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EXTRADITION TREATIES

BETWEEN

HER MAJESTY, THE QUEEN

AND

FOREIGN POWERS.



OTTAWA:  
PRINTED BY BROWN CHAMBERLIN  
LAW PRINTER TO THE QUEEN'S MOST EXCELLENT MAJESTY,  
ANNO DOMINI, 1882



# EXTRADITION TREATIES.

AT THE COURT AT WINDSOR, THE 2ND DAY OF MARCH, 1881.

*Present :*

THE QUEEN'S MOST EXCELLENT MAJESTY.

Lord President.            Mr. Bright.  
Lord Steward.            Sir Arthur Hobhouse.  
Marquess of Huntly.

**W**HEREAS by the Extradition Acts of 1870 and 1873, it was amongst other things enacted, that where an arrangement has been made with any foreign State with respect to the surrender to such State of any fugitive criminals, Her Majesty may, by Order in Council, direct that the said Acts shall apply in the case of such foreign State; and that Her Majesty may, by the same or any subsequent Order, limit the operation of the Order, and restrict the same to fugitive criminals who are in or suspected of being in the part of Her Majesty's dominions specified in the Order, and render the operation thereof subject to such conditions, exceptions and qualifications as may be deemed expedient :

And whereas a Treaty was concluded on the twenty-fourth day of November, one thousand eight hundred and eighty, between Her Majesty and the King of the Netherlands, Grand Duke of Luxemburg, for the mutual extradition of fugitive criminals, which Treaty is in the terms following :—

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, and His Majesty the King of the Netherlands, Grand Duke of Luxemburg, having judged it expedient, with a view to the better administration of justice and to the prevention of crime within the territories of Her Britannic Majesty and the Grand Duchy of Luxemburg, that persons charged with or convicted of the crimes hereinafter enumerated, and being fugitives from justice, should, under certain circumstances, be reciprocally delivered up, their said Majesties have named as their Plenipotentiaries to conclude a Treaty for this purpose, that is to say :—

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, the Honourable William Stuart, a Companion of the Most Honourable Order of the Bath, Her Majesty's Envoy Extraordinary and Minister Plenipotentiary to His Majesty the King of the Netherlands, as Grand Duke of Luxemburg ;

And His Majesty the King of the Netherlands, Grand Duke of Luxemburg, Baron Felix de Blochausen, Grand Cross of the Order of the Crown of Oak, Chevalier of the Second Class of the Order of the Golden Lion of the House of Nassau, etc., etc., his Minister of State, President of the Government of the Grand Duchy of Luxemburg ;

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Who, after having communicated to each other their respective full powers, found in good and due form, have agreed upon and concluded the following Articles :—

ARTICLE I.

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland engages to deliver up, under the circumstances and on the conditions stipulated in the present Treaty, all persons, and His Majesty the King of the Netherlands, Grand Duke of Luxemburg, so far as it concerns the Grand Duchy of Luxemburg, engages to deliver up under the like circumstances and conditions, all persons, excepting subjects of the Grand Duchy, who, having been charged with, or convicted by the tribunals of one of the two High Contracting Parties, of any of the crimes or offences enumerated in Article II committed in the territory of the one party, shall be found within the territory of the other.

ARTICLE II.

The crimes for which the extradition is to be granted are the following :—

1. Murder (including assassination, parricide, infanticide, poisoning, or attempt to murder).
2. Manslaughter.
3. Administering drugs or using instruments with intent to procure the miscarriage of women.
4. Rape.
5. Aggravated or indecent assault. Carnal knowledge of a girl under the age of ten years ; carnal knowledge of a girl above the age of ten years and under the age of twelve years ; indecent assault upon any female, or any attempt to have carnal knowledge of a girl under twelve years of age.
6. Kidnapping and false imprisonment, child stealing, abandoning, exposing, or unlawfully detaining children.
7. Abduction of minors.
8. Bigamy.
9. Wounding, or inflicting grievous bodily harm.
10. Assaulting a magistrate or peace or public officer.
11. Threats by letter or otherwise with intent to extort money or other things of value.
12. Perjury, or subornation of perjury.
13. Arson.
14. Burglary or housebreaking, robbery with violence, larceny or embezzlement.
15. Fraud by a bailee, banker, agent, factor, trustee, director, member, or public officer of any company, made criminal by any law for the time being in force.
16. Obtaining money, valuable security, or goods by false pretences ; receiving any money, valuable security, or other property, knowing the same to have been unlawfully obtained.

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*Extradition Treaty with King of the Netherlands.*

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17. (a) Counterfeiting or altering money, or bringing into circulation counterfeited or altered money;

(b) Forgery, or counterfeiting or altering or uttering what is forged, counterfeited or altered;

(c) Knowingly making, without lawful authority, any instrument, tool, or engine adapted and intended for the counterfeiting of coin of the realm.

18. Crimes against Bankruptcy Law.

19. Any malicious act done with intent to endanger persons in a railway train.

20. Malicious injury to property, if such offence be indictable.

The extradition is also to take place for participation in any of the aforesaid crimes, as an accessory before or after the fact, provided such participation be punishable by the laws of both contracting parties.

ARTICLE III.

The extradition shall not take place if the person claimed on the part of the Government of the United Kingdom, or the person claimed on the part of the Government of the Grand Duchy of Luxemburg, has already been tried and discharged or punished, or is still under trial, in the Grand Duchy or in the United Kingdom, respectively, for the crime for which his extradition is demanded.

If the person claimed on the part of the Government of the United Kingdom, or if the person claimed on the part of the Government of the Grand Duchy of Luxemburg should be under examination for any other crime in the Grand Duchy or in the United Kingdom, respectively, his extradition shall be deferred until the conclusion of the trial, and the full execution of any punishment awarded to him.

ARTICLE IV.

The extradition shall not take place if, subsequently to the commission of the crime, or the institution of the penal prosecution, or the conviction thereon, exemption from prosecution or punishment has been acquired by lapse of time, according to the laws of the State applied to.

ARTICLE V.

A fugitive criminal shall not be surrendered if the offence in respect of which his surrender is demanded is one of a political character, or if he prove that the requisition for his surrender has in fact been made with a view to try or to punish him for an offence of a political character.

ARTICLE VI.

A person surrendered can in no case be kept in prison, or be brought to trial in the State to which the surrender has been made, for any other crime or on account of any other matters than those for which the extradition shall have taken place, until he has been restored or has had the opportunity of returning to the country from whence he was surrendered.

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The period of one month shall be considered as the limit of the period during which the prisoner may, with the view of securing the benefits of this Article, return to the country from whence he was surrendered.

This stipulation does not apply to crimes committed after the extradition.

ARTICLE VII.

The requisition for extradition must always be made by the way of diplomacy, and to wit, in the Grand Duchy of Luxemburg by the British Minister in Luxemburg, and in the United Kingdom to the Secretary of State for Foreign Affairs by the Foreign Minister in Great Britain, who, for the purposes of this Treaty, is recognized by Her Majesty as a Diplomatic Representative of the Grand Duchy of Luxemburg.

The requisition for the extradition of an accused person must be accompanied by a warrant of arrest issued by the competent authority of the State requiring the extradition, and by such evidence as, according to the laws of the place where the accused is found, would justify his arrest if the crime had been committed there.

If the requisition relates to a person already convicted, it must be accompanied by the sentence of condemnation passed against the convicted person by the competent Court of the State that makes the requisition for extradition.

A requisition for extradition cannot be founded on sentences passed *in contumaciam*.

ARTICLE VIII.

If the requisition for extradition be in accordance with the foregoing stipulations, the competent authorities of the State applied to shall proceed to the arrest of the fugitive.

The prisoner is then to be brought before a competent Magistrate, who is to examine him and to conduct the preliminary investigation of the case, according to the laws of the country in which he is found.

ARTICLE IX.

The extradition shall not take place before the expiration of fifteen days from the date of the fugitive criminal's committal to prison to await his surrender, and then only if the evidence produced in due time be found sufficient according to the laws of the State applied to.

ARTICLE X.

A fugitive criminal may, however, be apprehended under a warrant issued by any Police Magistrate, Justice of the Peace or other competent authority in either country, on such information or complaint, and such evidence, or after such proceedings as would, in the opinion of the person issuing the warrant, justify the issue of a warrant, if the crime had been committed or the prisoner convicted, in that part of the dominions of the two contracting parties in which he exercises jurisdiction: Provided however that, in the United Kingdom, the accused shall, in such cases be sent as speedily as possible before a Police Magistrate in London. He shall be

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discharged, as well in the United Kingdom as in the Grand Duchy of Luxemburg, if, within fourteen days, a requisition shall not have been made for his surrender by the Diplomatic Agent of his country.

## ARTICLE XI.

If, in any criminal matter, pending in any Court or Tribunal of one of the two countries, it is thought desirable to take the evidence of any witness in the other, such evidence may be taken by the judicial authorities in accordance with the laws in force on this subject in the country where the witness may be.

## ARTICLE XII.

All articles seized which were in the possession of the person to be surrendered at the time of his apprehension, shall, if the competent authority of the State applied to for the extradition has ordered the delivery thereof, be given up when the extradition takes place; and the said delivery shall extend not merely to the stolen articles, but to everything that may serve as a proof of the crime.

## ARTICLE XIII.

The High Contracting Parties renounce any claim for the reimbursement of the expenses incurred by them in the arrest and maintenance of the person to be surrendered, and his conveyance till placed on board ship, as well as for the reimbursement of the expenses incurred in taking the evidence of any witness in consequence of Article XI, and in giving up and returning seized articles. They reciprocally agree to bear such expenses themselves.

## ARTICLE XIV.

The stipulation of the present Treaty shall be applicable to the Colonies and foreign possessions of Her Britannic Majesty.

The requisition for the surrender of a fugitive criminal who has taken refuge in any of such Colonies or foreign possessions shall be made to the Governor or to the supreme authority of such colony or possession through the Luxemburg Consul, or, in case there should be no Luxemburg Consul, through the Consular Agent of another State charged for the occasion with Luxemburg interests in the Colony or possession in question, and recognized by such Governor or supreme authority as such.

The Governor or supreme authority above mentioned shall decide with regard to such requisitions as nearly as possible in accordance with the provisions of the present Treaty. He will, however, be at liberty either to consent to the extradition or report the case to his Government.

Her Britannic Majesty shall, however, be at liberty to make special arrangements in the British Colonies and foreign possessions for the surrender of such individuals as shall have committed, in the Grand Duchy of Luxemburg, any of the crimes hereinbefore mentioned, who may take refuge



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*Extradition Treaty with King of the Netherlands, &c.*

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within such Colonies and foreign possessions, on the basis, as nearly as may be, of the provisions of the present Treaty.

The requisition for the surrender of a fugitive criminal from any Colony or foreign possession of Her Britannic Majesty shall be governed by the rules laid down in the preceding Articles of the present Treaty.

ARTICLE XV.

The present Treaty shall come into force ten days after its publication in conformity with the forms prescribed by the laws of the High Contracting Parties. It may be terminated by either of the High Contracting Parties, but shall remain in force for six months after notice has been given for its termination.

The Treaty shall be ratified, and the ratification shall be exchanged at Brussels as soon as possible.

In witness whereof the respective Plenipotentiaries have signed the same, and have affixed thereto the seal of their arms.

Done at Luxemburg, the twenty-fourth day of November, in the year of our Lord one thousand eight hundred and eighty.

(L.S.)            W. STUART,

(L.S.)            F. DE BLOCHAUSEN.

And whereas the ratifications of the said Treaty were exchanged at Brussels on the fifth day of January, one thousand eight hundred and eighty-one:

Now, therefore, Her Majesty, by and with the advice of Her Privy Council, and in virtue of the authority committed to Her by the said recited Acts, doth order, and it is hereby ordered, that from and after the fifteenth day of March, one thousand eight hundred and eighty-one, the said Acts shall apply in the case of the said Treaty with the King of the Netherlands, Grand Duke of Luxemburg.

C. L. PEEL.

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AT THE COURT AT WINDSOR, THE 18th DAY OF MAY, 1881.

*Present :*

THE QUEEN'S MOST EXCELLENT MAJESTY.

Lord President.

Earl of Northbrook.

Lord Steward.

**W**HEREAS by the Extradition Acts of 1870 and 1873, it was amongst other things enacted, that where an arrangement has been made with any foreign State with respect to the surrender to such State of any fugitive criminals, Her Majesty may, by Order in Council, direct that the said Acts shall apply in the case of such foreign State; and that Her Majesty may, by the same or any subsequent Order, limit the operation of the Order

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and restrict the same to fugitive criminals who are in or suspected of being in the part of Her Majesty's dominions specified in the Order, and under the operation thereof subject to such conditions, exceptions, and qualifications as may be deemed expedient :

And whereas a Treaty was concluded on the twenty-sixth day of November, one thousand eight hundred and eighty, between Her Majesty and the Swiss Federal Council, for the mutual extradition of fugitive criminals, which Treaty is in the terms following :—

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland and the Swiss Federal Council having judged it expedient, with a view to the better administration of justice, and to the prevention of crime within their respective territories and jurisdictions, that persons charged with, or convicted of the crimes hereinafter enumerated, and being fugitives from justice, should, under certain circumstances, be reciprocally delivered up, have named as their Plenipotentiaries to conclude a Treaty for this purpose, that is to say :

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, the Honourable Hussey Crespigny Vivian, a Companion of Her Most Honourable Order of the Bath, Her Majesty's Minister Resident to the Swiss Confederation ;

And the Swiss Federal Council, its Vice-President, F. Anderwert, Federal Councillor and Chief of the Federal Department of Justice and Police ;

Who, after having communicated to each other their respective full powers, found in good and due form, have agreed upon and concluded the following Articles :—

## ARTICLE I.

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland engages to deliver up, under the circumstances and on the conditions stipulated in the present Treaty, all persons, and the Swiss Federal Council engages to deliver up, under the like circumstances and conditions, all persons, (excepting Swiss citizens) who, having been charged with, or convicted by the Tribunals of one of the two High Contracting Parties of one of the crimes or offences enumerated in Article II, committed on the territory of the one party, shall be found within the territory of the other.

In the event of the Federal Council being unable, by reason of his Swiss nationality, to grant the extradition of an individual who, after having committed in the United Kingdom one of the crimes or offences enumerated in Article II, should have taken refuge in Switzerland, the Federal Council engages to give legal effect to and prosecute the charge against him according to the laws of the Canton of his origin; and the Government of the United Kingdom engages to communicate to the Federal Council all documents, depositions, and proofs relating to the case, and to cause the commissions of examination directed by the Swiss judge, and transmitted through the proper Diplomatic channel, to be executed gratuitously.

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## ARTICLE II.

The crimes for which the extradition is to be granted are the following:—

1. Murder (including infanticide) and attempt to murder.
2. Manslaughter.
3. Counterfeiting or altering money, uttering or bringing into circulation counterfeit or altered money.
4. Forgery, or counterfeiting, or altering, or uttering what is forged, or counterfeited, or altered; comprehending the crimes designated in the Penal Codes of both States as counterfeiting or falsification of paper money, bank notes, or other securities, forgery, or falsification of other public or private documents,—likewise the uttering or bringing into circulation, or wilfully using such counterfeited, forged, or falsified papers.
5. Embezzlement or larceny.
6. Obtaining money or goods by false pretences.
7. Crimes against bankruptcy law.
8. Fraud, committed by a bailee, banker, agent, factor, trustee, or director, or member, or public officer of any Company made criminal by any law for the time being in force.
9. Rape.
10. Abduction of minors:
11. Child stealing or kidnapping.
12. Burglary, or housebreaking, with criminal intent.
13. Arson.
14. Robbery with violence.
15. Threats by letter or otherwise with intent to extort.
16. Perjury or subornation of perjury.
17. Malicious injury to property, if the offence be indictable.

The extradition is also to take place for participation in any of the aforesaid crimes, as an accessory before or after the fact, provided such participation be punishable by the laws of both Contracting Parties.

## ARTICLE III.

A fugitive criminal may be apprehended in either country under a warrant issued by any Police Magistrate, Justice of the Peace, or other competent authority, on such information or complaint, and such evidence, or after such proceedings as would, in the opinion of the authority issuing the warrant, justify the issue of a warrant if the crime had been committed or the person convicted in that part of the dominions of the two Contracting Parties in which the Magistrate, Justice of the Peace, or other competent authority exercises jurisdiction: provided, however, that, in the United Kingdom, the accused shall, in such case, be sent as speedily as possible before a Magistrate in London.

Requisitions for provisional arrest may be addressed by post or by telegraph, provided they purport to be sent by some judicial or other competent authority. Such requisitions must contain a description in general terms of the crime or offence, and a statement that a warrant has been

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granted for the arrest of the criminal, and that his extradition will be demanded.

He shall, in accordance with this Article, be discharged, as well in the United Kingdom as in Switzerland, if within the term of thirty days a requisition for extradition shall not have been made by the Diplomatic Agent of the country claiming his surrender in accordance with the stipulations of this Treaty.

## ARTICLE IV.

The requisition for extradition must always be made by the way of diplomacy, and to wit, in Switzerland by the British Minister to the President of the Confederation, and in the United Kingdom to the Secretary of State for Foreign Affairs by the Swiss Consul-General in London, who, for the purposes of this Treaty, is hereby recognized by Her Majesty as a Diplomatic Representative of Switzerland.

## ARTICLE V.

In the dominions of Her Britannic Majesty, other than the Colonies or foreign possessions of Her Majesty, the manner of proceeding shall be as follows :—

(a.) In the case of a person accused,—

The requisition for the surrender shall be made to Her Britannic Majesty's Principal Secretary of State for Foreign Affairs by the Diplomatic Representative of the Swiss Confederation. The said demand shall be accompanied by a warrant of arrest, or other equivalent judicial document, issued by a Judge or Magistrate duly authorized to take cognizance of the acts charged against the accused in Switzerland, and only authenticated depositions or statements taken on oath, or solemnly declared to be true, before such Judge or Magistrate, clearly setting forth the said acts, and containing a description of the person claimed, and any particulars which may serve to identify him.

The said Principal Secretary of State shall transmit such documents to Her Britannic Majesty's Principal Secretary of State for the Home Department, who shall then, by order under his hand and seal, signify to some Police Magistrate in London that such requisition has been made, and require him, if there be due cause, to issue his warrant for the apprehension of the fugitive. On the receipt of such Order from the Secretary of State, and on the production of such evidence as would, in the opinion of the Magistrate, justify the issue of the warrant if the crime had been committed in the United Kingdom, he shall issue his warrant accordingly.

When the person claimed shall have been apprehended, he shall be brought before the Magistrate who issued the warrant, or some other Police Magistrate in London. If the evidence to be then produced shall be such as to justify, according to the law of England, the committal for trial of the prisoner, if the crime of which he is accused had been committed in the United Kingdom, the Police Magistrate shall commit him to prison to await the warrant of the Secretary of State for his surrender; sending

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immediately to the Secretary of State a certificate of the committal and a report upon the case.

After the expiration of a period from the committal of the prisoner, which shall never be less than fifteen days, the Secretary of State shall, by order under his hand and seal, order the fugitive criminal to be sent to such seaport town as shall, in each special case, be selected for his delivery to the Swiss Government.

(b) In the case of a person convicted,—

The course of proceeding shall be the same as in the case of a person accused, except that the warrant to be transmitted by the Diplomatic Representative of Switzerland in support of his requisition shall clearly set forth the crime or offence of which the person claimed has been convicted, and state the place and date of his conviction.

The evidence to be produced shall consist of the penal sentence passed against the convicted person by the competent court of the State claiming his extradition.

(c.) Persons convicted by judgment in default or *arrêt de contumace* shall be, in the matter of extradition, considered as persons accused, and may, as such, be surrendered.

(d) After the Police Magistrate shall have committed the accused or convicted person to prison to await the order of a Secretary of State for his surrender, such person shall have the right to apply for a writ of *habeas corpus*; if he should so apply, his surrender must be deferred until after the decision of the Court upon the return to the writ, and even then can only take place if the decision is adverse to the applicant. In the latter case, the Court may at once order his delivery to the person authorized to receive him, without waiting for the order of a Secretary of State for his surrender, or commit him to prison to await such order.

ARTICLE VI.

In Switzerland the manner of proceeding shall be as follows:—

The requisition for the extradition of an accused person must be accompanied by an authentic copy of the warrant of arrest, issued by a competent official or magistrate, clearly setting forth the crime or offence of which he is accused, together with a properly legalized information setting forth the facts and evidence upon which the warrant was granted.

If the requisition relates to a person already convicted, it must be accompanied by an authentic copy of the sentence or conviction, setting forth the crime or offence of which he has been convicted.

The requisition must also be accompanied by a description of the person claimed, and if it be possible, by other information and particulars which may serve to identify him.

After having examined these documents, the Swiss Federal Council shall communicate them to the Cantonal Government in whose territory the person charged is found in order that he may be examined by a judicial or police officer on the subject of their contents.

The Cantonal Government will submit the *procès-verbal* of the examination, together with all the documents, accompanied, if there be one, by a

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more detailed report to the Federal Council, who, after having examined them, and if there be no opposition on either side, will grant the extradition, and will communicate its decision both to the British Legation and to the Cantonal Government in question, to the latter in order that it may send the person to be surrendered to such place on the frontier, and deliver him to such foreign police authority as the British Legation may name in each special case.

Should the documents furnished with a view of proving the facts, or of establishing the identity of the accused, or the particulars collected by the Swiss authorities appear insufficient, notice shall be immediately given to the Diplomatic Representative of Great Britain, in order that he may furnish further evidence. If such further evidence be not furnished within fifteen days the person arrested shall be set at liberty.

In the event of the application of this Treaty being contested, the Swiss Federal Council will transmit the documents ("dossier") to the Swiss Federal Tribunal, whose duty it is to decide definitely the question whether extradition should be granted or refused.

The Federal Council will communicate the judgment of the Federal Tribunal to the British Legation. If this judgment grants the extradition the Federal Council will order its execution, as in the case when the Federal Council itself grants the extradition. If, on the other hand, the Federal Tribunal refuses the extradition, the Federal Council will immediately order the person accused to be set at liberty.

## ARTICLE VII.

In the examinations which they have to make in accordance with the foregoing stipulations, the authorities of the State applied to shall admit as entirely valid evidence the depositions or statement of witnesses, either sworn or solemnly declared to be true, taken in the other State, or copies thereof, and likewise the warrants and sentences issued therein, or copies thereof, provided such documents purport to be signed or certified by a Judge, Magistrate, or officer of such State, and are authenticated by the official seal of a British Secretary of State, or of the Chancellor of the Swiss Confederation, being affixed thereto.

The personal attendance of witnesses can be required only to establish the identity of the person who is being proceeded against with that of the person arrested.

## ARTICLE VIII.

If proof sufficient to warrant the extradition be not furnished within two months from the day of the apprehension, the person arrested shall be discharged from custody.

## ARTICLE IX.

In cases where it may be necessary, the Swiss Government shall be represented at the English Courts by the Law Officers of the Crown, and the English Government in the Swiss Courts by the competent Swiss authorities.

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The respective Governments will give the necessary assistance within their territories to the Representatives of the other State who claim their intervention for the custody and security of the persons subject to extradition.

No claim for the repayment of expenses for the assistance mentioned in this Article shall be made by either of the Contracting Parties.

## ARTICLE X.

The present Treaty shall apply to crimes and offences committed prior to the signature of the Treaty ; but a person surrendered shall not be tried for any crime or offence committed in the other country before the extradition other than the crime for which his surrender has been granted.

## ARTICLE XI.

A fugitive criminal shall not be surrendered if the offence in respect of which his surrender is demanded is one of a political character, or if he prove that the requisition for his surrender has, in fact, been made with a view to try and to punish him for an offence of a political character.

## ARTICLE XII.

The extradition shall not take place if, subsequently to the commission of the crime, or the institution of the penal prosecution, or the conviction thereon, exemption from prosecution or punishment has been acquired according to the laws of the State applied to.

## ARTICLE XIII.

The extradition shall not take place if the person claimed on the part of the Government of the United Kingdom, or the person claimed on the part of the Swiss Government, has already been tried and discharged or punished, or is still under trial, in one of the Swiss Cantons or in the United Kingdom respectively, for the crime for which his extradition is demanded.

## ARTICLE XIV.

If the person claimed on the part of the Government of the United Kingdom, or if the person claimed on the part of the Swiss Government, should be under examination or have been condemned for any other crime, in one of the Swiss Cantons or in the United Kingdom respectively, his extradition may be deferred until he shall have been set at liberty in due course of law.

In case such individual should be proceeded against in the country in which he has taken refuge, on account of obligations contracted towards private individuals, his extradition shall, nevertheless, take place,—the injured party retaining his right to prosecute his claims before the competent authority.

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## ARTICLE XV.

If the individual claimed by one of the two High Contracting Parties in pursuance of the present Treaty should be also claimed by one or several other Powers, on account of other crimes or offences committed upon their respective territories, his extradition shall be granted to that State whose demand is earliest in date.

## ARTICLE XVI.

All articles seized, which were in possession of the person to be surrendered at the time of his apprehension, shall, if the competent authority of the State applied to for the extradition has ordered the delivery thereof, be given up when the extradition takes place, and the said delivery shall extend not merely to the stolen articles, but to everything that may serve as a proof of the crime.

This delivery shall take place even when the extradition, after having been granted, cannot be carried out by reason of the escape or death of the individual claimed, unless the claims of third parties with regard to the above-mentioned articles render such delivery inexpedient.

## ARTICLE XVII.

The contracting parties renounce any claim for the reimbursement of the expenses incurred by them in the arrest and maintenance of the person to be surrendered, and his conveyance to the frontiers of the State to which the requisition is made; they reciprocally agree to bear such expenses themselves.

## ARTICLE XVIII.

The stipulations of the present Treaty shall be applicable to the Colonies and foreign possessions of Her Britannic Majesty.

The requisition for the surrender of a fugitive criminal who has taken refuge in any such Colonies or foreign possessions, shall be made to the Governor or to the supreme authority of such Colony or possession through the Swiss Consul residing there, or, in case there should be no Swiss Consul, through the recognized Consular Agent of another State charged with the Swiss interests in the Colony or possession in question.

The Governor or supreme authority above-mentioned shall decide with regard to such requisitions as nearly as possible in accordance with the provisions of the present Treaty. He will, however, be at liberty either to consent to the extradition or report the case to his Government.

Her Britannic Majesty shall, however, be at liberty to make special arrangements in the British Colonies and foreign possessions for the surrender of such individuals as shall have committed in Switzerland any of the crimes hereinbefore mentioned, who may take refuge within such Colonies and foreign possessions, on the basis, as nearly as may be, of the provisions of the present Treaty.



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*Extradition Treaty with Swiss Confederation.*

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The requisition for the surrender of a fugitive criminal from any Colony or foreign possession of Her Britannic Majesty shall be governed by the rules laid down in the preceding Articles of the present Treaty.

## ARTICLE XIX.

The present Treaty shall come into force ten days after its publication in conformity with the forms prescribed by the laws of the High Contracting Parties.

After the Treaty shall have come into force, the Treaty concluded between the High Contracting Parties on the 31st of March, 1874, shall be considered as cancelled, except as to any proceedings that may have been already taken or commenced in virtue thereof.

It may be terminated by either of the High Contracting Parties, on giving to the other Party six months' notice of its intention to terminate the same, but no such notice shall exceed the period of one year.

The Treaty shall be ratified, and the ratifications shall be exchanged at Berne as soon as possible.

In witness whereof the respective Plenipotentiaries have signed the same, and have affixed thereto the seal of their arms.

Done at Berne, the twenty-sixth day of November, in the year of Our Lord one thousand eight hundred and eighty.

(L. S.)

C. VIVIAN.

(L. S.)

ANDERWERT.

And, whereas the ratifications of the said Treaty were exchanged at Berne on the fifteenth day of March, one thousand eight hundred and eighty-one.

Now, therefore, Her Majesty, by and with advice of Her Privy Council, and in virtue of the authority committed to Her by the said recited Acts, doth order, and it is hereby ordered, that from and after the thirtieth day of May, one thousand eight hundred and eighty-one, the said Acts shall apply in the case of the said Treaty with the Swiss Federal Council.

C. L. PEEL.

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ORDERS IN COUNCIL  
PROCLAMATIONS AND REGULATIONS

HAVING FORCE OF LAW

IN THE

DOMINION OF CANADA,

ISSUED DURING THE YEARS 1881 AND 1882.



HIS EXCELLENCY

THE RIGHT HONORABLE SIR JOHN DOUGLAS SUTHERLAND CAMPBELL,

*(Commonly called THE MARQUIS OF LORNE,)*

GOVERNOR GENERAL.

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OTTAWA:

PRINTED BY BROWN CHAMBERLIN

LAW PRINTER TO THE QUEEN'S MOST EXCELLENT MAJESTY,

ANNO DOMINI, 1882



## IMPERIAL ORDERS IN COUNCIL, AND DISPATCHES.

AT THE COURT AT WINDSOR, THE 15th DAY OF JULY, 1881.

*Present :*

THE QUEEN'S MOST EXCELLENT MAJESTY IN COUNCIL.

WHEREAS by the "Foreign Deserters Act, 1852," it is provided that whenever it is made to appear to Her Majesty that due facilities are or will be given for recovering and apprehending seamen who desert from British merchant ships in the territories of any foreign power, Her Majesty may, by Order in Council, stating that such facilities are or will be given, declare that seamen, not being slaves, who desert from merchant ships belonging to a subject of such Power when within Her Majesty's dominions shall be liable to be apprehended and carried on board their respective ships, and may limit the operation of such Order, and may render the operation thereof subject to such conditions and qualifications, if any, as may be deemed expedient :

And whereas it hath been made to appear to Her Majesty that due facilities for recovering and apprehending seamen (not being Danish subjects) who desert from British merchant ships in territories belonging to His Majesty the King of Denmark, will be given, under an agreement between the Governments of Great Britain and the King of Denmark, signed at London on the 21st June, 1881.

Now, therefore, Her Majesty, by virtue of the powers vested in Her by the said "Foreign Deserters Act, 1852," and by and with the advice of Her Privy Council, is pleased to order and declare, and it is hereby ordered and declared, that from and after the publication hereof in the *London Gazette*, seamen, not being slaves (and not being British subjects), who desert from merchant ships belonging to subjects of the King of Denmark within Her Majesty's dominions, shall be liable to be apprehended and carried on board their respective ships ; provided always, that if any such deserter has committed any crime in Her Majesty's dominions he may be detained until he has been tried by a competent Court, and until his sentence (if any) has been fully carried into effect.

And Her Majesty, by virtue of the powers vested in Her by the said "Foreign Deserters Act, 1852," and by and with the advice of Her Privy Council, is further pleased to order and declare that upon and after the publication hereof in the *London Gazette*, the Order in Council relating to seamen who desert from the merchant ships belonging to the subjects of the King of Denmark made, by virtue of the said Act, on the 13th day of June, 1853, and published in the *London Gazette* on the 14th day of June, 1853, shall be revoked, and the same is hereby revoked accordingly.

And the Secretary of State for the Home Department, the Secretary of State for the Colonies, and the Secretary of State for India in Council are to give the necessary directions herein accordingly.

C. L. PEEL.

*Imperial—Merchant Seamen Deserters, &c.*

AGREEMENT between the Governments of Great Britain and Denmark relative to Merchant Seamen Deserters.

(Signed at London, June 21, 1881.)

The Government of Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, and the Government of His Majesty the King of Denmark, being desirous, for the benefit of the commerce of the two countries, to facilitate the discovery, apprehension and surrender of seamen who may desert from merchant vessels of either country, on the basis of a full and entire reciprocity, have agreed as follows :—

It is mutually agreed that if any seamen or apprentices, not being slaves, should desert from any ship belonging to a subject of either of the Contracting Parties, within any port in the territories or in the possessions or Colonies of the other Contracting Party, the authorities of such port or territory, possession or Colony, shall be bound to give every assistance in their power for the apprehension and sending on board of such deserters, on application to that effect being made to them by the Consul of the country to which the ship of the deserter may belong, or by the deputy or representative of the Consul.

It is understood that the preceding stipulations shall not apply to subjects of the country where the desertion shall take place.

Each of the two High Contracting Parties reserves to itself the right of terminating this Agreement at any time, on giving to the other a year's notice of its wish to that effect.

In witness whereof the undersigned, duly authorized for that purpose, have signed the present Agreement, and have affixed thereto the seal of their arms.

Done at London in duplicate, the twenty-first day of June, in the year of our Lord one thousand eight hundred and eighty-one.

(L.S.) GRANVILLE.

(L.S.) FALBE.

(Circular.)

DOWNING STREET,  
15th August, 1881.

SIR,—I have the honor to transmit to you, for publication in the Colony under your Government, a copy of a Circular issued by the French Government, containing regulations with regard to the importation into France of provisions in soldered tins.

I have thought it advisable to send copies of this Circular to all Colonies, so that those Colonies which do not export, but may import provisions in tins may be aware of the opinion expressed by the French Government with regard to tins soldered in the manner described.

I have the honor to be, Sir,

Your most obedient, humble servant,  
KIMBERLEY.

The Officer Administering  
the Government of Canada.

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*Imperial—Circular from French Government.*


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*Circular of the 28th August, 1880, No. 1455.*

PARIS, 28th August, 1880.

The attention of the Department of Commerce has been called to the dangers to which consumers may be exposed by using food contained in cans or boxes soldered in the inside, and made with other than refined sheet tin.

The Board of Public Health, to whom this question has been submitted, have recognized the fact that the public health is endangered through the use of articles of food which, by coming in contact with soldered parts or surfaces covered with a metal containing lead, may cause more or less serious poisonings. Therefore, the Board have expressed the opinion that makers of cans or boxes intended for canning food should be prohibited from soldering those cans inside, and from using any other than refined sheet tin. The Board add that if the makers persist in soldering in the inside, they should be held to use nothing but pure tin. This opinion has been adopted by the Minister of Commerce, and Prefects of Departments have received instructions accordingly.

It has seemed necessary to take similar measures with regard to foreign canned articles of food, not only for the purpose of protecting public health, but so that the French trade may not be put on an inferior footing with their foreign competitors. Therefore, the Minister of Finance has decided on the 2nd April last, that cans or boxes containing food entered for importation should be made agreeably to the above decision. Those found to be made contrary to law would be temporarily detained by the proper officer, whose duty will be to report the case immediately to the *procureur* of the Republic.

In order to allow the French can-makers to dispose of the stock on hand, it has been agreed that the new regulations will come into force only on the 1st of August, 1881. They will be also enforced on that date with regard to foreign importations.

The Directors are requested to make known these regulations to the trade and public generally.

The Councillor of State, Director-General.

(Signed), AMBAUD.

True Copy,

The Administrator.

(Signed), RAMOND.

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# ORDERS IN COUNCIL, &c.

## CANADA.

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### *Governor General.*

By Order in Council of Thursday, 19th day of May, 1881, His Excellency the Governor General declared his disallowance of the Act passed by the Lieutenant Governor of the Province of Ontario, with the Legislative Assembly of that Province, on the 4th day of March, 1881, entitled as follows, viz.: "An Act for protecting the public interest in rivers, streams and creeks."

*Vide Canada Gazette, Vol. 14, p. 1599.*

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By Order in Council of Friday, 29th day of July, 1881, the Honorable Sir William Johnston Ritchie, Knight, Deputy of the Governor General, declared his disallowance of the Acts passed by the Lieutenant Governor of the Province of British Columbia, with the Legislative Assembly of that Province, on the 8th day of May, 1880, entitled respectively: "An Act to amend the 'Cariboo Waggon Road Tolls Act, 1876,'" and "An Act respecting Tolls on the Cariboo Waggon Road."

*Vide Canada Gazette, Vol. 15, p. 143.*

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By Order in Council of Wednesday, 11th day of January, 1882, His Excellency the Administrator of the Government declared his disallowance of an Act passed by the Lieutenant Governor of the Province of Manitoba, with the Legislative Assembly of that Province, on the 25th day of May, 1881, entitled as follows, viz.: "An Act to incorporate the Winnipeg South Eastern Railway Company."

*Vide Canada Gazette, Vol. 15, p. 978.*

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[L.S.]

## CANADA.

By His Excellency the Right Honorable Sir John Douglas Sutherland Campbell (commonly called the Marquis of Lorne), one of Her Majesty's Most Honorable Privy Council, Knight of the Most Ancient and Most Noble Order of the Thistle, and Knight Grand Cross of the Most Distinguished Order of St. Michael and St. George, Governor General of Canada and Vice Admiral of the same.

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

**W**HEREAS it is in and by an Act of the Parliament of Canada, passed in the forty-fourth year of Her Majesty's reign, and intituled "An

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*Governor General.*

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Act to provide for the extension of the boundaries of the Province of Manitoba," after reciting as is therein recited, it is in effect enacted, as follows:—

1. The Province of Manitoba shall be increased as hereinafter defined, that is to say, so that the boundaries thereof shall be as follows:—“Commencing at the intersection of the International Boundary dividing Canada from the United States of America by the centre of the road allowance between the twenty-ninth and thirtieth ranges of townships lying west of the first principal meridian in the system of Dominion Land Surveys; thence northerly, following upon the said centre of the said road allowance as the same is or may hereafter be located, defining the said range line on the ground across townships one to forty-four, both inclusive, to the intersection of the said centre of the said road allowance by the centre of the road allowance on the twelfth base line in the said system of Dominion Land Surveys; thence easterly along the said centre of the road allowance on the twelfth base line, following the same to its intersection by the easterly limit of the District of Keewatin, as defined by the Act thirty-ninth Victoria, chapter twenty-one, that is to say, to a point where the said centre of the road allowance on the twelfth base line would be intersected by a line drawn due north from where the westerly boundary of the Province of Ontario intersects the aforesaid International Boundary line dividing Canada from the United States of America; thence due south, following upon the said line to the International Boundary aforesaid; and thence westerly, following upon the said International Boundary Line dividing Canada from the United States of America, to the place of beginning,” and all the land embraced by the said description not now within the Province of Manitoba shall, from and after the passing of this Act, be added thereto, and the whole shall, from and after the said date, form and be the Province of Manitoba.

2. The terms and conditions upon which such increase is made are as follows:—

(a.) All the enactments and provisions of all the Acts of the Parliament of Canada which have, since the creation of the Province of Manitoba, been extended into, and made to apply to the said Province, shall extend and apply to the territory by this Act added thereto as fully and effectually as if the same had originally formed part of the Province and the boundaries thereof had, in the first instance, been fixed and defined as is done by this Act, subject however, to the provisions of section three of this Act.

(b.) The said increased limit and the territory thereby added to the Province of Manitoba shall be subject to all such provisions as may have been or shall hereafter be enacted, respecting the Canadian Pacific Railway and the lands to be granted in aid thereof.

3. All laws and ordinances in force in the territory hereby added to the Province of Manitoba at the time of the coming into force of this Act, and all courts of civil and criminal jurisdiction, and all legal commissions, powers and authorities, and all officers, judicial, administrative and ministerial, existing therein at the time of the coming into force of this Act, shall continue therein as if such territory had not been added to the said Province; subject, nevertheless, with respect to matters within the legislative author-



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*Governor General, &c.*


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ity of the Legislature of the Province of Manitoba, to be repealed, abolished or altered by the said Legislature.

4. This Act shall come into force only upon, from and after a day to be appointed in that behalf by proclamation of the Governor published in the *Canada Gazette*.

And whereas it is considered expedient that the said Act should come into force upon, from and after the first day of July next :

Now Know Ye that I, the said Right Honorable Sir John Douglas Sutherland Campbell (commonly called the Marquis of Lorne) Governor General of Canada, as aforesaid, do hereby, by and with the advice of Her Majesty's Privy Council for Canada, proclaim and declare that I have appointed and, by these presents, do appoint the first day of July next as the day upon, from and after which the said Act hereinbefore in part recited shall come into force.

Given under my hand and Seal at Arms, at Ottawa, this thirteenth day of June, in the year of Our Lord, one thousand eight hundred and eighty-one, and in the forty-fourth year of Her Majesty's reign.

LORNE.

By Command,  
J. A. MOUSSEAU,  
Secretary of State.

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*Agriculture.*

GOVERNMENT HOUSE, OTTAWA,  
Tuesday, 5th day of April, 1881.

*Present :*

HIS EXCELLENCY THE GOVERNOR GENERAL IN COUNCIL

**W**HEREAS it is expedient to include one of the Ports of the Province of Prince Edward Island among the Ports into which the importation and introduction of animals from Europe shall be allowed,—

On the recommendation of the Honorable the Minister of Agriculture, and under the provisions of the Act passed in the Session of the Parliament of Canada, held in the forty-second year of Her Majesty's reign, chapter twenty-three, and intituled "An Act to provide against infectious or contagious diseases affecting animals,"—

His Excellency, by and with the advice of the Queen's Privy Council for Canada, has been pleased to make the following regulation and order, namely:—

The word "Charlottetown" shall be inserted and included in Part I, Section 3, of the Order in Council respecting contagious diseases affecting cattle and other animals, dated on the twenty-third day of April last and published in the *Canada Gazette*, after the word "Quebec" in such section,—the said section reading: "The Ports of Halifax, St John, N.B., Quebec and

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*Agriculture.*

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Charlottetown,"—the whole of the provisions of the said Order in Council being applied to the said Port of Charlottetown.

J. O. COTÉ,

*Clerk, Privy Council.*

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GOVERNMENT HOUSE, OTTAWA.

Saturday, 9th day of April, 1881.

*Present :*

HIS EXCELLENCY THE GOVERNOR GENERAL IN COUNCIL.

WHEREAS disease of a contagious nature has been found among cattle which have been landed in England from vessels which have sailed from Portland and Halifax, such vessels having been infected from having previously carried diseased cattle from Ports in the United States; and whereas it is expedient to provide measures to prevent such disease from being carried in ships freighted with Canadian cattle, and to provide against the danger of its being introduced thereby, into Canada,—

On the recommendation of the Honorable the Minister of Agriculture, and under the provisions of the Act passed in the session of Parliament of Canada, held in the 42nd year of Her Majesty's Reign, chapter 23, and intituled "An Act to provide against infectious or contagious diseases affecting animals,"—

His Excellency, by and with the advice of the Queen's Privy Council for Canada, has been pleased to make the following Regulations and Orders, namely:—

1. All vessels which have carried cattle from any Port in the United States, shall be prohibited from loading cattle in Canada for a period of thirty days thereafter; and, further, until such vessels shall have been thoroughly cleansed and disinfected under the supervision of an Inspector appointed by the Minister of Agriculture.

2. All vessels which have carried cattle from any United States Port, among any of which "*Foot and Mouth Disease*" shall have been found, shall be prohibited, for a period of sixty days thereafter, from loading cattle in any Canadian Port; and, further, until such vessels shall have been thoroughly cleansed and disinfected, under the supervision of an Inspector appointed by the Minister of Agriculture.

3. All vessels which have carried cattle from any United States Port, among any of which shall have been found the disease known as "*Pleuro-Pneumonia*," shall be prohibited, for a period of ninety days thereafter, from loading cattle in any Canadian Port; and, further, until such vessels shall have been thoroughly cleansed and disinfected under the supervision of an Inspector appointed by the Minister of Agriculture.

J. O. COTÉ,

*Clerk, Privy Council.*

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*Agriculture.*


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GOVERNMENT HOUSE, OTTAWA,  
Thursday, 9th day of February, 1882.

*Present :*

HIS EXCELLENCY THE GOVERNOR GENERAL IN COUNCIL.

**W**HEREAS the Minister of Agriculture has reported that representations have been made to him that it is a custom to import into Canada, in bales, second-hand Head-Ropes which have been used for tying up cattle in the United Kingdom or on ship-board, and that there is reason to believe contagious disease may be communicated by the use of such Head-Ropes,—

His Excellency, on the recommendation of the Minister of Agriculture, has been pleased to order, and it is hereby ordered, that the importation of Head-Ropes which have been used, be and the same is hereby prohibited.

J. O. COTÉ,

*Clerk, Privy Council.*

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GOVERNMENT HOUSE, OTTAWA,  
Monday, 20th day of February, 1882.

*Present :*

HIS EXCELLENCY THE GOVERNOR GENERAL IN COUNCIL.

**W**HEREAS it is expedient to admit Neat Cattle for breeding purposes from the Western United States subject to the restrictions and regulations hereinafter referred to,—

On the recommendation of the Minister of Agriculture, and under the provisions of the Act passed in the Session of the Parliament of Canada held in the 42nd year of Her Majesty's Reign, chapter 23, and intituled "An Act to provide against infectious or contagious diseases affecting animals,"—

His Excellency, by and with the advice of the Queen's Privy Council for Canada, has been pleased to make the following Regulations and orders as follow :—

1. That a point of land on the River St. Clair, closely adjoining the frontier of the United States, at Point Edward, to the north of the Grand Trunk Railway Company's Line, be declared a Cattle Quarantine Station.

2. That cattle for breeding purposes may be admitted for Quarantine at such Station, subject to the regulations and restrictions contained in the "Health of Animals Order" dated 23rd of April 1880, and published in the *Canada Gazette*.

J. O. COTÉ,

*Clerk, Privy Council.*

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*Agriculture.*

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GOVERNMENT HOUSE, OTTAWA,  
Thursday, 20th day of April, 1882.

*Present :*

HIS EXCELLENCY THE GOVERNOR GENERAL IN COUNCIL.

**W**HEREAS a contagious disease known as "Sheep Scab" affecting sheep prevails in the County of Laprairie and adjoining Counties in the Province of Quebec, and it is expedient to provide for the segregation and isolation, in as far as possible, of animals affected with such disease,—

His Excellency, on the recommendation of the Minister of Agriculture, and under the provisions of the Act 42 Victoria, chapter 23, and intituled "An Act to provide against infectious or contagious diseases affecting animals," has been pleased to order and it is hereby ordered that the following Regulations and Orders be enforced :—

1. It is the duty of every farmer, owner or breeder of, or dealer in sheep, on perceiving the appearance of the disease of "sheep scab" among any one of the animals owned by him or under his care, to give immediate notice to the Minister of Agriculture at Ottawa of the fact discovered by him, as required by section 2 of the said Act.

Negligence to comply with this obligation shall entail upon the owner of the said diseased sheep the penalty of not being entitled to, nor granted any compensation for such animals as may be slaughtered in accordance with the provisions of the said Act, and further that concealment of such disease shall subject such person on conviction thereof, to forfeit and pay a sum not exceeding two hundred dollars.

2. If any person turn out, keep or graze any sheep knowing such animal to be infected with the disease of "sheep scab," or to have been exposed to infection or contagion therefrom, in or upon any forest, wood, moor, beach, marsh, common, waste land, open field, or other undivided or unenclosed land, such person shall, on conviction thereof, forfeit and pay a sum not exceeding two hundred dollars.

3. Any person bringing into any market or other place any animal known by him to be infected with the disease of "sheep scab" shall, upon conviction thereof, forfeit and pay for every such offence a sum not exceeding two hundred dollars.

4. Any person throwing or placing or causing to be thrown or placed into any river, stream, canal, navigable or other water, or into the sea within ten miles of the shore, the carcass of any sheep which has died of "sheep scab," or been slaughtered as having been so diseased shall, on conviction thereof, forfeit and pay a sum not exceeding two hundred dollars.

5. Any person who digs up or causes or allows to be dug up a carcass buried of a sheep having died or been suspected of having died, or been slaughtered, from the disease of "sheep scab," shall, on conviction thereof, forfeit and pay a sum not exceeding one hundred dollars.

6. In case any sheep affected with the disease of "sheep scab" be exposed or offered for sale, or be brought for such purpose into any market, fair or other open or public place where other animals are commonly

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*Agriculture.*


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exposed for sale, then any police or municipal officer or duly authorized inspector shall cause the same, together with any pens, hurdles, troughs, litter, hay, straw or other articles, to be forfeited, destroyed or otherwise disposed of in such manner as he may deem proper or as may be directed.

7. It shall be unlawful for any person to have in his possession or under his charge a sheep affected with the disease of "sheep scab," without causing it to be treated with some dressing, dipping or remedy for "sheep scab."

8. No sheep being affected with "sheep scab" or sheep which have been in contact with other sheep suffering from "sheep scab," or have been in any field, stable, cowshed or other premises in which "sheep scab" is found to exist, shall be allowed to be removed therefrom without a written order from an Inspector authorized by the Minister of Agriculture for that purpose.

9. All sheds, outhouses and places used by sheep affected by "sheep scab" must be thoroughly cleansed and disinfected by scrubbing with hot water and carbolic acid—one pound to four gallons—and afterwards white-washed with hot lime to which chloride of lime—one pound to a gallon—has been added, to a height of at least five feet from the ground or floor.

10. When found necessary an inspector shall order the slaughtering and burial of all badly affected sheep, and any person having in possession any sheep affected with "sheep scab" without treating such sheep by some dressing or dipping fluid shall be liable to such penalties as may be enacted under the provisions of the aforesaid Act.

JOHN J. MCGEE,

*Asst. Clerk Privy Council.*

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GOVERNMENT HOUSE, OTTAWA.

Thursday, 25th May, 1882.

*Present :*

HIS EXCELLENCY THE GOVERNOR GENERAL IN COUNCIL.

**W**HEREAS a disease affecting Neat Cattle prevails in the County of Pictou, Nova Scotia, and parts of the adjoining County or Counties, it is expedient to provide for the segregation and isolation in as far as possible of animals affected with such disease, and also to declare the places where such diseased animals are found, as infected places,—

His Excellency, on the recommendation of the Minister of Agriculture, and under the provisions of the Act 42 Victoria, chapter 23, and intituled "An Act to provide against infectious or contagious diseases affecting animals," has been pleased to order, and it is hereby ordered, that the following Regulations and Orders be enforced :—

1. A Veterinary Inspector duly authorized by the Minister of Agriculture shall visit the places in the said localities where such diseased animals are found, and all farms or places on which such animals are

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*Agriculture, &c.*

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found, shall be declared infected places, within the meaning of the Act aforesaid :

2. No person whatever, except an Inspector or Officer duly authorized by the Minister of Agriculture, shall remove any cattle from any of such farms or infected places, (and then only for the purpose of carrying into effect the provisions of the said Act), under a penalty not exceeding two hundred dollars :

3. An Inspector or Officer duly authorized by the Minister of Agriculture may make a selection of a place or places within the limits of an infected district, for the purpose of isolating and segregating such animals as may be diseased or supposed to be diseased, or which may have been exposed to disease, and order the removal of such animals to such selected places.

4. An Inspector or Officer duly authorized by the Minister of Agriculture, under the provisions of Section 14 of the Act aforesaid, may order any animal to be slaughtered which is found affected by infectious or contagious disease,—a compensation to the amount of one-third of the value of such animal before it became affected and ordered to be slaughtered, to be paid to the owner thereof, but such compensation not in any case to exceed twenty dollars ; in all other cases the compensation to be two-thirds of the value of the animal ordered to be slaughtered, but not in any case to exceed forty dollars,—the value of such animals to be in all cases established by an Officer duly appointed for that purpose by the Minister of Agriculture : but no compensation whatever will be allowed in any cases where attempts have been made to fraudulent concealment of the existence of the disease, or in any cases where the animals have been removed from infected places contrary to the provisions of the Act aforesaid and particularly the first seven sections thereof :

5. And further, a Veterinary Inspector or other Officer duly authorized by the Minister of Agriculture, to be empowered to carry out generally the provisions of the Act aforesaid.

JOHN J. MCGEE,

*Clerk, Privy Council.*

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*Customs.*

By Order in Council of Saturday, 9th day of April, 1881, the name of the Out-Port of Mill Point, Ontario, was changed to Deseronto, said Out-Port to continue to be under the survey of the Port of Napanee.

*Vide Canada Gazette, Vol. 14, p. 1380.*

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*Customs.*


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GOVERNMENT HOUSE, OTTAWA,  
Wednesday, 27th day of April, 1881.

*Present :*

HIS EXCELLENCY THE GOVERNOR GENERAL IN COUNCIL.

**H**IS Excellency the Governor General in Council, under authority of the Act 44 Victoria, chapter 12, has been pleased to order, and it is hereby ordered, that, subject to the same regulations and restrictions as were imposed by Order in Council of 25th April, governing the payment of certain sums of money to the manufacturers in Canada of Spikes, Bolts and Nuts, so used, there may be paid to the manufacturer of Iron Bridges, manufactured in Canada, and used after the 21st day of March last past in the original construction of the Canadian Pacific Railway, sums of money which do not exceed the amount of Customs duty that would be payable thereon if imported into Canada; that is to say—sums equal to twenty-five per cent. *ad valorem* on the ascertained value in Great Britain, provided they are of a kind or class such as are manufactured there; or in the United States if of a kind or class manufactured there and not in Great Britain; at the time of the delivery to the Canadian Pacific Railway Company of such Iron Bridges manufactured in Canada, less a deduction of ten per cent. from such equivalent.

The value in Great Britain or the United States, as above mentioned, shall be ascertained and determined by the Honorable the Treasury Board upon application being made by the manufacturers for payment of any such sum of money.

J. O. COTÉ,

*Clerk, Privy Council.*

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GOVERNMENT HOUSE, OTTAWA,  
Thursday, 19th day of May, 1881.

*Present :*

HIS EXCELLENCY THE GOVERNOR GENERAL IN COUNCIL.

**W**HEREAS by the 82nd section of the Act 40 Victoria, chapter 10, intitled "An Act to amend and consolidate the Acts respecting the Customs," it is enacted that—"Except in the case which by any regulation to be made by the Governor in Council may be excepted from the operation of this section,—all spirits (unless in bottle and imported from the United Kingdom, or in bond from some bonded warehouse in some British possession) brought into Canada in casks or packages of less size than to contain one hundred gallons, or in other than decked vessels of not less than thirty tons register, or that may be found on board of any vessel under such tonnage in any port in Canada, shall be forfeited."

And whereas brandies and other spirits are usually imported from Europe in casks and other packages containing less than one hundred

*Customs.*

gallons; and from the United States and other countries in bottle, whereby such goods when imported into Canada would become liable to forfeiture as aforesaid, unless excepted from the operation of the said Act,—

Therefore, His Excellency in Council, on the recommendation of the Minister of Customs, and under the authority of the said Act, has been pleased to make and ordain the following "Regulation:"—

All importations of spirits made direct to Canada from European ports, and all such importations of spirits in bottle from the United States, and also all importations of spirits in casks containing one hundred gallons or over made by railway from the United States, shall be and they are hereby excepted from the operation of the 82nd section of the Act 40 Victoria, chapter 10, intituled "An Act to amend and consolidate the Acts respecting the Customs."

The Order in Council passed on the 6th day of April, 1868, is hereby repealed.

JOHN J. MCGEE,

*Asst. Clerk, Privy Council.*

GOVERNMENT HOUSE, OTTAWA,  
Thursday, 19th day of May, 1881.

*Present:*

HIS EXCELLENCY THE GOVERNOR GENERAL IN COUNCIL.

**H**IS Excellency the Governor General in Council under authority of the Act 40 Victoria, chapter 10, section 136, has been pleased to order, and it is hereby ordered, that subject to the usual regulations and restrictions governing the payment of drawback on imported articles used in the manufacture in Canada of goods exported therefrom, and to such further regulations and restrictions as are herein named; there may be paid to the manufacturer of any goods manufactured by him in Canada and exported therefrom a drawback of the duty paid upon any articles of foreign manufacture used as materials wrought into or attached to any goods manufactured in Canada and exported therefrom; provided always that when articles of foreign manufacture are so used and a drawback claimed thereon, it shall be shown to the satisfaction of the Honorable the Minister of Customs that such imported manufactured articles are of a kind not manufactured in Canada, and that no other article manufactured in Canada could be substituted and used in the place thereof in the manufacture of such grade so manufactured and exported,—the proof whereof shall consist in part of the sworn testimony of the claimant of such drawback in the form hereto annexed.

The exportation shall have been made and claim substantiated within two years from the date of the importation of the articles on which drawback is claimed.



Customs.

Form.

" I, \_\_\_\_\_ of \_\_\_\_\_ do solemnly and truly swear that the following named articles of British or Foreign Manufacture, viz. :

were used as materials wrought into or attached to the

named in the accompanying claim for drawback, and that they are of a kind not manufactured in Canada, and that no other articles are manufactured in Canada that could have been substituted and used in the place thereof, and that the said articles of British or Foreign Manufacture so used were imported into Canada and duty was paid thereon at the Port of

\_\_\_\_\_ within two years from the date of the exportation of the said \_\_\_\_\_ to wit, on the \_\_\_\_\_ day of \_\_\_\_\_ 188 \_\_\_\_\_ as per entry No. \_\_\_\_\_ that such articles were so entered at the value of \$ \_\_\_\_\_ and duty paid thereon amounting to the sum of \$ \_\_\_\_\_

"Subscribed and sworn to before me at \_\_\_\_\_ day of \_\_\_\_\_ 188 \_\_\_\_\_ this \_\_\_\_\_"

JOHN J. MCGEE, Asst. Clerk, Privy Council.

GOVERNMENT HOUSE, OTTAWA, Thursday, 19th day of May, 1881.

Present :

HIS EXCELLENCY THE GOVERNOR GENERAL IN COUNCIL.

ON the recommendation of the Honorable the Minister of Customs, and under authority of the Act 44 Victoria, chapter 11, section 2 and subsection 4,—

His Excellency has been pleased to order and declare that the first four forms contained in the schedule to the Act 40 Victoria, chapter 10, intituled "An Act to amend and consolidate the Acts respecting the Customs," be, and they are hereby repealed, with all explanations and addenda attached to the same, and that the following six forms be and they are hereby substituted therefor, and to be used in connection with invoices and entries in all cases to which they respectively apply, on and after the first day of July, 1881, at all Custom Houses or places where such oaths may be taken or lawfully administered, except the form of "Declaration to be made by the foreign owner of any goods shipped to Canada on consignment," which may be made and declared before any British or other Consul duly accredited by any established Government, and resident in the country from whence the said goods are exported to Canada.

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(See Order in Council of 18th August *infra*.)

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*Customs.*

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*Oath or affirmation of an Owner, Consignee, Importer or Agent, on entering Goods without Invoice.*

"I, \_\_\_\_\_ do solemnly and truly swear (or affirm) that the within Bill of Entry contains a just and true account of all the goods imported for me or on my account, or on account of \_\_\_\_\_ for whom I am authorized to enter the same, in the \_\_\_\_\_, whereof \_\_\_\_\_ is Master, from \_\_\_\_\_, that the Bill of Lading now produced by me is the true, genuine and only Bill of Lading by me received of the said goods; and that I have not received, and do not know of any invoice or other account whatever having been received of the said goods; I do further swear (or affirm) that if I hereafter discover any other or greater quantity of goods than is contained in the entry aforesaid, or receive or obtain knowledge of any invoice of the whole or any part thereof, I will immediately report the same to the Collector of this Port; I also swear (or affirm) that nothing has been concealed or suppressed in the entry aforesaid whereby to avoid the just payment of the duties imposed by the laws of the Dominion of Canada; and that all matters are justly and truly expressed therein to the best of my knowledge and belief. So help me God

Sworn (or affirmed) before me, this \_\_\_\_\_ day of \_\_\_\_\_ 188.

Collector."

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*Declaration to be made by the Foreign Owner of any goods shipped to Canada on consignment.*

"I, \_\_\_\_\_ of \_\_\_\_\_ do solemnly and truly declare that I am (a member of the firm of [giving the name] when not the individual owner) the owner of the goods mentioned and described in the annexed invoice, shipped on consignment to (name of the consignee) at \_\_\_\_\_ in Canada; that the said invoice contains a full and true statement of the fair market value for consumption of said goods at the time and place of exportation thereof to Canada, including all costs of inland transportation and expenses from the place of growth, production or manufacture, whether by land or water, to the vessel in which shipment thereof is made direct to Canada; that no deductions have been made from such fair market value, by reason of any bounties or drawback that may have been or are expected to be allowed or paid on the exportation of said goods, or on account of any exemption of said goods from any Royalty payable on patent rights; and that no different invoice thereof has been or will be furnished to any one by me or on my behalf.

Signed and declared before me at \_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_ 188.

Consul."

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*Customs.*


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*Oath or affirmation of the Consignee of goods transferred on a Removal Entry from one Port to another, and there re-warehoused.*

"I, \_\_\_\_\_ of \_\_\_\_\_ do solemnly and truly swear (or affirm) that I am (a member of or duly authorized agent of the firm of [giving name] as the case may be) the Consignee of the goods described in the entry delivered by me to the Collector of this Port, and that said goods are the identical ones mentioned in a "Removal Entry" made at the Custom House at (name of port from whence transferred) by (name of person making removal entry) on the \_\_\_\_\_ day of \_\_\_\_\_, 188, numbered \_\_\_\_\_ and that the said goods are the same in quantity, quality, value and package, as therein stated.

"Sworn (or affirmed) before me \_\_\_\_\_ at the Port of this \_\_\_\_\_ day of \_\_\_\_\_

Collector.

JOHN J. MCGEE,

*Asst. Clerk, Privy Council.*"

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By Order in Council of Tuesday, 5th day of July, 1881, the Out-Port of Parry Sound was detached from the Port of Penetanguishene, and attached to the Port of Collingwood.

*Vide Canada Gazette, Vol. 15, p. 45.*

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GOVERNMENT HOUSE, OTTAWA.

Thursday, 18th day of August, 1881.

*Present :*

THE HONORABLE THE DEPUTY OF HIS EXCELLENCY THE GOVERNOR GENERAL  
IN COUNCIL.

ON the recommendation of the Honorable the Minister of Customs and under authority of the Act 44 Victoria, chapter 11, section 2 and sub-section 4,—

The Deputy Governor has been pleased to order that the first three forms of oath prescribed by an Order in Council of the 19th day of May last past, be and the same are hereby rescinded, and that the four following forms be and they are hereby substituted therefor, namely:—

*Oath or Affirmation of an Owner, Consignee or Importer.'*

"I, (name of the owner, consignee or importer making the entry) do solemnly and truly (swear or affirm as the case may be) that I am (the owners, consignee or importer; or a member of the firm of [giving name] the owners, consignees or importers as the case may be) of the goods mentioned in the invoice now

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*Customs*


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produced by me, and hereunto annexed and signed by me, and that the said invoice is the true and only invoice received by \_\_\_\_\_ or which \_\_\_\_\_ expect to receive of all the goods imported as therein stated for account of (*name of person or firm being the owner or owners,*) that the said goods are properly described in the said invoice and in this entry thereof, and that nothing has been, on my part, nor to my knowledge on the part of any other person, done, concealed or suppressed, whereby Her Majesty the Queen may be defrauded of any part of the duty lawfully due on the said goods; and I do further solemnly and truly (swear or affirm as the case may be) that the prices of the goods as shown in said invoice and as aggregated in this Bill of Entry now presented by me, exhibit the fair market value of the said goods at the time and place of their exportation to Canada, without any deduction or discount for cash, or because of the exportation thereof, or for any other special consideration whatever, and that to the best of my knowledge and belief the prices so exhibited were the prices of said goods for consumption at such time and place. So help me God.

Sworn (or affirmed) before me this \_\_\_\_\_ day of \_\_\_\_\_ 18 \_\_\_\_\_

Collector.

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*Declaration of the Owner, Consignee or Importer, required when the entry is made by any person other than such Owner, Consignee or Importer.*

" I, the undersigned (*name of the owner, consignee or importer, as the case may be, or a member of the firm of, giving name*) hereby solemnly declare that the within Bill of Entry contains a true account of the goods imported as therein stated, and whereof (*name of the person or firm being owners, consignees or importers,*) is or are) the owner; that the invoice herewith produced is the true and only invoice, which he (*or they*) has (*or have*) received or expect to receive of the said goods, and that the prices of the goods as mentioned in the said invoice, exhibit the fair market value thereof at the time and place of their exportation to Canada; that the said goods are properly described in the said invoice, and that no discounts or deductions for cash, or because of the exportation thereof or for any other special consideration have been made in the said invoice prices, and that to the best of my knowledge and belief the prices so exhibited were the prices of said goods for consumption at such time and place.

Signed at \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_ 18 \_\_\_\_\_, in the presence of (*collector or attorney making the entry, or a justice of the peace or consul.*)

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*Oath or Affirmation of an Agent or Attorney of the Owner, Consignee or Importer.*

" I (*name of agent*) do solemnly and truly (swear or affirm) that I am the duly authorized Agent and Attorney of (*name of the owner, consignee or*

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*Customs.*


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*importer*) and that I have means of knowing and do know that the invoice now presented by me of the goods mentioned in this Bill of Entry is the true and only invoice received by the said (*name of the owner, consignee or importer*) of all the goods imported as within stated for (his or their) account ; that the said goods are properly described in the said invoice and entry, and that the said invoice and entry exhibit the fair market value of the said goods at the time and place of their exportation to Canada, without any deduction or discount for cash, or because of the exportation thereof, or for any other cause whatsoever, and that nothing has been, on my part, nor to my knowledge on the part of any other person, done, concealed or suppressed whereby Her Majesty the Queen may be defrauded of any part of the duty lawfully due on the said goods ; and I do further solemnly and truly (swear or affirm) that to the best of my knowledge and belief the said (*name of the owner, consignee or importer*) is the (owner, consignee or importer, *as the case may be*) of the goods mentioned in this Bill of Entry, and that the prices of said goods as shown therein and in the said invoice were the prices thereof for consumption at the time and place of their exportation to Canada. So help me God.

(Sworn or affirmed) before me this                      day of                      18 ,  
Collector.

*Oath or Affirmation of an Owner or his Agent, required whenever goods are entered at a lower rate of duty for a specific purpose than would otherwise be chargeable thereon.*

I, (*name of owner or agent*) do solemnly and truly (swear or affirm) that any goods included in this Entry as paying a lower rate of duty for a specific purpose than would otherwise be chargeable thereon, are to be, and will be used for such specific purposes only.

(Sworn or affirmed) before me this                      day of                      18 ,  
Collector.

J. O. COTÉ,  
*Clerk, Privy Council.*

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**U**NDER authority of the Order in Council of the 11th day of June, 1879, and by Notice published in the *Canada Gazette*, on the 27th day of August, 1881, the Minister of Customs ordered, that on all claims made on or after the 1st day of September, 1881, for drawback on sheet tin or tin plates used in the manufacture of packages for articles exported, the rate payable on each box of such tin so used and exported shall be continued at fifty cents as heretofore, provided that the amount of such drawback shall not exceed in any case the amount of duty actually paid thereon, subject always to the restrictions imposed by said Order in Council as amended by that of the 20th day of May, 1880.

*Vide Canada Gazette, Val. 15, p. 258.*

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*Customs.*


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By Order in Council of Thursday, 25th day of August, 1881, the Town of Brampton, in the County of Peel, in the Province of Ontario, was erected into an Out-Port of Customs and Warehousing Port under the survey of the Collector of Customs of the Port of Toronto.

*Vide Canada Gazette*, Vol. 15, p. 289.

By Order in Council of Wednesday, 26th day of October, 1881, the Village of Clinton, in the County of Huron, in the Province of Ontario, was erected into an Out-Port of Customs and a Warehousing Port under the survey of the Collector of Customs at the Port of London.

*Vide Canada Gazette*, Vol. 15, p. 532.

By Order in Council of Tuesday, 15th day of November, 1881, the Port of Bradore Bay, in the Province of Quebec, was abolished.

*Vide Canada Gazette*, Vol. 15, p. 626.

GOVERNMENT HOUSE, OTTAWA,  
Tuesday, 6th day of December, 1881.

*Present :*

HIS EXCELLENCY THE ADMINISTRATOR OF THE GOVERNMENT IN COUNCIL.

**H**IS Excellency the Administrator of the Government in Council, under authority of the Act 44 Victoria, chapter 12, has been pleased to order, and it is hereby ordered, that, subject to the following regulations and restrictions, there may be paid to the manufacturer of the following articles, manufactured in Canada and used after the 21st day of March, 1881, in the original construction of the Canadian Pacific Railway, as defined by the Act 37 Victoria, chapter 14, sums of money which do not exceed the amount of Customs duty that would be payable on such articles respectively if imported into Canada, that is to say :

On iron fish plates, fifteen per cent. on the fair market value of iron fish plates in Great Britain, at the time at which the contract was made for supplying such fish plates so manufactured and used.

On cut spikes, one half of one cent per pound.

On wrought or pressed spikes, three-fourths of one cent per pound.

On bolts, three-fourths of one cent per pound.

On nuts, one cent per pound.

The manufacturer in Canada of such fish plates, spikes, bolts and nuts, so used, shall, in order to be entitled to receive the above sums of money, furnish to the Hon. the Minister of Customs evidence under oath in form as follows, of the manufacture in Canada, and of the use as aforesaid by the said Canadian Pacific Railway Company of such fish plates, spikes, bolts

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*Customs.*


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and nuts ; and such further evidence on the subject as from time to time the Minister of Customs may consider necessary.

*Form No. 1.*

" I,                    of                    do solemnly and truly swear that I am the proprietor of an establishment at which are manufactured                    situate at                    in the Dominion of Canada, and that the                    pounds of                    contained in the                    packages named in the Bill of Lading hereto attached, marked and numbered as above stated and shipped to                    at                    were within my own personal knowledge wholly manufactured at                    said establishment and were sold by                    to the Canadian Pacific Railway Company to be used in the original construction of the said Railway.

" Subscribed and sworn to  
before me at                    this  
                  day of                    188 ."

*Form No. 2.*

" I,                    of                    of the Canadian Pacific Railway Company, do make oath and say that I purchased for and on behalf of the said Railway Company from                    at                    the                    pounds of                    named in the affidavit of                    hereto attached, and that the said                    have been, since the 21st day of March, 1881, made use of by the said Railway Company in the original construction of the main line of the said Railway, as defined by the Act 37 Victoria, chapter 14, and for no other purpose.

" Subscribed and sworn to  
before me at                    this  
                  day of                    188 ."

The regulations as per Order in Council of the 25th day of April last, relating to payments on spikes, bolts and nuts, so manufactured and used in the original construction of the said Railway, are hereby rescinded.

J. O. COTÉ,  
*Clerk, Privy Council.*

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By Orders in Council bearing date the 6th day of December, 1881, the following articles were placed on the free list as raw materials, viz :—

" Musk in pods or in grains."

" White shellac for manufacturing purposes."

*Vide Canada Gazette, Vol. 15, p. 745.*

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*Customs.*

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By Order in Council of Wednesday, 14th December, 1881, Economy, in the Province of Nova Scotia was erected into an Out-Port of Customs and a Warehousing Port under the survey of the Collector of Customs at the Port of Londonderry.

*Vide Canada Gazette*, Vol. 15, p. 785.

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By an Order in Council, bearing date the 20th day of December, 1881, the following articles were placed on the list of articles that may be imported into Canada without payment of duty, viz:—

“Jute cloth” as taken from the loom, neither pressed, mangled, calendered, nor in any way finished, and not less than 42 inches wide, when imported to be manufactured into bags only.

*Vide Canada Gazette*, Vol. 15, p. 835.

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By an Order in Council, bearing date the 14th day of January, 1882, “Salt cake,” being a sulphate of soda, used by manufacturers of glass and soap, was placed on the free list, when imported into Canada by such manufacturers for their own use in their works.

*Vide Canada Gazette*, Vol. 5, p. 1033.

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By Order in Council of 27th January, 1882, the Order in Council bearing date the 3rd day of May, 1880, prescribing certain regulations for slaughtering and curing swine in bond, was amended by striking out section 4 of such regulations and substituting the following in place thereof:—

4. The Bond given by the importer as before specified shall be cancelled upon the payment of the current rate of duty imposed upon swine imported into Canada, or upon the exportation of sixty per cent. of the live weight of swine weighing two hundred pounds each and under, or upon the exportation of sixty-five per cent. of the live weight of the swine weighing over two hundred pounds each, as originally entered, in the form of pork, bacon, hams, shoulders and lard; and if a less quantity than the sixty or sixty-five per cent. herein named is exported, then duty shall be paid on the quantity deficient at the rate imposed upon the live animal in proportion to value.

*Vide Canada Gazette*, Vol. 15, p. 1129.

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By Order in Council of Saturday, 11th February, 1882, the Out-Port of Desoronto, in the Province of Ontario, was detached from the Port of Napanee, and erected into an independent Port of Entry and Warehousing Port from and after the 1st March, 1882.

*Vide Canada Gazette*, Vol. 15, p. 1226.



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*Customs.*


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By Order in Council of Tuesday, 14th day of March, 1882, the Out-Port of Emerson, in the Province of Manitoba, was detached from the Port of Winnipeg, and was erected into an independent Port of Entry and Warehousing Port from and after the 1st April, 1882.

*Vide Canada Gazette, Vol. 15, p. 1401.*

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By Order in Council of Monday, 3rd day of April, 1882, Midland, in the Province of Ontario, was erected into an Out-Port of Customs and a Warehousing Port under the survey of the Collector of Customs at the Port of Penetanguishene.

*Vide Canada Gazette, Vol. 15, p. 1533.*

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GOVERNMENT HOUSE, OTTAWA,  
Monday, 3rd day of April, 1882.

*Present :*

HIS EXCELLENCY THE GOVERNOR GENERAL IN COUNCIL.

WHEREAS importers of sulphuric and other acids for the manufacture of fertilizers frequently require to return the carboys and demi-johns in which such acids had been imported, to the countries whence the same were imported, for the purpose of being refilled and returned or re-imported, His Excellency the Governor General in Council has been pleased to order, and it is hereby ordered, that on the first importation of such carboys or demijohns containing acids for such uses and on payment of the duty, provided by the tariff then in force upon the same, such carboys or demijohns shall be stamped or branded in such manner as will secure their identification on any future importation of the same, and, under authority of the 2nd and 13th sub-sections of the 125th section of the "Act to amend and consolidate the Acts respecting the Customs, 1877," then, on any such subsequent importation, and on identification by the Collector or proper Officer of Customs, the said carboys or demijohns shall be, and they are hereby exempted from any further payment of duty, until otherwise provided by Order in Council.

JOHN J. MCGEE,

*Asst. Clerk, Privy Council.*

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By Order in Council of Tuesday, 23rd day of May, 1882, Berlin, Province of Ontario, then an Out-Port of Customs under the Port of Guelph, was erected as an independent Port of Entry and Warehousing Port, to take effect from the 1st of July 1882.

*Vide Canada Gazette, Vol. 15, p. 1931.*

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*Customs, &c.*

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By an Order in Council, bearing date the 23rd day of May, 1882, it was ordered, that there may be paid to the proprietor of any leather dressing establishment, in Canada, a drawback equal to five per cent. ad valorem, on the value on which duty has been paid on "Goat skins, tanned," but not further dressed, waxed, glazed or dyed, imported into Canada for the purpose of being finished, upon satisfactory proof that such "Goat" skins have been finished at such establishment by being so dressed, waxed, glazed or dyed, and under such further regulations and restrictions as the Honorable the Minister of Customs may deem necessary.

*Vide Canada Gazette, Vol. 15, p. 1932.*

By an Order in Council, bearing date the 23rd day of May, 1882, the following article was placed on the free list, subject to such regulations as may be laid down by the Customs Department, viz:—

"Foot Grease," the refuse of the cotton seed after the oil is pressed out.

*Vide Canada Gazette, Vol. 15, p. 1932.*

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*Inland Revenue.*

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By Order in Council of Wednesday, 18th day of May, 1881, the Weights and Measures District of Toronto was divided as follows:—

"1st. The Counties of Grey and Simcoe, with the District of Algoma and Muskoka, shall form one District to be known as the District of Orillia.

