs, and the costs of enforcing them, are sooner paid.

First Session, Thirteenth Parliament, 8-9 George V, 1918.

THE HOUSE OF COMMONS OF CANADA

# BILL 108.

An Act to amend the Inspection and Sale Act (Fruit, Fruit Marks and Potatoes).

AS PASSED BY THE HOUSE OF COMMONS, 20th MAY, 1918.

OTTAWA
J. DE LABROQUERIE TACHÉ
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
41219—1 1918

1st Session, 13th Parliament, 8-9 George V, 1918.

THE HOUSE OF COMMONS OF CANADA

# BILL 108.

An Act to amend the Inspection and Sale Act (Fruit, Fruit Marks and Potatoes).

Part IX. R.S. c. 85; 1907, c. 21; 1908, c. 35; 1913, c. 25.

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

Repeal.

**1.** Sections three hundred and nineteen, three hundred and twenty, three hundred and twenty A, three hundred and twenty-one, three hundred and twenty-two, three hundred and twenty-eight, three hundred and twenty-nine, and three hundred and thirty-two of the *Inspection and Sale Act*, chapter eighty-five of the Revised Statutes of Canada, 1906, are repealed, and sections three hundred and twenty-five, and three hundred and twenty-six of the said Act shall be repealed and shall cease to have any force or effect on and after the first day of June, 1919. The following sections are substituted for the said sections repealed and to be repealed respectively:—

## PART IX.

### FRUIT AND FRUIT MARKS.

*Interpretation.*

Definitions.

"**319.** In this Part, unless the context otherwise requires,—

(*a*) 'closed package' means a box or a barrel of which the contents cannot be seen or inspected when such package is closed;

(*b*) 'fruit' shall not include wild fruit, nor cranberries, whether wild or cultivated;

(*c*) 'culls' means fruit that is either very small for the variety, is seriously deformed, or has fifteen per cent or more of its surface affected by any of or by the

combined injuries caused by apple scab (venturia pomi), insects, cuts, bruises or other causes, or the flesh of which is not in an edible condition, or the skin of which is broken so as to expose the tissue beneath.

(*d*) 'Immature fruit' means fruit not ripe enough for dessert purposes and which will not attain such condition after being picked from the tree, bush, plant or vine.

*The Marking of Fruit.*

Marks required.

"**320.** (1) Every person who, by himself or through the agency of another person, packs fruit in a closed package, intended for sale, shall cause the package to be marked in a plain and indelible manner in letters not less than three-quarters of an inch in length, before it is taken from the premises where it is packed,—

(*a*) With the words 'packed by' and with the initials of his christian names, and his full surname and address, or, in the case of a firm or corporation, with the firm or corporate name and address;

(*b*) with the name of the variety or varieties; and,

Grades.

(*c*) with a designation of the grade of fruit which shall include one of the following four marks, viz.: No. 1, No. 2, Domestic, No. 3.

Such mark may be accompanied by any other designation of grade or brand, if that designation or brand is not inconsistent with, or marked more conspicuously than, the one of the said four marks which is used on the said package.

Repacking.

"(2) Every person who, by himself or through the agency of another person, repacks fruit in a closed package, intended for sale, shall cause such package to be marked before it is taken from the premises where it is repacked with the words 'Repacked by' followed by the initials of his christian names and his full surname and address or in the case of a firm or corporation, with the firm or corporate name and address, together with one of the four grade-marks prescribed in subsection one of this section in a plain and indelible manner, in letters not less than three-quarters of an inch in length.

Open packages

"(3) Every person who, by himself or through the agency of another person, packs fruit in an open package, intended for sale, shall cause such package to be marked, before it is taken from the premises where it is packed, with the initials of his christian names and his full surname and address, or in the case of a firm or corporation, with the firm or corporate name and address, in a plain and indelible manner, in letters not less than one-quarter of an inch in length. Provided that any co-operative association or person dealing wholesale in fruit may cause the packages containing such fruit to be marked with his own name and address, but such packages must also be marked with a

Dealers may mark with their own names, etc.

number or other mark approved by the Minister which will designate who is the original packer of such fruit.

Repacking open packages.

" (4) Every person who, by himself or through the agency of another person, repacks fruit in an open package, intended for sale, shall cause such package to be marked, before it is taken from the premises where it is repacked, with the words ' Repacked by ' followed by the initials of his christian names and his full surname and address, or in the case of a firm or corporation with the firm or corporate name and address, in a plain and indelible manner, in letters not less than one-quarter of an inch in length.

Immature fruit.

" (5) Every person who, by himself or through the agency of another person, packs immature peaches, plums, pears, prunes or grapes, intended for sale, shall cause such package to be marked, in a plain and indelible manner, in letters not less than three-quarters of an inch in length, with the words ' Immature fruit,' before it is taken from the premises where it is packed.

Obliterating old marks when re-using packages.

" (6) Every person who, by himself or through the agency of another person, again uses, for the sale of fruit, any package standardized in this Part, upon which appear any of the marks required by this section, shall cause such marks to be completely removed, erased or obliterated.

Regulations.

" **320A.** (1) The Governor in Council, by regulation, may,—

(*a*) prescribe the kinds of imported fruit the packages containing which must be branded or marked;

(*b*) prescribe the brands or marks to be used thereon;

(*c*) prescribe the manner and places in and at which such fruit is to be inspected and such packages branded or marked.

Publication.

" (2) All regulations made under the provisions of this section shall be published in the *Canada Gazette*.

Forfeiture.

" (3) All packages of fruit not branded or marked in accordance with such regulations shall be forfeited to His Majesty, and may be destroyed or otherwise disposed of as the Minister may direct.

Penalty.

" (4) Any person violating any regulation made under the provisions of this section shall be liable, on summary conviction, to a fine of not more than fifty dollars and costs, or, in default of payment, to imprisonment for a term not exceeding one month.

Closed package marks.

" **321.** (1) No person shall sell, or offer, expose or have in his possession for sale any fruit packed in a closed package, and intended for sale or in an open package and intended for sale, unless such package is marked as required by this Part.

No. 1.

" (2) No person shall sell, or offer, expose or have in his possession for sale, any fruit packed in a closed package upon which package is marked ' No. 1 ' unless such fruit includes no culls and consists of well grown specimens of

one variety, sound, of not less than medium size and of good colour for the variety, of normal shape and not less than ninety per cent free from scab, wormholes, bruises and other defects, and properly packed.

No. 2.

" (3) No person shall sell, or offer, expose or have in possession for sale, any fruit packed in a closed package, upon which package is marked 'No. 2' unless such fruit includes no culls and consists of specimens of not less than nearly medium size and some colour for the variety, sound, and not less than eighty-five per cent free from scab, worm holes, bruises and other defects, and properly packed.

Domestic.

" (4) No person shall sell, or offer, expose or have in his possession for sale, any fruit packed in a closed package, upon which package is marked 'Domestic' unless such fruit includes no culls and consists of fruit of not less than medium size for the variety, sound, and not less than eighty per cent free from wormholes (but may be slightly affected with scab and other minor defects), and properly packed.

No. 3.

" (5) No person shall sell, or offer, expose or have in his possession for sale, any fruit packed in a closed package, upon which package is marked 'No. 3' unless such fruit includes no culls and is properly packed.

Fraudulent packing.

" (6) No person shall sell, or offer, expose or have in his possession for sale, any fruit packed in any package in which the faced or shown surface gives a false representation of the contents of such package; and it shall be considered a false representation when more than ten per cent of such fruit is smaller in size than, or inferior in grade to, or different in variety from, the faced or shown surface of such package.

Fruit unfit for use.

" (7) No person shall sell, or offer, expose or have in his possession for sale, any fruit in any package that is so diseased, wormy or otherwise depreciated as to render it unfit for consumption.

Packages must be full.

" (8) No person shall sell, or offer, expose or have in his possession for sale, at original point of shipment, any fruit in any package unless such package is well and properly filled.

" (9) No person shall sell, or offer, expose or have in his possession for sale, any fruit in any package that has been repacked, unless such package is well and properly filled.

*Branding.*

Fraudulent filled packages to be marked "overfaced."

" **322.** (1) Whenever any fruit in any package is found to be so packed that the faced or shown surface gives a false representation of the contents of the package, any inspector charged with the enforcement of this Part may mark the words *Over-faced* in a plain and indelible manner on the package.

Fruit below grade.

" (2) Whenever any fruit packed in a closed package is found to be falsely marked, the said inspector may mark the words *Below grade* in a plain and indelible manner on the package, or he may efface such false marks and place the proper grade mark upon the package.

Notice to packer.

" (3) The inspector shall give notice, by letter or telegram, to the packer whose name is marked on the package, within twenty-four hours after he marks the words *Overfaced* or *Below grade* on the package or has reduced the grade on the package.

*Fruit Packages.*

Apple barrels dimensions.

"**325.** On and after the first day of June, 1919, the following provisions shall come into operation:—

(*a*) all apples packed in Canada for sale in Canada by the barrel, in closed barrels, shall be packed in good and strong barrels of seasoned wood of the following dimensions, as nearly as practicable: length of stave, twenty-eight and one-half inches; diameter of head, seventeen and one-eighth inches; distance between heads, twenty-six inches; circumference at bulge, sixty-four inches outside measurement, representing as nearly as possible seven thousand and fifty-six cubic inches.

(*b*) When apples, pears or quinces are sold by the barrel, as a measure of capacity, such barrel shall not be of lesser dimensions than those specified in this section.

Apple boxes dimensions.

(*c*) All apples packed in Canada for sale in Canada by the box, shall be packed in good strong boxes of seasoned wood, the inside dimensions of which shall be length, eighteen inches, width, eleven and one-half inches, depth, ten and one-half inches, representing as nearly as possible two thousand one hundred and seventy-four cubic inches.

Packages with trays and fillers.

(*d*) When apples are packed in boxes or barrels having trays or fillers wherein it is intended to have a separate compartment for each apple, the provisions of this section as to boxes and barrels shall not apply.

Apple crates.

(*e*) All apples packed in Canada for sale in Canada in crates, shall be packed in good and strong crates of seasoned wood, the inside dimensions of which shall be: length, eighteen inches; width, eleven and one-half inches; depth, ten and one-half inches, with slats at least three-quarters of an inch apart.

Boxes for pears and crab apples.

(*f*) All pears or crab apples packed in Canada for sale in Canada by the box, shall be packed in good and strong boxes of seasoned wood, the inside dimensions of which shall be: length, eighteen inches; width, eleven and one-half inches; depth, eight and one-half inches, representing as nearly as possible one thousand seven hundred and sixty cubic inches.

Peach boxes.

(*g*) All peaches packed in Canada for sale in Canada by the box, shall be packed in good and strong boxes of seasoned wood of one of the following dimensions, inside measurement: length, eighteen inches; width, eleven and one-half inches, and depth, either four and one-half inches, four inches or three and one-half inches.

Plum boxes.

(*h*) All plums or prunes packed in Canada for sale in Canada by the box shall be packed in good and strong boxes of seasoned wood, the inside dimensions of which shall be: length, eighteen inches; width, eleven and one-half inches; depth, three and one-half inches.

Cherry boxes.

(*i*) All cherries packed in Canada for sale in Canada by the box shall be packed in good and strong boxes of seasoned wood, the inside dimensions of which shall be: length, eighteen inches; width, fourteen inches; depth, five and one-half inches.

Four-basket crates.

(*j*) All fruit packed in Canada for sale in Canada by the four-basket crate, shall be packed in baskets and crates of the following dimensions, inside measurement: Baskets: seven and one-half inches by seven and one-half inches at the top, six and one-half inches by six and one-half inches at the bottom, three and three-quarter inches deep, measured perpendicularly. Crates: fifteen and three-quarter inches by fifteen and three-quarter inches by four and one-quarter inches.

*Berries and Currants.*

Contents of berry boxes.

"**326.** (1) On and after the first day of June, 1919, every box of berries or currants packed in Canada for sale in Canada, and every berry or currant box manufactured and offered for sale in Canada, shall contain when level full as nearly as practicable one or other of the following quantities:—

Four-fifths of quart.

(*a*) four-fifths of a quart;

One pint.

(*b*) one pint, and shall be four and three-eighths by four and three-eighths inches at top and bottom, and one and seven-eighths inches deep;

Two-fifths of quart.

(*c*) two-fifths of a quart.

Veneer boxes.

"(2) Every wood veneer basket of fruit packed in Canada for sale in Canada, or manufactured and offered for sale in Canada, shall contain, when level full, as nearly as practicable, one or other of the following quantities:—

Bushel.

(*a*) one bushel;

Eleven quarts.

(*b*) Eleven quarts, which shall be of the following dimensions and specifications, inside measurement, as nearly exactly as practicable: six inches deep perpendicularly, eighteen and one-fourth inches in length and seven and three-fourths inches in width at the top of the basket, sixteen and three-fourths inches in length

and six and one-fourth inches in width at the bottom of the basket, all measurements to be inside of the veneer proper and not to include the top band. The veneer to be cut fourteen to the inch minimum; bottoms to be three-eighths inches thick, minimum; top bands to be three-fourths inches in width, cut twelve to the inch minimum and secured with twelve tacks, bottom bands to be one-half inch in width, cut fourteen to the inch minimum and secured with twelve nails, all nails and tacks to be exclusive of handles, and all bands to be drawn tight so as to fit snugly over forms; the handles to be twenty-five and one-half inches in length and one and one-eighth inches in width, cut seven to the inch minimum, with one tack in each side of the handle at top band, and two nails in each end of the handle at bottom band, the handles to be outside of bands and to be so shaped that pinching of the baskets when handles are attached will be avoided; the veneer for the covers to be not less than two inches in width and cut ten to the inch minimum and constructed in such a manner as to fit properly; the basket to be constructed over blocks measuring seventeen and three-fourths inches in length and seven and five-sixteenths inches in width at top, with a radius of one and three-fourths inches at corners. The covers and baskets to be made of sound, well seasoned wood, free from material defects;

Six quarts.

(*c*) six quarts, which shall be of the following dimensions and specifications, inside measurement, as nearly as practicable: four and one-half inches deep perpendicularly, fifteen and one-fourth inches in length and seven inches in width at the top of the basket, thirteen and one-half inches in length and five and seven-eighths inches in width at the bottom of the basket, all measurements to be inside the veneer proper and not to include the top band. The veneer to be cut sixteen to the inch minimum; bottoms to be three-eighths inches thick, minimum; top bands to be three-fourths inches in width, cut fourteen to the inch minimum and secured with twelve tacks, bottom bands to be one-half inch in width, cut fourteen to the inch minimum and secured with eight nails, all nails and tacks to be exclusive of handles, and all bands to be drawn tight so as to fit snugly over forms; the handles to be twenty-one and one-half inches in length, cut eight to the inch minimum, with one tack in each side of the handle at the top band and one nail in each end of the handle at the bottom band, the handles to be outside of bands; the veneer for the covers to be not less than two inches in width, cut ten to the inch minimum and constructed in such a manner as to fit

properly; the basket to be constructed over blocks measuring fourteen and three-fourths inches in length and six and five-eighths inches in width at top with a radius of one and three-fourths inches at corners. The covers and baskets to be made of sound, well seasoned wood, free from material defects. When wire stitching machines are used in the manufacture of these baskets, the baskets must be as securely constructed as though the above specifications as to nailing had been followed.

Three quarts. (*d*) Three quarts.

"(3) Every basket of fruit packed in Canada, for sale in Canada, and every basket manufactured and offered for sale in Canada, of other material than wood veneer shall be of such dimensions as may be specified by the Minister of Agriculture, and shall contain, when level full, as nearly as practicable, one or other of the following quantities:—

Eleven quarts (*a*) eleven quarts;

Six quarts. (*b*) six quarts;

Three quarts. (*c*) three quarts.

Permits for other sizes. Provided that the said Minister may make regulations allowing any person or persons to use packages of other sizes than those specified in the foregoing section.

Penalty for violating ss. 320 and 321. " **328.** (1) Every person who, by himself or through the agency of any other person, violates any of the provisions of sections three hundred and twenty and three hundred and twenty-one of this Act, shall be liable, upon summary conviction, for the first offence, to a fine not exceeding twenty-five dollars and not less than ten dollars; for the second offence, to a fine not exceeding fifty dollars, and not less than twenty-five dollars; and for the third and each subsequent offence, to a fine not exceeding two hundred dollars and not less than fifty dollars, together, in all cases, with the costs of prosecution; and in default of payment of such fine and costs shall be liable to imprisonment for any term not exceeding one month, unless such fine and costs, and the costs of enforcing them, are sooner paid.

Additional penalty. " (2) Whenever any such violation is with respect to a lot or shipment consisting of fifty or more closed packages, there may be imposed, in addition to any penalty provided by subsection one of this section, for the first offence twenty-five cents, for the second offence fifty cents, and for the third and each subsequent offence one dollar, for each closed package in excess of fifty with respect to which such violation is committed.

Illegally effacing marks penalty. " **329.** Every person who, not being an inspector, wilfully alters, effaces, or obliterates, wholly or partially, or causes to be altered, effaced, or obliterated, any marks on any package which has undergone inspection, shall be

guilty of an offence and liable upon summary conviction to a fine not exceeding forty dollars.

Penalty for destroying or pilfering fruit.

"**331.** Every person who carelessly handles, wilfully destroys or pilfers any fruit packed in any of the packages prescribed in this Part shall be guilty of an offence and liable upon summary conviction to a penalty not exceeding twenty-five dollars.

Penalty for obstructing officer, etc.

"**332.** Every person who obstructs any person charged with the enforcement of this Part in entering any premises to make examination of packages of fruit as provided by this Part, or who refuses to permit the making of any such examination, shall be guilty of an offence and liable, upon summary conviction, to a fine not exceeding five hundred dollars and not less than twenty-five dollars, together with the costs of prosecution, and in default of payment of such fine and costs, shall be liable to imprisonment for any term not exceeding six months, unless such fine and costs and the costs of enforcing the same are sooner paid."

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Number 1.

(*a*) Number 1 quality unless such potatoes consist of specimens which are sound, of similar varietal characteristics, which are practically free from dirt, or other foreign matter, frost injury, sunburn, second growth, cuts, scab, blight, dry rot and damage caused by disease, insects, or mechanical means. The minimum diameter of potatoes of the round varieties shall be one and seven-eighths inches, and of potatoes of the long varieties one and three-fourths inches. In order to allow for variations incident to commercial grading and handling, five per centum by weight of any lot may be under the prescribed size and, in addition, three per centum by weight of any such lot may be below the remaining requirements of this grade.