"2nd. The City of Toronto, with the Counties of York, Peel and Ontario, shall remain as the District of Toronto.

*Vide Canada Gazette, Vol. 14, p. 1598.*

GOVERNMENT HOUSE, OTTAWA,  
Thursday, 19th day of May, 1881.

*Present :*

HIS EXCELLENCY THE GOVERNOR GENERAL IN COUNCIL.

**O**N the recommendation of the Honorable the Minister of Inland Revenue,—

His Excellency, by and with the advice of the Queen's Privy Council for Canada, has been pleased to order, and it is hereby ordered, that part E of the Order in Council passed on the 6th January, 1880, making regulations respecting the Inspection of Weights and Measures, be and the same is hereby cancelled and the following substituted:—

"E. Verification and Stamping of Weights, Measures and Weighing Machines on the premises of the manufacturer, and their removal therefrom.

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*Inland Revenue.*


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"1. The article shall bear the name of the maker and a consecutive 'shop number' or other marks whereby it may be designated for identification, with the certificate of verification.

"2. The verification and stamping may take place before the articles are packed for removal, and at that state of completion at which they are finally adjusted by the manufacturer, or at such future time as may be convenient.

"3. For the first verification and stamping of weights, measures and weighing machines at the place where they are manufactured, the fees may be paid at once, or payment may be postponed for such period not exceeding three months as the Minister of Inland Revenue may authorize, sufficient security being taken for the payment thereof at the time stated in the Departmental Regulations under which the delay is granted.

"4. When a manufacturer of weights, measures and weighing machines desires to remove any of the products of his manufactory to the premises of any dealer in such articles without submitting them for verification, he may do so on the following conditions:—

"(a) They shall bear the name of the maker and a consecutive 'Shop number' or some other marks by which the articles may be identified:

"(b) If packed, the package shall bear the 'Shop number' or other marks by which the articles may be identified, the name of the manufacturer and the word 'uninspected':

"(c) The manufacturer shall notify the Inspector of the division from which the uninspected articles are sent, of such removal, on a form which will be supplied by the Department."

JOHN J. MCGEE,

*Asst.-Clerk, Privy Council.*

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GOVERNMENT HOUSE, OTTAWA,

Thursday, 6th October, 1881.

*Present :*

THE HONORABLE THE DEPUTY OF HIS EXCELLENCY THE GOVERNOR GENERAL  
IN COUNCIL.

**W**HEREAS the Honorable the Minister of Inland Revenue has represented that inasmuch as there is some doubt as to whether the penalties provided under the Act 44 Victoria, chapter 23, could be enforced against parties convicted of a breach of Regulations established by Order in Council under authority of the Petroleum Inspection Act of the previous year,—

The Deputy Governor, on the recommendation of the Honorable the Minister of Inland Revenue, has been pleased to order, and it is hereby ordered, that the Regulations under the first named Act be and the same are hereby re-established, as follows:—

1st. In cities and towns where there are municipal regulations or laws respecting the storage of Petroleum and the products thereof, Petroleum

*Inland Revenue.*

and Naphtha which have been inspected as required by Act 44 Victoria, chapter 28, and the inspection fees paid, may be stored in any building or place which is in conformity with the municipal regulations in that behalf :

2nd. In cities and towns where there are no such municipal laws or regulations, and in all villages and places other than cities or towns, Petroleum and Naphtha, if in quantities exceeding two barrels of refined Petroleum or ten gallons of Naphtha, shall be stored only in isolated buildings or premises which are at least 100 yards distant from the next nearest building not owned or in the occupation of the person to whom the Petroleum or Naphtha belongs : Provided always that a license to have in possession and to store Naphtha shall in each case have been previously obtained from the Inland Revenue Department ; and every such license shall be conditioned that such Naphtha shall only be sold or used for the purposes mentioned in the Act above cited, namely :—

1. For use for illuminating purposes,—

(a.) In street lamps in which only the vapour is burned ;

(b.) In dwellings, factories and other places of business when vaporized in secure underground tanks outside the building in which the vapour so generated is used for lighting ;

2. For use for mechanical or chemical purposes in buildings not inhabited as residences for family purposes.

J. O. COTÉ,

*Clerk, Privy Council.*

GOVERNMENT HOUSE, OTTAWA,

Thursday, 6th October, 1881.

*Present :*

THE HONORABLE THE DEPUTY OF HIS EXCELLENCY THE GOVERNOR GENERAL  
IN COUNCIL.

ON the recommendation of the Honorable the Minister of Inland Revenue and the Honorable the Minister of Justice, and under authority of the 22nd July, 1881. Act 31 Victoria (1867), chapter 12, the Honorable the Deputy of His Excellency the Governor General has been pleased to make the following regulations authorizing the imposition of penalties for failure to make reports of cargoes and tonnage of vessels entering the canals, and also for making false reports, as follows :—

1. Every owner, master or person in charge of any vessel, boat, barge or raft about to enter any canal shall, before entering, make to the nearest collector of canal tolls or other proper officer a full and complete report setting forth in detail—

(a) The quantity and description of the cargo contained in such vessel, boat or barge ;

(b) The registered tonnage of the vessel, boat or barge ; or—

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*Inland Revenue.*


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(c) In the case of rafts the number of pieces of timber or logs, and with reference to rafts of square timber the number of cubic feet contained therein; and—

(d) Generally such other information as may be necessary for computing the tolls to which the vessel, boat, barge with the cargo contained therein, or the raft, as the case may be, is liable to pay.

2. Every such report shall be signed by the person making it, and its correctness shall be declared to before the collector of tolls or other officer in charge.

3. The collector of tolls or other officer in charge is hereby authorized to require of any owner, master or other person in charge of any vessel, boat, barge or raft entering any canal, communication of all manifests, clearances, bills of lading, specifications, certificates, measurements and all papers relating to the vessels and their cargoes, or to rafts, and to enter upon and to examine any such vessel, boat, barge or raft and take account of the cargoes or quantities they contain.

4. Any owner, master or other person having charge of any vessel, boat, barge or raft entering any canal, who,—

(a) Neglects or refuses to make such report as herein provided, or—

(b) Who refuses to produce papers or to give any information such as is herein required, or—

(c) Who impedes or prevents any collector of tolls or other officer in the performance of his duties, or—

(d) Who gives any false information in relation to any matter herein referred to, shall, for each and every such offence, incur a penalty of not less than five dollars nor more than twenty dollars, and shall, in addition thereto, pay double tolls on all articles wholly or in part omitted from any report made by him in pursuance of these Regulations.

J. O. COTÉ,

*Clerk, Privy Council.*

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GOVERNMENT HOUSE, OTTAWA,  
Thursday, 17th day of November, 1881.

*Present :*

HIS EXCELLENCY THE ADMINISTRATOR OF THE GOVERNMENT IN COUNCIL.

**O**N the recommendation of the Minister of Inland Revenue, His Excellency the Administrator of the Government has been pleased to order, and it is hereby ordered, that the following Regulations for the government of Bonded Manufactories be and the same are hereby adopted:—

REGULATIONS.

1. Subject to the provisions of the Inland Revenue Act, to these Regulations, and to such further regulations as may hereafter be made by com-

*Inland Revenue.*

petent authority, licenses may be granted to manufacture in bond the articles herein enumerated, viz:—

Extracts,	Resinoids,
Essences,	Chemicals,
Perfumed Spirits,	Pharmaceutical preparations,
Ethers,	Aniline Dyes,
Chloroform,	Hair Oils,
Tinctures,	Hair Washes,
Syrups,	Powders,
Proprietary preparations,	Vinegar and Acids,
Patent Medicines,	Varnish, using only Methylated Spirits.

2. Alcohol used for the manufacture of spirit varnish shall be mixed with wood naphtha, under such superintendence as the Minister of Inland Revenue may approve, and in such proportions as are hereinafter established in respect of the manufacture of methylated spirits.

3. All tinctures, essences and extracts, manufactured in bond, and from which the alcohol or spirit can be extracted in a potable state by the usual process of re-distillation or rectification, shall, when entered for consumption, pay the same duty of Excise as the alcohol or spirit which they contain would pay if entered for consumption in its pure state.

4. Extracts, essences and tinctures, manufactured in bond, shall only be entered for consumption at the following places, viz:—

Quebec,	Toronto,
Kingston,	London,
Hamilton,	Halifax,
Montreal,	St. John, New Brunswick;

And when so entered, shall be subjected to such test for ascertaining the quantity of alcohol which they contain, and the possibility of extracting it in a potable state, as the Honorable the Minister of Inland Revenue may approve; and the result of such tests, declared by the officer or operator entrusted therewith, shall be final and conclusive as to the amount of duty which such goods shall pay.

5. Any bonded manufactory licensed under the above recited Act may be closed and the license forfeited whenever it is shown to the satisfaction of the Minister of Inland Revenue that there is just cause for believing that frauds upon the revenue are being perpetrated in connection with such manufactory.

6. In addition to the license fee named in the Act above cited, every person to whom a "Bonded Manufacturing License" is granted shall pay to the Collector of Inland Revenue, in monthly instalments, such sum of money as shall be sufficient for the payment of the expenses incurred by the Inland Revenue Department for the effective supervision of the manufactures carried on under such license, and for taking account of the dutiable articles consumed in such manufacture, and of the articles produced therefrom: and the maximum sum to be so paid by the party aforesaid, shall, from time to time, be determined by the Minister of Inland Revenue, as he may deem necessary, and shall, as nearly as may be, be in proportion to the

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*Inland Revenue.*

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magnitude and general character of the business carried on under such license.

7. Goods manufactured in bond shall be removed from the apartments of the manufactory wherein they are manufactured as soon as the whole process of manufacture is completed, and shall then be placed in apartments or store-rooms set apart for that purpose, wherein they shall be bonded in the manner required by the Excise Warehousing Regulations then in force :

Except that vinegar may be entered ex-factory for duty and accounted for in the manufacturer's semi-monthly returns, as in the case of other manufacturers subject to Excise.

8. With every application for a license to manufacture in bond, there shall be submitted a specification of all the articles to be manufactured thereunder, which specification shall set forth, in detail, the quantity and proportion of every ingredient to be used in the manufacture of each article.

9. Tinctures, essences and other alcoholic preparations such as are commonly kept for sale by chemists and druggists shall, when made in bond, be prepared in accordance with the formula as found in British or American Pharmacopœias, and when application is made for license to manufacture any alcoholic preparation for which there is found no formula in either of the above mentioned Pharmacopœias, such license shall not be granted unless the Commissioner of Inland Revenue is first satisfied by reasonable and sufficient proof that such article is not about to be manufactured for the purpose of evading the revenue, and that it cannot be used for the compounding of any potable mixture, nor in lieu of alcohol in the manufacture of any article that would otherwise be liable to pay a higher rate of duty.

10. No license shall be issued for the manufacture of any article which, in the opinion of the Commissioner of Inland Revenue, may be used as a principal ingredient in the preparation of liquors, bitters or other alcoholic compounds that may be used as a beverage.

11. All articles manufactured in bond shall be compounded or made in accordance with the formula submitted with the application for the license, and approved by the Commissioner.

12. Officers in charge of bonded manufactories shall be, and they are hereby required to see that the proportions set forth in the above mentioned specifications referred to in the 8th section are closely adhered to, but should it be ascertained by any experiment, or by any test of any of the articles made, that a greater proportion of alcohol has been used in the preparation thereof than is set forth in the specification, the duty exigible upon spirits shall be collected upon the excess of alcohol so ascertained,—which excess may be computed upon the whole quantity of that article made during the currency of the license then in force, and the manufacturer shall also be liable to the penalty of forfeiting his license as well as the other penalties set forth in the Acts respecting the Inland Revenue.

13. The under side of the flooring joists of all bonded apartments in which spirits or other goods subject to Excise duty are stored or placed while under any process of manufacture, shall, if there is any space or other apartment below them, be sheeted or lathed.

*Inland Revenue.*

14. Dutiable vinegar produced in any bonded factory shall be in the proportion of 100 gallons of standard vinegar containing 6 per cent. of acetic acid, over and above the quantity taken for "mix" or used in the further production of vinegar, to 28 gallons of proof spirits taken into the manufactory and used for its production, with such addition to the standard quantity of vinegar as may, in the opinion of the Department of Inland Revenue, be fairly due to any other article such as sour beer, or wine, acetic acid, or any like article brought into the manufactory, in addition to the alcohol used for its production.

15. In estimating the quantity of spirits, used in any Bonded Manufactory for the production of vinegar, the Inspector may, from time to time, take into account the spirits in process of manufacture in the generators, and deduct the same from the aggregate quantity taken for use since the previous settlement (or if no prior settlement has been effected then from the commencement of operations covered by the license), in order to arrive at the quantity of spirits actually used in the production of vinegar during the said period; and in order to secure uniformity the Department may establish such Regulations as may, to the Minister, seem fit for the guidance of the Inspector therein.

16. The percentage of acetic acid contained in any vinegar produced in any such bonded factory shall be determined by such established chemical tests, applied by such apparatus, as may be, from time to time, directed by Departmental regulations or instructions made in that behalf.

17. The officers of Inland Revenue may, at any time, take such samples from any of the parcels of vinegar, or other article made in, or brought into any bonded manufactory as may be deemed necessary for determining their strength or quality. Samples of each parcel so tested shall be sent to the Department for confirmation, and in case the Departmental test is at variance with the test so made by the officer in charge of the manufactory, then the test made at the Department shall be final.

18. Every package of spirits and every other article or material brought into any bonded factory, whether subject to Excise or Customs duty or not, shall be immediately placed in an apartment appropriated thereto and secured by a crown lock, the sole key whereof shall be in the exclusive custody of an officer of Inland Revenue; and no package of spirits or other article shall be removed from such locked apartment, except in the presence of the officer who has the key thereof for the time being; and in his presence every article removed from such locked apartment shall be immediately conveyed to the mixing room or other place where it is to be used and applied to the purpose for which it is intended.

19. No articles shall be kept or stored in any bonded manufactory other than such as are to be used in the manufacture of articles enumerated in the formula accompanying the application for license.

20. Every Excise mark on every package in which any excisable goods are taken to any bonded manufactory, shall be completely erased and removed from such package when it is taken from the locked apartment in which (in accordance with the provisions of § 17) it has been placed.

21. No person licensed as a manufacturer in bond shall carry on any trade of buying or selling spirits, or spirituous liquors on the premises for



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*Inland Revenue.*

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which such license is granted, nor in any other premises situated within five hundred yards of such licensed premises, except in so far as such buying and selling is a necessary consequence of the business for which the license is granted, and permission to carry on such business is specifically granted in the license.

22. No duty-paid spirits (except goods on which the difference between Customs and Excise duty has been paid under 43 Victoria, chapter 19, section 35, sub-section 11) shall be taken into any bonded manufactory.

23. Spirits to be methylated shall not be of less strength than sixty over proof, and if after they are methylated they are at any time discovered in the market, in transit or in store, at a lower strength, they shall be dealt with as ordinary or as methylated spirits illegally removed from a distillery or bond without payment of duty.

24. Methylated spirits shall be manufactured in accordance with the following formula, viz:—

With every hundred gallons of spirits of the strength of not less than sixty over proof by Sykes' Hydrometer, there shall be mixed twelve gallons of "wood naphtha of commerce," having a specific gravity of not less than .815 nor more than .830, when at a temperature of 62° Fahrenheit, and the wood naphtha so used shall not have passed through more than one process of rectification, nor shall it be of the quality known as wood alcohol.

25. The wood naphtha used in any bonded manufactory for the production of methylated spirits—may be supplied by the Department of Inland Revenue—in such manner as may be determined by the Minister of Inland Revenue.

26. Samples of wood naphtha supplied to any bonded manufactory will be taken and tested as to quality and specific gravity by the Inland Revenue officer appointed or designated for that purpose; and the naphtha from which such samples are taken shall not be used nor taken from the locked apartment in which it is stored, except for the purpose of removing it from the manufactory (a permit for such removal having been first obtained in writing from the Collector of Inland Revenue), until it has been so tested and approved as suitable for the methylating of spirits, by the said Collector of Inland Revenue.

27. Samples of methylated spirits may, at any time, be taken by any officer of Inland Revenue from packages of such spirits, whether in the bonded factory or elsewhere, and if when such samples are analysed by an analyst, appointed by authority of the Act 37 Victoria, chapter 8, they are found to be in any material degree deficient in the quantity of wood naphtha or methyl herein prescribed, the spirits from which such samples were taken shall be deemed to have been illegally removed from a distillery or bonded warehouse without payment of duty and dealt with accordingly.

28. The room in which wood naphtha is mixed with spirits shall only be accessible to the proprietor during the actual presence of an officer of Inland Revenue.

29. Not less than 250 proof gallons of alcohol shall be mixed at one time, unless by special permission first obtained from the Department, which shall be mixed in an open mixing tub, in the presence of the officer, who shall then test and gauge it as to strength and quantity.

*Inland Revenue.*

30. After the mixing has been thoroughly completed, the strength of the mixture shall be tested, and the quantity gauged by the officer in attendance, and duly recorded. The mixture shall then be placed in casks, the casks being branded or marked on the head in legible characters, as follow :—

“Methylated Spirits,”

Serial number of package,

Date on which it was mixed,

Number of gallons in the cask,

Strength,

Number of proof gallons,

Name of the Division,

Initials of the officer under whose inspection the mixture took place,

Number of the entry under which it is warehoused.

31. A stock book must be kept in the factory, in which book must be entered,—

(a). The particulars of every package of alcohol brought in, stating where manufactured, the strength and quantity, the marks, &c., on the casks, and the general number of the permit under which it was conveyed to the manufactory ;

(b). The particulars of every quantity mixed, showing the marks, &c., of the original packages from which it was taken, the quantity and strength of the “Methylated Spirits” produced from it, and the particulars as to marks, numbers, &c., of the casks in which it is placed.

32. Every entry in the stock book is to be checked and initialed by the officer in charge.

33. The Department of Inland Revenue is authorized to deal with all manufacturers of Vinegar as to the quantity of vinegar to be produced from a given quantity of spirits as though these Regulations had been in force on the first day of July, 1881.

34. The following Orders in Council are hereby cancelled, viz :—

30th May, 1868—Establishing Regulations for manufactures in Bond ;

28th September, 1869—Establishing additional Regulations respecting manufactures of alcoholic preparations in Bond ;

5th December, 1870—Establishing Regulations for the manufacture of Methylated spirits ;

16th January, 1871—Modifying the 4th Section of the Regulations first above mentioned ; and—

11th July, 1879—Establishing additional Regulations for the supervision of Excise Bonded Manufactories.

J. O. COTÉ,

*Clerk, Privy Council.*

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*Inland Revenue.*


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GOVERNMENT HOUSE, OTTAWA,  
Tuesday, 6th day of December, 1881.

*Present :*

HIS EXCELLENCY THE ADMINISTRATOR OF THE GOVERNMENT IN COUNCIL.

ON the recommendation of the Minister of Inland Revenue, and under the provisions of the 48th and 49th sections of the Act passed in the 42nd year of Her Majesty's Reign, chaptered 16, and intituled "An Act to amend and consolidate the laws relating to Weights and Measures,"—

His Excellency, by and with the advice of the Queen's Privy Council for Canada, has been pleased to order, and it is hereby ordered, that the Regulations respecting the Inspection of Grain Testers, established by Order in Council of the 20th August, 1881, be, and the same are hereby cancelled, and the following Regulations substituted in place thereof, viz:—

I. Grain Testers shall only be admitted to verification when—

1. The cup or vessel for containing the grain is cylindrical, the diameter being approximately equal to its depth, and its capacity some authorized sub-multiple of the gallon, not less than one quart ;

2. There is marked on the cup in clearly legible characters its true capacity in standard measure ;

3. The counterpoise is arranged so that it can be sealed or stamped in such manner as will prevent its being tampered with or removed from the instrument to which it belongs without destroying or breaking the seal or stamp ;

4. It gives true indications of weight according to the purport of the figures and divisions marked on the beam, *and is in equilibrium when the empty cup is attached and the counterpoise is at zero* ;\*

5. The knife edges and other working parts are in conformity with Section B, of the Order in Council of the 14th of August, 1879 ;

6. It is accompanied by a hopper or apparatus for automatically filling the weighing cup identical as to form and dimensions with the one deposited in the Standards Department of Ottawa, of which a sketch drawing with figured dimensions and instructions for use, will be given to each Inspector of Weights and Measures.

K. The fee chargeable for verifying and stamping each grain tester shall be one dollar.

J. O. COTE,  
*Clerk, Privy Council.*

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By Order in Council of Monday, 3rd day of April, 1882, the County of Simcoe, which had theretofore formed part of the Inland Revenue Division of Collingwood, was attached to the Division of Toronto, and the County of

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\* See O. in C. of 3rd May, 1882, *infra*.

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*Inland Revenue.*


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Grey was constituted a separate Division to be known as the Inland Revenue Division of "Owen Sound."

Vide *Canada Gazette*, Vol. 15, p. 1534.

GOVERNMENT HOUSE, OTTAWA,  
Wednesday, 3rd day of May, 1882,

*Present :*

HIS EXCELLENCY THE GOVERNOR GENERAL IN COUNCIL

ON the recommendation of the Minister of Inland Revenue, and under the provisions of the 48th and 49th sections of the Act passed in the 42nd year of Her Majesty's Reign, Chapter 16, and intituled "An Act to amend and consolidate the laws relating to Weights and Measures,"—

His Excellency, by and with the advice of the Queen's Privy Council for Canada, has been pleased to order, and it is hereby ordered, that number four of the Regulations respecting the Inspection of Grain Testers, established by Order in Council of the 6th December, 1881, be, and the same is hereby amended, and the following Regulation substituted in place thereof, viz. :—

"4. It gives true indications of weight according to the purport of the figures and divisions marked on the beam."

Certified,

JOHN J. MCGEE,

*Acting Clerk, Privy Council.*

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By Order in Council of Tuesday, 23rd day of May, 1882, the County of Restigouche, in the Province of New Brunswick, was constituted an Inspection Division for the purposes of the said Act.

Vide *Canada Gazette* Vol. 15, p. 1984.

GOVERNMENT HOUSE, OTTAWA,  
Tuesday, 23rd day of May, 1882.

*Present :*

HIS EXCELLENCY THE GOVERNOR GENERAL IN COUNCIL.

ON the recommendation of the Acting Minister of Inland Revenue, and under the provisions of the Act 42 Victoria, chapter 16, intituled "An Act to amend and consolidate the laws relating to Weights and Measures,"—His Excellency, by and with the advice of the Queen's Privy Council for Canada, has been pleased to order, and it is hereby ordered, that

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*Inland Revenue, &c.*


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the Regulations for the Inspection of Weights and Measures adopted by Order in Council of the 14th of August, 1879, be and the same are hereby amended by the addition, after section "D," of the following additional section :—

DD. Weighing machines known as "Hydrostatic Balances," being such as are commonly used for determining the weight of coals delivered at the pit-mouth, may be verified for use for such purposes and also for weighing coals as delivered from vessels and barges, provided they give true indications within one two-hundredth part of the load.

JOHN J. MCGEE,

*Clerk, Privy Council*

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*Indian Affairs.*

GOVERNMENT HOUSE, OTTAWA,  
Thursday, 14th day of July, 1881.

*Present :*

HIS EXCELLENCY THE GOVERNOR GENERAL IN COUNCIL.

ON the recommendation of the Honorable the Acting Superintendent General of Indian Affairs, and under the provisions of the 4th section of the Act passed in the Session of the Parliament of Canada, held in the 14th year of Her Majesty's Reign, chaptered 17, and intituled "An Act to amend 'The Indian Act, 1880,'"—

His Excellency, by and with the advice of the Queen's Privy Council for Canada, has been pleased to order, and it is hereby ordered, that the following provisions and regulations be, and the same are hereby made and adopted :—

"No Indian, or other person may, without the consent in writing of the Indian Agent for the Reserve at Caughnawaga or Sault St. Louis, in the Province of Quebec, cut, carry away, or remove from said Reserve, or any part thereof, any hard or sugar maple tree or sapling; and whosoever shall cut, carry away, or remove from aforesaid Reserve, or any part thereof, or buy or otherwise acquire from any Indian or other person, any hard or sugar maple tree or sapling so cut, carried away or removed from the aforesaid Reserve, or any part thereof, contrary to the provisions or regulations hereby made, shall be liable to be fined and imprisoned in accordance with the fifth section of the aforesaid Act.

J. O. COTÉ,

*Clerk, Privy Council.*

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*Indian Affairs, &c.*

GOVERNMENT HOUSE, OTTAWA,  
Thursday, 14th day of July, 1881.

*Present:*

HIS EXCELLENCY THE GOVERNOR GENERAL IN COUNCIL.

ON the recommendation of the Honorable the Acting Superintendent General of Indian Affairs, and under the provisions of the 1st section of the Act passed in the Session of the Parliament of Canada, held in the 44th year of Her Majesty's Reign, chaptered 17, and intituled "An Act to amend 'The Indian Act, 1880,'"—

His Excellency, by and with the advice of the Queen's Privy Council for Canada, has been pleased to order, and it is hereby ordered, that the following provisions and regulations be, and the same are hereby made and adopted:—

"No Band or irregular Band of Indians, and no Indian of any Band or irregular Band in the North-West Territories may, without the consent in writing of the Indian Agent for the locality, sell, barter, exchange, or give to any person or persons whomsoever, any grain, or root crops, or other produce grown on any Indian Reserve in the North-West Territories, or on any part of such Reserve; and any such sale, barter, exchange or gift shall be absolutely null and void, unless the same be made in accordance with the provisions and regulations hereby prescribed; and any such grain, or root crops, or other produce, unlawfully in the possession of any person or persons shall be liable to be seized and taken possession of by any person acting under the authority, either general or special of the Superintendent-General of Indian Affairs, and to be dealt with as the Superintendent-General, or any officer or person thereunto by him authorized, may direct."

J. O. COTÉ,

*Clerk, Privy Council.*

*Interior.*

NOTICE was given on the 12th August, 1881, that the Acting Minister of the Interior had withdrawn from sale and settlement, and had reserved for School purposes, under the provisions of sub-section 2 of section 22 of the Dominion Lands Act, 1879, the following lands in the Province of Manitoba, in lieu of School Lands found settled upon previous to survey, viz:

Township	8,	Range 1, E,	Section 21.
"	11,	" 2, E. S.W. $\frac{1}{4}$	" 13.
"	13,	" 2, E. S.W. $\frac{1}{4}$	" 24.
"	15,	" 2, E. N.W. $\frac{1}{4}$	" 12.
"	13,	" 3, E. N. $\frac{1}{2}$ of N. $\frac{1}{2}$	" 31.
"	16,	" 3, E. S. $\frac{1}{2}$ of N.W. $\frac{1}{4}$	" 5.

*Interior.*

Township	Range	Section	Area
12	4	E. N. W.	$\frac{1}{4}$
"	13	" 4, E. W.	$\frac{1}{2}$
"	11	" 5, E. S.	$\frac{1}{2}$
"	7	" 6, E. N. W.	$\frac{1}{4}$
"	14	" 3, W. S. E.	$\frac{1}{4}$
"	6	" 4, W.	
"	14	" 4, W.	
"	10	" 5, W. S. E.	$\frac{1}{4}$
"	12	" 5, W. S. E.	$\frac{1}{4}$
"	13	" 5, W. S.	$\frac{1}{2}$
"	12	" 6, W. N.	$\frac{1}{2}$
"	12	" 7, N. W.	$\frac{1}{4}$
"	13	" 7, W. N. W.	$\frac{1}{4}$
"	12	" 8, W.	
"	13	" 9, W. N. E.	$\frac{1}{4}$
"	12	" 9, W. S. W.	$\frac{1}{4}$
"	13	" 9, W. E.	$\frac{1}{2}$
"	15	" 9, W. N.	$\frac{1}{2}$
"	14	" 11, W. N.	$\frac{1}{4}$

Vide *Canada Gazette*, Vol. 15, p. 238.

GOVERNMENT HOUSE, OTTAWA,  
Saturday, 17th day of December, 1881.

*Present :*

HIS EXCELLENCY THE ADMINISTRATOR OF THE GOVERNMENT IN COUNCIL.

**H**IS Excellency the Administrator of the Government, on the recommendation of the Minister of the Interior, and under the provisions of the Act 43 Victoria, chapter 26, has been pleased to order, and it is hereby ordered, that the following regulations for the disposal of Coal Lands be and the same are hereby adopted:—

1. That leases of mining locations may be granted for twenty-one (21) years, to applicants—in the order of their applications—who have satisfied the Minister of the Interior of their means and ability to work efficiently the mines applied for, an annual ground rent therefor of twenty-five cents an acre, to be paid half-yearly in advance ;

2. That the lessee shall pay a royalty of ten cents per ton on all coal taken out of the mine,—quarterly returns, made under oath, to be furnished to the Minister of the Interior, by the lessee, showing the quantity of coal taken out, the dues thereon to be paid at the time of making such return :

3. That the area to be leased to one person shall not exceed three hundred and twenty (320) acres :

4. That the boundaries beneath the surface of such locations, shall be the vertical planes or lines in which their surface boundaries lie :

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*Interior.*


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5. That failure to commence active operations within one year and to work the mine within two years after the commencement of the term of the lease, or to pay the ground rent or royalty, shall subject the lessee to forfeiture of the lease and resumption of the land by the Crown :

6. The lease to be renewable for further periods of twenty-one years each, and for such ground rent and royalties as may at the time of renewal be agreed upon by the Government and the lessee.

J. O. COTÉ,

*Clerk, Privy Council.*

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### DOMINION LANDS REGULATIONS.

The following Regulations for the sale and settlement of Dominion Lands in the Province of Manitoba and the North West Territories, shall, on and after the 1st day of January, 1882, be substituted for the Regulations now in force, bearing date the twenty-fifth day of May last :—

1. The surveyed lands in Manitoba and the North West Territories shall, for the purposes of these regulations, be classified as follows :—

*Class A.*—Lands within twenty-four miles of the main line or any branch line of the Canadian Pacific Railway, on either side thereof.

*Class B.*—Lands within twelve miles, on either side, of any projected line of railway (other than the Canadian Pacific Railway), approved by Order in Council published in the *Canada Gazette*.

*Class C.*—Lands south of the main line of the Canadian Pacific Railway not included in Class A. or B.

*Class D.*—Lands other than those in Classes A, B and C.

2. The even-numbered sections in all the foregoing classes are to be held exclusively for homesteads and pre-emptions,—

a. Except in Class D, where they may be affected by colonization agreements as hereinafter provided ;

b. Except where it may be necessary out of them to provide wood lots for settlers ;

c. Except in cases where the Minister of the Interior, under provisions of the Dominion Lands Acts, may deem it expedient to withdraw certain lands, and sell them at public auction, or otherwise deal with them as the Governor in Council may direct.

3. The odd-numbered sections in Class A are reserved for the Canadian Pacific Railway Company.

4. The odd-numbered sections in Classes B and C shall be for sale at \$2.50 per acre, payable at time of sale,—

a. Except where they have been or may be dealt with otherwise by the Governor in Council.

5. The odd-numbered sections in Class D shall be for sale at \$2 per acre, payable at time of sale,—

a. Except where they have been or may be dealt with otherwise by the Governor in Council,—

b. Except lands affected by colonization agreements, as hereinafter provided.



*Interior.*

6. Persons who, subsequent to survey, but before the issue of the Order in Council of 9th October, 1879, excluding odd-numbered sections from homestead entry, took possession of land in odd numbered sections by residing on and cultivating the same, shall, if continuing so to occupy them, be permitted to obtain homestead and pre-emption entries, as if they were on even-numbered sections.

## PRE-EMPTIONS.

7. The prices for pre-emption lots shall be as follows :—

For Lands in Classes A, B and C, \$2.50 per acre ;

\* For lands in Class D, \$2 per acre ;

Payment shall be made in one sum at the end of three years from the date of entry, or at such earlier date as a settler may, under the provisions of the Dominion Lands Acts, obtain a patent for the homestead to which such pre-emption lot belongs.

## COLONIZATION.

*Plan Number One.*

8. Agreements may be entered into with any company or person (hereinafter called the party) to colonize and settle tracts of land on the following conditions :—

a. The party applying must satisfy the Government of its good faith and ability to fulfil the stipulations contained in these regulations:

b. The tract of land granted to any party shall be in Class D.

9. The odd-numbered sections within such tract may be sold to the party at \$2 per acre, payable, one-fifth in cash at the time of entering into the contract, and the balance in four equal annual instalments from and after that time : the party shall also pay to the Government five cents per acre for the survey of the land purchased by it, the same to be payable in four equal annual instalments at the same time as the instalments of the purchase money : interest at the rate of six per cent. per annum shall be charged on all past due instalments.

a. The party shall, within five years from the date of the contract, colonize its tract :

b. Such colonization shall consist in placing two settlers on homesteads on each even-numbered section, and also two settlers on each odd-numbered section ;

c. The party may be secured for advances made to settlers on homesteads according to the provisions of the 10th section of the Act 44 Victoria, chapter 16. (The Act passed in 1881 to amend the Dominion Lands Acts.)

d. The homesteads of 160 acres shall be the property of the settler, and he shall have the right to purchase the pre-emption lot belonging to his homestead at \$2 per acre, payable in one sum at the end of three years from the date of entry, or at such earlier date as he may, under the provisions of the Dominion Lands Acts, obtain a patent for his homestead,

\* But see for sales at \$2.50. Departmental Notice in *Canada Gazette*, Vol. 15, p. 1362.

*Interior.*

- e. When the settler on a homestead does not take up the pre-emption lot to which he has a right, the party may, within three months after the settler's right has elapsed, purchase the same at \$2 per acre, payable in cash at the time of purchase.
10. In consideration of having colonized its tract of land in the manner set forth in sub-section *b* of the last preceding clause, the party shall be allowed a rebate of one-half the original purchase-money of the odd-numbered sections in its tract.
- a. During each of the five years covered by the contract an enumeration shall be made of the settlers placed by the party in its tract, in accordance with sub-section *b* of clause 9 of these regulations, and for each *bonâ fide* settler so found therein a rebate of one hundred and twenty dollars shall be credited to the party; but the sums so credited shall not, in the aggregate, at any time exceed one hundred and twenty dollars for each *bonâ fide* settler found within the tract, in accordance with the said sub-section, at the time of the latest enumeration.
- b. On the expiration of the five years an enumeration shall be made of the *bonâ fide* settlers on the tract, and if they are found to be as many in number and placed in the manner stipulated for in sub-section *b* of clause 9 of these regulations, a further and final rebate of forty dollars per settler shall be credited to the party, which sum, when added to those previously credited, will amount to one-half of the purchase money of the odd-numbered sections and reduce the price thereof to one dollar per acre; but if it should be found that the full number of settlers required by these regulations are not on the tract, or are not placed in conformity with sub-section *b* of clause 9 of these regulations then, for each settler fewer than the required number, or not placed in conformity with the said sub-section, the party shall forfeit one hundred and sixty dollars of rebate.
- c. If, at any time during the existence of the contract, the party shall have failed to perform any of the conditions thereof, the Governor in Council may cancel the sale of the land purchased by it and deal with the party as may seem meet under the circumstances.
- d. To be entitled to rebate the party shall furnish to the Minister of the Interior evidence that will satisfy him that the tract has been colonized and settled in accordance with sub-section *b* of clause 9 of these regulations.

*Plan Number two.*

11. To encourage settlement by capitalists who may desire to cultivate larger farms than can be purchased where the regulations provide that two settlers shall be placed on each section (but without diminishing the number of settlers required to be placed within each township), agreements may be entered into with any company or person (hereinafter called the party) to colonize and settle tracts of land on the following conditions:—
- a. The party applying must satisfy the Government of its good faith and ability to fulfil the stipulations contained in these regulations.

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*Interior.*


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- b. The tract of land granted to any party shall be in Class D.
  - c. All the land within the tract may be sold to the party at two dollars per acre, payable in cash, at the time of entering into the contract. The party shall, at the same time, pay to the Government five cents per acre for the survey of the land purchased by it.
  - d. The party shall, within five years from the date of the contract, colonize the township or townships comprised within its tract.
  - e. Such colonization shall consist in placing sixty-four *bonâ fide* settlers within each township.
12. In consideration of having colonized its tract of land in the manner set forth in sub-section *e* of the last preceding clause, the party shall be allowed a rebate of one-half of the original purchase money of its tract.
- a. During each of the five years covered by the contract an enumeration shall be made of the settlers placed by the party in its tract, in accordance with sub-section *e* of clause 11 of these regulations, and for each *bonâ fide* settler so found therein a rebate of one hundred and twenty dollars shall be repaid to the party; but the sums so repaid shall not, in the aggregate, at any time exceed one hundred and twenty dollars for each *bonâ fide* settler found within the tract, in accordance with the said sub-section at the time of the latest enumeration.
  - b. On the expiration of the five years an enumeration shall be made of the *bonâ fide* settlers placed by the party in its tract, and if they are found to be as many in number and placed in the manner stipulated for in sub-section *e* of clause 11 of these regulations, a further and final rebate of forty dollars per settler shall be repaid, which sum when added to those previously repaid to the party will amount to one-half of the purchase money of its tract and reduce the price thereof to one dollar per acre. But if it should be found that the full number of settlers required by these regulations are not on the tract, or are not placed in conformity with the said sub-section, then, for each settler fewer than the required number or not settled in conformity with the said sub-section, the party shall forfeit one hundred and sixty dollars of rebate.
  - c. To be entitled to rebate, the party shall furnish to the Minister of the Interior evidence that will satisfy him that the tract has been colonized and settled in accordance with sub-section *e* of clause 11 of these regulations.

## OFFICIAL NOTICE.

13. The Government shall give notice in the *Canada Gazette* of all agreements entered into for the colonization and settlement of tracts of land under the foregoing plans in order that the public may respect the rights of the purchasers.

## TIMBER FOR SETTLERS.

14. The Minister of the Interior may direct the reservation of any odd or even-numbered section having timber upon it, to provide wood for home-

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stead settlers; and each such settler may, where the opportunity for so doing exists, purchase a wood lot, not exceeding 20 acres, at the price of \$5 per acre in cash.

15. The Minister of the Interior may grant, under the provisions of the Dominion Lands Acts, licenses to cut timber on lands within surveyed townships. The lands covered by such licenses are hereby withdrawn from homestead and pre-emption entry and from sale.

## PASTURAGE LANDS.

16. Under the authority of the Act 44 Victoria, chapter 16, leases of tracts for grazing purposes may be granted on the following conditions:—

- a. Such leases to be for a period of not exceeding twenty-one years, and no single lease shall cover a greater area than 100,000 acres.
- b. In surveyed territory, the land embraced by the lease shall be described in townships and sections: in unsurveyed territory, the party to whom a lease may be promised shall, before the issue of the lease, cause a survey of the tract to be made, at his own expense, by a Dominion Lands Surveyor, under instructions from the Surveyor-General; and the plan and field notes of such survey shall be deposited on record in the Department of the Interior.
- c. The lessee shall pay an annual rental at the rate of \$10 for every 10,000 acres embraced by his lease, and shall, within three years from the granting of the lease, place on the tract one head of cattle for every ten acres of land embraced by the lease, and shall during its term maintain cattle thereon in at least that proportion.
- d. After placing the prescribed number of cattle upon the tract leased, the lessee may purchase land within his leasehold for a home farm and corral, paying therefor \$2.00 per acre in cash.
- e. Failure to fulfil any of the conditions of his lease shall subject the lessee to forfeiture thereof.

17. When two or more parties apply for a grazing lease of the same land, tenders shall be invited, and the lease shall be granted to the party offering the highest premium therefor in addition to the rental: the said premium to be paid before the issue of the lease.

## GENERAL PROVISIONS.

18. Payments for land may be in cash, scrip, or Police or Military Bounty Warrants.

19. These Regulations shall not apply to lands valuable for town plots, or to coal or other mineral lands, or to stone or marble quarries, or to lands having water power thereon; or to sections 11 and 29 in each Township, which are School Lands, or Sections 8 and 26, which belong to the Hudson's Bay Company.

By order,

LINDSAY RUSSELL,  
*Surveyor-General.*

DEPARTMENT OF THE INTERIOR,  
OTTAWA, 23rd December, 1881.

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*Justice, &c.*


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*Justice.*

By a Proclamation of the twenty-third day of May, 1882, it was directed that an Act passed in the forty-first year of Her Majesty's reign, chaptered seventeen, and intituled "An Act for the better prevention of crimes of violence in certain parts of Canada," as continued in force by an Act passed in the forty-fifth year of Her Majesty's reign, chaptered thirty-eight, and intituled "An Act further to continue in force for a limited time the better prevention of Crime Act, 1878 :—" and they were ordered and declared to apply to and be in force from and after the first day of June, in the year of Our Lord one thousand eight hundred and eighty-two, in the City of Winnipeg, in the Province of Manitoba.

*Vide Canada Gazette, Vol. 15, p. 1986.*

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*Marine.*

By Order in Council of Friday, 1st day of April, 1881, a Shipping Office was established at the Port of Cape Sable Island, in the County of Shelburne, in the Province of Nova Scotia.

*Vide Canada Gazette, Vol. 14, p. 1302.*

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By Order in Council of 1st April, 1881, the following rates and dues to be levied in the Harbour of Montreal, under and by virtue of the Acts 40 Victoria, chapter 53, and 42 Victoria, chapter 28, on and after the first day of April, 1881, were approved:—

## TONNAGE DUES,

To be levied on all vessels in the Harbour:—

On Steamboats, for each day of twenty-four hours, or part of a day, they remain in the harbour, reckoned from the hour of their arrival to that of their departure, 1 cent per ton register ;

On all other vessels per day, as aforesaid,  $\frac{1}{2}$  cent per ton register .

## WHARFAGE DUES,

To be levied on all merchandise, animals and things whatsoever landed or shipped in the harbour:—

25 cents per ton—All goods, wares and merchandise not elsewhere specified.

20 cents per ton—Hay, Straw, Pig and Scrap Iron, Pot and Pearl Ashes ;

15 cents per ton—Apples, Crates and their contents, Flour and Meal, Fish, Meats, Pitch, Potatoes, Tar, Horses, Neat Cattle, Sheep, Swine ;

10 cents per ton—Ballast, Clay, Fire Bricks, Gypsum, Lime, Marble, Phosphates, Sand, Salt ;

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7½ cents per ton—Coal and Coke, Grain and Seeds of all kinds ;  
 Special—Bricks, 10c. per 1,000 ; Cordwood, 5c. per cord ; Lumber, 10c.  
 per 1,000 feet board measure ;  
 Free—Bullion, Specie.

On all goods, wares and merchandise whatsoever, the quantity of which by weight, measurement or other mode of estimate provided for in the Tariff, cannot be conveniently ascertained, it shall be lawful for the Harbour Commissioners to levy a rate of ¼ of 1 per cent. on the value thereof.

Each entry shall pay not less than 5 cents.

All property landed on the wharves for reshipment, shall only pay one wharfage.

The ton mentioned in the tariff or wharfage dues shall be 2,000 lbs. weight or 40 cubic feet measurement according to the Bill of Lading.

STANDARD FOR ESTIMATING WEIGHT.

Ashes, Pot or Pearl.....	3 brls. to 1 ton
Apples, Flour, Meal, Potatoes.....	9 do do
Fish, Meats, Pitch, Tar.....	7 do do
Horses .....	2 to 1 ton
Neat Cattle.....	3 do
Sheep.....	15 do
Swine.....	10 do

*Vide Canada Gazette, Vol. 14, p. 1303.*

By a Proclamation, bearing date 24th March, 1881, the Act intituled "An Act to provide for the appointment of Harbour Masters for certain Ports in the Provinces of Quebec, Ontario, British Columbia and Prince Edward Island," and the Acts amending the same, were declared to apply to the Port of Hillsborough River, in the County of Queen's, above Charlottetown, in the Province of Prince Edward Island.

*Vide Canada Gazette, Vol. 14, p. 1342.*

By a Proclamation, bearing date 24th March, 1881, the Act intituled "An Act to provide for the appointment of Harbour Masters for certain Ports in the Provinces of Nova Scotia and New Brunswick, and the Acts amending the same," were declared to apply to the Port of North Bay of Ingonish, in the Province of Nova Scotia.

*Vide Canada Gazette, Vol. 14, p. 1343.*

By a Proclamation, bearing date 1st April, 1881, the Act intituled "An Act to provide for the appointment of Harbour Masters for certain Ports in

*Marine.*

the Provinces of Nova Scotia and New Brunswick," and the Acts amending the same, were declared to apply to the Port of Barrington, in the County of Shelburne, in the Province of Nova Scotia.

*Vide Canada Gazette, Vol. 14, p. 1343.*

By a Proclamation, bearing date 14th April, 1881, the Act intituled "An Act to provide for the appointment of Harbour Masters for certain Ports in the Provinces of Nova Scotia and New Brunswick," and the Acts amending the same, were declared to apply to the Port of Port La Tour, in the County of Shelburne, in the Province of Nova Scotia.

*Vide Canada Gazette, Vol. 14, p. 1438.*

By a Proclamation, bearing date 20th April, 1881, the Act intituled "An Act to provide for the appointment of Harbour Masters for certain Ports in the Provinces of Nova Scotia and New Brunswick," and the Acts amending the same, were declared to apply to the Port St. Ann's Harbour, including Fuches Cove, in the County of Victoria, in the Province of Nova Scotia.

*Vide Canada Gazette, Vol. 14, p. 1458.*

By Order in Council of 12th May, 1881, the following Port Warden's Scale of Fees for the Port of Sydney, Cape Breton, was approved:—

And the same Scale of Fees was also adopted for the Harbour of North Sydney, and approved 16th May, 1881:—

First survey of hatches, and certificates.....	\$2 50
Every subsequent survey of cargo, and certificate..	2 00
Survey of cargo when hatches have not been previously surveyed, and certificate.....	5 00
Every survey of damaged goods on the wharf or in store, value under \$200, and certificate.....	3 00
Every survey of damaged goods on the wharf or in store, value \$200 and under \$500, and certificate .....	4 00
Every survey of damaged goods on the wharf or in store, value \$500 and over, and certificate.....	5 00
Survey of vessel damaged or arriving in distress, and certificate .....	8 00
Every subsequent survey and certificate.....	5 00
Valuation of a vessel for average, under 200 tons, and certificate.....	5 00
Valuation of a vessel for average, over 200 tons and under 500 tons, and certificate.....	7 50

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Valuation of a vessel for average, of 500 tons and upwards, and certificate.....	\$10 00
Survey of cargo reported to have shifted, and certificate.....	5 00
All extra copies of certificate when required.....	0 50
For certificate under seal.....	1 00
Hearing and settling disputes between master and consignee of ship and owners of cargo, \$200 value, \$2.00; \$200 to \$500, \$3; \$500 to \$1000, \$4.00; \$1000 and over, \$5.00.	
Filing papers of auctioneers, &c.....	0 25
Ascertaining if vessel is seaworthy, and certificate,	8 00
Survey that repairs ordered if not seaworthy have been made, and certificate, 200 tons and under, \$3.00; all over 200 tons \$5.00.	
General superintendence of a vessel loading.....	5 00
Vessels putting in, in distress or otherwise, from Foreign Ports, for every 1,000 bushels and every proportionate quantity of wheat and peas.....	0 15
do do do barley...	0 12
do do do oats.....	0 10
do do do corn.....	0 10
For every 1,000 barrels of flour.....	0 75
Coal oil, per barrel.....	0 00½
Ores and mineral, per ton, Ballast excepted.....	0 04
Lumber and all other description of timber, per ton weight.....	0 02

The foregoing Scale of Fees for the Port Warden of Sydney was approved at a meeting of the Cape Breton Board of Trade, August 13th, 1877.

*Vide Canada Gazette, Vol. 14, p. 1561.*

And the same scale of fees was also adopted for the Harbour of North Sydney, and approved by the Governor in Council on the 16th May, 1881.

*Vide Canada Gazette, Vol. 14, p. 1601.*

GOVERNMENT HOUSE, OTTAWA.

Wednesday, 18th day of May, 1881.

*Present :*

HIS EXCELLENCY THE GOVERNOR GENERAL IN COUNCIL.

**W**HEREAS it has been ascertained that Canadian vessels will be admitted to the Coasting Trade of the Argentine Republic on the same footing as national vessels,—



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His Excellency, on the recommendation of the Honorable the Minister of Marine and Fisheries, and under the provisions of the 2nd section of the Act 33 Victoria, chapter 14, respecting the Coasting Trade of Canada, has been pleased to order and declare, and does hereby order and declare, that the provisions of the Act in question shall not apply to ships or vessels of the Argentine Republic, but that such ships shall be and they are hereby admitted to the Coasting Trade of Canada.

JOHN J. MCGEE,  
*Asst. Clerk, Privy Council.*

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By a Proclamation, bearing date 18th May, 1881, the Act intituled "An Act to provide for the appointment of Harbour Masters for certain Ports in the Provinces of Nova Scotia and New Brunswick" and the Acts amending the same, were declared to apply to the ports of Torbay and Whitehaven, in the County of Guysborough, in the Province of Nova Scotia.

*Vide Canada Gazette, Vol. 14, p. 1638.*

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By a Proclamation, dated the 18th day of May, 1881, the Act intituled "An Act to provide for the appointment of Harbour Masters for certain Ports in the Provinces of Nova Scotia and New Brunswick" and the Acts amending the same, were declared to apply to the Port of St. Mary's River, in the County of Guysborough, in the Province of Nova Scotia.

*Vide Canada Gazette, Vol. 14, p. 1638.*

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By a Proclamation, bearing date the 18th day of May, 1881, the Act intituled "An Act to provide for the appointment of Harbour Masters for certain Ports in the Provinces of Nova Scotia and New Brunswick" and the Acts amending the same, were declared to apply to the Port of Liscombe, in the County of Guysborough, in the Province of Nova Scotia.

*Vide Canada Gazette, Vol. 14, p. 1639.*

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By a Proclamation, bearing date the 18th May, 1881, the Act intituled "An Act to provide for the appointment of Harbour Masters for certain Ports in the Provinces of Nova Scotia and New Brunswick," and the Acts amending the same, were declared to apply to the Port of Cape Negro, in the County of Shelburne, in the Province of Nova Scotia.

*Vide Canada Gazette, Vol. 14, p. 1639.*

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*Marine.*

By a Proclamation, bearing date the 18th May, 1881, the Act intituled "An Act to provide for the appointment of Harbour Masters for certain Ports in the Provinces of Nova Scotia and New Brunswick," and the Acts amending the same, were declared to apply to the Port of Lockeport, in the County of Shelburne, in the Province of Nova Scotia.

*Vide Canada Gazette, Vol. 14, p. 1639.*

By a Proclamation, bearing date the 1st June, 1881, the Act intituled "An Act to provide for the appointment of Harbour Masters for certain Ports in the Provinces of Nova Scotia and New Brunswick" and the Acts amending the same, were declared to apply to the Port of Clarke's Harbour, in the County of Shelburne, in the Province of Nova Scotia.

*Vide Canada Gazette, Vol. 14, p. 1728.*

By Order in Council of Friday, the 3rd day of June, 1881, a Pilotage District was formed for the Port of Moncton, in the County of Westmoreland, in the Province of New Brunswick, which District was declared to commence at the Town of Moncton and following the eastern shore of Petitcodiac River southerly to the wharf at Boudreau's Quarries, thence across the Petitcodiac River to the western side to a place called Stewart's wharf, nearly opposite Boudreau's Quarries, thence along the western shore of the Petitcodiac River to the Petitcodiac Bridge, thence across the said bridge to the Town of Moncton aforesaid.

And the payment of Pilotage dues was made compulsory within the limits of the said District.

*Vide Canada Gazette, Vol. 14, p. 1730.*

CARAQUET, 16th May, 1881.

At a meeting of the Pilot Commissioners of the Pilotage District of Caraquet, held at Caraquet, this day, the following Resolution was made:—

Resolved, that so much of Section 13 of the Rules and Regulations for the government of Pilots in the Pilotage District of Caraquet as relates to the charges for the removal of vessels be rescinded, and the following rule established:—

For removing any vessel of not more than 100 tons from any mooring ground or ballast berth to any other mooring ground or ballast berth within any Harbour in the said District, the sum of \$2.00, and for so removing any vessel above 100 tons, and not exceeding 200 tons, \$3.00, and for all vessels above 200 tons, \$4.00.

PHILIP RIBE,

*Secretary to the Pilot Commissioners.*

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*Marine.*

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PRIVY COUNCIL OFFICE,  
OTTAWA, 9th June, 1881.

I hereby certify that the foregoing Resolution was submitted to and approved by His Excellency the Governor General in Council, on the 6th day of June, 1881.

J. O. COTE,  
*Clerk, Privy Council.*

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BY-LAWS, RULES AND REGULATIONS

*For the government of Pilots in the Pilotage District of St. Mary's and Liscombe, in the County of Guysborough, Province of Nova Scotia, Dominion of Canada.*

RULE I.

All rules and regulations heretofore made by any Pilotage Authority for the Pilotage District of St. Mary's and Liscombe, are hereby repealed.

RULE II.

Every person making application for Pilot license must be not less than twenty-one years of age. If considered competent after being properly examined, he shall be granted a license on payment of the examination expenses, if any, and a fee of five dollars for his license.

RULE III.

Every Master and Mate shall pay for his license the sum of ten dollars.

RULE IV.

Every licensed Pilot on application will receive a copy of these regulations from the Secretary of the Pilotage Authority, and when taking charge of a vessel, inward or outward, he shall exhibit them and his branch or license to the master.

RULE V.

Any licensed Pilot in charge of a vessel inward shall be entitled to pilot her out when she next leaves port, unless on complaint to the Pilotage Authority they direct otherwise.

RULE VI.

Licensed Pilots shall be entitled to and receive the amount of pilotage dues earned by them individually.

*Marine.*

RULE VII.

Every licensed Pilot shall report to the Secretary of the Pilotage Authority any casualty or accident which may have happened to any vessel under his charge, or any matter of note that may come under his observation, and shall also report any light-house not lighted at the proper time or buoy out of its proper position,—which report shall be made as soon as circumstances will permit.

RULE VIII.

Any licensed Pilot whose services are refused by any inward bound vessel shall be entitled to full pilotage if afterwards the said vessel employs another pilot to bring her into port.

RULE IX.

All disputes arising between pilots and masters of vessels and others respecting extra claims for pilotage, mooring vessels, or unnecessary detention of pilots on board vessels, or when pilots leave vessels under their charge before they are properly moored at anchor or made fast to some wharf, shall be submitted to the pilotage authority, whose decision shall be final and binding on all parties, unless the matter in dispute shall exceed fifty dollars; and every pilot who refuses or neglects to appear before the Pilotage Authority on receiving twenty-four hours' notice, or causes any annoyance or detention to the Master of any vessel by improper conduct, shall be liable to a penalty not exceeding twenty dollars, and also to suspension or dismissal at the discretion of the pilotage authority.

RULE X.

Each licensed Pilot upon boarding any vessel is required to exhibit to the Master of such vessel a copy of the Quarantine Regulations, and if upon enquiry the Pilot finds such vessel has come from any infected port, or if on board of such vessel any death from infectious or contagious disease has taken place during the passage, or if on board there has been or shall be any infectious or contagious disease, then in any one of these cases, it shall be the duty of such pilot to warn the master of such vessel that he is not to allow any intercourse between his vessel and the people on shore before receiving the visit and orders of the quarantine officer of the port; and in entering the port the pilot shall cause the national flag to be hoisted at the main, and shall bring the vessel to anchor at the usual place appointed for riding quarantine.

RULE XI.

The rates of pilotage dues for the Port of Liscombe shall be as follows:—

	Inwards.	Outwards.
Vessels of 80 tons and under 160.....	\$ 5 00	\$ 7 00
do from 160 up to 230 .....	6 00	8 00
do do 230 do 400 .....	9 00	11 00
do do 400 do 500 .....	11 00	13 00
do do 500 do 600 .....	14 00	15 00

*Marine.*

Vessels from 600 tons and upwards, one dollar for every additional hundred tons or fractional part of a hundred.

RULE XII.

The rates of pilotage dues for the Port of St. Mary's River shall be as follows :—

	Inwards.	Outwards.
Vessels of 80 tons and under 160.....	\$ 5 00	\$ 7 00
do from 160 up to 230 .....	6 00	8 00
do do 230 do 400 .....	9 00	11 00
do do 400 do 500 .....	11 00	13 00
do do 500 do 600 .....	14 00	15 00

Vessels from 600 tons and upwards, one dollar for every additional hundred tons or fractional part of a hundred.

Vessels from 80 tons and under, five cents per registered ton inwards and outwards ; this rate shall be up to McCutcheon's Wharf: all vessels under 80 tons proceeding to Sherbrook or vicinity shall pay an additional two cents per ton.

Pilots' limits for St. Mary's, from Burnstilt to John Mills, on the East Cape, thence seaward five miles.

Pilots limits for Liscombe shall be from Smoke Head to John W. McKinley's, on Crook's Island, thence seaward five miles, the same distance east and west.

PRIVY COUNCIL OFFICE,  
OTTAWA, 8th June, 1881.

I hereby certify that the foregoing By-Laws, Rules and Regulations were submitted to and approved by His Excellency the Governor General in Council on the 4th day of June, 1881.

J. O. COTÉ,  
*Clerk, Privy Council.*

RULES AND REGULATIONS

*For the government of the Port of Bridgewater, in the County of Lunenburg, in the Province of Nova Scotia, to which the Acts 36 Victoria, chapter 9, and 38 Victoria, chapter 30, apply, and for the government of the office of Harbour Master for the said Port.*

RULE I.

It shall be the duty of the Harbour Master of the said port, in person or by deputy duly authorized, to go on board of every ship or vessel of the burthen of fifty tons (registered tonnage) and upwards which shall arrive within the Port of Bridgewater, within twelve hours after the

*Marine.*

arrival of such ship or vessel, to see that she is moored only in such a manner or position as shall be assigned to her by the following regulations. And it shall be lawful for such Harbour Master to ask, demand and receive, as a compensation for his services (vessels belonging to or employed by Her Majesty and the Government of the Dominion of Canada excepted), according to the following scale, and under the restrictions mentioned in the Act 36 Victoria, chapter 9, intituled "An Act to provide for the appointment of Harbour Masters for certain Ports in the Provinces of Nova Scotia and New Brunswick."

## SCALE OF FEES.

For every ship of fifty tons register or under, fifty cents ;

For every ship over fifty tons and not over one hundred tons register, one dollar ;

For every ship over one hundred tons and not over two hundred tons register, one dollar and fifty cents ;

For every ship over two hundred tons and not over three hundred tons register, two dollars ;

For every ship over three hundred tons and not over four hundred tons register, two dollars and fifty cents ;

For every ship over four hundred tons and not over five hundred tons register, three dollars ;

For every ship over five hundred tons and not over seven hundred tons register, four dollars ;

For every ship over seven hundred tons register, five dollars.

## RULE II.

In case of any dispute arising between Masters, Owners or other persons engaged in hauling ships or vessels in or out of any of the docks or wharves, it shall be the duty of the Harbour Master, if called upon, to give such directions in respect to the same as he may think fit ; and all masters, pilots, or other persons having the charge or command of any ship or vessel shall comply with the directions of the said Harbour Master or his deputy in these respects, under the penalty of twenty dollars for each and every neglect or refusal so to do.

## RULE III.

If any ship or vessel arriving and anchoring, or being moored or fastened to any wharf or vessel in the said harbour, shall be so moored or placed as to be unsafe, or dangerous to any other ship or vessel previously lying at anchor in the said harbour, or moored or fastened as aforesaid, the said Harbour Master or his deputy is hereby authorized and required forthwith to order and direct the situation of such ship or vessel so arriving and anchored, moored or fastened as aforesaid, to be altered in such a manner as to prevent such insecurity and danger ; and the Master, Pilot, or other person having charge of such ship or vessel shall comply with the orders and directions of the said Harbour Master or his deputy in this respect, under the penalty of twenty dollars for each and every offence.

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## RULE IV.

Whenever it shall happen that any ship or vessel is short of hands, so that she cannot be moved when ordered, under the provisions of this by-law, it shall and may be lawful for the Harbour Master to employ a sufficient number of hands to effect such removal, and to remove or assist in removing such vessel as required or may be necessary—and that, at the expense of the vessel.

## RULE V.

All ships or vessels loading or discharging in the stream, coals, ballast and such like materials, shall have a sufficient piece of canvas or tarpaulin so placed as to prevent any portion thereof from falling into the harbour, under the penalty of twenty dollars for each and every offence, to be paid by the owner, master or person in charge of such ship or vessel.

## RULE VI.

Whenever the Harbour Master shall find ships or vessels at the wharves with main jib or spanker booms rigged out so as to incommode other vessels, it shall be the duty of the said Harbour Master to direct such to be rigged in, and the yards of all vessels shall be cockbilled or braced in when the same shall be required by the Harbour Master, and in the event of non-compliance with this rule, all accidents caused by the same shall be made good by the person so offending.

## RULE VII.

No vessel shall be left without some person to take care of her, by night and by day, when anchored in the stream.

## RULE VIII.

All vessels lying at anchor in the harbour shall keep a clear and bright light burning, at least six feet above the uppermost deck, from sunset until sunrise.

## RULE IX.

No vessel lying in the stream shall have any tow line, hawser or other things made fast to any wharf or to the shore except for the purpose of hauling in and out.

## RULE X.

No ballast, stone, gravel, earth or rubbish of any kind, shall be unladen, emptied out of, or thrown overboard, from any ship or vessel whatever in the Harbour of Bridgewater, or at the entrance thereof (except in places set apart for that purpose by the Harbour Master), under the penalty of fifty dollars for each and every offence, to be paid by the owner, master or other person having the charge of any such ship or vessel.

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*Marine.*

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## RULE XI.

No ballast, stone, gravel, earth or rubbish of any kind shall be unladen, discharged, deposited, thrown or laid, either from any vessel, boat, scow, or other such craft, or in any other manner, or by any person, from any part of the beach or shore thereof, into any part of the harbour, or upon the beach or shore thereof, either below low water mark, or between high and low water mark, under the penalty of forty dollars for each and every offence, to be paid by the owner or owners, master or person having charge of any vessel, boat or scow, or other craft from which such matter as aforesaid shall have been discharged, or by any other person or persons violating this law.

## RULE XII.

It shall be the duty of the Harbour Master to see that those persons engaged in lumbering and rafting logs, have their buoys, piers and booms so placed and arranged as to leave at all times a clear passage in main channel, of not less than two hundred feet for ships and vessels to navigate; and any buoys, piers and booms that are now obstructions to the navigation of the harbour shall be removed by the person or persons who placed or caused the same to be placed there, or by the representatives in ownership or possession of the property, on account of which such buoys, piers or booms were so placed, when requested to do so by the Harbour Master, under the penalty of fifty dollars for each and every neglect or refusal so to do. And in case of failure so to do within fifteen days after notice given, it shall be the duty of the Harbour Master to effect such removal, at the expense of the person or persons who placed or caused the same to be placed there, or by the representative in ownership or possession of the property on account of which such buoys, piers and booms were so placed.

## RULE XIII

The penalty for violation of, or not conforming to the provisions of the law, and for disobeying the lawful orders or directions of the Harbour Master, in respect to any provision for which no penalty is hereinbefore prescribed, shall be forty dollars, to be imposed upon the owner or person in charge of the ship or vessel not conforming to the particular requirements.

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PRIVY COUNCIL OFFICE,  
OTTAWA, 8th June, 1881.

I hereby certify that the foregoing rules and regulations were submitted to and approved by His Excellency the Governor General in Council, on the 4th June, 1881.

J. O. COTÉ,  
*Clerk, Privy Council.*



*Marine.*

## RULES AND REGULATIONS

*For the government of Pilots in the Pilotage District of Louisburg, in the County of Cape Breton and Province of Nova Scotia, agreed to by the Pilot Authority of said District.*

1. A majority of the Board shall constitute a quorum for the transaction of business.

2. Persons of the full age of 21 years, of temperate habits, shall, on application, after having been properly examined and considered competent, be granted a license upon the payment of a fee of \$5.00.

3. Every Master or Mate to whom a certificate may be granted, shall, upon obtaining the same, pay a fee of \$6.00 and \$4.00 for each annual renewal.

4. Each licensed Pilot, upon application, shall receive a copy of these Regulations from the Secretary to the Board of Commissioners, and when taking charge of a vessel shall exhibit them with his branch to the master if requested.

5. Any licensed Pilot in charge of a vessel inward, shall have the privilege of piloting her outward unless directed otherwise by the Pilotage authority.

6. Licensed Pilots shall be entitled to all dues earned by them individually.

7. Every licensed pilot shall report to the Secretary any accident or matter of note which may have happened to any vessel under his charge, and also any lighthouses not lighted, or buoy out of place, such report to be made without any unnecessary delay.

8. Any licensed Pilot whose services are refused by any inward bound vessel shall be entitled to full pilotage, if afterwards said vessel employs another pilot to take her into port.

9. Licensed pilots must be provided with suitable boats, have their number painted on each bow and on the mainsail in figures not less than 15 inches, and carry a red and white flag at the main peak.

10. Every licensed Pilot before boarding a vessel shall enquire if there is any infectious or contagious disease on board, or if she is an emigrant ship or liable to quarantine laws: in either case he shall not go on board but his boat shall be towed astern, and he shall cause the national flag to be hoisted at the vessel's main, and bring her to anchor at the quarantine station.

11. Any vessel coming into the Port of Louisburg not requiring the services of a Pilot, shall be exempt from pilotage dues after having passed a direct line from the Louisburg lighthouse to "Mad Moll" before being signalled by a Pilot:

(a) Any vessel coming into the port of Main-à-Dieu shall be exempt from pilotage dues after having passed a direct line from "Black Rock" to the "Middle Ground" upon the same conditions as for the Port of Louisburg:

(b). Also any vessel coming into the Port of Gabarus shall be exempt from pilotage dues after having passed a line from "Rouse's Island" to

*Marine.*

the Harbour Rock, upon the same conditions as for the Port of Louisburg.

12. The rates of pilotage for the District of Louisburg shall be as follows:—

On sailing ships:—

	Inwards.	Outwards.
Of 80 tons and under 150 tons .....	\$5 00	and \$3 00
Of 150 " " 250 " .....	8 00	" 5 00
Of 250 " " 400 " .....	9 00	" 7 00

On vessels over 400 tons 1 ct. per ton additional inward and outward.

On steamships:—

	Inwards.	Outwards.
Of 500 tons to 1,000 tons.....	\$10 00	and \$6 00
Over 1,000 tons up to 3,000.....	12 00	" 8 00

Winter pilotage from 1st December to 15th April shall be 50 p.c. additional to the above, on sailing ships and steamships.

Vessels on being signalled or hailed by a licensed Pilot outside of the limits prescribed in No. 11 of these regulations; and refusing to accept the services of same, shall pay half pilotage inward, and upon being offered the services of a licensed Pilot before or when ready for sea, and refusing the same, shall be liable to half pilotage rates outward:

And any Pilot placed in charge of a vessel by the Master, shall, in addition to full pilotage rates, be paid the sum of \$2.50 per day for each day said vessel may be detained while he is waiting on her, through stress of weather or otherwise.

13. Any disputes arising between Masters of vessels and Pilots respecting pilotage shall be submitted to the Pilotage Authority whose decision shall be final and binding on all parties. •

14. Any Pilot may be deprived of his license by the Pilotage Authority for any of the following causes:—

- (a.) Repeated violation of any of the foregoing regulations;
- (b.) Neglect of duty;
- (c.) Drunkenness;
- (d.) Incapacity through mental or bodily infirmity.

(Signed) PATRICK O'TOOLE, *President.*  
 ALLAN McDONALD, *Secretary.*  
 JOHN POPE,  
 THOMAS F. TOWNSEND.

LOUISBURG, C. B., 14th May, 1881.

PRIVY COUNCIL OFFICE,  
 OTTAWA, 6th June, 1881.

I hereby certify that the foregoing Rules and Regulations have been submitted to and approved by His Excellency the Governor General in Council on the 3rd day of June, 1881.

J. O. COTÉ,  
*Clerk, Privy Council.*

*Marine.*

RULES AND REGULATIONS

*For the government of the Port of Little Glace Bay, in the County of Cape Breton, in the Province of Nova Scotia, to which the Act 36 Victoria, chapter 9, and 38 Victoria, chapter 30, apply, and for the government of the office of Harbour Master for the said Port.*

RULE I.

The boundary of Little Glace Bay Harbour shall include all the waters in the harbour proper, and to seaward from Table Head N. E., three miles, and E. by N. five miles from the Cove on the southern side of McPherson's Head; thence on a bearing of N. W.  $\frac{1}{4}$  N.. four and a-half miles to join first bearing. (Bearings are magnetic.)

RULE II.

It shall be the duty of the Harbour Master of the said Port, in person or by deputy duly authorized, to go on board of every ship or vessel of the burthen of twenty tons (registered tonnage) and upwards, which shall arrive within the said Port, within twelve hours after the arrival of such ship or vessel, to see that she is moored only in such a manner or position as shall be assigned to her by the following Regulations: and it shall be lawful for such Harbour Master to ask, demand and receive, as a compensation for his services (vessels belonging to or employed by Her Majesty and the Government of the Dominion of Canada, excepted) according to the following scale, and under the restrictions mentioned in the above named Acts:—

SCALE OF FEES.

- For every ship of fifty tons register or under, fifty cents;
- For every ship over fifty tons and not over one hundred tons register, one dollar;
- For every ship over one hundred tons and not over two hundred tons register, one dollar and fifty cents;
- For every ship over two hundred tons and not over three hundred tons register, two dollars;
- For every ship over three hundred tons and not over four hundred tons register, two dollars and fifty cents;
- For every ship over four hundred tons and not over five hundred tons register, three dollars;
- For every ship over five hundred tons and not over seven hundred tons register, four dollars;
- For every ship over seven hundred tons register, five dollars.

RULE III.

In case of any dispute arising between Masters, Owners or other persons engaged in hauling ships or vessels in or out of any of the docks or wharves, it shall be the duty of the Harbour Master, if called upon, to give

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such directions as he may think fit in respect to the same ; and all Masters, Pilots or other persons having the charge or command of any ships or vessels shall comply with the directions of the Harbour Master or his deputy in these respects, under the penalty of twenty dollars for each and every neglect or refusal so to do.

## RULE IV.

If any ship or vessel arriving and anchoring, or being moored or fastened to any wharf or vessel in the harbour shall be so moored or placed as to be unsafe or dangerous to any other ship or vessel previously lying at anchor in the harbour, or moored or fastened as aforesaid, the Harbour Master or his deputy is hereby authorized and required forthwith to order and direct the situation of such ship or vessel so arriving and anchored, moored or fastened as aforesaid, to be altered in such a manner as to prevent such insecurity and danger ; and the Master, Pilot or other person having charge of such ship or vessel shall comply with the orders and directions of the Harbour Master or his deputy in this respect, under the penalty of twenty dollars for each and every offence.

## RULE V.

Any person or persons who may moor or fasten to, or in any manner injure, alter or change any of the public buoys shall, on conviction, pay a penalty of twenty dollars, besides being held liable to any damage sustained.

## RULE VI.

Whenever it shall happen that any ship or vessel is short of hands, so that she cannot be moved when ordered, it shall and may be lawful for the Harbour Master to employ a sufficient number of hands to effect such removal, and to remove or assist in removing such vessel as required or as may be necessary, and that, at the expense of such vessel.

## RULE VII.

The Harbour Master shall have power to order the removal of any scow, boat or other vessel, loaded or unloaded, or anything calculated to interfere with the moving or mooring of vessels from any part of the harbour to any other part thereof ; and the owner of such scow, boat etc., or person in charge thereof, failing to make such removal in one hour after being notified so to do, shall forfeit and pay a sum not exceeding ten dollars ; and after one hour shall have elapsed the Harbour Master shall have power to make the removal, and charge the person notified for so doing.

## RULE VIII.

Vessels immediately on arriving in the harbour must have both anchors hanging at the hawse, and have yards cockbilled.

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## RULE IX.

No vessel shall be left without some person to take care of her, by night and by day, when anchored in the stream or in the harbour.

## RULE X.

All vessels lying at anchor in the harbour shall keep a clear and bright light burning, at least six feet from the uppermost deck, from sunset until sunrise.

## RULE XI.

All ships or vessels loading or discharging in the stream, coals, ballast and such like materials, shall have a sufficient piece of canvas or tarpaulin so placed as to prevent any portion thereof from falling into the harbour, under the penalty of twenty dollars for each and every offence, to be paid by the Owner, Master or person in charge of such ship or vessel.

## RULE XII.

No ballast, stone, gravel, earth or rubbish of any kind, shall be unladen, cast or emptied out of, or thrown overboard, from any ship or vessel whatever in the harbour, or at the entrance thereof (except in places set apart for that purpose by the Harbour Master and under his direction), under the penalty of fifty dollars for each and every offence, to be paid by the owner, Master or other person having the charge of any such ship or vessel.

## RULE XIII.

In places set apart by the Harbour Master for the deposit of ballast, etc., it is hereby required that no ballast, stone, gravel, earth or rubbish of any kind shall be unladen, discharged, deposited, thrown or laid before sunrise or after sunset, under a penalty of forty dollars for each and every offence.

## RULE XIV.

No ballast, stone, gravel, earth or rubbish of any kind shall be unladen, discharged, deposited, thrown or laid, either from any vessel, boat, scow or other such craft, or in any other manner, or by any person, from any part of the beach or shore into any part of the harbour, or upon the beach and shore thereof, either below low water mark, or between high and low water mark, under the penalty of forty dollars for each and every offence, to be paid by the owner or owners, master or person having charge of any vessel, boat or scow, or other craft from which such matter as aforesaid shall have been discharged, or by any other person or persons violating this law.

## RULE XV.

Any person or persons who shall or may hinder, oppose, molest or obstruct the Harbour Master, his deputy or any of his assistants in the

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discharge of his or their duty, shall, on conviction, pay a penalty of forty dollars for each and every offence.

## RULE XVI.

The penalty for violation of, or not conforming to the provisions of the law, and for disobeying the lawful orders or directions of the Harbour Master or his deputy in respect to any provision for which no penalty is hereinbefore prescribed, shall be twenty dollars, to be imposed upon the owner or person in charge of the ship or vessel not conforming to the particular requirements.

PRIVY COUNCIL CHAMBER,  
OTTAWA, 8th June, 1881.

The foregoing Rules and Regulations were submitted to and approved by His Excellency the Governor General in Council, on the 4th June, 1881.

J. O. COTÉ,  
*Clerk, Privy Council.*

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 RULES AND REGULATIONS

*For the government of the Port of Hillsborough, in the County of Albert, in the Province of New Brunswick, to which the Act 36 Victoria, chapter 9 and the Act 38 Victoria, chapter 30 apply, and for the Government of the Office of the Harbour Master for the said Port.*

## RULE I.

It shall be the duty of the Harbour Master of the Port of Hillsborough, in person, or by deputy duly authorized, to go on board every ship or vessel of the burthen of twenty tons (registered tonnage) and upwards, which shall arrive within the said Port, within twelve hours after the arrival of such ship or vessel, to see that she is moored only in such a manner or position as shall be assigned to her by the following regulations: and it shall be lawful for such Harbour Master to ask, demand and receive, as a compensation for his services (vessels belonging to or employed by Her Majesty and the Government of the Dominion of Canada, excepted) according to the following scale, and under the restrictions mentioned in the above named Acts:—

## SCALE OF FEES.

For every ship of fifty tons register or under, fifty cents;  
For every ship over fifty tons and not over one hundred tons, one dollar;  
For every ship over one hundred tons and not over two hundred tons register, one dollar and fifty cents;

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- For every ship over two hundred tons and not over three hundred tons register, two dollars ;  
For every ship over three hundred tons and not over four hundred tons register, two dollars and fifty cents ;  
For every ship over four hundred tons and not over five hundred tons register, three dollars ;  
For every ship over five hundred tons and not over seven hundred tons register, four dollars ;  
For every ship over seven hundred tons register, five dollars.