Number 2.

(*b*) Number 2 quality unless such potatoes consist of specimens which are sound and practically free from dirt or other foreign matter, frost injury, sunburn, second growth, cuts, scab, blight, dry rot, and damage caused by disease, insects, or mechanical means. The minimum diameter of potatoes of the round varieties shall be one and seven-eighths inches, and of potatoes of the long varieties one and three-fourths inches. In order to allow for variations incident to commercial grading and handling, five per centum by weight of any lot may be under the prescribed size and, in

addition, three per centum by weight of any such lot may be below the remaining requirements of this grade.

Seed potatoes excepted.

"(2) This section shall not apply to seed potatoes.

Definition. "Practically free."

"(3) 'Practically free' means that the appearance shall not be injured to an extent readily apparent upon casual examination, and that any damage from the causes aforesaid can be removed by the ordinary processes of paring without appreciable increase in waste over that which would occur if the potato were perfect. Loss of the outer skin (epidermis) only shall not be considered as an injury to the appearance.

"Diameter."

'Diameter' means the greatest dimension at right angles to the longitudinal axis."

Penalty for violating this section.

"(4) Every person who, by himself or through the agency of any other person, violates any of the provisions of this section shall be liable, upon summary conviction, for the first offence, to a fine not exceeding twenty-five dollars and not less than ten dollars; for the second offence, to a fine not exceeding fifty dollars, and not less than twenty-five dollars; and for the third and each subsequent offence, to a fine not exceeding two hundred dollars and not less than fifty dollars, together, in all cases, with the costs of prosecution; and in default of payment of such fine and costs shall be liable to imprisonment for any term not exceeding one month, unless such fine and costs, and the costs of enforcing them, are sooner paid.

First Session, Thirteenth Parliament, 8-9 George V, 1918.

THE HOUSE OF COMMONS OF CANADA

# BILL 109.

An Act to provide for the payment of Bounties on Zinc produced from Zinc Ores mined in Canada.

First Reading, May 20, 1918.

The MINISTER OF FINANCE.

OTTAWA
J. DE LABROQUERIE TACHÉ
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1918

1st Session, 13th Parliament, 8-9 George V, 1918.

THE HOUSE OF COMMONS OF CANADA.

# BILL 109.

An Act to provide for the payment of Bounties on Zinc produced from Zinc Ores mined in Canada.

1916, c. 27.

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 Zinc Bounties Act, 1918.*

Bounty on zinc produced in Canada when price is less than £41, 8s. 6d.

**2.** Whenever it appears to the satisfaction of the Minister of Trade and Commerce, who is charged with the administration of this Act, that the standard price of zinc or spelter in cakes, blocks or pigs, in London, England, is less than £41, 8s. and 6d. sterling, per ton of two thousand two hundred and forty pounds, the Governor in Council may authorize the payment out of the Consolidated Revenue Fund of a bounty on zinc or spelter, containing not more than two per centum of impurities, produced in Canada, at the time the price is as hereinbefore stated, from zinc ores mined in Canada. Such bounty shall be equal to the difference between such standard price per ton and £41, 8s. and 6d. per ton, but shall in no case exceed two cents per pound, and in no event shall any bounty be paid when the price received for such zinc and spelter by the producer is nine cents or more per pound.

Expiration of Act.

**3.** No bounty shall be payable under this Act on zinc or spelter produced after the thirty-first day of July, one thousand nine hundred and twenty.

Total payments.

**4.** The total amount payable under the provisions of this Act shall not exceed the sum of $400,000.

Regulations.

**5.** The Governor in Council may make regulations for carrying out the provisions of this Act.

First Session, Thirteenth Parliament, 8–9 George V, 1918.

THE HOUSE OF COMMONS OF CANADA

# BILL 109.

An Act to provide for the payment of Bounties on Zinc produced from Zinc Ores mined in Canada.

AS PASSED BY THE HOUSE OF COMMONS, 23rd MAY, 1918.

OTTAWA
J. DE LABROQUERIE TACHÉ
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1918

1st Session, 13th Parliament, 8-9 George V, 1918.

THE HOUSE OF COMMONS OF CANADA.

# BILL 109.

An Act to provide for the payment of Bounties on Zinc produced from Zinc Ores mined in Canada.

1916, c. 27.

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 Zinc Bounties Act, 1918.*

Bounty on zinc produced in Canada when price is less than 9 cents per pound.

**2.** Whenever it appears to the satisfaction of the Minister of Trade and Commerce, who is charged with the administration of this Act, that the standard price of zinc or spelter in cakes, blocks or pigs, in London, England, or St. Louis, United States, as the Minister of Trade and Commerce may determine, is less than nine cents per pound, the Governor in Council may authorize the payment out of the Consolidated Revenue Fund of a bounty on zinc or spelter, containing not more than two per centum of impurities, produced in Canada, at the time the price is as hereinbefore stated, from zinc ores mined in Canada. Such bounty shall be equal to the difference between such standard price per pound and nine cents per pound, but shall in no case exceed two cents per pound, and in no event shall any bounty be paid when the price received for such zinc or spelter by the producer is nine cents or more per pound.

Expiration of Act.

**3.** No bounty shall be payable under this Act on zinc or spelter produced after the thirty-first day of July, one thousand nine hundred and twenty.

Total payments.

**4.** The total amount payable under the provisions of this Act shall not exceed the sum of $400,000.

Regulations.

**5.** The Governor in Council may make regulations for carrying out the provisions of this Act.

First Session, Thirteenth Parliament, 8-9 George V, 1918.

THE HOUSE OF COMMONS OF CANADA

# BILL 110.

An Act respecting aged and infirm members of the Public Service.

First reading, May 20, 1918.

The MINISTER OF FINANCE.

OTTAWA
J. DE LABROQUERIE TACHÉ,
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1918

40357—1

1st Session, 13th Parliament, 8-9 George V, 1918.

THE HOUSE OF COMMONS OF CANADA

# BILL 110.

An Act respecting aged and infirm members of the Public Service.

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

Disabled, etc. employees in public service may be retired on report of Commission.

**1.** The Civil Service Commission shall forthwith prepare and submit to the Governor in Council for approval the names of all officers, clerks and employees who, owing to advanced age, failing health, or lack of experience or ability, or other cause, are not capable of rendering or do not render efficient service to the state, and should therefore be retired from the public service; stating the conditions under which each such officer, clerk or employee should be retired, including the pecuniary provision, of any, that should, in the opinion of the Commission, be made for any such officer, clerk or employee, and in each case the date recommended for his retirement.

Pecuniary compensation may be made.

**2.** (1) The pecuniary provision to be made for any such officer, clerk or employee shall be either,—

(*a*) the grant of an annuity,

(*b*) the grant of a lump sum gratuity,

(*c*) the grant of both a lump sum gratuity and an annuity,

(*d*) the grant of an annuity or a lump sum gratuity in addition to the amount that an officer, clerk or employee may be entitled to from the retirement fund,

(*e*) the grant of a superannuation allowance where the officer, clerk or employee is eligible for the same.

Amount of annuities, etc. how determined.

(2) No greater annuity or gratuity shall be granted than the amount that the officer, clerk or employee would receive under Part I of the *Civil Service Superannuation and Retirement Act* if he was eligible for the same thereunder. The whole or part of the service of the officer, clerk or employee in the public service, as well temporary as per-

manent, may be taken as the basis for calculating the annuity, gratuity or superannuation allowance to be paid hereunder. Provided, however, that in any case where in consequence of old age or infirmity of mind or body an officer, clerk or employee is unable to do any work and has no other means of support, a larger annuity, allowance or gratuity may be recommended by the said Commission for such officer, clerk or employee.

Deductions to be paid by annuitants, etc.

(3) Any officer, clerk or employee who is granted an annuity or superannuation allowance hereunder shall pay into the Consolidated Revenue Fund an amount equal to the deductions that would have been made from his salary under section eighteen of the *Superannuation and Retirement Act* if his salary had been liable to the deductions mentioned in that section for the period of service upon which the annuity or superannuation allowance granted him under this Act is based.

How deductions may be paid.

(4) Such amount may be paid in cash or may be deducted from the monthly payments of the annuity, as the Governor in Council may prescribe, and the whole or any part of any money standing to the credit of any officer, clerk or employee in the retirement fund referred to in Part II of the said Act may be retained to pay such deductions.

Upon approval of report of Commission by Governor in Council report to go into force.

**3.** Upon the approval by the Governor in Council of the recommendations of the Commission with respect to any officer, clerk or employee, such officer, clerk or employee shall be retired on the date recommended for same and the conditions of retirement, if any, shall have full force and effect and any moneys required for the payment of any pecuniary provision that may have recommended for such officer, clerk or employee as aforesaid may be paid, out of any unappropriated money in the Consolidated Revenue Fund of Canada.

First Session, Thirteenth Parliament, 8-9 George V, 1918.

THE HOUSE OF COMMONS OF CANADA

# BILL 111.

An Act for granting to His Majesty certains sums of money for the public service of the financial years ending respectively the 31st March, 1918, and the 31st March, 1919.

**AS PASSED BY THE HOUSE OF COMMONS, 23rd MAY, 1918.**

OTTAWA
J. DE LABROQUERIE TACHÉ
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
37855—1 1918

st Session, 13th Parliament, 8-9 George V, 1918.

THE HOUSE OF COMMONS OF CANADA.

# BILL 111.

An Act for granting to His Majesty certain sums of money for the public service of the financial years ending respectively the 31st March, 1918, and the 31st March, 1919.

MOST GRACIOUS SOVEREIGN,

Preamble.

WHEREAS it appears by messages from His Excellency the Most Noble Victor Christian William, Duke of Devonshire, etc., etc., Governor General of Canada, and the estimates accompanying the said messages, that the sums hereinafter mentioned are required to defray certain expenses of the public service of Canada, not otherwise provided for, for the financial years ending respectively the thirty-first day of March, one thousand nine hundred and eighteen, and the thirty-first day of March, one thousand nine hundred and nineteen, and for other purposes connected with the public service: May it therefore please Your Majesty that it may be enacted and be it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, that:—

Short title.

**1.** This Act may be cited as *The Appropriation Act, No. 2, 1918.*

$131,342,638.20 granted for 1918-19.

**2.** From and out of the Consolidated Revenue Fund there may be paid and applied a sum not exceeding in the whole one hundred and thirty-one million, three hundred and forty-two thousand, six hundred and thirty-eight dollars and twenty cents towards defraying the several charges and expenses of the public service, from the first day of April, one thousand nine hundred and eighteen, to the thirty-first day of March, one thousand nine hundred and nineteen, not otherwise provided for, and being five-sixths of each of the several items, less deductions, as set forth in Schedule A to this Act.

**3.** From and out of the Consolidated Revenue Fund there may be paid and applied a sum not exceeding in the whole fourteen million, thirty-four thousand, two hundred and seventy-four dollars and thirty-three cents towards defraying the several charges and expenses of the public service, from the first day of April, one thousand nine hundred and seventeen, to the thirty-first day of March, one thousand nine hundred and eighteen, not otherwise provided for, and set forth in Schedule B to this Act. $14,034,274.33 granted for 1917-1918.

**4.** From and out of the Consolidated Revenue Fund there may be paid and applied a sum not exceeding in the whole forty-six million, nine hundred and fifty-seven thousand, three hundred and twelve dollars and sixty-eight cents towards defraying the several charges and expenses of the public service, from the first day of April, one thousand nine hundred and eighteen, to the thirty-first day of March, one thousand nine hundred and nineteen, not otherwise provided for, and set forth in Schedule C to this Act. $46,957,312.68 granted for 1918-19.

**5.** The amounts granted by *The Appropriation Act, 1915*, *The Appropriation Act, (No. 2), 1916*, *The Appropriation Act, (No. 1), 1917*, and by this Act, for seed grain and relief other than seed grain, to settlers in the provinces of Manitoba, Saskatchewan, Alberta and British Columbia, shall not be deemed to have lapsed if not expended within the financial year for which they were granted or extended, but may be expended in the financial year ending the thirty-first day of March, one thousand nine hundred and nineteen. Seed grain and other relief.

**6.** And whereas there remained on the thirty-first day of March, one thousand nine hundred and eighteen, unborrowed and negotiable, of the loans authorized by Parliament for the construction of public works and for general purposes, the following sum:— Declaratory as to certain loans authorized but not raised.

For public works and general purposes $31,907,052.36.

Therefore it is declared and enacted, that the Governor in Council may authorize the raising of the sum above mentioned as required for the purposes aforesaid, respectively, under the provisions of the Consolidated Revenue and Audit Act, and the sum so raised shall form part of the Consolidated Fund, out of which like sums shall be applicable to the several purposes aforesaid, under the Acts and provisions thereunto relating respectively. Such sums may be raised under R.S., c. 24.

**7.** A detailed account of the sums expended under the authority of this Act shall be laid before the House of Commons of Canada during the first fifteen days of the then next session of Parliament. Account to be rendered in detail.

# SCHEDULE A.

Based on the Main Estimates, 1918-19. The amount of each vote hereby granted is five-sixths of that in the Estimates, less reductions in the following Resolutions:—No. 9, first item, $6,175.00; No. 41, second item, $2,575.00; No. 149, $53,333.34; No. 177, $6,000.00. For the remainder see Chapter 1.

SUMS granted to His Majesty by this Act for the financial year ending 31st March, 1919, and the purposes for which they are granted.

| No. of Vote. | SERVICE. | Amount. | Total. |
|---|---|---|---|
| | CHARGES OF MANAGEMENT. | $ cts. | $ cts. |
| | Offices of the Assistant Receivers General and Country Savings Banks— | | |
| | Salaries | 66,850 00 | |
| | Contingencies | 6,000 00 | |
| | Printing Dominion Notes | 300,000 00 | |
| 1 | Printing, advertising, inspection, express charges, etc. | 42,000 00 | |
| | Commission for payment of interest on public debt, purchase of sinking funds | 80,000 00 | |
| | Brokerage on purchase of sinking funds | 6,000 00 | |
| | English Bill stamps, postage, etc. | 3,000 00 | |
| | Removal of foreign and uncurrent coin from circulation | 15,000 00 | |
| | | | 518,850 00 |
| | CIVIL GOVERNMENT. | | |
| 2 | Governor General's Secretary's Office— | | |
| | Salaries, including Doorkeeper and Orderly at $1,100 | 29,100 00 | |
| | Contingencies, including allowance of $600 to Private Secretary | 66,600 00 | |
| 3 | Privy Council Office— | | |
| | Salaries, including Assistant Clerk of Privy Council at $4,000 | 44,900 00 | |
| | Contingencies | 10,000 00 | |
| 4 | Administration of Justice— | | |
| | Salaries, including H. Demarais at $1,000 | 166,387 50 | |
| | Contingencies | 21,000 00 | |
| 5 | Department of Militia and Defence— | | |
| | Salaries | 212,500 00 | |
| | Contingencies | 19,500 00 | |
| 6 | Department of the Secretary of State— | | |
| | Salaries | 80,025 00 | |
| | Contingencies | 16,500 00 | |
| 7 | Department of Public Printing and Stationery— | | |
| | Salaries | 69,787 50 | |
| | Contingencies | 10,300 00 | |
| 8 | Department of the Interior— | | |
| | Salaries | 1,172,125 00 | |
| | Contingencies | 105,000 00 | |
| 9 | Department of Immigration and Colonization— | | |
| | Salaries | 129,292 50 | |
| | Contingencies | 25,000 00 | |
| 10 | Department of Indian Affairs— | | |
| | Salaries, including A. S. Williams, Law Clerk at $2,900 | 133,075 00 | |
| | Contingencies | 19,000 00 | |
| 11 | Royal Northwest Mounted Police— | | |
| | Salaries | 22,300 00 | |
| | Contingencies | 1,700 00 | |
| 12 | Office of the Auditor General— | | |
| | Salaries | 150,125 00 | |
| | Contingencies | 10,000 00 | |
| 13 | Department of Finance and Treasury Board— | | |
| | Salaries | 163,212 50 | |
| | Contingencies | 40,000 00 | |
| 14 | Department of Customs— | | |
| | Salaries | 361,775 00 | |
| | Contingencies | 25,000 00 | |

# SCHEDULE A—*Continued.*

| No. of Vote. | SERVICE. | Amount. | Total. |
|---|---|---|---|
| | CIVIL GOVERNMENT—*Continued.* | $ cts. | $ cts. |
| 15 | Department of Inland Revenue— | | |
| | Salaries | 190,025 00 | |
| | Contingencies | 28,000 00 | |
| 16 | Department of Agriculture— | | |
| | Salaries | 533,850 00 | |
| | Contingencies | 100,000 00 | |
| 17 | Department of Marine and Fisheries— | | |
| | Salaries, including transfer of F. A. Willsher at $2,200, and of G. L. MacLaren and T. F. Murdock at $1,450 each | 224,500 00 | |
| | Contingencies | 31,000 00 | |
| 18 | Department of Naval Service— | | |
| | Salaries | 208,850 00 | |
| | Contingencies | 50,000 00 | |
| 19 | Department of Railways and Canals— | | |
| | Salaries, including Assistant to Minister at $5,000; Solicitor at $5,000; Inspecting Engineer at $4,000; Chief Auditor at $2,800; Assistant Engineer at $2,800; C. E. Stevens at $2,100; R. Dorman at $1,800; J. H. Arthurs at $1,600 | 203,112 50 | |
| | Contingencies | 28,000 00 | |
| 20 | Department of Public Works— | | |
| | Salaries | 574,955 00 | |
| | Contingencies | 56,000 00 | |
| 21 | Department of Mines— | | |
| | Salaries | 397,785 00 | |
| | Contingencies | 5,500 00 | |
| 22 | Post Office Department— | | |
| | Salaries | 943,870 00 | |
| | Contingencies | 125,000 00 | |
| 23 | Department of Trade and Commerce— | | |
| | Salaries | 157,737 50 | |
| | Contingencies | 15,000 00 | |
| 24 | Department of Labour— | | |
| | Salaries | 58,287 50 | |
| | Contingencies | 15,000 00 | |
| 25 | High Commissioner's Office, London— | | |
| | Salaries | 22,250 00 | |
| | Contingencies | 58,151 00 | |
| 26 | Departments Generally— | | |
| | Contingencies—Care and cleaning of Departmental Buildings including amount of $100 to E. Snowdon for firing noon gun | 310,000 00 | |
| 27 | General Consulting Engineer to Dominion Government— | | |
| | Salaries | 7,600 00 | |
| | Contingencies | 150 00 | |
| 28 | Department of Insurance— | | |
| | Salaries | 35,950 00 | |
| | Contingencies | 32,500 00 | |
| 29 | Department of External Affairs— | | |
| | Salaries | 49,137 50 | |
| | Contingencies | 15,500 00 | |
| 30 | Office of the Conservation Commission— | | |
| | Salaries | 40,500 00 | |
| 31 | Department of Public Archives— | | |
| | Salaries | 58,987 50 | |
| | Contingencies | 8,500 00 | |
| 32 | Department of Soldiers' Civil Re-establishment— | | |
| | Salaries, including Solicitor at $4,000; Assistant Deputy Minister and Secretary at $4,000; Director of Employment at $4,000; Accountant at $3,500, and Assistant Accountant at $2,500 | 66,000 00 | |
| | Contingencies | 25,000 00 | |
| 33 | Civil Service Commission— | | |
| | Salaries | 47,662 50 | |
| | Contingencies | 31,000 00 | |
| | | | 7,859,566 00 |

# SCHEDULE A—*Continued.*

| No. of Vote. | SERVICE. | Amount. | Total. |
|---|---|---|---|
| | ADMINISTRATION OF JUSTICE. | $ cts. | $ cts. |
| 34 | Miscellaneous expenditure | 10,000 00 | |
| | Living allowance for Judge of Atlin District, B.C. | 1,200 00 | |
| | *Supreme Court of Canada.* | | |
| 35 | Contingencies and disbursements, salaries of officers (Sheriffs, etc.), books, magazines, etc., for Judges, not exceeding $300, $100 for messenger (H. Siryer) acting as usher | 7,500 00 | |
| | Law books and books for reference for Library and binding of same | 8,000 00 | |
| | *Exchequer Court of Canada.* | | |
| 36 | Contingencies—Judges' travelling expenses, remuneration to Sheriffs, etc., printing, stationery, etc., and $150 for Judges' books | 6,000 00 | |
| | Miscellaneous expenses, Exchequer Court in Admiralty | 500 00 | |
| | Salary of Marshal in Admiralty, Quebec | 333 34 | |
| | To Chas. Morse, for furnishing reports of Exchequer Court decisions to legal periodicals | 50 00 | |
| | *Yukon Territory.* | | |
| 37 | Travelling allowance of Judge | 500 00 | |
| | Living allowance of Judge | 5,000 00 | |
| | Salaries Territorial Court, Sheriff and clerk, $4,000 each; two stenographers, $2,000 each | 12,000 00 | |
| | Living allowances of Court Officers and Police Magistrates | 8,600 00 | |
| | Fees and expenses of witnesses, jurors and interpreters in criminal trials | 5,000 00 | |
| | Maintenance of prisoners | 10,000 00 | |
| | Transport of prisoners | 4,000 00 | |
| | Miscellaneous expenditure | 8,000 00 | |
| | | | 86,683 34 |
| | DOMINION POLICE. | | |
| 38 | Amount required | | 146,765 00 |
| | PENITENTIARIES. | | |
| 39 | Kingston | 213,000 00 | |
| | St. Vincent de Paul | 203,100 00 | |
| | Dorchester | 108,800 00 | |
| | Manitoba | 94,800 00 | |
| | British Columbia | 135,500 00 | |
| | Alberta | 99,300 00 | |
| | Saskatchewan | 101,000 00 | |
| | General | 36,100 00 | |
| | | | 991,600 00 |
| | LEGISLATION. | | |
| | SENATE. | | |
| 40 | Salaries and contingent expenses | 113,416 50 | |
| | HOUSE OF COMMONS. | | |
| 41 | Salary of the Deputy Speaker | 2,000 00 | |
| | Salaries | 199,825 00 | |
| | Expenses of Committees, Sessional and extra clerks, etc | 62,350 00 | |
| | Contingencies | 57,550 00 | |
| | Publishing Debates | 60,000 00 | |
| | Estimates of the Sergeant-at-Arms | 75,812 50 | |

# SCHEDULE A—*Continued.*

| No. of Vote. | SERVICE. | Amount. | Total. |
|---|---|---|---|
| | LEGISLATION—*Concluded.* | $ cts. | $ cts. |
| | LIBRARY OF PARLIAMENT. | | |
| 42 | Salaries | 35,200 00 | |
| | Books for the General Library, including binding | 18,000 00 | |
| | Books for the Library of American History | 1,000 00 | |
| | Contingencies | 12,500 00 | |
| | GENERAL. | | |
| 43 | Printing, printing paper and binding | 300,000 00 | |
| | Printing, binding and distributing the annual statutes | 16,000 00 | |
| | Contingent expenses in connection with the voters' list | 17,000 00 | |
| | Contingencies of the Clerk of the Crown in Chancery, including the employment of temporary help | 5,000 00 | |
| | Provincial Voters' Lists | 15,000 00 | |
| | | | 990,654 00 |
| | ARTS AND AGRICULTURE. | | |
| 44 | Patent Record | 30,000 00 | |
| 45 | Experimental Farms—Maintenance of Central Farm, and establishment and maintaining of additional branch Stations | 1,012,036 60 | |
| 46 | Branch of Entomology | 22,000 00 | |
| 47 | For the administration and enforcement of the *Destructive Insect and Pest Act* | 134,400 00 | |
| 48 | For the development of the dairying industries, and the improvement of transportation, sale and trade in food and other agricultural products | 155,000 00 | |
| 49 | Fruit Branch | 127,715 00 | |
| 50 | Towards the encouragement of cold storage warehouses for the better preservation and handling of perishable food products | 25,000 00 | |
| 51 | Exhibitions | 25,000 00 | |
| 52 | For renewing and improving Canadian exhibit at Imperial Institute, London, and assisting in the maintenance thereof | 5,000 00 | |
| 53 | Health of Animals | 415,000 00 | |
| 54 | For the administration and enforcement of the *Meat and Canned Foods Act* | 379,000 00 | |
| 55 | Publications Branch | 30,000 00 | |
| 56 | International Institute of Agriculture to assist in maintenance thereof and to provide for representation thereat | 10,000 00 | |
| 57 | For the development of the Live Stock Industry | 600,000 00 | |
| 58 | To enforce the Seed Act, to test seeds for farmers and seed merchants, to encourage the production and use of superior seeds and to encourage the production of farm and garden crops | 165,000 00 | |
| 59 | For the administration and carrying out of the provisions of the *Agricultural Instruction Act* | 25,000 00 | |
| | | | 3,160,151 60 |
| | QUARANTINE. | | |
| 60 | Salaries and contingencies of organized districts and public health in other districts | 225,000 00 | |
| 61 | Tracadie and D'Arcy Island Lazaretto, and leprosy generally | 11,000 00 | |
| 62 | Public Works Health Act | 5,000 00 | |
| | | | 241,000 00 |
| | IMMIGRATION AND COLONIZATION. | | |
| 63 | Salaries of Agents and Employees in Canada, Great Britain and Foreign countries | 550,000 00 | |
| 64 | Contingencies in Canadian, British and Foreign Agencies, and general immigration expenses | 550,000 00 | |
| 65 | Relief of distressed Canadians in Countries other than the United States | 6,000 00 | |
| 66 | Administration of Chinese Immigration— | | |
| | Salaries | 24,000 00 | |
| | Contingencies | 5,000 00 | |
| | | | 1,135,000 00 |

# SCHEDULE A—*Continued.*

| No. of Vote. | SERVICE. | Amount. | Total. |
|---|---|---|---|
| | PENSIONS. | $ cts. | $ cts. |
| 67 | Mrs. Wm. McDougall | 1,200 00 | |
| 68 | Lady Cartwright | 1,200 00 | |
| 69 | Pensions on account of the Fenian Raid, 1866-1870 | 1,600 00 | |
| 70 | Pensions payable to Mounted Police, Prince Albert Volunteers and Police Scouts on account of the Rebellion of 1885 | 1,290 28 | |
| 71 | Pensions payable to militiamen and on active service North West Rebellion 1885 | 44,000 00 | |
| | Pensions to families of members of the force who lost their lives while on duty— | | |
| 72 | Margaret Johnston Brooke | 638 75 | |
| 73 | *Anne Eva Emily* and Arthur Stewart Mountford Brooke | 54 75 | |
| 74 | Mrs. Elizabeth Willmett | 54 75 | |
| 75 | Mrs. Elizabeth Fitzgerald | 525 00 | |
| 76 | Pension to J. B. Allan | 450 00 | |
| 77 | Pension to Mrs. Mary E. Fuller | 600 00 | |
| 78 | Pension to Madame Fabre | 1,000 00 | |
| 79 | Pensions—European War | 15,000,000 00 | |
| 80 | Salaries and contingent expenses of the Board of Pension Commissioners for Canada | 750,000 00 | |
| | | | 15,802,613 53 |
| | MILITIA AND DEFENCE. | | |
| 81 | Allowance Active Militia | 50,000 00 | |
| 82 | Cadet Services | 75,000 00 | |
| 83 | Contingencies | 25,000 00 | |
| 84 | Departmental Library | 1,000 00 | |
| 85 | Engineer Services and Works | 430,000 00 | |
| 86 | Grants to Associations | 25,000 00 | |
| 87 | H.Q. and District Staff | 225,000 00 | |
| 88 | Maintenance | 150,000 00 | |
| 89 | Permanent Force | 2,575,000 00 | |
| 90 | Printing and Stationery | 70,000 00 | |
| 91 | Royal Military College | 185,000 00 | |
| 92 | Salaries and Wages | 260,000 00 | |
| 93 | Survey | 35,000 00 | |
| 94 | Transport and Freight | 35,000 00 | |
| 95 | Training Areas | 50,000 00 | |
| | | | 4,191,000 00 |
| | RAILWAYS AND CANALS. | | |
| | *(Chargeable to Capital.)* | | |
| | RAILWAYS. | | |
| | *Canadian Government Railways.* | | |
| 96 | Construction and betterments, including equipment | 18,000,000 00 | |
| | Dartmouth to Deans Branch | 30,000 00 | |
| | To provide car ferry—construction of terminals, etc | 65,000 00 | |
| | *Hudson Bay Railway.* | | |
| 97 | Construction of railway terminals, including $250 advances, uncollected | 1,000,000 00 | |
| | *National Transcontinental Railway.* | | |
| 98 | To pay claims for right of way, etc | 250,000 00 | |
| | *Quebec and Saguenay Railway.* | | |
| 99 | Construction | 900,000 00 | |

## SCHEDULE A—*Continued.*

| No. of Vote. | SERVICE. | Amount. | Total. |
|---|---|---|---|
| | RAILWAYS AND CANALS—*Continued.* | $ cts. | $ cts. |
| | (*Chargeable to Capital*—Concluded. | | |
| | MISCELLANEOUS. | | |
| | *Quebec Bridge.* | | |
| 100 | Construction | 700,000 00 | |
| | *Welland Ship Canal.* | | |
| 101 | Construction | 1,860,000 00 | |
| | CANALS—CAPITAL. | | |
| | *Rideau Canal.* | | |
| 101a | Towards construction of bridge on Rideau Canal at Pretoria Ave., Ottawa | 8,000 00 | |
| | *Trent Canal.* | | |
| 102 | Construction | 500,000 00 | 23,313,000 00 |
| | RAILWAYS AND CANALS. | | |
| | (*Chargeable to Income.*) | | |
| | CANALS. | | |
| | *Chambly.* | | |
| 103 | Renewing, in concrete, top of wharf—St. Johns | 9,200 00 | |
| | *Carillon and Grenville Canal.* | | |
| 104 | Protection walls—Lake St. Francis | 2,000 00 | |
| | Rebuilding lower entrance pier | 9,740 00 | |
| | *Lachine Canal.* | | |
| 105 | Dredging | 15,000 00 | |
| | *Ontario St. Lawrence Canal.* | | |
| 106 | Improvements | 43,000 00 | |
| | *St. Peter's Canal.* | | |
| 107 | Improvements | 4,000 00 | |
| | *Trent Canal.* | | |
| 108 | Improvements | 57,000 00 | |
| | *Welland Canal.* | | |
| 109 | Heavy repairs | 35,000 00 | |

## SCHEDULE A—*Continued.*

| No. of Vote. | SERVICE. | Amount. | Total. |
|---|---|---|---|
| | RAILWAYS AND CANALS—*Concluded.* | $ cts. | $ cts. |
| | (*Chargeable to Income*)—Concluded. | | |
| | MISCELLANEOUS. | | |
| | Arbitration and awards | 2,000 00 | |
| | Board of Railway Commissioners for Canada—Maintenance and operation of, including $800 for Clyde Leavitt as Chief Fire Inspector | 183,850 00 | |
| | Board of Railway Commissioners for Canada—To pay expenses in connection with cases before the | 15,000 00 | |
| | Contribution of the Government Railways to the Faculty of McGill University towards the foundation of a school of railway engineering and transportation in general, in connection with the Faculty of Applied Science | 2,500 00 | |
| | Contribution of the Government Railways to the Faculty of the Polytechnic School, Montreal, for the advancement of learning in connection with railway engineering and transportation in general | 2,500 00 | |
| | Contribution to International Association of Railways' Congress | 97 33 | |
| | Costs of litigation | 3,000 00 | |
| | Governor General's car—Attendance, repairs and alterations to | 5,000 00 | |
| | Miscellaneous works not provided for | 2,500 00 | |
| | Surveys and Inspections—Canals, including salaries and expenses of experts employed temporarily | 25,000 00 | |
| | Surveys and Inspections—Railways, including salaries and expenses of experts employed temporarily | 40,000 00 | |
| | To pay expenses in connection with consolidation of Railway Act | 5,000 00 | |
| 110 | To provide for inquiry and report on the railway situation of Canada | 40,000 00 | |
| | To provide for an audit on behalf of the Government of Canada of any railway company in Canada | 15,000 00 | |
| | Loan not exceeding $7,500,000, repayable on demand, with interest payable half yearly at the rate of six per centum (6%); to be used to meet expenditure made or indebtedness incurred in paying interest on securities of the Grand Trunk Pacific Railway or the Grand Trunk Pacific Branch Lines Company; to meet deficit in operation of the Grand Trunk Pacific Railway System and for betterments and the purchase of equipment; said loan to be secured by mortgage upon the undertaking of the Grand Trunk Pacific Railway Company containing such terms and conditions as the Governor in Council may approve. The disposition of the loan to be subject to the direction of the Governor in Council. The Company agree to constitute its Board of Directors as may be required from time to time by the Governor in Council | 7,500,000 00 | |
| | Loan not exceeding $25,000,000 repayable on demand with interest payable half yearly at the rate of six per centum (6%); to be used to meet expenditures made or indebtedness incurred in paying interest on securities or paying maturing loans of the Canadian Northern Railway Company or any company included in the Canadian Northern Railway System, to meet deficit in operation of the Canadian Northern Railway System and for construction, betterments and the purchase of equipment; said loan to be secured by mortgage upon the undertaking of the Canadian Northern Railway System, containing such terms and conditions as the Governor in Council may approve | 25,000,000 00 | |
| | | | 33,016,387 33 |

# SCHEDULE A—*Continued.*

| No. of Vote. | SERVICE. | Amount. | Total. |
|---|---|---|---|
| | PUBLIC WORKS. | $ cts. | $ cts. |
| | *(Chargeable to Capital.)* | | |
| | PUBLIC BUILDINGS. | | |
| 111 | Ottawa Parliament building—Restoration—The plans for the said building and the method to be adopted for securing the reconstruction thereof to be subject to the approval of the Joint Committee appointed by the Prime Minister and the Leader of the Opposition | 1,500,000 00 | |
| | Ottawa Eastern Departmental Block—New fireproof roof, etc. | 120,000 00 | |
| | Ottawa—New public building | 1,000,000 00 | |
| | HARBOURS AND RIVERS. | | |
| 112 | St. John Harbour—Improvements | 250,000 00 | |
| | Quebec Harbour—Champlain Dry Dock | 355,000 00 | |
| | Quebec Harbour—River St. Charles—Improvements to navigation | 15,000 00 | |
| | Toronto Harbour —Improvements | 550,000 00 | |
| | Port Arthur and Fort William—Harbour and river improvements | 350,000 00 | |
| | Vancouver Harbour—Improvements | 150,000 00 | |
| | Victoria Harbour—Improvements | 166,000,00 | |
| | | | 4,456,000 00 |
| | PUBLIC WORKS. | | |
| | *(Chargeable to Income.)* | | |
| | PUBLIC BUILDINGS. | | |
| | *Nova Scotia.* | | |
| 113 | Amherst—Drill Hall | 10,000 00 | |
| | Halifax—Quarantine Station on Lawlor's Island—Water supply. | 10,000 00 | |
| | Halifax—Dominion Buildings—Improvements, repairs, etc. | 5,000 00 | |
| | *New Brunswick.* | | |
| 114 | St. John—Dominion buildings—Improvements, repairs, etc. | 5,000 00 | |
| | St. John—Quarantine Station on Partridge Island—Rebuilding detention building destroyed by fire | 16,000 00 | |
| | St. John—Quarantine Station, Partridge Island, water supply | 1,000 00 | |
| | *Maritime Provinces Generally.* | | |
| 115 | Dominion public buildings—Improvements, repairs, etc. | 25,000 00 | |
| | *Quebec.* | | |
| 116 | Dominion public buildings—Improvements, repairs, etc. | 35,000 00 | |
| | Farnham—Public building, addition | 6,500 00 | |
| | Grosse Isle Quarantine Station—Boiler house, new boilers, etc. | 30,000 00 | |
| | Grosse Isle Quarantine Station—Improvements and repairs to buildings and fittings, furniture | 15,000 00 | |
| | Grosse Isle Quarantine Station—New buildings | 115,000 00 | |
| | Montreal—Dominion buildings—Improvements, repairs, etc. | 30,000 00 | |
| | Montreal General Post Office—Remodelling old building | 20,000 00 | |
| | Quebec Post Office—Enlargement and alterations | 15,000 00 | |
| | Three Rivers—New public building | 20,000 00 | |