## RULE II.

In case of any dispute arising between masters, owners or other persons engaged in hauling ships or vessels in or out of any of the docks or wharves, it shall be the duty of the Harbour Master, if called upon, to give such directions as he may think fit in respect to the same ; and all Masters, Pilots and other persons having the charge or command of any ships or vessels shall comply with the directions of the Harbour Master or his deputy in these respects, under the penalty of twenty dollars for each and every neglect or refusal so to do.

## RULE III.

If any ship or vessel arriving and anchoring, or being moored or fastened to any wharf or vessel in the harbour, shall be so moored or placed as to be unsafe, or dangerous to any other ship or vessel previously lying at anchor in the harbour, or moored or fastened as aforesaid, the Harbour Master or his deputy is hereby authorized and required forthwith to order and direct the situation of such ship or vessel so arriving and anchored, moored, or fastened, as aforesaid, to be altered in such a manner as to prevent such insecurity and danger ; and the Master, Pilot or other person having charge of such ship or vessel shall comply with the orders and directions of the Harbour Master or his deputy in this respect, under the penalty of twenty dollars for each and every offence.

## RULE IV.

Any person or persons who may moor or fasten to, or in any manner injure, alter or change any of the public buoys, shall, on conviction, pay a penalty of twenty dollars, besides being held liable to any damage sustained.

## RULE V.

Whenever it shall happen that any ship or vessel is short of hands, so that she cannot be moved when ordered, it shall and may be lawful for the Harbour Master to employ a sufficient number of hands to effect such removal, and to remove or assist in removing such vessel as required, or as may be necessary, and that, at the expense of such vessel.

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## RULE VI.

The Harbour Master shall have power to order the removal of any scow, boat or vessel, loaded or unloaded, or anything calculated to interfere with the moving or mooring of vessels from any part of the Harbour to any other part thereof; and the owner of such scow, boat, etc., or person in charge thereof, failing to make such removal in one hour after being notified so to do, shall forfeit and pay a sum not exceeding ten dollars; and after one hour shall have elapsed, the Harbour Master shall have power to make the removal and charge the person so notified for so doing.

## RULE VII.

Whenever the Harbour Master shall find ships or vessels at the wharves with main jib or spanker booms rigged out so as to incommode other vessels, it shall be the duty of the Harbour Master to direct such to be rigged in, and in the event of non-compliance, all accidents to the same shall be at the risk of the persons so offending.

## RULE VIII.

No vessel shall be left without some person to take care of her, by night and by day, when anchored in the stream or in the harbour.

## RULE IX.

All vessels lying at anchor in the harbour, shall keep a clear and bright light burning, at least six feet from the uppermost deck, from sunset until sunrise.

## RULE X.

All ships or vessels loading or discharging in the stream, coals, ballast or such like materials, shall have a sufficient piece of canvas or tarpaulin so placed as to prevent any portion thereof from falling into the Harbour, under the penalty of twenty dollars for each and every offence, to be paid by the Owner, Master or person in charge of such ship or vessel.

## RULE XI.

No ballast, stone, gravel, earth or rubbish of any kind, shall be unladen, cast, or emptied out of, or thrown overboard, from any ship or vessel whatever in the harbour, or at the entrance thereof, from that part of the waters at the head of the Bay above a direct line from the Lighthouse on Grindstone Island, at the mouth of Shepody Bay or River, to the outer point of Cape Maranguin, (except in places set apart for that purpose by the Harbour Master and under his direction), under the penalty of fifty dollars for each and every offence, to be paid by the Owner, Master or other person having the charge of any such ship or vessel.



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## RULE XII.

In places set apart by the Harbour Master for the deposit of ballast, etc., it is hereby required that no ballast, stone, gravel, earth, or rubbish of any kind shall be unladen, discharged, deposited, thrown or laid before sunrise or after sunset, under a penalty of forty dollars for each and every offence.

## RULE XIII.

No ballast, stone, gravel, earth, or rubbish of any kind, shall be unladen, discharged, deposited, thrown or laid, either from any vessel, boat, scow, or other such craft, or in any other manner, or by any person, from any part of the beach or shore into any part of the Harbour, or upon the beach and shore thereof, either below low water mark or between high and low water mark, under the penalty of forty dollars for each and every offence, to be paid by the Owner or Owners, Master or person, having charge of any vessel, boat or scow, or other craft from which such matter as aforesaid shall have been discharged, or by any other person or persons violating this law.

## RULE XIV.

Any person or persons who shall or may hinder, oppose, molest or obstruct the Harbour Master, his deputy or any of his assistants in the discharge of his or their duty, shall, on conviction, pay a penalty of forty dollars for each and every offence.

## RULE XV.

The penalty for violation of, or not conforming to the provisions of the law, and for disobeying the lawful orders or directions of the Harbour Master or his deputy in respect to any provision for which no penalty is hereinbefore prescribed, shall be twenty dollars, to be imposed upon the owner or person in charge of the ship or vessel not conforming to the particular requirements.

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PRIVY COUNCIL CHAMBER,  
OTTAWA, 8th June, 1881.

I hereby certify that the foregoing Rules and Regulations were submitted to and approved by His Excellency the Governor General, on the 4th June, 1881.

J. O. COTE,  
*Clerk, Privy Council*

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## RULES AND REGULATIONS

*For the government of the Port of Richibucto, in the County of Kent, in the Province of New Brunswick, to which the Act 36 Victoria, chapter 9 and the Act 38 Victoria, chapter 30 apply, and for the government of the Office of Harbour Master for the said Port. Approved 4th June, 1881.*

[*These rules same as preceding for Port of Hillsborough, N.B. except*]—

## RULE XI.

No ballast, stone, gravel, earth or rubbish of any kind, shall be unladen, cast or emptied out of, or thrown overboard from any ship or vessel whatever in the harbour, or outside the Bar, within three miles of the Big Buoy, in a south-easterly direction from the Bar, and then only to enable such vessel to get over the Bar at high water (except in places set apart for that purpose by the Harbour Master and under his direction), under the penalty of fifty dollars for each and every offence, to be paid by the Owner, Master or other person having the charge of any such ship or vessel.

*Vide Canada Gazette, Vol. 14, p. 1736.*

## RULES AND REGULATIONS

*For the government of the Ledge at the Port of St. Stephen's, in the County of Charlotte, in the Province of New Brunswick, to which the Acts 36 Victoria, chapter 9, and 38 Victoria, chapter 30, apply, and for the government of the office of Harbour Master for the said Port.*

## RULE I.

It shall be the duty of the Harbour Master of the Ledge at the Port of St. Stephen's in person, or by deputy duly authorized, to go on board of every ship or vessel of the burthen of twenty tons (registered tonnage) and upwards, which shall arrive within the limits of the Ledge at the Port of St. Stephen's, within twelve hours after the arrival of such ship or vessel, to see that she is moored only in such a manner or position as shall be assigned to her by the following Regulations. And it shall be lawful for such Harbour Master to ask, demand and receive, as a compensation for his services (vessels belonging to or employed by Her Majesty and the Government of the Dominion of Canada excepted), according to the following scale, and under the restrictions mentioned in the above named Acts :—

[*The remaining rules are the same as those for Port of Hillsborough except*]—

## RULE II.

All vessels to be moored after casting anchor at the Ledge of St. Stephen's within twelve hours off and on shore as near as possible.

*Marine.*RULE XII *in place of No. XI of the Hillsborough rules.*

No ballast, stone, gravel, earth or rubbish of any kind, shall be unladen, cast or emptied out of, or thrown overboard, from any ship or vessel whatever at the Ledge or at the entrance thereof, except at a place near a buoy one-half to three-quarters of a mile from Oak Point, (with Oak Bay, Waweig River and the River St. Croix open), under the penalty of fifty dollars for each and every offence, to be paid by the owner, master or other person having the charge of any such ship or vessel.

*Vide Canada Gazette, Vol. 14, p. 1737.*

## RULES AND REGULATIONS

*For the government of the Port of Gaspé, in the County of Gaspé, in the Province of Quebec, to which the Acts 37 Victoria, chapter 34, and 38 Victoria, chapter 30 apply, and for the government of the office of Harbour Master for the said Port.*

## RULE I.

The following Rules and Regulations shall apply to the Port of Gaspé, in the County of Gaspé, and Province of Quebec, being framed under the provisions of the above named Act, intituled "An Act to provide for the appointment of Harbour Masters for certain Ports in the Provinces of Quebec, Ontario, British Columbia and Prince Edward Island," and its amendment.

## RULE II.

It shall be the duty of the Harbour Master of the said Port in person, or by deputy duly authorized, to go on board of every ship or vessel of the burthen of fifty tons (registered tonnage) and upwards, which shall arrive within the said port, within twelve hours after the arrival of such ship or vessel, to see that she is moored only in such a manner or position as shall be assigned to her by the following regulations. And it shall be lawful for such Harbour Master to ask, demand and receive, as a compensation for his services (vessels belonging to or employed by Her Majesty and the Government of the Dominion of Canada, excepted) according to the following scale, and under the restrictions mentioned in the above named Act.

## SCALE OF FEES.

For every ship of fifty tons register or under, fifty cents ;

For every ship over fifty tons and not over one hundred tons register, one dollar ;

For every ship over one hundred tons and not over two hundred tons register, one dollar and fifty cents ;

For every ship over two hundred tons and not over three hundred tons register, two dollars ;

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For every ship over three hundred tons and not over four hundred tons register, two dollars and fifty cents ;

For every ship over four hundred tons and not over five hundred tons register, three dollars ;

For every ship over five hundred tons and not over seven hundred tons register, four dollars ;

For every ship over seven hundred tons register, five dollars.

## RULE III.

In case of any dispute arising between Masters, Owners or other persons engaged in hauling ships or vessels in or out of any of the docks or wharves, it shall be the duty of the Harbour Master, if called upon, to give such directions as he may think fit in respect to the same ; and all Masters, Pilots or other persons having the charge or command of any ships or vessels shall comply with the directions of the Harbour Master or his deputy in these respects, under the penalty of twenty dollars for each and every neglect or refusal so to do.

## RULE IV.

If any ship or vessel arriving and anchoring, or being moored or fastened to any wharf or vessel in the said harbour shall be so moored or placed as to be unsafe, or dangerous to any other ship or vessel previously lying at anchor in the harbour, or moored or fastened as aforesaid, the Harbour Master or his deputy is hereby authorized and required forthwith to order and direct the situation of such ship or vessel so arriving and anchored, moored or fastened as aforesaid, to be altered in such a manner as to prevent such insecurity and danger ; and the Master, Pilot or other person having charge of such ship or vessel shall comply with the orders and directions of the Harbour Master or his deputy in this respect, under the penalty of twenty dollars for each and every offence

## RULE V.

Whenever the Harbour Master shall find ships or vessels at the wharves with main jib or spanker booms rigged out so as to incommode other vessels, it shall be the duty of the Harbour Master to direct such to be rigged in, and in the event of non-compliance, all accidents to the same shall be at the risk of the persons so offending.

## RULE VI.

No vessel shall be left without some person to take care of her, by night and by day, when anchored in the stream or in the harbour.

## RULE VII.

All vessels lying at anchor in the harbour shall keep a clear and bright light burning, at least six feet from the uppermost deck, from sunset to sunrise.

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## RULE VIII.

No ballast, stone, gravel, earth or rubbish of any kind, shall be unladen, cast or emptied out of, or thrown overboard from any ship or vessel whatever in the harbour, or at the entrance thereof (except in places set apart for that purpose by the Harbour Master) under the penalty of eighty dollars for each and every offence, to be paid by the Owner, Master or other person having the charge of any such ship or vessel.

## RULE IX.

No ballast, stone, gravel, earth or rubbish of any kind shall be unladen, discharged, deposited, thrown or laid, either from any vessel, boat, scow or other such craft, or in any other manner, or by any person, from any part of the beach or shore into any part of the harbour, or upon the beach and shore thereof, either below low water-mark, or between high and low water-mark, under the penalty of forty dollars for each and every offence, to be paid by the Owner or Owners, Master or person having charge of any vessel, boat or scow, or other craft from which such matter as aforesaid shall have been discharged, or by any other person or persons violating this

## RULE X.

The penalty for violation of, or not conforming to the provisions of the law, and for disobeying the lawful orders or directions of the Harbour Master or his deputy in respect to any provision for which no penalty is hereinbefore prescribed, shall be twenty dollars, to be imposed upon the Owner or person in charge of the ship or vessel not conforming to the particular requirements; which penalties and all other penalties in these Rules and Regulations contained may be recovered by the Harbour Master before any Police Magistrate, Stipendiary Magistrate, Justice of the Peace or County Court Judge having jurisdiction.

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PRIVY COUNCIL OFFICE,  
OTTAWA, 8th June, 1881.

I hereby certify that the foregoing Rules and Regulations were submitted to and approved by His Excellency the Governor General in Council on the 4th day of June, 1881.

J. O. COTÉ,  
*Clerk, Privy Council.*

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## BY-LAWS, RULES AND REGULATIONS

*For the government of Pilots for the Pilotage District of Parrsboro', in the County of Cumberland, in the Province of Nova Scotia, made by the Pilotage Authority for the said District.*

1. No person shall be licensed for a Pilot under twenty-one years of age, nor unless he shall reside within the said Pilotage District, and shall, on examination, be found in every respect well qualified to discharge all the duties of a Pilot.

2. Every licensed Pilot shall, at the time of receiving the license, pay the fee of five dollars (\$5.00) for the same.

3. Every Master or Mate shall pay for his certificate the yearly sum of ten dollars (\$10.00) on receipt of his certificate or renewal thereof.

4. Any Pilot piloting a vessel from sea shall be entitled to pilot her to sea when she next leaves port, unless on the complaint of the master, owner or agent of said vessel, the Pilotage Authority direct otherwise.

5. On proof on oath to the satisfaction of the Pilotage Authority that any pilot licensed by them has been guilty of any improper conduct, drunkenness or wilful neglect of duty, or shall engage as stevedore of any vessel, said Pilot shall be suspended or deprived of his license at the discretion of the Pilotage Authority.

6. Every licensed Pilot shall report to the Secretary of the Pilotage Authority all vessels spoken by him which have refused to accept his services, and shall also report any casualty or accident which may have happened to any vessel under his charge, or any other matter of importance connected with vessels coming under his observation; and shall also report when any of the buoys are not in their places, or any of the lighthouses are not lighted at the proper time,—which report shall be made as above immediately after his arrival or as soon as office hours will permit.

7. Each licensed Pilot upon boarding any vessel is required to exhibit to the Master of such vessel a copy of the quarantine regulations, and if upon inquiry the Pilot finds such vessel has come from any infected port, or if on board of such vessel any death from infectious or contagious disease has taken place during the passage, or if on board there has been or shall be any infectious or contagious disease, then in any one of these cases it shall be the duty of such Pilot to warn the Master of such vessel that he is not to allow any intercourse between his vessel and the people on shore before receiving the visit and orders of the quarantine officer of the port; and in entering the port the Pilot shall cause the national flag to be hoisted at the main, and shall bring the vessel to anchor at the usual place appointed for riding quarantine.

8. Any licensed Pilot offering his services to any inward bound vessel liable to pay pilotage, on being refused employment, shall be entitled to demand legal pilotage, provided that no other licensed pilot shall have previously offered his services and demanded payment therefor.

9. Any questions or disputes arising between Pilots, Masters of vessels and others respecting pilotage, or for any extra remuneration, and all other questions and disputes between them, shall be submitted to the Pilotage Authority to be adjusted and decided by them, and the judgment of the

*Marine.*

Commissioners or a majority of them respecting all such questions or disputes in which the subject-matter does not exceed the sum of forty dollars (\$40.00) shall be final and binding on all parties : and every licensed pilot who shall act contrary to this regulation or shall refuse or neglect to appear before the Commissioners after twenty-four hours' notice when his attendance shall be required by them on any occasion, or shall give any unnecessary trouble, annoyance or detention to the masters of vessels, shall, for each offence, be liable to a penalty not exceeding twenty dollars (\$20.00), and also to suspension or dismissal at the discretion of the Commissioners.

10. The rates of pilotage within the pilotage limits of the District of Parrsboro' shall be as follows, namely :—

On vessels liable to pay pilotage—

From Isle Haute to the Port of Parrsboro', \$2.00 per draught foot ;

From Spencer's Island to the Port of Parrsboro', \$1.50 per draught foot ;

From West Bay to the Port of Parrsboro', \$1.25 per draught foot ;

From Partridge Island to the Port of Parrsboro', \$1.00 per draught foot, and *vice versa* :

25 cts. extra per foot on vessels to Moose or Harrington's Rivers :

From West Bay to Spencer's Island, \$1.00 per draught foot ;

From West Bay to Isle Haute, \$1.50 per draught foot, and *vice versa* ;

Vessels loading inside Partridge Island River not to be compelled to pay pilotage further than Partridge Island, and vessels loading in West Bay not to be compelled to pay pilotage further than Spencer's Island.

The Port of Parrsboro' is hereby understood to mean Parrsboro' Village, and also including any place inside the mouth of Partridge Island River.

Dated at Parrsboro' this 30th day of May, 1881.

STEPHEN R. DEWOLFE,

JAMES GILLESPIE,

T. J. CANOLE,

W. MOORE,

JAS. E. PETTIS,

*Commissioners.*

PRIVY COUNCIL OFFICE,  
OTTAWA, 20th June, 1881.

I hereby certify that the foregoing By-Laws, Rules and Regulations have been submitted to and approved by His Excellency the Governor General in Council, on the 17th day of June, 1881.

J. O. COTÉ,

*Clerk, Privy Council.*

*Marine.*

## TARIFF

*Of Fees to be paid to the Port Warden for the Port of Moncton, in the County of Westmoreland, in the Province of New Brunswick, under the provisions of the 25th section of the Act 37 Victoria, chapter 32.*

	\$ cts.
First survey of hatches, and certificates.....	2 50
Every subsequent survey of cargo, and certificate..	2 00
Survey of cargo when hatches have not been previously surveyed, and certificate.....	5 00
Every survey of damaged goods on wharf or in store, value under \$200, and certificate.....	3 00
Every survey of damaged goods on wharf or in store, value \$200 and under \$500, and certificate.....	4 00
Every survey of damaged goods on wharf or in store, value \$500 and over, and certificate.....	5 00
Survey of vessel damaged on arriving in distress, and certificate.....	8 00
Every subsequent survey and certificate.....	5 00
Valuation of a vessel for average, under 200 tons, and certificate.....	5 00
Valuation of a vessel for average, over 200 tons and under 500 tons, and certificate.....	7 50
Valuation of a vessel for average, of 500 tons and upwards, and certificate.....	10 00
Survey of cargo reported to have shifted, and certificate.....	5 00
All extra copies of certificates when required.....	0 50
For certificate under seal.....	1 00
Hearing and settling disputes between Master and Consignee of ship and Owners of cargo, \$200 value, \$2.00; \$200 to \$500, \$3.00; \$500 to \$1,000, \$4.00; \$1,000 and over, \$5.00.	
Filing papers of auctioneers, &c.....	0 25
Ascertaining if vessel is seaworthy, and certificate.	8 00
Survey that repairs ordered if not seaworthy have been made, and certificate, 200 tons and under, \$3.00; all over 200 tons, \$5.00	
General superintendence of a vessel loading.....	5 00

PRIVY COUNCIL OFFICE,

OTTAWA, 27th June, 1881.

I hereby certify that the foregoing Tariff of Fees has been submitted to and approved by His Excellency the Governor General in Council on the 25th day of June, 1881.

J. O. COTÉ,  
Clerk, Privy Council.



*Marine.*

By a Proclamation, bearing date 12th July, 1881, the Act intituled "An Act to provide for the appointment of Harbour Masters for certain Ports in the Provinces of Nova Scotia and New Brunswick" and the Acts amending the same, were declared to apply to the Port of Hawkesbury, in the Province of Nova Scotia.

*Vide Canada Gazette, Vol. 15, p. 78.*

By a Proclamation, bearing date 12th July, 1881, the Act intituled "An Act to provide for the appointment of Harbour Masters for certain Ports in the Provinces of Nova Scotia and New Brunswick," and the Acts amending the same, were declared to apply to the Port of Lingan, in the Province of Nova Scotia.

*Vide Canada Gazette, Vol. 15, p. 78.*

## TARIFF OF FEES

*To be paid to the Port Warden for the Port of Port Mulgrave.*

	\$	cts.
First survey of hatches, and certificate.....	3	00
Each subsequent survey do .....	2	50
Survey of cargo where hatches have not been previously surveyed, and certificate.....	5	00
Each survey of damaged goods on the wharf or in store, value under \$200, and certificate.....	3	00
Each survey of damaged goods on the wharf or in store, value \$200 and under \$500, and certificate.....	4	00
Each survey of damaged goods on the wharf or in store, value \$500 and over, and certificate.....	5	00
Survey of vessel damaged or arriving in distress, and certificate.....	8	00
Each subsequent survey, and certificate.....	5	00
Valuation of a vessel for average, under 200 tons, and certificate.....	5	00
Valuation of a vessel for average, of 200 tons and under 500 tons, and certificate.....	7	50
Valuation of a vessel for average, of 500 tons and upwards, and certificate.....	10	00
Survey of cargo reported to have shifted, and certificate.....	5	00
All extra copies of certificates when required.....		50
Hearing and settling disputes between master and consignee of ships and owners of cargo \$200 value, \$2; \$200 to \$500, \$3; \$500 to \$1,000, \$4; \$1,000 and over, \$5.		

*Marine.*

Filing papers of auctioneer, &c.....	50
Ascertaining if vessel is seaworthy, and certificate	8 00
Vessels putting in in distress from foreign Ports, as under:—	
For every 1,000 bushels of wheat and peas.....	15
Do do barley.....	12
Do do oats.....	10
Do do corn.....	10
Do 1,000 barrels flour.....	1 00
Coal oil, per barrel.....	01
Ores and minerals, per ton, ballast excepted.....	04
Lumber and all other descriptions of timber, per ton weight.....	02

GEO. B. HUDLEY,  
*Port Warden,*

PRIVY COUNCIL OFFICE,  
OTTAWA, 14th July, 1881.

I hereby certify that the foregoing tariff of fees has been submitted to and approved by His Excellency the Governor General in Council, on the 12th day of July, 1881.

J. O. COTÉ,  
*Clerk, Privy Council.*

By Order in Council of 27th July, 1880, the following By-law was approved:—

## BY-LAW.

*To keep a clear passage for vessels entering inside the limits of the Harbour Improvements executed in the mouth of the River St. Charles, in the Harbour of Quebec.*

1. No vessel, raft or timber of any kind shall moor, make fast or remain alongside of the north side of the wharf belonging to the Quebec Harbour Commissioners, at Point-à-Carcy, for a distance of two hundred feet from the east end of the said wharf.

2. No vessel, raft or timber of any kind shall moor, make fast or remain alongside of the south end or south front of the breakwater belonging to the said Commissioners.

3. All vessels moored or made fast to any wharf in the Harbour of Quebec shall be moored or made fast in such a way as to offer no obstruction to any vessel entering into or coming from the limits of the Harbour Improvements, in the mouth of the River St. Charles, in the said Harbour of Quebec.

*Marine.*

4. Any master or commander of any ship or vessel, or the master of any craft, or any other person whatsoever who shall infringe the present By-law and regulations shall incur for every such offence a penalty not exceeding one hundred dollars (\$100.00) or an imprisonment not exceeding sixty days.

5. Any by-law inconsistent with the present regulations is hereby declared to be repealed.

*Vide Canada Gazette, Vol. 15, p. 198.*

By Order in Council of Thursday, 18th day of August, 1881, under the provisions of the 31st section of the Act passed in the Session of the Parliament of Canada, held in the 31st year of Her Majesty's Reign, chaptered 65, and intituled "An Act respecting the Inspection of Steamboats, and for the greater safety of passengers by them,"—the steamer "Brothers," of Quebec, owned, by Mr. Angus Baker, was allowed to carry not more than six hundred (600) passengers;—also the steamer "Laurentides," of Quebec, owned by Mr. François H. Marquis, was allowed to carry not more than three hundred and twenty-one (321) passengers.

*Vide Canada Gazette, Vol. 15, p. 257.*

By Order in Council of Friday, 16th day of September, 1881, the steamer "Princess Louise," plying on the River Thames, was limited to carry three hundred (300) passengers.

*Vide Canada Gazette, Vol. 15, p. 383.*

ST. ANDREW'S HARBOUR, NEW BRUNSWICK, PORT WARDEN'S  
SCALE OF FEES.

	\$	cts.
First survey of hatches, and certificate.....	2	50
Every subsequent survey of cargo, and certificate..	2	00
Survey of cargo when hatches have not been previously surveyed, and certificate.....	5	00
Every survey of damaged goods on wharf or in store, value \$200, and certificate.....	3	00
Every survey of damaged goods on wharf or in store, value \$200, and under \$500, and certificate .....	4	00
Every survey of damaged goods on wharf or in store, value \$500 and over, and certificate.....	5	00
Survey of vessel damaged or arriving in distress, and certificate.....	8	00
Every subsequent survey and certificate.....	5	00

*Marine.*

Valuation of a vessel for average, under 200 tons, and certificate.....	5 00
Valuation of a vessel for average, over 200 tons and under 500 tons, and certificate.....	7 50
Valuation of a vessel for average, 500 tons and upwards and certificate.....	10 00
Survey of cargo reported to have shifted, and certificate.....	5 00
All extra copies of certificates, when required.....	50
For certificates under seal.....	1 00
Hearing and settling disputes between Master and Consignee of ship and Owners of cargo, \$200 value, \$2 00; \$200 to \$500, \$3.00; \$500 to \$1,000, \$4.00; \$1,000 and over, \$5.00.	
Filing papers of auctioneers, &c.....	0 25
Ascertaining if the vessel is seaworthy, and certificate.....	8 00
Survey that repairs ordered if not seaworthy have been made, and certificate, 200 tons and under, \$3.00; all over 200 tons, \$5.00.	
General superinténdice of a vessel loading.....	5 00
Vessels putting in in distress or otherwise, from Foreign Ports, for every 1,000 bushels and every proportionate quantity of wheat and peas, 15c. For every 1,000 bushels and every proportionate quantity of barley, 12c For every 1,000 bushels and every proportionate quantity of oats, 10c. For every 1,000 bushels and every proportionate quantity of corn, 10c. For every 1,000 barrels of flour, 75c. Coal oil, per barrel, ½c. Ores and Minerals, per ton, Ballast excepted, 4c.	
Lumber and all other descriptions of timber, per ton weight.....	0 02

PRIVY COUNCIL OFFICE,  
OTTAWA, 28th October, 1881.

I hereby certify that the foregoing Scale of Fees has been submitted to and approved by His Excellency the Governor General in Council, on the 28th of October, 1881.

J. O. COTE,  
*Clerk, Privy Council.*

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*Marine.*


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**RONDEAU (Ont.) WHARF AND DOCK RULES.**
**RULE XII.**

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

**RULE XIII.**

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

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PRIVY COUNCIL CHAMBER,  
OTTAWA, 15th day of November, 1881.

I hereby certify that the foregoing Rules, to form Rules XII. and XIII., respectively, of the Rules and Regulations for the government of the wharf and docks at Rondeau, in the County of Kent, in the Province of Ontario, have been this day approved by His Excellency the Administrator of the Government in Council.

J. O. COTÉ,  
*Clerk, Privy Council.*

The same rules were approved on the same date for the following places, viz :—

Inverhuron, (Ont.) Harbour,  
Goderich (Ont.) Harbour.

*Vide Canada Gazette*, Vol. 15, pp. 625 and 626.

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**CLIFTON (N.B.), WHARF RULES.**

The tolls payable upon any steamboat or other vessel are hereby imposed upon and may be collected and recovered from the master or owner or person in charge of such vessel; those payable upon any other articles are imposed upon and may be collected and recovered from the owner or person in charge thereof, and those payable upon any articles shipped or landed at the wharf upon or from off any vessel, are imposed upon and may be levied and collected on and from such vessel and on and from the master or owner or person in charge thereof.

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*Marine.*

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PRIVY COUNCIL CHAMBER,  
OTTAWA, 15th day of November, 1881.

I hereby certify that the foregoing Rule, to be added to the Rules governing the Government wharf and wharfinger at Clifton, in Gloucester County, N.B., has been this day approved by His Excellency the Administrator of the Government in Council.

J. O. COTÉ,  
*Clerk, Privy Council.*

The same rules were approved upon the same date for the following places, viz:—

Digby (N.S.) Wharf,  
Delap's Cove (N.S.) Wharf.

*Vide Canada Gazette, Vol. 15, p. 625. \**

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COW BAY HARBOUR RULES.

RULE XIV.

That the duty of six cents per ton authorized by Order in Council of 1st May, 1877, to be collected on each and every vessel entering the Harbour of Cow Bay, is hereby imposed upon and may be collected and recovered from the master or owner or person in charge of such vessel.

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

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PRIVY COUNCIL CHAMBER,  
OTTAWA, 15th day of November, 1881.

I hereby certify that the foregoing additional Rule, to form Rule XIV. of the Rules and Regulations for the government of the breakwater at Cow Bay in the County of Cape Breton, in the Province of Nova Scotia, has been this day approved by His Excellency the Administrator of the Government in Council.

J. O. COTÉ,  
*Clerk, Privy Council.*

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By Order in Council of Saturday, 3rd day of December, 1881, a Shipping Office was established at the Port of Gaspé, in the County of Gaspé, in the Province of Quebec.

*Vide Canada Gazette, Vol. 15, p. 743.*

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*Marine.*


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By a Proclamation, bearing date the 8th December, 1881, the Act intituled "An Act to provide for the appointment of Harbour Masters for certain Ports in the Provinces of Quebec, Ontario, British Columbia and Prince Edward Island, and the Acts amending the same," were declared to apply to the Port of Carleton, in the Province of Quebec.

*Vide Canada Gazette, Vol. 15, p. 830.*

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### RULES AND REGULATIONS

*For the government of the Ports of Nanaimo and Departure Bay, in the Province of British Columbia, to which the Acts 37 Victoria, chapter 34, and 38 Victoria, chapter 30, apply, and for the government of the office of Harbour Master for the said Ports.*

(These rules, which were approved by His Excellency the Governor General in Council on the 24th day of January, 1882, are the same as those approved for Hillsborough, N.S., *suprà*, except the following—which take the place of Rule x in those of Hillsborough)

#### RULE IX.

All vessels lying at anchor in the harbours shall keep a clear and bright light burning, at least six feet above the rail of the bulwarks, from sunset until sunrise.

#### RULE X.

All vessels at wharves or in docks must keep a clear and bright light burning at the gangway from sunset until sunrise at least four feet above the deck, and at all times be provided with a gangway with a side rail to it to prevent accidents.

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By a Proclamation, bearing date 24th January, 1882, the Act intituled "An Act to provide for the appointment of Harbour Masters for certain Ports in the Provinces of Quebec, Ontario, British Columbia and Prince Edward Island," and the Acts amending the same, were declared to apply to the Port of Departure Bay, in the Province of British Columbia.

*Vide Canada Gazette, Vol. 15, p. 1127.*

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### MAITLAND (N.S.), PIER TOLLS.

The tolls payable upon any vessel under the tariff for the Public Pier at Maitland by the Order in Council of the 6th June, 1876, may be recovered with costs in the manner provided by the 61st section of the Act 31 Victoria, chapter 12, from the Owner or Master or person in charge of such vessel.

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*Marine.*

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The tolls payable under the said tariff upon any goods, are hereby imposed also upon the vessels or other crafts upon or from off which such goods may be shipped or landed, and the payment of such tolls may be enforced, and there shall be the same remedy for their non-payment as if they had been expressly imposed upon such vessels or crafts, by the said tariff.

The tolls payable upon any goods may also be recovered with costs in the manner provided by the said 61st section, from the owner or consignee, or person in charge of such goods.

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PRIVY COUNCIL OFFICE,  
OTTAWA, 28th January, 1882.

I hereby certify that the foregoing Rules have, by Order of His Excellency the Governor General in Council of the 27th January, 1882, been added to the Rules governing the Wharfinger and Public Pier at Maitland, in Hants County, Nova Scotia, established by Order in Council of the 6th June, 1876.

J. O. COTÉ,  
*Clerk, Privy Council.*

The same rules respecting collection of tolls were approved upon the same date for the Public Pier at Oak Point, King's County, N.S.

*Vide Canada Gazette, Vol. 15, p. 1129.*

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RULES AND BY-LAWS OF THE OFFICE OF PORT WARDEN, PRINCE  
EDWARD ISLAND.

SECTION I.

*General Regulations.*

1. Every master of a vessel on arriving in port from any place not within the limits of inland navigation, shall (in order to enable the Port Warden to grant the necessary certificate for the vessel's clearance at the Custom House) proceed to the Port Warden's office, and make a report of his vessel and cargo, and receive a copy of these rules and by-laws.

2. The Port Warden shall keep in his office, records in full of all his proceedings, together with statements of the results of all examinations and enquiries made by him; which records may be inspected during business hours by any parties interested: he shall keep on record all certificates granted by him and grant duplicates of the same as hereinafter provided on payment of the regular fee.

3. All notifications and requests to the Port Warden must be made at his office in writing and duly entered by the Port Warden in a book to be kept for that purpose.



*Marine.*

4. Great care should be taken to well fill the vessel with bulk grain under the decks, and it is advisable when vessels are filling up that no more grain should be put on board than the number of laborers employed are able to trim and properly stow. Oats may be carried in bulk to any extent irrespective of the tonnage of the ship, but subject to such regulations with reference to dunnage lining and shifting boards as the Port Warden, or his Deputy may prescribe.

5. The fees mentioned in the tariff of fees embodied in these rules as applicable shall be payable to the Port Warden by the parties employing him, but in case of a survey of cargo alleged to be improperly stowed, the party in the wrong shall pay the fee.

6. All shifting boards shall be well secured and fastened to each side of the stanchions, and the stanchions to be properly secured to the keelson and beams, and to be sufficiently shored,—the shores to be not less than 6 x 3 inches.

7. All lumber used for dunnage, shifting boards and shores to be free from rents and shakes, and the work to be done in a workmanlike manner to the satisfaction of the Port Warden or his Deputy.

8. All air streaks and openings to be closed and made grain-tight.

9. The limber boards to be taken up and thoroughly cleaned out if required by the Port Warden or his Deputy.

10. The pump well and chain locker and water tanks to be cased and made grain-tight.

11. Should any shores or braces be removed by stevedores or others, the same to be replaced before clearance certificate is granted.

12. Vessels loading grain in bulk have to dunnage ten inches clear of ceiling in bottom of ship and to extend to first futtock heads, and to have shifting boards of three inch material from keelson to main deck to extend full length of vessel.

Vessels to be ballasted according to the discretion of the Port Warden or his Deputy.

*Fees.*

First survey of hatches, and certificate.....	\$3 00
Each subsequent survey of cargo, and ditto.....	2 00
Survey of cargo where hatches have not been previously surveyed, and certificate.....	5 00
Every survey of damaged goods on the wharf or in store, value under \$200, and certificate.....	3 00
Each subsequent survey, from \$200 to \$500.....	4 00
Survey of vessel damaged or arriving in distress, and certificate.....	8 00
Survey of cargo reported to have shifted, and certificate .....	5 00
Extra copies of certificate and seal.....	1 00
Hearing and settling disputes between master and consignee of ship and owners of cargo \$200 value .....	2 00
From \$200 to \$1,000.....	3 00

*Marine.*

Filing papers of auctioneers.....	0 25
Ascertaining if vessel is seaworthy, and certificate	8 00
Survey that repairs ordered if not seaworthy have been made, and certificate.....	4 00
General superintending of a ship loading and cer- tificate, under 100 tons register.....	5 00
100 tons and under 150 tons register.....	6 00
150 " " 200 " .....	7 00
200 " " 300 " .....	8 00
300 " " 400 " .....	9 00
400 " and upwards " .....	10 00

Vessels putting in in distress from any port other than a port in Prince Edward Island, as under—

	cts.
For every 1,000 bushels wheat and peas.....	10
"    "    "    barley.....	8
"    "    "    oats.....	18
"    "    "    corn .....	5
"    barrels flour.....	70
Coal oil per barrel.....	$\frac{1}{2}$
Ores and minerals per ton .....	2
Lumber and all other descriptions of timber per ton weight.....	2

PRIVY COUNCIL OFFICE,  
OTTAWA, 16th March, 1882.

I hereby certify that the foregoing Rules and By-laws respecting the office of Port Warden, for all the ports in the Province of Prince Edward Island, have been approved by His Excellency the Governor General in Council, on the 14th day of March, 1882, in accordance with the provisions of the Act 37 Victoria, chapter 32, intituled "An Act to provide for the appointment of Port Wardens at certain Ports in the Dominion."

J. O. COTÉ,  
*Clerk, Privy Council.*

**RULES AND REGULATIONS**

*For the government of the Pilotage District of Moncton, in the County of Westmoreland, and Province of New Brunswick.*

1. All Rules and Regulations heretofore made by any Pilotage Authority for the Pilotage District of Moncton or any District including the same are hereby repealed.

*Marine.*

2. Persons of the full age of 21 years, of temperate habits, being British subjects and having been examined and found competent, may be granted a license upon payment of a fee of \$5.00.

3. A certificate may be granted to a master or mate upon payment of a fee of \$6.00, and \$4.00 for each annual renewal.

4. Every licensed Pilot shall, with his license be given a copy of these regulations, and shall exhibit them to the master of any vessel of which he may take charge, if required to do so.

5. Licensed Pilots shall be entitled to all fees earned by them individually.

6. Every licensed Pilot shall report to the Pilotage Authority, without delay, any accident to any vessel under his charge and any matter of note which may come under his observation affecting the safety of vessels.

7. Any licensed Pilot whose services are refused by any inward bound vessel shall be entitled to full Pilotage, if afterwards such vessel employ another Pilot.

8. Inward bound vessels having been signalled or hailed by a licensed Pilot and refusing his services, shall pay half pilotage inward, and outward bound vessels shall pay half pilotage outward, if offered the services of a licensed Pilot and refusing the same.

9. Any licensed Pilot placed in charge of a vessel by the master shall, in addition to full pilotage rates, be paid the sum of \$2.50 per day for each day said vessel may be detained by stress of weather or otherwise while he is waiting orders.

10. Any dispute arising between Masters of vessels and Pilots respecting piloting shall be submitted to the Pilotage Authority whose decision shall be final and binding on all parties.

11. Any Pilot may be deprived of his license for repeated violations of these regulations, neglect of duty, drunkenness, or incompetency from age or mental or bodily infirmity.

12. Vessels of the following descriptions shall be exempted from the compulsory payment of pilotage dues, in addition to those exempted by Act of Parliament 38 Victoria, chapter 28:—

Ships registered in Canada not exceeding one hundred and thirty tons registered tonnage.

13. All other vessels coming to Moncton or any point between Moncton and Grey's Island shall pay inward pilotage dues at the rate of (\$1.00) one dollar per foot, and vessels from the same points shall pay outward pilotage dues at the rate of (\$1.00) one dollar per foot.

Vessels to and from Grey's Island or points below shall pay 10 cents a foot inward and the same outward.

14. Outward bound vessels from the port of Moncton refusing the services of a Pilot when the same shall be offered within twelve hours of the time when she is ready to sail, shall pay full pilotage outward if afterwards she employs another Pilot.

(Signed)

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H. T. STEVENS,  
HENRY CRANDALL,  
WILLIAM GIVAN. }

Pilot  
Commissioners.

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*Marine.*

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PRIVY COUNCIL OFFICE,  
OTTAWA, 20th March, 1882.

I hereby certify that the foregoing Rules and Regulations for the government of the Pilotage District of Moncton, in the County of Westmoreland, in the Province of New Brunswick, have been submitted to and approved by His Excellency the Governor General in Council, on the 18th day of March, 1882.

J. O. COTÉ,  
*Clerk, Privy Council.*

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By a Proclamation, bearing date the third day of April, 1882, the Act intituled "An Act to provide for the appointment of Harbour Masters for certain Ports in the Provinces of Nova Scotia and New Brunswick" and the Acts amending the same, were declared to apply to the Port of St. Peters, in the County of Richmond, in the Province of Nova Scotia.

*Vide Canada Gazette, Vol. 15, p. 1586.*

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By a Proclamation, bearing date the third day of April, 1882, the Act intituled "An Act to provide for the appointment of Harbour Masters for certain Ports in the Provinces of Quebec, Ontario, British Columbia and Prince Edward Island," and the Acts amending the same, were declared to apply to the Port of New Richmond, in the County of Bonaventure, in the Province of Quebec.

*Vide Canada Gazette, Vol. 15, p. 1586.*

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By Order in Council of Saturday, 8th day of April, 1882, the Wreck and Salvage District of the Island of Anticosti, in the Gulf of St. Lawrence, established by Order in Council of the 6th June, 1874, was abolished.

*Vide Canada Gazette, Vol. 15, p. 1586.*

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By Order in Council of Saturday, 8th day of April, 1882, a Wreck and Salvage District was established, to extend from the east side of Bessie River to the west side of Chicot River, on the Island of Anticosti, in the Gulf of St. Lawrence.

*Vide Canada Gazette, Vol. 15, p. 1587.*

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By Order in Council of Saturday, 8th day of April, 1882, a Wreck and Salvage District was established, to extend from the east side of Chicot

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*Marine.*

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River to the west side of Otter River, on the Island of Anticosti, in the Gulf of St. Lawrence.

*Vide Canada Gazette, Vol. 15, p. 1587.*

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By Order in Council of Saturday, 8th day of April, 1882, a Wreck and Salvage District was established, to extend from the east side of Otter River easterly to Charleston Point, on the north side of the Island of Anticosti, in the Gulf of St. Lawrence.

*Vide Canada Gazette, Vol. 15, p. 1587.*

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By Order in Council of Saturday, 8th day of April, 1882, a Wreck and Salvage District was established, to extend from Charleston Point on the north side westerly to west side of Beccie River, on the Island of Anticosti, in the Gulf of St. Lawrence.

*Vide Canada Gazette, Vol. 15, p. 1587.*

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PRIVY COUNCIL OFFICE,  
OTTAWA, 24th day of April, 1882.

I hereby certify that Rule 4 of the Rules for the Pilotage District of New London, Prince Edward Island, approved by Order in Council of the 2nd July, 1878, has been amended by Order of His Excellency the Governor General in Council on this, the 24th day of April, 1882, to read as follows:—

“The Rate of Pilotage for this District shall be as follows: Four (4) cents per register ton to beach; two (2) cents per register ton additional for rivers below bridges.”

JOHN J. MCGEE,  
*Acting Clerk, Privy Council.*

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PRIVY COUNCIL OFFICE,  
OTTAWA, 1st day of May, 1882.

I hereby certify that Rule 12 of the Rules and Regulations for the government of Pilots for the Pilotage District of Louisburg, in the Province of Nova Scotia, approved by Order in Council on the 3rd day of June, 1881, has been amended by Order of His Excellency the Governor General in Council on this day, the 1st day of May, 1882, by having the pilotage dues on steamships to read as follows:—

*Marine.*

	Tons.		Tons.	Inward.	Outward.
On steamships of.....	80	to	500	\$ 8 00	\$5 00
“ “ .....	500	“	1,000	10 00	6 00
“ “ .....	1,000	“	3,000	12 00	8 00

JOHN J. MCGEE,

*Acting Clerk, Privy Council.*

## RULES AND REGULATIONS

*For the government of Pilots for the Pilotage District of Miramichi, in the Province of New Brunswick, made by the Pilotage Authority of the said District under the "Pilotage Act of Canada."*

That all Rules and Regulations heretofore made for the government of Pilots or in relation to Pilotage in the said District be, and the same are hereby repealed. And in lieu thereof :—

1. That the limits of the Pilotage District of Miramichi, shall be held to extend easterly as far as Entry Island, Magdalens; northerly, as far as Point Miscou, in the County of Gloucester, N.B.; and southerly, as far as Kouchibouguac River, in the County of Kent, N.B.

2. Every person, now acting or holding a branch as a Pilot for the Pilotage District of Miramichi, shall forthwith surrender the same to the said Pilotage Authority, and shall, if legally entitled thereto, receive a license for the said District.

3. Every person not already licensed as a Pilot for the Pilotage District aforesaid must make application in writing to the Secretary, at the office of the Pilotage Authority, and be a resident of the County of Northumberland, of not less than twenty-one years of age, and shall have continuously served as an indentured apprentice (approved by the Pilotage Authority) under a licensed Pilot for a term of not less than four years—three years of which shall be on board a licensed Pilot boat, and the fourth year he shall accompany the Pilot on board all ships or vessels in which such Pilot shall be employed; shall also produce a certificate of good character while serving his apprenticeship from the Pilot to whom he was indentured; and shall be examined by examiners appointed for that purpose by the Pilotage Authority of the said district, and at that examination shall answer such questions and show such qualifications as will warrant them in giving him a certificate of his competency to perform all the duties of a Pilot in the said district; and a license shall forthwith issue to such person on payment of the expenses of such examination and a fee of five dollars.

4. The rates of Pilotage for the District of the ports or Harbour of Miramichi shall be as follows :—

When inward bound, two dollars and twenty-five cents per foot, for every foot of water such ship shall draw at the time;

When outward bound, one dollar and twenty-five cents per foot, if drawing less than seventeen feet of water; and two dollars per foot if drawing seventeen feet or upwards;

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*Marine.*

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For the removal of any ship or vessel, and seeing such ship or vessel properly secured and moored, the following rates, viz. :—The sum of one dollar and fifty cents for vessels not exceeding 100 tons ; the sum of two dollars for vessels over 100 tons and not exceeding 200 tons ; the sum of three dollars for vessels over 200 tons and not exceeding 300 tons ; and the sum of four dollars for all vessels over 300 tons ; and where the distance of removal exceeds four miles, fifty per cent. additional shall be allowed on the above rates ; and after the first of November in each year, any Pilot taking out any ship or vessel shall be entitled to demand and receive the sum of four dollars in addition to above rates, provided that such Pilot shall have taken such ship or vessel clear to sea, leave her without causing any unnecessary delay, and without the ship or vessel being obliged to land such Pilot : and all the foregoing rates of pilotage shall be payable to and collected by the said Pilotage Authority.

5. If any such, Pilot shall, within the said Pilotage District offer his services to any inward bound ship or vessel liable to pay Pilotage to the said Authority and be refused, no other licensed Pilot being on board or having previously offered his services to such ship or vessel, such Pilot so refused shall be entitled to demand and receive the same rate of Pilotage as if he had been actually employed to pilot such vessel into any of the ports in the Harbour of Miramichi.

6. Every Pilot shall make a report of every ship or vessel piloted by him to or from sea, on the forms furnished him, giving the name, rig, tonnage, nationality, draught of water ; and when boarded, if inward, where from and to whom consigned ; and, if outwards, name of shipper and where bound ; also any services that may have been rendered ; to which report he shall, if possible, obtain the master's signature : he shall also report all vessels spoken by him which have refused to accept his services ; and shall also report any casualty or accident that may have happened to any such vessel under his charge, or any other matter of importance connected with vessels coming under his observation ; and shall also report when any of the buoys are not in their places, or any of the lighthouses are not lighted at the proper time and kept lighted ; or fog whistles not sounded in thick weather ; which report shall be made without delay.

7. All boats to be licensed as Pilot boats shall be decked, of not less than twenty tons register, and shall be surveyed, and, if satisfactory and recommended, shall be licensed for a term not exceeding one year on payment of a license fee of ten dollars : all licensed Pilot boats at the end of or immediately before the expiring of the above named year, shall again be surveyed, and, if found satisfactory to the Pilotage Authority, shall have their licenses renewed for a term not exceeding one year,—which survey and examination shall be continued from year to year, on the payment for the first license of a fee of ten dollars, and for every renewal, five dollars, provided the number of boats under license shall not exceed four.

8. Every licensed Pilot boat shall have on board one or more life-boats, to be used in conveying Pilots to and from ships ; and also one or more life preservers for each Pilot and apprentice belonging or attached to said licensed Pilot boat.

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*Marine.*

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9. All licensed Pilot boats shall have conspicuous numbers on the sails,—such numbers to be painted in black on each side of the fore and main sails, in figures not less than three feet in length,—such numbers to be the same as stated in the license for such boats.

10. Any licensed Pilot boat that may, at any time on examination by the Pilotage Authority, be found in any way unfit for the service for which she is licensed, or not characterized in accordance with section 75 of Pilotage Act of 1873 and amendments thereto, shall have her license suspended until she is made and fitted out to the satisfaction of the Pilotage Authority; and the license so suspended shall, during such suspension, be lodged with the Secretary of the Pilotage Authority.

11. Each Pilot, before receiving his license, shall certify to the Pilotage Authority that he is the owner of at least two tons in one of the four licensed pilot-boats.

12. Each Pilot shall take his regular turn in piloting vessels inwards or outwards, so that the work will be equally divided amongst the Pilots; and it shall be the duty of every Pilot to obey the orders of the person to be appointed, as hereinafter provided, for the purpose of arranging the turns or making such changes therein as he may deem necessary and expedient.

13. The Pilots shall, at a meeting to be held on or before the first day of April in each year, by a majority of the Pilots present at such meeting, appoint a suitable person out of their number (such appointment to be subject to the approval of the Pilotage Authority), whose duty it shall be to decide upon and arrange the turns in which each Pilot shall perform his duty, and make any changes in said turns by substituting one Pilot for another, as he may deem expedient; to receive all reports from the Pilots, as provided in section 6 of these Regulations; ascertain the exact amount due by each vessel for the services of any Pilot; and forthwith forward the foregoing reports and information to the Secretary of the Pilotage Authority, with such other information as he may, from time to time, require; and for his services such person shall receive share and share alike with the other Pilots of the net proceeds earned at the end of the season.

In case the Pilots shall neglect to make said appointment, or should any appointment by the Pilots be disapproved, the Pilotage Authority shall appoint a suitable Pilot to perform the foregoing services.

14. Every person wishing to become an indentured apprentice to a licensed Pilot must make application on the proper form to the Secretary, and have the rudiments of an ordinary English education, and be of a good moral character and approved by the Pilotage Authority, and on such approval be indentured to a licensed Pilot to serve for a term of not less than four years, as a Pilot apprentice on board of a Miramichi licensed Pilot boat, under the direction and control of his indentured master,—the conditions to be contained in the indentures to be subject to the approval of the Pilotage Authority.

15. That after all apprentices who have been regularly indentured previous to the first day of February, A.D., 1882, shall have received their licenses, no more apprentices shall be licensed as pilots until the number of pilots is reduced to thirty.



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*Marine.*

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16. Every outward bound vessel shall be compelled to accept the services of the Pilot assigned to him by the person appointed under section 13 of these Regulations, unless the Master or Owner or Agent of such vessel can show satisfactory grounds for refusal to any two of the Commissioners,—in which case the person so appointed shall carry out the instructions of the said Commissioners.

17. In case of any dispute arising between Pilots, Masters of vessels and others, respecting pilotage, or for extra remuneration in a case of any extraordinary nature, the matter shall be referred to one or more of the Pilotage Commissioners nearest to the place of dispute, and his or their decision in the premises shall be final; and any licensed Pilot who shall refuse or neglect to appear before the Commissioner or Commissioners after twenty-four hours' notice when his attendance shall be required on any occasion, or who shall give any unnecessary trouble or annoyance or detention to Masters of vessels, shall, for every such offence, be liable to a penalty not exceeding forty dollars and also to suspension at the discretion of the Pilotage Authority as represented by a majority of the Commission; and the costs of summoning witnesses and the hearing of any matter in dispute, shall be paid by such party as the Commissioners may direct.

18. Any licensed Pilot not complying with these Rules and Regulations, or evading the sense, intent or meaning or any or either of them, shall be liable to a penalty not exceeding forty dollars for the breach of such Rule or Regulation, with, in case of the continuing breach, a further penalty not exceeding four dollars for every twenty-four hours during which such breach continues; and shall be liable to have his license withdrawn or suspended at the discretion of the Pilotage Authority.

19. On proof, on oath, to the Pilotage Authority that any Pilot licensed by them has been guilty of any improper conduct, drunkenness, or wilful neglect of duty, or that he is incapacitated by age or mental or bodily infirmity, said Pilot shall be suspended or deprived of his license at the discretion of the Pilotage Authority.

20. That R. R. Call, one of the Commissioners of Pilots for said District is hereby appointed their Secretary and Treasurer, and as such Secretary and Treasurer he shall collect and receive all fees and earnings under these Regulations; record the minutes, and keep a book for the entry of all licenses, fees, pilotage dues, fines, &c., received, and of all sums paid to Pilots and otherwise; and that he shall receive a salary per annum of three per cent on the gross receipts and earnings of the Pilots—to be, with the other necessary expenses of management of the pilotage business of said District, deducted from the fees for licenses, pilotage dues, fines, &c., and that after deduction of said salary and necessary expenses the net earnings of the Pilots shall be, by said Secretary and Treasurer, divided equally amongst the licensed Pilots of said District.

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*Marine.*

PRIVY COUNCIL OFFICE,  
OTTAWA, 4th day of May, 1882.

I hereby certify that the foregoing Rules and Regulations for the government of Pilots for the Pilotage District of Miramichi, have been this day approved by His Excellency the Governor General in Council.

JOHN J. MCGEE,  
*Acting Clerk, Privy Council.*

By Order in Council of Friday, 19th day of May, 1882, the Port of Desoronto, in the Bay of Quinté, County of Hastings, Province of Ontario, was constituted a Port of Registry for the registration of ships and subsequent transactions.

*Vide Canada Gazette, Vol. 15, p. 1873.*

By Order in Council of Friday, 19th day of May, 1882, the limits of the Port of Musquodoboit, in the County of Halifax, Province of Nova Scotia, were defined to be from Jeddore Head to Petiswick Head, as a Port to which the provisions of the Harbour Masters Acts shall apply.

*Vide Canada Gazette, Vol. 15, p. 1878.*

CERTIFIED COPY of a Report of a Committee of the Honourable the Privy Council, approved by His Excellency the Governor General in Council, on the 23rd May, 1882.

ON a Report, dated 17th May, 1882, from the Acting Minister of Marine and Fisheries, submitting that by the provisions of the 18th section of the Pilotage Act, 36 Victoria, chapter 54, sub-section 8, it is determined that the rates of pilotage for and below the Harbour of Quebec, set forth in tables 1 and 2 of schedule A, to the Act of the legislature of the Province of Canada, passed in the 12th year of Her Majesty's Reign, chapter 114, intituled "An Act to consolidate the laws relative to the powers and duties of the Trinity House of Quebec and for other purposes," shall not be altered for three years after the going into force of the Act 36 Victoria, chapter 54, nor unless the share of the net income of the Corporation of Pilots annually accruing to each member of the Corporation acting and practising as a Pilot for and below the Harbour of Quebec has been less than six hundred (\$600), on an average of three years previous:

The Minister states that it has been represented to him that the net income of each Pilot for the past three years has fallen below six hundred dollars (\$600):

That measures have been taken, by the passage of a Bill through Parliament, to reduce the number of Pilots so as to allow to the reduced number

*Marine.*

the specified sum of \$600, or a greater sum, but inasmuch as a year at least must elapse before such reduction in the number of Pilots can be made, the Minister recommends that the accompanying by-law, passed by the Harbour Commissioner of Quebec, at a meeting, held on the 3rd instant, repealing the existing rates of pilotage and increasing the rates, be approved, such by-law to have effect and the increased rates to continue in force only during the season of navigation in the year 1882:—

The Committee concur in the foregoing report of the Acting Minister of Marine and Fisheries and advise that the rule submitted be approved accordingly.

JOHN J. MCGEE,

*Clerk, Privy Council.*

QUEBEC HARBOUR COMMISSION.

BY-LAW to Increase the the Rates of Pilotage for and below the Harbour of Quebec.

WHEREAS, the Corporation of Pilots for and below the Harbour of Quebec having terminated a period of three years, as mentioned in the 18th section of "The Pilotage Act of 1873," and having declared in and by their petition, addressed, the twenty-first day of the month of February, in the year one thousand eight hundred and eighty, to the Quebec Harbour Commissioners, wherein they pray for an increased rate of pilotage, that the share of the net income of the said Corporation of Pilots, annually accruing to each member of the said Corporation acting and practising as a Pilot for and below the Harbour of Quebec, has been less than six hundred dollars (\$600) on an average of the said three years previous, the said Quebec Harbour Commissioners enact as follows:—

1. The rates of pilotage for and below the Harbour of Quebec, set forth in Tables I and II of Schedule A to the Act of the legislature of the Province of Canada, passed in the 12th year of Her Majesty's Reign, chaptered 114, intituled "An Act to consolidate the laws relating to the powers and duties of the Trinity House of Quebec and for other purposes," are hereby repealed.

2. For the future the rates of pilotage payable to the Pilots belonging to the Corporation of Pilots for and below the Harbour of Quebec, and acting and practising as such Pilots, shall be as follows:—

*Marine.*

TABLE I.

RATES of Pilotage for the Harbour of Quebec and below.

From	To	FOR EACH FOOT DRAUGHT OF WATER.			
		From the 1st May to the 10th Nov.	From the 10th Nov. to the 19th Nov.	From the 19th Nov. to the 1st March.	From the 1st March to the 1st May.
Bic Island or any other place below the anchorage of Brandy Pots off Hare Island.....	Anchorage or mooring ground in the Basin or Harbour of Quebec	\$3 87	\$4 95	\$6 02	\$4 41
The anchorage ground at the Brandy Pots off Hare Island or any place above the said anchorage ground and below St. Roch's Point.....	do do	$\frac{2}{3}$ of this sum	$\frac{2}{3}$ of this sum	$\frac{2}{3}$ of this sum	$\frac{2}{3}$ of this sum
St. Roch's Point or any place above this Point and below the Pointe aux Pins, on Crane Island.....	do	$\frac{1}{3}$ do ...	$\frac{1}{3}$ do ...	$\frac{1}{3}$ do ...	$\frac{1}{3}$ do ...
Pointe aux Pins, on Crane Island, or any place below St. Patrick's Hole.....	do do	$\frac{1}{4}$ do ...	$\frac{1}{4}$ do ...	$\frac{1}{4}$ do ...	$\frac{1}{4}$ do ...
The anchorage or mooring ground in the Basin or Harbour of Quebec. ....	Bic Island or the place where the Pilot shall be discharged in the river below Quebec.	\$3 40	\$4 46	\$5 54	\$3 93

*Marine, &c.*

TABLE II.

RATES of Pilotage for the Harbour of Quebec and below.

From	To	—
		\$ cts.
Any wharf in the Harbour of Quebec between Pointe-à-Carcy below, and the West End of the Allans' Wharf above, both inclusive.....	Any other Wharf within said limits.....	2 50
Any place in the Harbour of Quebec not being a Wharf within the above-mentioned limits.....	Any other place in the said Harbour not being a Wharf within the said limits.....	5 00

Pilots taking charge of vessels at Patrick's Hole or above it, shall be entitled to more than the sum allowed in the Table II for piloting vessels from one part of the Harbour to another.

P. V. VALIN,

*Chairman.*

A. H. VERRET,

*Secretary-Treasurer.*

By Order in Council of Tuesday, 23rd day of May, 1882, His Excellency, by and with the advice of the Queen's Privy Council for Canada, has been pleased to order, that the stream called "Beaver Creek," in the Township of Waterloo, in the County of Waterloo, Province of Ontario, should be exempted from the operation of the "Act for the better protection of navigable streams and rivers."

*Vide Canada Gazette, Vol. 15, p. 1931.*

*Fisheries.*

By Order in Council of Friday, 1st day of April, 1881, the following Fishery Regulation, for the Province of New Brunswick, was adopted:—

*Sturgeon Fishery, New Brunswick.*

1. The close time for sturgeon shall be from the 31st August until the 1st May following.

2. Sturgeon nets shall not be less than thirteen inches in the mesh, extension measure, from knot to knot when the net is dry.

(For clause 8, see O. in C. of 3rd April, 1882, infra.)

*Fisheries.*

4. All Sturgeon nets must be plainly marked with owner's name; non-compliance with this Regulation will render the net liable to confiscation, and the cancelling of its license.

*Vide Canada Gazette, Vol. 14, p. 1303.*

By Order in Council of Friday, 1st day of April, 1881, the waters of Puslinch Lake, in the Township of Puslinch, in the County of Wellington, and Province of Ontario, were set apart for the natural and artificial propagation of fish during the space of three years from 1st May, 1881.

*Vide Canada Gazette, Vol. 14, p. 1303.*

GOVERNMENT HOUSE, OTTAWA,  
Wednesday, 29th day of June, 1881.

*Present :*

HIS EXCELLENCY THE GOVERNOR GENERAL IN COUNCIL.

ON the recommendation of the Honorable the Acting Minister of Marine and Fisheries, and under the provisions of the 19th section of the Act passed in the Session of the Parliament of Canada, held in the thirty-first year of Her Majesty's Reign, chaptered 60, and intituled "An Act for the Regulation of Fishing and protection of Fisheries,"—His Excellency, by and with the advice of the Queen's Privy Council for Canada, has been pleased to order, and it is hereby ordered, that section 2 of the Fishery Regulations for the County of Halifax, Nova Scotia, be and the same is hereby repealed and replaced by the following:—

2. No net or other apparatus for taking fish shall be set or used within the limits described in the following rivers, respectively:—

*Ecum Secum River.*

Within two hundred and fifty yards on either side of the bridge on the main road, and within the same distance of Leslie's Mill.

*Moser's River.*

Above the Landing.

*Salmon River, East.*

Above the north corner of the Factory Wharf.

*Sheet Harbour Rivers.*

Within two hundred and fifty yards of West River Bridge, or Little River Bridge.

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*Fisheries.*


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*Tangier River.*

Above the north corner of George Ferguson's Wharf and west of same, nor in the small lake below Mooseland Mills.

*Ship Harbour River.*

Within two hundred and fifty yards of the artificial fishway and mouth of Newcomb's Brook.

*Musquodoboit River.*

Above Gardner's line on the north side and White Rock on the south side.

*Petizwick River.*

Within two hundred and fifty yards of the Bridge.

*Chezzetcook River.*

Within two hundred and fifty yards of the large granite, called Boundary Rock.

*Porter's Lake Run and River.*

Within two hundred and fifty yards of the inside Run, four hundred yards of the outside Run, and two hundred and fifty yards of the mouth of East and West Rivers.

*Lawrencetown River.*

Within two hundred and fifty yards on either side of the dyke.

*Gole Harbour Dyke and River.*

Within two hundred and fifty yards on either side of the Dyke, or the mouth of the river.

*Cow Bay Run.*

Within two hundred and fifty yards on either side.

Provided always that it shall be lawful to fish for Gaspereaux with dip-nets on Mondays, Tuesdays and Wednesdays, in each week, in all the above mentioned streams at a distance of not less than fifty feet from any fish pass which may now be in operation or hereafter constructed, except in Ship Harbour River where dip-net fishing shall be allowed on the north side of the stream only, on Mondays, Tuesdays, Wednesdays and Thursdays in each week.

J. O. COTÉ,

*Clerk, Privy Council.*

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*Fisheries, &c.*


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By Order in Council of Monday, 3rd day of October, 1881, the following special Fishery Regulations were adopted:—

In the Province of Manitoba and the North-West Territories, Whitefish shall not be fished for, caught or killed between the twentieth day of October and the first day of November; provided that Indians may catch or kill the same for their own use only, but not for purposes of sale or traffic.

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

Speckled trout (*salmo fontinalis*) shall not be fished for, caught or killed between the first day of October and the first day of January; Provided that Indians may catch or kill the same for their own use only, and not for purposes of sale or traffic.

*Vide Canada Gazette*, Vol. 15, p. 443.

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By Order in Council of Monday, 3rd day of April, 1882, the following regulation of the Fishery Regulations for the Province of New Brunswick, approved by Order in Council of the 1st April, 1881, was amended:—

*Sturgeon Fishery, New Brunswick.*

3. No Sturgeon net shall be used until a license has been obtained from the Department of Marine and Fisheries, the fee for which shall be \$15.00 for the season.

*Vide Canada Gazette*, Vol. 15, p

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By Order in Council of Monday, 24th day of April, 1882, the following amending Regulation was adopted, viz.—

“Section 5 of the Fisheries Act is suspended in so far as the same relates to the killing of whales by explosive instruments.”

*Vide Canada Gazette*, Vol. 15, p. 1692.

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*Post Office.*

ADDITIONAL ARTICLES OF AGREEMENT BETWEEN THE  
DOMINION OF CANADA AND THE UNITED STATES OF  
AMERICA.

For the purpose of affording to the public increased facilities for the exchange of written correspondence, and also of preventing evasions by publishers, of the postal laws and regulations of the United States, the undersigned, duly authorized by their respective Governments, have agreed upon the following additional articles to the Postal Arrangement of 27th January and 1st February, 1875:



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*Post Office.*


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## ARTICLE I.

Insufficiently paid letters mailed in the United States and addressed to Canada, or *vice versa*, mailed in Canada and addressed to the United States, on which a single rate of postage or more has been prepaid, shall be forwarded charged with the amount of the deficient postage, to be collected on delivery and retained by the Post Department of the country of destination. The amount of such deficient postage shall be indicated in figures, by the despatching exchange office, on the upper left-hand corner of the address.

## ARTICLE II.

When newspapers, periodicals and other printed matter, published or originating in the United States, are brought into Canada and posted there for destinations in the United States, apparently to evade the postage rates or regulations applicable to such matter in the United States, the Canada Post Office may require prepayment of the same to be made at a rate equivalent to double the Canada domestic rates.

## ARTICLE III.

The provisions of Article I of the Postal Arrangement of the 27th January and 1st February, 1875, so far as they conflict with the present articles, are abrogated.

## ARTICLE IV.

The present articles shall be considered additional to those agreed upon between the two offices on the 27th January and 1st February, 1875, and shall come into operation on the 1st of May, 1881.

In witness whereof the Postmaster General of Canada and the Postmaster General of the United States have hereto set their hands and affixed their seals, at the date set opposite to each respectively.

[L.S.]

A. CAMPBELL,

*Postmaster General of Canada.*

Ottawa, April 28, 1881.

[L.S.]

THOMAS L. JAMES,

*Postmaster General of the United States.*

Washington, May 3, 1881.

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I hereby approve the foregoing additional Articles, and in testimony thereof I have caused the seal of the United States to be affixed.

[L.S.]

JAMES A. GARFIELD.

By the President,

JAMES G. BLAINE,  
Secretary of State.

Washington, May 3, 1881.

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*Public Works.*


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*Public Works.*

By a Proclamation, dated the 31st day of January, 1882, the Act passed in the thirty-second and thirty-third years of Her Majesty's Reign, chaptered twenty-four, and intituled "An Act for the better preservation of the peace in the vicinity of Public Works," as amended by the Act passed in the thirty-third year of Our Reign, chaptered twenty-eight, and intituled "An Act to amend an Act for the better preservation of the peace in the vicinity of Public Works," excepting sections two, three, four, five, six, seven, eight, nine and ten, was declared to be in force, upon and after the first day of February, in the year of Our Lord one thousand eight hundred and eighty-two, in all those portions of the Province of Ontario, lying within ten miles on each side of the located line of the Canadian Pacific Railway (Eastern Division) between Algoma Mills and Callender Stations including the said portion of the line itself, and extending for a distance of ten miles beyond either extremity thereof.

*Vide Canada Gazette, Vol. 15, p. 1314.*

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By a Proclamation, dated the 30th day of May, 1882, the Act passed in the thirty-second and thirty-third years of Her Majesty's Reign, chaptered twenty-four, and intituled "An Act for the better preservation of the peace in the vicinity of Public Works," as amended by the Act passed in the thirty-third year of Her Majesty's Reign, chaptered twenty-eight, and intituled "An Act to amend an Act for the better preservation of the peace in the vicinity of Public Works," excepting sections two, three, four, five, six, seven, eight, nine and ten, was declared to be in force upon, from and after the first day of June, 1882, in the following localities, namely: all those portions of the Province of British Columbia in the Dominion of Canada, lying within ten miles on each side of the located line of the Canadian Pacific Railway between Port Moody and Savona's Ferry, including the line itself and extending for ten miles beyond either extremity thereof.

*Vide Canada Gazette, Vol. 15, p. 1811.*

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## UPPER OTTAWA WORKS.

By Order in Council of 1st March, 1882, the following rates were authorized to be levied during the ensuing season (1882) by the Upper Ottawa Improvement Company, in connection with the undermentioned works:—

*Through Des Joachims Boom.*

	Per pic ce.
Saw logs, 17 feet and under	- - - - $\frac{1}{2}$ cent.

*Public Works*

	Per piece.
Red and White Pine, Tamarac, Spruce and Hemlock, round or flatted, over 17 feet and under 25 feet long - - - -	$\frac{4}{5}$ cent.
do do 25 to 35 feet long - - - -	$\frac{5}{8}$ "
do do 35 feet and upwards in length	$\frac{3}{8}$ "
Red and White Pine, Tamarac, Spruce and Hemlock, square - - - -	$1\frac{1}{8}$ "
Oak, Elm and other hardwood, square or flatted.	2 cts.

*Through Fort William Boom.*

Saw logs, 17 feet and under - - - -	$\frac{1}{8}$ cent.
Red and White Pine, Tamarac, Spruce and Hemlock, round or flatted, over 17 feet and under 25 feet long - - - -	$\frac{4}{8}$ "
do do 25 to 35 feet long - - - -	$\frac{5}{8}$ "
do do 35 feet and upwards in length.	$\frac{3}{8}$ "
Red and White Pine, Tamarac, Spruce and Hemlock, square - - - -	$1\frac{1}{8}$ "
Oak, Elm and other hardwood, square or flatted.	2 cts.

*Through Allumette Boom.*

Saw logs, 17 feet and under - - - -	$\frac{1}{5}$ cent.
Red and White Pine, Tamarac, Spruce and Hemlock, round or flatted, over 17 feet and under 25 feet long - - - -	$\frac{4}{15}$ "
do do 25 to 35 feet long - - - -	$\frac{1}{3}$ "
do do 35 feet and upwards in length.	$\frac{2}{15}$ "
Red and White Pine, Tamarac, Spruce and Hemlock, square - - - -	$\frac{4}{5}$ "
Oak, Elm and other hardwood, square or flatted.	$1\frac{1}{5}$ "

*Through Melons Chenail Boom.*

Saw logs, 17 feet and under - - - -	$\frac{1}{10}$ "
Red and White Pine, Tamarac, Spruce and Hemlock, round or flatted, over 17 feet and under 25 feet long - - - -	$\frac{2}{15}$ "
do do 25 to 35 feet long - - - -	$\frac{1}{6}$ "
do do 35 feet and upwards in length.	$\frac{4}{15}$ "
Red and White Pine, Tamarac, Spruce and Hemlock, square - - - -	$\frac{2}{5}$ "
Oak, Elm and other hardwood, square or flatted.	$\frac{3}{5}$ "

*Passing Lapasse Boom.*

Saw logs, 17 feet and under - - - -	$\frac{1}{5}$ cent.
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*Public Works.*

	Per piece.
Red and White Pine, Tamarac, Spruce and Hemlock, round or flatted, over 17 feet and under 25 feet long - - - - -	$\frac{4}{15}$ cent.
do do 25 to 35 feet long - - - - -	$\frac{1}{3}$ "
do do 35 feet and upwards in length.	$\frac{8}{15}$ "
Red and White Pine, Tamarac, Spruce and Hemlock, square - - - - -	$\frac{5}{8}$ "
Oak, Elm and other hardwood, square or flatted.	$1\frac{1}{3}$ "

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

Saw logs, 17 feet and under - - - - -	$1\frac{1}{2}$ cent.
Red and White Pine, Tamarac, Spruce and Hemlock, round or flatted, over 17 feet and under 25 feet long - - - - -	$\frac{2}{3}$ "
do do 25 to 35 feet long - - - - -	$\frac{5}{8}$ "
do do 35 feet and upwards in length.	$1\frac{1}{3}$ "
Red and White Pine, Tamarac, Spruce and Hemlock, square - - - - -	2 cts.
Oak, Elm and other hardwood, square or flatted.	3 "

*Through Improvements from Deschênes to Head of Hull Slide. North Side.*

Saw logs, 17 feet and under - - - - -	$\frac{1}{2}$ cent.
Red and White Pine, Tamarac, Spruce and Hemlock, round or flatted, over 17 feet and under 25 feet long - - - - -	$\frac{2}{3}$ "
do do 25 to 35 feet long - - - - -	$\frac{5}{8}$ "
do do 35 feet and upwards in length.	$1\frac{1}{3}$ "
Red and White Pine, Tamarac, Spruce and Hemlock, square - - - - -	2 cts.
Oak, Elm and other hardwood, square or flatted.	3 "

*Through Improvements in Thomson's Bay.*

Saw logs, 17 feet and under - - - - -	$\frac{3}{4}$ cent.
Red and White Pine, Tamarac, Spruce and Hemlock, round or flatted, over 17 feet and under 25 feet long - - - - -	1 "
do do 25 to 35 feet long - - - - -	$1\frac{1}{2}$ "
do do 35 feet and upwards in length.	2 "
Red and White Pine, Tamarac, Spruce and Hemlock, square - - - - -	3 "
Oak, Elm and other hardwood, square or flatted.	$4\frac{1}{2}$ "

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*Public Works.*


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*Through Improvements in Limekiln Eddy.*

	Per piece.
Saw logs, 17 feet and under - - - -	½ cent.
Red and White Pine, Tamarac, Spruce and Hemlock, round or flatted, over 17 feet and under 25 feet long - - - -	⅓ "
do do 25 to 35 feet long - - - -	⅓ ½ "
do do 35 feet and upwards in length - - - -	⅔ "
Red and White Pine, Tamarac, Spruce and Hemlock, square - - - -	1 "
Oak, Elm and other hardwood, square or flatted	1½ "

*Through Boom below the outlet of Hull Slide.*

Saw logs 17 feet and under - - - -	½ cent.
Red and White Pine, Tamarac, Spruce and Hemlock, round or flatted, over 17 feet and under 25 feet long - - - -	⅓ "
do do 25 to 35 feet long - - - -	⅓ ½ "
do do 35 feet and upwards in length - - - -	⅔ "
Red and White Pine, Tamarac, Spruce and Hemlock, square - - - -	⅔ "
Oak, Elm and other hardwood, square or flatted	1½ "

## BOOM WORKING EXPENSES RATES.

*Through Des Joachims Boom.*

Saw logs, 17 feet and under - - - -	2 cts.
Red and White Pine, Tamarac, Spruce and Hemlock, round or flatted, over 17 feet and under 25 feet long - - - -	2½ "
do do 25 to 35 feet long - - - -	3½ "
do do 35 feet and upwards in length. - - - -	5½ "
Red and White Pine, Tamarac, Spruce and Hemlock, square - - - -	8 "
Oak, Elm and other hardwood, square or flatted.	12 "

*Through Fort William Boom.*

Saw logs, 17 feet and under - - - -	1 cent.
Red and White Pine, Tamarac, Spruce and Hemlock, round or flatted, over 17 feet and under 25 feet long - - - -	1½ "
do do 25 to 35 feet long - - - -	1¾ "
do do 35 feet and upwards in length. - - - -	2½ "
Red and White Pine, Tamarac, Spruce and Hemlock, square - - - -	4 "
Oak, Elm and other hardwood, square or flatted.	6 "

*Public Works.*

*Through Allumette Boom.*

	Per piece.
Saw logs, 17 feet and under - - - -	1 cent.
Red and White Pine, Tamarac, Spruce and Hemlock, round or flatted, over 17 feet and under 25 feet long - - - -	1½ "
do do 25 to 35 feet long - - - -	1¾ "
do do 35 feet and upwards in length. 2¾ "	2¾ "
Red and White Pine, Tamarac, Spruce and Hemlock, square - - - -	4 "
Oak, Elm and other hardwood, square or flatted. 6 "	6 "

*Through Melons Chenail Boom.*

Saw logs, 17 feet and under - - - -	1 cent.
Red and White Pine, Tamarac, Spruce and Hemlock, round or flatted, over 17 feet and under 25 feet long - - - -	1½ "
do do 25 to 35 feet long - - - -	1¾ "
do do 35 feet and upwards in length. 2¾ "	2¾ "
Red and White Pine, Tamarac, Spruce and Hemlock, square - - - -	4 "
Oak, Elm and other hardwood, square or flatted. 6 "	6 "

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

Saw logs, 17 feet and under - - - -	1½ cent.
Red and White Pine, Tamarac, Spruce and Hemlock, round or flatted, over 17 feet and under 25 feet long - - - -	2 "
do do 25 to 35 feet long - - - -	2½ "
do do 35 feet and upwards in length. 4 "	4 "
Red and White Pine, Tamarac, Spruce and Hemlock, square - - - -	6 "
Oak, Elm and other hardwood, square or flatted. 9 "	9 "

*Through Improvements in Thompson's Bay.*

Saw logs, 17 feet and under - - - -	1 cent.
Red and White Pine, Tamarac, Spruce and Hemlock, round or flatted, over 17 feet and under 25 feet long - - - -	1½ "
do do 25 to 35 feet long - - - -	1¾ "
do do 35 feet and upwards in length. 2¾ "	2¾ "
Red and White Pine, Tamarac, Spruce and Hemlock, square - - - -	4 "
Oak, Elm and other hardwood, square or flatted. 6 "	6 "

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*Railways and Canals.*

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*Railways and Canals.*

GOVERNMENT HOUSE, OTTAWA.