# SCHEDULE A—*Continued.*

| No. of Vote. | SERVICE. | Amount. | Total. |
|---|---|---|---|
| | PUBLIC WORKS—*Continued.* | $ cts. | $ cts. |
| | (*Chargeable to Income*)—Continued. | | |
| | PUBLIC BUILDINGS—*Continued.* | | |
| | *Ontario.* | | |
| | Dominion public buildings—Improvements, repairs, etc. | 35,000 00 | |
| | Galt Drill Hall—Grading, paving, etc. | 8,000 00 | |
| | Hamilton Post Office—Electric wiring and fixtures, etc. | 3,100 00 | |
| | Kemptville—Public building | 1,200 00 | |
| | Kingston R.M.C.—Covered drill hall | 7,500 00 | |
| | Kingston R.M.C.—Enlargement of educational block | 150,000 00 | |
| 117 | Ottawa Departmental buildings—Fittings, etc. | 75,000 00 | |
| | Ottawa Departmental buildings—Renewing metal covering on Mackenzie wing of West Block | 2,500 00 | |
| | Ottawa Government Printing Bureau—Freight elevators | 9,500 00 | |
| | Toronto—Postal Station "A" | 300,000 00 | |
| | Toronto Dominion buildings—Improvements, repairs, etc. | 16,000 00 | |
| | *Manitoba.* | | |
| | Dominion public buildings—Improvements, repairs, etc. | 18,000 00 | |
| 118 | Winnipeg Dominion buildings—Improvements, repairs, etc. | 20,000 00 | |
| | Winnipeg Immigration buildings—Improvements | 3,000 00 | |
| | *Saskatchewan.* | | |
| | Dominion public buildings—Improvements, repairs, etc. | 15,000 00 | |
| 119 | Estevan public building—Improvements to heating apparatus | 1,700 00 | |
| | Saskatoon post office—Improvements | 6,000 00 | |
| | Sutherland—Water supply for Forest Nursery Station | 20,000 00 | |
| | *Alberta.* | | |
| | Calgary—Drill hall | 150,000 00 | |
| | Calgary Dominion buildings—Improvements, repairs, etc. | 3,000 00 | |
| | Dominion public building—Improvements, repairs, etc. | 15,000 00 | |
| 120 | Edmonton—Government's share of cost of permanent pavement on Jasper Avenue crossing Government property occupied by Alberta Penitentiary, including interest thereon at 5% | 21,200 00 | |
| | Grande Prairie—Dominion Lands Office | 7,000 00 | |
| | *British Columbia.* | | |
| | Dominion public buildings—Improvements, repairs, etc. | 17,000 00 | |
| | New Westminster public building—Paving roadway | 1,000 00 | |
| | Vancouver Dominion buildings—Improvements, repairs, etc. | 7,000 00 | |
| | Vancouver Examining Warehouse—Improvements to heating | 2,500 00 | |
| 121 | Victoria old post office building—To pay taxes due the city for the year 1917 | 1,578 47 | |
| | William's Head Quarantine Station—Additional land and buildings | 23,500 00 | |
| | William's Head Quarantine Station—Repairs to existing buildings, fittings, etc. | 5,000 00 | |
| | William's Head Quarantine Station—Water supply | 125,000 00 | |
| | *Yukon Territory.* | | |
| 122 | Dawson post office—Vault | 10,000 00 | |
| | *Generally.* | | |
| 123 | Experimental Farms—New buildings and improvements, renewals and repairs, etc., in connection with existing buildings, fittings, etc. | 78,200 00 | |
| | Flags for Dominion public buildings | 5,000 00 | |
| | Dominion public buildings—Generally | 30,000 00 | |

# SCHEDULE A—*Continued.*

| No. of Vote. | SERVICE. | Amount. | Total. |
|---|---|---|---|
| | PUBLIC WORKS—*Continued.* | $ cts. | $ cts. |
| | *(Chargeable to Income)*—Continued. | | |
| | PUBLIC BUILDINGS—*Concluded.* | | |
| | *Rents, repairs, furniture, heating, etc.* | | |
| | Ottawa Public Buildings:— | | |
| | Dominion Observatory and Geodetic Survey Building—Maintenance of grounds, etc | 5,000 00 | |
| | Elevator attendants | 55,000 00 | |
| | Gas and electric light, including roads and bridges | 60,000 00 | |
| | Heating, including salaries of engineers, firemen and watchmen | 230,000 00 | |
| | Repairs, furniture, grounds, snow and street maintenance, etc | 450,000 00 | |
| | Rideau Hall (including grounds), improvements, furniture, maintenance, etc | 65,000 00 | |
| | Rideau Hall—Allowance for fuel and light | 17,000 00 | |
| | Telephone service | 62,000 00 | |
| | Dominion Public Buildings:— | | |
| 124 | Dominion Immigration Buildings—Repairs, furniture, etc | 13,000 00 | |
| | Dominion Quarantine Stations—Maintenance | 4,000 00 | |
| | Fittings and general supplies and furniture | 100,000 00 | |
| | Heating | 305,000 00 | |
| | Lighting | 170,000 00 | |
| | Power for running elevators, stamp-cancelling machines, etc. | 65,000 00 | |
| | Rents | 840,000 00 | |
| | Salaries of caretakers, engineers, firemen, etc | 600,000 00 | |
| | Supplies for caretakers, etc | 30,000 00 | |
| | Water | 50,000 00 | |
| | Yukon Public Buildings—Rents, repairs, fuel, light, water service and caretakers' salaries | 55,000 00 | |
| | Victoria, B.C.—Astrophysical Observatory—(Little Saanich Mountain)—Maintenance, repairs, care of grounds, etc | 3,000 00 | |
| | HARBOURS AND RIVERS. | | |
| | *Nova Scotia.* | | |
| | Barrington's Cove, Sydney Mines—Partial reconstruction of wharf | 1,100 00 | |
| | Battery Point—Breakwater repairs and reconstruction | 3,100 00 | |
| | Breen's Pond—Repairs to breakwater | 1,050 00 | |
| | Burlington—Repairs to wharf | 1,200 00 | |
| | Cow Bay (Port Morien)—Repairs to breakwater | 5,600 00 | |
| | Cribbin's Point—Repairs to and reconstruction of wharf | 1,800 00 | |
| | Devil's Island—Repairs to breakwater | 1,300 00 | |
| | Digby Pier—Renewals | 5,000 00 | |
| | East River—Improvements | 10,000 00 | |
| | Eatonville—Repairs to breakwater | 2,500 00 | |
| | Feltzen South—Repairs to breakwater | 1,100 00 | |
| 125 | Five Islands—Repairs to wharf | 600 00 | |
| | Freeport—Repairs to breakwater | 1,500 00 | |
| | French Village—Repairs to wharf | 1,000 00 | |
| | Great Village—Repairs to wharf | 700 00 | |
| | Harbours and Rivers generally—Repairs and improvements | 60,000 00 | |
| | Harbour au Bouche—Repairs to wharf | 700 00 | |
| | Jamesville—Completion of breakwater | 2,000 00 | |
| | Kelly's Cove—Repairs to wharf and breakwater | 1,700 00 | |
| | L'Ardoise—Repairs to breakwater | 1,800 00 | |
| | Maitland—Repairs to wharf | 1,100 00 | |
| | Malagash—Repairs to wharf | 1,000 00 | |
| | Margaree Harbour—Repairs and improvements | 10,900 00 | |
| | Margaretville—Repairs to breakwater | 3,000 00 | |
| | McKay's Point (Judique)—Repairs and renewals to breakwater | 4,500 00 | |

# SCHEDULE A—*Continued.*

| No. of Vote. | SERVICE. | Amount. | Total. |
|---|---|---|---|
| | PUBLIC WORKS—*Continued.* | $ cts. | $ cts. |
| | (*Chargeable to Income*)—Continued. | | |
| | HARBOURS AND RIVERS—*Continued.* | | |
| | *Nova Scotia*—Concluded. | | |
| | McNair's Cove—Repairs to breakwater | 2,800 00 | |
| | Mosher's Bay—Repairs to breakwater | 1,300 00 | |
| | Parrsboro'—Repairs to beach protection | 1,000 00 | |
| | Petite Riviere—Repairs to breakwater | 740 00 | |
| 125 | Portuguese Cove—Repairs to breakwater | 1,320 00 | |
| | Ross' Ferry—Repairs to wharf | 750 00 | |
| | Round Hill—Repairs to wharf | 2,000 00 | |
| | South Ingonish—To repair and reconstruct beach protection | 1,900 00 | |
| | Sydney Harbour—Repairs to quarantine wharf | 850 00 | |
| | *Prince Edward Island.* | | |
| | Harbours and rivers generally—Repairs and improvements | 14,000 00 | |
| | Miminigash Harbour—Repairs to breakwaters | 2,000 00 | |
| | Souris—To repair and strengthen breakwater | 35,000 00 | |
| 126 | Summerside—Repairs to breakwater | 750 00 | |
| | Tignish—Repairs to breakwaters | 1,000 00 | |
| | Victoria—Repairs to pier | 1,500 00 | |
| | Wood Islands—Repairs to breakwaters | 2,100 00 | |
| | *New Brunswick.* | | |
| | Back Bay—Wharf repairs and improvements | 3,500 00 | |
| | Cape Bald—Repairs to breakwater pier | 3,100 00 | |
| | Dorchester—Wharf improvements | 800 00 | |
| | Fort Dufferin—Reconstruction of breastwork | 18,000 00 | |
| | Grand Anse—Repairs to breakwater and pier | 750 00 | |
| | Harbours and Rivers generally—Repairs and improvements | 40,000 00 | |
| 127 | Neguac—Repairs to wharf | 3,000 00 | |
| | Richibucto Beach—Breakwater repairs and improvements | 800 00 | |
| | Shediac—Repairs to wharf | 1,400 00 | |
| | Shippigan Gully—Repairs to breakwater and breastworks | 3,500 00 | |
| | St. John River and Tributaries—To provide for full and final contribution to local Government, not to exceed one-half cost of certain wharfs built by it in tidal waters | 5,923 99 | |
| | *Quebec.* | | |
| | Anse aux Gascons—Repairs to wharf | 10,600 00 | |
| | Baie St. Paul—Repairs to wharf | 600 00 | |
| | Chicoutimi—Repairs to wharf | 2,000 00 | |
| | Cross Point—Repairs to wharf | 2,000 00 | |
| | East Templeton—Repairs to wharf | 925 00 | |
| | Graham—Reconstruction of wharf | 1,700 00 | |
| | Harbours and Rivers generally—Repairs and improvements | 75,000 00 | |
| | Kamouraska—Repairs to wharf | 1,200 00 | |
| | Laprairie—Protection works—Maintenance and repairs | 20,000 00 | |
| | Les Eboulements—Repair to wharf | 900 00 | |
| | Matane—Repairs to breakwater | 1,000 00 | |
| 128 | Murray Bay—Repairs and improvements to wharf | 2,000 00 | |
| | Pointe à Elie—Repairs to breakwater—Wharf | 1,200 00 | |
| | Rimouski—Harbour improvements | 100,000 00 | |
| | Rimouski Wharf—Water supply | 6,000 00 | |
| | River du Loup (en bas)—Repairs to wharf | 1,500 00 | |
| | Rivière Ouelle—Repairs and improvements to wharf | 1,500 00 | |
| | Sabrevois—Repairs to wharf | 600 00 | |
| | St. Alphonse—Repairs to wharf | 2,100 00 | |
| | St. Godfroy—Repairs to wharf | 1,000 00 | |
| | St. Irenée—Repairs to wharf | 850 00 | |
| | St. Johns—Reconstruction of booms | 1,300 00 | |

# SCHEDULE A—*Continued.*

| No. of Vote. | SERVICE. | Amount. | Total. |
|---|---|---|---|
| | PUBLIC WORKS—*Continued.* | $ cts. | $ cts. |
| | (*Chargeable to Income*)—Continued. | | |
| | HARBOURS AND RIVERS—*Concluded.* | | |
| | *Quebec*—Concluded. | | |
| 128 | St. Laurent, Island of Orleans—Repairs to wharf | 2,700 00 | |
| | Three Rivers—Repairs to wharf | 2,000 00 | |
| | Yamaska—Reconstruction of dam | 1,500 00 | |
| | *Ontario.* | | |
| | Bayfield—Repairs to pier | 4,000 00 | |
| | Blind River—Repairs to wharf | 1,000 00 | |
| | Burlington Channel—Repairs to pier | 1,000 00 | |
| | Cobourg—Repairs to Langevin pier | 40,000 00 | |
| | French River dams—Repairs and maintenance | 3,000 00 | |
| | French River—In full and final settlement of all claims of Jennings and Ross in connection with their contract for the construction of the substructure of the Big Chaudiere Dam, including interest thereon at 5 per cent | 5,800 00 | |
| | Goderich—Repairs to lumber dock | 3,000 00 | |
| | Grand Bend—Repairs to pier | 1,000 00 | |
| | Harbours and Rivers generally—Repairs and improvements | 65,000 00 | |
| | Kingston—Maintenance and operation of combined roadway wharf and bridges | 8,500 00 | |
| 129 | Port Bruce—Repairs to pier | 2,100 00 | |
| | Port Burwell—Repairs to piers | 14,600 00 | |
| | Port Colborne—Repairs to breakwaters | 7,400 00 | |
| | Port Hope—Harbour improvements | 2,000 00 | |
| | Port Stanley—Harbour improvements | 77,000 00 | |
| | Rondeau Harbour—Repairs to piers and placing of riprap | 4,000 00 | |
| | Saugeen River at Southampton—Repairs to piers | 4,000 00 | |
| | Sheguindah—Repairs to wharf | 1,000 00 | |
| | Southampton—Repairs to breakwaters | 1,800 00 | |
| | Sturgeon Falls—Repairs to wharf | 875 00 | |
| | Thessalon—Repairs to wharf | 1,000 00 | |
| | Wellington—In full and final settlement of all claims of McFarlane, Pratt, Hanley, Ltd., in connection with their contract for harbour improvements | 3,240 00 | |
| | Wendover—Repairs to Wharf | 1,000 00 | |
| | *Manitoba.* | | |
| | Harbours and Rivers generally—Repairs and improvements | 15,000 00 | |
| 130 | Little Pembina River—Diversion to Pelican Lake | 15,500 00 | |
| | Red River—Repairs to channel protection work | 3,000 00 | |
| | *Saskatchewan and Alberta.* | | |
| 131 | Harbours and Rivers generally—Repairs and improvements | 20,000 00 | |
| | *British Columbia.* | | |
| | Fraser River (lower)—Improvements | 21,500 00 | |
| | Goose Bay—Repairs to wharf | 1,000 00 | |
| | Harbours and Rivers generally—Repairs and improvements | 75,000 00 | |
| 132 | Prince Rupert Quarantine Station—Repairs to wharf | 2,000 00 | |
| | Tofino—Repairs to wharf | 1,600 00 | |
| | Victoria Harbour—Repairs to wharf | 4,500 00 | |
| | Williams Head Quarantine Station—Improvements and repairs | 13,200 00 | |
| | *Generally.* | | |
| 133 | Harbours and Rivers—Generally | 30,000 00 | |

# SCHEDULE A—*Continued.*

| No. of Vote. | SERVICE. | Amount. | Total. |
|---|---|---|---|
| | PUBLIC WORKS—*Continued.* | $ cts. | $ cts. |
| | (*Chargeable to Income*)—Continued. | | |
| | HARBOURS AND RIVERS—*Concluded.* | | |
| | DREDGING. | | |
| 134 | New Dredging Plant—Ontario and Quebec | 6,000 00 | |
| | Dredging—Maritime Provinces | 200,000 00 | |
| | Dredging—Ontario and Quebec | 200,000 00 | |
| | Dredging—Manitoba, Saskatchewan and Alberta | 64,000 00 | |
| | Dredging—British Columbia | 250,000 00 | |
| | SLIDES AND BOOMS. | | |
| 135 | Gatineau River—New Boom | 11,000 00 | |
| | Slides and booms generally | 5,000 00 | |
| | ROADS AND BRIDGES. | | |
| 136 | Banff—Repairs to bridge | 3,145 00 | |
| | Dominion roads and bridges generally | 5,000 00 | |
| | Edmonton—Repairs to bridge | 1,200 00 | |
| | Metapedia—Interprovincial bridge—Repairs | 3,000 00 | |
| | New bridge to replace present Union bridge over Ottawa River between Ottawa and Hull | 120,000 00 | |
| | Ottawa—Maintenance and repair of bridges and approaches | 7,000 00 | |
| | TELEGRAPH AND TELEPHONE LINES. | | |
| | *Nova Scotia.* | | |
| 137 | Cape Breton Telegraph System—Renewal of poles between Eskasoni and East Bay | 700 00 | |
| | *Prince Edward Island.* | | |
| 138 | For half cost of reconstruction of telegraph lines jointly owned by the Anglo-American Telegraph Co., and the Dominion Government | 17,000 00 | |
| | *Quebec.* | | |
| 139 | Improvements to repair service | 3,000 00 | |
| | *Saskatchewan and Alberta.* | | |
| 140 | Moosejaw—Wood Mountain telegraph line—Renewal of poles—To complete | 2,000 00 | |
| | Peace River Line—Office and dwelling at Grande Prairie | 4,000 00 | |
| | Peace River Line—Office and dwelling at Dunvegan | 4,000 00 | |
| | Peace River Line—Woods Clearance Edmonton to Peace River | 5,000 00 | |
| | Peace River Line—Completion of pole renewals between Edmonton and Athabaska | 570 00 | |
| | Peace River Line—Repairs and renewals between Spirit River and Pouce Coupé, and between Athabaska and Grouard | 1,545 00 | |
| | Qu'Appelle—Edmonton Telegraph Line—Shifting wire to pole line of C. N. Railway between Humboldt and Warman, Sask | 1,000 00 | |
| | Repairs and improvements to office buildings | 2,750 00 | |
| | Shifting line to roadways | 5,500 00 | |
| | *British Columbia.* | | |
| 141 | Mainland telegraph and telephone lines—General repairs and improvements | 3,300 00 | |
| | Mainland telephone lines—Extensions in Kootenay District | 4,000 00 | |

# SCHEDULE A—*Continued.*

| No. of Vote. | SERVICE. | Amount. | Total. |
|---|---|---|---|
| | PUBLIC WORKS—*Concluded.* | $ cts. | $ cts. |
| | (*Chargeable to Income*)—Concluded. | | |
| | TELEGRAPH AND TELEPHONE LINES—*Concluded.* | | |
| | MISCELLANEOUS. | | |
| | Architectural Branch—Salaries of architects, clerks of works, inspectors, draughtsmen, clerks and messengers of outside service | 60,000 00 | |
| | Accounts Branch—Salaries of agents and clerks, travelling and contingent expenses of outside service | 25,000 00 | |
| | Maintenance and operation of water storage dams on Ottawa river and tributaries, surveys in connection therewith and settlement of land damages | 125,000 00 | |
| | Dry docks generally—Inspection, etc | 4,000 00 | |
| | Engineering Branch—Salaries of engineers, inspectors, superintendents, draughtsmen, clerks and messengers of the outside service | 435,000 00 | |
| | For operation and maintenance of inspection boats | 15,000 00 | |
| 142 | Gratuity to Captain Barney Freeman who was seriously injured while at work in the Government Shipyard at Selkirk | 2,000 00 | |
| | Monument of His Late Majesty King Edward VII | 5,000 00 | |
| | Monument to memory of the late Hon. Thos. D'Arcy McGee | 8,000 00 | |
| | National Gallery of Canada | 8,000 00 | |
| | River gauging and metering | 24,000 00 | |
| | Surveys and inspections | 85,000 00 | |
| | To cover balance of expenditure for works already authorized for which the appropriations may be insufficient, provided the amount for any one work does not exceed $200 | 5,000 00 | |
| | To pay Western Dry Dock and Shipbuilding Co., Limited, of Port Arthur, a portion of the fifth payment of subsidy due them upon their completion of the work covered by the agreement ratified by chap. 57, 3-4 George V, 1913, notwithstanding that the work is not completed | 35,641 50 | |
| | | | 7,466,153 96 |
| | MAIL SUBSIDIES AND STEAMSHIP SUBVENTIONS. | | |
| | ATLANTIC OCEAN. | | |
| 143 | Steam service between Canadian Atlantic ports and Australia and New Zealand | 70,000 00 | |
| 144 | Ocean and mail service between Canada and Great Britain | 400,000 00 | |
| 145 | Steam service or services between Canada and Newfoundland | 70,000 00 | |
| 146 | Steam service between Canada and the West Indies or South America or both | 250,666 66 | |
| 147 | Steam service between Canada and South Africa | 73,000 00 | |
| | PACIFIC OCEAN. | | |
| 148 | Steam service between Canada and Australia or New Zealand or both, on Pacific ocean | 180,509 00 | |
| 149 | Steam service between Canada, China and Japan | 253,333 34 | |
| 150 | Steam service between Prince Rupert, B.C., and Queen Charlotte Islands | 21,000 00 | |
| 151 | Steam service between Victoria and San Francisco | 3,000 00 | |
| 152 | Steam service between Victoria, Vancouver way ports Skagway | 12,500 00 | |
| 153 | Steam service between Victoria and West Coast Vancouver Island | 5,000 00 | |
| 154 | Steam service between Vancouver and northern ports of British Columbia | 16,800 00 | |

# SCHEDULE A—*Continued.*

| No. of Vote. | SERVICE. | Amount. | Total. |
|---|---|---|---|
| | MAIL SUBSIDES AND STEAMSHIP SUBVENTIONS —*Continued.* | $ cts. | $ cts. |
| | LOCAL SERVICES. | | |
| 155 | Steam service between Baddeck and Iona | 5,825 00 | |
| 156 | Steam service between Charlottetown, Victoria and Holliday's wharf | 2,500 00 | |
| 157 | Steam service between Froude's Point and Lockeport, N.S. | 600 00 | |
| 158 | Steam service between Grand Manan and the Mainland | 10,000 00 | |
| 159 | Steam service between Halifax, Canso and Guysborough | 5,000 00 | |
| 160 | Steam service between Halifax and Newfoundland via Cape Breton ports | 10,000 00 | |
| 161 | Steam service between Halifax, Mahone Bay, Tancook Islands and La Havre River ports | 4,000 00 | |
| 162 | Steam service between Halifax and Spry Bay and ports in Cape Breton | 4,000 00 | |
| 163 | Steam service between Halifax, South Cape Breton and Bras d'Or Lake ports | 6,000 00 | |
| 164 | Steam service between Halifax and West Coast Cape Breton, calling at way ports | 4,000 00 | |
| 165 | Steam service between Halifax and Sherbrooke | 2,000 00 | |
| 166 | Steam service from the opening to the closing of navigation in 1918 between the mainland and the Magdalen Islands | 18,000 00 | |
| 167 | Steam service between Mulgrave and Canso | 6,500 00 | |
| 168 | Steam service between Mulgrave and Guysborough, calling at intermediate ports | 5,500 00 | |
| 169 | Steam service between Newcastle, Neguac and Escuminac, calling at all intermediate points on the Miramichi river and Miramichi bay | 2,500 00 | |
| 170 | Steam service between Pelee Island and the mainland | 8,000 00 | |
| 171 | Steam service between Petit de Grat and Intercolonial Railway terminus at Mulgrave | 7,000 00 | |
| 172 | Steam service on the Petitcodiac river between Moncton and way ports, and a port or ports on the west coast of Cumberland county | 2,500 00 | |
| 173 | Steam service from the opening to the closing of navigation in 1918, between Pictou, Mulgrave and Cheticamp | 7,500 00 | |
| 174 | Steam service from the opening to the closing of navigation in 1918, between Port Mulgrave, St. Peter's, Irish Cove and Marble Mountain and other ports on the Bras d'Or Lakes | 6,500 00 | |
| 175 | Steam service during the year 1918, between Quebec and Harrington, calling at ports and places along the northern shore of the river St. Lawrence between such terminals | 28,000 00 | |
| 176 | Steam service between Quebec and Gaspe basin, touching at intermediate ports | 8,500 00 | |
| 177 | Steam service between River du Loup, Tadoussac and other North Shore ports | 6,000 00 | |
| 178 | Steam services between St. John and ports in Cumberland Basin | 3,000 00 | |
| 179 | Steam service between St. John and Bridgetown | 2,500 00 | |
| 180 | Steam service between St. John and Digby | 20,000 00 | |
| 181 | Steam service between St. John, Digby, Annapolis and Granville, viz., along the west coast of Annapolis Basin | 2,000 00 | |
| 182 | Steam service between St. John, N.B., and ports on the Bay of Fundy and Minas Basin, and Margaretville, N.S. | 8,000 00 | |
| 183 | Steam service or services between St. John, Westport and Yarmouth and other way ports | 10,000 00 | |
| 184 | Steam service during the year 1918 between St. Stephen, N.B., Ste. Croix River points, Deer Island, Campobello and the inner islands, Passamaquoddy Bay and L'Etete or Back Bay | 6,000 00 | |
| 185 | Steam service during the season of 1918, between Sydney and Bay St. Lawrence, calling at way ports | 6,000 00 | |
| 186 | Steam service during the season 1918, between Sydney and Whycocomagh | 3,000 00 | |

## SCHEDULE A—*Continued*

| No. of Vote. | SERVICE. | Amount. | Total. |
|---|---|---|---|
| | MAIL SUBSIDES AND STEAMSHIP SUBVENTIONS —*Concluded.* | $ cts. | $ cts. |
| | LOCAL SERVICES—*Concluded.* | | |
| 187 | Steam service from Sydney, N.S., around the East Coast of Cape Breton to Hastings and return to Sydney via the Bras d'Or lakes | 5,500 00 | |
| 188 | Expenses in connection with the supervision of subsidized steamship services | 3,000 00 | |
| | | | 1,585,234 00 |
| | THE NAVAL SERVICE. | | |
| 189 | Naval Service—To provide for the maintenance and upkeep of ships, Naval College, dockyards at Halifax and Esquimalt, and Royal Naval Canadian Volunteer Reserve | 600 000 00 | |
| 190 | Fisheries Protection Service—To provide for the repairs and maintenance of Fisheries Protection Steamers | 300,000 00 | |
| 191 | Hydrographic Survey | 215,000 00 | |
| 192 | Radiotelegraph Service—To provide for the building and maintenance of wireless stations | 225,000 00 | |
| 193 | Tidal Service—To provide for the maintenance of tidal stations and surveying steamers | 25,000 00 | |
| 194 | Patrol of the northern waters of Canada | 40,000 00 | |
| 195 | Life-saving Stations—Including rewards for saving life | 100,000 00 | |
| 196 | Royal Naval College of Canada—Restoration | 25,000 00 | |
| | | | 1,530,000 00 |
| | OCEAN AND RIVER SERVICE. | | |
| 197 | Maintenance and repairs to Dominion steamers and ice-breakers | 1,500,000 00 | |
| 198 | Examiners of masters and mates | 16,500 00 | |
| 199 | Investigations into wrecks | 12,300 00 | |
| 200 | Expenses of Schools of Navigation | 8,000 00 | |
| 201 | Registration of shipping | 3,000 00 | |
| 202 | Removal of obstructions in navigable waters | 5,000 00 | |
| 203 | Inspection of live stock shipments | 3,000 00 | |
| 204 | To continue subsidy for wrecking plants—Quebec, Maritime Provinces and British Columbia | 35,000 00 | |
| 205 | Unforeseen expenses | 5,000 00 | |
| 206 | Amount required for two boilers for C.G.S. *Montcalm* | 60,000 00 | |
| 207 | Amount required for two steamers for buoy service in Maritime Provinces | 300,000 00 | |
| | | | 1,947,800 00 |
| | PUBLIC WORKS. | | |
| | (*Chargeable to Capital*). | | |
| | (*Marine Department*). | | |
| 208 | River St. Lawrence, Ship Channel | 478,000 00 | |
| 209 | To provide for construction and completion of dredging plant for St. Lawrence River from Montreal to Father Point | 163,900 00 | |
| 210 | Amount required for converting six ship channel tugs for salt-water service | 50,000 00 | |
| | | | 691,900 00 |
| | LIGHTHOUSE AND COAST SERVICE. | | |
| 211 | Agencies, rents and contingencies | 178,000 00 | |
| 212 | Salaries and allowances to lightkeepers | 485,000 00 | |
| 213 | Maintenance and repairs to lighthouses | 700,000 00 | |
| 214 | Construction of lighthouses and aids to navigation, including apparatus, submarine signals, and providing suitable boats for carrying on construction work | 400,000 00 | |

## SCHEDULE A—*Continued.*

| No. of Vote. | SERVICE. | Amount. | Total. |
|---|---|---|---|
| | LIGHTHOUSE AND COAST SERVICE—*Con.* | $ cts. | $ cts. |
| 215 | Signal service | 60,000 00 | |
| 216 | Administration of pilotage and maintenance and repairs to steamer *Eureka* | 56,300 00 | |
| 217 | Maintenance and repairs to wharves | 10,000 00 | |
| 218 | To provide for breaking ice in Thunder Bay and Lake Superior and other points deemed advisable for the good of navigation | 40,000 00 | |
| 219 | Amount required to pay pension of $300 each per annum to following retired pilots:—Ls. R. Demers, Jos. Lapointe, Nestor Lachance, Paul Gobeil, Barthelemi Lachance, Alphonse Asselin, Chas. Normand, Nap. Rioux, Elzear Desrosiers, Hubert Raymond, Arbel Bernier, Laurent Godbout, Adelme Pouliot, Edmond Larochelle, L. E. Morin, A. T. Simard, J. Plante, V. Vezina, J. G. Dupil, Raymond Baquet, Alfred Larochelle, Elzear Godbout, Theophile Corriveau, Alphonse Pouliot, Emilio Couillard, Treffle Delisle, David Dumas, Alfred Goudreau, Onesime Noel, F. X. Desmeules, Adjutor Baillargeon | 9,300 00 | |
| 220 | To provide for telephones at different points throughout the Dominion in connection with aids to navigation | 500 00 | |
| 221 | Allowance to Harbour Master at Amherstburg, for supervision of lights and buoys in St. Clair river, Detoit river, Lake Erie, and other services during the season of navigation | 400 00 | |
| | | | 1,939,500 00 |
| | SCIENTIFIC INSTITUTIONS. | | |
| | DEPARTMENT OF THE INTERIOR. | | |
| | *Scientific Institutions.* | | |
| 222 | Expenses connected with the Dominion Astronomical Observatory at Ottawa | 25,000 00 | |
| | Expenses connected with the Dominion Astrophysical Observatory at Victoria, B.C | 7,500 00 | |
| | *Geodetic Survey of Canada.* | | |
| 223 | Investigations, triangulation, precise levelling, topographic and field astronomic work, etc | 112,005 00 | |
| | Expenses connected with the survey and demarcation of International Boundaries, including $1,000 to J. J. McArthur as International Boundary Commissioner | 60,495 00 | |
| | *Department of Marine.* | | |
| 224 | Meteorological Service, including Magnetic Observatory, grants of $500 each to Kingston and Montreal Observatories; also allowance to L. F. Gorman, Observer at Ottawa | 200,000 00 | |
| | | | 405,000 00 |
| | MARINE HOSPITALS. | | |
| 225 | Marine Hospitals, including grants to institutions assisting sailors | 75,000 00 | |
| | Shipwrecked and distressed seamen | 3,000 00 | |
| | | | 78,000 00 |
| | STEAMBOAT INSPECTION. | | |
| 226 | Steamboat inspection | | 79,22. 00 |

## SCHEDULE A—*Continued.*

| No. of Vote. | SERVICE. | Amount. | Total. |
|---|---|---|---|
| | FISHERIES. | $ cts. | $ cts. |
| 227 | Salaries and disbursements of Fishery Officers and Guardians, including the expense of the Advisory Board, Fisheries Patrol Service and Oyster Culture | 400,000 00 | |
| 228 | Building fishways and clearing rivers | 10,000 00 | |
| 229 | Legal and incidental expenses | 4,000 00 | |
| 230 | To assist in the establishment, maintenance and inspections of cold storage for bait, the conservation and development of deep sea fisheries and of the demand for fish and to provide for better transportation facilities for fish | 110,000 00 | |
| 231 | To provide for the maintenance of a Fisheries Intelligence Bureau | 5,000 00 | |
| 232 | To provide for a Fisheries Exhibit at the Canadian Exhibition at Toronto | 5,000 00 | |
| 233 | Salaries and maintenance of fish breeding establishments | 300,000 00 | |
| 234 | To provide for the inspection of pickled fish | 15,000 00 | |
| 235 | Marine Biological Board of Canada | 26,000 00 | |
| | | | 875,000 00 |
| | MINES AND GEOLOGICAL SURVEY. | | |
| | *Mines Branch.* | | |
| 236 | Investigation of ore and other economic deposits, road, and structural materials; expenses of the fuel testing and the ore dressing plants; collection of mining and metallurgical statistics, etc | 130,000 00 | |
| | Publications, English and French editions of reports; purchase of books of reference, laboratory supplies, instruments, office contingencies | 40,000 00 | |
| | *Dominion of Canada, Assay Office.* | | |
| 237 | Maintenance of Assay Office, Vancouver, B.C | 25,000 00 | |
| | *Geological Survey.* | | |
| 238 | For explorations, surveys and investigations, wages of explorers, draughtsmen and others | 130,000 00 | |
| | For publication of English and French editions of reports; maps, illustrations, etc | 55,000 00 | |
| | For maintenance of offices and museum; instruments, chemicals, books of reference; miscellaneous assistance, and contingencies | 45,000 00 | |
| | For purchase of specimens | 2,500 00 | |
| | Compensation to J. F. Lyons for quarters vacated | 400 00 | |
| | | | 427,900 00 |
| | LABOUR. | | |
| 239 | Conciliation and Labour Act, including publication, printing, binding and distribution of the *Labour Gazette*, and allowance to correspondents, and for clerical assistance in preparing tables of statistics | 35,000 00 | |
| 240 | Industrial Disputes Investigation Act | 25,000 00 | |
| 241 | Fair Wages and Inspection Officers | 15,000 00 | |
| | | | 75,000 00 |
| | INDIANS. | | |
| | ONTARIO AND QUEBEC. | | |
| 242 | Relief, medical attendance and medicines | 28,000 00 | |
| | Repairs to roads and bridges and drainage | 1,900 00 | |
| | General expenses | 51,875 00 | |

# SCHEDULE A—*Continued.*

| No. of Vote. | SERVICE. | Amount. | Total. |
|---|---|---|---|
| | INDIANS—*Continued.* | $ cts. | $ cts. |
| | NOVA SCOTIA. | | |
| 243 | Salaries | 4,400 00 | |
| | Relief | 8,000 00 | |
| | To provide for encouragement of agriculture | 1,000 00 | |
| | Medical attendance and medicines | 5,000 00 | |
| | Repairs to roads and dyking | 600 00 | |
| | Miscellaneous and unforseen | 5,300 00 | |
| | NEW BRUNSWICK. | | |
| 244 | Salaries | 1,984 00 | |
| | Relief | 8,000 00 | |
| | Miscellaneous and unforseen | 850 00 | |
| | Medical attendance and medicines | 4,000 00 | |
| | Repairs to roads | 450 00 | |
| | To provide for encouragement of agriculture | 1,000 00 | |
| | PRINCE EDWARD ISLAND. | | |
| 245 | Salaries | 600 00 | |
| | Relief and seed grain | 1,375 00 | |
| | Medical attendance and medicines | 850 00 | |
| | Miscellaneous | 400 00 | |
| | MANITOBA, SASKATCHEWAN, ALBERTA AND NORTHWEST TERRITORIES. | | |
| 246 | Implements, tools, etc | 7,366 00 | |
| | Field and garden seeds | 2,957 00 | |
| | Live stock | 4,835 00 | |
| | Supplies for destitute | 125,167 00 | |
| | Hospitals and medical attendance | 103,767 00 | |
| | Triennial clothing | 6,000 00 | |
| | Surveys | 11,000 00 | |
| | Sioux | 6,418 00 | |
| | Grist and saw mills | 6,076 00 | |
| | General expenses | 234,563 00 | |
| | BRITISH COLUMBIA. | | |
| 247 | Salaries | 47,840 00 | |
| | Relief to destitute | 22,000 00 | |
| | To assist Indians in farming, fruit culture and cleansing orchards | 8,450 00 | |
| | Hospital, medical attendance and medicines | 43,200 00 | |
| | Travelling expenses | 20,000 00 | |
| | Office, miscellaneous and unforseen expenses | 19,560 00 | |
| | Surveys | 5,000 00 | |
| | YUKON. | | |
| 248 | Relief, medical attendance and medicines | 11,000 00 | |
| | Surveys | 2,000 00 | |
| | General expenses | 4,000 00 | |
| | GENERAL. | | |
| 249 | Payments to Indians surrendering their lands under provisions of Section 89 of the Indian Act, which will afterwards be repaid from the avails of the land | 25,000 00 | |
| | Relief to destitute Indians in remote districts | 60,000 00 | |
| | To prevent spread of Tuberculosis | 10,000 00 | |
| | Printing, stationery, etc | 5,000 00 | |
| | Grant to assist Indian Trust Fund Account 310 suppression of liquor | 3,000 00 | |
| | Surveys, Ontario, Quebec, and Maritime Provinces | 3,000 00 | |