THURSDAY, 21st day of April, 1881.

*Present :*

HIS EXCELLENCY THE GOVERNOR GENERAL IN COUNCIL.

His Excellency, on the recommendation of the Honorable the Acting Minister of Railways and Canals, has been pleased to amend the Orders in Council now in force, and to make the following alterations in the existing rates of tolls on the Welland and St. Lawrence Canals, namely:—

1. All through freight westward, from Montreal to Lake Erie, shall continue to pay the existing tolls for passage through the St. Lawrence Canals, but shall pass through the Welland Canal free.

2. All through freight, eastward from Lake Erie to Montreal, shall continue to pay the existing tolls for passage through the Welland Canal, but shall pass through the St. Lawrence Canals free.

3. Goods shipped to any Port west of the St. Lawrence Canals, tolls upon which have already been paid for passage through such Canals, may be re-shipped from such Ports and be passed through the Welland Canal free of tolls in the same way as if they had been shipped through direct in the first instance.

4. Whereas at present articles coming under the heading "Class No. 4," which comprises all articles not enumerated in the remaining classes, pay at the rate of 40 cents a ton for passage through the Welland Canal, and 20 cents a ton for passage through the St. Lawrence Canals; henceforward, these unenumerated articles shall, if in transit westward, pay 20 cents a ton for passage through the St. Lawrence Canals, and be permitted to pass through the Welland Canal free; and if in transit eastwards, shall pay 20 cents a ton for passage through the Welland Canal, passing through the St. Lawrence Canals free.

5. All classes of goods not otherwise provided for comprised in classes "3" and "4" with the exception of coal, shall, if using the Welland Canal only, in transit westward, pay 15 cents a ton. Coal, however, shall continue to pay, as at present, 20 cents a ton for passage either way.

6. Rye, buckwheat and any other grains not enumerated, shall be classed as belonging to class three of the existing Schedule of Canal tolls.

J. O. COTÉ,

*Clerk, Privy Council.*

*Railways and Canals.*

GOVERNMENT HOUSE, OTTAWA.

FRIDAY, 29th day of April, 1881.

*Present :*

HIS EXCELLENCY THE GOVERNOR GENERAL IN COUNCIL.

On a Memorandum, dated 28th April, 1881, from the Honorable the Acting Minister of Railways and Canals, transmitting the following copy of a By-law passed on the 27th April instant by the Board of Directors of the Canadian Pacific Railway Company, fixing the Tariff of Tolls to be charged on that Railway and submitted for approval under the provisions of the Consolidated Railway Act, 1879, 42nd Victoria, Chapter 9, Section 17, sub-section 9 :

On the recommendation of the Acting Minister of Railways and Canals His Excellency, by and with the advice of the Queen's Privy Council for Canada, has been pleased to approve of the said Tariff of Tolls, the same to continue in force for a term of one year :—

“The following shall be the Tariff of tolls, rates and fares to be charged By-law No. 44, on the Canadian Pacific Railway for the conveyance of freight Tolls. and passengers :—

THROUGH TARIFF.

“On and after the 7th day of May next, the undermentioned rates will be charged on Freight interchanged with connecting lines.

Miles.	Between Emerson and	MERCHANDISE.				SPECIAL RATES.						
		1, per 100 lbs.	2, per 100 lbs.	3, per 100 lbs.	4, per 100 lbs.	No. 1, per 100 lbs.	No. 2, per bbl.	No. 3, per bbl.	No. 4, per car.	No. 5, per car.	No. 6, per car.	No. 7, per 100 lbs.
		Cts.	Cts.	Cts.	Cts.	Cts.	Cts.	Cts.	\$ cts.	\$ cts.	\$ cts.	Cts.
10	Dominion City.	3	3	2	2	2	4	7	3 00	4 00	5 00	2
18	*Armand .....	5	5	4	4	3	6	11	4 50	5 50	7 50	3
26	*Dufrost.....	9	8	7	6	4	8	15	7 00	8 00	10 00	4
35	Otterbura.....	10	9	8	7	5	10	15	8 50	9 50	11 50	4
43	Niverville.....	13	11	10	8	5	10	17	8 50	11 50	13 50	5
55	*St. Norbert.....	16	13	12	9	6	12	19	8 50	13 50	15 50	5
65	St. Boniface.....	18	15	13	10	7	14	19	10 50	15 50	17 50	6
73	*Birds' Hills.....	21	18	17	12	8	16	20	11 00	18 00	20 00	7
80	*Conor .....	22	19	18	12	8	16	20	12 50	19 50	21 50	7
87	Selkirk .....	25	22	21	14	9	18	22	13 00	22 00	24 00	8

\*Freight must be prepaid.

“Immigrants' movables in car load lots will be charged one-half special rates No. 6; in less than car load lots, one-half first-class rates.



*Railways and Canals.*

“THE CANADIAN PACIFIC RAILWAY COMPANY.

LOCAL MILEAGE TARIFF.

Distance in Miles.	MERCHANDISE.				SPECIAL RATES.						
	1, per 100 lbs.	2, per 100 lbs.	3, per 100 lbs.	4, per 100 lbs.	1, per 100 lbs.	2, per bbl.	3, per bbl <sup>4</sup>	4, per car.	5, per car.	6, per car.	7, per 100 lbs.
	Cts.	Cts.	Cts.	Cts.	Cts.	Cts.	Cts.	Cts.	Cts.	Cts.	Cts.
0 to 5	9	7	6	5	4	8	10	500	700	700	3
5 — 10	11	9	7	6	5	10	11	600	800	800	3
10 — 15	13	10	8	6	5	10	13	650	900	900	4
15 — 20	15	12	9	7	5	10	15	700	1000	1000	5
20 — 25	17	14	11	8	5	10	17	800	1100	1200	5
25 — 30	19	15	12	9	5	10	18	900	1200	1500	6
30 — 35	21	16	13	10	6	12	19	1000	1300	1600	6
35 — 40	22	17	13	11	7	14	22	1100	1400	1700	6
40 — 45	23	18	14	12	7	14	23	1200	1500	1800	6½
45 — 50	24	19	15	12	8	16	23	1250	1600	1900	7
50 — 55	25	20	16	13	8	16	24	1300	1800	2000	7
55 — 60	26	21	16	13	8	16	25	1400	1950	2200	7
60 — 65	27	22	17	14	8	16	26	1500	2100	2400	7½
65 — 70	28	22	18	14	10	20	27	1600	2200	2500	8
70 — 75	29	23	19	15	11	22	28	1700	2300	2600	8
75 — 80	30	24	19	15	11	22	30	1800	2400	2800	8
80 — 85	31	25	20	15	12	24	32	1900	2500	3000	8
85 — 90	32	26	20	16	12½	25	34	2000	2600	3400	8½
90 — 95	33	27	21	17	13	26	35	2200	2700	3400	9
95 — 100	34	27	22	17	13	26	36	2250	2750	3400	9
100 — 105	35	28	23	18	14	28	37	2300	2800	3500	10
105 — 110	36	29	24	18	14	28	38	2350	2850	3600	10
110 — 115	37	30	25	19	14	28	39	2400	2900	3700	11
115 — 120	38	31	25	19	15	30	40	2450	2950	3800	11
120 — 125	39	32	26	20	15	30	41	2500	3000	3900	11
125 — 130	40	33	26	21	15	30	41	2550	3050	4000	12
130 — 135	41	33	27	21	16	32	42	2600	3100	4100	12
135 — 140	42	34	27	21	16	32	42	2650	3150	4200	13
140 — 145	43	35	28	22	16	32	43	2700	3200	4300	13

PASSENGER TARIFF.

“ A uniform rate of three cents per mile.

“ Immigrants going into the country on through tickets, one and a half cents per mile.”

J. O. COTÉ,

*Clerk Privy Council.*

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*Railways and Canals.*

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GOVERNMENT HOUSE, OTTAWA.

TUESDAY, 12th day of July, 1881.

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*Present :*

HIS EXCELLENCY THE GOVERNOR GENERAL IN COUNCIL.

Whereas representations have been made by parties interested, showing that vessels laden with grain for delivery in Montreal Harbour frequently carry also deck loads of phosphates, and that being compelled to proceed at once to the Harbour for the discharge of the grain they pay tolls through to that point, subsequently re-entering the Lachine Canal for the storage of the phosphates, and in accordance with the existing regulations paying Canal dues a second time for such re-entry ;

And whereas, a similar difficulty having been experienced with regard to the storage of surplus grain not required for shipment, an Order in Council was passed on the 8th of August, 1878, allowing re-entry free of tolls for the purpose indicated,—

His Excellency in Council, on the recommendation of the Honourable the Acting Minister of Railways and Canals, has been pleased to order, and it is hereby ordered, that the Lachine Canal Basins within the Montreal City limits be henceforward considered as part of the Montreal Harbour, for the purpose of the unloading of phosphates carried by vessels in addition to their grain cargoes as above described,—it being, however, provided that in the event of their returning to the Harbour to take cargo the usual toll shall be charged against such vessels on their passing out of the Canal the second time.

J. O. COTÉ,

*Clerk, Privy Council.*

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By Order in Council passed on the 26th day of July, 1881, under the provisions of the 5th sub-section of the 3rd section of the Act 44th Victoria, (1881) chapter 25, relating to Government Railways, the Honorable the Deputy of His Excellency the Governor General was pleased to exempt the works undermentioned from the operation of the above stated section of the said Act, relating to the height of existing bridge structures or tunnels on the line of the Intercolonial Railway, namely :—

1. The Campbell Road Bridge at Halifax.
2. Morrissey's Rock Tunnel, near Campbellton.
3. The Mill Sluice near Etchemin.

*Vide Canada Gazette, Vol. 15, p. 199.*

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*Railways and Canals.*

GOVERNMENT HOUSE, OTTAWA.

SATURDAY, 6th day of August, 1881.

*Present :* •

THE HONORABLE THE DEPUTY OF HIS EXCELLENCY THE GOVERNOR  
GENERAL IN COUNCIL.

The Deputy Governor, on the recommendation of the Honorable the Acting Minister of Railways and Canals, has been pleased to adopt the following Rules with respect to the repairing of vessels on the banks of the Lachine Canal, the Beauharnois and the Chambly

1. Repairs shall only be executed at such points as may be indicated and approved of by the Superintendent.

2. For each vessel hauled up or beached for repairs, a charge of one dollar, over and above all other charges, shall be made, carrying the privilege of remaining for one month, a further sum of one dollar being charged for each additional month or fraction of a month the vessel may remain.

In cases, however, where a vessel hauled up for repairs upon the Canal bank remains there throughout the winter, a charge of \$1.00 only shall be made (in addition to her ordinary winterage dues) the period covered being from the 1st of November to the 1st of June inclusive.

3. Any vessel remaining on the Canal bank after having wintered thereon shall be charged at the rate of one dollar a month or fraction of a month of her subsequent stay.

4. Any vessel remaining more than one year on the bank of the Canal shall, for such time as she may remain in excess of that period, pay at the rate of two dollars a month or fraction of a month throughout the whole year.

5. All charges shall be payable at the Collector's office in advance on the first day of each month.

6. These rules shall be understood as applying to all cases where the Canal bank is used in any manner for the repair of vessels, whether such vessels are actually hauled up or not.

Certified,

J. O. COTÉ,

*Clerk, Privy Council.*

By Order in Council of 26th January, 1882, His Excellency the Governor General was pleased to exempt the tunnel under the Welland Canal, through which the trains of the Great Western Railway pass, from the operation of the fifth sub-section of section 3, of the Act 44th Victoria, chapter 24, relating to the height of clear and open headway to be maintained between the undermost parts of bridges, tunnels, &c., and the tops of the highest cars of a railway.

*Vide Canada Gazette, Vol. 15, p. 1081.*

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*Railways and Canals, &c.*


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By Order in Council of 20th March, 1882, His Excellency the Governor General, under the discretionary powers conferred by the 5th sub-section of the 3rd section of the Act 44th Victoria, chapter 24, and provided that the Company agree to enforce the regulation suggested in the Report of the Inspecting Engineer, has been pleased to exempt the undermentioned works from its operation:—

1. The Tunnel at Brockville.
2. The Bridge in front of the Tunnel and under the Grand Trunk Railway at Brockville.

*Vide Canada Gazette, Vol. 15, p. 1444.*

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*Secretary of State.*

By Order in Council of Wednesday, 20th day of April, 1881, it was declared that the second part of "The Canada Temperance Act, 1878" should be in force and take effect in the County of Sunbury, upon, from and after the day on which the annual or semi-annual licenses for the sale of spirituous liquors then in force in the said County should expire, provided such day was not less than ninety days from the day of the date of such Order, and if it were less, then on the like day in the following year.

*Vide Canada Gazette, Vol. 14, p. 1418.*

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*TARIFF of Fees under the Act 40th Victoria, chapter 43, upon issuing of Letters Patent, adopted by an order of the Honourable the Privy Council, bearing date the 22nd day of October, 1877, under the 74th Section of the said Act.*

The following is the schedule of fees payable under the 74th section of the said Act:—

1. When the proposed capital stock of the Company is \$500,000 or upwards, the fee to be \$200.
2. When the proposed capital stock is \$200,000 or upwards, and less than \$500,000, \$150.
3. When the proposed capital stock is \$100,000 or upwards, and less than \$200,000, \$100.
4. When the proposed capital stock is less than \$100,000, \$50.
5. When the proposed capital stock is \$40,000 or less than \$40,000, \$30.

On application for Supplementary Letters Patent the fee to be one-half of that charged on the original Letters Patent.

*Vide Canada Gazette, Vol. 14, p. 1559.*

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By Order in Council of Wednesday, 1st day of June, 1881, it was declared that the second part of "The Canada Temperance Act, 1878,"

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*Secretary of State.*


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should be in force and take effect in the County of Shelburne, upon, from and after the day on which the annual or semi-annual licenses for the sale of spirituous liquors then in force in the said County should expire, provided such day was not less than ninety days from the day of the date of such Order, and, if it was less, then on the like day in the following year.

*Vide Canada Gazette, Vol. 14, p. 1686.*

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By Order in Council of Monday, 13th day of June, 1881, it was declared that the second part of "The Canada Temperance Act, 1878," should be in force and take effect in the County of Lisgar upon, from and after the day on which the annual or semi-annual licenses for the sale of spirituous liquors then in force in the said County should expire, provided such day were not less than ninety days from the day of the date of said Order, and if it were less, then on the like day in the following year.

*Vide Canada Gazette, Vol. 14, p. 1776.*

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By Order in Council of Friday, 17th day of June, 1881, it was declared that the second part of "The Canada Temperance Act, 1878," should be in force and take effect in the County of Kings (N.S.), upon, from and after the day on which the annual or semi-annual licenses for the sale of spirituous liquors then in force in the said County should expire, provided such day were not less than ninety days from the day of the date of the said Order, and, if it were less, then on the like day in the following year.

*Vide Canada Gazette, Vol. 14, p. 1821.*

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By Order in Council of Saturday, 25th day of June, 1881, it was declared that the second part of "The Canada Temperance Act, 1878," should be in force and take effect in the County of Halton upon, from and after the day on which the annual or semi-annual licenses for the sale of spirituous liquors then in force in the said County should expire, provided such day were not less than ninety days from the day of the date of said Order, and, if it were less, then on the like day in the following year.

*Vide Canada Gazette, Vol. 15, p. 6.*

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By Order in Council of Saturday, 25th day of June, 1881, it was declared that the second part of "The Canada Temperance Act, 1878," should be in force and take effect in the County of Annapolis upon, from and after the day on which the annual or semi-annual licenses for the sale of spirituous liquors then in force in the said County should expire, provided such day were not less than ninety days from the day of the date of said Order, and, if it were less, then on the like day in the following year.

*Vide Canada Gazette, Vol. 15, p. 7.*

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*Secretary of State.*


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By Order in Council of Saturday, 15th day of October, 1881, it was declared that the second part of "The Canada Temperance Act, 1878," should be in force and take effect in the County of Cape Breton upon, from and after the day on which the annual or semi-annual licenses for the sale of spirituous liquors then in force in the said County should expire, provided such day were not less than ninety days from the day of the date of said Order, and, if it were less, then on the like day in the following year.

*Vide Canada Gazette, Vol. 15, p. 531.*

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By Order in Council of Saturday, 19th day of November, 1881, it was declared that the second part of "The Canada Temperance Act, 1878," should be in force and take effect in the County of Hants upon, from and after the day on which the annual or semi-annual licenses for the sale of spirituous liquors then in force in the said County should expire, provided such day were not less than ninety days from the day of the date of said Order, and, if it were less, then on the like day in the following year.

*Vide Canada Gazette, Vol 15, p. 661.*

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By Order in Council of Monday, 3rd day of April, 1882, it was declared that the second part of "The Canada Temperance Act, 1878," should be in force and take effect in the said County of Inverness upon, from and after the day on which the annual or semi-annual licenses for the sale of spirituous liquors then in force in the said County should expire, provided that such day were not less than ninety days from the day of the date of said Order, and, if it were less, then on the like day in the following year.

*Vide Canada Gazette, Vol. 15, p. 1533.*

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Letters patent of incorporation under the "Joint Stock Companies Act, 1877," have been issued to the following Companies and notice thereof published in the *Canada Gazette* :—

The Toronto and Rapid City Land and Trading Company, capital \$40,000 ; on the 9th day of April, 1881.

The North West Navigation Company (limited), capital \$250,000 ; on the 16th day of April, 1881.

The Barrie Loan and Savings Company, capital \$250,000 ; on the 7th day of May, 1881.

The Cochrane Rancho Company (limited), capital \$500,000 ; on the 14th day of May, 1881.

The Cantin Forwarding Company (limited), capital \$50,000 ; on the 28th day of May, 1881.

The Dominion Abattoir and Stock Yards Company (limited), capital \$250,000 ; on the 25th day of June, 1881.

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*Secretary of State.*

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The St. Lawrence River Steamboat Company, capital \$25,000 ; on the 25th day of June, 1881.

The Midland Elevator and Forwarding Company (limited), capital \$100,000 ; on the 16th day of July, 1881.

The Grape Sugar Refining Company of Canada (limited), capital \$100,000 ; on the 20th day of August, 1881.

The Farm and Dairy Utensil Manufacturing Company (limited), capital \$50,000 ; on the 20th day of August, 1881.

The Petrolia Waggon Manufacturing Company (limited), capital \$20,000 ; on the 20th day of August, 1881.

The Dominion Safety Switch Company (limited), capital \$100,000 ; on the 20th day of August, 1881.

The Kingston Charcoal and Iron Company (limited), capital \$50,000 ; on the 3rd day of September, 1881.

The Nova Scotia Glass Company (limited), capital \$50,000 ; on the 17th day of September, 1881.

The Canada Mutual Telegraph Company, capital \$1,000,000 ; on the 24th day of September, 1881.

The shareholders of the Imperial Loan and Investment Company of Canada (limited), capital \$1,000,000 ; on the 1st day of October, 1881.

The Midland Rolling Stock Company (limited), capital \$100,000 ; on the 8th day of October, 1881.

The Black Diamond Steamship Company of Montreal (limited), capital \$300,000 ; on the 3rd and 24th days of December, 1881.

The Dominion Sugar and Syrup Company (limited), capital \$20,000 ; on the 3rd and 24th days of December, 1881.

The High River Stock Company (limited), capital \$200,000 ; on the 3rd day of December, 1881.

The Windsor Cotton Company (limited), capital \$200,000 ; on the 31st day of December, 1881.

A. Harris, Son and Company (limited), capital \$250,000 ; on the 31st December, 1881.

The Upper Ottawa Towing Company (limited), capital \$100,000 ; on the 28th day of January, 1882.

The Penman Manufacturing Company (limited), capital \$250,000 ; on the 28th day of January, 1882.

The Sarnia and Port Huron Ferry Company (limited), capital \$4,480 ; on the 4th day of February, 1882.

The Canadian Iron and Steel Company (limited), capital \$1,000,000 ; on the 18th day of February, 1882.

The Saint John Cotton Company (limited), capital \$200,000 ; on the 18th day of February, 1882.

The Almonte Knitting Company, capital \$100,000 ; on the 24th day of March, 1882.

The British Canadian Colonization Company (limited), capital \$1,000,000 ; on the 24th day of March, 1882.

The Ottawa and North-West Land Company (limited), capital \$200,000 ; on the 24th day of March, 1882.

*Secretary of State.*

The Primitive Methodist Colonization Company (limited), capital \$100,000; on the 1st day of April, 1882.

The Temperance Colonization Society, capital \$2,000,000; on the 1st day of April, 1882.

The Toronto, Manitoba and North-West Land Company (limited), capital \$100,000; on the 1st day of April, 1882.

The Eureka Woollen Mill Company, capital \$30,000; on the 1st day of April, 1882.

The Canada Jute Company (limited), capital \$50,000; on the 1st day of April, 1882.

The North-West Cattle Company (limited), capital \$150,000; on the 1st day of April, 1882.

The Canadian Manufacturer Publishing Company, capital \$5,000; on the 22nd day of April, 1882.

The New Brunswick Steamship Company (limited), capital \$1,000,000; on the 22nd day of April, 1882.

The Medical Specialties Manufacturing Company, capital \$8,000; on the 22nd day of April, 1882.

The Montreal and Western Land Company (limited), capital \$500,000; on the 29th day of April, 1882.

The Apothecaries Hall Company (limited), capital \$100,000; on the 29th day of April, 1882.

The Ontario and Qu'Appelle Land Company, capital \$1,000,000; on the 20th day of May, 1882.

The Stevens, Turner and Burns Foundry and General Manufacturing Company (limited), capital \$250,000; on the 20th day of May, 1882.

The Saskatchewan Land and Homestead Company (limited), capital \$500,000; on the 27th day of May, 1882.

The York Farmers' Colonization Company, capital \$300,000; on the 27th day of May, 1882.

The Dominion Lands Colonization Company, capital \$1,000,000; on the 27th day of May, 1882.

The Austin Mining Company, capital \$250,000; on the 3rd day of June, 1882.

The Qu'Appelle Valley Farming Company (limited), capital \$600,000; on the 10th day of June, 1882.

The Toronto Patent Wheel and Waggon Company (limited), capital \$25,000; on the 10th day of June, 1882.

The Farmers' North-West Land and Colonization Company (limited), capital \$200,000; on the 10th day of June, 1882.

The Anglo-Canadian Ranch Company (limited), capital \$100,000; on the 10th day of June, 1882.

The Stewart Ranch Company (limited), capital \$150,000; on the 10th day of June, 1882.

The Ontario and North-Western Land Company, capital \$100,000; on the 10th day of June, 1882.

And Supplementary Letters Patent to:—

The Stormont Cotton Manufacturing Company (limited), increasing the capital stock to \$500,000; on the 21st day of May, 1881.



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*Secretary of State.*

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The Victoria Consolidated Silver Mining Company (limited), increasing capital to \$100,000 ; on the 23rd day of July, 1881.

The Lake St. Francis Tow-Boat Company (limited), decreasing capital to \$10,000 ; on the 20th day of August, 1881.

The Winnipeg and Western Transportation Company (limited), capital increased to \$250,000 ; on the 17th day of December, 1881.

The Toronto and Rapid City Land and Trading Company (limited), capital increased to \$500,000 ; on the 4th day of February, 1882.

The Grape Sugar Refining Company (limited), increasing capital to \$200,000 ; on the 22nd day of April, 1882.

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# ACTS

OF THE

PARLIAMENT OF THE UNITED KINGDOM

OF

# GREAT BRITAIN AND IRELAND

PASSED IN THE SESSIONS HELD IN THE

42ND & 43RD, 43RD & 44TH AND 44TH & 45TH YEARS OF THE  
REIGN OF HER MAJESTY,

## QUEEN VICTORIA,

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



OTTAWA:

PRINTED BY BROWN CHAMBERLIN,

LAW PRINTER (FOR CANADA) TO THE QUEEN'S MOST EXCELLENT MAJESTY,

ANNO DOMINI, 1882.





## 42-43 VICTORIA.

### CHAP. 72.

An Act to provide for the re-hearing of Investigations A. D. 1879.  
into Shipping Casualties, and to amend the rules as  
to the mode of holding, and procedure, at such  
Investigations.

[15th August, 1879.]

**B**E it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows; that is to say:—

1. This Act may be cited as the *Shipping Casualties Investigations Act, 1879.* Short title.

2. (1) Where an investigation into the conduct of a master, mate, or engineer, or into a shipping casualty, has been held under the *Merchant Shipping Act, 1854*, or any Act amending the same, or under any provision for holding such investigations in a British possession, the Board of Trade may, in any case, and shall, if new and important evidence which could not be produced at the investigation has been discovered, or if for any other reason there has, in their opinion, been ground for suspecting a miscarriage of justice, order that the case be re-heard, either generally or as to any part thereof, and either by the Court or authority by whom it was heard in the first instance, or by the Wreck Commissioner, or in England or Ireland by a Judge of Her Majesty's High Court of Justice exercising jurisdiction in Admiralty cases, or in Scotland by the Senior Lord Ordinary, or any other Judge in the Court of Session whom the Lord President of that Court may appoint for the purpose; and the case shall be so re-heard accordingly.

Re-hearing of and appeal against investigation into shipping casualty or misconduct of officer. 17 and 18 V., c. 104.

(2.) Where, in any such investigation, a decision has been given with respect to the cancelling or suspension of the certificate of a master, mate, or engineer, and an application

*Shipping Casualties Investigation Act, 1879.*

for a re-hearing under this section has not been made or has been refused, an appeal shall lie from the decision to the following courts; namely:—

- (a.) If the decision is given in England or by a Naval Court, the Probate, Divorce, and Admiralty Division of Her Majesty's High Court of Justice;
- (b.) If the decision is given in Scotland, either division of the Court of Session;
- (c.) If the decision is given in Ireland, the High Court of Admiralty, or the Judge or Division of Her Majesty's High Court of Justice exercising jurisdiction in Admiralty cases.

(3.) Any re-hearing or appeal under this section shall be subject to and conducted in accordance with such conditions and regulations as may, from time to time, be prescribed by general rules made under section thirty of the *Merchant Shipping Act, 1876.*

39 and 40 V.,  
c. 80.

Rules as to  
investiga-  
tions into  
shipping ca-  
sualties and  
misconduct  
of officers.

3. (1.) The list of persons approved as assessors for the purpose of formal investigations into shipping casualties shall be in force for three years only, but persons entered in any such list may be approved for any subsequent list. The list of those persons, in force at the passing of this Act, shall continue in force until the end of the year one thousand eight hundred and eighty, but nothing in this section shall affect the power of the Secretary of State to withdraw his approval of any name on any such list or to approve of any additional name.

(2.) The assessor or assessors for each such investigation shall, instead of being appointed by the Commissioner, Justices, or other authority holding the investigation, be appointed in such manner and according to such regulations as may be, from time to time, prescribed by general rules made under section thirty of the *Merchant Shipping Act, 1876.*

39 and 40 V.,  
c. 80.

(3.) Where any such investigation involves or appears likely to involve any question as to the cancelling or suspension of the certificate of a master, mate, or engineer, it shall be held with the assistance of not less than two assessors having experience in the merchant service.

(4.) A master, mate or engineer shall not be required to deliver his certificate under section four hundred and thirty-

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*Shipping Casualties Investigation Act, 1879.*

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eight of the *Merchant Shipping Act, 1854*, or section twenty-four of the *Merchant Shipping Act, 1862*, unless the certificate is suspended or cancelled, and the words "or is to be" in the latter of those sections are hereby repealed. 17 and 18 V.,  
c. 104.  
25 and 26 V.,  
c. 63.

(5.) Investigations into shipping casualties shall be held in some town hall, assize or county court, public building, or in some other suitable place to be determined according to general rules made for the purpose by the Lord High Chancellor of Great Britain, and unless no other suitable place is, in the opinion of the Board of Trade, available shall not be held in a court ordinarily used as a Police Court'

4. Any general rule made in pursuance of this Act shall be laid before both Houses of Parliament within thirty days after it is made, if Parliament be then sitting, or if not, within thirty days after the commencement of the then next ensuing session. Rules to be  
laid before  
Parliament.

5. This Act shall commence and come into operation on the first day of November one thousand eight hundred and seventy-nine: Provided that any rules which may be required for the purposes of this Act may be made at any time before the commencement of this Act, but, if so made, shall not come into operation until the commencement of this Act. Commence-  
ment of Act.

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## 43-44 VICTORIA.

### CHAP. 16.

A.D. 1880. An Act to amend the law relating to the Payment of Wages and Rating of Merchant Seamen.

[2nd August, 1880.]

**B**E it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows; that is to say:—

**1.** This Act may be cited as the *Merchant Seamen (Payment of Wages and Rating) Act, 1880*. This Act shall be construed as one with the *Merchant Shipping Acts, 1854 to 1876*, and those Acts and this Act may be cited collectively as the *Merchant Shipping Acts, 1854 to 1880*.

Short title and construction. 17 & 18 V., c. 104, &c.

**2.** (1.) After the first day of August one thousand eight hundred and eighty-one, any document authorizing or promising, or purporting to authorize or promise, the future payment of money on account of a seaman's wages conditionally on his going to sea from any port in the United Kingdom, and made before those wages have been earned, shall be void.

Conditional advance notes illegal.

(2.) No money paid in satisfaction or in respect of any such document shall be deducted from a seaman's wages, and no person shall have any right of action, suit, or set-off against the seaman or his assignee in respect of any money so paid or purporting to have been so paid.

**3.** (1.) Nothing in this section shall affect any allotment note made under the *Merchant Shipping Act, 1854*.

17 & 18 V., c. 104.

**3.** (1.) Every agreement with a seaman which is required by the *Merchant Shipping Act, 1854*, to be made in the form sanctioned by the Board of Trade shall, if the seaman so

Amendment of 17 & 18 V., c. 104, s. 169

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*Merchant Seamen (Payment of Wages), &c.*

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require, stipulate for the allotment of any part not exceeding as to allotment notes. one half of the wages of the seaman in favour of one or more of the persons mentioned in section one hundred and sixty-nine of the *Merchant Shipping Act*, 1854, as amended by 17 & 18 V., c. 104., this section.

(2.) The allotment may also be made in favour of a savings bank, and in that case shall be in favour of such persons and carried into effect in such manner as may be, for the time being, directed by regulations of the Board of Trade, and section one hundred and sixty-nine of the *Merchant Shipping Act*, 1854, shall be construed as if the said persons 17 & 18 V., c. 104. were named therein.

(3.) The sum received in pursuance of such allotment by a savings bank shall be paid out only on an application made, through a superintendent of a mercantile marine office or the Board of Trade, by the seaman himself, or, in case of death, by some person to whom the same might be paid under section one hundred and ninety-nine of the *Merchant Shipping Act*, 1854. 17 & 18 V., c. 104.

(4.) A payment under an allotment note shall begin at the expiration of one month, or, if the allotment is in favour of a savings bank, of three months, from the date of the agreement, or at such later date as may be fixed by the agreement, and shall be paid at the expiration of every subsequent month, or of such other periods as may be fixed by the agreement, and shall be paid only in respect of wages earned before the date of payment.

(5.) For the purposes of this section "savings bank" means a savings bank established under one of the Acts mentioned in the first Schedule to this Act.

4. In the case of foreign-going ships—

Rules as to payment of wages.

(1.) The owner or master of a ship shall pay to each seaman on account, at the time when he lawfully leaves the ship at the end of his engagement, two pounds, or one fourth of the balance due to him, whichever is least; and shall pay him the remainder of his wages within two clear days (exclusive of any Sunday, Fast Day in Scotland or Bank Holiday) after he so leaves the ship.

(2.) The master of the ship may deliver the account of wages mentioned in section one hundred and seventy-one of the *Merchant Shipping Act*, 1854, to the seaman himself at 17 & 18 V., c. 104.



*Merchant Seamen (Payment of Wages), &c.*

or before the time when he leaves the ship instead of delivering it to a superintendent of a mercantile marine office.

(3.) If the seaman consents, the final settlement of his wages may be left to the superintendent of a mercantile marine office under regulations to be made by the Board of Trade, and the receipt of the superintendent shall in that case operate as a release by the seaman under section one hundred and seventy-five of the *Merchant Shipping Act, 1854*.

17 & 18 V.,  
c. 104.

(4.) In the event of the seaman's wages or any part thereof not being paid or settled as in this section mentioned, then, unless the delay is due to the act or default of the seaman, or to any reasonable dispute as to liability, or to any other cause not being the act or default of the owner or master, the seaman's wages shall continue to run and be payable until the time of the final settlement thereof.

(5.) Where a question as to wages is raised before the superintendent of a mercantile marine office between the master or owner of a ship, and a seaman or apprentice, if the amount in question does not exceed five pounds, the superintendent may adjudicate, and the decision of the superintendent in the matter shall be final, but if the superintendent is of opinion that the question is one which ought to be decided by a court of law, he may refuse to decide it.

Penalty for being on board ship without permission before seamen leave.  
See 17 & 18 V., c. 104, s. 237.

5. Where a ship is about to arrive, is arriving, or has arrived at the end of her voyage, every person, not being in Her Majesty's service or not being duly authorized by law for the purpose, who—

(a.) Goes on board the ship, without the permission of the master, before the seamen lawfully leave the ship at the end of their engagement or are discharged (whichever last happens); or—

(b.) Being on board the ship, remains there after being warned to leave by the master, or by a police officer, or by any officer of the Board of Trade or of the Customs,—

shall for every such offence be liable on summary conviction to a fine not exceeding twenty pounds, or, at the discretion of the Court, to imprisonment for any term not exceeding six months: and the master of the ship or any officer of the Board of Trade may take him into custody, and deliver him

*Merchant Seamen (Payment of Wages), &c.*

up forthwith to a constable to be taken before a court or magistrate capable of taking cognizance of the offence, and dealt with according to law.

**6.** Whenever it is made to appear to Her Majesty—

Provisions contained in section five to apply to ships belonging to foreign countries in certain cases.

(1.) That the Government of any foreign country has provided that unauthorized persons going on board British ships which are about to arrive or have arrived within its territorial jurisdiction shall be subject to provisions similar to the provisions contained in the last preceding section as applicable to persons going on board British ships at the end of their voyages ; and

(2.) That the Government of such foreign country is desirous that the provisions of the said section shall apply to unauthorized persons going on board of ships belonging to such foreign country within the limits of British territorial jurisdiction,—Her Majesty may, by Order in Council, declare that the provisions of the said last preceding section shall apply to the ships of such country ; and thereupon so long as the Order remains in force those provisions shall apply and have effect as if the ships of such country were British ships arriving, about to arrive, or which had arrived at the end of their voyage.

**7.** A seaman shall not be entitled to the rating of A. B. (that is to say, of an able-bodied seaman) unless he has served at sea for four years before the mast, but the employment of fishermen in registered decked fishing vessels shall only count as sea service up to the period of three years of such employment ; and the rating of A. B. shall only be granted after at least one year's sea service in a trading vessel in addition to three or more years' sea service on board of registered decked fishing vessels ; such service may be proved by certificates of discharge, by a certificate of service from the Registrar General of Shipping and Seamen (which certificate the Registrar shall grant on payment of a fee not exceeding sixpence) and in which shall be specified whether the service was rendered in whole or in part, in steamship or in sailing ship, or by other satisfactory proof. Nothing in this section shall affect a seaman who has been rated and has served as A. B. before the the passing of this Act.

Rating of seamen.

**8.** Where a proceeding is instituted in or before any Court in relation to any dispute between an owner or master of a ship and a seaman or apprentice to the sea service, arising out of or incidental to their relation as such, or is instituted for the purpose of this section, the Court, if, having regard

Power of court to rescind contract between owner or master and seaman or apprentice.

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*Merchant Seamen (Payment of Wages), &c.*

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to all the circumstances of the case, they think it just so to do, may rescind any contract between the owner or master and seaman or apprentice, or any contract of apprenticeship, upon such terms as the Court may think just; and this power shall be in addition to any other jurisdiction which the Court can exercise independently of this section. For the purposes of this section, the term "Court" includes any magistrate or justice having jurisdiction in the matter to which the proceeding relates.

Licensing of  
seamen's  
lodging-  
houses.

9. It shall be lawful for the sanitary authority of any seaport town to pass by-laws for the licensing of seamen's lodging-houses, for the periodical inspection of the same, for the granting to the persons to whom such licences are given the authority to designate their houses as seamen's licensed lodging houses, and for prescribing the penalties for the breach of the provisions of the by-laws: Provided, always, that no such by-laws shall take effect till they have received the approval of the Board of Trade.

Desertion and  
absence with-  
out leave.

10. The following provisions shall, from the commencement of this Act, have operation within the United Kingdom:—A seaman or apprentice to the service shall not be liable to imprisonment for deserting or for neglecting or refusing without reasonable cause to join his ship, or to proceed to sea in his ship, or for absence without leave at any time within twenty-four hours of his ship sailing from any port, or for absence at any time, without leave and without sufficient reason, from his ship or from his duty.

Whenever, either at the commencement or during the progress of any voyage, any seaman or apprentice neglects or refuses to join, or deserts from or refuses to proceed to sea in any ship in which he is duly engaged to serve, or is found otherwise absenting himself therefrom without leave, the master or any mate or the owner, ship's husband or consignee may, with or without the assistance of the local police officers or constables, who are hereby directed to give the same, if required, convey him on board: Provided, that if the seaman or apprentice so requires he shall first be taken before some Court capable of taking cognizance of the matters to be dealt with according to law; and that if it appears to the Court before which the case is brought that the seaman or apprentice has been conveyed on board or taken before the Court on improper or insufficient grounds, the master, mate, owner, ship's husband or consignee, as the case may be, shall incur a penalty not exceeding twenty pounds; but such penalty, if inflicted, shall be a bar to any action for false imprisonment.

If a seaman or apprentice to the sea service intends to absent himself from his ship or his duty, he may give notice

*Merchant Seamen (Payment of Wages), &c.*

of his intention, either to the owner or to the master of the ship, not less than forty-eight hours before the time at which he ought to be on board his ship; and in the event of such notice being given, the Court shall not exercise any of the powers conferred on it by section two hundred and forty-seven of the *Merchant Shipping Act*, 1854.

17 & 18 V.,  
c. 104.

Subject to the foregoing provision of this section, the powers conferred by section two hundred and forty-seven of the *Merchant Shipping Act*, 1854, may be exercised notwithstanding the abolition of imprisonment for desertion and similar offences, and of apprehension without warrant. Nothing in this section shall affect section two hundred and thirty-nine of the *Merchant Shipping Act*, 1854.

17 & 18 V.,  
c. 104.

17 & 18 V.,  
c. 104.

11. The thirteenth section of the *Employers and Workmen Act*, 1875, shall be repealed in so far as it operates to exclude seamen and apprentices to the sea service from the said Act, and the said Act shall apply to seamen and apprentices to the sea service accordingly; but such repeal shall not, in the absence of any enactment to the contrary, extend to or affect any provision contained in any other Act of Parliament passed, or to be passed, whereby workman is defined by reference to the persons to whom the *Employers and Workmen Act*, 1875, applies.

Extension to  
seamen of  
38 & 39 V.,  
c. 90.

38 & 39 V.,  
c. 90.

12. The enactments described in the second Schedule to this Act shall be repealed, as from the commencement of this Act within the United Kingdom: Provided that this repeal shall not affect—

Repeal of  
enactments  
in second  
schedule.

(1) Anything duly done or suffered before the commencement of this Act under any enactment hereby repealed; or—

(2) Any right or privilege acquired, or any liability incurred before the commencement of this Act, under any enactment hereby repealed; or—

(3) Any imprisonment, fine or forfeiture, or other punishment incurred or to be incurred, in respect of any offence committed before the commencement of this Act, under any enactment hereby repealed; or—

(4) The institution or prosecution to its termination of any investigation or legal proceeding, or any other remedy for prosecuting any such offence, or ascertaining, enforcing or recovering any such liability, imprisonment fine, forfeiture, or punishment as aforesaid; and any such investigation, legal proceeding and remedy may be carried on as if this repeal had not been enacted.

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*Merchant Seamen (Payment of Wages), &c., &c.*

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SCHEDULES.

FIRST SCHEDULE.

Chapter.	Savings Banks.
24 and 25 Vic., c. 14.	Post Office Savings Banks.
26 and 27 Vic., c. 87.	} { Trustee Savings Banks. } { Seamen's Savings Banks.
17 and 18 Vic., c. 104, s. 180.	
19 and 20 Vic., c. 41.	

SECOND SCHEDULE.

17 and 18 Vic., c. 104, in part.  
 The Merchant's Shipping Act, 1854, in part, namely :  
 In section two hundred and forty-three, sub-section (1) the words "To imprisonment for any period not exceeding twelve weeks, with or without hard labour ;" and also —  
 In section two hundred and forty-three, sub-section (2) the words "To imprisonment for any period not exceeding ten weeks, with or without hard labour, and also at the discretion of the Court."  
 Section two hundred and forty-six.  
 In section two hundred and forty-seven the words "Instead of committing the offender to prison ;"  
 And section two hundred and forty-eight.

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CHAP. 18.

A.D. 1880. An Act to amend the Merchants' Shipping Act, 1854.

[2nd August, 1880.]

17 & 18 V.,  
c. 104.

**W**HEREAS it is expedient to amend the Merchant Shipping Act, 1854; be it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows :—

**Short title.** 1. This Act may be cited as the Merchant Shipping Act, (1854) Amendment Act, 1880.

Amendment  
of s. 37 of  
17 & 18 V.,  
c. 104, as to

2. Sub-section two of section thirty-seven of the recited Act is hereby repealed, and in place thereof, it is enacted that the following words shall be deemed, and taken to be

*Merchant Shipping Act (1854), Amendment Act, 1880, &c.*

the second sub-section of the thirty-seventh section of the recited Act, and the recited Act shall be read and construed as if the second sub-section of the thirty-seventh section thereof had been originally expressed in the following words, videlicet:—

numbers of joint owners of ships.

“Subject to the provisions with respect to joint owners or owners by transmission hereinafter contained, not more than sixty-four individuals shall be entitled to be registered at the same time, as owners of any one ship; but this rule shall not affect the beneficial title of any number of persons of any company represented by or claiming under or through any registered owner or joint owner.”

## CHAP. 22.

An Act to amend the Merchant Shipping Act, 1854, A.D. 1880.  
so far as regards certain Fees and Expenses and  
Sums receivable and payable by the Board of Trade.

[12th August, 1880.]

**B**E it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Lord's Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

1. This Act may be cited as the Merchant Shipping (Fees and Expenses) Act, 1880. This Act shall be construed as one with the Merchants' Shipping Act, 1854, and the Acts amending the same, and together with those Acts may be cited as the Merchants' Shipping Acts, 1854 to 1880.

Short title and construction of Act. 17 & 18 V., c. 104.

2. Whereas, under section four hundred and seventy-five of the *Merchant Shipping Act*, 1854, a receiver of wreck appointed under that Act is required to pay into the Exchequer the net proceeds of the sale of unclaimed wreck: And whereas, in pursuance of section four hundred and fifty-seven of the *Merchant Shipping Act*, 1854, the fees received by such receiver of wreck are carried to the Mercantile Marine Fund and applied in defraying any expenses duly incurred in carrying into effect the purposes of the eighth part of that Act, in such manner as the Board of Trade direct:

Application of proceeds of unclaimed wreck towards payment of expenses connected with wreck. 17 & 18 V., c. 104.

And whereas, the fees have been insufficient to defray such expenses, and the deficiency has been paid out of the

*Merchant Shipping (Fees and Expenses) Act.*

said proceeds of unclaimed wreck, and the balance alone of such proceeds has been paid into the Exchequer, and it is expedient to sanction the payment of the said deficiency; be it therefore enacted as follows:—

Any deficiency so paid as aforesaid, before the thirty-first day of March, one thousand eight hundred and eighty, out of the proceeds of unclaimed wreck, shall be deemed to have been properly paid.

Explanation of 14 & 15 V., c. 102, s. 43.

**3.** Whereas, by section forty-three of the *Seamen's Fund Winding-up Act*, 1851, it is provided that a seaman who ceases altogether for a continuous period of three years to pay his contribution to the fund shall forfeit all claim to any relief for himself, his widow and children: and it is expedient to amend the said enactment; be it therefore enacted as follows:—

The Board of Trade may remit the said forfeiture in the case of any seaman if he satisfies them that during the said continuous period of three years he had not served at sea for any time or for such time as to render it just for him to pay his contribution, and that such non-service at sea did not arise from his having left the sea service when still of age and strength to continue in it, and with the intention of not returning to the same.

14 & 15 V., c. 102.

Section forty-three of the *Seamen's Fund Winding-up Act*, 1851, as amended by this section, shall apply to masters as if they were mentioned therein in addition to seamen.

Provision as to fees on examination of engineers. 25 & 26 V., c. 63, s. 7.

**4.** Whereas, by section seven, of the *Merchant Shipping Act Amendment Act*, 1862, it is provided that the fees payable by applicants for examination for certificates of competency as engineers, shall be carried to the account of the Mercantile Marine Fund, and at the time of the passing of that Act the salaries of the surveyors, by whom the examinations are conducted, were paid out of the Mercantile Marine Fund;—

39 & 40 V., c. 80.

And whereas, under section thirty-nine of the *Merchant Shipping Act*, 1876, the salaries of the said surveyors are paid out of moneys provided by Parliament; and it is expedient that the fees should be paid into the Exchequer; be it therefore enacted as follows:—

25 & 26 V., c. 63.

The fees paid in pursuance of section seven of the *Merchant Shipping Act Amendment Act*, 1862, shall cease to be carried to the account of the Mercantile Marine Fund and shall be paid into the Exchequer.

Provision as to expenses incurred in removing wrecks.

**5.** All expenses incurred by general lighthouse authorities in pursuance of the *Removal of Wrecks Act*, 1877, shall be subject to the provisions contained in sections four hundred and twenty-two, four hundred and twenty-three and

*Merchant Shipping (Fees and Expenses) Act, &c.*

four hundred and twenty-seven of the *Merchant Shipping Act, 1854.* 40 & 41 V.,  
c. 16.

**6.** Such reasonable costs, as the Board of Trade from time to time allow, of advertising or otherwise making known the establishment of or alterations in foreign lighthouses, buoys and beacons to owners and masters of and other persons interested in British ships shall be paid out of the Mercantile Marine Fund. Costs of  
advertising  
notices of  
foreign sea  
marks.  
17 & 18 V.,  
c. 104.

**7.** Any payment made or forfeiture remitted or thing done before the passing of this Act, which, if this Act had passed, would be legal, shall be deemed to have been legally made, remitted or done. Application  
of Act to  
past pay-  
ments.

## CHAP. 43.

An Act to provide for the safe carriage of grain cargoes by Merchant Shipping. A. D. 1880.

[7th September, 1880.]

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

**1.** This Act may be cited as The Merchant Shipping (carriage of grain) Act, 1880, and shall be construed as one with the *Merchant Shipping Act, 1854*, and the Acts amending the same, and together with those Acts may be cited as the *Merchant Shipping Acts, 1854 to 1880.* Short title  
and construc-  
tion.  
17 & 18 V.,  
c. 104, &c.

**2.** This Act shall come into operation on the first day of January, one thousand eight hundred and eighty-one (which day is in this Act referred to as the commencement of this Act) Commence-  
ment of Act.

**3.** Where a grain cargo is laden on any British ship, all necessary and reasonable precautions (whether prescribed by this Act or not) shall be taken in order to prevent the grain cargo from shifting: Obligation to  
take precau-  
tion to pre-  
vent grain  
cargo from  
shifting.

If such precautions have not been taken in the case of any such ship, the master of the ship and any agent of the owner who was charged with the loading of the ship or the sending her to sea, shall each be liable to a penalty not exceeding three hundred pounds, and the owner of the ship shall also be liable to the same penalty, unless he shows that



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*Merchant Shipping (Carriage of Grain) Act.*

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he took all reasonable means to enforce the observance of this section and was not privy to the breach thereof.

Precautions  
against shifting  
of grain  
cargo laden  
in port in  
Mediterranean or  
Black Sea or  
on coast of  
North  
America.

4. Where a British ship laden with a grain cargo at any port in the Mediterranean or Black Sea is bound to ports outside the Straits of Gibraltar, or where a British ship is laden with a grain cargo on the coast of North America, the following precautions to prevent the grain cargo from shifting shall be adopted, that is to say:—

(a.) There shall not be carried between the decks, or, if the ship has more than two decks, between the main and upper decks, any grain in bulk, except such as may be necessary for feeding the cargo in the hold, and is carried in properly constructed feeders :

(b.) Where grain (except such as may be carried in properly constructed feeders) is carried in bulk in any hold or compartment, and proper provision for filling up the same by feeders is not made, not less than one-fourth of the grain carried in the hold or compartment (as the case may be) shall be in bags supported on suitable platforms laid upon the grain in bulk ; provided that this regulation with respect to bags shall not apply—

(i.) To oats or cotton seed ; nor—

(ii.) To a ship which is a sailing ship of less than four hundred tons registered tonnage, and is not engaged in the Atlantic trade ; nor—

(iii.) To a ship laden at a port in the Mediterranean or Black Sea, if the ship is divided into compartments which are formed by substantial transverse partitions and are fitted with longitudinal bulkheads or such shifting boards as hereafter in this section mentioned, and if the ship does not carry more than one-fourth of the grain cargo and not more than one thousand five hundred quarters in any one compartment, bin or division, and provided that each division of the lower hold is fitted with properly constructed feeders from the between decks ; nor—

(iv.) To a ship in which the grain cargo does not exceed one-half of the whole cargo of the ship, and the rest of the cargo consists of cotton, wool, flax, barrels or sacks of flour, or other suitable cargo so stowed as to prevent the grain in any compartment, bin or division from shifting :

(c.) Where grain is carried in the hold or between the decks, whether in bags or bulk, the hold or the space

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*Merchant Shipping (Carriage of Grain) Act.*

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between the decks shall be divided by a longitudinal bulkhead or by sufficient shifting boards which extend from deck to deck, or from the deck to the keelson and are properly secured, and if the grain is in bulk, are fitted grain tight with proper fillings between the beams :

(d.) In loading, the grain shall be properly stowed, trimmed and secured.

In the event of the contravention of this section in the case of any ship, reasonable precautions to prevent the grain cargo of that ship from shifting shall be deemed not to have been taken, and the owner and master of the ship and any agent charged with loading her or sending her to sea shall be liable accordingly to a penalty under this Act :

Provided that nothing in this section shall exempt a person from any liability, civil or criminal, to which he would otherwise be subject for failing to adopt any reasonable precautions which, although not mentioned in this section, are reasonably required to prevent grain cargo from shifting.

5. The precautions required by this Act to be adopted by ships laden with a grain cargo at a port in the Mediterranean or Black Sea, or on the coast of North America, shall not apply to ships loaded in accordance with regulations for the time being approved by the Board of Trade; nor to any ship constructed and loaded in accordance with any plan approved by the Board of Trade.

Exemption from precaution specified in this Act for ships laden in Mediterranean or Black Sea or on the coast of North America.

6. Before a British ship, laden with grain cargo at any port in the Mediterranean or Black Sea, bound to ports outside the Straits of Gibraltar, or laden with grain cargo on the coast of North America, leaves her final port of loading, or within forty-eight hours after leaving such port, the master shall deliver or cause to be delivered to the British consular officer, or, if it is in Her Majesty's dominions, to the principal officer of Customs at that port, a notice stating—

Notice by master of kind and quantity of grain cargo.

(1.) The draught of water and clear side, as defined by section five of the *Merchants' Shipping Act*, 1871, and section four of the *Merchants' Shipping Act*, 1873, of the said ship after the loading of her cargo has been completed at the said last port of loading ;

34 & 35 V., c. 110.  
36 & 37 V., c. 85.

(2.) And also stating the following particulars in respect to the grain cargo, namely :—

*Merchant Shipping (Carriage of Grain) Act.*

(a.) The kind of grain and the quantity thereof, which quantity may be stated in cubic feet, or in quarters, or bushels, or in tons weight; and—

(b.) The mode in which the grain cargo is stowed; and—

(c.) The precautions taken against shifting;

The master shall also deliver a similar notice to the principal collector or other proper officer of Customs in the United Kingdom, together with the report required to be made by the *Customs Consolidation Act, 1876*, on the arrival of the ship in the United Kingdom; every such notice shall be sent to the Board of Trade as soon as practicable by the officer receiving the same.

39 & 40 V.,  
c. 36, ss. 50,  
51.

If the master fails to deliver any notice required by this section, he shall be liable to a penalty not exceeding one hundred pounds: Provided always, that the Board of Trade may, by notice published in the *London Gazette*, or in such other way as it may deem expedient, exempt ships laden at any particular port or any class of such ships from the provisions of this section.

Penalty for  
false state-  
ment in  
notice.

7. Any master of a ship, who, in any notice required by this Act, wilfully makes any false statement or wilfully omits any material particular, shall be liable to a penalty not exceeding one hundred pounds.

Power of  
Board of  
Trade for  
enforcing of  
Act.  
17 & 18 V.,  
c. 104.

8. For the purpose of securing the observance of this Act, any officer having authority in that behalf from the Board of Trade, either general or special, shall have the same power as an inspector appointed under the *Merchants' Shipping Act, 1854*, and shall also have power to inspect any grain cargo, and the mode in which the same is stowed.

Prosecution  
of offences  
and recovery  
of penalties.  
17 & 18 V.,  
c. 104.

9. Every offence punishable under this Act may be prosecuted summarily, and every penalty under this Act may be recovered and enforced summarily in like manner as offences and penalties under the *Merchants' Shipping Act, 1854*, and the Acts amending the same

Definitions.

10. For the purposes of this Act—

The expression "grain" means any corn, rice, paddy pulse, seeds, nuts, or nut kernels.

The expression "ship laden with a grain cargo" means a ship carrying a cargo of which the por-

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*Merchant Shipping (Carriage of Grain) Act.*

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tion consisting of grain is more than one-third of the registered tonnage of the ship, and such third shall be computed, where the grain is reckoned in measures of capacity, at the rate of one hundred cubic feet for each ton of registered tonnage. and where the grain is reckoned in measures of weight, at the rate of two tons weight for each ton of registered tonnage.

**11.** Section twenty-two of the *Merchants' Shipping Act, 1876*, is hereby repealed as from the commencement of this Act: Provided that any offence against that section committed before the commencement of this Act may be prosecuted, and the penalty recovered and enforced in like manner as if the said section had continued to remain in force.

Repeal of  
39 & 40 V.,  
c. 80, s. 22.



## 44-45 VICTORIA.

### CHAP. 69.

A.D. 1881. — An Act to amend the Law with respect to Fugitive Offenders in Her Majesty's Dominions, and for other purposes connected with the Trial of Offenders.

[27th August, 1881.]

**B**E it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows, that is to say :—

Short title. **1.** This Act may be cited as the Fugitive Offenders Act, 1881.

### PART I.

#### RETURN OF FUGITIVES.

Liability of fugitive to be apprehended and returned. **2.** Where a person accused of having committed an offence (to which this part of this Act applies) in one part of Her Majesty's dominions has left that part, such person (in this Act referred to as a fugitive from that part) if found in another part of Her Majesty's dominions, shall be liable to be apprehended and returned in manner provided by this Act, to the part from which he is a fugitive.

A fugitive may be so apprehended under an endorsed warrant or a provisional warrant.

Endorsing of warrant for apprehension of fugitive. **3.** Where a warrant has been issued in one part of Her Majesty's dominions for the apprehension of a fugitive from that part, any of the following authorities in another part of Her Majesty's dominions in or on the way to which the fugitive is or is suspected to be, that is to say :—

(1.) A Judge of a Superior Court in such part ; and—

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*Fugitive Offenders Act, 1881.*

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(2.) In the United Kingdom a Secretary of State and one of the Magistrates of the Metropolitan Police Court in Bow street ; and—

(3.) In a British possession the Governor of that possession,—

If satisfied that the warrant was issued by some person having lawful authority to issue the same, may endorse such warrant in manner provided by this Act, and the warrant so endorsed shall be a sufficient authority to apprehend the fugitive in the part of Her Majesty's dominions in which it is endorsed, and bring him before a Magistrate.

4. A magistrate of any part of Her Majesty's dominions may issue a provisional warrant for the apprehension of a fugitive who is or is suspected of being in or on his way to that part, on such information and under such circumstances, as would, in his opinion, justify the issue of a warrant, if the offence of which the fugitive is accused had been committed within his jurisdiction ; and such warrant may be backed and executed accordingly.

Provisional  
warrant for  
apprehension  
of fugitive.

A magistrate issuing a provisional warrant shall forthwith send a report of the issue, together with the information or a certified copy thereof, if he is in the United Kingdom, to a Secretary of State, and if he is in a British possession, to the Governor of that possession, and the Secretary of State or Governor may, if he think fit, discharge the person apprehended under such warrant.

5. A fugitive when apprehended shall be brought before a magistrate, who (subject to the provisions of this Act) shall hear the case in the same manner and have the same jurisdiction and powers, as near as may be (including the power to remand and admit to bail), as if the fugitive were charged with an offence committed within his jurisdiction.

Dealing with  
fugitive when  
apprehended.

If the endorsed warrant for the apprehension of the fugitive is duly authenticated, and such evidence is produced as (subject to the provisions of this Act) according to the law ordinarily administered by the magistrate, raises a strong or probable presumption that the fugitive committed the offence mentioned in the warrant, and that the offence is one to which this part of this Act applies, the magistrate shall commit the fugitive to prison to await his return, and shall forthwith send a certificate of the committal and such report of the case as he may think fit, if in the United Kingdom to a Secretary of State, and if in a British possession to the Governor of that possession.

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*Fugitive Offenders Act, 1881.*

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Where the magistrate commits the fugitive to prison, he shall inform the fugitive that he will not be surrendered until after the expiration of fifteen days, and that he has a right to apply for a writ of *habeas corpus*, or other like process.

A fugitive apprehended on a provisional warrant may be, from time to time, remanded for such reasonable time, not exceeding seven days at any one time, as under the circumstances seems requisite for the production of an endorsed warrant.

Return of  
fugitive by  
warrant.

6. Upon the expiration of fifteen days after a fugitive has been committed to prison to await his return, or if a writ of *habeas corpus* or other like process is issued with reference to such fugitive by a Superior Court, after the final decision of the Court in the case,—

(1.) If the fugitive is so committed in the United Kingdom, a Secretary of State; and—

(2.) If the fugitive is so committed in a British possession, the Governor of that possession—

May, if he thinks it just, by warrant under his hand, order that fugitive to be returned to the part of Her Majesty's dominions from which he is a fugitive, and for that purpose to be delivered into the custody of the persons to whom the warrant is addressed, or some one or more of them, and to be held in custody, and conveyed by sea or otherwise to the said part of Her Majesty's dominions, to be dealt with there in due course of law as if he had been there apprehended; and such warrant shall be forthwith executed according to the tenor thereof.

The Governor or other chief officer of any prison, on request of any person having the custody of a fugitive under any such warrant, and on payment or tender of a reasonable amount for expenses, shall receive such fugitive and detain him for such reasonable time as may be requested by the said person for the purpose of the proper execution of the warrant.

Discharge of  
persons ap-  
prehended if  
not returned  
within one  
month.

7. If a fugitive who, in pursuance of this part of this Act, has been committed to prison in any part of Her Majesty's dominions to await his return, is not conveyed out of that part within one month after such committal, a superior court, upon application by or on behalf of the fugitive, and upon proof that reasonable notice of the intention to make such application has been given, if the said part is the United Kingdom to a Secretary of State,

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*Fugitive Offenders Act, 1881.*

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and if the said part is a British possession to the Governor of the possession, may, unless sufficient cause is shown to the contrary, order the fugitive to be discharged out of custody.

8. Where a person accused of an offence and returned in pursuance of this part of this Act to any part of Her Majesty's dominions, either is not prosecuted for the said offence within six months after his arrival in that part, or is acquitted of the said offence, then if that part is the United Kingdom a Secretary of State, and if that part is a British possession the Governor of that possession, may, if he think fit, on the request of such person, cause him to be sent back free of cost and with as little delay as possible to the part of Her Majesty's dominions in or on his way to which he was apprehended.

Sending back of persons apprehended if not prosecuted within six months or acquitted.

9. This part of this Act shall apply to the following offences, namely, to treason and piracy, and to every offence, whether called felony, misdemeanour, crime, or by any other name, which is for the time being punishable in the part of Her Majesty's dominions in which it was committed, either on indictment or information, by imprisonment with hard labour for a term of twelve months or more, or by any greater punishment; and for the purposes of this section, rigorous imprisonment, and any confinement in a prison combined with labour, by whatever name it is called, shall be deemed to be imprisonment with hard labour.

Offences to which this part of this Act applies.

This part of this Act shall apply to an offence, notwithstanding that by the law of the part of Her Majesty's dominions in or on his way to which the fugitive is or is suspected of being it is not an offence, or not an offence to which this part of this Act applies; and all the provisions of this part of this Act, including those relating to a provisional warrant and to a committal to prison, shall be construed as if the offence were in such last mentioned part of Her Majesty's dominions an offence to which this part of this Act applies.

10. Where it is made to appear to a superior court that by reason of the trivial nature of the case, or by reason of the application for the return of a fugitive not being made in good faith in the interests of justice or otherwise, it would, having regard to the distance, to the facilities for communication, and to all the circumstances of the case, be unjust or oppressive or too severe a punishment to return the fugitive either at all or until the expiration of a certain period, such court may discharge the fugitive, either abso-

Power of superior court to discharge fugitive when case frivolous or return unjust.



*Fugitive Offenders Act, 1881.*

lutely or on bail, or order that he shall not be returned until after the expiration of the period named in the order, or may make such other order in the premises as to the court seems just.

Power of  
Lord-Lieu-  
tenant in  
Ireland.

**11.** In Ireland the Lord Lieutenant or Lords Justices or other chief governor or governors of Ireland, also the Chief Secretary of such Lord Lieutenant, may, as well as a Secretary of State, execute any portion of the powers by this part of this Act vested in a Secretary of State.

## PART II.

## INTERCOLONIAL BACKING OF WARRANTS, AND OFFENCES.

*Application of Part of Act.*

Application  
of part of Act  
to group of  
British  
possessions.

**12.** This part of this Act shall apply only to those groups of British possessions to which, by reason of their contiguity or otherwise, it may seem expedient to Her Majesty to apply the same.

It shall be lawful for Her Majesty, from time to time, by Order in Council, to direct that this part of this Act shall apply to the group of British possessions mentioned in the Order, and by the same or any subsequent Order to except certain offences from the application of this part of this Act and to limit the application of this part of this Act by such conditions, exceptions and qualifications as may be deemed expedient.

*Backing of Warrants.*

Backing in  
one British  
possession of  
warrant  
issued in  
another of  
same group.

**13.** Where, in a British possession of a group to which this part of this Act applies, a warrant has been issued for the apprehension of a person accused of an offence punishable by law in that possession, and such person is or is suspected of being in or on the way to another British possession of the same group, a magistrate in the last mentioned possession, if satisfied that the warrant was issued by a person having lawful authority to issue the same, may endorse such warrant in manner provided by this Act, and the warrant so endorsed shall be a sufficient authority to apprehend, within the jurisdiction of the endorsing magistrate, the person named in the warrant, and bring him before the endorsing magistrate or some other magistrate in the same British possession.

Return of  
prisoner  
apprehended

**14.** The magistrate before whom a person so apprehended is brought, if he is satisfied that the warrant is duly authenticated as directed by this Act and was issued by a person

*Fugitive Offenders Act, 1881.*

having lawful authority to issue the same, and is satisfied on oath that the prisoner is the person named or otherwise described in the warrant, may order such prisoner to be returned to the British possession in which the warrant was issued, and for that purpose to be delivered into the custody of the persons to whom the warrant is addressed, or anyone or more of them, and to be held in custody and conveyed by sea or otherwise into the British possession in which the warrant was issued, there to be dealt with according to law as if he had been there apprehended: such order for return may be made by warrant under the hand of the magistrate making it, and may be executed according to the tenor thereof.

under backed  
warrant.

A magistrate shall, so far as is requisite for the exercise of the powers of this section, have the same power, including the power to remand and admit to bail a prisoner, as he has in the case of a person apprehended under a warrant issued by him.

**15.** Where a person required to give evidence on behalf of the prosecutor or defendant on a charge for an offence punishable by law in a British possession of a group to which this part of this Act applies, is or is suspected of being in or on his way to any other British possession of the same group, a judge, magistrate or other officer who would have lawful authority to issue a summons, requiring the attendance of such witness, if the witness were within his jurisdiction, may issue a summons for the attendance of such witness, and a magistrate in any other British possession of the same group, if satisfied that the summons was issued by some judge, magistrate or officer having lawful authority as aforesaid, may endorse the summons with his name; and the witness, on service in that possession of the summons so endorsed, and on payment or tender of a reasonable amount for his expenses, shall obey the summons, and in default shall be liable to be tried and punished either in the possession in which he is served or in the possession in which the summons was issued, and shall be liable to the punishment imposed by the law of the possession in which he is tried for the failure of a witness to obey such summons. The expression "summons" in this section includes any subpoena or other process for requiring the attendance of a witness.

Backing in  
one British  
possession of  
summons, &c.  
of witness  
issued in  
another pos-  
session of  
same group.

**16** A magistrate in a British possession of a group to which this part of this Act applies, before the endorsement in pursuance of this part of this Act of a warrant for the apprehension of any person, may issue a provisional warrant for the apprehension of that person, on such information and

Provisional  
warrant in  
group of  
British  
possessions.

*Fugitive Offenders Act, 1881.*

under such circumstances as would in his opinion justify the issue of a warrant if the offence of which such person is accused were an offence punishable by the law of the said possession, and had been committed within his jurisdiction, and such warrant may be backed and executed accordingly; provided that a person arrested under such provisional warrant shall be discharged unless the original warrant is produced and endorsed within such reasonable time as may under the circumstances seem requisite.

Discharge of prisoner not returned within one month to British possession of same group.

**17** If a prisoner in a British possession whose return is authorized in pursuance of this part of this Act is not conveyed out of that possession within one month after the date of the warrant ordering his return, a magistrate or a superior court, upon application by or on behalf of the prisoner, and upon proof that reasonable notice of the intention to make such application has been given to the person holding the warrant and to the chief officer of the police of such possession or of the province or town where the prisoner is in custody may, unless sufficient cause is shown to the contrary, order such prisoner to be discharged out of custody.

Any order or refusal to make an order of discharge by a magistrate under this section shall be subject to appeal to a superior court.

Sending back of prisoner not prosecuted or acquitted to British possession of same group.

**18.** Where a prisoner accused of an offence is returned in pursuance of this part of this Act to a British possession, and either is not prosecuted for the said offence within six months after his arrival in that possession or is acquitted of the said offence, the Governor of that possession, if he thinks fit, may, on the requisition of such person, cause him to be sent back, free of cost, and with as little delay as possible, to the British possession in or on his way to which he was apprehended.

Refusal to return prisoner where offence too trivial.

**19.** Where the return of a prisoner is sought or ordered under this part of this Act, and it is made to appear to a magistrate or to a superior court that by reason of the trivial nature of the case or by reason of the application for the return of such prisoner not being made in good faith in the interests of justice or otherwise, it would, having regard to the distance, to the facilities of communication, and to all the circumstances of the case, be unjust or oppressive, or too severe a punishment, to return the prisoner either at all or until the expiration of a certain period, the court or magistrate may discharge the prisoner either absolutely or on bail, or order that he shall not be returned until after the expiration of the period named in the order, or may make

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*Fugitive Offenders Act, 1881.*

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such other order in the premises as to the magistrate or court seems just.

Any order or refusal to make an order of discharge by a magistrate under this section shall be subject to an appeal to a superior court.

### PART III.

#### TRIAL, &C., OF OFFENCES.

**20.** Where two British possessions adjoin, a person accused of an offence committed on or within the distance of five hundred yards from the common boundary of such possessions may be apprehended, tried, and punished in either of such possessions. Offences committed on boundary of two adjoining British possessions.

**21.** Where an offence is committed on any person or in respect of any property in or upon any carriage, cart or vehicle whatsoever employed in a journey, or on board any vessel whatsoever employed in a navigable river, lake, canal, or inland navigation, the person accused of such offence may be tried in any British possession through a part of which such carriage, cart, vehicle or vessel passed in the course of the journey or voyage during which the offence was committed; and where the side, bank, centre or other part of the road, river, lake, canal or inland navigation along which the carriage, cart, vehicle or vessel passed in the course of such journey or voyage is the boundary of any British possession, a person may be tried for any such offence in any British possession of which it is the boundary: Provided that nothing in this section shall authorize the trial for such offence of a person who is not a British subject, where it is not shown that the offence was committed in a British possession. Offences committed on journey between two British possessions.

**22.** A person accused of the offence (under whatever name it is known) of swearing or making any false deposition, or of giving or fabricating any false evidence, for the purposes of this Act, may be tried either in the part of Her Majesty's dominions in which such deposition or evidence is used, or in the part in which the same was sworn, made, given, or fabricated, as the justice of the case may require. Trial of offence of false swearing or giving false evidence.

**23.** Where any part of this Act provides for the place of trial of a person accused of an offence, that offence shall, for all purposes of and incidental to, the apprehension, trial, and punishment of such person, and of and incidental to any proceedings and matters preliminary, incidental to or Supplemental provision as to trial of person in any place.

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*Fugitive Offenders Act, 1881.*

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consequential thereon, and of and incidental to the jurisdiction of any court, constable or officer with reference to such offence, and to any person accused of such offence, be deemed to have been committed in any place in which the person accused of the offence can be tried for it; and such person may be punished in accordance with *The Courts (Colonial) Jurisdiction Act, 1874.*

37 & 38 V.,  
c. 27.

Issue of  
search war-  
rant.

**24.** Where a warrant for the apprehension of a person accused of an offence has been endorsed in pursuance of any part of this Act in any part of Her Majesty's dominions, or where any part of the Act provides for the place of trial of a person accused of an offence, every court and magistrate, of the part in which the warrant is endorsed or the person accused of the offence can be tried, shall have the same power of issuing a warrant to search for any property alleged to be stolen or to be otherwise unlawfully taken or obtained by such person, or otherwise to be the subject of such offence, as that court or magistrate would have, if the property had been stolen or otherwise unlawfully taken or obtained, or the offence had been committed wholly within the jurisdiction of such court or magistrate.

Removal of  
prisoner by  
sea from one  
place to  
another.

**25.** Where a person is in legal custody in a British possession either in pursuance of this Act or otherwise, and such person is required to be removed in custody to another place in or belonging to the same British possession such person, if removed by sea in a vessel belonging to Her Majesty or any of Her Majesty's subjects, shall be deemed to continue in legal custody until he reaches the place to which he is required to be removed; and the provisions of this Act with respect to the re-taking of a prisoner who has escaped, and with respect to the trial and punishment of a person guilty of the offence of escaping or attempting to escape or aiding or attempting to aid the prisoner to escape, shall apply to the case of a prisoner escaping while being lawfully removed as aforesaid, in like manner as if he were being removed in pursuance of a warrant endorsed in pursuance of this Act.

## PART IV.

### SUPPLEMENTAL.

#### *Warrants and Escape.*

Endorsement  
of warrant.

**26.** An endorsement of a warrant in pursuance of this Act shall be signed by the authority endorsing the same, and shall authorize all or any of the persons named in the endorsement, and of the persons to whom the warrant was

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*Fugitive Offenders Act, 1881.*

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originally directed, and also every constable, to execute the warrant within the part of Her Majesty's dominions or place within which such endorsement is, by this Act, made a sufficient authority, by apprehending the person named in it, and bringing him before some magistrate in the said part or place, whether the magistrate named in the endorsement or some other :

For the purposes of this Act every warrant, summons, subpoena and process, and every endorsement made in pursuance of this Act thereon, shall remain in force, notwithstanding that the person signing the warrant or such endorsement dies or ceases to hold office.

27. Where a fugitive or prisoner is authorized to be returned to any part of Her Majesty's dominions in pursuance of Part One or Part Two of this Act, such fugitive or prisoner may be sent thither in any ship belonging to Her Majesty or to any of her subjects :

Conveyance  
of fugitives  
and wit-  
nesses.

For the purpose, aforesaid, the authority signing the warrant for the return may order the master of any ship belonging to any subject of Her Majesty bound to the said part of Her Majesty's dominions to receive and afford a passage and subsistence during the voyage to such fugitive or prisoner, and to the person having him in custody, and to the witnesses, so that such master be not required to receive more than one fugitive or prisoner for every hundred tons of his ship's registered tonnage, or more than one witness for every fifty tons of such tonnage.

The said authority shall endorse or cause to be endorsed upon the agreement of the ship, such particulars with respect to any fugitive prisoner or witness sent in her as the Board of Trade from time to time require.

Every such master shall, on his ship's arrival in the said part of Her Majesty's dominions, cause such fugitive or prisoner, if he is not in the custody of any person, to be given into the custody of some constable, there to be dealt with according to law.