# SCHEDULE A—*Continued.*

| No. of Vote. | SERVICE. | Amount. | Total. |
|---|---|---|---|
| | INDIANS—*Concluded.* | $ cts. | $ cts. |
| | GENERAL—*Concluded.* | | |
| 249 | To provide for expenses in connection with epidemic of smallpox and other diseases | 10,000 00 | |
| | To provide an amount to pay Agents' fees in connection with registration of b.rths, deaths and marriages | 1,500 00 | |
| | General legal expenses | 5,500 00 | |
| | INDIAN EDUCATION. | | |
| 250 | Indian Education | 734,115 00 | |
| | | | 1,673,898 00 |
| | ROYAL NORTHWEST MOUNTED POLICE. | | |
| | NORTHWEST TERRITORIES, YUKON TERRITORY, PROVINCES OF ALBERTA AND SASKATCHEWAN. | | |
| | *Saskatchewan.* | | |
| 251 | Pay of force | 473,335 25 | |
| | Subsistence, billeting, forage and dog feed, fuel and light, clothing, repairs and renewals, horses, arms and ammunition, stationery, medical stores, transport, water service, building repairs, and contingencies | 649,442 32 | |
| | To compensate members of the Royal Northwest Mounted Police for injuries received while in the discharge of duty. | 5,000 00 | |
| | | | 1,127,777 57 |
| | GOVERNMENT OF THE NORTHWEST TERRITORIES | | |
| 252 | Salary of Mr. Fred. White as Commissioner of the Northwest Territories | 1,000 00 | |
| | Salary of Mr. L. DuPlessis, as Secretary to the Commissioner | 300 00 | |
| | Salary of Mr. Geo. D. Pope, as Accountant to the Commissioner. | 300 00 | |
| | Schools | 3,000 00 | |
| | Relief to destitute, maintenance of insane patients and prisoners | 1,900 00 | |
| | Investigations, travelling expenses, clerical assistance, printing, stationary and contingencies | 1,500 00 | |
| | | | 8,000 00 |
| | GOVERNMENT OF THE YUKON TERRITORY. | | |
| 253 | Salaries and expenses connected with the administration of the Territory | 85,000 00 | |
| | Grant to Local Council | 75,000 00 | |
| | Grant to Local Council for maintenance of and repairs to roads. | 25,000 00 | |
| | | | 185,000 00 |
| | DOMINION LANDS AND PARKS. | | |
| 254 | Salaries of the Outside Service | 440,000 00 | |
| | Contingencies, advertising, etc | 220,000 00 | |
| | Surveys, examination of survey returns, printing of plans, etc. | 496,300 00 | |
| | Amount required to pay the fees of the Board of Examiners for D. L. Surveyors, of the Secretary, and of the Sub-examiners, and for stationery, printing, rent of rooms and furniture, etc. (The fees of Messrs. E. Deville, Otto J. Klotz and W. M. Tobey, members of the Board, and J. A. Cote, Secretary, are to be paid out of this sum) | 2,400 00 | |
| | To assist in publishing the transactions of the Association of Dominion Land Surveyors | 125 00 | |

# SCHEDULE A—*Continued.*

| No. of Vote. | SERVICE. | Amount. | Total. |
|---|---|---|---|
| | DOMINION LANDS AND PARKS—*Continued.* | $ cts. | $ cts. |
| | Protection of timber in Manitoba, Saskatchewan, Alberta, the Northwest Territories, and the Railway Belt in British Columbia; tree culture in Manitoba, Saskatchewan, Alberta and inspection and management of Forest Reserves | 650,000 00 | |
| | Grant to Canadian Forestry Association | 3,000 00 | |
| | To pay expenses connected with Water Power investigations and reports in Manitoba, Saskatchewan, Alberta, and the Railway Belt in British Columbia | 144,000 00 | |
| 254 | For surveys and works under the Irrigation Act, etc., including $400 for P. Marchand as auditor of disbursements made by companies acquiring lands under the Irrigation system | 169,000 00 | |
| | Grant to Western Canada Irrigation Association | 500 00 | |
| | Grant to Cypress Hills Water Users' Association | 250 00 | |
| | Canadian National Parks | 300,000 00 | |
| | Administration of the Northwest Game Act, and the Migratory Bird Act | 18,000 00 | |
| | Engraving, lithographing, printing and preparation of maps, plans and kindred publications of the Dominion, including necessary materials for same | 74,375 00 | |
| | Costs of litigation and legal expenses | 11,000 00 | |
| | Ordnance Lands, salaries and expenses | 1,695 00 | |
| | Grant to Alpine Club of Canada | 1,000 00 | |
| | | | 2,531,645 00 |
| | SOLDIERS' LAND SETTLEMENT. | | |
| | Salaries of Board of Commissioners | 16,000 00 | |
| 255 | Advance to soldiers settling upon the land and cost of administering the *Soldier Settlement Act, 1917*, including clerical assistance | 2,900,000 00 | |
| | | | 2,916,000 00 |
| | MISCELLANEOUS. | | |
| 256 | *Canada Gazette* | 31,000 00 | |
| 257 | Printing Bureau—Plant, repair and renewals | 10,000 00 | |
| 258 | Printing Bureau—Plant—New | 40,000 00 | |
| 259 | Distribution of Parliamentary documents and other Government Publications | 45,000 00 | |
| 260 | Miscellaneous printing | 100,000 00 | |
| 261 | Contribution towards publication of International Catalogue of Scientific Literature | 585 00 | |
| 262 | Expenses under the Canada Temperance Act | 1,000 00 | |
| 263 | Expenses under the Naturalization Acts | 5,000 00 | |
| 264 | Unforeseen expenses, expenditure thereof to be under Order in Council, and a detailed statement to be laid before Parliament within fifteen days of next session | 40,000 00 | |
| 265 | Grant to the Interparliamentary Union for Peace | 200 00 | |
| 266 | For supply of Canadian publications to Library of High Commissioner's Office | 1,000 00 | |
| 267 | To provide for purchase of 650 copies of the Parliamentary Guide | 1,950 00 | |
| 268 | Special allowance to Sir Charles Fitzpatrick, to cover expenses when attending the sittings of the Judicial Committee of the Privy Council | 2,500 00 | |
| 269 | Special allowance to the Chief Justice of the Supreme Court of Canada, to cover travelling and other expenses in connection with his services while acting as Deputy to His Excellency the Governor General | 5,000 00 | |
| 270 | Public Archives, including an amount of $5,046.19 to pay Printing Bureau for printing Public Documents authorized under Vote No. 314, 1916-17, and for printing Pioneer Legislation. | 65,046 19 | |
| 271 | To provide for the expenses of the Conservation Commission, including $750 for C. Gordon Hewitt, as Special Adviser respecting Conservation of Game and Wild Life | 84,000 00 | |

# SCHEDULE A—*Continued.*

| No. of Vote. | SERVICE. | Amount. | Total. |
|---|---|---|---|
| | MISCELLANEOUS—*Concluded.* | $ cts. | $ cts. |
| 272 | Expenses of litigated matters connected within the Department of Justice | 13,000 00 | |
| 273 | Annual contribution to the Canadian Law Library, London, England | 500 00 | |
| 274 | Consolidation and publication of Reports, Orders in Council and correspondence upon Provincial Legislation since 1905 (Revote) | 500 00 | |
| 275 | Expenses under the Pecuniary Claims Convention with the United States (Revote) | 5,000 00 | |
| 276 | Grant to Chief Constables' Association of Canada | 500 00 | |
| 277 | Cost of proceedings before the International Joint Commission | 5,000 00 | |
| 278 | To assist in suppression of the White Slave Traffic | 2,500 00 | |
| 279 | Amount required to pay Consular offices abroad for services | 300 00 | |
| 280 | Salaries and expenses of the Paris Agency | 28,000 00 | |
| 281 | Allowance to Mr. W. J. Stewart, Chief Hydrographer, for services performed under Order in Council of the 19th October, 1912, in relation to questions under consideration by the International Joint Commission, during the year 1918-19 | 1,000 00 | |
| 282 | Amount required to meet expenses of the Technical Board appointed to consider questions relating to the level of the Lake of the Woods | 6,000 00 | |
| 283 | Grant to the National Battlefields Commission:— | | |
| | (*a*) For expenses of administration | 5,500 00 | |
| | (*b*) For maintenance of the National Battlefields Park | 30,000 00 | |
| | (*c*) For maintenance of Martello Tower | 450 00 | |
| 284 | Contribution to McGill University towards the maintenance of a Regional Bureau for Canada, for the International Catalogue of Scientific Literature | 2,000 00 | |
| 285 | Canadian Press Limited—Towards expenses of a National News Service | 50,000 00 | |
| 286 | Canadian Associated Press | 8,000 00 | |
| 287 | To provide for the administration of the *Business Profits War Tax 1916* and the *Income War Tax Act, 1917:* Appointments for the purpose may be made without reference to the provisions of the Civil Service Act | 600,000 00 | |
| 288 | Marine Department—Amount required to pay compassionate allowances to the widows, or fathers, or mothers, or dependents of the Captain and members of the crew of the C.G.S. *Simcoe*, who lost their lives when that vessel foundered in the Gulf of St. Lawrence, 7th December ,1917 | 61,500 00 | |
| 289 | Grant to assist the Canadian Association for the Prevention of Tubercolosis | 10,000 00 | |
| 290 | Grant to the Canadian Handicraft Guild | 2,000 00 | |
| 291 | Grand to assist the Canadian Branch of the St. John Ambulance Association | 5,000 00 | |
| 292 | Grant to the Victorian Order of Nurses | 5,000 00 | |
| 293 | Grant in aid of the Canadian General Council of the Boy Scouts Association | 5,000 00 | |
| 294 | Contribution to aid in carrying on the work of the Astronomical Society | 2,000 00 | |
| 295 | Grant to the Royal Society of Canada | 4,000 00 | |
| 296 | Royal Academy of Arts | 2,500 00 | |
| 297 | Grant to the Canadian Mining Institute | 3,000 00 | |
| 298 | Halifax Relief | 5,000,000 00 | |
| | | | 6,290,531 19 |
| | CUSTOMS. | | |
| 299 | Salaries and contingent expenses of the several ports in the Dominion, including pay for overtime of officers, notwithstanding anything in the Civil Service Act, and temporary Customs buildings and rentals | 3,890,000 00 | |
| | Salaries and travelling expenses of Inspectors of ports and of other officers on inspection and preventive service, including salaries and expenses in connection with the Board of Customs | 410,000 00 | |

## SCHEDULE A—*Continued.*

| No. of Vote. | SERVICE. | Amount. | Total. |
|---|---|---|---|
| | CUSTOMS—*Concluded.* | $ cts. | $ cts. |
| 299 | Miscellaneous—Printing and stationery, subscriptions to commercial papers, flags, dating stamps, locks, instruments, etc., for various ports of entry, express charges on samples, stationery and forms, legal expenses, premiums on guarantee bonds, and uniforms for Customs Officers | 180,000 00 | |
| | To provide for expenses of maintenance of revenue cruisers and for preventive service | 75,000 00 | |
| | Amounts to be paid to Department of Justice to be disbursed by and accounted for to it, for secret preventive service | 10,000 00 | |
| | | | 4,565,000 00 |
| | EXCISE. | | |
| | Salaries of officers and inspectors of Excise, and to provide for increase depending on the result of Excise examinations | 550,768 25 | |
| | For extra duty-pay at large distilleries and other factories | 16,000 00 | |
| | Duty-pay to officers serving longer hours at other than special survey | 2,000 00 | |
| | Preventive service—Contingencies | 18,000 00 | |
| | Preventive service—Salaries | 130,000 00 | |
| | Travelling expenses, rent, fuel, stationery, etc | 90,000 00 | |
| 300 | To provide for stamps, stationery, salaries, etc., in connection with War Tax | 75,000 00 | |
| | Stamps for imported and Canadian tobacco | 125,000 00 | |
| | To pay Collectors of Customs for duty collected by them | 5,000 00 | |
| | Provisional allowance of not more than $150 each to officers in Manitoba and west | 12,000 00 | |
| | To enable the Department to supply methylated spirits to manufacturers, the cost of which will be recouped by the manufacturers to whom it is supplied and to pay rent, fuel, power, freight, salaries, etc | 500,000 00 | |
| | | | 1,523,768 25 |
| | WEIGHTS AND MEASURES, GAS AND ELECTRIC LIGHT INSPECTION. | | |
| | Salaries of inspectors and assistant inspectors of Weights and Measures | 155,910 00 | |
| | Rent, fuel, travelling expenses, postage, stationery, etc., for Weights and Measures | 90,000 00 | |
| | Provisional allowance of not more than $150 each to officers in Manitoba and west for Weights and Measures | 7,000 00 | |
| | Salaries of inspectors and assistant inspectors of gas and electricity | 85,000 00 | |
| 301 | Rent, fuel, travelling expenses for gas and electricity inspection and the purchase and repairs of instruments | 50,000 00 | |
| | Provisional allowance of not more than $150 each to officers in Manitoba and west for gas and electric light | 4,000 00 | |
| | Export of electric power | 1,000 00 | |
| | The International Bureau of Weights and Measures | 1,200 00 | |
| | The International Electro Technical Commission | 400 00 | |
| | | | 394,510 00 |
| | ADULTERATION OF FOOD, ETC. | | |
| 302 | Adulteration of food and the administration of the Act respecting fertilizers, fraudulent marking and commercial feeding stuffs | 50,000 00 | |
| | Proprietary or Patent Medicines | 3,000 00 | |
| | Minor revenue expenditure | 500 00 | |
| | | | 53,500 00 |

## SCHEDULE A—*Continued.*

| No. of Vote. | SERVICE. | Amount. | Total. |
|---|---|---|---|
| | **RAILWAYS AND CANALS.** | $ cts. | $ cts. |
| | *(Chargeable to Collection of Revenue.)* | | |
| | CANALS. | | |
| 303 | Staff and repairs | 1,600,000 00 | |
| | Statistical officers | 42,500 00 | |
| | MISCELLANEOUS. | | |
| | *Canadian Government Railways.* | | |
| 304 | Compassionate allowance to the widow of the late Harold E. Robeson, who died from fatal injuries received in Mulgrave Yard on November 4, 1916 | 2,000 00 | |
| | Commpassionate allowance to the widow of the late Gordon H. Doak, brakeman, who died from injuries received while shunting in Newcastle Yard on February 24, 1917 | 2,000 00 | |
| | CANALS. | | |
| 305 | Compassionate allowance to the widow of the late Robert Wiggins, who was accidentally electrocuted while in discharge of his duties as Bridgemaster on the Bascue Bridge, over the Lachine Canal, on July 16, 1917 | 2,000 00 | |
| | | | 1,648,500 00 |
| | **PUBLIC WORKS.** | | |
| | *(Chargeable to Collection of Revenue.)* | | |
| | SLIDES AND BOOMS, GRAVING DOCKS, LOCKS AND DAMS, ETC., WORKING EXPENSES, ETC. | | |
| 306 | Slides and booms | 53,900 00 | |
| | Graving docks | 68,300 00 | |
| | Harbour and river works, etc | 40,700 00 | |
| | Collection of Public Works, Revenues | 7,000 00 | |
| | TELEGRAPH AND TELEPHONE LINES. | | |
| 307 | Prince Edward Island and mainland | 7,000 00 | |
| | Land and cable telegraph lines, Lower St. Lawrence and Maritime Provinces, including working expenses of vessels required for cable service | 202,000 00 | |
| | Saskatchewan | 58,000 00 | |
| | Alberta | 79,000 00 | |
| | British Columbia—Mainland | 60,000 00 | |
| | British Columbia—Vancouver Island District | 100,000 00 | |
| | Yukon System (Ashcroft-Dawson) | 250,000 00 | |
| | Telegraph and Telephone service generally | 10,000 00 | |
| | | | 935,900 00 |
| | **POST OFFICE—OUTSIDE SERVICE.** | | |
| | *Outside Service.* | | |
| 308 | Salaries and allowances | 9,843,085 25 | |
| | Mail service | 8,234,337 50 | |
| | Miscellaneous | 843,338 00 | |
| | Yukon Territory | 195,000 00 | |
| | | | 19,116,260 75 |

## SCHEDULE A—*Concluded.*

| No. of Vote. | SERVICE. | Amount. | Total. |
|---|---|---|---|
| | TRADE AND COMMERCE. | $ cts. | $ cts. |
| 309 | Canada's proportion of expenditure in connection with International Customs Tariffs Bureau | 662 00 | |
| 310 | Trade Commissioners and Commercial Agents, including Expenses in connection with negotiation of treaties or in extension of commercial relations; miscellaneous advertising and printing, or other expenditure connected with the extension of Canadian trade | 160,000 00 | |
| 311 | Bounties on lead and crude petroleum. To cover expenditure in connection with the administration of the Acts | 4,000 00 | |
| 312 | Salaries, rents, wages and contingencies under the Canada Grain Act | 1,050,000 00 | |
| 313 | Salaries and contingencies under the Inspection and Sale Act | 3,000 00 | |
| 314 | Salaries and contingencies under the Cullers Act, including an amount of $1,200 for superannuated Cullers | 7,500 00 | |
| 315 | To provide for the construction, acquisition, leasing or expropriation of terminal elevators | 50,000 00 | |
| 316 | Census and Statistics | 100,000 00 | |
| 317 | Canada Year Book | 13,500 00 | |
| 318 | Dominions Royal Commission | 5,000 00 | |
| 319 | Gold and Silver Marking Act | 4,000 00 | |
| 320 | West India Cable | 38,933 33 | |
| 321 | Supervision Lake and Ocean Freight Rates | 6,000 00 | |
| 322 | To provide for the development and extension of Canadian Trade | 150,000 00 | |
| 323 | Bureau of Industrial and Scientific Research:—Salaries and expenses including printing and stationery, and the collection and distribution of information, and for Studentships, Fellowships, Special Problems and Forestry Studies | 120,000 00 | |
| | | | 1,712,595 33 |
| | Total | | 157,692,865 85 |

# SCHEDULE B.

*(Based on Supplementary Estimates, 1917-18.)*

SUMS granted to His Majesty by this Act for the financial year ending 31st March, 1918, and the purposes for which they are granted.

| No. of Vote. | SERVICE. | Amount. | Total. |
|---|---|---|---|
| | | $ cts. | $ cts. |
| | CIVIL GOVERNMENT. | | |
| 324 | *Privy Council Office*— | | |
| | Contingencies—Further amount required | 1,000 00 | |
| 325 | *Department of Militia and Defence*— | | |
| | To provide for salary of Chief Accountant at $3,500 per annum from February 1, 1918 | 116 66 | |
| | To provide for a clerkship in First Division, Subdivision A from February 1, 1918 | 466 66 | |
| | To provide for the promotion of two clerks to Second Division, Subdivision B at $1,250 each | 2,500 00 | |
| 326 | *Department of Immigration and Colonization*— | | |
| | To provide for the salary of the Private Secretary from October 12, 1917, at the rate of $2,500 per annum | 1,176 06 | |
| | To provide for allowance to Private Secretary from October 12, 1917, at the rate of $600 per annum | 282 26 | |
| | Contingencies— | | |
| | Printing and stationery | 148 80 | |
| | Travelling expenses | 2,343 39 | |
| | Sundries | 507 81 | |
| 327 | *Post Office Department*— | | |
| | Contingencies— | | |
| | Sundries—Further amount required | 500 00 | |
| 328 | *Department of External Affairs*— | | |
| | To pay for services of an additional Private Secretary to the Secretary of State for External Affairs from November 9, 1917, at the rate of $600 per annum | 236 66 | |
| 329 | *Department of Public Archives*— | | |
| | Printing and Stationery—Further amount required | 9,500 00 | |
| 330 | *Civil Service Commission*— | | |
| | To pay Chairman of the Civil Service Commission, at the rate of $6,000 per annum, from October 15, 1917—Further amount required | 462 39 | |
| | | | 19,240 69 |
| | DOMINION POLICE. | | |
| 331 | Further amount required | | 11,000 00 |
| | LEGISLATION. | | |
| | SENATE. | | |
| 332 | To hereby promote E. E. Bérubé to Second Division, Subdivision B, at $1,400 per annum, from September 1, 1917 | 87 50 | |
| | HOUSE OF COMMONS. | | |
| 333 | Publishing Debates—Further amount required | 40,000 00 | |
| | GENERAL. | | |
| 334 | Contingent expenses in connection with the Voters' Lists—Further amount required | 6,400 00 | |
| | To pay travelling and living expenses of scrutineers under Military Voter's Act, 1917, at the rate of $25 per diem, for living expenses, and additionally, their actual travelling expenses while acting as such during the general elections of 1917, and during or at subsequent recounts | 20,000 00 | |
| | | | 66,487 50 |

## SCHEDULE B—*Continued.*

| No. of Vote. | SERVICE. | Amount. | Total. |
|---|---|---|---|
| | | $ c. | $ c. |
| | ARTS AND AGRICULTURE. | | |
| 335 | For the purchase of seed peas and beans—Governor General's Warrant (Nov. 29, 1917) | 500,000 00 | |
| 336 | For the purchase of feed oats—Governor General's Warrant, (Dec. 8, 1917) | 500,000 00 | |
| 337 | For the purchase of seed and feed grain—Governor General's Warrant (Jan. 17, 1918) | 1,000,000 00 | |
| 338 | For the purchase of screenings, mill feed and corn—Governor General's Warrant (Jan. 24, 1918) | 300,000 00 | |
| 339 | For the purchase of oil cake and other stock food—Governor General's Warrant (Feb. 1, 1918) | 300,000 00 | |
| 340 | For the purchase of seed grain and feed oats—Governor General's Warrant (Mar. 8, 1918) | 700,000 00 | |
| | | | 3,300,000 00 |
| | IMMIGRATION AND COLONIZATION. | | |
| 341 | Seed grain and other relief to settlers on unpatented lands in the provinces of Saskatchewan and Alberta—Including Governor General's Warrant (Feb. 26, 1918) $100,000 | | 600,000 00 |
| | MILITIA AND DEFENCE. | | |
| 342 | *Cadet Services*—<br>Further amount required | 15,000 00 | |
| 343 | *Gratuities*—<br>To provide an additional amount for pension to Mr. Ronald Morrison, from Nov. 1, 1914, to March 31, 1918 at $330 per annum, less $500, provided in a previous Supply Bill | 618 40 | |
| | To provide for payment of pension to Mr. Walter Pettipas from June 2, 1916, to March 31, 1918, at $515.90 per annum | 943 46 | |
| | To provide for a gratuity to the family of the late Professor J. M. Lanos, formerly Professor of French at the Royal Military College | 3,307 50 | |
| | To provide for a gratuity to Mr. Robert Cochran, late Caretaker, St. Mary's Rifle Range | 672 06 | |
| | | | 20,541 42 |
| | PUBLIC WORKS—CHARGEABLE TO INCOME. | | |
| | PUBLIC BUILDINGS. | | |
| | *Quebec.* | | |
| 344 | Roberval public building—Drain, etc.—Further amount required | 900 00 | |
| | *Manitoba.* | | |
| 345 | Brandon Experimental Farm—To replace buildings destroyed by fire, including interest at 5 p.c. on amount due contractor—Further amount required | 14,900 00 | |
| | RENTS, REPAIRS, FURNITURE, HEATING, ETC. | | |
| 346 | Ottawa Public Buildings—Telephone service—Further amount required | 7,000 00 | |
| | HARBOURS AND RIVERS. | | |
| | *Quebec.* | | |
| 347 | Laprairie—Protection works—Governor General's Warrant (Dec. 17, 1917) | 68,750 54 | |
| | | | 91,550 54 |

## SCHEEDULE B—*Continued.*

| No. of Vote. | SERVICE. | Amount. | Total. |
|---|---|---|---|
| | | $ cts. | $ cts. |
| | LABOUR. | | |
| 348 | Industrial Disputes Investigation Act—Further amount required | | 5,000 00 |
| | MISCELLANEOUS. | | |
| 349 | *Canada Gazette*—Further amount required | 18,000 00 | |
| 350 | Distribution of Parliamentary Documents and other Government Publications—Further amount required | 20,000 00 | |
| 351 | Miscellaneous printing—Further amount required | 75,000 00 | |
| 352 | Halifax relief—Two Governor General's Warrants for $500,000 each issued Dec. 8 and 11, 1917, respectively | 1,000,000 00 | |
| 353 | Coal Mine explosion—Relief of sufferers—Governor General's Warrant, Feb. 23, 1918: New Waterford, $10,000, Stellarton $15,000 | 25,000 00 | |
| 354 | Allowance to J. B. Challies, a member and secretary of the Lake of the Woods Technical Board for services rendered since March, 1914 | 500 00 | 1,138,500 00 |
| | EXCISE. | | |
| 355 | Travelling expenses, rent, fuel, stationery, etc.—Further amount required | | 10,000 00 |
| | ADULTERATION OF FOOD, ETC. | | |
| 356 | Adulteration of food, and the administration of the Act respecting fertilizers, fraudulent marking, and commercial feeding stuffs.—Further amount required | | 5,000 00 |
| | RAILWAYS AND CANALS—CHARGEABLE TO COLLECTION OF REVENUE. | | |
| | CANADIAN GOVERNMENT RAILWAYS. | | |
| 357 | Working expenses—Further amount required | | 8,500,000 00 |
| | POST OFFICE—OUTSIDE SERVICE. | | |
| 358 | To provide for an increase in the salary of the Chief Post Office Superintendent, Toronto, to $4,500, from Jan. 1, 1918 | 125 00 | |
| | To provide for an increase in the salary of the Chief Post Office Superintendent, Montreal, to $4,000 from Jan. 1, 1918 | 125 00 | |
| | To provide for an increase in the salary of Mr. W. G. Milligan, Assistant Post Office Inspector, Toronto, to $3,200, from Jan. 1, 1918 | 175 00 | |
| | To provide for an increase in the salary of the Post Office Inspector, Ottawa, to $3,300, from Jan. 1, 1918 | 75 00 | |
| | To pay railway mail clerks for extra services at the Port of Quebec in checking incoming and outgoing British mails during the Summer season of navigation 1916-17 | 346 39 | |
| | To pay M. D. Fierheller, mail transfer agent, Vancouver District, for extra services in checking and handling Japanese Parcel Post mails for the United Kingdom between the 8th December, 1917, and the 20th March, 1918 | 41 62 | |
| | To pay railway mail clerks for extra services at the Port of St. John, New Brunswick, in checking incoming and outgoing British mails during the Summer season of navigation, 1917-18 | 143 31 | |
| | To provide for the payment of a provisional allowance to employees in the Province of Ontario (except at Sault Ste. Marie, Fort William and Port Arthur), in the Province of Quebec, and in the Maritime Provinces at the rate of $100 a year each to those whose salaries are $1,700 a year, and at the rate of $80 a year each to those whose salaries are $1,800 a year | 6,700 00 | 7,731 32 |

## SCHEDULE B—*Concluded.*

| No. of Vote. | SERVICE. | Amount. | Total. |
|---|---|---|---|
| | | $ cts. | $ cts. |
| | TRADE AND COMMERCE. | | |
| 359 | Salaries, rents, wages and contingencies under the Canada Grain Act—Further amount required..... | ..... | 80,000 00 |
| | UNPROVIDED ITEMS, 1916-17. | | |
| 360 | To cover unprovided items 1916-17, as per Auditor General's Report, part b, page 3, 1916-17..... | ..... | 177,222 86 |
| | Total..... | ..... | 14,032,274 33 |

# SCHEDULE C.

*(Based on the Supplementary Estimates, 1918-1919.)*

SUMS granted to His Majesty by this Act for the financial year ending 31st March, 1919, and the purposes for which they are granted.

| No. of Vote. | SERVICE. | Amount. | Total. |
|---|---|---|---|
| | | $ cts. | $ cts. |
| | CHARGES OF MANAGEMENT. | | |
| 361 | *Offices of the Assistant Receiver General—* | | |
| | Salaries | 10,000 00 | |
| | Contingencies | 500 00 | |
| | | | 10,500 00 |
| | CIVIL GOVERNMENT. | | |
| 362 | *Privy Council Office—* | | |
| | To provide an additional clerkship in First Division, Subdivision B—Omitted from Main Estimates | 2,800 00 | |
| 363 | *Department of Justice, including Penitentiary Branch—* | | |
| | To provide for a clerkship in First Division, Subdivision A | 2,800 00 | |
| | To increase the salary of the Private Secretary to the Minister to $2,800 | 100 00 | |
| | Dominion Police— | | |
| | To provide for a clerkship in Third Division, Subdivision A, in lieu of one clerkship in Third Division, Subdivision B | 50 00 | |
| 364 | *Department of the Secretary of State—* | | |
| | To provide for one clerkship in First Division, Subdivision A, at $2,900 per annum, in lieu of one clerkship in First Division, Subdivision B | 100 00 | |
| | To provide for one clerkship in Second Division, Subdivision A | 1,600 00 | |
| | To provide for one clerkship in Second Division, Subdivision A, in lieu of one clerkship in Second Division, Subdivision B | 250 00 | |
| 365 | *Royal Northwest Mounted Police—* | | |
| | To provide for the appointment of two clerks in Second Division, Subdivision B—1 at $1,500; 1 at $1,300, to take the place of two members of police force, who have enlisted for overseas | 2,800 00 | |
| 366 | *Department of Marine and Fisheries—* | | |
| | To provide for one clerkship in Second Division, Subdivision B | 1,300 00 | |
| 367 | *Department of Mines—* | | |
| | Contingencies—For expenses of a representation of the Dominion of Canada on the Advisory Body of the Imperial Mineral Resources Bureau, London, England | 2,000 00 | |
| 368 | *Post Office Department—* | | |
| | To provide for five clerks in Third Division, Subdivision A | 5,000 00 | |

## SCHEDULE C—*Continued.*

| No. of Vote. | SERVICE. | Amount. | Total. |
|---|---|---|---|
| | CIVIL GOVERNMENT—*Concluded.* | $ cts. | $ cts. |
| | *High Commissioner's Office, London—* | | |
| 369 | To provide an additional amount for three clerks in Second Division, Subdivision A: 1 at $2,050; 1 at $2,000; 1 at $1,850 | 300 00 | |
| | To provide an additional amount for one messenger at $600 | 50 00 | |
| | *Department of Insurance—* | | |
| 370 | To provide for two clerks in Third Division, Subdivision B, at $800 each | 1,600 00 | |
| | Contingencies—To cover increased cost of printing the Department's Reports | 5,000 00 | |
| 371 | *Civil Service Commission—* | | |
| | Contingencies— | | |
| | Amount required to pay temporary examiners, and to meet the cost of holding the different examinations required by law, and to provide clerical assistance—Further amount required | 10,000 00 | |
| | | | 35,750 00 |
| | ADMINISTRATION OF JUSTICE. | | |
| | SUPREME COURT OF CANADA. | | |
| 372 | To help defray expenses of publishing digest of Supreme Court Reports, Volumes 34 to 54 | 500 00 | |
| | EXCHEQUER COURT OF CANADA. | | |
| 373 | Publication of Reports by contract | 2,000 00 | |
| | DOMINION POLICE. | | |
| 374 | Retiring gratuity to Constable F. E. Wagar | 981 42 | |
| | Retiring gratuity to Constable D. Minnock | 1,860 68 | |
| | | | 5,342 10 |
| | LEGISLATION. | | |
| | SENATE. | | |
| 375 | To provide for payment of the full sessional indemnity to a Member of the Senate for days lost through absence caused by illness during the present session, notwithstanding anything to the contrary in chapter 10 of the Revised Statutes of Canada, *An Act respecting the Senate and House of Commons*, or any amendments thereto—Payment to be made as the Treasury Board may direct | 2,500 00 | |
| | To provide an amount for the Speaker of the Senate, in lieu of residence and attendants for the Session of 1918, at the rate of $15 per diem | 1,500 00 | |
| | HOUSE OF COMMONS. | | |
| 376 | Contingencies—To provide payment of the full sessional indemnity of Members of the House of Commons—days lost through absence caused by illness, public business, protests or recounts, being engaged in necessary farming operations, or on account of death, during the present Session, including an amount of $2,500 to Hon. H. S. Béland, a prisoner of war in Germany, notwithstanding anything to the contrary in Chapter 10 of the Revised Statutes, *An Act respecting the Senate and House of Commons*, or any amendments thereto—Payment to be made as the Treasury Board may direct | 20,000 00 | |
| | *Sergeant-at-Arms—* | | |
| | To provide an amount for the Sergeant-at-Arms, in lieu of residence | 500 00 | |

# SCHEDULE C—*Continued.*

| No. of Vote. | SERVICE. | Amount. | Total. |
|---|---|---|---|
| | | $ cts. | $ cts. |
| | LEGISLATION—*Concluded.* | | |
| | GENERAL. | | |
| 377 | Printing, binding and distributing the Annual Statutes—Further amount required | 10,000 00 | |
| | | | 34,500 00 |
| | PENSIONS. | | |
| 378 | Annuity to the widow of William Wilfred Campbell, L.L.D. | 500 00 | |
| | Annuity to the sisters of the late Colonel Harry Baker, M.P., killed while on active service | 700 00 | |
| | | | 1,200 00 |
| | MILITIA AND DEFENCE. | | |
| 379 | Gratuities— To provide for gratuity, on retirement, to Mr. Henry Marris, chief caretaker, Hamilton Armouries | | 1,130 25 |
| | RAILWAYS AND CANALS—CHARGEABLE TO CAPITAL. | | |
| | CANADIAN GOVERNMENT RAILWAYS. | | |
| 380 | To provide for the purchase of the following Railways at amounts not exceeding those set out in each case:— | | |
| | Elgin & Havelock Railway | 30,000 00 | |
| | York & Carleton Railway | 18,000 00 | |
| | St. Martin's Railway | 65,000 00 | |
| | Salisbury & Albert Railway | 75,000 00 | |
| | Moncton and Buctouche Railway | 70,000 00 | |
| | Kent Northern Railway | 60,000 00 | |
| | Caraquet and Gulf Shore Railway | 200,000 00 | |
| | BRANCH LINES. | | |
| 381 | To bring Lines up to Canadian Government Railways Branch lines standard | 200,000 00 | |
| | RAILWAYS, GENERALLY. | | |
| 382 | Contribution towards the cost of construction of a railway bridge on the Canada Central Railway, over the Peace River, at or near Peace River Crossing, Alberta | 175,000 00 | |
| 383 | To acquire free and clear of all charges, encumbrances or claims, at any public sale, the Quebec and Saguenay Railway, extending from its junction with the Quebec, Montmorency and Charlevoix Railway to Nairn Falls, Que., about 62·3 miles at a price not exceeding $3,489,313·53 exclusive of any sums paid out of amounts voted by Parliament in 1916 and 1917 | 3,489,313 53 | |
| | | | 4,382,313 53 |
| | RAILWAYS AND CANALS—CHARGEABLE TO INCOME. | | |
| | CANALS. | | |
| | *St. Peter's Canal.* | | |
| 384 | Improvements—Further amount required | 3,000 00 | |
| | To rebuild highway bridge | 14,000 00 | |
| | *Welland Canal.* | | |
| 385 | To rebuild bridge at Dunnville, washed out by floods | 50,000 00 | |
| | MISCELLANEOUS. | | |
| 386 | Arbitrations and awards—Further amount required | 110,000 00 | |
| | | | 177,000 00 |