Every master who fails on payment or tender of a reasonable amount for expenses to comply with an order made in pursuance of this section, or to cause a fugitive or prisoner committed to his charge to be given into custody, as required by this section, shall be liable, on summary conviction, to a fine not exceeding fifty pounds, which may be recovered in any part of Her Majesty's dominions in like manner as a

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17 & 18 V.,  
c. 104.

penalty of the same amount under the *Merchant Shipping Act, 1854*, and the Acts amending the same.

Escape of  
prisoner  
from custody.

**28.** If a prisoner escape, by breach of prison or otherwise out of the custody of a person acting under a warrant issued or endorsed in pursuance of this Act, he may be re-taken in the same manner as a person accused of a crime against the law of that part of Her Majesty's dominions to which he escapes may be re-taken upon an escape :

A person guilty of the offence of escaping or of attempting to escape or of aiding or attempting to aid a prisoner to escape, by breach of prison or otherwise, from custody under any warrant issued or endorsed in pursuance of this Act, may be tried in any of the following parts of Her Majesty's dominions, namely, the part to which and the part from which the prisoner is being removed, and the part in which the prisoner escapes and the part in which the offender is found.

*Evidence.*

Deposition to  
be evidence  
and authenti-  
cation of  
depositions  
and warrants.

**29.** A magistrate may take depositions for the purposes of this Act in the absence of a person accused of an offence in like manner as he might take the same if such person were present and accused of the offence before him.

Depositions (whether taken in the absence of the fugitive or otherwise) and copies thereof, and official certificates of or judicial documents stating facts, may, if duly authenticated, be received in evidence in proceedings under this Act :

Provided that nothing in this Act shall authorize the reception of any such depositions, copies, certificates or documents in evidence against a person upon his trial for an offence.

Warrants and depositions, and copies thereof, and official certificates of or judicial documents stating facts, shall be deemed duly authenticated for the purposes of this Act if they are authenticated in manner provided for the time being by law, or if they purport to be signed by or authenticated by the signature of a judge, magistrate or officer of the part of Her Majesty's dominions in which the same are issued, taken or made, and are authenticated either by the oath of some witness, or by being sealed with the official seal of a Secretary of State, or with the public seal of a British possession or with the official seal of a Governor of a British possession, or of a colonial secretary, or of some secretary

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or minister administering a department of the Government of a British possession.

And all courts and magistrates shall take judicial notice of every such seal as is in this section mentioned, and shall admit in evidence without further proof the documents authenticated by it.

MISCELLANEOUS.

**30.** The jurisdiction under Part One of this Act to hear a case and commit a fugitive to prison to await his return shall be exercised—

Provision as to exercise of jurisdiction by magistrates.

(1.) In England, by a chief magistrate of the Metropolitan police courts or one of the other magistrates of the Metropolitan police court at Bow Street; and—

(2.) In Scotland, by the Sheriff or Sheriff-substitute of the county of Edinburgh; and—

(3.) In Ireland, by one of the police magistrates of the Dublin Metropolitan police district; and—

(4.) In a British possession, by any judge, justice of the peace, or other officer having the like jurisdiction as one of the magistrates of the Metropolitan police court in Bow Street, or by such other court, judge or magistrate as may be, from time to time, provided by an Act or ordinance passed by the legislature of that possession.

If a fugitive is apprehended and brought before a magistrate who has no power to exercise the jurisdiction under this Act in respect of that fugitive, that magistrate shall order the fugitive to be brought before some magistrate having that jurisdiction, and such order shall be obeyed.

**31.** It shall be lawful for Her Majesty in council, from time to time, to make orders for the purposes of this Act, and to revoke and vary any Order so made, and every Order so made shall, while it is in force, have the same effect as if it were enacted in this Act.

Power as to making and revocation of Orders in Council.

An Order in Council made for the purposes of this Act shall be laid before Parliament as soon as may be after it is made if Parliament is then in session, or if not, as soon as may be, after the commencement of the then next Session of Parliament.

**32.** If the legislature of a British possession pass any Act or ordinance—

Power of legislature of British



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*Fugitive Offenders Act, 1881.*

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possession to  
pass laws for  
carrying into  
effect this  
Act.

(1.) For defining the offences committed in that possession to which this Act or any part thereof is to apply ; or—

(2.) For determining the court, judge, magistrate, officer or person by whom and the manner in which any jurisdiction or power under this Act is to be exercised ; or—

(3.) For payment of the costs incurred in returning a fugitive or a prisoner, or in sending him back if not prosecuted or if acquitted, or otherwise in the execution of this Act ; or—

(4.) In any manner for the carrying this Act or any part thereof into effect in that possession,—

It shall be lawful for Her Majesty by Order in Council to direct, if it seems to Her Majesty in Council necessary or proper for carrying into effect the objects of this Act, that such Act or ordinance, or any part thereof, shall, with or without modification or alteration, be recognised and given effect to throughout Her Majesty's dominions and on the high seas as if it were part of this Act.

APPLICATION OF ACT.

Application  
of Act to  
offences at sea  
or triable in  
several parts  
of Her  
Majesty's  
dominions.

**33.** Where a person accused of an offence can, by reason of the nature of the offence, or of the place in which it was committed, or otherwise, be, under this Act or otherwise, tried for or in respect of the offence in more than one part of Her Majesty's dominions, a warrant for the apprehension of such person may be issued in any part of Her Majesty's dominions in which he can, if he happens to be there, be tried ; and each part of this Act shall apply as if the offence had been committed in the part of Her Majesty's dominions where such warrant is issued, and such person may be apprehended and returned in pursuance of this Act, notwithstanding that, in the place in which he is apprehended, a court has jurisdiction to try him.

Provided that if such person is apprehended in the United Kingdom, a Secretary of State, and if he is apprehended in a British possession, the Governor of such possession, may, if satisfied that, having regard to the place where the witnesses for the prosecution and for the defence are to be found, and to all the circumstances of the case it would be conducive to the interests of justice so to do, order such person to be tried in the part of Her Majesty's dominions in which he is apprehended ; and in such case any warrant previously issued for his return shall not be executed.

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*Fugitive Offenders Act, 1881.*

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**34.** Where a person convicted by a court in any part of Her Majesty's dominions of an offence committed either in Her Majesty's dominions or elsewhere, is unlawfully at large before the expiration of his sentence, each part of this Act shall apply to such person, so far as is consistent with the tenor thereof, in like manner as it applies to a person accused of the like offence committed in the part of Her Majesty's dominions in which such person was convicted.

Application of Act to convicts.

**35.** Where a person accused of an offence is in custody in some part of Her Majesty's dominions, and the offence is one for or in respect of which, by reason of the nature thereof or of the place in which it was committed or otherwise, a person may, under this Act or otherwise, be tried in some other part of Her Majesty's dominions,—in such case a superior court, and also if such person is in the United Kingdom, a Secretary of State, and if he is in a British possession the Governor of that possession, if satisfied that, having regard to the place where the witnesses for the prosecution and for the defence are to be found, and to all the circumstances of the case, it would be conducive to the interests of justice to do so, may, by warrant, direct the removal of such offender to some other part of Her Majesty's dominions in which he can be tried; and the offender may be returned, and, if not prosecuted or acquitted sent back free of costs, in like manner as if he were a fugitive returned in pursuance of Part One of this Act, and the warrant were a warrant for the return of such fugitive, and the provisions of this Act shall apply accordingly.

Application of Act to removal of person triable in more than one part of Her Majesty's dominions.

**36.** It shall be lawful for Her Majesty, from time to time by Order in Council, to direct that this Act shall apply, as if, (subject to the conditions, exceptions and qualifications, if any, contained in the Order), any place out of Her Majesty's dominions in which Her Majesty has jurisdiction, and which is named in the Order, were a British possession, and to provide for carrying into effect such application.

Application of Act to foreign jurisdiction

**37.** This Act shall extend to the Channel Islands and Isle of Man as if they were part of England and of the United Kingdom and the United Kingdom and those Islands shall be deemed for the purpose of this Act to be one part of Her Majesty's dominions, and a warrant endorsed in pursuance of Part One of this Act may be executed in every place in the United Kingdom and the said Islands accordingly.

Application of Act to and execution of warrant in United Kingdom, Channel Islands and Isle of Man.

**38.** This Act shall apply, where an offence is committed before the commencement of this Act, or in the case of Part Two of this Act, before the application of that part to a British

Application of Act to past offences.

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possession or to the offence, in like manner as if such offence had been committed after such commencement or application.

## DEFINITIONS AND REPEAL.

- 39.** In this Act unless the context otherwise requires,—
- Definition of terms.**      The expression “Secretary of State” means one of Her Majesty’s Principal Secretaries of State :
- “Secretary of State.”
- “British possession.”**      The expression “British possession,” means any part of Her Majesty’s dominions, exclusive of the United Kingdom, the Channel Islands and Isle of Man ; all territories and places within Her Majesty’s dominions which are under one legislature shall be deemed to be one British possession and one part of Her Majesty’s dominions :
- “British possession.”
- “Legislature.”**      The expression “legislature” where there are local legislatures as well as a central legislature, means the central legislature only :
- “Legislature.”
- “Governor.”**      The expression “governor” means any person or persons administering the government of a British possession and includes the governor and lieutenant-governor of any part of India :
- “Governor.”
- “Constable”**      The expression “constable” means, out of England, any policeman or officer having the like powers and duties as a constable in England :
- “Constable”
- “Magistrate”**      The expression “magistrate” means, except in Scotland, any justice of the peace, and in Scotland means a sheriff or sheriff-substitute, and in the Channel Islands, Isle of Man and a British possession means any person having authority to issue a warrant for the apprehension of persons accused of offences and to commit such persons for trial :
- “Magistrate”
- “Offence punishable on indictment.”**      The expression “offence punishable on indictment” means, as regards India, an offence punishable on a charge or otherwise :
- “Offence punishable on indictment.”
- “Oath.”**      The expression “oath” includes affirmation or declaration in the case of persons allowed by law to affirm or declare instead of swearing, and the expression “swear” and other words relating to an oath or swearing shall be construed accordingly :
- “Oath.”

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The expression "deposition" includes any affidavit, <sup>"Deposition"</sup> affirmation or statement made upon oath as above defined :

The expression "superior court" means,—

"Superior  
Court."

(1.) In England, Her Majesty's Court of Appeal and High Court of Justice ; and—

(2.) In Scotland, the High Court of Justiciary ; and—

(3.) In Ireland, Her Majesty's Court of Appeal and Her Majesty's High Court of Justice at Dublin ; and—

(4.) In a British possession, any court having, in that possession, the like criminal jurisdiction to that which is vested in the High Court of Justice in England, or such court or judge as may be determined by any Act or ordinance of that possession.

**40.** This Act shall come into operation on the first day of <sup>Commence-</sup> January one thousand eight hundred and eighty-two, which <sup>ment of Act</sup> date is in this Act referred to as the commencement of this Act.

**41.** The Act specified in the Schedule to this Act is hereby <sup>Repeal of</sup> repealed as from the commencement of this Act. <sup>Act in</sup> <sup>schedule.</sup>

Provided that this repeal shall not affect—

(a.) Any warrant duly endorsed or issued, nor anything duly done or suffered before the commencement of this Act ; nor—

(b.) Any obligation or liability incurred under an enactment hereby repealed ; nor—

(c.) Any penalty, forfeiture, or punishment incurred in respect of any offence committed against any enactment hereby repealed ; nor—

(d.) Any legal proceeding or remedy in respect of any such warrant, obligation, liability, penalty, forfeiture or punishment as aforesaid ; and any such warrant may be endorsed and executed, and any such legal proceeding and remedy may be carried on as if this Act had not passed.

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*Fugitive Offenders Act, 1881.*

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SCHEDULE.

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Year and Chapter.	Title.
6 & 7 V., c. 34.....	An Act for the better apprehension of certain Offenders.

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ACTS  
OF THE  
PARLIAMENT  
OF THE  
DOMINION OF CANADA,  
PASSED IN THE  
FORTY-FIFTH YEAR OF THE REIGN OF HER MAJESTY  
QUEEN VICTORIA,  
AND IN THE  
FOURTH SESSION OF THE FOURTH PARLIAMENT.

*Begun and holden at Ottawa, on the ninth day of February, and closed  
by Prorogation on the seventeenth day of May, 1882.*



HIS EXCELLENCY  
THE RIGHT HONORABLE SIR JOHN DOUGLAS SUTHERLAND CAMPBELL,  
*(Commonly called THE MARQUIS OF LOERNE.)*  
GOVERNOR GENERAL.

---

VOL. I.  
PUBLIC GENERAL ACTS.

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OTTAWA:  
PRINTED BY BROWN CHAMBERLIN,  
LAW PRINTER TO THE QUEEN'S MOST EXCELLENT MAJESTY,  
ANNO DOMINI, 1882.







# 45 VICTORIA

## CHAP. I.

An Act to repeal the duty on Promissory Notes, Drafts and Bills of Exchange.

[Assented to 3rd March, 1892.]

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

I. No duty shall be payable on any promissory note, draft or bill of exchange, made, drawn or accepted in Canada after the fourth day of March, in the present year, one thousand eight hundred and eighty-two; and from and after the said day the Act passed in the forty-second year of Her Majesty's reign, and intituled "*An Act to amend and consolidate the laws respecting duties imposed on promissory notes and bills of exchange,*" shall be repealed: Provided always, that all Acts or enactments repealed by the said Act shall remain repealed, and that all things lawfully done, and all rights acquired under the said Act or any Act repealed by it, shall remain valid, and all penalties incurred under them or any of them, may be enforced and recovered, and all proceedings commenced under them or any of them may be continued and completed, as if this Act had not been passed: and provided also, that all unused stamps lawfully issued under the said Acts or any of them for the payment of any duty hereby repealed, shall, after the said day and until the thirtieth day of June, one thousand eight hundred and eighty-two, be received at their cost to the holder thereof at the time of the passing of this Act, in payment of any money payable to Her Majesty for the public uses of Canada, or in exchange for postage stamps of like face value.

Duty repealed after 4th March, 1882.

Proviso: as to rights acquired and things done before the said repeal.

And for redemption of unused stamps.

## CHAP. 2.

An Act for granting to Her Majesty certain sums of money required for defraying certain expenses of the public service, for the financial years ending respectively the 30th June, 1882, and the 30th June, 1883, and for other purposes relating to the public service.

[Assented to 17th May, 1882.]

MOST GRACIOUS SOVEREIGN,

Preamble.

WHEREAS it appears by Messages from His Excellency the Right Honourable Sir John Douglas Sutherland Campbell, commonly called the Marquis of Lorne, Governor General of the Dominion of Canada, and the Estimates accompanying the same, that the sums hereinafter mentioned are required to defray certain expenses of the public service of the Dominion not otherwise provided for, for the financial years ending respectively the thirtieth day of June, one thousand eight hundred and eighty-two, and the thirtieth day of June, one thousand eight hundred and eighty-three, and for other purposes connected with the public service; May it therefore please Your Majesty that it may be enacted, and be it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, that:—

Sum granted  
for 1881-2,  
\$2,185,799.78.

1. From and out of the Consolidated Revenue Fund of Canada, there shall and may be paid and applied a sum not exceeding in the whole two millions, one hundred and eighty-five thousand, seven hundred and ninety-nine dollars and seventy-eight cents, towards defraying the several charges and expenses of the public service of the Dominion from the first day of July, in the year of Our Lord one thousand eight hundred and eighty-one, to the thirtieth day of June, in the year of Our Lord one thousand eight hundred and eighty-two, not otherwise provided for, and set forth in Schedule A to this Act, and also for the other purposes in the said Schedule mentioned.

Sum granted  
for 1882-83,  
\$33,265,754.69

2. From and out of the Consolidated Revenue Fund of Canada, there shall and may be paid and applied a sum not exceeding in the whole thirty-three millions, three hundred and sixty-five thousand, seven hundred and fifty-four dollars and sixty-nine cents, towards defraying the several charges and expenses of the public service of the Dominion, from the first day of July, in the year of Our Lord one thousand eight hundred and eighty-two, to the thirtieth day of June, in the year of Our Lord one thousand eight hundred and eighty-three, not otherwise provided for, and set forth in Schedule B to this Act, and for other purposes in the said Schedule mentioned.

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. Account to be rendered.

4. And whereas there remained on the thirty-first day of December last, unborrowed and negotiable of the loans authorized by Parliament for the several works hereinafter mentioned, and for general purposes, the sums opposite to each, respectively, viz. :— Declaratory as to certain loans authorized but not raised.

For Intercolonial Railway .....	\$2,433,333	33
For opening communication and administration of the Government in the North-West Territories.....	1,460,000	00
For improvement of the River St. Lawrence....	1,500,000	00
do do Quebec Harbour.....	1,200,000	00
For the Quebec Graving Dock.....	500,000	00
For the Pacific Railway and Canadian Canals..	4,966,666	66
For general purposes, balance 30th June, 1881.....	\$17,592,764	78
For Savings Bank withdrawals to 31st December, 1881.....	2,923,059	28
For Dominion Stock redeemed to 31st December, 1881.....	160,298	22
For sterling bonds redeemed to 31st December, 1881.....	1,234,186	66
For sterling bonds due to 1st July, 1882.....	2,336,973	33
	\$24,247,282	27
Deduct---Savings Bank Deposits to 31st December, 1881.....	5,308,283	11
Issued Dominion Stock to 31st December, 1881	\$100	00
	5,308,383	11
	18,938,899	16
	\$30,898,899	15

Therefore it is declared and enacted, that the Governor in Council may authorize the raising of the several sums above mentioned, as they may be required for the purposes aforesaid, respectively, under the provisions of the Act passed in the thirty-fifth year of Her Majesty's reign, intituled "*An Act respecting the Public Debt, and the raising of Loans authorized by Parliament,*" as amended by the Act passed in the thirty-eighth year of Her Majesty's reign, intituled "*An Act to amend the Act respecting the Public Debt, and the raising of Loans authorized by Parliament;*" and the Such loans may be raised under 35 V., c. 6, as amended by 38 V., c. 4.

Application  
of sums so  
raised.

the sums so raised shall form part of the Consolidated Revenue Fund of Canada out of which like sums shall be applicable to the several purposes aforesaid, under the Acts and provisions thereunto relating respectively.

## SCHEDULE A.

SUMS granted to Her Majesty by this Act for the Financial Year ending 30th June, 1882, and the purposes for which they are granted.

SERVICE.	Amount.	Total.
<b>[CHARGES OF MANAGEMENT.</b>		
	\$ cts.	\$ cts.
To provide for increased expenditure in connection with the offices of the Assistant-Receiver General at Charlottetown and Winnipeg in consequence of increase of business.....		1,000 00
<b>CIVIL GOVERNMENT.</b>		
Department of the Secretary of State—To provide for the salary of one Third Class Clerk, from 1st April to 30th June, 1882 .....	150 00	
Queen's Printer's Branch—To provide for the statutory increase to the salary of one Clerk, from 1st July, 1881 .....	50 00	
Registry Branch—To provide for the promotion of three Third Class Clerks to the rank of Junior Second Class .....	150 00	
Stationery Branch—To provide for the salary of one Assistant Messenger, from 1st January to 30th June, 1882, at \$200 per annum .....	100 00	
To provide for the salary of one Assorter and Packer, from 1st January to 30th June, 1882, at \$350 per annum.....	175 00	
	625 00	
Customs Department—To provide for one promotion from Junior Second to Senior Second Class.....	100 00	
Privy Council—To provide for the promotion of one Senior Second Class Clerk to the rank of First Class, from 1st July, 1881.....	50 00	
Office of the Auditor-General—To cover additional amount required for contingencies.....	500 00	
Post Office and Finance Departments, Contingencies—Amount required to make payment to those officers of the Post Office Department, Savings Bank Branch and Finance Department, engaged in balancing and computing interest in Depositors' Accounts, to 30th June, 1882 .....		1,000 00
Post Office Department—To provide for the statutory increase of \$50 a year to the salary of the Assistant Secretary .....	50 00	
To provide for the increase of salary from \$2,400 to \$2,800 per annum, of the Superintendent of the Money Order and Savings Bank Branches, from 1st October, 1881, to 30th June, 1882 .....	300 00	
To provide for the salary of the Assistant Superintendent, Money Order Branch, from 1st October, 1881, to 30th June, 1882. Transferred from Outside Service .....	1,500 00	
To provide for the increase of salary from \$1,700 to \$1,800 per annum, of the Assistant Superintendent, Savings Bank Branch, from 1st October, 1881, to 30th June, 1882.....	75 00	
To provide for the salary of one First Class Clerk, from 1st April to 30th June.....	450 00	
	2,375 00	
Carried forward.....	4,650 00	1,000 00

**SCHEDULE**

## SCHEDULE A—Continued.

SERVICE.	Amount.	Total.
	\$ cts.	\$ cts.
Brought forward.....	4,650 00	1,000 00
<b>CIVIL GOVERNMENT—Continued.</b>		
Department of Justice—To provide for the salary of one Senior Second Class Clerk, from 13th February to 30th June, 1882, at \$1,100 per annum.....	420 00	
To provide for the increase of salary of one Chief Clerk, from 13th February to 30th June, 1882.....	135 00	
	555 00	
To cover additional expenditures for the High Commissioner, including disbursements at Paris in connection with the trade negotiations	1,250 00	6,455 00
<b>ADMINISTRATION OF JUSTICE.</b>		
To provide for the payment of expenses incurred in the case of <i>Russell vs. Woodward</i> , now before the Judicial Committee of the Privy Council of the United Kingdom, on appeal from the Supreme Court of New Brunswick.....	5,000 00	
Supreme Court of Canada—To complete broken sets of Reports.....	648 50	
County Courts, British Columbia—To pay arrears of salary due to Judge Sanders.....	300 00	5,948 50
<b>PENITENTIARIES.</b>		
Kingston Penitentiary—To compensate the Chief Keeper at Kingston while performing his own and the Deputy Warden's duties during latter's absence, and to provide for removal expenses of the Chief Keeper from Kingston to St. Vincent de Paul .....	500 00	
Manitoba Penitentiary—To purchase sundry supplies.....	1,840 00	
do To provide for difference in exchange of land.....	1,000 00	
	2,840 00	
To provide for the salary of an Engineer in the Manitoba Penitentiary.	720 00	
To provide for the payment of the expenses consequent on the temporary transfer of Mr. Bedson to St. Vincent de Paul, and Mr. McKay to the Manitoba Penitentiary, and the payment of Mr McKay's salary as Acting Warden of the latter institution. ....	1,200 00	
To provide for the payment to Dr. Roderick McDonald, Surgeon of the Manitoba Penitentiary, for services to lunatics kept in the Penitentiary, from 1st September, 1877, to 30th June, 1881 .....	1,079 44	
To provide for the repayment to Mr. John Cooper, late Chief Keeper of the St. Vincent de Paul Penitentiary, the sum paid by him to the Government for the rent of his dwelling-house .....	366 20	
To cover the amount awarded by the arbitrators appointed pursuant to the Order in Council of 24th May, 1881, to adjudicate on the claim of S. T. Drennan for loss sustained by him for the non-fulfilment of a contract made with the Warden of the Kingston Penitentiary, together with the expense of the defence and the fees of the arbitrators.....	10,668 00	
To pay three months' salary to John Cooper, as Overseer at the Quarries and Buildings under construction at St. Vincent de Paul .....	200 00	
For difference of salary payable to H. B. Mackay, Acting Warden of the St. Vincent de Paul Penitentiary, from 21st June, 1880, to 24th January, 1881, at \$98 per month, and for salary for November and December, 1881, as Acting Warden, at \$212.33 per month.....	1,121 20	
Carried forward.....	1,121 20	13,403 50

SCHEDULE

## SCHEDULE A—Continued.

SERVICE.	Amount.	Total.
Brought forward.....	1,121 20	\$ cts. 17,573 64
<b>PENITENTIARIES—Continued.</b>		
For balance due him on account of travelling expenses to and from Manitoba Penitentiary.....	264 95	\$ cts. 13,403 50
To pay balance due S. L. Bedson, on account of travelling expenses to and from St. Vincen de Paul Penitentiary from and to Manitoba...		1,386 15
		400 00
		19,359 79
<b>LEGISLATION.</b>		
<b>HOUSE OF COMMONS.</b>		
To provide for the payment of seven Amanuenses in connection with the publication of the debates.....		1,200 00
To cover additional amount required for stationery.....		500 00
To pay the family of the late J. S. Thompson, Esq., M.P., equivalent to Sessional allowance in full (revote).....		1,000 00
<b>LIBRARY.</b>		
Salaries of Staff—Amount previously included under the heading "Authorized by Statute" ( <i>vide</i> Auditor-General's Report on accounts of 1880-81, page 143).....		12,610 00
		15,310 00
<b>IMMIGRATION.</b>		
To provide for estimated cost of transport of Immigrants, from 1st January to 30th June, 1882, arising from the refusal of Ontario Government to carry out arrangement existing when estimates of 1881-82 were made, and also for further estimated expenses from 31st March to 30th June, in view of the large increase of immigration.....		25,000 00
To provide for erection of temporary sheds at Winnipeg, to accommodate largely increased number of immigrants.....		3,000 00
For payment of the transport of immigrants from Quebec to Toronto....		28,000 00
		56,000 00
<b>MILITIA.</b>		
Drill Pay and other incidental expenses connected with the drill and training of the Militia, additional amount required.....		10,000 00
Military Schools and drill instruction in Colleges.....		2,000 00
A and B Batteries, Schools of Gunnery at Kingston and Quebec, to provide for pay, maintenance, &c., of additional gunners and horses authorized to be added to the strength of the Schools of Gunnery..		10,000 00
To provide for payment for machinery and expenses of Cartridge Factory at Quebec.....		15,000 00
		37,000 00
Carried forward.....		141,073 29

## SCHEDULE A—Continued.

SERVICE.	Amount.	Total.
	\$ cts.	\$ cts.
Brought forward .....		141,073 29
<b>RAILWAYS AND CANALS.</b>		
<i>(Chargeable to Capital.)</i>		
<b>INTERCOLONIAL RAILWAY.</b>		
To pay J. C. Nolan, for rent of a building at St. Octave....	132 00	
To pay J. B. McNutt, of Onslow, N.S., land damages .....	500 00	
To pay Chas. D. Blair, of Onslow, N.S., land damages ....	400 00	
To pay Joseph White and others, Bathurst, N.B., land damages.....	230 00	
To pay heirs of Geo. Moffatt, for transport of rails.....	4,777 25	
Repairs and improvements, Rivière du Loup Branch.....	7,000 00	
Wharf and Elevator, Halifax Terminus.....	30,000 00	
Extension into Halifax.....	5,000 00	
Repairs and improvements of Rivière du Loup Branch.....	5,000 00	
Rolling Stock .....	309,800 00	
Construction.....	10,000 00	
To pay Pierre Pineau for land taken for Rimouski Branch.	156 25	
Completing and fitting up passenger station at Halifax....	4,000 00	
For payment to the widow of the late H. T. Fosbery, formerly book-keeper to Messrs. Sutton & Rogers, contractors for Section No. 7 of the Intercolonial Railway, being the amount of back wages due to him at the time the Government assumed the work .....	250 00	
For payment of the sum of \$176.87 as costs incurred by Mr. Thomas B. Smith, sub-contractor on Section 12 of the Intercolonial Railway, in the hearing of his claim before the official arbitrators, such claim being for fencing done prior to and after the assumption of the works on this section by the Government.....	176 87	
	377,422 37	
<b>PRINCE EDWARD ISLAND RAILWAY.</b>		
To pay claim of Samuel Arthur on Souris Extension buildings .....	\$160 00	
To meet costs incurred in the defence of certain actions in the Exchequer Court, in connection with railway accident .....	400 00	
To pay Mrs. C. S. Beaton, of Souris, P.E.I., for interest and cost of suit.....	242 03	
	802 03	
<b>CANADIAN PACIFIC RAILWAY.</b>		
Additional emolument to Mr. C. Schreiber, as Engineer-in- Chief of Canadian Pacific Railway .....	1,500 00	
To pay judgment of Exchequer Court and costs in the case of Patrick Kenny, contractor for the transport of steel rails .....	2,162 61	
	3,662 61	
<b>WELLAND CANAL.</b>		
Enlargement of Welland Canal .....		75,000 00
Carried forward.....	456,887 01	141,073 29

SCHEDULE



## SCHEDULE A—Continued.

SERVICE.	Amount.	Total.
	\$ cts.	cts.
Brought forward.....	456,887 01	141,073 29
<b>RAILWAYS AND CANALS—Continued.</b>		
<i>(Chargeable to Capital)</i>		
CORNWALL CANAL.		
Enlargement of Cornwall Canal .....	20,000 00	476,887 01
<b>RAILWAYS AND CANALS.</b>		
<i>(Chargeable to Income.)</i>		
CHAMBLEY CANAL.		
Raising banks, lowering bottom of canal, rebuilding lock walls, &c....	4,800 00	
WELLAND CANAL.		
To rebuild a bridge on the line of Canal Street, Dunnville.....	233 46	
To refund to Mr. E. V. Bodwell the amount paid by him to the Superannuation Fund while Superintendent of the Welland Canal.....	321 49	
To pay damages to steamer "M. C. Upper" in the Welland Canal.....	8,000 00	
	8,554 95	
BURLINGTON BAY CANAL.		
Renewal of piers.....	10,000 00	23,354 95
<b>PUBLIC WORKS AND BUILDINGS.</b>		
<i>(Chargeable to Capital.)</i>		
OTTAWA.		
Grounds—To pay amount of award and judgment in favor of Marshall Wood.....	13,900 00	
To pay final estimate on contract of James Goodwin, Esq., contractor, for enclosure walls, &c.....	5,359 46	19,259 46
<b>PUBLIC WORKS AND BUILDINGS.</b>		
<i>(Chargeable to Income.)</i>		
PUBLIC BUILDINGS.		
Princes Edward Island—Charlottetown Dominion Building	800 00	
New Brunswick—St. John Post Office—Balances due contractors, furniture, gas-fittings, &c.....	13,627 85	
Fredericton—Balance on completion of Post Office, Custom House, &c.....	1,000 00	
St. John Post Office—Additional amount required.....	800 00	
Quebec—Montreal Custom House.....	4,350 00	
Carried forward.....	20,577 85	660,574 71

## SCHEDULE A—Continued.

SERVICE.	Amount.	Total.
	\$ cts.	\$ cts.
Brought forward.....	20,577 85	660,574 71
<b>PUBLIC WORKS AND BUILDINGS—Continued.</b>		
<i>(Chargeable to Income.)</i>		
<b>PUBLIC BUILDINGS—Continued.</b>		
Grosse Isle—Balance of contract, &c., Quarantine Station, new hospital.....	5,144 00	
Quebec fortifications and military buildings.....	800 00	
St. Vincent de Paul Penitentiary—Heavy iron-wire gratings for front basement windows.....	270 00	
Quebec Citadel—His Excellency the Governor General's quarters.....	5,700 00	
Montreal Examining Warehouse.....	2,500 00	
Montreal Custom House—Repairs and furniture.....	5,600 00	
Ontario—Supreme Court of Canada—New furniture and repairs to old.....	1,600 00	
Ottawa Geological Museum—Heating apparatus.....	5,000 00	
Windsor—To complete payments of Post Office, Custom House, &c.....	1,100 00	
Hamilton Immigration Shed.....	4,000 00	
Ontario Cattle Quarantine Stations—Additional amount required.....	3,000 00	
London—Military buildings.....	1,200 00	
Chatham—Post Office, Custom House, &c.....	150 00	
Manitoba—Winnipeg Post Office—Additions and alterations.....	11,000 00	
Assistant Receiver-General's Office, Winnipeg—Fire and burglar-proof vault.....	5,050 00	
Emerson Immigration Office.....	1,000 00	
Brandon Immigration Shed (west of Winnipeg).....	3,600 00	
Winnipeg Immigration Shed.....	3,600 00	
North-West Territories—Dominion Buildings, Battleford—Supplies furnished in May, 1876, by the Hudson Bay Company to Mr. H. Sutherland, then in charge of these buildings.....	41 12	
	80,932 97	
<b>REPAIRS, FURNITURE, HEATING, &amp;c.</b>		
To cover expenditure for salaries of engineers, firemen and caretakers of Dominion Buildings—(hitherto paid by the respective Departments for which the services were performed).....	13,000 00	
To cover expenditure for alterations, &c., in Parliament Building, owing to removal of Supreme Court offices.....	10,000 00	
	23,000 00	
<b>HARBOURS AND RIVERS.</b>		
Nova Scotia—Mabou Harbor—To pay Dr. Cameron for services rendered by him in connection with the improvement of this harbour by dredging.....	126 00	
New Brunswick—Campobello breakwater at Wilson's Beach—To refund amount expended by James Brown.....	208 44	
Carried forward.....	334 44	103,932 97
		660,574 71

## SCHEDULE A—Continued.

SERVICE.	Amount.	Total.
	\$ cts.	\$ cts.
Brought forward.....	334 44	103,932 97
<b>PUBLIC WORKS AND BUILDINGS—Continued.</b>		
(Chargeable to Income.)		
<b>HARBOURS AND RIVERS—Continued.</b>		
Quebec—Etang du Nord—Magdalen Island.....	3,500 00	
Ontario—Owen Sound Harbour—To complete works.....	7,500 00	
Dredging—New hull, &c, for dredge vessel, Maritime Provinces.....	9,000 00	
		20,334 44
<b>ROADS AND BRIDGES.</b>		
Union Suspension Bridge, Ottawa—Additional amount required.....	1,000 00	
To pay D. Fraser in full and final settlement of his claim (revote).....	233 80	
		1,233 80
<b>SLIDES AND BOOMS.</b>		
Compensation to Patrick McHale for damage to his land by the erection of a dam near the head of the Chats Slides, Ottawa River...		435 00
<b>TELEGRAPHS.</b>		
To complete telegraph lines to Mille Vaches and those in the Maritime Provinces.....	4,510 00	
Telegraph and Signal Service generally.....	2,500 00	
		7,010 00
<b>MISCELLANEOUS.</b>		
Military works and buildings, repairs, improvements and construction of—To cover balance of contract for machinery for cartridge factory.....	1,000 00	
Surveys and Inspections.....	1,500 00	
		2,500 00
		35,446 21
<b>OCEAN AND RIVER SERVICE.</b>		
To provide for the cost of printing the Triennial List of Shipping on the Registration Books of Canada.....	1,901 59	
To provide for expenses in connection with the training ship "Charybdis".....	12,000 00	
To provide for repairs to and maintenance of the steamer "La Cana- dienne".....	12,000 00	
To provide for expenses incurred by the Water Police in connection with the Montreal Laborers' Strike and the employment of extra men.....	7,000 00	
		32,901 59
Carried forward.....		828,922 51

SCHEDULE

SCHEDULE A —Continued.

SERVICE.	Amount.	Total.
	\$ cts.	\$ cts.
Brought forward.....		828,922 51
<b>LIGHTHOUSE AND COAST SERVICE.</b>		
To provide for an additional sum in payment of Cape Race Light dues.	300 00	
To provide for the maintenance by the Harbour Commissioners of Montreal of buoys and beacons in the Port of Montreal, for the year ending 30th June, 1882.....	7,000 00	7,300 00
<b>FISHERIES.</b>		
To provide for payment of arrears of salary and disbursements to S. A. McVicar, Fishery Overseer.....	541 65	
Fish-Breeding—To provide an additional sum.....	2,000 00	
To provide the expenses of inspecting the rivers and mill-dams in Nova Scotia.....	1,000 00	3,541 65
<b>GEOLOGICAL SURVEY.</b>		
To cover expenditure on account of this service, to 30th June, 1882.....	13,520 71	
For salary of Professor Macoun, Botanist, from 1st January to 30th June, 1882, at \$1,500 per annum.....	750 00	
For wages of Night-watchman, from 11th March to 30th June.....	138 75	14,409 46
<b>SCIENTIFIC INSTITUTIONS.</b>		
To provide for legal expenses in connection with the title of land occupied by the Magnetic Observatory, Toronto.....	401 39	
To provide for arrears of rent in connection with building occupied by the St. John Observatory.....	449 81	851 20
<b>INDIANS.</b>		
To cover expenditure incurred in providing supplies to destitute Indians, Manitoba and North-West Territories.....	327,139 47	
Indians of Oka—To provide for the payment of claims for improvements made by squatters on the Indian Reserve, in the Township of Gibson.....	5,000 00	332,139 47
<b>NORTH-WEST MOUNTED POLICE.</b>		
To cover expenditure consequent on the increase of the Force to 500 strong.....		90,000 00
<b>DOMINION LANDS.</b>		
<i>(Chargeable to Capital.)</i>		
Surveys.....		50,000 00
Carried forward.....		1,337,164 39

## SCHEDULE A—Continued.

SERVICE.	Amount.	Total.
	\$ cts.	\$ cts.
Brought forward .....		1,327,164 29
<b>MISCELLANEOUS.</b>		
To provide for the removal of ex-Lieut. Governor Laird and his family from Battleford, N.W.T., to Charlottetown, P.E.I. ....	1,524 00	
To purchase 25 copies of "Les Fleurs Boréales" .....	31 25	
To supply 300 copies of the "Dominion Annual Register and Review," for the use of the Members of the House of Commons and the Senate.....	900 00	
To purchase 600 copies of Mackintosh's Parliamentary Companion.....	1,200 00	
To pay Mr. T. C. Keefer, for services rendered in connection with Paris Exhibition, after his salary ceased .....	1,000 00	
To pay Dr. S. P. May, for services rendered in connection with Paris Exhibition, after his salary ceased.....	450 00	
To pay Burland Lithograph Co., Montreal, for printing 6,000 plates for the Commissioner's Report.....	220 00	
To pay Messrs Rolph, Smith & Co., Toronto, for lithographing certificate, \$40, and engraving awards in certificate, \$40.....	80 00	
To cover expenses of medical attendance, funeral expenses, &c., for the late James Meharg, who received injuries while in performance of his duties as Engineer in the Montreal Custom House, which resulted in his death.....	210 50	
To reimburse to Mrs. Diana Fox the sum of \$390.22, fraudulently obtained at the Post Office, Ottawa, in October, 1881, by a person representing herself to be Diana Fox.....	390 22	
To cover refunds of superannuation abatement when necessary.....	500 00	
To cover expenses in connection with the International Fishery Exhibition.....	2,500 00	
For three months' gratuity to Thomas Shea, Night-watchman in Dominion Building, Halifax.....	135 00	
For Kootenay and Fort Macleod pack trail.....	2,500 00	
Compensation to Jean Louis Legaré for services in connection with the surrender to the United States of the Sioux Indians. ....	2,000 00	
To meet further expenditure estimated to be required to put into force the Act respecting the traffic in intoxicating liquor .....	1,000 00	
To provide for the expenses connected with charges against Fishery Overseer Mowat .....	675 80	
To provide for the payment of expenses in attending upon the injured Keepers at Bird Rocks.....	101 40	
To provide for a grant to fishermen on the coast of Nova Scotia who suffered losses by storm in April, 1881 .....	1,000 00	
To provide for a gratuity to the widow of the late Chas. Chiasson, Keeper of Bird Rocks Lighthouse.....	1,000 00	
To cover expenditure incurred during His Excellency the Governor General's trip to the North-West Territories.....	11,000 00	
		28,418 17
<b>COLLECTION OF REVENUES.</b>		
<b>RAILWAYS.</b>		
<i>Repairs and Working Expenses.</i>		
Intercolonial Railway .....	\$300,000 00	
Prince Edward Island Railway.....	4,000 00	
do do additional .....	12,000 00	
Windsor Branch Railway .....	8,000 00	
Carried forward.....	324,000 00	1,355,582 46

SCHEDULE

SCHEDULE A—*Concluded.*

SERVICE.	Amount.	Total.
	\$ cts.	\$ cts.
Brought forward .....	\$324,000 00	1,355,582 46
<b>COLLECTION OF REVENUES—<i>Concluded.</i></b>		
<i>RAILWAYS—Concluded.</i>		
<i>Repairs and Working Expenses—Concluded.</i>		
Canadian Pacific Railway—To refund certain money over- charged in the transport of freight.....	1,000 00	
Working expenses.....	2,000 00	
	327,000 00	
<b>CANALS.</b>		
Beauharnois.....	\$4,188 00	
Welland .....	11,250 00	
Ste. Anne.....	200 00	
St. Ours .....	564 00	
Dredge vessels .....	1,350 00	
	17,552 00	
<b>PUBLIC WORKS AND BUILDINGS.</b>		
<i>Maintenance and Repairs.</i>		
Land and cable telegraph lines of the sea coasts and islands of the lower rivers and Gulf of the St. Lawrence and the Maritime Provinces .....	\$5,000 00	
Signal Service—Fishery bulletins .....	3,000 00	
Telegraph Lines, British Columbia—Amount required.....	20,000 00	
Slide and Booms—Saguenay District (repairs) .....	1,000 00	
	29,000 00	
<b>INLAND REVENUE.</b>		
Additional amount required to pay for the engraving of plates and printing of tobacco stamps for the stamping of tobacco under the provisions of 43 Vic., c. 19.....	\$30,000 00	
Additional amount required to pay to Customs officers commissions on Excise duties collected by them.....	1,000 00	
	31,000 00	
<b>POST OFFICE.</b>		
For mail service.....	\$4,000 00	
Miscellaneous (postage stamps, post cards, &c.).....	6,000 00	
	10,000 00	
<b>DOMINION LANDS.</b>		
Land Board at Winnipeg—Commissioner, Inspector of Agencies, Commissioner's Secretary, their salaries and travel and other contingent expenses for five months..	\$5,666 66	
Land and Timber Agencies—Contingent expenses, inspec- tions, seizures and other disbursements .....	5,000 00	
Land Guides—Eleven guides for four months .....	2,640 00	
Head Office, Ottawa—Printing maps, advertising, payment of extra clerks.....	10,000 00	
	23,306 66	
		437,858 66
<b>UNPROVIDED ITEMS.</b>		
Unprovided items of 1880-81, <i>vide</i> Auditor-General's Report, page 446..		392,358 66
		2,185,799 78

## SCHEDULE B.

SUMS granted to Her Majesty by this Act, for the Financial Year ending 30th June, 1883, and the purposes for which they are granted.

SERVICE.	Amount.	Total.
<b>CHARGES OF MANAGEMENT.</b>		
	\$ cts.	\$ cts.
Financial Inspector.....	2,600 00	
Office of Assistant-Receiver General, Toronto.....	8,200 00	
do do Montreal.....	5,500 00	
Auditor and do Halifax.....	10,400 00	
do do St. John.....	11,400 00	
do do Winnipeg.....	4,800 00	
do do Victoria.....	7,000 00	
do do Charlottetown, P.E.I.....	4,800 00	
Country Savings Banks: New Brunswick, Nova Scotia and British Columbia.....	\$13,000 00	
For increases in salaries and establishment of new offices.....	1,200 00	
	14,200 00	
London Agents:		
Commission of $\frac{1}{4}$ per cent. on \$438,000, amount of British Columbia debt to be redeemed in London during the year, through Crown Agents for the Colonies.....	1,095 00	
Commission on payments of \$5,984,059.69, interest on debt.....	29,920 29	
do and brokerage on \$458,114.92, Consolidated Canadian Loan Sinking Fund.....	2,290 57	
Brokerage on \$262,340.89, Intercolonial Sinking Fund.....	655 85	
do 26,570.52, Rupert's Land Loan Sinking Fund.....	66 42	
do 41,184.53, British Columbia Loan Sinking Fund....	102 98	
do 560,585.69, Sinking Fund Loans of 1874, 1875, 1876, 1878 and 1879.....	2,802 92	
Stamps, postages and telegrams.....	7,000 00	
Expenses in connection with the issue and redemption of Dominion Notes, including 4 extra Clerks.....	7,000 00	
Printing, advertising, inspection, express and miscellaneous charges, &c., including the printing of Dominion Notes.....	50,000 00	
To cover removal and other expenses, including rent, in connection with the Assistant Receiver-General's Office at Halifax.....	1,600 00	
		171,434 01
<b>CIVIL GOVERNMENT.</b>		
The Governor General's Secretary's Office.....	11,200 00	
The Office of the Queen's Privy Council for Canada.....	14,987 50	
The Department of Justice.....	15,500 00	
do do Penitentiaries Branch.....	5,450 00	
do Militia.....	36,350 00	
do Secretary of State.....	41,415 00	
do Interior.....	51,740 00	
do Indian Affairs.....	23,315 00	
The Office of the Auditor-General.....	19,600 00	
Carried forward.....	219,557 50	171,434 01

SCHEDULE

## SCHEDULE B.—Continued.

SERVICE.	Amount.	Total.
	\$ cts.	\$ cts.
Brought forward.....	219,557 50	171,434 01
<b>CIVIL GOVERNMENT—Continued.</b>		
<b>The Department of Finance and Treasury Board</b> .....	55,240 00	
do Inland Revenue.....	33,950 00	
do Customs.....	31,345 09	
do Postmaster General.....	115,120 00	
do Agriculture.....	35,780 00	
do Marine and Fisheries.....	31,020 00	
do Public Works.....	31,010 00	
do Railways and Canals.....	41,270 00	
Civil Service Board, amount required to cover salaries.....	600 00	
Departmental Contingencies.....	140,000 00	
Stationery Office, for stationery.....	7,000 00	
To meet the possible amount required for new appointments, by an extension of the Staff or by any other change.....	5,000 00	
Amount required to provide for contingent expenses of the High Commissioner of Canada in London.....	4,000 00	
Department of the Secretary of State.—To provide for the salary of one 3rd Class Clerk, to 30th June, 1883.....	612 50	
To provide for the statutory increase to the salaries of three clerks, from 1st July, 1882.....	150 00	
	762 50	
Customs Department.—To provide for a partial re-organization of the Department.....	650 00	
Department of Indian Affairs.—To provide for the salary of an Inspector of Indian Agencies in Ontario, Quebec and the Maritime Provinces.....	1,600 00	
Post Office Department.—To provide for the statutory increase to the salary of one clerk, from 1st July, 1882.....	50 00	
To provide for the salary of one Chief Clerk, to 30th June, 1883.....	1,800 00	
	1,850 00	
Department of Railways and Canals.—To provide for an addition to the salary to one 1st Class Clerk.....	100 00	
Post Office and Finance Departments.—Contingencies.—Amount required to make payment to those officers of the Savings Bank Branch, Post Office and Finance Departments, engaged in balancing and computing interest in Depositors' Accounts, to 30th June, 1882.....	1,000 00	
		756,855 00
<b>ADMINISTRATION OF JUSTICE.</b>		
Miscellaneous Justice, including North-West Territories.....	15,000 00	
Travelling Expenses of Stipendiary Magistrates in the North-West Territories.....	4,500 00	
Circuit Allowances, British Columbia.....	6,000 00	
do Manitoba.....	2,500 00	
Precis Writer of the Supreme Court of Canada and the Exchequer Court.....	2,000 00	
Clerk in the office of the Registrar of the Supreme Court of Canada and the Exchequer Court.....	750 00	
Second Clerk in the office of the Registrar of the Supreme Court of Canada and the Exchequer Court.....	550 00	
Senior Messenger of the Supreme Court of Canada and the Exchequer Court.....	500 00	
Second Messenger of the Supreme Court of Canada and the Exchequer Court.....	390 00	
Third Messenger of the Supreme Court of Canada and the Exchequer Court.....	330 00	
Carried forward.....	32,520 00	928,289 01



## SCHEDULE B.—Continued.

SERVICE.	Amount.	Total.
Brought forward.....	\$ cts. 32,520 00	\$ cts. 928,289 01
<b>ADMINISTRATION OF JUSTICE—Continued.</b>		
Contingencies and disbursements, including printing, binding and distributing Reports, Judges' travelling expenses; also salaries of officers (Sheriff, Usher, &c.,) in the Supreme and Exchequer Courts of Canada, and \$150 for books for Judges.....	5,000 00	
Sundry disbursements connected with the Maritime Court of Ontario, Judge's travelling expenses, &c.....	100 00	
Salary of Registrar of Vice-Admiralty Court, Quebec.....	666 66	
Salary of Marshal of Vice-Admiralty Court, Quebec.....	333 34	
		<b>38,620 00</b>
<b>POLICE.</b>		
Dominion Police.....		<b>12,500 00</b>
<b>PENITENTIARIES.</b>		
Kingston Penitentiary.....	120,949 77	
St. Vincent de Paul Penitentiary.....	85,684 59	
Dorchester do.....	42,245 30	
Manitoba do.....	26,654 53	
British Columbia do.....	19,833 68	
St. Vincent de Paul Penitentiary—To provide for increase of salaries of three Trade Instructors, from 1st July, 1882, to 30th June, 1883.....	490 00	
Manitoba Penitentiary—To provide for an increase of salary to the Engineer to \$900.00 per annum.....	180 00	
		<b>296,027 87</b>
<b>LEGISLATION.</b>		
<b>SENATE.</b>		
Salaries and Contingent Expenses of the Senate.....	55,138 00	
<b>HOUSE OF COMMONS.</b>		
Salaries, per Clerk's Estimate.....	59,600 00	
Expenses of Committees, Extra Sessional Clerks, &c.....	12,800 00	
Contingencies.....	19,500 00	
Publishing Debates.....	20,000 00	
Salaries and Contingencies, per Sergeant-at-Arms' Estimate.....	27,857 50	
For Stationery, additional amount required.....	1,000 00	
Balance of travelling expenses and indemnity of the late L. A. McConville, Esq., M.P., to be paid to Mrs. McConville.....	761 80	
<b>MISCELLANEOUS.</b>		
Grant to Parliamentary Library.....	7,000 00	
Salaries of Officers (additional) and Contingencies of Library.....	6,050 00	
Printing, Binding and Distributing the Laws.....	12,090 00	
Printing, Printing Paper and Bookbinding.....	60,000 00	
Salary of the Clerk of the Crown in Chancery.....	2,000 00	
Contingencies of the Clerk of the Crown in Chancery.....	1,200 00	
Miscellaneous Printing.....	2,000 00	
Carried forward.....	286,907 30	<b>1,275,436 88</b>

SCHEDULE

SCHEDULE B—Continued.

SERVICE.	Amount.	Total.
	\$ cts.	\$ cts.
Brought forward.....	286,907 30	1,275,436 88
LEGISLATION—Continued.		
MISCELLANEOUS—Continued.		
Library—Amount previously included under heading "Authorized by Statute." (See Auditor-General's report on accounts for 1880-81, page 143 .....	12,610 00	
To defray expenses of extra services in making new Catalogues of the Historical and General Departments.....	800 00	300,317 30
ARTS, AGRICULTURE AND STATISTICS.		
To meet expenses in procuring and taking care of Archives.....	5,000 00	
To meet expenses in connection with Patent Record.....	7,200 00	
To meet expenses in connection with preparation of Criminal Statistics	4,000 00	
To meet expenses in connection with Census.....	60,000 00	
To meet expenses in connection with Dominion Exhibition.....	5,000 00	
To meet expenses in connection with Health Statistics.....	10,000 00	
For collecting and compiling agricultural, industrial and other statistics in Manitoba and the North-West Territories, and also for acquiring and compiling such statistics elsewhere.....	20,000 00	111,200 00
IMMIGRATION AND QUARANTINE.		
Salaries of Immigration Agents and Employees, viz. :		
Agent, Quebec.....	\$ 1,600 00	
Assistant do .....	1,000 00	
Clerk do .....	1,000 00	
Norwegian Interpreter.....	600 00	
Messenger.....	200 00	
Agent, Montreal .....	1,200 00	
do Ottawa.....	1,200 00	
do Kingston.....	1,200 00	
do Toronto.....	1,400 00	
do Hamilton.....	1,100 00	
do London, Ont.....	800 00	
do Halifax.....	1,000 00	
do St. John.....	1,000 00	
do Manitoba.....	2,400 00	
do North-West.....	1,200 00	
Salaries in London (England) Office.....	6,141 00	
do of Agents in Europe.....	6,000 00	
Contingencies of Canadian and other agencies (not European).....	24,000 00	
Travelling expenses of Agents in Europe.....	7,000 00	
Towards assisting Immigration and Immigration expenses	250,000 00	
For Interpreters' salary, Winnipeg .....	800 00	
do Brandon.....	800 00	
Addition to Agent's salary, North-West Territories.....	200 00	
Aid to Montreal Women's Protection Immigration Society.....	1,000 00	
	312,841 00	
Carried forward.....	312,841 00	1,688,954 18

## SCHEDULE B—Continued.

SERVICE.	Amount.	Total.
	\$ cts.	\$ cts.
Brought forward.....	312,841 00	1,686,954 18
<b>IMMIGRATION AND QUARANTINE—Continued.</b>		
Medical Inspection, Quebec.....	1,300 00	
Quarantine, Grosse Isle.....	9,568 00	
do St. John, N.B.....	2,400 00	
do Pictou, N.S.....	800 00	
do Halifax, N.S.....	3,200 00	
do Charlottetown, P.E.I.....	1,000 00	
do Victoria, B.C.....	2,000 00	
Tracadie Lazaretto.....	3,000 00	
To meet expenses of precautionary measures for Public Health:—		
Public Health.....	5,000 00	
Cattle Quarantine, Lévis.....	10,000 00	
do West.....	5,000 00	
do Halifax.....	5,000 00	
Pictou cattle disease.....	20,000 00	
	68,266 00	381,107 00
<b>PENSIONS.</b>		
Pension to John Bright, Messenger, House of Assembly.....	80 00	
<b>NEW MILITIA PENSIONS.</b>		
Mrs. Caroline McEachern and two children.....	238 00	
Janet Anderson.....	110 00	
Margaret McKenzie.....	80 00	
Mary Ann Richey and one child.....	288 00	
Mary Morrison.....	80 00	
Louise Prud'homme.....	110 00	
Virginie Charron and four children.....	150 00	
Paul M. Robins.....	146 00	
Charles T. Bell.....	73 00	
Alex. Oliphant.....	109 50	
Charles Lugsden.....	91 25	
Thomas Charters.....	91 25	
Charles T. Robertson.....	110 00	
Percy G. Routh.....	400 00	
Richard S. King.....	400 00	
George A. McKenzie.....	73 00	
Edwin Hilder.....	146 00	
Fergus Schofield.....	73 00	
John Bradley.....	109 50	
James Bryan.....	109 50	
Ensign W. Fahey.....	206 00	
Mary Hodgins and three children.....	191 00	
John Martin.....	110 00	
Mrs. J. Thorburn.....	150 00	
Mrs. P. T. Worthington and three children.....	378 00	
Mrs. J. H. Elliott and one child.....	120 00	
Ellen Kirkpatrick and two children.....	226 00	
Mrs. George Prentice and three children..	352 00	
Mary Hannah Tempest and child.....	298 00	
T. Robinson.....	50 00	
	5,063 00	
Carried forward.....	5,143 00	2,068,061 18

SCHEDULE

## SCHEDULE B—Continued.

SERVICE.	Amount.	Total.
	\$ . cts.	\$ cts.
Brought forward.....	5,143 00	2,068,061 18
<b>PENSIONS—Continued.</b>		
To meet the probable amount required for pensions to veterans of war of 1812 .....	25,000 00	
Compensation to pensioners in lieu of land .....	5,600 00	35,643 00
<b>MILITIA.</b>		
Salaries, Military Branch and District Staff .....	17,500 00	
Brigade Majors, salaries, transport expenses, &c. ....	17,500 00	
Ammunition, including artillery ammunition and the manufacture of small arms ammunition at the cartridge factory at Quebec.....	25,000 00	
Clothing .....	50,000 00	
Military stores.....	40,000 00	
Public armouries and care of arms, including pay of Storekeepers, Caretakers, Storemen and Armourers.....	52,000 00	
Allowances for drill instruction .....	40,000 00	
Drill pay and other incidental expenses connected with the drill and training of the Militia.....	250,000 00	
Contingencies and general service not otherwise provided for, including grants to Artillery and Rifle Associations and bands of efficient corps.....	38,000 00	
Government grant to the Dominion of Canada Rifle Association.....	8,000 00	
Drill sheds and rifle ranges.....	10,000 00	
Care of military properties transferred from the Ordnance and Imperial Government.....	8,000 00	
Royal Military College.....	59,000 00	
Military schools and drill instruction in colleges .....	6,000 00	
Pay, maintenance and equipment of "A" and "B" Batteries Garrison Artillery and schools of gunnery at Kingston and Quebec....	128,000 00	
To provide for the purchase of four guns, with 400 rounds of ammunition, from the British Government.....	2,000 00	751,000 00
<b>RAILWAYS AND CANALS.</b>		
(Chargeable to Capital.)		
<b>RAILWAYS.</b>		
<i>Pacific Railway.</i>		
Canada Central (subsidy).....	120,000 00	
Prince Arthur's Landing to Red River.....	1,067,000 00	
British Columbia .....	4,500,000 00	
Telegraph lines.....	35,000 00	
Station accommodation.....	32,000 00	
Subsidy, Canadian Pacific Railway Company.....	8,500,000 00	
Carried forward.....	14,254,000 00	2,854,704 18

SCHEDULE

## SCHEDULE B—Continued.

SERVICE.	Amount.	Total.
	\$ cts.	\$ cts.
Brought forward .....	14,254,000 00	2,854,704 18
<b>RAILWAYS AND CANALS—Continued.</b>		
<i>(Chargeable to Capital.)</i>		
<b>RAILWAYS—Continued.</b>		
<i>Intercolonial Railway.</i>		
Increased accommodation at St. John.....	150,000 00	
Wharf and elevator, Halifax Terminus.....	125,000 00	
Bunker coal wharf do .....	21,000 00	
To pay for T. Bentley's land.....	1,600 00	
To land damages, costs, &c.....	5,500 00	
Rolling stock .....	305,000 00	
Superannuation refunds .....	986 00	
St. Charles Branch and ferry between Lévis and Quebec.....	536,000 00	
Extension to Halifax .....	37,500 00	
<i>Prince Edward Island Railway.</i>		
Rolling stock .....	65,000 00	
Cape Traverse Railway .....	189,200 00	
<i>General.</i>		
Surveys and inspection .....	10,000 00	
Railway statistics .....	1,200 00	
<b>CANALS.</b>		
Lachine.....	790,000 00	
St. Lawrence River and Canals.....	154,000 00	
Welland.....	600,000 00	
St. Anne's Lock and Canal .....	320,000 00	
Carillon Canal, Dam and Slide.....	180,000 00	
Grenville.....	575,000 00	
Murray Canal.....	200,000 00	
Miscellaneous.....	10,000 00	
Welland Canal—Construction of a race-way between the feeder and Chippewa River.....	26,000 00	
Williamsburgh Canal—Construction of new weirs.....	40,000 00	
St. Anne's Lock and Canal—Towards deepening the channel above the Lock.....	75,000 00	
Trent River Navigation—For construction of Locks and the improve- ment of navigation between Lakefield and Balsam Lake.....	290,000 00	
River Tay Canal—For construction of works .....	50,000 00	
		19,011,986 00
Carried forward.....		21,866,690 18

SCHEDULE

## SCHEDULE B—Continued.

SERVICE.	Amount.	Total.
	\$ cts.	\$ cts.
Brought forward .....		21,866,690 18
<b>RAILWAYS AND CANALS.</b>		
(Chargeable to Income.)		
CANALS.		
Lachine Canal—Dredging in basin No. 4.....	2,000 00	
Beauharnois Canal—Construction of a swing bridge at Valleyfield .....	8,000 00	
Chambly Canal—Raising banks, lowering bottom of canal, rebuilding lock walls, &c.....	31,000 00	
St. Ours Lock and Dam—Construction of lock gates, piers above and below the lock, deepening and widening channel .....	21,350 00	
Survey of Trent Valley Navigation .....	8,000 00	
Cornwall Canal .....	10,000 00	
Burlington Bay Canal—Renewal of piers .....	11,000 00	
Welland Canal—Cleaning out back ditches .....	6,000 00	
Rideau Canal .....	6,500 00	
do To raise the wharf on west side Canal Basin, Ottawa.....	1,500 00	
do Dredging from Port Elmsley to mouth of River Tay .....	1,000 00	
		106,350 00
<i>Miscellaneous.</i>		
Miscellaneous works not otherwise provided for .....	5,000 00	
Arbitrations and awards .....	5,000 00	
Surveys and inspections .....	10,000 00	
Bridge between Grande Ile and main land, Beauharnois County.....	800 00	
		20,800 00
<b>PUBLIC WORKS AND BUILDINGS.</b>		
(Chargeable to Income.)		
PUBLIC BUILDINGS.		
<i>Nova Scotia.</i>		
Sydney Quarantine Hospital .....	2,000 00	
New Glasgow Public Building.....	6,000 00	
Halifax Cattle Quarantine Station.....	5,000 00	
Truro Custom House, Post Office and Savings Bank.....	15,000 00	
Antigonish Public Building.....	2,250 00	
Windsor Post Office, Custom House, &c.....	5,000 00	
North Sydney Custom House.....	8,000 00	
<i>Prince Edward Island.</i>		
Charlottetown Marine Hospital.....	600 00	
Summerside Public Building.....	5,000 00	
Charlottetown—Dominion Building—Repairs.....	2,500 00	
<i>New Brunswick.</i>		
St. John Marine Hospital.....	15,000 00	
Woodstock Post Office, Custom House, &c.....	7,000 00	
Carried forward.....	73,350 00	21,993,840 18

SCHEDULE

## SCHEDULE B—Continued.

SERVICE.	Amount.	Total.
	\$	cts.
Brought forward.....	73,350 00	21,993,840 18
<b>PUBLIC WORKS AND BUILDINGS—Continued.</b>		
<i>(Chargeable to Income.)</i>		
<b>PUBLIC BUILDINGS—Continued.</b>		
<i>New Brunswick—Continued.</i>		
St. Stephen's Post Office, Custom House, &c.....	15,000 00	
Sussex Post Office, Custom House, &c.....	7,000 00	
Moncton Post Office, Custom House, &c.....	15,000 00	
Dorchester Penitentiary.....	25,000 00	
St. John Post Office—Additional amount required for tower clock and furniture.....	2,300 00	
St. John Cattle Quarantine.....	3,000 00	
Newcastle—Post Office—(Site and building).....	4,000 00	
Dorchester Penitentiary.....	500 00	
Carleton, St. John—Post Office.....	6,000 00	
<i>Quebec.</i>		
Lévis Fortifications and Military Buildings.....	2,500 00	
Quebec Fortifications.....	15,000 00	
Dufferin Terrace—To complete.....	6,000 00	
Quebec Citadel.....	15,000 00	
Quebec Examining Warehouse.....	20,000 00	
Securing cliff under Citadel, &c., Quebec—To complete..	2,500 00	
Cartridge Factory for small arms, Quebec.....	2,300 00	
Three Rives—Fitting up old Barracks for Public Offices..	4,900 00	
Sherbrooke Post Office, Custom House, &c.....	20,000 00	
Montreal Inland Revenue Building—To complete additions to, and alterations of.....	9,800 00	
St. Vincent de Paul Penitentiary.....	8,750 00	
Hull Post Office and Inland Revenue Offices.....	9,000 00	
St. Helen's Island Military Buildings.....	2,600 00	
Grosse Isle Quarantine Station.....	3,000 00	
St. Vincent de Paul Penitentiary.....	750 00	
Montreal Drill Shed—New roof, &c.....	20,000 00	
Montreal Post Office.....	5,500 00	
Bury Drill Shed—Repairs.....	600 00	
Cartridge Factory, Quebec.....	2,700 00	
Hull Post Office and Inland Revenue Offices—Additional amount required for grading site, &c.....	1,200 00	
Sherbrooke Drill Shed—Addition to present building, &c.	550 00	
<i>Ontario.</i>		
Parliament Buildings, Ottawa—To provide additional means of exit from the Galleries of the two Houses....	5,000 00	
Cornwall Post Office, Custom House, &c.....	20,000 00	
Brockville do do.....	20,000 00	
Kingston Fortifications and Military Buildings.....	1,025 00	
Kingston Penitentiary.....	12,500 00	
Carried forward.....	361,725 00	21,993,840 18

SCHEDULE

SCHEDULE B—Continued.

SERVICE.	Amount.	Total.
Brought forward.....	361,725 00	\$ cts. \$ cts. 21,993,840 18
<b>PUBLIC WORKS AND BUILDINGS—Continued.</b>		
<i>(Chargeable to Income.)</i>		
<b>PUBLIC BUILDINGS—Continued.</b>		
<i>Ontario—Continued.</i>		
Belleville Post Office, Custom House, &c.....	20,000 00	
Hamilton do do .....	40,000 00	
Stratford do do —To complete..	13,500 00	
St. Thomas do do .....	20 000 00	
St. Catharines do do .....	16,500 00	
Chatham do do .....	20,000 00	
London Post Office.....	7,500 00	
Ontario Cattle Quarantine Stations—Additional amount required .....	6,000 00	
Amherstburg Post Office, Custom House, &c.....	8,000 00	
Galt do do .....	8,000 00	
Berlin do do .....	8,000 00	
Cobourg do do .....	14,000 00	
Public Buildings, Ottawa - To insert glass panels in office doors, Departmental Buildings, for the better protec- tion against fire.....	800 00	
Improving ventilation, Parliament Building.....	4,000 00	
Kingston Fortifications.....	600 00	
Clifton Post Office.....	4,000 00	
St. Thomas—Removing and re-building drill shed.....	2,500 00	
Barrie—Post Office, &c.....	8,000 00	
Port Hope—Post Office, &c.....	8,000 00	
<i>Manitoba.</i>		
Manitoba Penitentiary.....	33,000 00	
Parliament Buildings, Winnipeg.....	30,000 00	
Lieutenant-Governor's Residence, Winnipeg.....	24,500 00	
Winnipeg Post Office.....	50,000 00	
Immigrant Buildings, west of Brandon .....	10,000 00	
<i>North-West Territories.</i>		
Public Buildings, N. W. T.....	5,000 00	
Dominion Lunatic Asylum or Hospital (re-vote) .....	10,000 00	
New jails and lock-up.....	10,000 00	
New Public Buildings at Capital of North-West Terri- tories.....	20,000 00	
<i>British Columbia.</i>		
Vancouver Quarantine Station and Outbuildings.....	5,000 00	
British Columbia Penitentiary .....	16,500 00	
New Westminster—Post Office, Custom House, &c.....	11,500 00	
Carried forward.....	796,625 00	21,993,840 18



SCHEDULE B—Continued.

SERVICE.	Amount.	Total.
	\$ cts.	\$ cts.
Brought forward.....	796,625 00	21,993,840 18
<b>PUBLIC WORKS AND BUILDINGS—Continued.</b>		
<i>(Chargeable to Income.)</i>		
<b>PUBLIC BUILDINGS—Continued.</b>		
<i>British Columbia—Continued.</i>		
Nanaimo—Post Office, Custom House, &c., the local authorities furnishing the site.....	5,000 00	
Nanaimo Post Office, Custom House, &c.—Additional amount required.....	5,000 00	
<i>Public Buildings generally.</i>		
Public Buildings generally.....	15,000 00	
	821,625 00	
<b>REPAIRS, FURNITURE, HEATING, &amp;C.</b>		
Repairs, furniture, heating, &c.....	\$165,000 00	
Grounds, Public Buildings, Ottawa.....	6,000 00	
Removal of snow, Public Buildings, Ottawa.....	1,800 00	
Heating, Public Buildings, Ottawa.....	40,000 00	
Gas, Public Buildings, Ottawa.....	20,000 00	
Water, Public Buildings, Ottawa.....	12,000 00	
Telephonic service, Public Buildings, Ottawa (re-vote)....	2,500 00	
Allowance for fuel and light, Rideau Hall.....	8,000 00	
Salaries of Engineers, Firemen and Caretakers, &c., of Dominion Public Buildings (hitherto paid by the respective Departments for which the services were performed) .....	13,000 00	
	268,300 00	
<b>HARBOURS AND RIVERS.</b>		
<i>Nova Scotia.</i>		
Cow Bay.....	3,000 00	
Benacadie Pond—To complete work.....	3,000 00	
South Ingonish.....	8,000 00	
Mabou—To complete.....	4,000 00	
Cheverie.....	5,000 00	
Arisaig.....	1,500 00	
Great Village River, Londonderry—Locality furnishing \$4,000.....	8,000 00	
Cape St. Mary—To complete.....	2,500 00	
Digby Pier.....	3,500 00	
White Point—Repairs.....	500 00	
Parrsboro' or Partridge Island River—To complete.....	2,500 00	
East Bay—Locality having furnished \$700.....	1,800 00	
Pier accommodation at Annapolis.....	15,000 00	
Pickett's Pier.....	500 00	
New Harbor.....	3,000 00	
Main-à-Dieu—To complete work under contract.....	1,000 00	
	62,800 00	
Carried forward.....	1,089,925 00	21,993,840 18

## SCHEDULE B—Continued.

SERVICE.	Amount.	Total.
	\$ cts.	\$ cts.
Brought forward.....	62,800 00	1,089,925 00 21,993,840 18
<b>PUBLIC WORKS AND BUILDINGS—Continued.</b>		
<i>(Chargeable to Income.)</i>		
<b>HARBOURS AND RIVERS—Continued.</b>		
<i>Nova Scotia—Continued.</i>		
St. Mary's River.....	2,000 00	
Meteghan River—To complete.....	3,000 00	
Yarmouth.....	3,300 00	
Petite Rivière.....	5,000 00	
Parker's Cove—Locality providing an equal amount.....	1,000 00	
Pictou Island—Re-vote of lapsed amount.....	1,250 00	
Port Hood.....	4,000 00	
Coffin's Island.....	2,100 00	
North Sydney—To continue wharf.....	3,000 00	
Eagle Head.....	2,500 00	
White Point—Additional amount required for repairs.....	1,500 00	
Port Lorne.....	5,000 00	
Liverpool—Breakwater on west side of Harbour.....	5,000 00	
Indian Harbour.....	1,000 00	
Westport Pier.....	2,000 00	
Jordan Bay.....	5,000 00	
<i>Prince Edward Island.</i>		
Rustico Harbour.....	8,500 00	
Campbell's Cove—Local authorities having already spent \$4,100.....	4,000 00	
South River—Murray Harbour.....	5,000 00	
South-West River, New London.....	5,000 00	
St. Peter's Bay.....	6,000 00	
Miminigash—To pay for completion of work.....	1,500 00	
Wood Islands.....	3,000 00	
Cascumpec.....	5,000 00	
<i>New Brunswick.</i>		
St. John Harbour—Breakwater at Negro Point.....	35,000 00	
Quaco.....	6,000 00	
River Tobique and River St. John, above Grand Falls.....	2,000 00	
River St. John—River des Chutes to Bear Island.....	2,000 00	
Caraquette.....	4,000 00	
Shippegan.....	4,000 00	
Madawaska River.....	1,000 00	
River Miramichi—Ballast wharves.....	3,000 00	
Wilson's Beach.....	500 00	
Rocher Bay Breakwater.....	2,000 00	
Courtney Bay—Marking Channel.....	500 00	
Tynemouth or Ten Mile Creek Harbour.....	1,500 00	
Carried forward.....	208,950 00	1,089,925 00 21,993,840 18

SCHEDULE

## SCHEDULE B—Continued.

SERVICE.	Amount.	Total.
Brought forward.....	208,950 00	1,089,925 00
	\$ cts.	\$ cts.
	1,089,925 00	21,993,840 18
<b>PUBLIC WORKS AND BUILDINGS—Continued.</b>		
<i>(Chargeable to Income.)</i>		
<b>HARBOURS AND RIVERS<sup>2</sup>—Continued.</b>		
<i>Maritime Provinces generally.</i>		
General repairs and improvements, Harbours and Rivers— Maritime Provinces.....	10,000 00	
<i>Quebec.</i>		
New Carlisle—Municipality having voted \$1,000 to complete.....	5,000 00	
Trois Pistoles .....	2,500 00	
River du Loup ( <i>en bas</i> )—To complete.....	1,000 00	
Grosse Isle.....	1,500 00	
St. Jean Port Joli—To complete.....	4,700 00	
Isle aux Grues—Havre de la Pointe aux Pins—To complete	4,000 00	
River Saguenay—Improvement of channel below Chicoutimi.....	5,000 00	
River Saguenay—Enlargement of "La Grande Décharge" from Lake St. John.....	2,000 00	
Anse St. Jean—To complete .....	2,200 00	
Baie St. Paul—Local authorities furnishing \$3,000.....	12,000 00	
River St. Lawrence—Removal of chains, anchors, boulders, &c.....	10,000 00	
Yamachiche—Local authorities furnishing \$3,000.....	2,000 00	
River Nicolet—Harbour of Refuge .....	20,000 00	
River Yamaska.....	15,000 00	
St. Zotique.....	3,500 00	
River du Lièvre .....	5,000 00	
General repairs and improvements—Harbours and Rivers, Quebec .....	10,000 00	
St. Alphonse—To complete pier.....	3,500 00	
Philipsburg Harbour, Missisquoi Bay, Lake Champlain— Locality furnishing an equal amount .....	4,000 00	
Three Rivers .....	25,000 00	
Carleton—To complete.....	2,500 00	
Isle aux Grues—Additional amount required to cover cost of work under contract.....	4,000 00	
Etang du Nord—To continue work.....	5,000 00	
St. François—Island of Orleans.....	4,000 00	
Quebec—Marine Hospital wharves.....	3,000 00	
Lake Megantic—Pier, buoys and removing boulders.....	4,000 00	
Chenal du Moine.....	2,000 00	
Matane.....	3,500 00	
St. Thomas.....	500 00	
River Ottawa—Improvement of channel opposite Calumet	1,000 00	
Carried forward.....	386,350 00	1,089,925 00
		21,993,840 18

SCHEDULE

## SCHEDULE B.—Continued.

SERVICE.	Amount.	Total.
Brought forward.....	386,350 00	1,089,925 00
	\$ cts.	\$ cts.
		21,993,840 18
<b>PUBLIC WORKS AND BUILDINGS—Continued.</b>		
<i>(Chargeable to Income.)</i>		
<b>HARBOURS AND RIVERS—Continued.</b>		
<i>Ontario.</i>		
Cobourg Harbour, Lake Ontario.....	12,000 00	
Port Hope Harbour, Lake Ontario.....	10,000 00	
Toronto Harbour, Lake Ontario.....	12,500 00	
Rondeau Harbour, Lake Erie—To complete.....	4,000 00	
Kincardine, Lake Huron.....	5,000 00	
Port Elgin, Lake Huron.....	5,500 00	
Goderich, Lake Huron.....	16,000 00	
Collingwood Harbour, Lake Huron—To complete.....	5,000 00	
Thornbury, Lake Huron.....	8,000 00	
Wiarton, Lake Huron.....	35,000 00	
Meaford—To complete.....	10,500 00	
Kingston Harbour.....	12,500 00	
Little Current, Lake Huron.....	10,000 00	
Napanee River improvements.....	5,000 00	
General repairs and improvements, Harbours and Rivers, Ontario.....	8,000 00	
Portsmouth, Lake Ontario—To complete.....	2,000 00	
Wellington and Consecon, Lake Ontario (re-vote, \$2,000).	4,000 00	
Whitby, Lake Ontario.....	4,000 00	
Toronto Harbour, Lake Ontario—Additional amount re- quired.....	87,500 00	
Kingsville, Lake Erie.....	4,500 00	
Owen Sound, Lake Huron—To finish.....	8,000 00	
Collingwood, Lake Huron.....	20,000 00	
Port Albert, Lake Huron.....	2,200 00	
River Sydenham.....	2,000 00	
River Ottawa—Improvement of channel opposite Hawkes- bury.....	1,500 00	
Little Nation River—Examination and removal of obstruc- tions.....	1,750 00	
Peterborough—Dredging.....	1,000 00	
Newcastle—Harbour improvements, locality furnishing \$2,500.....	5,500 00	
<i>Manitoba.</i>		
Red River—Mouth of river.....	12,000 00	
General repairs and improvements, Harbours and Rivers, Manitoba.....	1,000 00	
River Assiniboine.....	6,000 00	
Waterhen River—Examination and removal of boulders...	5,000 00	
<i>North-West Territories.</i>		
River Saskatchewan—Examination and improvement of...	20,000 00	
Carried forward.....	733,300 00	1,089,925 00
		21,993,840 18

SCHEDULE

## SCHEDULE B—Continued.

SERVICE.	Amount.	Total.
Brought forward.....	733,300 00	1,089,925 00
	\$ cts.	\$ cts.
		21,993,840 18
<b>PUBLIC WORKS AND BUILDINGS—Continued.</b>		
<i>(Chargeable to Income.)</i>		
<b>HARBOURS AND RIVERS—Continued.</b>		
<i>British Columbia.</i>		
Naas River.....	500 00	
Skeena River .....	2,000 00	
General repairs and improvements, Harbours and Rivers, British Columbia.....	2,000 00	
<i>Harbours and Rivers generally.</i>		
Harbours and Rivers generally .....	6,000 00	
	<hr/>	743,800 00
<b>DREDGING.</b>		
New dredging plant.....	4,500 00	
Dredge vessels—Repairs.....	19,000 00	
New Brunswick .....		
Nova Scotia .....		
Prince Edward Island.....		
Ontario.....	20,000 00	
Quebec.....	20,000 00	
British Columbia.....	7,500 00	
General service .....	5,000 00	
	<hr/>	128,000 00
<b>SLIDES AND BOOMS.</b>		
Slides and booms.....		15,000 00
<b>ROADS AND BRIDGES.</b>		
Bridge at Des Joachims Rapids, Ottawa River (Ontario and Quebec each paying \$4,000)—To complete.....	12,000 00	
Trails, bridges, &c., North-West Territories.....	4,000 00	
Manitoba—To aid Corporation of Emerson in building bridge over the Red River, the plans, &c., to be ap- proved by His Excellency the Governor General in Council.....	30,000 00	
	<hr/>	46,000 00
<b>TELEGRAPHS.</b>		
Land and Cable Telegraph Lines for the Sea coasts and Islands of the Lower Rivers and Gulf of St. Lawrence, and Maritime Provinces, viz:—		
Extension of the coast telegraph system from Mille Vaches to Pointe des Monts, &c.....	\$22,000 00	
Signal service generally, including Cape Sable con- nection with Barrington, Nova Scotia.....	20,000 00	
	<hr/>	42,000 00
Carried forward.....		2,064,725 00
		21,993,840 18

SCHEDULE

## SCHEDULE B—Continued.

SERVICE.	Amount.	Total.
	\$ cts.	\$ cts.
Brought forward.....	2,064,725 00	21,993,840 18
<b>PUBLIC WORKS AND BUILDINGS—Continued.</b>		
(Chargeable to Income.)		
<b>MISCELLANEOUS.</b>		
Miscellaneous works not otherwise provided for.....	10,000 00	
Surveys and inspections.....	25,000 00	
Arbitrations and awards.....	5,000 00	
Military works and buildings—Repairs, improvements and construction of.....	37,500 00	
To provide for the cost of a monument to the memory of the late Sir George Etienne Cartier, Bart.....	10,000 00	
Awards—Ontario—S. Platt, &c.....	22,500 00	
Hydrographic Survey—River St. Lawrence—Quebec to Cap à la Roche.....	7,500 00	
	117,500 00	2,182,225 00
<b>MAIL SUBSIDIES.</b>		
Steam communication between Halifax and St. John, <i>via</i> Yarmouth ...	10,000 00	
do on Lakes Huron and Superior.....	10,000 00	
Steam service between San Francisco and Victoria, British Columbia.	17,640 00	
Steam communication with the Magdalen Islands.....	7,800 00	
do between Grand Manan, N.B., and Mainland, Mail Service.....	4,000 00	
To provide for one year's subsidy, to be granted at the rate of \$50,000 per annum, to line of steamers to trade between Canada and West Indies and Brazil, provided a like amount be paid by the Brazilian Government.....	50,000 00	
For subsidy to line of steamers to run fortnightly between France and Quebec, provided the French Government appropriates \$50,000 for the same service.....	50,000 00	
For subsidy to line of steamers to run between Liverpool and St. John, N.B., and Liverpool and Halifax, N.S.....	25,000 00	
Subsidy to steamer between Campbellton and Gaspé, and intermediate ports.....	8,000 00	
For steam communication from Port Mulgrave, at the terminus of the Eastern Extension Railway, to East Bay, Cape Breton.....	6,000 00	
For steam communication between Cape Canso and Port Hood, daily, touching at railway terminus, Port Mulgrave, and such other places within above limits as may be agreed upon.....	2,000 00	
For steam communication between Halifax and St. Pierre.....	2,000 00	
To provide for a subsidy of \$1,500 a voyage, for five voyages of steamers from Prince Edward Island to Great Britain or conti- nental ports.....	7,500 00	
For steam communication from Halifax to Murray Harbour and Char- lottetown alternately.....	3,000 00	
For steam communication between Cape Canso and Port Hood, daily, touching at railway terminus, Port Mulgrave, and such other places within above limits as may be agreed upon.....	1,000 00	
For steam communication between Campbellton and Gaspé and intermediate ports.....	4,500 00	
	208,440 00	
Carried forward.....	24,384,505 18	

SCHEDULE

## SCHEDULE B—Continued.

SERVICE.	Amount.	Total.
	\$ cts.	\$ cts.
Brought forward.....		24,384,506 18
<b>OCEAN AND RIVER SERVICE.</b>		
Maintenance and repairs of steamers <i>Napoleon III, Druid, Newfield, Glendon, Sir J. Douglas, Northern Light and La Canadienne</i> .....	135,000 00	
For the providing of a steamer to replace <i>Glendon</i> .....	30,000 00	
To provide for the examination of Masters and Mates.....	4,250 00	
For purchase of lifeboats, life-preservers and rewards for saving life....	3,000 00	
To provide for investigation into wrecks and casualties, and collection of information relating to disasters to shipping.....	1,500 00	
Expenses in connection with Canadian registration of shipping.....	500 00	
Montreal and Quebec Water and River Police.....	38,000 00	
Removal of obstructions in navigable rivers.....	1,500 00	
		213,750 00
<b>LIGHTHOUSE AND COAST SERVICE.</b>		
Salaries and allowances, &c., of Lighthouse Keepers.....	159,666 00	
Agencies, rents and contingencies.....	17,000 00	
Maintenance and repairs to lights, fog-whistles, buoys and beacons, humane establishments and provision depots.....	265,000 00	
Cape Race Light.....	1,100 00	
Completion and construction of lighthouses and fog-alarms.....	40,000 00	
To complete construction of a new lighthouse on Sands Head entrance to Fraser River, B.C.....	5,000 00	
Construction of Lighthouse at Colchester Reef, Lake Erie.....	10,000 00	
		497,766 00
<b>FISHERIES.</b>		
Salaries and disbursements of Fishery Overseers and Wardens:		
Ontario.....	12,500 00	
Quebec.....	15,000 00	
Nova Scotia.....	15,500 00	
New Brunswick.....	12,000 00	
Prince Edward Island.....	3,000 00	
British Columbia.....	2,000 00	
Manitoba, Keewatin and North-West Territories.....	1,000 00	
Fish-breeding, fishways and oyster beds.....	30,000 00	
To provide for legal and incidental expenses connected with the Fisheries.....	1,000 00	
Advertising.....	1,000 00	
Fish hatchery, British Columbia.....	4,000 00	
		97,000 00
<b>SCIENTIFIC INSTITUTIONS.</b>		
<b>OBSERVATORIES.</b>		
Observatory, Quebec.....	2,400 00	
do Toronto.....	4,800 00	
do Kingston.....	500 00	
do Montreal.....	500 00	
do New Brunswick.....	1,200 00	
	9,400 00	
Grant for Meteorological Observations, including instruments and cost of telegraphing weather warnings.....	40,000 00	
		49,400 00
Carried forward.....		25,242,421 18

SCHEDULE

SCHEDULE B—Continued.

SERVICE.	Amount.	Total.
	\$ cts.	\$ cts.
Brought forward.....		25,242,421 18
<b>MARINE HOSPITALS AND SICK AND DISTRESSED SEAMEN.</b>		
<b>MARINE HOSPITALS.</b>		
Marine and Immigrant Hospital, Quebec.....	20,000 00	
St. Catharines Hospital, Ontario.....	500 00	
Kingston do .....	500 00	
	1,000 00	
Hospitals, &c, in the Provinces of Quebec, Nova Scotia, New Brunswick, Prince Edward Island and British Columbia.....	35,000 00	
<b>DISTRESSED SEAMEN.</b>		
Expenses for Shipwrecked and Disabled Seamen.....	6,000 00	62,000 00
<b>STEAMBOAT INSPECTION.</b>		
To provide for Expenses of Steamboat Inspection.....		15,000 00
<b>SUPERINTENDENCE OF INSURANCE COMPANIES.</b>		
To meet expenses in connection with the Inspection of Insurance Companies.....		5,850 00
<b>GEOLOGICAL SURVEY.</b>		
Geological Survey.....		80,000 00
<b>DOMINION LANDS.</b>		
<i>(Chargeable to Capital.)</i>		
Amount required for Surveys of Dominion Lands.....		450 000 00
<b>INDIANS.</b>		
<i>Ontario, Quebec and the Maritime Provinces.</i>		
Annual Grants:—		
For Indians of Quebec.....	4,200 00	
For purchase of blankets for aged and infirm Indians of Ontario and Quebec .....	1,800 00	
For Indian Schools in Ontario and Quebec, New Brunswick and Nova Scotia.....	9,800 00	
For annuities under the Robinson Treaty.....	10,000 00	
	25,800 00	
<i>Nova Scotia.</i>		
For Indians of Nova Scotia generally.....		4,500 00
<i>New Brunswick.</i>		
For Indians of New Brunswick generally.....		4,500 00
Carried forward.....	34,600 00	25,835,271 18



## SCHEDULE B—Continued.

SERVICE.	Amount.	Total.
	\$ cts.	\$ cts.
Brought forward.....	34,600 00	25,835,271 18
<b>INDIANS—Continued.</b>		
<i>Prince Edward Island.</i>		
For Indians of Prince Edward Island generally.....	2,000 00	
<i>British Columbia.</i>		
For Indians of British Columbia generally.....	23,300 00	
Surveys.....	7,660 00	
Reserve Commission.....	11,249 31	
	42,209 31	
<i>Manitoba and the North-West.</i>		
Annuities.....	197,445 00	
Agricultural implements.....	23 616 23	
Tools.....	7,151 77	
Cattle.....	11,200 00	
Seed grain.....	8,560 00	
Ammunition and twine.....	7,250 00	
Provisions for Annuity payments.....	43,440 07	
Supplies for destitute Indians.....	294,525 20	
Clothing under Treaties.....	5,500 00	
Schools.....	23,668 00	
Surveys.....	18,000 00	
Farm wages.....	48,540 00	
Farm maintenance.....	39,903 12	
Sioux.....	7,000 00	
General expenses.....	82,700 00	
Commissioner's House and office—Revote.....	12,000 00	
	830,499 39	
		909,308 70
<b>NORTH-WEST MOUNTED POLICE.</b>		
Pay of Force, including staff and extra pay to farmers, gardeners and artizans.....	160,000 00	
Subsistence.....	70,000 00	
Forage.....	50,000 00	
Fuel and light.....	10,000 00	
Clothing.....	30,000 00	
Repairs, renewals, replacement of horses, arms and ammunition.....	50,000 00	
Medicine and medical comforts, and hospital expenses.....	2,000 00	
Books and stationery.....	2,000 00	
Transport and freight charges, guides, teamsters, laborers and mail carriers.....	35,000 00	
Contingencies.....	4,000 00	
		413,000 00
<b>MISCELLANEOUS.</b>		
Canada Gazette.....	4,000 00	
Miscellaneous Printing.....	10,000 00	
Unforeseen expenses; expenditure thereof to be under Order in Council, and a detailed statement to be laid before Parliament during the first fifteen days of the next Session.....	50,000 00	
Commutation in lieu of remission of duties on articles imported for the use of the Army and Navy.....	4,000 00	
Carried forward.....	68,000 00	27,157,579 88

SCHEDULE

## SCHEDULE B—Continued.

SERVICE.	Amount.	Total.
Brought forward.....	\$ cts. 68,000 00	\$ cts. 27,157,579 88
<b>MISCELLANEOUS—Continued.</b>		
For the expenses of Government in the North-West Territories, including roads, bridges, ferries, and aid to Schools.....	20,000 00	
For the expenses of Government in the District of Keewatin.....	5,000 00	
To meet expenditure estimated to be required to put into force the Act respecting the traffic in intoxicating liquors.....	5,000 00	
To meet expenses connected with the Consolidation of the Dominion Statutes.....	6,000 00	
To cover refunds of superannuation abatement when necessary.....	500 00	
To compensate members of the North-West Mounted Police for injuries received in the discharge of duty.....	2,000 00	
To reimburse D. H. Waterbury.....	4,500 00	
For erection of Mounted Police barracks.....	30,000 00	
To cover expenses in connection with observations of the transit of Venus.....	5,000 00	
To cover expenses in connection with the International Fishery Exhibition, London.....	10,000 00	
To assist in promoting the purposes of the International Circumpolar Observations, by contributing towards the expenses of transporting the British party from Halifax to the Hudson's Bay Station, on Great Slave Lake, and return.....	4,000 00	
To provide for the purchase of a collection of coins and medals illustrating remarkable events in the history of Canada, from its discovery by the French, with a full descriptive catalogue of the same.....	2,500 00	
Unexpended balance of Vote of 1880-81, for travelling and other expenses, Niagara Falls Commissioners (revote).....	699 15	
To settle claim of Reuben Lunt for damage to steamer "St John".....	15,000 00	
		178,199 15
<b>COLLECTION OF REVENUES.</b>		
<b>CUSTOMS.</b>		
Salaries and Contingent Expenses of the several Ports—		
In the Province of Ontario.....	226,330 00	
do Quebec.....	196,370 00	
do New Brunswick.....	88,445 00	
do Nova Scotia.....	108,135 00	
do Manitoba.....	19,900 00	
do North-West Territories.....	5,000 00	
do British Columbia.....	22,454 00	
do Prince Edward Island.....	21,610 00	
Salaries and travelling expenses of Inspectors of Ports, and travelling expenses of other officers on inspection	18,000 00	
Contingencies of Head Office, covering printing, stationery, advertising, telegraphing, &c., for the several Ports of Entry.....	13,000 00	
To meet expenditure in connection with the Board of Customs and Outside Detective Service.....	15,000 00	
	734,244 00	
<b>Excise.</b>		
Salaries of Officers and Inspectors of Excise, including salaries of those employed on probation.....	198,466 66	
To provide for improvement of classification, subject to results of Excise examinations.....	3,000 00	
Carried forward.....	201,466 66	734,244 00 27,335,779 08

## SCHEDULE B—Continued.

SERVICE.	Amount.	Total.
	\$ cts.	\$ cts.
Brought forward.....	201,466 68	734,244 00
<b>COLLECTION OF REVENUES—Continued.</b>		
<i>Excise—Continued.</i>		
To provide for increase of pay of Chief Officers at large distilleries and factories.....	1,400 00	
Travelling expenses, rent, fuel, stationery, &c.....	44,000 00	
To pay Collectors of Customs allowance on duties collected by them.....	3,500 00	
Preventive Service.....	6,500 00	
To provide for the cost of obtaining stamps, and for the stamping of imported and Canadian tobacco, under the provisions of 43 Victoria, chapter 19, and for other expenditures in connection with the securing of the duty on tobacco.....	12,000 00	
<i>Special.</i>		
To enable the Department to purchase wood naphtha and similar articles, for issue to Bonded Manufacturers, under provision of 43 Victoria, chapter 19, section 21, the cost of which will be recouped by the manufacturers to whom they are supplied.....	2,000 00	
Commission to sellers of stamps for Canada twist tobacco.....	1,000 00	
		271,866 68
<b>CULLING TIMBER.</b>		
<i>Quebec Office.</i>		
Supervisor.....	2,000 00	
Deputy Supervisor and Book-keeper.....	1,600 00	
Cashier.....	1,200 00	
3 Specification Clerks.....	1,800 00	
Messenger.....	400 00	
8 Specification Clerks—1 at \$1,000, 2 at \$700, 3 at 600, 2 at \$550 (6 months).....	5,300 00	
Assistant Book-keeper.....	1,000 00	
Pay of Cullers.....	45,000 00	
Contingencies.....	4,000 00	
<i>Montreal Office.</i>		
Deputy Supervisor.....	900 00	
2 Book-keepers and Specification Clerks.....	1,000 00	
Pay of Cullers.....	2,500 00	
Contingencies.....	300 00	
		67,000 00
<b>WEIGHTS AND MEASURES AND GAS.</b>		
Salaries of Inspectors and Assistant Inspectors of Weights and Measures.....	43,700 00	
Salaries of Inspectors of Gas.....	9,400 00	
Rent, fuel, travelling expenses, postage, stationery, &c....	23,500 00	
		76,600 00
<b>INSPECTION OF STAPLES.</b>		
For the purchase and distribution of Standards of Flour, &c., and other expenditure under the Act respecting the Inspection of Staples....		3,000 00
Carried forward.....		1,152,710 68
		27,335,779 03

## SCHEDULE B—Continued.

SERVICE.	Amount.	Total.
Brought forward .....	\$ cts. 1,152,710 66	\$ cts. 27,335,779 03
<b>COLLECTION OF REVENUES—Continued.</b>		
<b>ADULTERATION OF FOOD.</b>		
To meet expenses under the Act respecting Adulteration of Food.....	10,000 00	
<b>MINOR REVENUES.</b>		
Department of Inland Revenue.....	8,000 00	
do Interior .....	2,000 00	
	10,000 00	
<b>RAILWAYS.</b>		
<i>Repairs and Working Expenses.</i>		
Intercolonial Railway.....	1,900,000 00	
Prince Edward Island Railway.....	190,000 00	
Windsor Branch Railway.....	20,000 00	
	2,110,000 00	
<b>CANALS.</b>		
<i>Maintenance and Repairs.</i>		
Repairs and working expenses.....	402,190 00	
Salaries and contingencies of Canal officers.....	36,320 00	
	438,510 00	
<b>PUBLIC WORKS.</b>		
Collection of Slide and Boom Dues.....	20,945 00	
Repairs and working expenses, Harbors and Slides. ....	85,500 00	
Telegraph line between Prince Edward Island and the mainland.....	2,000 00	
Land and cable telegraph lines of the sea coasts and islands of the lower rivers and Gulf of St. Lawrence and the Maritime Provinces .....	13,000 00	
Telegraph lines, British Columbia .....	30,000 00	
Telegraph and signal service generally, including fishery bulletins.....	9,500 00	
Agent and contingencies, British Columbia.....	4,600 00	
Slides and Booms—Maintenance and Repairs—Retaining boom and piers—Grandes Piles, River St. Maurice....	12,000 00	
River Trent and Newcastle District Works—Additional amount required for repairs.....	3,250 00	
	180,195 00	
<b>POST OFFICE.</b>		
For Ontario.....	918,500 00	
Quebec.....	515,500 60	
New Brunswick.....	177,000 00	
Nova Scotia.....	202,500 00	
Prince Edward Island.....	48,000 00	
British Columbia.....	62,800 00	
Manitoba, Keewatin and North-West.....	94,600 00	
	2,018,900 00	
Carried forward.....	5,920,315 66	27,335,779 03

SCHEDULE

SCHEDULE B—*Concluded.*

SERVICE.	Amount.	Total.
Brought forward.....	\$ cts. 5,920,315 66	\$ cts. 27,335,779 03
COLLECTION OF REVENUES— <i>Continued.</i>		
DOMINION LANDS.		
Dominion Lands (outside service), covering salaries and contingent expenses of land and timber agencies, inspections, &c.....	61,095 00	
Extra clerks at Head office, Ottawa, publishing maps, advertising and other similar expenses.....	20,000 00	
Outside service, British Columbia, staff contingent expenses, &c.....	10,645 00	
Land Guides in Manitoba and the North-West.....	7,920 00	
Temporary clerks, maps, &c.....	10,000 00	
	109,660 00	6,029,975 66
Total.....		33,365,754 69

## CHAP. 3.

An Act to readjust the Representation in the House of Commons, and for other purposes.

[Assented to 17th May, 1882.]

Preamble.

35 V. c. 13.

WHEREAS by the Census of the year one thousand eight hundred and eighty-one, and in accordance with "*The British North America Act, 1867,*" the Province of Ontario is entitled to four additional members in the House of Commons, and the Province of Manitoba, by its present population, to one additional member, the same being severally in excess of the number of members of the said House for each of the said Provinces as provided by "*The British North America Act, 1867,*" and "*An Act to readjust the Representation in the House of Commons,*" passed in the thirty-fifth year of Her Majesty's reign; and by reason thereof and of the intended union of the electoral district of the town of Niagara with the township of Niagara thereto attached with the electoral district of the county of Lincoln, and the union of the electoral district of the town of Cornwall, with the township of Cornwall thereto attached, with the county of Stormont, it is expedient to readjust the boundaries of certain of the electoral districts in the said Provinces of Ontario and Manitoba: Therefore Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

1.

1. The House of Commons shall consist of two hundred and eleven members, of whom ninety-two shall be elected for Ontario; sixty-five for Quebec; twenty-one for Nova Scotia; sixteen for New Brunswick; five for Manitoba; six for British Columbia; and six for Prince Edward Island.

Number of members for each Province.

2. The said Provinces respectively shall, for the purposes of the election of members to serve in the House of Commons, be divided into the electoral districts established by "*The British North America Act, 1867*," and the Act above cited readjusting the representation, and the addresses of the two Houses of the Legislature of Prince Edward Island to Her Majesty on the admission of that Province into the Dominion of Canada, and those constituted by this Act,—each of the now existing electoral districts remaining constituted and represented as it now is, except in so far as it may be altered by the following provisions of this Act, that is to say :—

Present electoral districts to continue except as hereinafter altered.

#### ONTARIO.

1. The County of Cornwall and Stormont shall consist of the town of Cornwall and the townships of Cornwall, Osna-bruck, Finch and Roxboro'.

Cornwall and Stormont.

2. The County of Carleton shall consist of the townships of Nepean, North Gower, Marlboro', March, Torbolton and Goulbourn, and the village of Richmond.

Carleton.

3. The North Riding of the County of Lanark shall consist of the townships of Ramsay, Pakenham, Darling, Dalhousie, North Sherbrooke, Lavant, Fitzroy, Huntley and Lanark, the Town of Almonte, and the Village of Lanark.

Lanark N.

4. The South Riding of the County of Lanark shall consist of the townships of Bathurst, North Elmsley, Beckwith, South Sherbrooke, North Burgess, Drummond and Montague, the Town of Perth, and the Village of Carleton Place.

Lanark S.

5. The North Riding of Leeds and Grenville shall consist of the townships of South Elmsley, Wolford, Oxford and South Gower, and the villages of Smith's Falls, Kemptville and Merrickville.

Leeds and Grenville N.

6. The electoral district of Brockville shall consist of the Town of Brockville, and the townships of Elizabethtown and Kitley.

Brockville.

7. The East Riding of the county of Northumberland shall consist of the townships of Cramahe, Brighton, Murray, Percy and Seymour, the villages of Colborne, Brighton and Campbellford, and the whole of the Village of Hastings, which now extends partly into another electoral district.

Northumber-land E.

**Peterboro' E.** 8. The East Riding of the county of Peterboro' shall consist of the townships of Asphodel, Belmont, Methuen, Burleigh, Anstruther, Chandos, Douro, Dummer, Dysart, Dudley, Harcourt, Guilford, Harburn, Bruton, Havelock, Eyre, Clyde, Nightingale, Livingstone, Lawrence, Cavendish, Glamorgan, Cardiff, Monmouth, Otonabee and Harvey, and the villages of Ashburnham, Lakefield and Norwood.

**Victoria N.** 9. The North Riding of the county of Victoria shall consist of the townships of Eldon, Fenelon, Somerville, Carden, Dalton, Bexley, Laxton, Digby, Longford, Lutterworth, Anson, Hindon, Galway, Snowdon, Minden, Stanhope, Sherbourne and McClintock, and the village of Fenelon Falls.

The electoral district of the County of Ontario shall be divided into three Ridings each of which shall return one member.

**Ontario S.** 10. The South Riding of the County of Ontario shall consist of the Townships of West Whitby, East Whitby and Reach, the Towns of Whitby and Oshawa, and the village of Port Perry.

**Ontario N.** 11. The North Riding of the County of Ontario shall consist of the townships of Scott, Brock, Thorah, Mara, Rama, Scugog, Morrison, Ryde, Draper, Oakley, Macaulay, Maclean and Ridout and the villages of Bracebridge and Cannington.

**Ontario W.** 12. The West Riding of the county of Ontario shall consist of the townships of Whitchurch, Uxbridge and Pickering, the town of Newmarket, the village of Uxbridge, and the whole of the village of Stouffville.

**Muskoka and Parry Sound.** 13. The electoral district of Muskoka and Parry Sound shall consist of the townships of Watt, Cardwell, Humphrey, Conger, Stephenson, Brunel, Franklin, Sinclair, Chaffey, Bethune, Perry, Proudfoot, Foley, Cowper, McDougall, Parry Sound village and island, Fergusson, Carling, Burpee, Shawanaga and settlements on the lake shore to the mouth of French River, Christie, Monteith, McKellar, Hagerman, Spence, Croft, McKenzie, Ferrie, Wilson, Mills, McConkey, Hardy, Chapman, Strong, Magnettawan, Joly, Lount, Machar, Laurier, Ryerson, Armour, McMurrich, Stisted, Pringle, Gurd, Himsworth, Nipissing, Burton, Gibson, Harrison, Wallbridge, Patterson, Blair, Mowat, and Brown and such other townships as may hereafter be laid out north of the said electoral district, and also all that part of the territorial district of Muskoka lying to the south of the township of Conger and east of the townships of Medora and Wood.

**York E.** 14. The East Riding of the county of York shall consist of the townships of East York, Scarboro' and Markham, and the villages of Yorkville and Markham.

15. The North Riding of the county of York shall consist of the townships of King, East Gwillimbury, West Gwillimbury, North Gwillimbury and Georgina, and the villages of Holland Landing, Bradford and Aurora. York N.

The electoral district of the County of Simcoe shall be divided into three Ridings, each of which shall return one member.

16. The South Riding of the county of Simcoe shall consist of the townships of Mulmur, Tossorontio, Essa, Innisfil, and Tecumseh, and the village of Alliston. Simcoe S.

17. The North Riding of the county of Simcoe shall consist of the townships of Nottawasaga, Sunnidale, Flos, and Vespra, the towns of Collingwood and Barrie, and the village of Stayner. Simcoe N.

18. The East Riding of the county of Simcoe shall consist of the townships of Tay, Medonte, Oro, Orillia, Matchedash, Muskoka, Wood, Medora, Monck and Tiny, the villages of Gravenhurst and Midland, and the towns of Orillia and Penetanguishene. Simcoe E.

19. The County of Lincoln and Niagara shall consist of the town and township of Niagara, the city of St. Catharines, the townships of Grantham, Clinton and Louth, and the villages of Beamsville, Merritton and Port Dalhousie. Lincoln and  
Niagara.

20. The electoral district of Haldimand shall consist of the townships of Walpole, Oneida, Rainham, Seneca and North Cayuga, and the villages of Cayuga and Caledonia. Haldimand.

21. The electoral district of Monck shall consist of the townships of Gainsboro', Moulton, Wainfleet, Canboro', Pelham, Dunn, Sherbrooke and South Cayuga, and the village of Dunnville. Monck.

22. The South Riding of Wentworth shall consist of the townships of Saltfleet, Binbrooke, Barton, Glanford, Grimsby and Caistor, and the village of Grimsby. Wentworth S.

23. The North Riding of the county of Wellington shall consist of the townships of Wallace, Minto, Arthur, Luther East, Luther West and Amaranth, the towns of Palmerston, Harriston and Mount Forrest, and the villages of Arthur and Clifford. Wellington N.

24. The Centre Riding of the county of Wellington shall consist of the town of Orangeville, the villages of Fergus, Elora and Drayton, and the townships of Peel, Nichol, Pilkington, Garafraxa East, Garafraxa West, and Maryboro'. Wellington C.



- Grey S. 25. The South Riding of the county of Grey shall consist of the townships of Bentinck, Normanby, Glenelg, Egremont and Artemesia, and the town of Durham.
- Grey E. 26. The East Riding of the county of Grey shall consist of the townships of Collingwood, Euphrasia, Osprey, Melancthon, Proton and St. Vincent, the village of Shelburne, and the town of Meaford.
- Brant N. 27. The North Riding of the county of Brant shall consist of the townships of Ancaster, Blenheim, East Brantford and South Dumfries.
- Brant S. 28. The South Riding of the county of Brant shall consist of the townships of West Brantford, Onondaga and Tuscarora, the city of Brantford and the town of Paris.
- Oxford N. 29. The North Riding of the county of Oxford shall consist of the townships of East Nissouri, West Zorra, East Zorra, Blandford, South Easthope and North Easthope, the town of Woodstock, and the village of Embro.
- Oxford S. 30. The South Riding of the county of Oxford shall consist of the town of Ingersoll, the village of Norwich, and the townships of Oxford East, Oxford West, Oxford North, Norwich North, Norwich South, Burford and Oakland.
- Norfolk N. 31. The North Riding of the county of Norfolk shall consist of the townships of Townsend, Windham, Middleton and Dereham, the town of Tilsonburg, and the village of Waterford.
- Norfolk S. 32. The South Riding of the county of Norfolk shall consist of the townships of Houghton, Walsingham, Charlotteville and Woodhouse, the town of Simcoe, and the village of Port Dover.
- Perth S. 33. The South Riding of the county of Perth shall consist of the townships of Blanchard, Hibbert, Downie, Fullarton and Usborne, and the towns of St Mary's and Mitchell.
- Perth N. 34. The North Riding of the county of Perth shall consist of the townships of Ellice, Elma, Mornington and Logan, the towns of Stratford and Listowel, and the village of Milverton.

The electoral district of the County of Bruce shall be divided into three Ridings, each of which shall return one member.

- Bruce E. 35. The East Riding of the county of Bruce shall consist of the townships of Culross, Greenock, Brant and Carrick, the town of Walkerton, and the village of Teeswater.
- Bruce W. 36. The West Riding of the county of Bruce shall consist of the townships of Saugeen, Bruce, Kincardine, Huron and

and Kinloss, the town of Kincardine, the village of Tiverton and the whole of the village of Lucknow, part of which is now in another electoral district.

37. The North Riding of the county of Bruce shall consist Bruce N. of the townships of Arran, Elderslie, Amabel, Albemarle, Bastnor, Lindsay and St. Edmunds, and the villages of Southampton, Warton, Chesley, Tara, Paisley and Port Elgin.

38. The East Riding of the county of Elgin shall consist Elgin E. of the townships of Yarmouth, Malahide and Bayham, the villages of Port Stanley, Aylmer and Vienna, and the city of St. Thomas.

39. The West Riding of the county of Elgin shall consist Elgin W. of the townships of Southwold, Dunwich, Alboro', Orford and Howard, and the village of Ridgetown.

40. The electoral district of Bothwell shall consist of the Bothwell. townships of Sombra, Dawn, Camden, Chatham and Zone, the villages of Wallaceburg, Dresden and Thamesville, and the town of Bothwell.

41. The County of Kent shall consist of the townships of Kent. Dover, Raleigh, Harwich, Romney and East Tilbury, the town of Chatham, and the village of Blenheim.

The electoral district of the County of Essex shall be divided into two Ridings, each of which shall return one member.

42. The South Riding of the county of Essex shall consist Essex S. of the townships of Anderdon, Malden, North Colchester, South Colchester, Gosfield, Mersea, the town of Amherstburg, the villages of Leamington and Kingsville, and Pelée Island.

43. The North Riding of the county of Essex shall consist Essex N. of the townships of West Sandwich, East Sandwich, Maidstone, Rochester and West Tilbury, the towns of Sandwich and Windsor, and the village of Belle River.

The electoral district of the County of Lambton shall be divided into two Ridings, each of which shall return one member.

44. The West Riding of the county of Lambton shall consist Lambton W of the townships of Sarnia, Moore and Plympton, the town of Sarnia, and the villages of Wyoming, Forest and Point Edward.

45. The East Riding of the county of Lambton shall consist Lambton E. of the townships of Enniskillen, Brooke, Warwick and Bosanquet,

Bosanquet, the town of Petrolia, and the villages of Oil Springs, Alvinston, Watford, Arkona and Thedford.

The electoral district of the county of Middlesex shall be divided into four Ridings, each of which shall return one member.

- Middlesex S. 46. The South Riding of the county of Middlesex shall consist of the townships of Westminster, Delaware, Caradoc and Lobo.
- Middlesex E. 47. The East Riding of the county of Middlesex shall consist of the townships of London, West Nissouri, North Dorchester and South Dorchester, the town of London East and the villages of London West and Springfield.
- Middlesex W. 48. The West Riding of the county of Middlesex shall consist of the townships of Adelaide, Metcalfe, Mosa, Euphemia and Ekfrid, the villages of Glencoe, Newbury and Wardsville, and the town of Strathroy.
- Middlesex N. 49. The North Riding of the county of Middlesex shall consist of the townships of East Williams, West Williams, McGillivray, Biddulph and Stephen, and the villages of Ailsa Craig, Lucan, Exeter and Parkhill.
- Huron W. 50. The West Riding of the county of Huron shall consist of the townships of East Wawanosh, West Wawanosh, Ashfield, Colborne and Goderich, and the towns of Goderich and Clinton.
- Huron E. 51. The East Riding of the county of Huron shall consist of the townships of Howick, Turnberry, Grey and Morris, the town of Wingham, and the villages of Brussels, Blyth and Wroxeter.
- Huron S. 52. The South Riding of the county of Huron shall consist of the townships of McKillop, Hullett, Tuckersmith, Stanley and Hay, the town of Seaforth and the village of Bayfield.
- Ashby. 53. The township of Ashby is hereby declared to be in the county of Addington.
- Algoma. The settlements westward of the Provisional District of Thunder Bay and eastward of the Electoral Districts of Manitoba, shall, pending the adjustment of the boundaries, be and the same are hereby made part of the Electoral District of Algoma.

#### MANITOBA.

- Selkirk. 3. The electoral district of Selkirk shall consist of the municipalities of Rhineland, North Dufferin, South Dufferin, Lorne, Louise, Argyle, Derby, Brandon, Turtle Mountain, Dennis and Souris.

2. The electoral district of Marquette shall consist of the municipalities of Portage, Norfolk, Westbourne, Cypress, Beautiful Plain, Minnedosa, Riding Mountain, Shoal Lake and Russell. Marquette.

3. The electoral district of Provencher shall consist of the municipalities of Cartier, Morris, Montcalm, Emerson, Youville, Hanover, LaBroquerie, Hespeler, Sainte Anne, Taché, Saint Norbert and Saint Boniface, and of all the territory lying east of the said municipalities of Sainte-Anne, La Broquerie and Emerson and west of the Lake of the Woods. Provencher.

4. The electoral district of Lisgar shall consist of the municipalities of Assiniboia, Belcourt, St François Xavier, Macdonald, Kildonan, Saint Paul, Springfield, Saint Laurent, Woodlands, Rockwood, Fairford, Gimli, Saint Andrews, Plessis and Varennes, and all the territory lying east of the said municipalities of Saint Andrews and Springfield, and west of the Lake of the Woods and the Winnipeg River. Lisgar.

5. The electoral district of Winnipeg shall consist of the city of Winnipeg and the municipality of Fort Rouge: Provided, that any tract of land annexed to and made part of the City of Winnipeg by Act of the Legislature of Manitoba, extending the limits of that city, shall, by such extension, become part of the electoral district of Winnipeg, and detached from the electoral district of Lisgar or Provencher, as the case may be. Winnipeg.

#### QUEBEC.

4. All that part of the parish of Ste. Monique, now in the County of Terrebonne, is hereby detached from the said county, and annexed to the County of Two Mountains, for the purposes of representation in the House of Commons of Canada; and section one of chapter two of the Consolidated Statutes of the late Province of Canada, and section one of chapter seventy-five of the Consolidated Statutes for Lower Canada, shall be read and interpreted, in so far as they apply to representation in the House of Commons of Canada, in conformity to this section. Limits of Terrebonne and Two Mountains altered.

2. The townships of Salaberry, Wolfe and Grandison, are hereby detached from the county of Argenteuil and annexed to the County of Terrebonne for the said purposes Limits of Argenteuil and Terrebonne altered.

3. The Magdalen Islands are declared to be in the electoral district of Gaspé, and the Island of Anticosti is declared to be in the electoral district of Chicoutimi and Saguenay. Magdalen Islands and Anticosti.

4. All that north eastern part of the Township of Armagh in the County of Bellechasse extending from lot number one to lot number thirty inclusively, in the second and first ranges south-east of the said Rivière du Sud, and all that part of the Limits of Bellechasse and Montmagny altered.  
the

the township of Mailloux lying to the north-east of the north-east range of the Mailloux Road including lots numbers forty to forty-six inclusively in the first, second and third ranges and lots number thirty-four to lot number forty-six inclusively in the fourth, fifth and sixth ranges of the said Township of Mailloux, are detached from the County of Bellechasse and annexed to the County of Montmagny in so far as regards the election of Members of the House of Commons of Canada.

Con. Stat. of Canada, c. 2, sec. 1, and Con. Stat. of Lower Canada, c. 75, amended: sec. 1, to be construed accordingly.

5. The first section of Chapter two of the Consolidated Statutes of Canada, and the 41st and 42nd sub-sections of the first section of chapter seventy-five of the Consolidated Statutes of Lower Canada, in so far as they apply to representation in the House of Commons of Canada, shall be read and construed in conformity with the foregoing provision.

#### GENERAL PROVISIONS.

In what electoral districts towns, villages, etc., not mentioned shall be.

5. Every town, village, township or place lying within the territorial limits of any electoral district, and not specifically included in any other by the Acts hereby amended or by this Act, shall be taken to be and be part of the electoral district in which it is so locally situate.

Voters in Nova Scotia, employed on Intercolonial.

2 Notwithstanding anything in any law of the Province of Nova Scotia or of the Dominion of Canada, no employee on the Intercolonial Railway in that Province shall be disqualified to vote as an elector at any future election of a member or members to serve in the House of Commons of Canada, if he shall have the necessary property and other qualifications therefor required by law. In the event of the name of any such elector, being an employee on the Intercolonial Railway, having been omitted by the Revisors from the list of qualified voters for a member of the General Assembly of Nova Scotia under the laws in force in that Province, or to be returned to the County Clerks or Clerks of the Peace or omitted from the lists of voters deposited by the Sheriff with the County Clerks or Clerks of the Peace or obtained by the Returning Officer or furnished to the Deputy Returning Officer, it shall be lawful for such employee to vote as an elector at any future election of a member or members to serve in the House of Commons of Canada, on his taking or offering to take before the Sheriff or Returning Officer the following oath, viz :—

I (A.B) do swear that I am legally qualified to vote at this election, and I verily believe that my name was omitted from the list of electors by reason of my being an employee of the Dominion Government on the Intercolonial Railway at the time such list was last perfected and for no other reason.

6. The first section of "*The Dominion Elections Act, 1874*," is hereby repealed and the following substituted therefor, as the first section of the said Act :—

Sec. 1 of 37 V., c. 9 repealed.

"1. Every writ for the election of a member of the House of Commons shall be dated and be returnable on such days as the Governor General shall determine, and shall be addressed to such person as the Governor General shall appoint; and such person shall be the Returning Officer at the election to which such writ relates: Provided always, that if the person to whom the writ may have been addressed should refuse, be disqualified or be unable to act, then the Governor General may appoint another person to be and act as such Returning Officer."

New section substituted.

Proviso.

7. The second and twelfth sections of the said last mentioned Act are hereby amended by striking out the words "Muskoka and" where they occur in the said sections respectively; and section fourteen of the said Act is also amended by striking out the words "Districts of Muskoka and" and inserting the words "District of"

Secs. 2, 12 and 14 amended.

8. Section nineteen of the said Act is hereby amended by striking out the words after "nomination paper" in the fifth line of the said section, and by substituting the following :—

Sec. 19 amended.

"Nor unless a sum of two hundred dollars be deposited in the hands of the Returning Officer at the time the nomination paper shall be filed with him; and the receipt of the Returning Officer shall, in every case, be sufficient evidence of the production of the nomination paper, of the consent of the candidate and of the payment herein mentioned.

Deposit by candidates.

"The sum so deposited by any candidate shall be returned to him in the event of his being elected or of his obtaining a number of votes at least equal to one-half the number of votes polled in favour of the candidate elected, otherwise it shall belong to Her Majesty for the public uses of Canada; and the sums so paid and not returned as herein provided, shall be applied by the Returning Officer towards the payment of the election expenses; and an account thereof shall be rendered by him to the Auditor-General of Canada."

How to be dealt with.

9. Whenever it appears to the satisfaction of the Governor in Council, at the time when an election of a member to represent either of the electoral districts of Gaspé or Chicoutimi and Saguenay in the House of Commons of Canada, is about to be held, that communication by water between the Island of Anticosti or the Magdalen Islands, as the case may be, and the mainland, may probably be interrupted during such election by the severity of the season, he may direct that all necessary instructions and information relating to such election

Provision for transmission of information respecting elections by telegraph, in certain places and seasons in Quebec.

election may be transmitted by telegraph by the Returning Officer to the Deputy Returning Officer or Officers, and by him or them to the Returning Officer, so that he may be informed of the number of votes given for each candidate, and of all other matters relating to the election, and be enabled to return the candidate having the majority, or to make such other return as the case may require; and the Governor in Council may make such order as to the details of the proceedings at or relating to such election to be so transmitted by telegraphic communication, as to him may seem proper for best attaining the purposes of this enactment.

## CHAP. 4.

### An Act respecting the Civil Service of Canada.

[Assented to 17th May, 1882.]

Preamble. **H**ER Majesty by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Of whom the Civil Service shall consist. **1.** The Civil Service shall, for the purposes of this Act, include and consist of all classes of employees in or under the several Departments of the Executive Government of Canada and in the office of the Auditor-General, included in the Schedules A and B to this Act, appointed by order of the Governor in Council or other competent authority before the coming into force of this Act, or who may thereafter be appointed in the manner herein provided.

Two divisions.

**2.** The Service shall be divided into two divisions:—

Inside division.

*The First or Inside Departmental Division* shall comprise employees of those classes mentioned in Schedule A, employed on the several departmental staffs at Ottawa, and in the office of the Auditor General.

Outside division.

*The Second or Outside Departmental Division* shall comprise employees of those classes mentioned in Schedule B, and who are employed otherwise than on the departmental staffs at Ottawa.

Board of Examiners of candidates for the Service.

**3.** A Board of Examiners shall, from time to time, be appointed by the Governor in Council, who for the purposes of this Act shall be known and are hereinafter referred to as "The Board," consisting of three members who shall be authorized to examine all candidates for admission to the Civil Service of Canada, and to give certificates of qualification to such persons as are found qualified according to such regulations as shall be framed for the guidance of the Board.

4. The meetings of the Board shall be held at such times, and the proceedings thereof shall be governed by such rules and regulations, as the Governor in Council shall, from time to time, order and determine.

Meetings and proceedings of the Board.

5. The members of the Board of Examiners shall receive such remuneration for their services, not in any case to exceed ten dollars *per diem* exclusive of actual travelling expenses, as the Governor in Council may determine; and such persons as may be selected by the Board to assist them in the conduct of examinations may receive such sum not exceeding five dollars *per diem* as may be fixed by Order in Council.

Remuneration of Examiners and assistants.

6. The Board of Examiners may obtain the assistance of persons who have had experience in the education of the youth of the Dominion, and with such assistance shall hold or cause to be held periodical examinations for admission to the Civil Service, in the cities of Halifax, St. John, New Brunswick, Charlottetown, Quebec, Montreal, Ottawa, Toronto, London, Winnipeg, Victoria, and such other places as may be determined by Order in Council,—the examination as far as practicable to be in writing. The cost of such examinations shall be defrayed out of moneys previously voted by Parliament for that purpose.

Who may be employed as their assistants.

Cost how paid.

7. Except as herein otherwise provided,—

Conditions of appointment.

(a.) All appointments to the Civil Service shall be during pleasure, and no person shall be appointed or promoted to any place below that of a Deputy Head of a Department until he has passed the examination and served the probationary term hereinafter mentioned, nor until he has obtained the certificates required by this Act:

Examination, probation and certificate.

(b.) No person shall be appointed to the first or inside Departmental Division of the Civil Service—on probation or otherwise—who has not attained the full age of eighteen years, or whose age is greater than thirty-five years.

Limits of age for inside division.

8. The Deputy Heads of Departments shall be appointed by the Governor in Council, and shall hold office during pleasure, but whenever such pleasure shall be exercised in the direction of removing a Deputy Head 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.

Appointment of Deputy Heads during pleasure: Report of removal to Parliament.

9. The salaries of the Deputy Heads shall be determined by the Governor in Council, according to the duties and responsibilities of their respective Departments. The minimum salary

Salaries how determined.



**Amount limited.** salary of a Deputy Head shall be three thousand two hundred dollars, and the maximum salary shall be four thousand dollars.

**Duties and powers of a Deputy Head.** **10.** It shall be the duty of the Deputy Head of each Department, and he shall have authority (subject always to the directions of the Head of the Department) to oversee and direct the other officers, clerks and servants of the Department; he shall have general control of the business of the Department, and shall have such other duties as may be assigned to him by the Governor in Council.

**By whom to be performed in his absence.** **11.** In the absence of any Deputy Head, a chief clerk to be named by the Head of the Department shall perform the duties of such Deputy Head, unless the performance of such duties is otherwise provided for by Order in Council; and there shall be in the office of the Auditor General a chief clerk who shall, at all times, act for the Auditor General in his absence.

**Chief clerkships.** **12.** A chief clerkship in any Department shall only be created by Order in Council, passed after—

**Conditions of creation.** (a.) The Deputy Head of the Department has reported that such an officer is necessary for the proper performance of the public business in his Department, stating the reasons on which he has arrived at that conclusion, and the salary that in his opinion should be attached to the office;

**Further conditions.** (b.) The concurrence of the Head of the Department in such report; and after the appropriate salary shall have been voted by Parliament.

**Salary.** **13.** The minimum salary paid to a chief clerk shall be one thousand eight hundred dollars, and the maximum salary two thousand four hundred dollars per annum.

**First-class clerkship; conditions of creation.** **14.** A first-class clerkship shall only be created by Order in Council, passed on the report of the Deputy Head of the Department concurred in by the Head of the Department, setting forth the reasons for creating the office, and after the salary shall have been voted by Parliament.

**Salary.** **15.** The minimum salary of a first-class clerk shall be one thousand four hundred dollars per annum, with an annual increase of fifty dollars up to a maximum of one thousand eight hundred dollars.

**Second-class clerkship; conditions of creation.** **16.** A second class clerkship shall only be created by Order in Council passed on the report of the Deputy Head of the Department, and concurred in by the Head of the

the Department, setting forth the reasons for creating the office, and after the salary shall have been voted by Parliament.

**17.** The minimum salary of a second-class clerk shall be one thousand one hundred dollars per annum, with an annual increase of fifty dollars up to a maximum of one thousand four hundred dollars. Salary.

**18.** A third class clerk, a messenger, a packer or a sorter shall only be created by Order in Council passed on the report of the Deputy-Head of the Department and concurred in by the Head of the Department, setting forth the reasons for creating the office and after the salary shall have been voted by Parliament. Third-class clerks, messengers, &c., conditions of creation.

**19.** The minimum salary of a third-class clerk shall be four hundred dollars per annum, with an annual increase of fifty dollars up to a maximum of one thousand dollars. Salary of third-class clerks.

**20.** The salaries of messengers, packers and sorters, shall commence at three hundred dollars per annum, and rise by an annual increase of thirty dollars up to a maximum of five hundred dollars. (Of messengers, &c.)

**21.** No clerk or other employee shall receive any increase of salary authorized by this Act except upon the recommendation of the Deputy Head concurred in by the Head of the Department stating that such clerk or employee is deserving of such increase; and — Conditions of increase of salary.

**2.** The said increase for the then current year may be suspended by the Head of the Department for neglect of duty or misconduct, and may be subsequently restored by such Head, but without arrears. Suspension of increase and restoration.

**22.** The increase of salary shall be payable from the first day of the official quarter next succeeding the date on which, from his length of service, any clerk or other employee for whom such increase is recommended, shall be eligible for such increase; From what time increase shall be payable.

**2.** In case of promotion, the increase of salary shall become payable from the day on which such promotion takes place. And in case of promotion.

**23.** No salary shall be paid to any person purporting to be a member of the Civil Service, whose appointment or promotion, or whose increase of salary after the coming into force of this Act has not been made in the manner herein provided. Condition of payment of any salary.

Number of clerks and employees; appointments and vacancies.

Previous qualifying examination, and preliminary one.

Requirements previous to examination.

Age.

Health.

Character.

Regulations as to examination.

Examination open to all.

May be in either language.

Notice of examination, and what to state.

**24.** The number of clerks of each class, messengers, packers and sorters in each Department shall be, from time to time, determined by Order in Council; and appointments thereto up to the number so determined, and all vacancies, however occurring, shall be made or filled in the manner herein provided.

**25.** Except as herein otherwise provided no appointment shall be made to either Division of the Civil Service unless the person appointed shall have passed a qualifying examination; and every qualifying examination for any such appointment shall be preceded by a preliminary examination for the purpose of ascertaining whether the candidate possesses such knowledge of orthography and elementary arithmetic, and whether his handwriting is such, as will justify his admission to the qualifying examination.

**26.** No person shall be admitted either to the preliminary or qualifying examination until he has satisfied the Board—

(a.) That at the time appointed for such examination he will be of the full age of eighteen years, and if for the Inside Departmental Division, that his age will not then be more than thirty-five years;

(b.) That he is free from any physical defect or disease which would be likely to interfere with the proper discharge of his duties;

(c.) That his character is such as to qualify him for employment in the Service.

**27.** The preliminary and qualifying examinations shall be held under such regulations not inconsistent with this Act as may be, from time to time, made by the Governor in Council and published in the English and French languages in the *Canada Gazette*.

**28.** The examinations shall be open to all persons who shall comply with the requirements of this Act as to proof of age, health and character, and conform to the regulations made as herein provided, upon payment of such fees as may be determined by the Governor in Council; and all examinations under this Act shall be held in the English or French language or both at the option of the candidate.

**29.** Notice of every examination to be held under this Act for first entrance into the Civil Service shall be published in the English and French languages in the *Canada Gazette* at least one month before the date fixed for the examination, and the notice so published shall state —

(a.)

- (a.) When and where the examination is to be held ; Place.
- (b.) The subjects to which the examination will extend. Subjects.

**30.** Immediately after each examination a list of the men Report by Examiners. who have been found qualified, with their examination papers, shall be made out, certified by the Examiners and sent to the Secretary of State ; the list so made shall distinguish, as far as possible, what branch of the service each candidate is best fitted for.

- 31.** The examinations herein-above provided shall be for first appointments,— The said examinations to be for first appointments.
- (a.) To third-class clerkships in the first Division ; Third-class clerks, first division.
- (b.) To the offices of messengers, packers and sorters in the first Division ; Messengers, &c.
- (c.) To third-class clerkships and to the offices of landing-waiters, lockers, tide-waiters and messengers in the second Division for Customs' service ; In second division.
- (d.) To third-class clerkships and to the offices of excise-man, assistant-inspector of weights and measures or of gas, and to the offices of messengers in the second Division for Inland Revenue Service ; Inland Revenue.
- (e.) To third-class clerkships, to railway and marine mail clerkships, and to the offices of letter-carrier, box collector, porter and messenger in the second Division for Post Office service ; Railway and marine mail clerks.
- (f.) To third-class clerkships and to the offices of messengers, packers and sorters in all other branches of the second division, and to such other offices in the lower grades as may be determined by Order in Council. Other branches of second division.

**32.** When it becomes necessary to make any new appointment to any of the classes to which it is herein provided that first appointments shall only be made after qualifying examination, such necessity shall be reported to the Head of the Department by his Deputy ; and upon such report being approved by the Head of the Department, and after the salary to be paid shall have been voted by Parliament, the Head of the Department shall select and submit to the Governor in Council for probation, from the lists of qualified candidates made by the Board as aforesaid, a person fitted for the vacant place ; Proceedings when new appointments in such classes are required.

Selection of candidates for probation.

Period of probation.

2. The person so selected shall not receive a permanent appointment until he has served a probationary term of at least six months; and—

Head of Department may reject.

3. The Head of the Department or the Deputy may, at any time during the period of probation, reject any clerk or employee appointed to his Department.

Report of Head before permanent appointment.

**33.** No probationary clerk shall remain in any Department more than one year, unless, at or before the end of that time, the Deputy signifies to the Head of the Department in writing that the clerk is considered by him as competent for the duty of the Department; and—

Case of rejection.

2. If he is rejected, the Head of the Department shall report to the Governor in Council the reasons for rejecting him; and—

Selection of another candidate.

3. Another clerk shall be selected in like manner in his stead: and the Head of the Department shall decide whether the name of the person rejected shall be struck off the list as unfit for the service generally; or whether he may be allowed another trial.

Office requiring peculiar qualifications.

**34.** When the Deputy-Head of a Department, in which a vacancy occurs, reports that, for reasons set forth in such report,—

Report of Deputy Head; what it must shew.

(a) The qualifications requisite for such office or employment are wholly or in part professional or otherwise peculiar, and not ordinarily to be acquired in the Civil Service;

(b) The requisite qualifications are not possessed by any person then in the service of that Department; and—

(c) That it would be for the public interest that the examination herein provided for should, as regards such vacancy, be wholly or partially dispensed with; and—

Selection and appointment.

2. If the Head of the Department concurs in such report, the Governor in Council may select and appoint such person as shall be deemed best fitted to fill the vacancy, subject to such examination as may have been suggested in the report; and such appointment shall be made from the Civil Service if any be found available.

Case of vacancy in Auditor-General's office.

**35.** If a vacancy occurs in the office of the Auditor General, such report shall be made by that officer to the Minister of Finance who shall lay it before the Governor in Council;

Council; and in any case in which the Auditor General deems it necessary to report for the information of the Governor in Council, such report shall be made through the Minister of Finance.

**36.** Promotion in either Division of the Civil Service shall be by examination, under regulations made by the Governor in Council: Promotion to be under regulations.

2. Such examination shall be open to any person employed in the Department in which the vacancy to be filled by promotion exists, in either Division of the Service, who holds a position below that to which the promotion is to be made; and— Examination for promotion to whom open.

3. Shall be in such subjects as, after consultation with the chief officers of the Department in which the promotion is to be made, may be decided upon by the Board as best adapted to test the fitness of the candidates for the vacant office. Subjects of examination.

**37.** Once in each year and oftener if the exigencies of the service require, the Deputy Head of each Department, shall make an estimate of the number of vacancies likely to occur therein during the ensuing year, in the first Division in the classes of— Periodical reports of probable number of vacancies in inside service.

(a.) Chief clerks ;

(b.) First-class clerks ;

(c.) Second-class clerks ; and—

2. To the number so estimated shall be added such further number as the Deputy Head may deem necessary to compensate for any failure of health, death or other contingency ; and— How estimated.

3. A similar estimate shall be made at the same time or times of the number of vacancies likely to occur in the second Division, to which promotions can be made; And in outside service.

4. The numbers so estimated shall be those with reference to which the examinations for promotion shall be held as herein provided ; Examinations.

5. Notice of each examination for promotion in the service shall be published in the English and French languages in the *Canada Gazette*, at least one month before the examination is to be held and such notice shall state the number of promotions expected in each class in each Division. Notice and what to state;

List  
successful  
candidates.

**38.** Immediately after each examination for promotion, a list of the successful candidates shall be made out according to the decision of the Board.

Vacancies in  
the higher  
classes how  
filled.

**39.** When any vacancy occurs in one of the higher classes, in either Division, the Head of the Department shall select from the lists made, as herein directed, for promotion thereto the person whom, having due reference to any special duties incident to the office, to the qualification and fitness shown by the candidates respectively, during their examination, and to the record of their previous conduct in the service, he may consider best fitted for the office: Provided, that when no person employed in the Department is found suitable for promotion therein, an examination shall be held of persons employed in the service of other departments with a view to the promotion being made as far as practicable from the service.

Proviso:  
if no fit per-  
son is found  
in the  
Department.

Promotion to  
be subject to  
probation.

**40.** Every promotion so made shall be subject to a probation of not less than six months; but at any time during the first year the Head of the Department may reject the person promoted, or he may be definitely accepted at any time during the second period of six months after his promotion:

Case of  
rejection.

2. If the person so selected be rejected he shall then return to the performance of the duties in which he had been previously engaged.

New selec-  
tion.

**41.** When any clerk who is promoted on probation is rejected, the Head of the Department shall select another in his stead from the candidates still remaining on the lists of qualified persons made by the Board.

As to former  
duties of clerk  
on probation.

**42.** During the period a clerk is on probationary promotion the duties of the office previously held by him shall, if necessary, be performed by a person selected for that purpose by the Head of the Department.

Governor in  
Council to  
determine  
number of  
employees  
required in  
each division.  
Proviso.

**43.** So soon as conveniently may be after the passing of this Act the Governor in Council shall determine the number of officers, chief clerks, clerks, messengers and other servants, that are required for the working of the several Departments in each Division of the Civil Service, but the total amount of the salaries of the whole number shall, in no case, exceed that provided for by vote of Parliament for that purpose:

If the number  
then attached  
be too great.

2. If the number of employees then attached to any Department in either Division thereof and entitled according to the amounts of their salaries to rank in any class mentioned in this Act be greater than the number of such class allowed to the

the Department, as herein provided, the Governor in Council shall name the persons to fill the several offices, and the remainder shall be supernumerary clerks of that class respectively in which their then salaries entitle them to rank, and shall so remain until promoted in the manner herein provided or removed from the service.

44. In case any doubt shall arise as to the rank or salary to be assigned, under the classification herein provided for, to any person who is a member of the Civil Service at the time of the passing of this Act, the facts shall be submitted in writing by the Deputy Head of the Department to which he belongs to the Head of the Department, who shall report thereon for the information of the Governor in Council, in order that the rank and salary of the employee referred to in such report may be determined by Order in Council.

Doubts as to rank and class of present employees how decided.

45. When from a temporary pressure of work, or from any other cause, the assistance of temporary clerks becomes necessary in any branch of the first or second Division, the Head of the Department may—if he is satisfied that such necessity exists—on the requisition of the Deputy Head of the Department, select from the lists of qualified candidates, for whom no vacancies have, up to that time, been found, such number of temporary clerks as may be required, or may employ any other person qualified for the service in question, if the list do not furnish such a person. The services of persons, now in the temporary employment of the several Departments, may be continued in such employment so long as the Heads of the respective Departments may deem necessary; the rate of remuneration to be paid for such temporary service shall not, however, exceed the minimum salary of a third class clerk, unless the service to be performed is technical and requires special qualifications; and such temporary employment shall not be considered as giving any claim to permanent appointment:

Provisions respecting temporary clerks.

As to those now employed.

Remuneration.

2. The temporary and supernumerary clerks so employed shall be paid only out of money voted by Parliament for payment of the contingencies of the Department and Division of the Service in which such clerks are employed, or of the office of the Auditor General, as the case may be, or out of money voted by Parliament for the construction of the works upon which they are employed.

To be only out of money voted by Parliament.

46. Any member of the Civil Service may be appointed Private Secretary to the Head of a Department and may be paid an additional salary not exceeding six hundred dollars per annum whilst so acting:

Private secretaries of Heads.

2. No salary shall be payable to any Private Secretary unless the amount shall have been voted by Parliament.

Proviso.



**Yearly leave of absence.** . **47.** The Head of a Department, and in his absence the Deputy Head, may grant to each chief clerk, officer, clerk or other employee, leave of absence for purposes of recreation for a period not exceeding three weeks in each year; and every such officer, clerk or employee, whether in the first or second Division, shall take the leave so granted at such time during each year as the Head or Deputy Head of the Department may determine :

**Condition.**

**In case of illness.** 2. In case of illness or for any other reason which to him may seem sufficient, the Governor in Council may grant to any officer, chief clerk, clerk or other employee, leave of absence for a period not exceeding twelve months.

**Powers of Head or of Deputy in his absence as to suspensions, &c.** **48.** The Head of a Department, and in his absence the Deputy Head, shall have power,—

(a.) To suspend from the performance of his duties any officer or servant, who shall be guilty of misconduct or negligence in the performance of his duty;

(b.) To remove such suspension, and allow the person so suspended to return to duty; but no person shall receive any salary or pay for the time during which he was under suspension; and—

**Fines for misconduct.**

(c.) In cases of neglect of duty or misconduct, to impose a fine, not in any case to exceed one day's pay, upon any officer or servant and to deduct such fine from his salary: .

**Report in such cases.**

2. All cases of suspension or fine by the Deputy Head of the Department shall be reported by him to the Head of the Department.

**No extra pay allowed unless voted.**

**49.** No extra salary or additional remuneration of any kind whatsoever shall be paid to any Deputy Head, officer or servant in the Civil Service of the Dominion unless such sum shall have been placed for that special purpose in the Estimates submitted to and voted by Parliament :

**Allowance when duties of a superior are continuously performed by an inferior officer.**

2. When the duties of any superior officer or clerk are continuously performed by an officer or clerk of an inferior class or junior rank, during a period of more than three months, the officer or clerk performing such duties may, on the recommendation of the Deputy Head concurred in by the Head of the Department, and provided that funds are available under parliamentary vote for such payment, receive in addition to his ordinary pay, the difference between such ordinary pay and the pay of the officer or clerk whose duties he has performed, for the time he has performed such duties; and—

3. When the absence of the superior or senior officer is not occasioned by his employment on other duties by the Government, by leave of absence or on account of illness certified by an authorized medical practitioner, the sum paid as herein authorized to his subordinate or junior officer or clerk shall be deducted from the salary of such superior or senior officer.

Deduction of allowance from pay of superior; except in case of sickness &c.

50. There shall be kept in each Department, and in the office of the Auditor General, at the seat of Government, and in each office of the Second Division, a book or books to be called the Attendance Book, which shall be in such form as may be determined by the Governor in Council, in which each officer or servant of such office or Department shall sign his name, at such times as may be determined by Order in Council.

Attendance book to be kept.

51. In this Act the expression "Head of a Department" means the Minister of the Crown for the time being presiding over such Department, and the expression Deputy, Deputy Head, or Deputy Head of the Department, means the Deputy of the Minister of the Crown presiding over such department, and also includes the Auditor General, in all cases where such meaning may not be inconsistent with his powers and duties under the Act forty-first Victoria, chapter seven, intituled "*An Act to provide for the better Auditing of the Public Accounts.*"

Interpretation of "Head" and "Deputy Head."

In Auditor-General's office.

52. Nothing contained in this Act shall prejudicially affect the salary or emoluments of any Deputy Head, officer or servant in the Civil Service of the Dominion of Canada at the time of the coming into force of this Act, so long as he shall be continued in office, nor shall anything herein contained affect any salary or emolument granted and fixed by any Act now in force.

Present salaries, &c., not affected by this Act.

53. No provision herein contained shall impair the power of the Governor in Council to remove or dismiss any Deputy-Head, officer or servant; but no such Deputy Head, officer or servant whose appointment is of a permanent nature shall be removed from office except by authority of the Governor in Council.

As to power of Governor in Council to remove or dismiss.

54. The superannuation of any civil servant shall be preceded by an enquiry by the Treasury Board,—

Inquiry previous to superannuation.

(a.) Whether the person it is proposed to superannuate is eligible within the meaning of the Superannuation Act;

(b.) Whether his superannuation will result in benefit to the service and is therefore in the public interest; or—

(c.)

(c.) Whether it has become necessary in consequence of his mental or physical infirmity :

Report required.

2. And no civil servant shall be superannuated unless the Treasury Board reports that he is eligible within the meaning of the Superannuation Act and that such superannuation will be in the public interest :

Conditions as to persons hereafter appointed.

3. No person hereafter appointed shall be deemed to have served in the Civil Service of Canada, for the purposes of the Superannuation Act, unless such person has been appointed in conformity with the provisions of this Act.

Annual report of Secretary of State under this Act.

55. The Secretary of State shall lay before Parliament, within fifteen days after the commencement of each session, a report of the proceedings of the Board of Examiners under this Act during the preceding year,—which report shall include a copy of the examination papers, a statement of all examinations held and of the number of candidates at each and the names of the successful candidates :

And as to appointments and promotions.

Names and salaries.

2. And the Secretary of State of Canada shall lay before Parliament in like manner a return of the names and salaries of all persons appointed to or promoted in the Civil Service during the said year, specifying the office to which each has been appointed or promoted :

Report by Finance Minister as to superannuations.

3. And the Minister of Finance shall lay before Parliament in like manner a return of all superannuations in the Civil Service within the year, giving the name and rank of each person superannuated, his salary, the allowance granted to him on retirement, the cause of his superannuation and whether the vacancy has been subsequently filled, and if so, whether by promotion or by a new appointment, and the salary of the new appointee.

Repeal of Acts 31 V. c. 34, and 35 V., c. 18, and part of 33 V., c. 4.

56. The Act passed in the thirty-first year of Her Majesty's reign, known as "*The Canada Civil Service Act, 1868*," and the Act passed in the thirty-fifth year of Her Majesty's reign, chapter eighteen, in amendment of the same, are hereby repealed with so much of the Superannuation Act, thirty-third Victoria, chapter four, and of any Act amending it, as may be inconsistent with this Act.

Commencement of Act.

57. The foregoing provisions of this Act shall take effect from and after the first day of July, one thousand eight hundred and eighty-two.

Short title.

58. This Act may be cited as "*The Canada Civil Service Act, 1882*."

## SCHEDULE A.

- (a.) Deputy Heads of Departments.
- (b.) Officers who have special professional or technical qualifications.
- (c.) Chief clerks.
- (d.) First-class clerks.
- (e.) Second-class clerks.
- (f.) Third-class clerks.
- (g.) Messengers, packers and sorters.

## SCHEDULE B.

All the officers, clerks and employees hereafter enumerated and such other officers in the lower grades as may be determined by Order in Council.

## CUSTOMS.

	Scale of Salaries.
Inspectors.....	salary from \$1,600 to 2,000
Collectors.....	" 400 to 4,000
Surveyors.....	" 1,200 to 2,500
Chief Clerks.....	" 1,200 to 2,000
Clerks.....	" 600 to 1,200
Chief Landing Waiters.....	" 800 to 1,200
Landing Waiters.....	" 600 to 1,000
Gaugers.....	" 600 to 1,200
Chief Lockers.....	" 800 to 1,200
Lockers.....	" 400 to 800
Tide Surveyors.....	" 800 to 1,000
Tide Waiters.....	" 400 to 600
Preventive Officers.....	" 100 to 600
Messengers.....	" 200 to 500
Appraisers.....	" 800 to 2,000
Assistant Appraisers.....	" 600 to 1,500

## INLAND REVENUE.

Chief Inspector.....	\$ 8,000
Inspector of Distilleries.....	2,500
District Inspectors.....	2,000 to 2,500
Collectors.....	500 to 2,200
Deputy Collectors.....	400 to 1,500
Clerks (Accountants).....	600 to 1,200
Special Class Excisemen.....	1,200
First, Second and Third class Excisemen.....	600 to 1,000
Probationary Excisemen.....	500
Messengers.....	200 to 500

To

To which may be added for surveys of important manufactories an additional salary for the special class Excisemen who perform that duty, not exceeding \$200 per annum.

POST OFFICE.

*Post Office Inspectors.*

Chief Inspector .....	\$2,800
1st Class, on appointment.....	2,200
After 10 years' service .....	2,400
" 20 " .....	2,600
2nd Class, on appointment.....	2,000
After 10 years' service .....	2,200
" 20 " .....	2,400

*Assistant Post Office Inspectors.*

On appointment .....	\$1,000
After 10 years' service .....	1,200
" 20 " .....	1,500

The scale of salaries of clerks in Post Office Inspectors' offices shall be the same as for clerks in City Post Offices.

*Railway Mail Clerks.*

	On Appoint- ment.		After 2 years service in any class of Railway Mail Clerks.		After 5 years service in any class of Railway Mail Clerks.		After 10 years service in any class of Railway Mail Clerks.	
	Day Service.	Night Service.	Day Service.	Night Service.	Day Service.	Night Service.	Day Service.	Night Service.
1st Class .....	\$ 720	\$ 880	\$ 800	\$ 1,000	\$ 800	\$ 1,100	\$ 860	\$ 1,200
2nd Class .....	600	720	640	800	720	880	800	1,000
3rd Class .....	480	660	520	640	560	700	640	800

In addition to regular salary an allowance not exceeding half a cent per mile for every mile travelled on duty in the Post Office cars.

*Marine Mail Clerks.*

	On Appointment.		After 2 years.		After 5 years.		After 10 years.		After 15 years.	
	Salary.	Trip Allowance.	Salary.	Trip Allowance.	Salary.	Trip Allowance.	Salary.	Trip Allowance.	Salary.	Trip Allowance.
1st Class.....	\$ 480	\$ 80	\$ 540	\$ 80	\$ 600	\$ 80	\$ 800	\$ 100	\$ 1,000	\$ 100
2nd Class....	360	*50	420	50	.....	.....	.....	.....	.....	.....

NOTE.—Trip means the round voyage from Quebec or Halifax to Liverpool and back.

\* Only one-half, or \$25, to be allowed whilst learning duty

*City Postmasters.*

Class 1, where postage collections exceed—

	\$80,000.....	\$2,600
do 2,	do are from 60,000 to \$80,000.....	2,400
do 3,	do 40,000 to 60,000.....	2,200
do 4,	do 20,000 to 40,000.....	2,000
do 5,	do are less than 20,000.....	1,400

to \$1,800, as the Postmaster General may determine. These salaries shall not be supplemented by any allowances, commissions or perquisites whatsoever.

*Assistant Postmasters.*

Class 1.....	\$2,000
do 2.....	1,800
do 3.....	1,600
do 4.....	1,400
do 5.....	\$1,100 to 1,400

*Clerks in City Post Offices.*

3rd Class, \$400 by annual increment of \$40 to \$800.  
 2nd Class, \$900 by annual increment of \$50 to \$1,200.  
 1st Class, specific duties in each case with fixed salaries to be determined by the Postmaster General, no salary shall be less than \$1,200 or more than \$1,500.

*Letter Carriers, Messengers, Box Collectors and Porters.*

\$300 to \$600 by annual increments of \$30.

## DEPARTMENT OF JUSTICE.

*Inspector of Penitentiaries.*

The same scale as Post Office Inspector.

## DEPARTMENTS GENERALLY.

The salaries of the employees belonging to the Second or Outside Division of other Departments than those enumerated above shall be fixed in each case by the Governor in Council.

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## CHAP. 5.

An Act for increasing, during a certain time, the yearly Subsidy to the Province of Manitoba.

[Assented to 17th May, 1882.]

Preamble.

**W**HEREAS by reason of the greatly increased extent and population of Manitoba, since the subsidy to that Province was fixed by the Act thirty-three Victoria, chapter three, and of the fact that its public lands are administered and the proceeds appropriated by the Dominion Government, it is expedient that the said subsidy be increased: Therefore, Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Subsidy for  
ten years,  
from 1st  
January, 1882.

1. The following amounts shall be allowed for such subsidy, and paid as hereinafter provided, yearly to the said Province, on and from the first day of January, 1882, that is to say:

For the support of the Government and Legislature.....	\$50,000
On an estimated population of 150,000, at 80 cents per head.....	\$120,000
As an indemnity for the want of public lands.....	\$45,000

Payable out of  
Con. Rev.  
Fund of  
Canada.

And the said sums shall form the yearly subsidy to be paid by the Dominion to the said Province, during the ten years next after 1881, in lieu of the subsidy allowed by the said Act thirty-three Victoria, chapter three; and shall be paid out of any unappropriated moneys forming part of the Consolidated Revenue Fund of Canada.

CHAP. 6.

An Act further to amend the several Acts imposing Duties of Customs, now in force.

[Assented to 17th May. 1882.]

IN amendment of the Tariff of Customs duties and the Schedule of free goods, as contained in the Acts forty-second Victoria, chapter fifteen, forty-third Victoria, chapter eighteen, and forty-fourth Victoria, chapter ten; Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

1. So much of schedule A to the Act first above cited in the Preamble, as amended by the Acts secondly and thirdly cited therein, as imposes any duty of Customs upon the following articles, is hereby repealed:—

- Brass, old, scrap and in sheets;
Britannia metal, in pigs and bars;
Coffee, green;
Quinine, sulphate of;
Quicksilver;
Spelter, in blocks or pigs;
Tea, black, green and Japan;
Tin, in blocks, pigs, bars, plates and sheets;
Zinc, in pigs, blocks and sheets.

2. The rates of duty now chargeable under the said Acts upon the undermentioned articles, are hereby repealed, and the rates of duty hereinafter mentioned as payable on the said articles respectively are substituted for them, that is to say: The duty on—

Table with 2 columns: Description of goods and their respective duty rates. Items include Bookbinders' tools, Brass in strips, Glass, Iron, Lead pipe, and Leather.



Leather—Cordova leather, tanned from horse hide, and manufactures of (now twenty per cent.), shall be twenty-five per cent. <i>ad valorem</i> .....	25 p. cent.
Sand paper, glass, flint and emery paper (now twenty per cent.), shall be twenty-five per cent. <i>ad valorem</i> .....	25 p. cent.
Ships and other vessels, built in any foreign country, whether steam or sailing vessels, on application for Canadian register, on the fair market value of the hull, rigging, machinery and all appurtenances (now ten per cent.), shall be as follows:—	
On the hull, rigging and all appurtenances, except machinery, ten per cent. <i>ad valorem</i> .....	10 p. cent.
On boilers, steam engines and other machinery, twenty-five per cent. <i>ad valorem</i> .....	25 p. cent.
Silvered plate glass (now twenty-five per cent.), shall be thirty per cent. <i>ad valorem</i> ..	30 p. cent.
Spirits and strong waters, mixed with any ingredient or ingredients, and although thereby coming under the denomination of proprietary medicines, tinctures, essences, extracts, or any other denomination, including medicinal elixirs and fluid extracts and wine preparations, in bulk or bottle, not elsewhere specified, (now one dollar and ninety cents per imperial gallon), shall be one dollar and ninety cents per imperial gallon, and in addition there-	\$1.90 and
to twenty per cent. <i>ad valorem</i> .....	20 p. cent.
Posters and advertising pictures or pictorial show-cards or bills, illustrated advertising periodicals and tailors' and mantle-makers' fashion plates (now thirty per cent. <i>ad valorem</i> ), shall be six cents per pound, and	6cts.p.lb.&
twenty per cent. <i>ad valorem</i> .....	20 p. cent.

Duties on certain heretofore non-enumerated articles specified.