# SCHEDULE C—*Continued.*

| No. of Vote. | SERVICE. | Amount. | Total. |
|---|---|---|---|
| | | $ cts. | $ cts. |
| | PUBLIC WORKS—CHARGEABLE TO CAPITAL. | | |
| | HARBOURS AND RIVERS. | | |
| 387 | Quebec Harbour—River St. Charles—Improvements to navigation—Further amount required—Revote | 386,000 00 | |
| | St. John Harbour—Improvements—Further amount required | 250,000 00 | |
| | Toronto Harbour—Improvements—Further amount required | 152,000 00 | |
| | | | 788,000 00 |
| | PUBLIC WORKS—CHARGEABLE TO INCOME. | | |
| | PUBLIC BUILDINGS. | | |
| | *Prince Edward Island.* | | |
| 388 | Georgetown public building—Installation of electric light system | 600 00 | |
| | *Quebec.* | | |
| 389 | St. Lambert public building—To pay Government's share of local improvement taxes | 1,80. | |
| | *Ontario.* | | |
| 390 | Fort William public building—Improvements | 3,500 0. | |
| | Ottawa Departmental Buildings—To connect with central heating plant | 37,000 00 | |
| | Port Arthur public building—Improvements | 3,000 00 | |
| | Sault Ste. Marie—Renewing electric wiring | 2,400 00 | |
| | *Manitoba.* | | |
| 391 | Winnipeg—Alterations to immigration building No. 1 for accommodation of Postal Station A—Revote | 5,800 00 | |
| | Winnipeg—Drill hall (new)—Revote of lapsed amount | 4,700 00 | |
| | Winnipeg General Post Office—Improvements | 2,400 00 | |
| | Winnipeg—To pay Government's share of local improvement taxes | 16,000 00 | |
| | *Saskatchewan.* | | |
| 392 | Regina—Alterations and fittings for office of Assistant Receiver General | 5,000 00 | |
| | *Alberta.* | | |
| 393 | Calgary—Alterations and fittings for office of Assistant Receiver General | 5,000 00 | |
| | *Generally.* | | |
| 394 | Dominion Public Buildings:—Rents—Further amount required | 75,000 00 | |
| | HARBOURS AND RIVERS. | | |
| | *Nova Scotia.* | | |
| 395 | Generally—Construction and repairs | 55,000 00 | |
| | *New Brunswick.* | | |
| 396 | Fort Dufferin—Reconstruction of breastwork—Further amount required | 14,000 00 | |
| | St Andrews—Repairs to wharf | 1,200 00 | |
| | Tynemouth Creek—To repair and reconstruct breakwater—Revote | 4,000 00 | |
| | Welchpool—Repairs to wharf—Revote $800 | 950 00 | |
| | *Prince Edward Island.* | | |
| 397 | Mink River—Repairs to wharf | 1,500 00 | |

# SCHEDULE C—*Continued.*

| No. of Vote. | SERVICE. | Amount. | Total. |
|---|---|---|---|
| | | $ cts. | $ cts. |
| | PUBLIC WORKS—CHARGEABLE TO INCOME—*Continued.* | | |
| | HARBOURS AND RIVERS—*Concluded.* | | |
| | *Quebec.* | | |
| | Anse à Beaufils—Repairs to breakwater and jetty | 2,400 00 | |
| | Anse aux Gascons—Repairs to wharf—Further amount required | 2,000 00 | |
| | Barachois de Malbaie—To repair approach to training jetty | 2,400 00 | |
| | Beloeil—Repairs to protection piers | 1,900 00 | |
| | Chicoutimi—Repairs to wharf—Further amount required | 500 00 | |
| | Grindstone, M.I.—Repairs to wharf—Revote | 1,000 00 | |
| | Lanoraie—Repairs to wharf | 1,775 00 | |
| | Lavaltrie—Repairs to wharf | 550 00 | |
| | Les Escoumains—Rebuilding outer end of wharf | 3,500 00 | |
| 398 | L'Islet—Repairs to wharf | 1,500 00 | |
| | Malbaie—In full and final settlement of all claims of John Burns in connection with his contract for the constuction of a pier | 2,907 63 | |
| | Matane—Repairs to wharf | 600 00 | |
| | Mille Vaches—Repairs to wharf | 650 00 | |
| | Ste. Anne des Monts—Repairs to pier | 600 00 | |
| | Ste. Anne de Chicoutimi—Pontoon | 3,000 00 | |
| | Sorel—Repairs to wharf | 2,500 00 | |
| | Vaudreuil—Wharf repairs and improvements | 845 00 | |
| | Verchères—Wharf | 10,300 00 | |
| | Ville Marie—Repairs and improvements to wharf | 4,000 00 | |
| | *Ontario.* | | |
| | Belleville Harbour—Improvements to wharf and warehouse—Revote, $2,800 | 3,000 00 | |
| | Brockville—In full and final settlement of all claims of W. M. Leacy in connection with his contract for wharf improvements | 1,219 63 | |
| | Burlington Channel—Repairs to pier—Further amount required | 7,500 00 | |
| | Cobourg—Repairs to East pier | 4,600 00 | |
| 399 | Haileybury—Repairs to wharf—Revote | 600 00 | |
| | Kingston Dry Dock—Renewal of revetment wall—Revote | 12,500 00 | |
| | North Bay—In full and final settlement of all claims of C. McGuire in connection with his contract for construction of breakwater | 658 62 | |
| | Port Dover—Repairs to piers—Revote | 6,000 00 | |
| | Portsmouth—Repairs to pier | 3,100 00 | |
| | Wheatley—Repairs to pier | 1,400 00 | |
| | *British Columbia.* | | |
| | Fraser River—Improvements—Revote | 100,000 00 | |
| 400 | Hardy Bay—Landing float | 1,250 00 | |
| | Ladysmith—Reconstruction of wharf | 7,100 00 | |
| | TELEGRAPH AND TELEPHONE LINES. | | |
| | *New Brunswick.* | | |
| 401 | Chatham-Escuminac and Point Sapin Telephone Line—Extension to Kouchibouguac—Revote | 3,000 00 | |
| | *British Columbia.* | | |
| | Mainland telegraph and telephone lines—General repairs and improvements | 29,400 00 | |
| 402 | Mainland telegraph and telephone lines—Extensions in Kootenay District—Further amount required—Revote, $1,000 | 2,000 00 | |
| | Vancouver Island Lines—Repairs and renewals—Revote | 6,500 00 | |
| | DREDGING. | | |
| 403 | Dredging—Ontario and Quebec—Further amount required | 70,000 00 | |
| | Dredging—Yarmouth Harbour | 50,000 00 | |

# SCHEDULE C—*Continued.*

| No. of Vote. | SERVICE. | Amount. | Total. |
|---|---|---|---|
| | | $ cts. | $ cts. |
| | PUBLIC WORKS—CHARGEABLE TO INCOME.—*Concluded.* | | |
| | ROADS AND BRIDGES. | | |
| 404 | In full and final settlement of Mr. Jos. W. Boyle's claim for timber used in the construction of the Hunker Road, Yukon Territory, including payment of interest at 5%..... | 7,271 35 | |
| | | | 598,883 25 |
| | MAIL AND STEAMSHIP SUBVENTIONS. | | |
| 405 | Schooner service between Pictou, New Glasgow, Antigonish County Ports and Mulgrave..... | 1,000 00 | |
| 406 | Steam service between St. John, N.B., and St. Andrews, N.B., calling at intermediate points..... | 4,000 00 | |
| 407 | Steam service between Pictou and Montague, calling at Murray Harbour and Georgetown..... | 5,000 00 | |
| 408 | Steam service from the opening to the closing of navigation in 1918, between Port Mulgrave, St. Peter's, Irish Cove and Marble Mountain, and other ports on the Bras d'Or Lakes..... | 2,000 00 | |
| | | | 12,000 00 |
| | LIGHT HOUSE AND COAST SERVICE. | | |
| 409 | Salaries and allowances to lightkeepers—Further amount required..... | 55,000 00 | |
| 410 | Administration of Pilotage, and maintenance and repairs to vessels—Further amount required..... | 120,000 00 | |
| 411 | Further amount required to pay pension of $300 each per annum to following retired pilots: Onesime Noel, F. X. Demeules, Adjutor Baillargeon, Joseph Pouliot, Arthur Baillargeon, John A. Irvine, and Camille Bernier..... | 1,993 55 | |
| | | | 176,993 55 |
| | FISHERIES. | | |
| 412 | Salaries and disbursements of Fishery Officers and Guardians, including the expense of the Advisory Board, Fisheries Patrol Services and Oyster Culture.—Further amount required..... | ..... | 100,000 00 |
| | MINES AND GEOLOGICAL SURVEY. | | |
| 413 | For experimental work relating to briquetting of lignite coal... | 200,000 00 | |
| | Grant for investigation of conditions affecting smelting of lead-zinc ores..... | 3,000 00 | |
| | | | 203,000 00 |
| | INDIANS. | | |
| | MANITOBA, SASKATCHEWAN, ALBERTA AND NORTHWEST TERRITORIES. | | |
| 414 | General expenses—Further amount required..... | 10,000 00 | |
| | BRITISH COLUMBIA. | | |
| 415 | Hospital, medical attendance and medicines—Further amount required..... | 10,000 00 | |
| | INDIAN EDUCATION. | | |
| 416 | Indian Education—Further amount required..... | 1,400 00 | |
| | | | 21,400 00 |

## SCHEDULE C—*Continued.*

| No. of Vote. | SERVICE. | Amount. | Total. |
|---|---|---|---|
| | | $ cts. | $ cts. |
| | ROYAL NORTHWEST MOUNTED POLICE. | | |
| 417 | To provide for double ration to married men of the R.N.W.M. Police, authorized by Order in Council of February 28, 1918 | | 22,000 00 |
| | LABOUR. | | |
| 418 | Administration Employment Offices, Co-ordination Act | | 15,000 00 |
| | MISCELLANEOUS. | | |
| 419 | Provisional allowance (except in the case of light-house keepers) for married men and for widowers and widows, with children, in the Outside Service, and also when deemed advisable by the Governor in Council for unmarried persons in the Outside Service with dependents, and for married persons and unmarried persons with dependents of the Inside Service of the rank of messengers, packers and sorters, who are employed permanently and are giving their entire time to the public service, such allowance to be made on the following basis:<br>(*a*) To each such person in receipt of a salary at the rate of $1,200 per annum or less, an allowance of $150 less any permanent increase in salary given to such person since April 1st, 1918, provided however the total salary and allowance shall not in any case exceed $1,300;<br>(*b*) To each such person in receipt of a salary at the rate of more than $1,200 but not more than $1,550 per annum, an allowance of $100 less any permanent increase in salary given to such person since April 1st, 1918, provided, however, the total salary and allowance shall not in any case exceed $1,600 | 3,000,000 00 | |
| 420 | To provide for the salary of a Private Secretary, S. Lelievre, to the Speaker of the Senate | 600 00 | |
| 421 | Amount to pay claims for clothing and articles lost in destruction by fire in the Parliament Buildings | 3,500 00 | |
| 422 | Compassionate allowance to the widow of the late J. E. Hunter, accidentally drowned while on Canal Patrol duty | 2,000 00 | |
| 423 | Compassionate allowance to parents of the late W. J. Gray | 1,500 00 | |
| | | | 3,007,600 00 |
| | RAILWAYS AND CANALS. | | |
| | (*Chargeable to Collection of Revenue*). | | |
| | RAILWAYS. | | |
| 424 | Canadian Government Railways—Working expenses | 37,000,000 00 | |
| | MISCELLANEOUS. | | |
| 425 | Compassionate allowance to the widow of late F. Lajoie, who was killed while working in a gravel pit near Grand Falls, N.B., on N. T. Ry., July, 1917 | 2,000 00 | |
| | Compassionate allowance to the widow of Paul Cyr, who was killed while working in a gravel pit near Grand Falls, N.B., on N. T. Ry., July, 1917 | 2,000 00 | |
| | Compassionate allowance to the widow of late engineer W. J. Clark, who was killed in a collision at Kapuskasing, Ont., on N. T. Ry., on March 14, 1918 | 2,000 00 | |
| | Compassionate allowance to the widow and children of the late Horace Levesque, who was killed in an accident at Tobin Siding on the Canadian Government Railways, on the 25th August, 1916 | 2,000 00 | |
| | Compassionate allowance to John McInnis, father of the late John Archibald McInnis, who was killed while in the employ of the Canadian Government Railways at Big Brook, N.S., on August 9th, 1917 | 2,000 00 | |
| | Compassionate allowance to the widow of the late Edmond Cole, Dorchester, N.B., who died as a result of injuries sustained while in discharge of his duties as track foreman on the Canadian Government Railways at Dorchester, N.B., on the 11th of March, 1918 | 2,000 00 | |

# SCHEDULE C—*Concluded.*

| No. of Vote. | SERVICE. | Amount. | Total. |
|---|---|---|---|
| | | $ cts. | $ cts. |
| | RAILWAYS AND CANALS—*Concluded.* | | |
| | MISCELLANEOUS—*Concluded.* | | |
| 425 | Gratuity to Robert A. Grant of Cardinal, Ont., who was severely injured while in discharge of duty as temporary lockman at Lock No. 27, Galops Canal, Ont., on October 21, 1917... | 500 00 | |
| | Gratuity to Daniel Delorey, of Tracadie, N.S., to cover cost of artificial arm and doctor's fees and hospital expenses resulting from accident at Kempton, N.S., while temporarily employed by Canadian Government Railways... | 500 00 | |
| | Gratuity to John Dubroy, of Winnipeg, Man., to cover expenses incurred resulting from injuries received while in the employ of the National Transcontinental Railway, at Ogahalla Siding, on April 7, 1916..... | 500 00 | |
| | | | 37,013,500 00 |
| | PUBLIC WORKS. | | |
| | (*Chargeable to Collection of Revenue*). | | |
| | TELEGRAPH AND TELEPHONE LINES. | | |
| 426 | Land and cable telegraph lines, Lower St. Lawrence and Maritime Provinces, including working expenses of vessels required for cable service—Further amount required..... | 10,000 00 | |
| | Saskatchewan—Further amount required..... | 3,700 00 | |
| | Alberta—Further amount required..... | 5,600 00 | |
| | British Columbia Mainland—Further amount required..... | 1,600 00 | |
| | British Columbia—Vancouver Island District—Further amount required..... | 4,000 00 | |
| | Yukon System—Further amount required..... | 11,600 00 | |
| | HARBOUR AND RIVER WORKS. | | |
| 427 | East River—Lock and Dam..... | 4,000 00 | |
| | | | 40,500 00 |
| | POST OFFICE—OUTSIDE SERVICE. | | |
| 428 | To provide for the salaries of the Postmaster and staff of the following Post Offices, the salaries may be readjusted and appointments made notwithstanding anything in that portion of the Civil Service Act affecting the Outside Postal Service, or the Post Office Act—Sydney, Truro, Amherst, Moncton, St. Hyacinthe, Three Rivers, Cornwall, Brockville, Smith's Falls, Belleville, Lindsay, Niagara Falls, St. Catharines, Woodstock, St. Thomas, Chatham, Sarnia, Collingwood, Owen Sound, North Bay, Sault Ste. Marie, Port Arthur, Fort William, Portage la Prairie, Prince Albert, Strathcona, Lethbridge, Medicine Hat, Nanaimo and Prince Rupert..... | 310,000 00 | |
| | To provide, from April 1, 1918, for an increase in the salary of Mr. James Taylor, Assistant Post Office Inspector, Montreal, to $3,000..... | 700 00 | |
| | | | 310,700 00 |
| | Total..... | ..... | 46,957,312 68 |

First Session, Thirteenth Parliament, 8-9 George V, 1918.

THE HOUSE OF COMMONS OF CANADA

# BILL 112.

An Act respecting the Election held in the Electoral District of Yukon.

AS PASSED BY THE HOUSE OF COMMONS, 23rd MAY, 1918.

OTTAWA
J. DE LABROQUERIE TACHÉ
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1918

1st Session, 13th Parliament, 8-9 George V, 1918.

THE HOUSE OF COMMONS OF CANADA.

# BILL 112.

An Act respecting the Election held in the Electoral District of Yukon.

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

Extension of date for filing an election petition.

R.S., c. 7.

**1.** Notwithstanding the provisions of section twelve of the *Controverted Elections Act*, the time for presenting a petition in respect of the election of a member of the House of Commons for the electoral district of Yukon, held on the twenty-eighth day of January, one thousand nine hundred and eighteen, shall be extended for a period of forty days from the date of the return of the General Returning Officer made in respect of such election on the twenty-first day of May, one thousand nine hundred and eighteen.

Votes of military electors, how to be counted.

R.S., c. 6. 1917, c. 34.

**2.** Notwithstanding anything contained in the *Dominion Elections Act* or any Act amending the same, or in *The Military Voters Act, 1917*, chapter thirty-four of the statutes of 1917, the provisions of the said Acts in respect to fixing the time for polling the votes of military electors shall apply and extend to the electoral district of Yukon; and the votes of the military electors polled at the last general election for a member to represent the said electoral district in the House of Commons, and marked either for the Government or for the Opposition or for an individual candidate, shall be duly counted for and applied to the candidate who has been recognized as the candidate representing the Government or the Opposition, pursuant to section twelve of *The Military Voters Act, 1917*, or to an individual candidate, in accordance with the marking of the several ballots, notwithstanding the date or dates upon which the said votes were polled.

First Session, Thirteenth Parliament, 8-9 George V, 1918.

THE HOUSE OF COMMONS OF CANADA

# BILL 112.

An Act respecting the Election held in the Electoral District of Yukon.

First reading, May 22, 1918.

The SOLICITOR GENERAL.

OTTAWA
J. DE LABROQUERIE TACHÉ
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1918

1st Session, 13th Parliament, 8-9 George V, 1918.

THE HOUSE OF COMMONS OF CANADA.

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An Act respecting the Election held in the Electoral District of Yukon.

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113.

First Session, Thirteenth Parliament, 8-9 George V, 1918.

THE HOUSE OF COMMONS OF CANADA

# BILL 113.

An Act to amend the Bills of Exchange Act.

First reading, May 22, 1918.

The MINISTER OF JUSTICE.

OTTAWA
J. DE LABROQUERIE TACHÉ,
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1918

1st Session, 13th Parliament, 8-9 George V, 1918.

THE HOUSE OF COMMONS OF CANADA.

# BILL 113.

An Act to amend the Bills of Exchange Act.

R.S. c. 119; 1908, c. 8.

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

Time of protest changed from 3 p.m. to 2.30 p.m.

**1.** Section one hundred and twenty-one, paragraph (*b*), of the *Bills of Exchange Act*, Revised Statutes of Canada, 1906, chapter one hundred and nineteen, is amended by substituting for the words " three o'clock " in the last line of the said paragraph the words " half-past two o'clock."

Duration of Act.

**2.** This Act shall remain in force during the present war and for one year thereafter.

First Session, Thirteenth Parliament, 8-9 George V, 1918.

THE HOUSE OF COMMONS OF CANADA

# BILL 113.

An Act to amend the Bills of Exchange Act.

AS PASSED BY THE HOUSE OF COMMONS,
22nd MAY, 1918.

OTTAWA
J. DE LABROQUERIE TACHÉ,
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1918

1st Session, 13th Parliament, 8-9 George V, 1918.

THE HOUSE OF COMMONS OF CANADA.

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