3. The following non-enumerated articles shall be added to Schedule A, and shall be charged with the rates of duty hereinafter specified as follows:—

Bags, containing fine salt, from all countries, twenty-five per cent. <i>ad valorem</i> .....	25 p. cent.
Clock springs, ten per cent. <i>ad valorem</i> .....	10 p. cent.
Fireworks, twenty-five per cent. <i>ad valorem</i> ..	25 p. cent.
Iron—Lap-welded boiler iron tubing, not threaded, coupled or otherwise manufactured, one and one-half inches in diameter and over, fifteen per cent. <i>ad valorem</i> .....	15 p. cent.
	Mustard

Mustard cake, twenty per cent. <i>ad valorem</i> ...	20 p. cent.
Paraffine wax or stearine, three cents per pound.....	3 cts. p. lb.
Rice, uncleaned, unhulled or paddy, when imported direct from the country of growth, seventeen and one-half per cent. <i>ad valorem</i> .....	17½ p. cent.

Trees, fruit trees, viz. :—

Apple, all kinds, two cents each.....	2c. each.
Pear “ four cents each.....	4c. each.
Plum “ five cents each . . . . .	5c. each.
Cherry “ four cents each . . . . .	4c. each.
Quince “ two cents and one-half each.....	2½c. each.
Silk plush netting, used for the manufacture of gloves, fifteen per cent. <i>ad valorem</i> .....	15 p. cent.

4. The said Schedule A as amended by the Acts cited in the preamble, is hereby further amended by making the following alterations in, and additions to the descriptions of the undermentioned articles therein, viz :—

Schedule A  
further  
amended as  
to certain  
articles.

In the item, “ Blacking, shoe, and shoemakers ink,” after the word “ ink ” and before the words “ twenty-five,” insert the words, *harness and leather dressing*.

Under the heading “ Books,” in the sixth item, after the word “ cheques ” and before the word “ receipts,” insert the words, *envelopes and miniature newspapers*, and after the word “ draughts ” strike out the word “ posters,” and also the words “ advertising pictures or pictorial show-cards or bills.”

In the item “ Braces or suspenders of all kinds,” after the word “ suspenders ” and before the words, “ of all kinds,” insert the words, *belts and trusses*.

In the item “ Clocks and parts thereof,” after the word “ thereof ” and before the words “ thirty-five,” insert the words, *except springs*.

Under the heading, “ Cotton, manufactures of,” in the second item, after the word “ cottonades,” and before the words “ pantaloon stuffs,” insert the words, *Kentucky jeans*.

In the seventh item, after the words “ cotton hosiery,” and before the word “ thirty,” insert the words, *and knitted cloth*.

In the ninth item, after the words “ in hanks ” and before the word “ twelve,” insert the words, *black and bleached three and six cord*.

In the twelfth item, after the words “ all clothing made of cotton,” strike out all before the words, “ thirty per cent,” and substitute the following, *or other material not otherwise provided for, including corsets, lace collars,*

*lars, and similar articles made up by the seamstress or tailor, also tarpaulin, plain or coated with oil, paint, tar or other composition, and cotton bags made up by the use of the needle, not otherwise provided for.*

In the first item, under the heading of "Furs," after the words "Fur skins," and before the word, "dressed," insert the words, *wholly or partially.*

In the item "Furniture," after the word "mattresses," and before the words "show cases," insert the words, *bolsters and pillows.*

Under the heading "Glass and manufactures of," in the first item, after the words, "carboys and demijohns," strike out the words, "pressed or moulded and cut glass," and after the words, "glass balls," and before the word "thirty," insert the words, *and cut, pressed or moulded table ware.*

In the item, "India rubber," after the words, "other manufactures of," and before the words "twenty-five," insert the words, *not otherwise provided for.*

After the heading "Iron and manufactures of," and before the first item, insert the words, *Wire and iron to be measured by Stubb's standard gauge.*

In the item, "Stoves and other castings," after the word "castings," and before the words, "not elsewhere specified," insert the words, *and forgings.*

After the items concerning "Wrought iron tubing," and before the item "Bedsteads and other iron furniture," insert the heading, *Manufactures of iron or steel or of iron and steel combined.*

In the item, "Oil cloth," strike out the words, "for floors, table covers, window blinds and scenery," and after the words "painted or printed," and before the word "thirty," insert the words, *flocked or coated.*

Under Paints and Colours.—In the item, "White and red lead," after the words, "red lead," and before the word "dry," insert the words, *and orange mineral.*

In the item, "Proprietary medicines," after the word "medicines," strike out all words before the words, "fifty per cent," and substitute the following in lieu thereof, to wit:—*All tinctures, pills, powders, troches or lozenges, syrups, cordials, bitters, anodynes, tonics, plasters, liniments, salves, ointments, pastes, drops, waters, essences, oils or medicinal preparations or compositions recommended to the public under any general name or title, as specifics for any diseases or affections whatsoever affecting the human or animal bodies, not otherwise provided for: All liquids;*

In the item "Salt," before the words in brackets, commencing with the word "except," insert the word, *coarse*, and after the word "duty," and before the words "in bulk," insert the words,—*and all fine salt.*

In

In the item, "Steel and manufactures of, viz.:" strike out the words, "on and after the first day of January, 1883," and insert the following in lieu thereof: *after the end of the Session of the Parliament next after the passing of this Act, unless sooner repealed.*

In the item "Varnish, not elsewhere specified," after the word "varnish," and before the word "not," insert the words, *lacquers, japan and collodion.*

5. The list of goods free of duty when imported into Canada (Schedule B) is amended by adding thereto the undermentioned articles, viz. :—

Schedule of  
free goods  
amended.

Anatomical preparations.

Bees.

Brass, old, scrap and in sheets.

Britannia metal, in pigs and bars.

Celluloid or xyolite, in sheets.

China clay, natural or ground.

Chloralum or chloride of aluminium.

Coffee, green, except as provided by the Act 42 Victoria, chapter 15, section 7.

Iron sand or globules, and dry putty for polishing granite.

Quinine, sulphate of, in powder.

Quicksilver.

Spelter, in blocks and pigs.

Tea, except as provided by the said Act 42 Victoria, chapter 15, section 7.

Tin, in blocks, pigs, bars and sheets, and plates, and in foil.

Vaccine and ivory vaccine points.

Zinc, in blocks, pigs and sheets.

Woods, not further manufactured than sawn or split, viz. :—African teak, black heart ebony, lignum-vitæ, red cedar and satin wood.

Fowls, pure bred, including pheasants and 'quails, for improvement of stock.

Wood for fuel, when imported into Manitoba and the North-West Territories.

Fillets of cotton and rubber not exceeding seven inches wide, when imported by and for the use of manufacturers of card clothing.

Rubber, hard crude, in sheets, plain or moulded.

And by adding to the item concerning "salt,"—after the word "fisheries" the words, *not otherwise provided for.*

And by repealing the whole of the item in the said Schedule B, concerning "steel," and substituting the following in lieu thereof:

*Steel, in ingots, bars, sheets and coils, railway bars or rails, and fish-plates, shall be free of duty, until the close*

*close of the Session of Parliament next after the passing of this Act, unless this provision is sooner repealed.*

When the foregoing enactments shall be held to have taken effect.

6. The foregoing enactments and the alterations made in the duties on the articles therein mentioned, shall be held to have taken effect upon and after the twenty-fourth day of February, in the present year, one thousand eight hundred and eighty-two, and to have applied and to apply to all goods imported or taken out of warehouse for consumption on or after the said day, and all laws now in force respecting the Customs shall apply to the duties payable under the Acts cited in the preamble of this Act, as hereby amended.

## CHAP. 7.

An Act to provide for the allowance of drawback on certain articles manufactured in Canada, for use in the construction of the Canadian Pacific Railway.

[Assented to 17th May, 1882.]

Preamble.

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

Governor in Council may make regulations for ascertaining the value of certain articles procured in Canada by the C. P. R. Company.

1. The Governor in Council may, from time to time, make regulations for ascertaining the quantities and values of fish-plates and other fastenings, spikes, bolts, nuts and iron bridges manufactured in Canada and procured by the Canadian Pacific Railway Company to be used in the original construction of the Canadian Pacific Railway, as defined by the Act thirty-seventh Victoria, chapter fourteen, and also the quantities and values of all telegraphic apparatus manufactured in Canada and procured by the said railway company to be used in the original construction and in the first equipment of a telegraph line in connection with the Canadian Pacific Railway.

And the persons from whom they are procured.

2. The Governor in Council may also, from time to time, make regulations for ascertaining the persons in Canada from whom such fish plates and other fastenings, spikes, bolts, nuts, iron bridges and telegraphic apparatus respectively, shall have been procured by the said Company.

And may allow a drawback to such persons.

3. The Governor in Council, with the assent of the Treasury Board, and upon such terms and conditions as may be thought proper, may pay over to the person or persons in Canada from whom such articles as aforesaid, manufactured in

in Canada, have been procured by the said Company, sums of money not exceeding the amount of customs duty which would have been payable on such articles respectively if imported into Canada at the time the same were so procured by the said Company.

4. Provided always, that no money shall be paid over to any person in respect of any such articles before the same are actually used by the Company for the purposes aforesaid, unless and until the Company bind themselves to repay such money in case such articles be not used for the purposes aforesaid. Conditions on which only money shall be so paid.

5. The Act passed in the forty-fourth year of Her Majesty's reign, chapter twelve, intituled "*An Act to provide for the allowance of drawback on certain articles manufactured in Canada and used by the Canadian Pacific Railway Company,*" is hereby repealed. Act 44 V., cap. 12, repealed.

## CHAP. 8.

An Act to amend the Inland Revenue Act, 1880.

[Assented to 17th May, 1882.]

**I**N amendment to the Act passed in the forty-third year of Her Majesty's reign, intituled "*The Inland Revenue Act, 1880,*"—Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:— Preamble 43 V., c. 10.

*Sections having reference to the cultivation, manufacture and stamping of tobacco.*

1. The words, "or cultivator of tobacco for sale," are hereby removed from the fifth line of the seventh section of the said Act; and the following words are hereby added to the fourth sub-section of the said seventh section:— Section 7 amended.

"The said exception shall also apply to every person who shall have purchased from the cultivator, solely for the use of himself and of members of his family, and not for sale, leaf tobacco grown in Canada." Exception in section 7 extended.

2. Sub-section two of the fourteenth section of the said Act is hereby repealed. Section 14 repealed in part.

3. Sub-section two of the eighteenth section of the said Act is hereby repealed. Section 18 repealed in part.

- Sect. 35, sub-s. 8, duty reduced after certain periods. 4. The duty imposed by sub-section eight of the thirty-fifth section of the said Act on tobacco made exclusively from leaf grown in Canada, is hereby reduced from fourteen cents to eight cents per pound during the two years next after the passing of this Act, and to ten cents per pound thereafter.
- Duty under sub-s. 9 reduced. 5. The duty imposed by sub-section nine of the said thirty-fifth section, on cigars made solely from tobacco grown in Canada, is hereby reduced from thirty cents to twenty cents per pound.
- Sub-s. 10 and part of sub-s. 8, repealed, and duty on "common Canada twist," reduced. 6. The tenth sub-section of the said thirty-fifth section and the provision in the eighth sub-section of the said section excepting "common Canada twist" from the duty thereby imposed, are hereby repealed, and in lieu thereof, the duty to be levied and paid under the said sub-section on common Canada twist, otherwise called "*tabac blanc en torquette*," being the unstemmed, unflavoured and unpressed leaf of tobacco grown in Canada, twisted and made into coils by the cultivator thereof, shall be four cents per pound only.
- Sect. 46 amended. 7. The words, "or licensed cultivator," are hereby removed from the second line of the forty-sixth section of the said Act.
- Section 83 repealed. 2. The eighty-third section of the said Act is hereby repealed, and the following substituted in lieu thereof:—
- New section 83. "83. All tobacco manufactured in Canada shall, before it is offered for sale, be packed in packages as follows, and every distinct package of tobacco, cigars or snuff upon which the duty has been paid or secured to the Collector of Inland Revenue, shall be forthwith stamped by the manufacturer in such manner as may be required by any departmental regulations and to the satisfaction of the Collector or other proper officer, in accordance with such regulations as may be, from time to time, adopted by the Minister of Inland Revenue:—
- Cavendish and all pressed tobacco. "(a.) Cavendish and all pressed tobacco shall be packed in rectangular boxes or kegs, each containing not more than one hundred and ten pounds of tobacco;—
- Cut tobacco. "(b.) Cut tobacco of all kinds and scrap (except fine cut chewing tobacco) shall be packed in packages, each containing not more than one pound; but any number of such packages not exceeding together one hundred pounds in weight may be enclosed in an outer case or package, provided each of the lesser packages has been separately stamped;—
- Proviso. "(c.

“(c.) Fine cut chewing tobacco when of a quality and description identical with sealed sample, approved by departmental regulations in that behalf and deposited in the office of the Collector of Inland Revenue for the Division in which such tobacco is manufactured or where any such tobacco is imported, may be packed in packages each containing not more than five pounds, but any number of such packages not exceeding together one hundred pounds in weight may be enclosed in an outer case or package provided each of the lesser packages has been separately stamped.”

Fine cut  
chewing  
tobacco.

Proviso.

“(d.) Snuff shall be packed in packages each containing not more than ten pounds ;”

Snuff.

“(e.) Cigars and cigarettes shall be packed in suitable packages for stamping in such manner as the Department of Inland Revenue may deem necessary for the security of the revenue, each package containing not more than two pounds.”

Cigars and  
cigarettes.

“2. When any package of tobacco contains less than a pound it shall be such quantity as may be covered by some denomination of stamp then authorized and in use.”

Quantities  
less than 1 lb.

“3. Each package of manufactured tobacco which, when imported, is packed in packages of the respective kinds required by the sub-sections *a, b, c, d* and *e* of this section, shall be stamped at the port where it is entered before the same is delivered to the importer.”

Tobacco  
imported in  
packages to  
be stamped.

“4. All imported manufactured tobacco which, when imported, is not packed in packages of the respective kinds required by the said sub-sections *a, b, c, d* and *e* shall be bonded in a Customs warehouse to be approved of by the Collector of Customs at the port of entry. The bond shall be for a sum equal to double the amount of Customs duty to which the tobacco is liable, and the conditions shall be that the Customs duty shall be paid,—that such tobacco shall, within such limited time and in accordance with such conditions as may be fixed by regulations of the Governor in Council, be packed by the importer in packages of the respective kinds required by the said sub-sections *a, b, c, d* and *e* and duly stamped or be exported or destroyed.”

And if not  
in prescribed  
packages to  
be bonded.

Conditions  
of bond.

“5. So soon as any package containing any tobacco, cigars or snuff, and which has been stamped as herein required, has been emptied or partly emptied, the stamp thereon and every trace of such stamp shall be completely removed from such package, and it shall be the duty of all officers of Customs or Excise to destroy every such empty or partly empty package, wherever found, upon which there remains any revenue stamp or any part of such stamp.”

Removal of  
stamps when  
a package is  
emptied.

“6.



Stamped packages not to be retained when empty.

"6. No licensed tobacco manufacturer, dealer or other person shall retain in his possession any stamped package, used for putting up or packing tobacco upon which there remains any revenue stamp or any part of such stamp, after the contents thereof have been removed or partly removed."

Empty stamped packages not allowed in manufactory.

"7. No empty or partly filled package of a description such as is used for packing tobacco, cigars or snuff, and having attached to it any stamp or part of a stamp, whether such stamp has been defaced or not, shall be brought into or remain in any tobacco manufactory."

Section 84 repealed and new section substituted.

3. The eighty-fourth section of the said Act is hereby repealed and the following enacted in lieu thereof:—

Sale of tobacco by cultivators.

"84. The cultivator of Canadian tobacco may sell the leaf tobacco grown on the farm or premises occupied by him to any person licensed under this Act as a dealer in leaf tobacco or as a manufacturer of tobacco or to any body else.

Duty of dealer or manufacturer buying from cultivator.

"2. The licensed dealer in or licensed manufacturer of tobacco who purchases any raw leaf from the cultivator thereof, or from any person to whom it has been sold by the cultivator, shall forthwith convey such tobacco directly to his licensed warehouse, or licensed manufactory, as the case may be, and shall immediately enter an account thereof in the books herein required to be kept in his warehouse or manufactory.

And of dealer exclusively in Canadian tobacco.

"3. A licensed dealer in tobacco, who deals exclusively in leaf tobacco of Canadian growth, may receive such tobacco into his licensed warehouse unstamped, when brought thereto by the cultivator or by any person to whom it has been sold by the cultivator, and may assort it for market; but it shall not be removed from such licensed warehouse until it has been made up into bundles or put into packages, which can be conveniently stamped, and stamped as herein required.

If there is any tobacco of foreign growth in same warehouse, &c.

"4. When any leaf tobacco of Canadian growth has been taken into a warehouse, licensed or otherwise, in which there is any foreign leaf tobacco, or which is used for the storage of foreign leaf, or into any manufactory which has been licensed to use foreign leaf, or into which any foreign leaf has been taken, either for use or storage, such Canadian leaf shall thereafter be deemed to be foreign leaf, and shall be dealt with accordingly.

Canadian tobacco to be

"5. All tobacco grown in Canada shall, when it is removed from the warehouse of the licensed dealer in tobacco, be

“ be carried directly to and deposited either in a licensed tobacco manufactory, and entered in the stock book of the manufacturer, or it shall be bonded in a tobacco warehouse in the same manner and under the same conditions as are herein provided with respect to raw tobacco imported from abroad.”

taken to a licensed manufactory or placed in a bonded warehouse.

“ 6. The cultivator may manufacture into common Canada twist, the surplus tobacco grown by him over what is required for the use of his own family, and may sell the tobacco so manufactured, after paying to the nearest officer of Inland Revenue the duty of four cents per pound, and after causing each package to be duly stamped in such manner as may be required by any Departmental regulations in that behalf.”

Further privilege to cultivator.

Conditions.

4. The eighty-fifth section of the said Act is hereby repealed and the following enacted in lieu thereof:—

Section 85 repealed.

“ 85. All imported raw or leaf tobacco shall be in packages which can be conveniently stamped ; and, except as is herein otherwise provided, it shall not be lawful to remove any such tobacco from any warehouse wherein it has been bonded, except in such original stamped packages.”

New section 85. How only raw tobacco shall be packed or removed.

5. The eighty-ninth section of the said Act is hereby repealed and the following enacted in lieu thereof:—

Section 89 repealed.

“ 89. The Governor in Council may make such regulations, both as regards tobacco grown or manufactured in Canada, and tobacco imported in a raw or manufactured state,—

New section 89. Regulations by Governor in Council. For certain enumerated purposes.

“ (a) For warehousing raw or leaf tobacco ;

“ (b) For destroying such as is not entered for exportation or manufacture ;

“ (c) For removing raw or leaf tobacco from one warehouse to another ;

“ (d) For causing accounts to be kept by tobacco manufacturers and dealers in licensed tobacco, of all raw or leaf tobacco received by and subsequently disposed of by them by removal, sale or otherwise ;

Accounts.

“ (e) For determining the quantity of manufactured tobacco, snuff or cigars, which shall, in any case or set of cases, be deemed equivalent to one hundred pounds of raw leaf brought into any manufactory

Equivalent quantities.

“ (f.)

Licences and permits for certain purposes.

“(f) For the granting of licences to persons to deal in raw or leaf tobacco, and permits to such persons to assort foreign leaf into new packages under such restrictions and conditions as may be deemed necessary for the safety of the revenue, and to take such tobacco out of bond or to remove it from his licensed warehouse, but without fee for either license or permit ;

Computation of weights.

“(g) For determining the manner in which the computation of the weights of tobacco with reference to the standard herein established shall be made ; and generally—

Carrying out Act.

“(h) For giving effect to the provisions of this Act, as to him may seem necessary ; and—

Completing manufacture of Canadian tobacco.

“(i) For continuing to completion the manufacture and sale of common Canada twist tobacco, made from leaf tobacco grown in Canada, such tobacco being made into Canada twist by the cultivator on whose farm or premises it is grown, or by the purchaser thereof from him, and the duty of four cents per pound paid, as herein required ; the whole subject to the provisions of this Act.”

Conditions.

Section 142 amended.

6. Section one hundred and forty-two of the said Act is hereby amended by adding the following paragraph to subsection two immediately after paragraph (e) :—

Paragraph added.

“(f) Or who, having purchased any leaf tobacco grown in Canada from the cultivator thereof, shall in any way manufacture such tobacco and sell it, or offer it for sale in a manufactured state.”

Section 148 repealed.

7. The one hundred and forty-eighth section of the said Act is hereby repealed and the following enacted in lieu thereof :—

New section 148. Liability of raw or leaf tobacco to seizure in certain cases.

“148. All imported raw or leaf tobacco not bonded or not in stamped packages as herein required, and in the possession of any person except a licensed tobacco manufacturer, shall be seized by any officer of customs or excise having a knowledge thereof and shall be and remain forfeited to the Crown :

Penalties on dealer or manufacturer :— For not properly entering tobacco in his books.

“2. Any licensed dealer in leaf tobacco or any licensed manufacturer of tobacco who omits to enter or who allows any person in his employ to omit to enter in the books and returns kept or made in pursuance of this Act or of any regulations made thereunder, a true account of all tobacco of Canadian growth brought into his warehouse or manufactory ; or—

“ 3. Who, having purchased or received into his possession any such tobacco from any person, shall fail to convey it directly to his warehouse or manufactory as the case may be,—

Or not forth-with conveying it to his warehouse, &c.

“ Shall incur and pay a penalty of not less than fifty and not more than one hundred dollars for every such offence; and all tobacco not carried to a warehouse or manufactory as herein required shall be seized by any officer of Customs or Excise having a knowledge thereof, and shall be and remain forfeited to the Crown :

“ 4. Any person claiming to be a licensed dealer in or a licensed manufacturer of tobacco shall exhibit his license as such when required to do so by any officer of Excise or Customs, or by any person offering leaf tobacco for sale; and any person claiming to have a license under this Act to deal in or to manufacture tobacco, who fails or refuses to produce his license when required to do so by any person having leaf tobacco for sale, or by any officer of Excise or Customs, shall incur and pay a penalty of fifty dollars for every such failure or refusal :

Dealer must exhibit license; penalty for refusal.

“ 5. Provided always, that the penalties imposed by this section shall not apply to any cultivator of tobacco, or purchaser from the cultivator, acting under the sixth subsection of the eighty-fourth section of the said Act as hereby amended and complying with the requirements thereof.”

Proviso as to cultivators and purchasers from them.

*Amendments having special reference to Bonding and Warehousing goods subject to Excise duties.*

8. Section thirty-three of the said Act is hereby amended by adding the following as sub-section 4 :—

Section 33 amended.

“ 4. Any person who has obtained a license for a Customs bonded warehouse, may obtain a license for a part of the same building as an Excise bonding warehouse, on compliance with the Excise warehousing regulations, and on payment of the following fees :—

New provisions added to section 33. Fees for licenses.

“ (a) For a warehouse having a floor area of not more than two hundred superficial feet, fifteen dollars ;

“ (b) For a warehouse having a floor area of not more than four hundred feet, twenty-five dollars ;

“ (c) For a warehouse having a floor area exceeding four hundred feet, forty dollars :

“ The floor area in each case to be computed from the actual inside measurement of the space available for storage.”

Section 102 amended.

9. Section one hundred and two is hereby amended by adding to it the following sub-sections:—

Security to be given before bonding warehouse is licensed.

“ 2. Before any license is granted to any person for a bonding warehouse, for goods subject to Excise duties such person shall give good and sufficient security by bond for an amount equal to double the sum to which it is estimated the duty on the goods to be warehoused will amount; and such bond shall be conditioned for the payment of all such duties and all penalties to which the owners of any goods warehoused therein or the owner of any such warehouse, may become liable under this Act :

New bond in certain cases.

“ 3. And whenever the duties on the goods warehoused in such warehouse exceed the amount for which the bond is taken, a new bond shall be taken for a sum sufficient to cover the increased amount of duty.”

Section 106 repealed.

10. The one hundred and sixth section of the said Act is hereby repealed and the following enacted in lieu thereof:—

New section. Least quantities that may be entered.

“ 106. No less quantity of goods shall be entered for warehouse by one entry than one hundred gallons of proof spirits, two hundred and fifty pounds of leaf tobacco, two hundred pounds of cavendish or other tobacco except cigars, or one hundred pounds of cigars : and—

Or taken out of warehouse.

“ 2. No less quantity of goods shall be ex-warehoused by one entry than fifty gallons of proof spirits, two hundred and fifty pounds of leaf tobacco, one hundred pounds of cavendish or manufactured tobacco except cigars, or fifty pounds of cigars :

Further provision as to value. Proviso.

“ 3. No less quantity of goods manufactured in bond shall be ex-warehoused by one entry, than would be liable to a duty of fifty dollars: Provided always, that the restrictions herein contained as to the quantity of raw or leaf tobacco that can be warehoused or ex-warehoused at one time, shall not apply to tobacco grown in Canada and warehoused by a licensed dealer, nor to samples of foreign leaf tobacco made up in accordance with the departmental regulations made in that behalf.”

Section 162 amended. Sub-section added.

11. Section one hundred and sixty-two of the said Act is hereby amended by adding the following as a sub-section to the said section :—

Penalty for unlawfully removing bonded goods.

“ 2. If from any bonding warehouse, authorized under this or any other Act, any goods subject to excise are removed or in any way abstracted without due entries having been made and the duties paid as required by law, whether such removal or abstraction has been effected with  
“ or

“or without the knowledge or consent of the person holding the license for such warehouse or of the owner of the goods abstracted, the person to whom the license for the warehouse was granted, and the owner of the goods, shall, in addition to the duties of excise to which the goods abstracted were liable, pay as a penalty a sum equal in amount to the said duties; and all goods, articles or things remaining in the warehouse, when it is ascertained that any goods have been unlawfully abstracted, shall be liable for the duties to which the abstracted goods were subject and for the penalty hereby imposed, and may be forthwith sold by order of the Collector or other officer whose duty it may then be to collect such duties of excise, and the proceeds of such sale shall be applied,—

Lien for duty on remaining goods of the same parties, and sale thereof.

“(a.) To the liquidation of the duties of excise to which the goods then in warehouse are subject; Application of proceeds.

“(b.) To the payment of the duties of excise to which the abstracted goods are subject;

“(c.) To the payment of the penalty hereby imposed :

“Provided always, that if the parties who become liable to the penalty hereby imposed can show to the satisfaction of the Minister of Inland Revenue, that they were in no wise privy to the unlawful abstraction of such goods, that the goods were stolen by some person or persons unknown to them, and that they had used all possible means for the detection and arrest of the criminal, then the Governor in Council may remit such penalty upon payment of the duties to which such goods would otherwise have been liable.” Proviso : for remission if the owners can prove their innocence.

*Amendments having reference to Distilleries.*

12. Section one of the said Act is hereby amended by repealing sub-section (g) and enacting the following in lieu thereof :— Section one amended.

“(g.) *Chemical still* means any distilling apparatus which has a capacity of less than fifty gallons, and which is kept and used by a wholesale manufacturing chemist or druggist, for the sole purpose of distilling water or reclaiming alcohol previously used in the preparation or manufacture of chemicals or pharmaceutical preparations, or which is used for scientific purposes [of which the Department of Inland Revenue shall be sole judge], and which is not used for the manufacture or distillation of spirits for sale.” “Chemical Still,” what.

13. Section seventeen of the said Act is hereby amended by adding the following as sub-section four to the said section :— Section 17 amended.

To whom  
and on what  
conditions a  
license for a  
chemical still  
may be  
granted.

“ 4. A license to possess and use a chemical still within the limits of a city, or within one mile thereof, may be granted to any wholesale manufacturing chemist or druggist who has complied with the provisions of this Act, provided that the granting of such license has been approved by the Department of Inland Revenue, and that all the apparatus connected therewith are so made and arranged, and the whole so situated, as regards the nature of the building in which it is placed, and the location of such building, as to all which the Department shall be the sole judge, that they may be kept under such supervision by an excise officer as will prevent their fraudulent use, and that the party shall, before such license is issued, jointly and severally, with two good and sufficient sureties, enter into a bond to Her Majesty, Her Heirs and Successors, in such sum as in each case or class of cases may be decided by the Governor in Council; and such bond shall be taken before the Collector of Inland Revenue, who shall cause such sureties to testify before him by affidavit endorsed upon such bond, and shall be conditioned for the rendering of all accounts, and the payment of all duties and penalties, to which the party to whom the license is granted will become liable to render or pay under the provisions of this Act, and that such party will comply with the requirements thereof, as well with regard to such accounts, duties and penalties as to all other matters and things whatsoever ”

Conditions of  
bond.

Section 29  
amended.

**14.** Section twenty-nine of the said Act is hereby amended by repealing sub-section three and enacting the following in lieu thereof:—

Fee for  
license for  
chemical  
still:  
And monthly  
payment.

“ 3. The party in whose favour a license is granted to have and use a chemical still, shall, upon receiving such license, pay to the Collector of Inland Revenue, the sum of ten dollars, together with a monthly payment of such sum as will defray the cost of surveying the establishment by a duly qualified excise officer,—the cost of such survey being determined by the Department of Inland Revenue.”

Section 49  
amended.

**15.** The forty-ninth section of the said Act is hereby amended by repealing the fourth sub-section and enacting the following in lieu thereof:—

Computation  
of duty.

“ 4. Upon the quantity of spirits which passes from the tail of the first worm in which it is condensed into the closed spirit receivers,—

Abatement  
in certain  
cases.

“ Subject to an abatement not exceeding three per cent. for such quantity of fusil oil or other refuse as may be separated therefrom by a second process of distillation, and destroyed in the presence of an officer of Excise. The  
“ quantity

"quantity so allowed in abatement being determined and destroyed in accordance with such regulations as may be approved by the Governor in Council." To be allowed under regulations.

**16.** Section one hundred and twenty-seven of the said Act is hereby amended by striking out the words "forty gallons" and inserting the words "one barrel or twenty-five gallons." Section 127 amended.

*Miscellaneous Provisions.*

**17.** Section seventy-four of the said Act is hereby amended by adding thereto the following as subsection two:— Section 74 amended.

"2. When a maltster licensed under this Act desires to follow a process of malting not therein provided for, and gives notice to that effect, such notice being accompanied by such plans and descriptions as the Department may deem necessary for fully understanding the proposed process, the Governor in Council may authorize such modes of determining the quantity of malt that shall be held to be produced from a stated quantity of grain, as,—having reference to the proposed change in the process of manufacture,—he may deem necessary for insuring an equitable assessment of the duty." Provisions in case of new process of malting.

**18.** The following sub-section is hereby added to the ninety-eighth section of the said Act:— Section 98 amended.

"2. Provided always, that in cases where the Governor in Council may deem it expedient so to do, he may authorize the taking of such oath or declaration before a Justice of the Peace." Proviso added as to oath or declaration.

**19.** Section one hundred and eighty-four is amended by striking out all the words after the words "justice or justices" in the ninth line, and substituting the following words:— Section 184 amended as to sentence on offenders.

"or the said justices may, in their discretion, commit the offender to the common gaol for the period of six months, unless the penalty and costs, including those of conveying the offender to such gaol, and stated in the warrant of committal, be sooner paid."

**20.** The first paragraph of section one hundred and forty of the said Act, is hereby repealed, and the following provisions enacted in lieu thereof:— Section 140 amended.

"140. Any Judge of the Exchequer Court of Canada or of the High Court of Justice for Ontario in the Province of Ontario, or of the Superior Court in the Province of Quebec, or of the Supreme Court in the Provinces of Nova Scotia, New Brunswick, Prince Edward Island and British Columbia, As to writs of assistance in the several Provinces.

"bia,



Judges of  
Q. B. in Ma-  
nitoba may  
grant them  
for N.-W.  
Territories  
and Keewa-  
tin.

“bia, or of the Court of Queen’s Bench in the Province of Mani-  
“toba, having jurisdiction in the province or place where the  
“application is made, shall grant a writ of assistance upon  
“application made to him for that purpose by a Collector of  
“Inland Revenue or any superior officer of Inland Revenue,  
“or by Her Majesty’s Attorney General for Canada; and such  
“writ of assistance, when issued, shall be in force during the  
“whole of the reign in which the same shall have been granted,  
“and for twelve months from the conclusion of such reign;  
“and for the purposes of this section, any Judge of the Court  
“of Queen’s Bench in the Province of Manitoba, shall have  
“jurisdiction over the North-West Territories and the District  
“of Keewatin, and shall grant a writ of assistance for use  
“therein, in like manner and with like effect as he might  
“grant such writ for use in the Province of Manitoba.

Act how to be  
construed.

21. This Act shall be read and construed as one Act with  
the Act hereby amended, and may be cited as the *Inland  
Revenue amendment Act, 1882.*

## CHAP. 9.

An Act to provide for the free transmission of Canadian  
Newspapers by mail within the Dominion.

[Assented to 17th May, 1882.]

Preamble.

TO encourage and facilitate the dissemination of useful  
information in Canada, Her Majesty, by and with the  
advice and consent of the Senate and House of Commons of  
Canada, enacts as follows:—

Certain news-  
papers and  
periodicals to  
go free in  
Canada by  
mail.

1. On and after the first day of June in the present year,  
one thousand eight hundred and eighty-two, newspapers and  
periodicals printed and published in Canada, mailed by the  
publisher in the post office at the place where they are pub-  
lished and addressed to regular subscribers or news dealers in  
Canada, resident elsewhere than in the place of publication,  
shall be transmitted by mail to their respective addresses  
free of postage: Provided, that in order to be entitled to such  
free transmission, the publication for which it is claimed  
must conform to the following conditions:—

Proviso.  
Conditions.

Intervals of  
publication.

1. It must be known and recognized as a newspaper or  
periodical in the generally received sense of the word,  
and published regularly at intervals of not more than one  
month:

2. The full title, place and date of publication, and the distinguishing number of the issue must be printed at the top of the first page, and also on any paper purporting to be a supplement to it, and sent with it :

Title, date and place of publication.

3. It must be addressed to a *bonâ fide* subscriber, or to a known newsdealer in Canada :

To whom to be addressed.

4. It must be delivered into the post office, under such regulations as the Postmaster General may, from time to time, make for that purpose: and the Postmaster General shall have power to decide whether any publication, for which free transmission is claimed, is or is not a newspaper or periodical within the meaning and intent of this Act, and whether the requirements thereof have or have not been complied with in respect of it, and from time to time, to make any regulations he may deem necessary to give full effect to the provisions of this Act, or to prevent fraudulent evasions thereof.

Powers of P. M. General for preventing evasion of the said conditions.

2. So much of the twenty-second and twenty-third sections of "*The Post Office Act, 1875*," or of any Act amending it, as may be inconsistent with the provisions of this Act, is hereby repealed.

Inconsistent provisions of 38 V., c. 7, repealed.

## CHAP. 10.

An Act to amend the Acts respecting the Militia and Defence of the Dominion of Canada.

[Assented to 17th May, 1882.]

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

Preamble.

1. Section sixteen of the Act passed in the thirty-first year of Her Majesty's reign, chaptered forty, and intituled "*An Act respecting the Militia and Defence of the Dominion of Canada*," and section two of the Act passed in the forty-fourth year of Her Majesty's reign, chaptered nineteen, and intituled "*An Act further to amend the Acts therein mentioned respecting the Militia and Defence of the Dominion of Canada*," are hereby repealed and the following is substituted therefor :—

Section 16 of 31 V., c. 40 and Section 2 of 44 V., c. 19 repealed and new section substituted.

" 16. The enrolment of the Militia shall be made in each Company Division by the Captain thereof, with the assistance

How, by whom and when the tance

enrolment shall be made. tance of the officers and non-commissioned officers of the Company Division ;—and it shall be the duty of the Captain, and under his orders, of the other officers and non-commissioned officers of the Company Division, by actual enquiry at each house therein, and by every other means in their power, to make and complete from time to time and at such times as may be fixed by order of the Governor in Council, a corrected roll, in duplicate, of the names of all the men in the different classes resident within the Company Division, specifying separately those who are seamen or sailors, or persons engaged in or upon any steam or sailing craft upon the lakes or waters of the Dominion, those who are *bond fide* enrolled members of any Company of Volunteer Militia, and those who, after the day on which this Act shall come into force, shall have completed such a term of service in the Militia as will by law exempt them until they are again required in their turn to serve :

One copy to be retained by Captain. The other to be sent to officer commanding Militia. " 2. One copy of such roll is to be retained by the Captain, and the other is to be forwarded, on or before such day as may be fixed by order of the Governor in Council, to the Lieutenant-Colonel of the Regimental Division,—which last named officer shall cause a copy of all the rolls of Militiamen in the several Company Divisions within the Regimental Division to be forwarded without delay to the officer for the time being commanding the Militia ; but if from any cause the duties prescribed by this section cannot in any particular case be carried into effect within the time specified, a special report of the facts relating to the delay shall be made to the officer for the time being commanding the Militia, who shall without delay fix another period within which the enrolment shall be completed and the rolls be forwarded.

Provision if roll is not made in time.

Roll to be embodiment.

" 3. The enrolment shall be held to be an embodiment of all the Militiamen enrolled, and shall render them liable to serve under the provisions of this Act, unless exempt by law."

## CHAP. II.

An Act to fix and provide for the payment of the salaries of the Judges of the Supreme Court of Judicature of Ontario and of certain Judges and County Judges in Manitoba and New Brunswick.

[Assented to 17th May, 1882]

Preamble.

**H**ER MAJESTY by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows :—

1.

1. The salaries of the Judges of the Supreme Court of Judicature of Ontario, constituted by the Judicature Act, 1881, passed in the forty-fourth year of Her Majesty's reign, by the Legislature of that Province, shall be as follows : Salaries of Judges of Supreme Court of Judicature, Ontario.

The Chief Justice of Ontario .....	\$6,000 per annum.
Three Justices of Appeal, each .....	5,000 “
The Chief Justice of the Queen's Bench.....	6,000 “
Two Judges of the High Court of Justice, Queen's Bench Division, each .....	5,000 “
The Chancellor of Ontario .....	6,000 “
Two Judges of the High Court of Justice, Chancery Division, each .....	5,000 “
The Chief Justice of the Common Pleas.....	6,000 “
Two Judges of the High Court of Justice, Common Pleas Division, each .....	5,000 “

2. The salaries of two County Court Judges in the Province of Manitoba, shall be \$2,000 per annum each, for the first three years of service, and \$2,400 per annum after such three years ; and their travelling allowances shall be as the Governor in Council may from time to time determine. Of County Court Judges, Manitoba.

3. The salary of the Judge of the County Court of the City and County of St. John, N.B., shall be increased to \$3,000 per annum. Of Judge of County Court, St. John, N.B.

4. The salary of the Judge of the County Court for the Counties of King's and Albert, lately established by the Legislature of New Brunswick, shall be \$2,000 per annum, for the first three years of service, and \$2,400 per annum after such three years. Of Judge of County Court, King's and Albert, N.B.

5. The said salaries and travelling allowances shall be paid out of any unappropriated moneys forming part of the Consolidated Revenue Fund of Canada. To be paid from Con. Rev. Fund.

## CHAP. 12.

An Act respecting County Court Judges.

[Assented to 17th May, 1882.]

**H**ER Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows :— Preamble.

1. The word “County” includes “District.” The word “Judge” includes “Junior Judge.” Interpretation.

Conditions under which County Court Judges are to hold office.

2. Each Judge of a County Court in any of the Provinces of Canada where County Courts have been established, whether already appointed or hereafter to be appointed by the Governor General, shall, subject to the provisions of this Act, hold office during good behaviour and his residence within the County or Union of Counties for which the Court is established.

Causes for removal.

3. A Judge of a County Court may be removed from office by Order of the Governor General in Council for inability from old age, ill health, or any other cause, or for incapacity or misbehaviour, established to the satisfaction of the Governor General in Council :

Preliminary inquiry.

Provided (1.) That the circumstances respecting the inability, incapacity or misbehaviour have first been enquired into by virtue of and under an Order of the Governor General in Council :

Reasonable notice given to the Judge.

(2.) That the judge has been given reasonable notice of the time and place appointed for the enquiry, and has been afforded an opportunity by himself or his counsel of being heard thereat, and of cross-examining the witnesses and adducing evidence on his own behalf. In the event of the removal of any such judge for any of the reasons aforesaid, the Order in Council providing for such removal, and all reports, evidence and correspondence relating thereto, shall be laid before Parliament within the first fifteen days of the next ensuing Session.

Report to Parliament.

Commission of inquiry to be appointed.

How constituted.

Procedure at inquiry.

Powers of Commissioners.

4. For the purpose of making enquiry into the circumstances respecting the inability, incapacity or misbehaviour of such judge, the Governor General in Council may issue a commission to one or more Judges of the Supreme Court of Canada, or to one or more judges of any superior court of law or equity or court of appeal in any Province of Canada, empowering him or them to make such inquiry and to report thereon, and may by the commission, confer upon the person or persons appointed full power to summon before him or them any party or witnesses, and to require them to give evidence on oath, orally or in writing (or on solemn affirmation if they be parties entitled to affirm in civil matters), and to produce such documents and things as the Commissioner or Commissioners may deem requisite to the full investigation of the matters into which they are appointed to inquire: the Commissioner or Commissioners shall then have the same power to enforce the attendance of such party or witnesses, and to compel them to give evidence as is, in civil cases, vested in any superior court of the Province where the inquiry is being conducted; but no such party or witnesses shall be compelled to answer any question by his answer to which he might render himself liable to a criminal prosecution.

5. This Act shall apply to judges now holding office as well as to those hereafter appointed, and a judge now holding office may be removed under this Act for inability, incapacity or misbehaviour, occurring or existing before or at the passing of this Act.

Application of Act.

6. In case a Judge of a County Court, after having continued in office as such judge for a period of at least ten years, becomes afflicted with some permanent infirmity, disabling him from the due execution of his office and resigns his office, or in case a Judge of a County Court after having continued in office as such judge for a period of at least twenty-five years resigns his office, Her Majesty may, by letters patent, under the Great Seal of Canada, grant to him a pension equal to two-thirds of the annual salary of which he was in receipt at the time of his resignation, to continue thenceforth during his natural life and be payable *pro ratâ* for any period less than a year during such continuance.

Pensions granted to disabled Judges who resign their offices.

7. Pensions granted under this Act shall be payable out of any unappropriated moneys forming part of the Consolidated Revenue Fund of Canada.

Fund out of which Pensions shall be paid.

8. If any person receiving a pension under this Act becomes entitled to any salary in respect of any public office under the Government of Canada, such salary shall be reduced by the amount of such pension.

When such pension may be reduced in amount.

9. Chapter fourteen of the Consolidated Statutes of Upper Canada, intituled "An Act respecting the Court of Impeachment," is hereby repealed; and no Act or provision of law repealed by such Act shall be revived by such repeal.

Chap. 14 of Con. Stat. U. C. repealed.

## CHAP. 13.

An Act to increase the amount placed at the disposal of the Governor in Council by the Act 34 Victoria, chapter 8, for paying off claims on the Bank of Upper Canada.

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

Preamble.

1. The amount placed by the Act thirty-fourth Victoria, chapter eight, at the disposal of the Governor in Council out of any unappropriated moneys forming part of the Consolidated

The amount mentioned in 34 V., c. 8, and 33 V., c.

dated

40, increased  
to \$255,000.

dated Revenue Fund of Canada, for the purpose of paying off any claims on the Bank of Upper Canada, settled and adjusted under the fourth section of the Act thirty-third Victoria, chapter forty, is hereby increased to the sum of two hundred and fifty-five thousand dollars, subject to the conditions of the Act first above cited, which is hereby amended accordingly.

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## CHAP. 14.

An Act to provide for the granting of subsidies for the construction of certain lines of Railway therein mentioned.

[Assented to 17th May, 1882.]

Preamble.

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

Subsidies  
may be  
granted  
towards the  
construction  
of the fol-  
lowing rail-  
ways.

1. It shall be lawful for the Governor in Council to grant the subsidies hereinafter mentioned towards the construction of the railways also hereinafter mentioned ;, that is to say :—

For a railway from Gravenhurst to Callander, both in the Province of Ontario, a subsidy not exceeding \$6,000 per mile, nor exceeding in the whole.....	\$560,000
For a railway from St. Raymond to Lake St. John, both in the Province of Quebec, a subsidy not exceeding \$3,200 per mile, nor exceeding in the whole .....	384,000
For a railway from a point on the Intercolonial Railway at Rivière du Loup or Rivière Onelle in the Province of Quebec, or between them, to Edmundston in the Province of New Brunswick, a subsidy not exceeding \$3,200 per mile, nor exceeding in the whole.....	240,000
For a railway from Oxford to New Glasgow, both in the Province of Nova Scotia, a subsidy not exceeding \$3,200 per mile, nor exceeding in the whole .....	224,000
Total.....	<u>\$1,508,000</u>

The

The said subsidies to be granted to such companies as shall be approved by the Governor in Council, as having established to his satisfaction their ability to complete the said railways respectively, within a reasonable time, to be fixed by Order in Council, and according to descriptions and specifications to be approved by the Governor in Council on the report of the Minister of Railways and Canals, and specified in an agreement to be made by the Company with the Government, (and which the Government is empowered to make,) and to be payable out of the Consolidated Revenue Fund of Canada, by instalments on the completion of each ten miles of railway, proportionate to the value of the portion so completed in comparison with the whole work undertaken, such proportion to be established by the report of the said Minister; provided always, that the granting of such bonuses or subsidies shall be subject to such conditions for securing such running powers or traffic arrangements and other rights, as will afford all reasonable facilities and equal mileage rates to all railways connecting therewith, as the Governor in Council may determine.

On what conditions and to what companies.

Agreement to be made with the company.

How payable, and by what instalments.

Proviso.

## CHAP. 15.

An Act to provide for building certain Branch Lines of Railway from points on the Intercolonial Railway and Prince Edward Island Railway respectively.

[Assented to 17th May, 1882.]

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

Preamble.

1. It shall be lawful for the Minister of Railways and Canals to make, build, construct and work a branch line of Railway in the Province of Quebec from a point on the Intercolonial Railway at or near the Saint Charles Station to a point at or near the Point Levis Station of the Grand Trunk Railway, the line to run by way of Indian Cove. The branch line of railway when built shall be part of the Intercolonial Railway.

Branch of Intercolonial Railway from St. Charles *via* Indian Cove to Point Levis.

2. It shall be lawful for the Minister of Railways and Canals to make, build, construct and work a branch line of Railway in the Province of Prince Edward Island from a point on the Prince Edward Island Railway to be selected by him to a point between Cape Traverse and Carleton Cove. The branch line of railway when built shall be part of the Prince Edward Island Railway.

Branch of P.-E.-I. Railway to Cape Traverse or Carleton Cove.



Act 44 V, c.  
25 to apply  
to these bran-  
ches.

3. For the purposes hereof the Minister of Railways and Canals shall have all the powers and authorities vested in him by "*The Government Railways Act, 1881*," and the said branch lines of railway shall be made, built, constructed and worked in all respects as though the same had been made, built, constructed and worked under the said Act.

## CHAP. 16.

An Act respecting the Windsor Branch of the Intercolonial Railway.

[Assented to 17th May, 1882.]

Preamble.  
Recital of  
case.

WHEREAS the Windsor and Annapolis Railway Company was incorporated by an Act of the Province of Nova Scotia, passed in the thirtieth year of Her Majesty's reign. (A.D., 1867) and pursuant to its powers in that behalf the said Company built and now own and work a line of railway from Windsor to Annapolis in the said Province :

And whereas the Government of the Province of Nova Scotia at the time of the incorporation of the said Company owned a branch line of railway extending from Windsor Junction to Windsor hereinafter referred to as the Windsor Branch ; and also a main line of railway (now part of the Intercolonial Railway) running past Windsor Junction into Halifax :

And whereas one of the clauses of the said Company's charter in effect provided that a traffic arrangement should be made between the Company and the said Government of Nova Scotia, for the mutual use and employment of their respective lines of railway between Halifax and Windsor, and Windsor and Annapolis, including running powers or for the joint operation thereof on equitable terms :

Schedule A  
referred to.

And whereas instead of entering into a traffic arrangement under the said clause, and in substitution thereof, the Government of Canada and the said Company on or about the twenty-second day of September, 1871, entered into the agreement, a copy of which is set forth in schedule A to this Act :

And whereas under another of the clauses of the said Company's charter, the Governor in Council of the Province of Nova Scotia was, in effect, empowered by Order in Council, to assume on behalf of the Province the ownership of the said Company's line of railway from Windsor to Annapolis,

Annapolis, by paying to the said Company the value of the same (to be ascertained by arbitration) either in cash or Provincial debentures, at the option of the said Governor in Council :

And whereas the Government of the present Province of Nova Scotia are now entitled to exercise such power, and have expressed to the Government of Canada their intention of exercising such power :

And whereas on the twenty-sixth day of May, A.D., 1874, the Act of the Parliament of Canada set forth in the schedule B to this Act was passed : Schedule B  
referred to.

And whereas the Government of Canada, acting in supposed pursuance of the said Act, in the year A.D., 1877, took from the Windsor and Annapolis Railway Company the possession of the said Windsor Branch and handed over the same to the Western Counties Railway Company, which Company received the same under the terms of the agreement set forth in schedule C to this Act : Schedule C  
referred to.

And whereas the last named Company failed to complete its line of railway by the first day of October, A.D., 1879, as provided in the said agreement, and have not yet completed the same, and after the said first day of October, A.D., 1879, the Government of Canada retook possession of the said Windsor Branch from the said Company and handed over the same to the Windsor and Annapolis Railway Company under the terms of the agreement set forth in schedule D to this Act : Schedule D  
referred to.

And whereas, during the time the Western Counties Railway Company was in possession of the said branch, the Windsor and Annapolis Railway Company commenced an action in the Supreme Court of Nova Scotia against such Company and Her Majesty's Attorney General of Canada, to recover possession of the said branch on the ground that the Plaintiff Company was entitled to such possession under the agreement set forth in Schedule A to this Act, and that the Government of Canada were not justified by the Act of Parliament set forth in Schedule B to this Act, in taking from the Plaintiff Company the possession of the said branch, and handing over the same to the Defendant Company : Further  
recital.

And whereas such proceedings were had in the said action, that by the judgment of Her Majesty upon the advice of the Judicial Committee of Her Imperial Privy Council, the Plaintiff Company was declared to be entitled to the possession of the said branch under the said agreement set forth in the Schedule A hereto :

And whereas the Government of Nova Scotia have made arrangements with *The Nova Scotia Railway Company*, (incorporated by Act of the Legislature of Nova Scotia, passed on the twenty-seventh day of February, A.D. 1882,) for the consolidation under one management, of certain lines of railway in the Province, including the Windsor and Annapolis Railway and the Western Counties Railway :

And

And whereas it is expedient to facilitate and assist the completion of such arrangements, — which are in the public interests :

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

Rights of Company and Government of Nova Scotia respectively, declared.

1. The rights, privileges and powers acquired by the Windsor and Annapolis Railway, under the agreement set forth in Schedule A to this Act, were so acquired by that Company as owners of the line of railway from Windsor to Annapolis, and on the transfer of the ownership of such railway to the Government of Nova Scotia, should properly belong to the said Government as owner of the said line, and whenever and so soon as the Government of Nova Scotia shall have exercised its right to assume the ownership reserved to it as hereinbefore mentioned, and as owner has legally taken possession of the said railway, then the Governor may, by Order in Council, put an end to and determine the said agreement and any other rights and interests, if any, which the Windsor and Annapolis Railway Company may have to or in the said Windsor Branch.

Governor in Council may end the said agreement when Government of N. S. assumes the Railway.

And Government of N.S. to become owner.

2. Whenever the agreement set forth in Schedule A has been determined, the Governor may, by Order in Council, transfer and convey to the Nova Scotia Government the absolute ownership of the said Windsor Branch :

Proviso: Obligations to be previously performed by Government of N.S.

Provided always, that no such Order in Council shall be passed until the Government of Nova Scotia shall have constructed and finished, or have caused to be constructed and finished, the line of railway from Annapolis to Digby, and shall have procured from the Western Counties Railway Company and delivered to the Government of Canada, a release of all claims and interest (if any) of that Company to the said Windsor Branch, and of all claims and demands (if any) against the Government of Canada, relating thereto or arising thereout, or out of the actions and transactions respecting the said Branch.

Certain rights not to be affected by the termination of agreement.

3. The determination of the agreement set forth in Schedule A shall not affect any right which either party thereto may have thereunder against the other, or against any other party, as to any matter or thing prior to such determination, all which rights shall continue and may be enforced as if such agreement had not been determined.

Act not to be construed as an admission of certain claims.

4. Nothing in this Act contained shall be deemed or taken as admitting that the Windsor and Annapolis Railway Company, or the Western Counties Railway Company, or either of them, have or may have any claim or interest to or in the said Windsor Branch, or any claims or demands against the Government of Canada.

## SCHEDULE A.

*Copy of a Report of a Committee of the Honorable the Privy Council, approved by His Excellency the Governor General in Council, on the 22nd September, 1871.*

On a memorandum dated 21st September, 1871, from the Hon. Sir George Etienne Cartier, acting in the absence of the Minister of Public Works, reporting,—

That on the twenty-eighth day of July last, a Minute of Council was passed authorizing the Minister of Public Works to make with the Windsor and Annapolis Railway Company (Limited), the traffic arrangements, including running powers over the Government Railway in the Province of Nova Scotia, mentioned in the charter of the said Company, and for that purpose to appoint any officer or arbitrator required by the said charter, should the Minister of Public Works and the Company be unable to come to an agreement without arbitration :

That on the eleventh day of August ultimo, with the view of effecting the object of the said Minute of Council, he appointed and deputed Sandford Fleming, Esq., Chief Engineer of the Intercolonial Railway, to confer with the said Windsor and Annapolis Railway Company, or with its authorized agent, and to report what understanding and agreement could be arrived at under authority of the said Minute of Council :

That Mr. Fleming has met and conferred with James Alexander Mann, Esq., Commissioner and Attorney on behalf of the said Railway Company ; and with the concurrence of Lewis Carvell, Esq., Manager of the European and North American Railway, and of the said Commissioner and Attorney, now reports and approves the articles of agreement hereunto annexed ; which articles of agreement he, the Acting Minister of Public Works, submits for the approval of Your Excellency.

The Committee advise that the said articles of agreement hereunto appended, be approved and ratified by Your Excellency in Council, it being understood that the payment of one-third of the gross earnings be adhered to.

Certified.

(Signed), WM. H. LEE,  
*Clerk, Privy Council.*

To the Honorable  
The Minister of  
Public Works.

*Agreement*

*Agreement between the Windsor and Annapolis Railway Company (Limited) and the Government of Canada.*

Expressions. 1. The several expressions hereinafter referred to, shall, when used in this agreement, have the signification and meaning following:—

SIGNIFICATION OR MEANING.

<p>“The Company.”</p> <p>“The Authorities.”</p> <p>“The Trunk Line.”</p> <p>“The Windsor Branch.”</p> <p>“The Superintendent.”</p> <p>“The Manager.”</p>	<p>The Windsor and Annapolis Railway Company, Limited ;</p> <p>The Department of the Government of Canada, which, for the time being, shall have the command or control of the Nova Scotia Railways ;</p> <p>So much of the Nova Scotia Railways, with the branches, appurtenances, buildings and conveniences thereto belonging or attached, as lies between the terminus at Halifax and the Windsor Junction (both inclusive), together with any extensions into Halifax hereafter to be made ;</p> <p>So much of the Nova Scotia Railway, with the branches, buildings and appurtenances, and other conveniences thereto belonging or attached, as lies between the said Windsor Junction and the junction of such railway with the Windsor and Annapolis Railway at or near Windsor ;</p> <p>The Superintendent or other officer for the time being, managing the Nova Scotia Railways ;</p> <p>The General Manager or other officer for the time being, managing the Windsor and Annapolis Railway.</p>
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2. The Company shall, except for the purposes of the Authorities in maintaining the railway and works, have the exclusive use of the Windsor Branch, with all station accommodation, engine sheds and other conveniences, (but not including rolling stock and tools for repairs) now in use thereon.

3. The Company shall also use, to the extent required for its traffic, the Trunk Line, with the station accommodation thereon, including engine shed accommodation for five engines, water supply, fuel stages, turn tables, signals, telegraphs, wharves, sidings and other conveniences, but not including machine shops and other shops, buildings and appliances, for repairs of rolling stock.

4. The Company shall run every day, Sundays excepted, between Halifax and Windsor, not less than two trains each way, carrying passengers, and shall adopt the same tolls as at present levied, or such other tolls as may, from time to time, be approved of by the Governor in Council, and shall furnish and maintain its own rolling stock.

5. The Authorities shall maintain, in workable condition, the Windsor Branch and the Trunk Line, including all the station accommodation and other conveniences thereon.

6. The Company shall, on the Windsor Branch, employ their own station agents, booking clerks, watchmen, porters, signalmen, switchmen and other servants for the management of the traffic.

7. The Authorities shall, on the Trunk Line, employ all station agents, booking clerks, watchmen, signalmen, switchmen and other servants not provided by the Company under clause 17.

8. The Company shall not, except with the concurrence of the Authorities, carry any local traffic between stations on the Trunk Line; but if so carried, they shall charge the same tolls as may be charged by the Authorities.

9. The Company shall keep and render to the Superintendent an exact detail account of all traffic carried by them over the Windsor Branch and Trunk Line.

10. The Company shall pay to the Authorities monthly, one-third of the gross earnings from all traffic carried by them over the Windsor Branch and Trunk Line.

11. All accounts between the Authorities and the Company under this arrangement shall be adjusted regularly at the end of each calendar month, and the balance struck and paid over in cash, not later than twenty-one days after the end of each month.

12. The Authorities and the Company respectively shall, at all reasonable times, have access to, and be allowed to inspect all such books, papers and vouchers in possession of the other of them, as have reference to the accounts between them.

13. All regular trains on the Windsor Branch and Trunk Line shall be run in the usual way by time-table, which time-table shall, in respect to the Trunk Line, be prepared by the Superintendent on consultation with the Manager. The Superintendent shall arrange for the arrival and departure of the trains of the Company at the times desired by the Manager, or as near thereto as practicable, and in this respect and in every other respect, the Superintendent, the officers and servants of the Authorities shall conduct the business and work the traffic of the Company and of the Authorities with perfect impartiality and fairness.

14. With respect to special and irregular trains, in order to ensure public safety, the Company shall use the Trunk Line in strict accordance with such rules and regulations as are now in use, or as may hereafter be adopted and enforced by the Superintendent. Similar rules shall also be adopted

adopted and enforced by the Manager on the Windsor Branch, so far as necessary for the guidance of officers and men engaged in the maintenance of the railway.

15. The speed of the Company's trains on the Trunk Line and Windsor Branch shall not exceed the speed adopted by similar trains on the Government Railways in Nova Scotia.

16. The Station Agent and other servants of the Authorities at Windsor Junction shall receive, and as far as practicable, carry out the instructions of the Manager in regard to the arrival and departure and working of the Company's trains, from or to the Windsor Branch, and he or they shall record in a book to be kept for that purpose, the numbers and particulars of all engines, carriages, trucks, cars, or other vehicles passing through such Junction, and shall make a return of the same daily to their respective owners.

17. The Company shall employ on the Trunk Line, their own booking clerks, carting agents, carting staff, or such other staff as they may deem necessary for the booking, collecting, checking, invoicing, receiving, delivering, or forwarding their own traffic; and the Authorities shall, so far as practicable, provide suitable and convenient accommodation for such servants and for the accommodation of such business.

18. The Company, in using the Trunk Line, shall, at all times, observe the regulations and by-laws for the time being in force thereon; and the Authorities in using the Windsor Branch, for the purpose of repairing and maintaining it shall, at all times, observe the regulations and by-laws for the time being in force thereon.

19. In the event of the Company failing to operate the railways between Halifax and Annapolis, then this agreement shall terminate, and the Authorities may immediately proceed to operate the railway between Halifax and Windsor, as they may deem proper and expedient.

20. The termination of this agreement under the preceding clause is not to prejudice any rights which the Company may now have.

21. This agreement shall take effect on the first day of January, 1872, and continue for 21 years, and be then renewed on the same conditions, or such other conditions as may be mutually agreed on.

## SCHEDULE B.

## CHAP. 16.

An Act to authorize the transfer of the Windsor Branch of the Nova Scotia Railway to the Western Counties Railway Company.

(Assented to 26th May, 1874.)

WHEREAS by resolution of the House of Commons, passed on the twenty-third day of May, in the year eighteen hundred and seventy-three, it was resolved: That the Government be authorized to enter into negotiations during the Parliamentary recess with some reliable association or company for the transfer of the railway from Windsor to the trunk line from Halifax to Truro, upon condition that such association or company extend the railway from Annapolis to Yarmouth, subject to the approval of Parliament at the next session; and whereas the Western Counties Railway Company, being a company incorporated under the Act of the Legislature of the Province of Nova Scotia, passed during the session of the year of Our Lord eighteen hundred and seventy, having undertaken to build a railway from Annapolis to Yarmouth, have represented that the work has been undertaken and commenced in view of the provisions of the hereinbefore recited resolution of the House of Commons; and whereas the said company being desirous of having the said privilege transferred to them, have proposed for the acceptance of His Excellency the Governor in Council, certain terms of transfer to them of the railway from Windsor to the trunk line from Halifax to Truro; and whereas such proposal was, by Order of the Governor in Council of the twenty-second October, eighteen hundred and seventy-three, adopted, subject to the approval of Parliament; and whereas a further proposal in connection with the transfer of the said railway to the said company was made by the said company and approved by the Governor in Council, by Order in Council of the thirtieth day of October, in the year eighteen hundred and seventy-three; and whereas it is expedient to approve of the said agreements so respectively entered into and adopted as hereinbefore mentioned: Therefore Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

1. The agreements hereinbefore referred to, and set forth in the Schedules A and B to this Act, being such as were adopted by the Orders of the Governor in Council on the twenty-second and thirtieth days of October, eighteen hundred and seventy-three, and all the matters and things therein contained, are hereby approved and declared to be as effectual



effectual to all intents and purposes as if the said agreements had been entered into in pursuance of sufficient authority in that behalf given, before the adoption of such agreements, by Act of the Parliament of Canada.

2. Until arrangements are completed for giving possession to the Western Counties Railway Company of the said Windsor Branch Railway for the purpose of operating it until the completion of their line from Annapolis to Yarmouth, as provided in the agreement or proposal hereinafter recited, it shall be competent for the Government to make such other arrangements as may be necessary by continuing the working of the same by the Windsor and Annapolis Railway Company or otherwise.

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#### SCHEDULE A.

1416. *Copy of a Report of a Committee of the Honorable the Privy Council, approved by His Excellency the Governor General in Council, on the twenty-second October, eighteen hundred and seventy-three.*

On a memorandum, dated twenty-first October, eighteen hundred and seventy-three, from the Hon. the Minister of Public Works, submitting the accompanying proposal made by the Western Counties Railway Company of Nova Scotia, and recommending its adoption.

The Committee advise that the accompanying proposal be adopted as recommended, subject to the approval of Parliament.

Certified.

(Signed) W. A. HIMSWORTH,  
Clerk.

To the Honorable  
The Minister of Justice,  
&c., &c., &c.

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*Proposal made to His Excellency the Governor General in Council by the Western Counties Railway Company, incorporated under an Act of the Legislature of Nova Scotia, passed in the year of Our Lord One thousand eight hundred and seventy.*

Whereas by a resolution passed by the House of Commons in Parliament assembled on the twenty-third day of May, Anno Domini, eighteen hundred and seventy-three, it was resolved :

That

That the Government be authorized to enter into negotiations during the Parliamentary recess with some reliable association or company for the transfer of the railway from Windsor to the trunk line from Halifax to Truro, upon condition that such association or company extend the railway from Annapolis to Yarmouth, subject to the approval of Parliament at the next Session.

And whereas the said Western Counties Railway Company have undertaken to build a railway from Annapolis to Yarmouth; and

Whereas the said work has been undertaken and commenced in view of the provisions of the above resolution; and

Whereas the said Company are desirous of having the said railway, in the said resolution mentioned, transferred to them;

The said Company therefore propose, for the acceptance of His Excellency the Governor General in Council, the following terms of transfer, viz:—

1st. The said Company will undertake to receive the said railway and appurtenances on the first day of December, Anno Domini, eighteen hundred and seventy-three, and from that date to work it efficiently and keep the same in repair at their own proper costs and charges, collecting, receiving and appropriating to their own use all the tolls and earnings of the same:

2nd. That on the completion of the Western Counties Railway from Yarmouth to Annapolis (now in progress of construction), the said railway and appurtenances from Windsor to the trunk line, shall be and become absolutely the property of the said Western Counties Railway Company:

3rd. That in consideration of the premises, the said Company hereby engage to prosecute the work of building the railway from Yarmouth to Annapolis, and complete the same with all reasonable despatch.

Dated at Ottawa, D.C., this twentieth day of October, Anno Domini, eighteen hundred and seventy-three.

(Signed)—GEO. B. DOANE, President W. C. R. Cy.  
JAS. WENT. BINGAY, Secretary W. C. R. Cy.

## SCHEDULE B.

*Copy of a Report of a Committee of the Honorable the Privy Council, approved by His Excellency the Governor General in Council on the thirtieth October, eighteen hundred and seventy-three.*

On a M<sup>o</sup>. from the Hon. the Minister of Public Works, dated twenty-ninth October, eighteen hundred and seventy-three, reporting that he has received from the Western Counties Railway Company of Nova Scotia (through Mr. George B. Doane, their President) a proposal to the following effect :—

1st. That the Western Counties Railway Company shall carry free of charge, all passengers holding Government Tickets, on all their passenger trains running between Halifax and Windsor Junction. 2nd. That the said Company or their agents or assigns shall have running powers over the Intercolonial Railway between Halifax and Windsor Junction, with such privileges as have been hitherto granted in the agreement with the Windsor and Annapolis Railway.

The Committee on the recommendation of the Minister of Public Works, respectfully advise that the terms of the above proposal be approved.

Certified.

(Signed,) W. A. HIMSWORTH,  
C.P.C.

## SCHEDULE C.

MEMORANDUM OF AGREEMENT, SEPTEMBER, 1877,

*Between Her Majesty, represented by the Hon. Minister of Public Works and the Western Counties Railway Company.*

WESTERN COUNTIES RAILWAY COMPANY.

SECRETARY'S OFFICE,

YARMOUTH, N. S., September 13, A.D., 1877.

Resolved that the agreement dated the 6th of September, A.D. 1877, and made between Her Majesty the Queen, represented by the Hon. the Minister of Public Works of Canada, on the one part, and this Company of the other part, be approved, and that the President and Secretary be authorized to execute the same in behalf of the Company.

I certify that the above is a true copy of resolution passed this day by the Directors of the Western Counties Railway Company.

JAS. WENT. BINGAY, *Secretary.*

MEMORANDUM

MEMORANDUM OF AGREEMENT MADE THE SIXTH DAY OF  
SEPTEMBER, A.D. 1877,

*Between Her Majesty the Queen, herein represented by the  
Minister of Public Works of Canada, of the first part, and  
the Western Counties Railway Company, of the other part.*

Whereas by the Act of the Parliament of Canada, thirty-seventh Victoria (1874), chapter sixteen, the Government of Canada may, prior to the completion by the said Company of the Railway from Yarmouth to Annapolis, give possession to the said Company of the Windsor Branch of the Nova Scotia Railway mentioned in the said Act ;

And whereas the said Company have requested the Government to give possession of the same to them at once ;

And whereas the Government have agreed to comply with their request upon the following conditions :

Now, this agreement witnesseth that Her Majesty, by and with the advice of Her Privy Council of Canada, hereby gives to the Western Counties Railway Company possession of the said Windsor Branch Line, and the said Railway Company accept possession thereof upon the terms following :

The Company to work it efficiently and keep the same in repair at their own proper cost and charges, collecting, receiving and appropriating to their own use all the tolls and earnings of the same :

The said Railway and appurtenances from Windsor to the Trunk Line shall be and become absolutely the property of the said Western Counties Railway Company :

That the said Company hereby engage to prosecute the work of building the Railway from Yarmouth to Annapolis, and complete the same with all reasonable despatch, and the parties hereto hereby declare that if the same be completed on or before the first day of October, 1879, it shall be considered to have been completed with all reasonable despatch ; and it is hereby agreed that if, on or before the said first day of October, 1879, the said Railway from Yarmouth to Annapolis be not completed, the said Company will on demand yield up and deliver to Her Majesty, Her Successors and Assigns, peaceably and quietly, possession of the said Windsor Branch Railway and its appurtenances, and that Her Majesty may enter into and repossess Herself of the said Branch Railway and its appurtenances, without the let, hindrance or denial of the said Company, their Successors or Assigns or any other person or persons whomsoever :

That the said Company shall carry free of charge all passengers holding Government tickets on all their passenger trains running between Halifax and Windsor Junction :

That the said Company or their Agents or Assigns shall have running powers over the Intercolonial Railway, between Halifax and Windsor Junction, with such privileges

as have been hitherto granted in the agreement with the Windsor and Annapolis Railway.

In witness whereof, the Minister of Public Works of Canada has hereto set his hand and the seal of the Department, and the Secretary has countersigned these presents, and the said Company has hereto set its corporate seal, and the same has been countersigned by its President and Secretary.

(Signed) A. MACKENZIE.

In presence of

(Signed) H. A. FISSIAULT. }  
 (Signed) F. BRAUN, Secretary. }  
 (L. S.)

(Signed) GEO. B. DOANE, President W. C. Ry. Co.

JAS. WENT. BINGAY, Sec. W. C. Ry. Co.  
 (L. S.)

(Signed) W. H. MOODY.

#### SCHEDULE D.

*This Indenture, made the 20th day of November, in the year of Our Lord, One thousand eight hundred and seventy-nine.*

Between Her Majesty the Queen, represented herein by the Minister of Railways and Canals of Canada, of the first part, hereinafter referred to as "The Government;" and the "Windsor and Annapolis Railway Company," hereinafter referred to as "The Company," of the second part:

Whereas the Government are about to take the necessary steps to recover from the Western Counties Railway Company, possession of the railway commonly known and hereinafter referred to as the Windsor Branch, being so much of the Nova Scotia Railway, with the branches, buildings, appurtenances and other conveniences thereto belonging or attached, as lie between the Windsor Junction (Intercolonial Railway) and the Junction of said Windsor Branch with the said Company's Railway at or near Windsor. And whereas it is expedient in the public interest that a temporary arrangement should be made with the Company respecting the traffic over the Windsor Branch, as soon as possession thereof has been taken by the Government.

Now the parties hereto, hereby agree as follows:—

1st. That as soon as such possession has been taken, the Government will permit the Company to use the said Windsor Branch upon the terms hereof.

2. Either party hereto may terminate this agreement by giving the other thirty days notice in that behalf, and at the end of such thirty days this agreement shall terminate.

3. The Government will permit the Company, so long as they are entitled to use the said Windsor Branch, under this agreement, to use to the extent required for their traffic, the trunk line of the Intercolonial Railway, which lies between the terminus at Halifax and the Windsor Junction, together with the station accommodation thereon, including engine shed accommodation for five engines, water supply, fuel stages, turntables, signals, telegraphs, wharves, sidings and other conveniences; but not including machine shops, buildings and appliances for the repairs of rolling stock.

4. The Company shall run every day (Sunday excepted) between Halifax and Windsor, not less than two trains each way carrying passengers, and shall adopt the same tolls as at present levied, or such other tolls as may, from time to time, be approved of by the Governor in Council, and shall furnish and maintain its own rolling stock.

5. The Government shall maintain in workable condition of repair the Windsor Branch and Trunk Line, including all the station accommodation and other conveniences thereon.

6. The Company shall, on the Windsor Branch, employ their own station agents, booking clerks, switchmen, watchmen, porters, signalmen and other servants for the management of the traffic.

7. The Government shall, on the Trunk Line, employ all station agents, booking clerks, watchmen, signalmen, switchmen and other servants not provided by the Company under clause 17 hereof.

8. The Company shall not, except with the concurrence of the Government, carry any local traffic between stations on the Trunk Line, but if so carried they shall charge the same tolls as may be charged by the Government.

9. The Company shall keep and render to the Chief Engineer of Government Railways in operation, an exact detail account of all traffic carried by them over the Windsor Branch and Trunk Line.

10. The Company shall pay to the Government by way of commuted tolls monthly, one-third of the gross earnings from all traffic carried by them over the Windsor Branch and Trunk Line.

11. All accounts between the Government and the Company under this agreement shall be adjusted regularly at the end of each month and the balance struck and paid over in cash, not later than twenty days after the end of each month.

12. The Company and the Government respectively shall at all reasonable times have access to and be allowed to inspect all such books, papers and vouchers in possession of the other of them, as have reference to the accounts between them.

13. All regular trains on the Windsor Branch and Trunk Line shall be run in the usual way by time-table, which time-table shall, in respect to the Trunk Line, be prepared by the Chief Superintendent of the Intercolonial Railway on consultation with the Company's Manager. The Superintendent shall arrange for the arrival and departure of the trains of the Company at the times desired by the said Manager, or as near thereto as practicable, and in this respect and in every other respect, the Superintendent, the officers and servants of the Government shall conduct the business and work the traffic of the Company and of the Government with perfect impartiality and fairness.

14. With respect to special and irregular trains, in order to insure public safety, the Company shall use the Trunk Line in strict accordance with such rules and regulations as are now in use or as may hereafter be adopted and enforced by the Superintendent. Similar rules shall also be adopted and enforced by the said Manager on the Windsor Branch, as far as necessary for the guidance of officers and men engaged in maintenance of the Railway.

15. The speed of the Company's trains on the Trunk Line and Windsor Branch shall not exceed the speed adopted by similar trains on the Government Railways in Nova Scotia.

16. The station agent and other servants of the Government at Windsor Junction, shall receive and as far as practicable carry out the instructions of the said Manager in regard to the arrival and departure and working of the Company's trains from or to the Windsor Branch, and he or they shall record in a book to be kept for that purpose, the numbers and particulars of all engines, carriages, trucks, cars or other vehicles passing through such Junction, and shall make a return of the same daily to their respective owners.

17. The Company shall employ on the Trunk Line their own booking clerks, carting agents, carting staff or such other staff as they may deem necessary for the booking, collecting, checking, invoicing, receiving, delivering or forwarding their own traffic. And the Government shall, so far as practicable, provide suitable and convenient accommodation for such servants and for the accommodation of such business.

18. The Company in using the Trunk Line shall, at all times, observe the regulations and by-laws for the time being

being in force thereon; and the Government in using the Windsor Branch, for the purpose of repairing and maintaining it, shall, at all times, observe the regulations and by-laws in force thereon.

19. In the event of the Company failing to operate the railways between Halifax and Annapolis, or in the event of the Company failing to pay to the Government the commuted tolls above provided for in accordance with the terms hereof, the Government may immediately terminate this agreement.

20. It is hereby distinctly understood and agreed that this agreement is made without prejudice to, and shall not in any way affect the rights or liabilities of either party as they at present exist with respect to said Windsor Branch; and is made without prejudice to and shall not, except upon the question of damages, affect the litigation now pending in the Supreme Court of Nova Scotia between the Company and the Western Counties Railway Company and Her Majesty's Attorney-General for Canada, nor the petition of right filed by the Company in the Exchequer Court of Canada, to which Her Majesty and the said Western Counties Railway Company are parties, nor any other litigation which the parties hereto or the Western Counties Railway Company may engage in with respect to any matters happening prior to the date hereof.

In witness whereof these presents have been signed by the Minister of Railways and Canals of Canada on behalf of Her Majesty, and sealed with the seal of the Department and countersigned by the Secretary, and have been sealed with the corporate seal of the Company and countersigned by their President.

The corporate seal of the Company hereto affixed, and this indenture signed by Joseph Brave, of 3 and 4 Great Winchester Buildings, London, President of the Company, in the presence of

(Signed) W. R. CAMPBELL,  
Secretary of the Company.

And of

(Signed) JOHN K. JACOB HOOD, } Directors of  
" FRANCIS TOTHILL, } Company.

Signed by the Minister and by the } (Signed)  
Secretary of Railways and Canals, } CHARLES TUPPER,  
in presence of } Minister of Railways  
(Signed) H. A. FISSIAULT. } and Canals.

[L.S.]

(Signed) F. BRAUN, Secretary.

CHAP.



## CHAP. 17.

An Act to encourage the construction of Dry Docks by granting assistance on certain conditions to Companies constructing them.

[Assented to 17th May, 1882.]

Preamble.

**F**OR encouraging the construction of dry docks for the reception and repairing of vessels at places where they are required for the convenience of commerce, Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Conditions on which a subsidy may be granted to a company constructing a dry dock.

1. If any incorporated company approved by the Governor in Council as having the ability to perform the work, enters into an agreement with Her Majesty to construct a dry dock, for the reception and repairing of vessels, at a place, and according to a plan and specification approved by the Governor in Council on a report of the Minister of Public Works, as sufficient for the requirements of the public at such place, and to be completed within a convenient time to be limited by such agreement; then, provided the company performs the work according to such agreement, and to the satisfaction of the Minister of Public Works, under the supervision of whose department the work shall be done, the Governor in Council may authorize the payment out of any unappropriated moneys forming part of the Consolidated Revenue Fund, of a subsidy not exceeding two per cent. per annum on the cost of the work, during twenty years from the time of its completion and acceptance by the said Minister: Provided, that such subsidy shall not exceed ten thousand dollars per annum, and that the cost on which it shall be calculated shall not be greater than the value of the work as estimated by the said Minister; and the subsidy shall not be payable for any portion of the said twenty years during which the dock shall not be in complete repair and working order.

Amount and duration of subsidy.

Proviso: further conditions of payment.

## CHAP. 18.

An Act to authorize an annual grant for the development of the Sea Fisheries and the encouraging of the building of Fishing Vessels.

[Assented to 17th May, 1882.]

Preamble.

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

1.

1. It shall be lawful for the Governor in Council to authorize the payment, out of the Consolidated Revenue Fund of Canada, of an annual grant not exceeding one hundred and fifty thousand dollars, as an aid in the development of the Sea Fisheries of Canada, and the encouragement of the building and fitting out of improved fishing vessels, and the improvement of the condition of the fishermen; such grant to be appropriated for the said purposes under Orders to be made from time to time, by the Governor in Council, and at such times and by such instalments in each year, as he shall direct by such Orders.

Annual grant of \$150,000 in aid of sea fisheries.

How to be appropriated.

2. A statement shall be laid before both Houses of Parliament within the first twenty days of next Session, of the mode in which the said grant shall have been expended, together with copies of all Orders in Council relating to such grant and expenditure; and during the same Session and each Session thereafter, a statement shall be laid before both Houses of Parliament, of the mode in which it is proposed to distribute the grant in the ensuing year, and the assent of Parliament shall be obtained thereto.

Yearly report to Parliament and what it must show.

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## CHAP. 19

An Act to exempt vessels employed in fishing from the payment of duties for the Relief of Sick and Distressed Mariners.

[Assented to 17th May, 1882.]

IN further amendment of the Act passed in the thirty-first year of Her Majesty's reign, and intituled "*An Act respecting the Treatment and Relief of Sick and Distressed Mariners*," Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows :—

Preamble.  
31 V., c. 64.

1. No vessel, whether British or foreign, employed exclusively in fishing or on a fishing voyage, arriving in any port in Canada, after the coming into force of this Act, shall be subject to the payment of or shall pay any rate or duty imposed by the Act cited in the preamble to this Act, and its amendments.

Fishing Vessels exempt from duty under the said Act.

## CHAP. 20.

An Act to amend "The Extradition Act, 1877."

[Assented to 17th May, 1882.]

Preamble.

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

Sect. 16 of  
40 V. c. 25  
amended.

1. Section sixteen of the Act passed in the fortieth year of Her Majesty's reign, chaptered twenty-five, and intituled "*An Act to make provision for the Extradition of Fugitive Criminals,*" is hereby amended by striking out of the sixth and seventh lines thereof the following: "that for any other reason he ought not to be surrendered, or (4)."

## CHAP. 21.

An Act respecting fugitive offenders in Canada from other parts of Her Majesty's Dominions.

[Assented to 17th May, 1882.]

Preamble.

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

Short title.

1. This Act may be cited as the "Fugitive Offenders Act, (Canada) 1882."

## RETURN OF FUGITIVES.

Apprehension  
and return of  
fugitive of-  
fenders from  
Her Majesty's  
Dominions.

2. Where a person accused of having committed an offence (to which this Act applies) in any part of Her Majesty's dominions except Canada, has left that part, such person (in this Act referred to as a fugitive from that part) if found in Canada, shall be liable to be apprehended and returned in manner provided by this Act to the part from which he is a fugitive.

Warrant.

A fugitive may be so apprehended under an endorsed warrant or a provisional warrant.

Proceedings  
in Canada on  
warrant  
issued else-  
where.

3. Where a warrant has been issued in a part of Her Majesty's dominions for the apprehension of a fugitive from that part who is or is suspected to be in or on the way to Canada, any of the following authorities in Canada; that is to say,—

(1.)

(1.) The Governor General or a judge of a superior court, — Endorsement of warrant and its effect.  
 if satisfied that the warrant was issued by some person having lawful authority to issue the same, may endorse such warrant in manner provided by this Act, and the warrant so endorsed shall be a sufficient authority to apprehend the fugitive in Canada and bring him before a magistrate.

4. A magistrate in Canada may issue a provisional warrant for the apprehension of a fugitive who is or is suspected of being in or on his way to Canada, on such information and under such circumstances, as would in his opinion justify the issue of a warrant if the offence of which the fugitive is accused had been committed within his jurisdiction, and such warrant may be backed and executed accordingly. Issue of provisional warrant by Canadian Magistrate.

A magistrate issuing a provisional warrant shall forthwith send a report of the issue, together with the information or a certified copy thereof, to the Governor General, and the Governor General may, if he think fit, discharge the person apprehended under such warrant. Report to Gov. General. Power of Gov. General to discharge.

5. A fugitive when apprehended shall be brought before a magistrate, who (subject to the provisions of this Act) shall hear the case in the same manner and have the same jurisdiction and powers, as near as may be (including the power to remand and admit to bail), as if the fugitive were charged with an offence committed within his jurisdiction. Fugitive to be brought before a Magistrate. Powers of Magistrate.

If the endorsed warrant for the apprehension of the fugitive is duly authenticated, and such evidence is produced as (subject to the provisions of this Act) according to the law ordinarily administered by the magistrate, raises a strong or probable presumption that the fugitive committed the offence mentioned in the warrant, and that the offence is one to which this Act applies, the magistrate shall commit the fugitive to prison to await his return, and shall forthwith send a certificate of the committal and such report of the case as he may think fit, to the Governor General. Committal of fugitive and report to Gov. General.

Where the magistrate commits the fugitive to prison he shall inform the fugitive that he will not be surrendered until after the expiration of fifteen days, and that he has a right to apply for a writ of habeas corpus, or other like process. Magistrate to inform fugitive that he has certain rights.

A fugitive apprehended on a provisional warrant may be, from time to time, remanded for such reasonable time not exceeding seven days at any one time, as under the circumstances seems requisite for the production of an endorsed warrant. Remand of fugitive from time to time.

Order of Gov.  
General for  
return of  
fugitive.

6. Upon the expiration of fifteen days after a fugitive has been committed to prison to await his return, or if a writ of habeas corpus or other like process is issued with reference to such fugitive by a superior court, after the final decision of the court in the case, the Governor General may, if he thinks it just, by warrant under his hand, order that fugitive to be returned to the part of Her Majesty's dominions from which he is a fugitive, and for that purpose to be delivered into the custody of the persons to whom the warrant is addressed, or some one or more of them, and to be held in custody, and conveyed by sea or otherwise to the said part of Her Majesty's dominions, to be dealt with there, in due course of law, as if he had been there apprehended; and such warrant shall be forthwith executed according to the tenor thereof.

Warrant for  
delivery of  
fugitive for  
return.

Court may  
discharge  
fugitive if not  
returned  
within a cer-  
tain time.

7. If a fugitive who, in pursuance of this part of this Act, has been committed to prison in Canada to await his return, is not conveyed out of Canada within two months after such committal, the court, upon application by or on behalf of the fugitive, and upon proof that reasonable notice of the intention to make such application has been given to the Governor General, may, unless sufficient cause is shown to the contrary, order the fugitive to be discharged out of custody.

To what  
offences this  
Act shall  
apply.

8. This Act shall apply to the following offences, namely: to treason and piracy, and to every offence, whether called felony, misdemeanour, crime or by any other name, which is for the time being punishable in the part of Her Majesty's dominions in which it was committed, either on indictment or information, by imprisonment with hard labour for a term of twelve months or more, or by any greater punishment; and for the purposes of this section, rigorous imprisonment, and any confinement in a prison combined with labour, by whatever name it is called, shall be deemed to be imprisonment with hard labour.

Application  
to acts not  
offences by  
Canadian  
law.

This Act shall apply to an offence notwithstanding that, by the law of Canada, it is not an offence or not an offence to which this Act applies; and all the provisions of this Act, including those relating to a provisional warrant and to a committal to prison, shall be construed as if the offence were in Canada an offence to which this Act applies.

Powers of the  
court to dis-  
charge or  
grant other  
relief to fugi-  
tive in trivial  
cases, &c.

9. Where it is made to appear to the court that by reason of the trivial nature of the case, or by reason of the application for the return of a fugitive not being made in good faith in the interests of justice or otherwise, it would, having regard to the distance, to the facilities for communication, and to all the circumstances of the case, be unjust or oppressive or too severe a punishment to return the fugitive either  
at

at all or until the expiration of a certain period, such court may discharge the fugitive either absolutely or on bail, or order that he shall not be returned until after the expiration of the period named in the order, or may make such other order in the premises as to the court seems just.

**10.** Where a warrant for the apprehension of a person accused of an offence has been endorsed in pursuance of this Act in Canada, any magistrate in Canada shall have the same power of issuing a warrant to search for any property alleged to be stolen or to be otherwise unlawfully taken or obtained by such person, or otherwise to be the subject of such offence, as that magistrate would have if the property had been stolen or otherwise unlawfully taken or obtained, or the offence had been committed wholly within the jurisdiction of such magistrate.

**Powers of Canadian Magistrates to grant search warrants in such cases.**

#### WARRANTS AND ESCAPE.

**11.** An endorsement of a warrant in pursuance of this Act shall be signed by the authority endorsing the same, and shall authorize all or any of the persons named in the endorsement, and of the persons to whom the warrant was originally directed, and also every constable, to execute the warrant within Canada by apprehending the person named in it, and bringing him before some magistrate in Canada, whether the magistrate named in the endorsement or some other.

**Effect of endorsement of a warrant under this Act.**

For the purposes of this Act every warrant, summons, subpœna and process, and every endorsement made in pursuance of this Act thereon, shall remain in force notwithstanding that the person signing the warrant or such endorsement dies or ceases to hold office.

**Notwithstanding death of signer or endorser.**

**12.** Where a fugitive or prisoner is authorized to be returned to any part of Her Majesty's Dominions in pursuance of this Act, such fugitive or prisoner may be sent thither in any ship registered in Canada belonging to the Government of Canada.

**How the fugitive may be returned.**

For the purpose aforesaid, the authority signing the warrant for the return may order the master of any ship registered in Canada, bound to the said part of Her Majesty's dominions to receive and afford a passage and subsistence during the voyage to such fugitive or prisoner, and to the person having him in custody, and to the witnesses, so that such master be not required to receive more than one fugitive or prisoner for every hundred tons of his ship's registered tonnage, or more than one witness for every fifty tons of such tonnage.

**Order to master of Canadian ship to receive and convey fugitive.**

**Proviso.**

The

Endorsement on agreement of the ship.

The said authority shall endorse or cause to be endorsed upon the agreement of the ship such particulars with respect to any fugitive prisoner or witness sent in her, as the Minister of Marine and Fisheries may, from time to time, require.

Duty of master on arrival in port of destination.

Every such master shall, on his ship's arrival in the said part of Her Majesty's dominions, cause such fugitive or prisoner, if he is not in the custody of any person, to be given into the custody of some constable, there to be dealt with according to law.

Penalty on master refusing compliance with this section.

Every master who fails, on payment or tender of a reasonable amount for expenses, to comply with an order made in pursuance of this section, or to cause a fugitive or prisoner committed to his charge to be given into custody as required by this section, shall be liable on summary conviction to a fine not exceeding two hundred dollars.

#### EVIDENCE.

Taking depositions.

**13.** A magistrate may take depositions for the purposes of this Act in the absence of a person accused of an offence in like manner as he might take the same if such person were present and accused of the offence before him.

Their use in evidence.

Depositions (whether taken in the absence of the fugitive or otherwise) and copies thereof, and official certificates of or judicial documents stating facts, may, if duly authenticated, be received in evidence in proceedings under this Act.

Authentication of warrants and other documents; what shall be sufficient.

Warrants and depositions, and copies thereof, and official certificates of or judicial documents stating facts, shall be deemed duly authenticated for the purposes of this Act if they are authenticated in manner provided for the time being by law, or if they purport to be signed by or authenticated by the signature of a judge, magistrate or officer of the part of Her Majesty's dominions in which the same are issued, taken or made, and are authenticated either by the oath of some witness, or by being sealed with the official seal of a Secretary of State, or with the public seal of a British possession, or with the official seal of a Governor of a British possession, or of a Colonial Secretary, or of some secretary or minister administering a department of the government of a British possession.

Judicial notice of authentication.

And all courts and magistrates shall take judicial notice of every such seal as is in this section mentioned, and shall admit in evidence without further proof the documents authenticated by it.

Application of Act to per-

**14.** Where a person, convicted by a court in any part of Her Majesty's dominions of an offence committed either in Her

Her

Her Majesty's dominions or elsewhere, is unlawfully at large before the expiration of his sentence, this Act shall apply to such person, so far as is consistent with the tenor thereof, in like manner as it applies to a person accused of the like offence committed in the part of Her Majesty's dominions in which such person was convicted.

sons at large in H. M. dominions before expiration of sentence.

**15.** This Act shall apply where an offence is committed before the commencement of this Act, in like manner as if such offence had been committed after such commencement.

And to offences committed before commencement of this Act.

#### DEFINITIONS

**16.** In this Act, unless the context otherwise requires,—

Interpretation of terms :

The expression "magistrate" means, any justice of the peace or any person having authority to issue a warrant for the apprehension of persons accused of offences and to commit such persons for trial :

"Magistrate,"

The expression "oath" includes affirmation or declaration in the case of persons allowed by law to affirm or declare instead of swearing, and the expression "swear" and other words relating to an oath or swearing shall be construed accordingly :

"Oath,"

"Swear,"

The expression "deposition" includes any affidavit, affirmation, or statement made upon oath as above defined :

"Deposition."

The expression "court" means : in the Province of Ontario, the High Court of Judicature; in the Province of Quebec, the Superior Court; in the Province of Nova Scotia, the Supreme Court; in the Province of New Brunswick, the Supreme Court; in the Province of Prince Edward Island, the Supreme Court; in the Province of British Columbia, the Supreme Court; in the Province of Manitoba, the Court of Queen's Bench; and in the North West Territories and the District of Keewatin, a Stipendiary Magistrate and such court or magistrate or other judicial authority as may be designated from time to time by proclamation of the Governor in Council, published in the *Canada Gazette*.

"Court"—with reference to the several provinces of Canada, or N. W. Territories.

Any judge of the court may either in term time or vacation exercise in chambers all the powers conferred by this Act upon the court.

Exercise of judicial powers in vacation.

**17.** This Act shall come into operation on the first of January, one thousand eight hundred and eighty-three, which date is in this Act referred to as the commencement of this Act.

Commencement of Act.



## CHAP. 22.

An Act to further amend "The Patent Act of 1872."

[Assented to 17th May, 1882.]

Preamble.

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

Sect. 28 of Patent Act, amended.

1. Section twenty-eight of "*The Patent Act of 1872*," is hereby amended by the addition of the following subsection:—

Further provision as to extension of patent.

"3. The Commissioner may grant to the patentee or his assignee or assignees for the whole or any part of the patent, an extension for a further period of time, not exceeding one year beyond the twelve months limited by the first paragraph of this section, during which he may import or cause to be imported into Canada the invention for which the patent is granted: Provided, that the patentee or his assignee or assignees for the whole or any part of the patent, shall show cause satisfactory to the Commissioner to warrant the granting of such extension; but no extension shall be granted, unless application be made to the Commissioner at some time within three months before the expiry of the twelve months aforesaid or any extension thereof."

Proviso: cause must be shewn.

Time for application limited.

## CHAP. 23.

An Act respecting Insolvent Banks, Insurance Companies, Loan Companies, Building Societies, and Trading Corporations.

[Assented to 17th May, 1882.]

Preamble.

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

## APPLICATION OF ACT.

Application of Act.

1. This Act applies to incorporated Banks (including Savings Banks), incorporated Insurance Companies, Loan Companies having borrowing powers, Building Societies having a capital stock, which are insolvent or in process of being wound up either under a general or a special Act and which, on petition as in this Act set forth, by its shareholders or creditors, assignees or liquidators, ask to be brought within and under the provisions of this Act.

As to railways, &c.

(a). This Act does not apply to railway or telegraph companies, or to building societies that have not a capital stock.

2. The provisions of sections thirteen to ninety-eight inclusive, of this Act are, in the case of a bank (not including a savings bank) subject to the provisions, changes and modifications contained in sections ninety-nine to one hundred and five inclusive. Application of certain sections.

(a) The provisions of sections thirteen to ninety-eight inclusive of this Act are in the case of an Insurance Company subject to the provisions, changes and modifications contained in sections one hundred and six to one hundred and nineteen inclusive. The same.

#### INTERPRETATION.

3. An insurance company within the meaning of this Act is a company carrying on, either as a mutual or a stock company, the business of insurance whether life, fire, marine (ocean or inland waters), accident, guarantee or otherwise. Definition of "Insurance Co."

(a). A trading company within the meaning of this Act is a company (except railway and telegraph companies,) carrying on business similar to that carried on by apothecaries, auctioneers, bankers, brokers, brickmakers, builders, carpenters, carriers, cattle or sheep salesmen, coach proprietors, dyers, fullers, keepers of inns, taverns, hotels, saloons or coffee houses, lime burners, livery stable keepers, market gardeners, millers, miners, packers, printers, quarrymen, sharebrokers, shipowners, shipwrights, stockbrokers, stock-jobbers, victuallers, warehousemen, wharfingers, persons using the trade of merchandise by way of bargaining, exchange, bartering, commission, consignment or otherwise, in gross or by retail, or by persons who, either for themselves, or as agents or factors for others, seek their living by buying and selling or buying and letting for hire goods or commodities, or by the manufacture, workmanship or the conversion of goods or commodities, or trees. "Trading Co."

4. Unless otherwise expressed or indicated by the context the word "court" means in the Province of Ontario, the High Court of Justice; in the Province of Quebec, the Superior Court; in the Province of Nova Scotia, the Supreme Court; in the Province of New Brunswick, the Supreme Court; in the Province of Prince Edward Island, the Supreme Court; in the Province of British Columbia, the Supreme Court; in the Province of Manitoba, the Court of Queen's Bench; and in the North West Territories and the District of Keewatin, such court or magistrate or other judicial authority as may be designated from time to time by proclamation of the Governor in Council, published in the *Canada Gazette*. "Court."

5. "Official Gazette" means both the *Canada Gazette* and the Gazette published under the authority of the Government of the Province, Territory or District where the proceedings "Official Gazette."

for the winding up of the business of the company are being carried on, or used as the official means of communication between the Lieutenant-Governor and the people, and if no such Gazette is published, then it means any newspaper published in the Province, Territory or District, which may be designated by the court for publishing the notices required by this Act.

“Company.” **6.** “Company” includes any corporation subject to the provisions of this Act.

Province. **7.** “Province” includes Territory and District.

“Contributory.” **8.** “Contributory” means a person liable to contribute to the assets of a company under this Act; it also includes in all proceedings prior to the final determination of the contributories, a person alleged to be a contributory.

#### WHEN COMPANY DEEMED INSOLVENT.

When a company shall be deemed insolvent.

**9.** A company is deemed insolvent—

(a.) If it is unable to pay its debts as they become due;

(b.) If it calls a meeting of its creditors for the purpose of compounding with them;

(c.) If it exhibits a statement shewing its inability to meet its liabilities;

(d.) If it has otherwise acknowledged its insolvency;

(e.) If it assigns, removes or disposes of, or is about to attempt to assign, remove or dispose of any of its property, with intent to defraud, defeat or delay its creditors, or any of them;

(f.) If, with such intent, it has procured its money, goods, chattels, lands or property to be seized, levied on or taken under or by any process or execution;

(g.) If it has made any general conveyance or assignment of its property for the benefit of its creditors, or if, being unable to meet its liabilities in full, it makes any sale or conveyance of the whole or the main part of its stock in trade or assets, without the consent of its creditors, or without satisfying their claims;

(h.) If it permits any execution issued against it, under which any of its chattels, land or property are seized, levied upon or taken in execution, to remain unsatisfied till within four days of the time fixed by the sheriff or officer for the sale thereof, or for fifteen days after such seizure.

When a company shall be

**10.** A company is deemed to be unable to pay its debts as they become due—

(a.)

(a.) Whenever a creditor by assignment or otherwise, to whom the company is indebted in a sum exceeding two hundred dollars then due, has served on the company, in the manner in which process may legally be served on it in the place where the service is made, a demand in writing requiring the company to pay the sum so due, and the company has for the space of time hereinafter mentioned neglected to pay such sum, or to secure or compound for the same to the satisfaction of the creditor.

deemed unable to pay its debts.

11. The space of time above referred to is as follows :—  
In the case of a bank, ninety days ; in all other cases, sixty days, next succeeding the service of the demand.

Time to elapse after demand.

12. The winding up of the business of a company is deemed to commence at the time of the service of the notice of presentation of the petition for winding up.

When winding up commences.

#### PROCEEDINGS FOR WINDING UP ORDER.

13. When a company becomes insolvent, a creditor for the sum of two hundred dollars may, after four days notice of the application to the company, apply by petition to the court in the Province where the head office of the company is situated, or if there be no head office in Canada then in the Province where its chief place or one of its chief places of business is situated, for an order that the business of the company be wound up. Such order is hereinafter called a "winding up order."

Application to court for winding up order.

14. The court may make the order applied for, may dismiss the petition with or without costs, may adjourn the hearing conditionally or unconditionally, or make any interim or other order that it deems just.

Power of court on the application.

15. If the company opposes the application on the ground that it has not become insolvent within the meaning of this Act, or that its suspension or default was only temporary, and was not caused by any deficiency in its assets, and shows reasonable cause for believing that such opposition is well founded, the court, in its discretion, may, from time to time, adjourn the proceedings upon such application for a time not exceeding six months from the time of the application ; and may order an accountant, or other person, to enquire into the affairs of the company, and to report thereon within a period not exceeding thirty days from the date of such order.

If company opposes application.

Court may adjourn the proceedings and order enquiry.

16. Upon the service of such order it is the duty of the company, and of the president, directors, managers, officers and employees thereof, and of every other person having possession or knowledge of any asset, book or record thereof, to exhibit to the accountant or other person so named as aforesaid, the books of account of the company, together with all inventories,

Duty of company and its officers if enquiry is ordered.

inventories, papers and vouchers referring to the business of the company, or of any person therewith; and generally to give all such information as may be required by such accountant or other person as aforesaid, in order to form a just estimate of the affairs of the company; and any refusal on the part of the president, directors, managers or employees of the company to give such information, is a contempt of the court, and is punishable by fine or imprisonment, or by both, at the discretion of the court.

Duty of the court after report on enquiry.

**17.** Upon receiving the report of the person ordered to enquire into the affairs of the company, and after hearing such persons, being shareholders or creditors of the company, as may desire to be heard thereon, the court may either refuse the application or make the winding up order.

Actions against Co. may be restrained.

**18.** The court may, at any time after the presentation of a petition for a winding up order and before making the order, upon the application of the company, or of any creditor or contributory, restrain further proceedings in any action, suit or proceeding against the company, upon such terms as the court thinks fit.

#### PROCEEDINGS AFTER WINDING UP ORDER.

Company to cease business.

Transfers of shares void.

Corporate state continues.

**19.** The company, from the making of the winding up order must cease to carry on its business, except in so far as may, in the opinion of the liquidator, be required for the beneficial winding up thereof. Any transfers of shares, except transfers made to or with the sanction of the liquidators, under the authority of the court, or any alteration in the status of the members of the company, after the commencement of such winding up, are void, but the corporate state and all the corporate powers of the company, notwithstanding it may be otherwise provided by the Act, charter or instrument of incorporation, continue until the affairs of the company are wound up.

After winding up order, actions against Co. stayed.

**20.** When the winding up order is made, no suit, action or other proceeding shall be proceeded with or commenced against the company except with leave of the court and subject to such terms, as the court may impose.

Executions, etc., against Co. void.

**21.** Any attachment, sequestration, distress or execution put in force against the estate or effects of the company after the making of the winding up order is void.

Court may stay winding up proceedings.

**22.** The court may, at any time after the winding up order is made, upon the application of any creditor or contributory, and upon proof to the satisfaction of the court, that all proceedings in relation to the winding up ought to be stayed, make an order staying the same, either altogether or for a limited time, on such terms and subject to such conditions as it deems fit.

**23.** The court may, as to it may seem just, as to all matters relating to the winding up, have regard to the wishes of the creditors, contributories, shareholders or members, as proved to it by any sufficient evidence, and may, if it thinks it expedient, direct meetings of the creditors, contributories, shareholders or members to be summoned, held and conducted in such manner as the court directs, for the purpose of ascertaining their wishes, and may appoint a person to act as chairman of any such meeting, and to report the result of such meeting to the court; in the case of creditors, regard is to be had to the amount of the debt due to each creditor, and in the case of shareholders or members to the number of votes conferred on each shareholder or member by the law or regulations of the company. The court may prescribe the mode of preliminary proof of creditors' claims for the purpose of the meeting.

Wishes of creditors, &c., how ascertained.

Court may require proof.

#### LIQUIDATORS.

**24.** The winding up order must appoint a liquidator or more than one liquidator of the estate and effects of the company; but no such liquidators shall be appointed unless a previous notice be given to the creditors, contributories, shareholders or members in the manner and form prescribed by the court.

Liquidator to be appointed.

**25.** An incorporated company may be appointed liquidator to the goods and effects of a company under this Act; and in case an incorporated company is so appointed, it may act through one or more of its principal officers to be appointed by the court.

An incorporated company may be appointed liquidator.

**26.** The court may, if it thinks fit after the appointment of one or more liquidators, appoint additional liquidators.

Additional liquidators.

**27.** If more than one liquidator be appointed, the court may declare whether any act to be done by a liquidator, is to be done by all or any one or more of the liquidators.

Quorum.

**28.** The court may also determine what security is to be given by a liquidator on his appointment.

Security.

**29.** If at any time there be no liquidator, all the property of the company shall be deemed to be in the custody of the court.

If no liquidator.

**30.** The court may, at any time after the presentation of the petition and before the first appointment of a liquidator, appoint provisionally a liquidator of the estate and effects of the company.

Provisional liquidator.

Resignation  
or removal of  
liquidator.

**31.** A liquidator may resign or be removed by the court on due cause shewn. A vacancy in the office of liquidator is filled by order of the court.

Remunera-  
tion of liqui-  
dator.

**32.** The liquidator is to be paid such salary or remuneration by way of percentage or otherwise as the court directs, upon such notice to the creditors, contributories, shareholders or members, as the court may order. If there be more than one liquidator the remuneration is to be distributed amongst them in such proportions as the court directs.

Description  
of liquidator.

**33.** In all proceedings connected with the company a liquidator is to be described as the "liquidator of the (name of company)," and not by his individual name only.

Duties of  
liquidator  
after appoint-  
ment.

**34.** The liquidator upon appointment must take into his custody or under his control, all the property, effects and choses in action to which the company is entitled; he must perform such duties in reference to winding up the business of the company as are imposed by the court or by this Act.

Powers of  
liquidators.

**35.** The liquidator has power, with the sanction of the court, and upon such previous notice to the creditors, contributories, shareholders or members, as the court may order,—

Suits.

(a). To bring or defend any action, suit or prosecution or other legal proceeding civil or criminal, in his own name as liquidator or in the name or on behalf of the company as the case may be;

Business of  
company.

(b). To carry on the business of the company as far as may be necessary to the beneficial winding up of the same;

Sale of  
property.

(c). To sell the real and personal and heritable and movable property, effects and choses in action of the company, by public auction or private contract, with power to transfer the whole thereof to any person or company, or to sell the same in parcels;

General  
acts.

(d). To do all acts and to execute in the name and on behalf of the company all deeds, receipts and other documents, and for that purpose to use, when necessary, the company's seal;

Proving in  
bankruptcy,  
&c.

(e). To prove, rank, claim and draw dividends in the matter of the bankruptcy, insolvency or sequestration of any contributory, for any balance against the estate of such contributory, and to take and receive dividends in respect of such balance in the matter of bankruptcy or sequestration as a separate debt due from such bankrupt or insolvent and ratably with the other separate creditors.

(f)

(f). To draw, accept, make and endorse any bill of exchange or promissory note in the name and on the behalf of the company; also to raise upon the security of the assets of the company, from time to time, any requisite sum or sums of money; and the drawing, accepting, making or endorsing of every such bill of exchange or promissory note as aforesaid on behalf of the company has the same effect with respect to the liability of such company as if such bill or note had been drawn, accepted, made or endorsed by or on behalf of such company in the course of carrying on the business;

Drawing or  
indorsing  
bills, &c.,  
and raising  
funds.

(g). To do and execute all such other things as may be necessary for winding up the affairs of the company and distributing its assets.

General  
powers.

**36.** The liquidator may, with the sanction of the court, appoint a solicitor or law agent to assist him in the performance of his duties.

When soli-  
citor may be  
appointed.

**37.** The liquidator may, with the sanction of the court, compromise all calls and liabilities to calls, debts and liabilities capable of resulting in debts, and all claims, whether present or future, certain or contingent, ascertained or sounding only in damages, subsisting or supposed to subsist between the company and any contributory or other debtor or person apprehending liability to the company, and all questions in any way relating to or affecting the assets of the company or the winding up of the company upon the receipt of such sums, payable at such times, and generally upon such terms, as may be agreed upon; with power for the liquidator to take any security for the discharge of such debts or liabilities, and to give a complete discharge in respect of all or any such calls, debts or liabilities.

Debts, &c.,  
due to the  
company  
may be com-  
promised.

**38.** Upon the appointment of the liquidator, all the powers of the directors cease, except in so far as the court or the liquidator may sanction the continuance of such powers.

Powers of  
directors to  
cease.

**39.** The liquidator must deposit at interest in some chartered bank or Post Office Savings Bank or other Government savings bank to be indicated by the court, all sums of money which he may have in his hands belonging to the company, whenever and so often as such sums amount to one hundred dollars

Moneys to be  
deposited in  
bank.

**40.** Such deposit must not be made in the name of the liquidator generally, on pain of dismissal; but a separate account must be kept for the company of the moneys belonging to the company in the name of the liquidator as such.

A separate  
deposit  
account to  
be kept.



Bank book to be produced at meetings.

**41.** At every meeting of the contributories or creditors or shareholders or members the liquidator must produce a bank pass book, showing the amount of the deposits made for the company, the dates at which such deposits were made, the amount withdrawn and dates of such withdrawal,—of which production mention must be made in the minutes of such meeting; the absence of such mention is *prima facie* evidence that such pass book was not produced at the meeting.

And on order of Court.

**42.** The liquidator must also produce such pass book whenever so ordered by the court, and on his refusal to do so, he may be treated as being in contempt of court.

Liquidator subject to summary jurisdiction of Court.

**43.** The liquidator is subject to the summary jurisdiction of the court in the same manner and to the same extent as the ordinary officers of the court are subject to its jurisdiction; and the performance of his duties may be compelled, and all remedies sought or demanded for enforcing any claim for a debt, privilege, mortgage, lien or right of property upon, in or to any effects or property in the hands, possession or custody of a liquidator, may be obtained by an order of the court on summary petition, and not by any suit, attachment, seizure or other proceeding of any kind whatever; and obedience by the liquidator to such order may be enforced by such court under the penalty of imprisonment, as for contempt of court or disobedience thereto; and he may be removed in the discretion of the court.

Remedies \* against estate obtained by summary order and not by suit, &c.

Balance on hand by liquidator after final winding up to be deposited.

**44.** The liquidator must, within three days after the date of the final winding up of the business of the company, deposit in the bank appointed or named as hereinbefore provided for, any other money belonging to the estate then in his hands not required for any other purpose authorized by this Act, with a sworn statement and account of such money, and that the same is all he has in his hands; he is subject to a penalty not exceeding ten dollars, and not less than ten per cent. per annum interest upon the sums in his hands for every day on which he neglects or delays such payment: he is a debtor to Her Majesty for such money, and may be compelled as such to account for and pay over the same.

Penalty for neglect.

If not claimed to be paid to Receiver-General.

**45.** The money so deposited must be left for three years in the bank subject to be claimed by those entitled thereto, and must be then paid over with the interest to the Receiver General of Canada, and if afterwards claimed is to be paid over to the person entitled thereto.

#### CONTRIBUTORIES.

List of contributories.

**46.** As soon as may be after the commencement of the winding up of a company, the court shall settle a list of contributories.

**47.** The list of contributories is to distinguish between persons who are contributories in their own right, and persons who are contributories as being representatives of or being liable for the debts of others ; it is not necessary, where the personal representative of any deceased contributory is placed on the list, to add the heirs or devisees of such contributory, nevertheless such heirs or devisees may be added as and when the court thinks fit.

List of contributories must distinguish between those in their own right and those in a representative capacity.

**48.** Every shareholder or member of the company or his representative is liable to contribute the amount unpaid on his shares of the capital, or on his liability to the company or to its members or creditors, as the case may be, under the Act, charter or instrument of incorporation of the company or otherwise ; and the amount which he is liable to contribute is deemed an asset of the company, and is a debt due to the company payable as may be directed or appointed under this Act.

Liability of shareholders or their representatives.

**49.** Where a shareholder has transferred his shares under circumstances which do not by law free him from liability in respect thereof, or where he is by law liable to the company or its members or creditors, as the case may be, to an amount beyond the amount unpaid on his shares, he is deemed a member of the company for the purposes of this Act, and is liable to contribute as aforesaid to the extent of his liabilities to the company or its members or creditors independently of this Act ; and the amount which he is so liable to contribute is deemed an asset and a debt as aforesaid.

Liability after transfer of shares.

**50.** The liability of any person to contribute to the assets of a company under this Act, in the event of the business of same being wound up, creates a debt accruing due from such person at the time when his liability commenced, but payable at the time or respective times when calls are made as hereinafter mentioned for enforcing such liability ; in the case of bankruptcy or insolvency of any contributory, the estimated value of his liability to future calls, as well as calls already made, may be proved against his estate : Provided, however, that no call is to compel payment of a debt before the maturity thereof.

Nature of liability of a contributory.

**51.** The court may, at any time after making a winding up order, require any contributory for the time being settled on the list of contributories as trustee, receiver, banker or agent or officer of the company, to pay, deliver, convey, surrender or transfer forthwith, or within such time as the court directs, to or into the hands of the liquidator, any sum or balance, books, papers, estate or effects which happen to be in his hands for the time being, and to which the company is *prima facie* entitled.

Trustee, &c., of company may be ordered to pay over balance and deliver up books, &c.

Court may order debtors of company to pay.

**52.** The court may, at any time after making a winding-up order, make an order on any contributory for the time being settled on the list of contributories, directing payment to be made, in manner in the said order mentioned, of any moneys due from him or from the estate of the person whom he represents, to the company, exclusive of any moneys which he or the estate of the person whom he represents may be liable to contribute by virtue of any call made or to be made in pursuance of this Act.

When calls may be made on contributories.

**53.** The court may, at any time after making a winding up order, and either before or after it has ascertained the sufficiency of the assets of the company, make calls on and order payment thereof by all or any of the contributories for the time being settled on the list of contributories, to the extent of their liability, for payment of all or any sums it deems necessary to satisfy the debts and liabilities of the company, and the costs, charges and expenses of winding up, and for the adjustment of the rights of the contributories amongst themselves; and it may, in making a call, take into consideration the probability that some of the contributories upon whom the same is made may partly or wholly fail to pay their respective portions of the same: Provided, however, that no call is to compel payment of a debt before the maturity thereof; Provided also that the extent of the liability of any contributory is not to be increased by anything in this section contained.

Proviso.

Proviso.

Contributory may be ordered to pay into Court.

**54.** The court may order any contributory, purchaser or other person from whom money is due to the company to pay the same into some chartered bank or Post Office Savings Bank or other Government Savings Bank, to the account of the court instead of to the liquidator; and such order may be enforced in the same manner as if it had directed payment to the liquidator.

Distribution of surplus.

**55.** The court is to adjust the rights of the contributories among themselves, and distribute any surplus that may remain among the parties entitled thereto.

Contributory about to abscond, &c., may be arrested.

**56.** The court may, at any time before or after it has made a winding up order, upon proof being given that there is reasonable cause for believing that any contributory or any past or present director, manager, officer or employee of the company is about to quit Canada or otherwise abscond, or to remove or conceal any of his goods or chattels, for the purpose of evading payment of calls, or for avoiding examination in respect of the affairs of the company, cause such person to be arrested, and his books, papers, moneys, securities for moneys, goods and chattels to be seized, and him and them to be safely kept until such time as the court may order.

And his papers, &c., may be seized.

**57.** Where the business of a company is being wound up, under this Act, all books of the company and of the liquidators shall, as between the contributories of the company, be *prima facie* evidence of the truth of all matters purporting to be therein recorded.

Books, &c., of company are *prima facie* evidence as between contributories.

**58.** Where a winding up order has been made, the court may make such order for the inspection, by the creditors, shareholders, members and contributories of the company, of its books and papers as the court thinks just; and any books and papers in the possession of the company may be inspected in conformity with the order of the court but not further or otherwise

Court may allow inspection by creditors, &c., of Company's books, &c.

**59.** No contributory or creditor or shareholder or member can vote at any meeting unless present personally or represented by some person having a written authority (to be filed with the chairman or liquidator) to act on his behalf at the meeting or generally.

Contributory to vote personally or by written proxy.

#### CREDITORS' CLAIMS.

**60.** When the business of a company is being wound up under this Act, all debts payable on a contingency, and all claims against the company, present or future, certain or contingent, ascertained or sounding only in damages, are admissible to proof against the company,—a just estimate being made, as far as is possible, of the value of all such debts or claims as may be subject to any contingency or sound only in damages, or for some other reason do not bear a certain value.

What debts may be proved against the company.

2. The law of set-off as administered by the courts, whether of law or equity, shall apply to all claims upon the estate of the company, and to all proceedings for the recovery of debts due or accruing due to the company at the commencement of the winding-up, in the same manner and to the same extent as if the business of the company were not being wound up under this Act.

Law of set-off to apply.

**61.** The property of the company must be applied in satisfaction of its liabilities and the charges incurred in winding up its affairs; and unless it is otherwise provided by law or by the Act, charter or instrument of incorporation, any property or assets remaining must be distributed amongst the members according to their rights and interests in the company.

Distribution of property of company.

**62.** The court may fix a certain day or certain days on or within which creditors of the company and others having claims thereon are to send in their claims.

When creditors must send in claims.

After expiration of time for sending in claims, assets may be distributed.

**63.** Where the liquidator has given such notices of the said day as may be ordered by the court the liquidator shall, at the expiration of the time named, in the said notices or the last of the said notices, for sending in such claims, be at liberty to distribute the assets of the company or any part thereof, amongst the parties entitled thereto, having regard to the claims of which the liquidator has then notice; and the liquidator is not liable for the assets or any part thereof so distributed to any person of whose claim the liquidator had not notice at the time of distributing the said assets or a part thereof, as the case may be.

Creditors may be compromised with.

**64.** The liquidator may, with the sanction of the court, make such compromise or other arrangement as the liquidator may deem expedient with creditors or persons claiming to be creditors, or persons having or alleging themselves to have any claim, present or future, certain or contingent, ascertained or sounding only in damages, against the company, or whereby the company may be rendered liable.

Duty of creditors holding security.

**65.** If a creditor holds security upon the estate of the Company, he must specify the nature and amount of such security in his claim, and must therein on his oath put a specified value thereon; and the liquidator, under the authority of the court, may either consent to the retention of the property and effects constituting such security or on which it attaches, by the creditor, at such specified value, or he may require from such creditor an assignment and delivery of such security, property and effects, at such specified value, to be paid by him out of the estate so soon as he has realized such security, together with interest on such value from the date of filing the claim till payment; and in such case the difference between the value at which the security is retained and the amount of the claim of such creditor, is to be the amount for which he may rank as aforesaid; and if a creditor holds a claim based upon negotiable instruments upon which the company is only indirectly or secondarily liable; and which is not mature or exigible, such creditor is considered to hold security within the meaning of this section, and must put a value on the liability of the party primarily liable thereon as being his security for the payment thereof; but after the maturity of such liability and its non-payment he is entitled to amend and revalue his claim.

Security by negotiable instruments.

If the security be a mortgage on real estate or a ship.

**66.** If the security consists of a mortgage upon ships or shipping or upon real estate or of a registered judgment binding real estate and excepted from the operation of section sixty-nine of this Act, the property mortgaged or bound can only be assigned and delivered to the creditor, subject to all previous mortgages, judgments, hypothecs and liens thereon, holding rank and priority before his claim, and upon his assuming and binding himself

himself to pay all such previous mortgages, judgments, hypothecs and liens, and upon his securing the estate of the company to the satisfaction of the liquidator against any claim by reason of such previous mortgages, judgments, hypothecs and liens; and if there be mortgages, judgments, hypothecs or liens thereon, subsequent to those of such creditor, he can only obtain the property by consent of the subsequently secured creditors; or upon their filing their claims specifying their security thereon as of no value, or upon his paying them the value by them placed thereon; or upon his securing the estate of the company to the satisfaction of the liquidator against any claim by reason of such subsequent mortgages, judgments, hypothecs and liens.

If there are subsequent claims.

**67.** Upon a secured claim being filed, with a valuation of the security, it is the duty of the liquidator to procure the authority of the court to consent to the retention of the security by the creditor, or to require from him an assignment and delivery thereof.

Duty of liquidator if a secured claim is filed.

**68.** In the preparation of the dividend sheet due regard must be had to the rank and privilege of every creditor, but no dividend can be allotted or paid to any creditor holding security upon the estate of the company for his claim, until the amount for which he can rank as a creditor upon the estate as to dividends therefrom, be established as herein provided.

Rank, &c., on dividend sheet.

**69.** No lien or privilege upon either the personal or real estate of the company is created for the amount of any judgment debt, or of the interest thereon, by the issue or delivery to the sheriff of any writ of execution, or by levying upon or seizing under such writ the effects or estate of the company; nor is any lien, claim or privilege created upon the personal or real estate of the company, or upon any debts due or accruing or becoming due to the company, by the filing or registering of any memorial or minute of judgment, or by the issue or making of any attachment or garnishee order or other process or proceeding, (whether such writ, memorial, minute, levy, seizure, attachment, garnishee order or other process or proceeding has been or be issued or made before or after the passing of this Act,) if before the payment over to the plaintiff of the moneys actually levied, paid or received under such writ, memorial, minute, attachment, garnishee order or other process or proceeding, the winding up of the business of the company has commenced; but this section does not affect any lien or privilege for costs, which the plaintiff possesses under the law of the Province in which such writ, attachment, garnishee order or other process or proceeding may have been issued; nor so far as regards real estate of the

No lien by judgment and execution.

This provision not to apply to lien for costs.

Company

Company does it affect judgments registered at least thirty days before the passing of this Act, in any Province where the registration of judgment creates a lien.

Claim or dividend may be objected to.

Answers and replies.

Further proceedings consequent upon objection.

Further powers of Court.

Gratuitous contracts, &c when to be void.

Contracts injuring or obstructing creditors.

**70.** Any creditor or contributory or shareholder or member may object to any claim filed with the liquidator or to any dividend declared. If a claim or a dividend be objected to, the objections must be filed in writing with the liquidator, together with evidence of the previous service of a copy thereof on the claimant. The claimant has six days to answer the objections or such further time as the court may allow. The contestant has three days to reply or such further time as the court may allow. Upon the completion of the issues upon the objections the liquidator must transmit to the court all necessary papers relating to the contestation. The court must then, on the application of either party, fix a day for taking evidence upon the contestation, and hearing and determining the same. The court may make such order as may seem proper as to the payment of the costs of the contestation by either party or out of the estate of the company. If, after a claim or dividend has been duly objected to, the claimant does not answer the objections, the court may, on the application of the contestant, make an order barring the claim or correcting the dividend, or may make such other order in reference thereto as may appear right.

The court may, should the interests of justice seem to require it, order the person objecting to a claim or dividend to give security for the costs of the contestation within a limited time, and may, in default, dismiss the contestation or stay proceedings thereon upon such terms as the court may think just.

#### FRAUDULENT PREFERENCES.

**71.** All gratuitous contracts or conveyances or contracts without consideration or with a merely nominal consideration, respecting either real or personal estate made by a company with respect to whose business a winding up order under this Act is afterwards made, with or to any person whatsoever, whether such person be its creditor or not, within three months next preceding the commencement of the winding up or at any time afterwards,—and all contracts by which creditors are injured, obstructed or delayed, made by a company unable to meet its engagements and with respect to whose business a winding up order under this Act is afterwards made, with a person knowing such inability or having probable cause for believing such inability to exist or after such inability is public and notorious,—whether such person be its creditor or not,—are presumed to be made with intent to defraud its creditors.

**72.** A contract or conveyance for consideration, respecting either real or personal estate, by which creditors are injured or obstructed, made by a company unable to meet its engagements with a person ignorant of such inability, whether such person be its creditor or not, and before such inability has become public and notorious, but within thirty days next before the commencement of the winding up of the business of such company under this Act, or at any time afterwards, is voidable, and may be set aside by any court of competent jurisdiction, upon such terms as to the protection of such person from actual loss or liability by reason of such contract, as the court may order.

When contracts with consideration shall be voidable.

**73.** All contracts, or conveyances made and acts done by a company respecting either real or personal estate, with intent fraudulently to impede, obstruct or delay its creditors in their remedies against it, or with intent to defraud its creditors or any of them, and so made, done and intended with the knowledge of the person contracting or acting with the company, whether such person be its creditor or not, and which have the effect of impeding, obstructing or delaying the creditors of their remedies, or of injuring them or any of them, are prohibited and are null and void.

As to contracts made in fraud or to obstruct or delay creditors.

**74.** If any sale, deposit, pledge or transfer be made of any property real or personal by a company in contemplation of insolvency under this Act, by way of security for payment to any creditor; or if any property, real or personal, movable or immovable, goods, effects or valuable security, be given by way of payment by such company to any creditor whereby such creditor obtains or will obtain an unjust preference over the other creditors, such sale, deposit, pledge, transfer or payment is null and void; and the subject thereof may be recovered back for the benefit of the estate by the liquidator, in any court of competent jurisdiction; and if the same be made within thirty days next before the commencement of the winding up under this Act, or at any time afterwards, it is presumed to have been so made in contemplation of insolvency.

Securities given by company for payment, when to be void.

**75.** Every payment made within thirty days next before the commencement of the winding up under this Act by a company unable to meet its engagements in full, to a person knowing such inability, or having probable cause for believing the same to exist, is void, and the amount paid may be recovered back by the liquidator by suit in any court of competent jurisdiction: Provided always, that if any valuable security be given up in consideration of such payment, such security or the value thereof must be restored to the creditor upon the return of such payment.

Payments by Co. when to be void.

Proviso.



As to debts of Co. transferred to contributories.

**76.** When a debt due or owing by the company, has been transferred within the time and under the circumstances in the next preceding section mentioned, or at any time afterwards to a contributory who knows or has probable cause for believing the company to be unable to meet its engagements, or in contemplation of its insolvency under this Act, for the purpose of enabling such contributory to set up, by way of compensation or set-off, the debt so transferred, such debt cannot be set up by way of compensation or set-off against the claim upon such contributory.

How the powers of the Court may be exercised.

**77.** The powers conferred by this Act upon the court may, subject to the appeal hereinafter provided for, be exercised by a single judge thereof, and such powers may be exercised in chambers either during term or in vacation.

In Ontario.

2. In the Province of Ontario, such powers may, subject to an appeal to a judge, according to the ordinary practice, be exercised by the Master, Referee or other officer, who, under the practice or procedure of the court, presides in chambers. Such Master, Referee or other officer may refer to a judge any application or matter pending before him.

#### APPEAL.

Appeals.

**78.** A person dissatisfied with an order or decision of the court in any proceeding under this Act may, by leave of a judge of the court, appeal therefrom as follows:—

In Ontario, to the Court of Appeal ;  
In Quebec, to the Court of Queen's Bench ;  
In the other provinces, to the full court.

Proviso.

Provided that, in the question to be decided on the appeal, future rights are involved or the decision is likely to affect other cases of a similar nature in the winding up proceedings ; or—

Proviso.

Provided, when the appeal is to a Court other than the Supreme Court of Canada, the amount involved in the appeal exceeds five hundred dollars ; or—

Proviso.

Provided, when the appeal is to the Supreme Court of Canada, the amount involved in the appeal exceeds two thousand dollars.

Further appeal.

A further appeal to the Supreme Court of Canada by leave of a Judge of said Supreme Court may be had from the judgment of the said Court of Appeal, Queen's Bench or full court, as the case may be.

In N.W.T.

In the North-West Territories a person dissatisfied with an order or decision of the court in any proceeding under **this**

this Act may, by leave of a Judge of the Supreme Court of Canada, appeal therefrom to the Supreme Court of Canada.

**79.** All appeals are to be regulated as far as possible according to the practice in other cases of the court appealed to : Practice.

Provided always, that no such appeal can be entertained unless the appellant has, within fourteen days from the rendering of the order or decision, or within such further time as the court appealed from may allow, taken proceedings on the appeal, nor unless within the said time he has made a deposit or given sufficient security according to the practice of the court appealed to, that he will duly prosecute the said appeal and pay such damages and costs as may be awarded to the respondent. Security on appeal; and time for, limited.

**80.** If the party appellant does not proceed with his appeal, according to the law or the rules of practice, as the case may be, the court appealed to, on the application of the respondent, may dismiss the appeal, with or without costs. If not proceeded with appeal may be dismissed.

#### MISCELLANEOUS.

**81.** In any proceeding or contestation under this Act, the court may order a writ of *subpœna ad testificandum* or of *subpœna duces tecum* to issue, commanding the attendance, as a witness of any person within the limits of Canada. Witnesses' attendance how secured.

**82.** The court may, after it has made a winding up order, summon before it or before any person to be named by it, any officer of the company or person known or suspected to have in his possession any of the estate or effects of the company, or supposed to be indebted to the company, or any person whom the court may deem capable of giving information concerning the trade, dealings, estate or effects of the company; and the court may require any such officer or person to produce any books, papers, deeds, writings or other documents in his custody or power relating to the company; and if any person so summoned, after being tendered a reasonable sum for his expenses, refuses, without lawful excuse, to attend at the time appointed, the court may cause such person to be apprehended, and brought up for examination; nevertheless, in cases where any person claims any lien on papers, deeds or writings or documents produced by him, such production shall be without prejudice to such lien. The court has jurisdiction in the winding up to determine all questions relating to such lien. Persons having information may be examined.  
If person summoned refuses to attend.  
Proviso: as to questions of lien on papers.

**83.** The court or the person so named may examine upon oath, either by word of mouth or upon written interrogatories, any person appearing or brought up in manner aforesaid, concerning the affairs, dealings, estate or effects of the company, Examination to be on oath.

Refusal to answer, to be contempt.

company, and may reduce into writing the answers of any such person, and require him to subscribe the same. If such person without lawful excuse refuses to answer the questions put to him, he is liable to be punished as for contempt of court.

Officer of Company, &c. mis-applying money may be compelled to repay.

**84.** Where, in the course of the winding up of the business of a company under this Act, it appears that any past or present director, manager, liquidator, employee or officer of such company, has misapplied or retained in his own hands or become liable or accountable for any moneys of the company, or been guilty of any misfeasance or breach of trust in relation to the company, the court may, on the application of any liquidator, or of any creditor or contributory of the company, notwithstanding that the offence is one for which the offender is criminally responsible, examine into the conduct of such director, manager, liquidator, officer or employee, and compel him to repay any moneys so misapplied or retained, or for which he has become liable or accountable, together with interest after such rate as the court thinks just, or to contribute such sums of money to the assets of the company by way of compensation in respect of such misapplication, retainer, misfeasance or breach of trust, as the court thinks fit.

Officer of Company, &c. destroying, &c., books, &c., of Company guilty of misdemeanour.

**85.** If any person destroys, mutilates, alters or falsifies any books, papers, writings or securities, or makes or is privy to the making of any false or fraudulent entry in any register, book of account or other document belonging to the company, the business of which is being wound up under this Act, with intent to defraud or deceive any person, every person so offending shall be deemed to be guilty of a misdemeanour, and upon being convicted shall be liable to imprisonment in the penitentiary for any term not less than two years, or to be imprisoned in any gaol or place of confinement for any term less than two years, with or without hard labour.

Various provincial courts to be auxiliaries to one another.

**86.** The various courts of the Provinces, and the judges of the said courts respectively, shall be auxiliary to one another for the purposes of this Act: the winding up of the business of the company or any matter or proceeding relating thereto may be transferred from one court to another with the concurrence, or by the order or orders, of the two courts, or by an order of the Supreme Court of Canada.

Order of one Court may be enforced by another.

**87.** Where any order made by one court is required to be enforced by another court, an office copy of the order so made, certified by the clerk or other proper officer of the court which made the same, and under the seal of such court, must be produced to the proper officer of the court required to enforce the same; the production of such copy is sufficient

sufficient evidence of such order having been made; and thereupon such last mentioned court is to take such steps in the matter as may be requisite for enforcing such order in the same manner as if it were the order of the court enforcing the same.

**88.** The rules of procedure for the time being as to amendments of pleadings and proceedings in the court, apply as far as practicable to all pleadings and proceedings under this Act; and any court before whom such proceedings are being carried on has full power and authority to apply the appropriate rules as to amendments of the proceedings. No pleading or proceeding is void by reason of any irregularity or default which can or may be amended or disregarded under the rules and practice of the court.

Rules of procedure as to amendments to apply.

**89.** Any affidavit, affirmation or declaration required to be sworn or made under the provisions or for the purposes of this Act, may be sworn or made in Canada before a liquidator, judge, notary public, commissioner for taking affidavits, or justice of the peace; and out of Canada, before any judge of a court of record, any commissioner for taking affidavits to be used in any court in Canada, any notary public, the chief municipal officer for any town or city, any British consul or vice-consul, or any person authorized by or under any Statute of the Dominion or of any Province to take affidavits.

Before whom affidavits may be made.

**90.** All courts, judges, justices, commissioners and persons acting judicially are to take judicial notice of the seal, or stamp or signature (as the case may be) of any such court, judge, notary public, commissioner, justice, chief municipal officer, consul, vice-consul, liquidator or other person, attached, appended or subscribed to any such affidavit, affirmation or declaration, or to any other document to be used for the purposes of this Act.

Judicial notice of seals, &c.

**91.** All dividends deposited in a bank and remaining unclaimed at the time of the final winding up of the business of the company, are to be left for three years in the bank where they are deposited, subject to the claim of the party entitled thereto, and if still unclaimed, are then to be paid over by such bank, with interest accrued thereon, to the Receiver General of Canada, and, if afterwards duly claimed, are to be paid over to the persons entitled thereto.

Unclaimed dividends to be paid to Receiver General.

**92.** Any powers by this Act conferred on the court are in addition to, and not in restriction of, any other powers subsisting either at law or in equity, of instituting proceedings against any contributory, or the estate of any contributory, or against any debtor of the company for the recovery of any call or other sums due from such contributory

Powers conferred on Court by this Act are in addition to the other powers of the Court.

butory or debtor, or his estate ; and such proceedings may be instituted accordingly.

Costs payable  
out of estate.

**93.** All costs, charges and expenses properly incurred in the winding up of a company, including the remuneration of the liquidator, are payable out of the assets of the company in priority to all other claims.

Payment of  
costs in cases  
of deficiency  
of assets.

**94.** The court may, in the event of the assets being insufficient to satisfy the liabilities, make an order as to the payment out of the estate of the company of the costs, charges and expenses incurred in winding up any company, in such order of priority as the court thinks just.

Court may  
direct crim-  
inal proceed-  
ings against  
officers of the  
Company  
guilty of  
offences.

**95.** Where a winding up order is made, if it appear in the course of such winding up that any past or present director, manager, officer or member of such company has been guilty of any offence in relation to the company for which he is criminally responsible, the court may, on the application of any person interested in such winding up, or of its own motion, direct the liquidator to institute and conduct a prosecution or prosecutions for such offence, and may order the costs and expenses to be paid out of the assets of the company.

Persons  
giving false  
evidence  
liable as for  
perjury.

**96.** If any person, upon any examination upon oath or affirmation authorized under this Act, or in any affidavit, deposition or solemn affirmation in or about the winding up of the business of a company under this Act, or otherwise in or about any matter arising under this Act, wilfully and corruptly gives false evidence, he is, upon conviction, liable to the penalties of wilful perjury.

Judges may  
make rules.

**97.** In Ontario, the Judges of the High Court of Justice ; in Quebec, the Judges of the Court of Queen's Bench ; and in the other provinces the Judges of the Court, or a majority of the judges in each case, of whom the chief justice shall be one, from time to time may make and frame and settle the forms, rules and regulations to be followed and observed in proceedings under this Act and may make rules as to the costs, fees and charges which shall or may be had, taken or paid in all such cases by or to attorneys, solicitors or counsel, and by or to officers of courts, whether for the officers or for the Crown, and by or to sheriffs, or other persons whom it may be necessary to provide for, or for any service performed or work done under this Act.

Until rules are  
made present  
procedure to  
apply.

**98.** Until such forms, rules and regulations are made the various forms and procedures, including the tariff of costs, fees, and charges in cases under this Act, unless otherwise specially provided, are, as nearly as may be, to be the same as those of the court in other cases.

THE PROVISIONS OF SECTIONS 99 TO 105 INCLUSIVE APPLY TO BANKS ONLY, NOT INCLUDING SAVINGS BANKS.

**99.** In the case of a bank, the application for a winding-up order must be made by a creditor for a sum of not less than one thousand dollars, and the court must, before making the order, direct a meeting of the shareholders of the bank to be summoned, held and conducted as the court directs, for the purpose of ascertaining their wishes as to the appointment of liquidators.

Provision as to winding up order in case of a Bank.

**100.** The court may appoint a person to act as chairman of the meeting, and in default of such appointment the president of the bank or other person who usually presides at a meeting of the shareholders shall preside.

Chairman of meeting.

**101** In taking a vote at such a meeting, regard is to be had to the number of votes conferred by law or by the regulations of the bank on each shareholder present or represented at such meeting.

Scale of votes.

**102.** The chairman of the meeting must report the result thereof to the court, and if a winding up order be made three liquidators must be appointed and they must be chosen from among those nominated by the shareholders.

Chairman to report result of vote.

**103.** If no one has been so nominated, the three liquidators must be chosen by the court, if less than three have been nominated the requisite additional liquidator or liquidators must be chosen by the court.

Case of failure to appoint liquidators.

**104.** It is the duty of the liquidators to ascertain as nearly as may be the amount of notes of the bank intended for circulation and actually outstanding, and to reserve until the expiration of at least two years after the date of the winding up order, or until the last dividend, in case that is not made till after the expiration of the said time, dividends on such part of the said amount in respect of which claims may not be filed; and if claims have not been filed and dividends applied for in respect of any part of the said amount before the period herein limited, the dividends so reserved are to form the last or part of the last dividend.

Reservation of dividends on outstanding notes.

**105.** Publication in the *Canada Gazette* and in the *Official Gazette* of each Province of Canada and in two newspapers issued at or nearest the place where the head office of a bank is situate, of notice of any proceeding of which under this Act creditors should be notified, is sufficient notice to holders of bank notes in circulation. If the head office be situated in the Province of Quebec one newspaper is to be published in English and one in French.

What is sufficient notice to holders of notes.

In Quebec.

THE PROVISIONS OF SECTIONS 106 TO 119 INCLUSIVE APPLY ONLY TO LIFE INSURANCE COMPANIES, AND ALSO APPLY TO INSURANCE COMPANIES DOING LIFE AND OTHER INSURANCE, IN SO FAR AS RELATES TO THE LIFE INSURANCE BUSINESS OF SUCH COMPANIES.

What is sufficient notice to certain policy-holders.

**106.** Publication in the *Canada Gazette* and in the *Official Gazette* of each Province of Canada, and in two newspapers issued at or nearest the place where the head office in Canada of an insurance company is situate, of notice of any proceeding of which under this Act creditors should be notified, is sufficient notice to holders of policies or contracts of insurance in respect of which no notice of claim has been received.

As to deposit held by Receiver General.

**107.** Notwithstanding the provisions of the statutes in that behalf respecting insurance, any deposit held by the Receiver General for policy holders and any assets vested in trustees pursuant to the said statutes must be applied and distributed under this Act, among the persons entitled to claim thereon, according to their rights established by the said statutes respecting insurance.

As to holders of policies of life insurance on which no claim has accrued.

**108.** The holder of a policy or contract of life insurance, on which no claim has accrued at the time the winding up order is made, is entitled to claim as a creditor for the full net value, at the date of the winding up order, of the policies or contract calculated on the basis mentioned in section sixteen of "*The Consolidated Insurance Act, 1877*," less any amount previously advanced by the company on the security of the policy or contract: Provided always that whenever the company or the liquidator or the holder of the policy or contract of insurance exercises any right, which it or he may have, to cancel the policy or contract, the holder is entitled to claim as a creditor for the sum which, under the terms of the policy or contract, is due to him upon such cancellation.

Proviso: if the policy be cancelled.

Statement of creditors to be prepared by the liquidator, and certain claims collocated without proof.

**109.** The liquidator must, without the filing of any claim, notice or evidence, or the taking of any action by any person, make a statement of all the persons appearing by the books and records of the officers of the company, to be creditors or claimants under the one hundred and eighth section hereof, and of the amounts due to each such person thereunder; every such person must be collocated and ranked as and be entitled to the rights of a creditor or claimant for such amount, without filing any claim, notice or evidence, or taking any action: Provided always, that any such collocation may be contested by any person interested, and that any person not collocated or dissatisfied with the amount for which he is collocated, may file his own claim. A copy of such statement certified by the liquidator must forthwith, after the

Proviso: for contestation.

Copy of statement to be

making

making of such statement, be filed in the office of the Superintendent of Insurance at Ottawa ; and notice of such filing must forthwith be given by the liquidator by notice in the *Canada Gazette* and in the *Official Gazette* of each Province of Canada and in two newspapers issued at or nearest the place where the head office in Canada of the company is situate, and the liquidator must also forthwith send by mail, prepaid, a notice of such filing to each creditor named in the statement addressed to the address in Canada of such creditor as far as known, and in the case of foreign creditors addressed to the address of their representatives or agents in Canada as far as known.

filed with  
superintend-  
ent of insu-  
rance and  
notice thereof  
given.

**110.** The holder of a policy or contract of life insurance upon which a claim accrues after the date of the winding up order and before the expiration of thirty days after the filing in the office of the Superintendent of Insurance of the statement referred to in the one hundred and ninth section hereof, is entitled to claim as a creditor for the full net amount of such claim—less any amount previously advanced by the company on the security of the policy or contract,—and the said statement and the dividend sheet must, if necessary, be amended accordingly ; no claim which accrues after the expiration of the thirty days above mentioned can rank upon the estate unless and until there be sufficient to pay all creditors in full.

As to claims  
accruing  
after the  
winding up  
order, but  
within 30  
days thereof.

**111.** If before the expiration of the thirty days above-mentioned the holder of a policy or contract of life insurance, on which a claim has not accrued, signifies in writing to the liquidator his willingness to accept an insurance in some other company for the amount which can be secured by the dividend on his claim to which such holder may be or become entitled, then the liquidator is empowered, with the sanction of the court, to effect for such holder an insurance to the amount aforesaid in another company or companies approved of by the Superintendent of Insurance, and to devote to that purpose the dividend on his claim to which such holder may be or become entitled : Provided, however, that such insurance is to be effected only as part of a general scheme for the assumption by some other company or companies of the whole or part of the outstanding risks and liabilities of the insolvent company.

If the holder  
gives notice  
of willing-  
ness to accept  
insurance in  
another  
company.

Proviso.

**112.** If the company be licensed under the Acts respecting Insurance, it is to be the duty of the liquidator to report to the Superintendent of Insurance once in every six months, or oftener as the superintendent may require, on the condition of the affairs of the company, with such further particulars as the superintendent may require.

Report to  
Superintend-  
ent of Insur-  
ance.



THE PROVISIONS OF SECTIONS 113 TO 119 INCLUSIVE, APPLY ONLY TO INSURANCE COMPANIES OTHER THAN LIFE INSURANCE COMPANIES, AND ALSO APPLY TO INSURANCE COMPANIES DOING LIFE AND OTHER INSURANCE, IN SO FAR AS RELATES TO THE INSURANCE BUSINESS OF SUCH COMPANIES WHICH IS NOT LIFE INSURANCE BUSINESS.

What publication of notice sufficient.

**113.** Publication in the *Canada Gazette*, and in the *Official Gazette* of each Province of Canada, and in two newspapers issued at or nearest the place where the head office of an insurance company is situate, of notice of any proceeding of which under this Act creditors should be notified, is sufficient notice to holders of policies or contracts of insurance in respect of which no notice of claim has been received.

As to deposit held by Receiver General.

**114.** Notwithstanding the provisions of the statutes in that behalf respecting insurance, any deposit held by the Receiver General for policy holders, and any assets vested in trustees pursuant to said statutes must be applied and distributed under this Act, among the persons entitled to claim thereon under the said statutes respecting insurance.

As to policies on which no claim has accrued at time of winding up order.

**115.** Holders of policies or contracts of insurance, on which no claim has accrued at the time the winding up order is made, are entitled to claim as creditors for a part of the premium paid, proportionate to the period of their policies or contracts respectively unexpired at the date of the winding up order. No claim which accrues after the winding up order is made can rank upon the estate:

Proviso: as to cancellation of policy.

Provided always that whenever the company or the liquidator, or the holder of the policy or contract of insurance, exercises any right which it or he may have to cancel the policy or contract, the holder is entitled to claim as a creditor for the sum which, under the terms of the policy or contract, is due to him upon such cancellation.

Statement to be made by liquidators under sect. 114.

**116.** The liquidator must, without the filing of any claim, notice or evidence, or the taking of any action by any person, make a statement of all the persons appearing by the books and records of the officers of the company, to be creditors or claimants under the section one hundred and fourteenth hereof, and of the amounts due to each such person thereunder; every such person must be collocated and ranked as and be entitled to the rights of a creditor or claimant for such amount, without filing any claim, notice or evidence, or taking any action: Provided always, that any such collocation may be contested by any person interested, and that any person not collocated or dissatisfied with the amount for which he is collocated, may file his own claim. A copy of such statement certified

Proviso.

Copy to be filed with

by

by the liquidator must forthwith, after the making of such statement, be filed in the office of the Superintendent of Insurance at Ottawa, and notice of such filing must be forthwith given by the liquidator by notice in the *Canada Gazette*, and in the *Official Gazette* of each Province of Canada, and in two newspapers issued at or nearest the place where the head office in Canada of the company is situate. And the liquidator must also forthwith send by mail prepaid, a notice of such filing to each creditor named in the statement, addressed to the address in Canada of such creditor as far as known,—and in the case of foreign creditors addressed to the address of their representatives or agents in Canada as far as known.

Superintendent of Insurance.

Notice to each creditor.

**117** The holder of a policy or contract of insurance other than life insurance, upon which a claim accrues after the date of the winding up order, and before the expiration of thirty days after the filing in the office of the Superintendent of Insurance of the statement referred to in the one hundred and fifteenth section hereof, is entitled to claim as a creditor for the full net amount of such claim; and the said statement and the dividend sheet must, if necessary, be amended accordingly. No claim which accrues after the expiration of the thirty days above-mentioned, can rank upon the estate unless and until there be sufficient to pay all creditors in full.

If a claim accrues after the winding up order, but within 30 days thereof.

**118.** If before the expiration of the thirty days above-mentioned, the holder of a policy or contract of insurance other than life insurance, signifies in writing to the liquidator his willingness to accept an insurance in some other company or companies in lieu of the insurance policy or contract of the insolvent company, then the liquidator is empowered, with the sanction of the court, to effect for such holder an insurance in another company or companies approved of by the Superintendent of Insurance, and to devote to that purpose the dividend on his claim to which such holder may be or become entitled, or such of the assets of the insolvent company as the court may sanction: Provided, however, that such insurance is to be effected only as part of a general scheme for the assumption by some other company or companies, of the whole or part of the outstanding risks and liabilities of the insolvent company.

If within 30 days the holder signifies his willingness to accept insurance in another company.

**119.** If the company be licensed under the Acts respecting insurance, it is to be the duty of the liquidator to report to the Superintendent of Insurance once in every six months, or oftener as the Superintendent may require, on the condition of the affairs of the company, with such further particulars as the Superintendent may require.

Report to Superintendent of Insurance.

## CHAP. 24.

An Act to further amend the law respecting Building Societies and Loan and Savings Companies carrying on business in the Province of Ontario.

[Assented to 17th May, 1882.]

Preamble.

WHEREAS it is expedient to make better provision for the increase of the permanent capital of Building Societies and Loan and Savings Companies carrying on business in Ontario, and for the enabling of such companies to obtain capital from beyond the limits of the Province: Therefore Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Power to increase capital and shares by a vote of two-thirds in value of shareholders, and to make provisions respecting such increased capital.

1. Any permanent Building Society or Loan and Savings Company carrying on business in the Province of Ontario may, at any time and from time to time, by resolution to be passed by a vote of not less than two-thirds in value of all the shareholders of the Company given in person or by proxy, at any general or special meeting of the Company duly called for considering the same, increase the fixed and permanent capital of such Society or Company, by the issue of new stock of such amount and to be divided into shares of such respective amounts and in such currency, and subject to such rules, regulations, privileges and conditions in all respects, and especially with regard to the amount to be paid on the subscription of any such shares and the time at which the balance shall be called up, and to the dividends to be paid thereon, as by the said resolution may be directed, or, if no directions be given, as the Directors may think expedient: Provided always, that such new issue of shares shall be allotted to the then existing shareholders *pro rata*, as nearly as possible without fractions, but in case such new shares be not taken up within thirty days, then the said shares, or remaining shares, shall be disposed of as the Directors may, from time to time, determine:

Proviso as to allotment of new shares.

Proviso as to new shares not paid up in full.

2. Provided further that, with respect to any new shares issued under the provisions of this Act which have not been paid up in full, the holder thereof shall, in respect thereof, be entitled only to as many votes, at general or special meetings of the Society or Company as the amount paid up on such new shares held by him would represent in fully paid up shares of the Society or Company, issued irrespective of this Act.

## CHAP. 25.

An Act to repeal certain provisions of "The General Inspection Act, 1874."

[Assented to 17th May, 1882.]

**W**HEREAS it is expedient to repeal certain provisions of Preamble.  
 "The General Inspection Act, 1874:" Therefore Her 37 V., c. 45.  
 Majesty, by and with the advice and consent of the Senate  
 and House of Commons of Canada, enacts as follows:—

1. The words "Herrings packed and inspected in Newfoundland, and imported into Canada, shall be marked and branded 'Newfoundland' without further inspection," in the third sub-section of the sixty-sixth section of the said Act, and also the words "For branding or marking Newfoundland fish which have been inspected in Newfoundland, two cents per barrel," forming the twenty-sixth sub-section of the sixty-eighth section of the said Act, are hereby repealed. Certain provisions respecting herrings packed and inspected in Newfoundland, repealed.

2. The foregoing provisions of this Act shall come into force by proclamation of the Governor General. Commencement of Act.

## CHAP. 26.

An Act further to amend "The Petroleum Inspection Act, 1850."

[Assented to 17th May, 1882.]

**I**N amendment to the Act passed in the forty-third year of Preamble.  
 Her Majesty's reign, chaptered twenty-one, intituled 43 V., c. 21.  
 "An Act to amend the Act respecting the Inspection of Petroleum": Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

1. The section substituted for the second and third sections of the said Act by the first section of the Act passed in the forty-fourth year of Her Majesty's reign, chaptered twenty-three, is hereby amended by adding thereto the following as sub-section 4:— The s. substituted for ss. 2 and 3 of 43 V., c. 21, by s. 1 of 44 V., c. 23, amended.

"4. Petroleum to be hereafter designated and known as High Test Petroleum may be sold.  
 " 'High Test Petroleum,' may be sold for use in Canada, for  
 " illuminating purposes, when it weighs not more than eight  
 " pounds

On what conditions. " pounds and thirty-two hundredths of a pound, and not less  
 " than eight pounds and twenty-three hundredths of a pound  
 " per gallon, provided that when heated in an open cup to a  
 " temperature of two hundred and fifty degrees by Fahren-  
 " heit's thermometer, it does not emit a vapour that will  
 " flash or that it will stand a fire test of two hundred and  
 " seventy-five degrees by the same thermometer :

Packages to be branded. " Packages containing ' High Test Petroleum,' shall be  
 " branded as such and shall have marked on them the  
 " actual weight per gallon and the flash test or the fire test  
 " of the Petroleum contained therein."

When and how this Act shall take effect and be construed. 2. This Act shall come into effect upon such day as may  
 be named by proclamation of the Governor in Council and,  
 from and after the day so proclaimed, shall be read and  
 construed as one Act with the Act hereby amended.

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## CHAP. 27.

An Act to correct certain errors in the French versions  
 of " The Dominion Lands Act" and " The Dominion  
 Lands Act, 1879."

[Assented to 17th May, 1882.]

Preamble.

35 V., c. 23,  
 s. 33.

42 V., c. 31,  
 s. 34.

**W**HEREAS it is expedient to correct certain errors in and  
 to remove doubts concerning the French versions of  
 the thirty-third section of the Act passed in the thirty-fifth  
 year of Her Majesty's reign, chaptered twenty-three, intituled  
 "*An Act respecting the Public Lands of the Dominion,*"  
 and of the thirty-fourth section of the Act passed in the  
 forty-second year of Her Majesty's reign, chaptered thirty-  
 one, intituled "*An Act to amend and consolidate the several  
 Acts respecting the Public Lands of the Dominion :*" There-  
 fore Her Majesty, by and with the advice and consent of the  
 Senate and House of Commons of Canada, declares and  
 enacts as follows :—

English ver-  
 sions of cer-  
 tain sections  
 declared the  
 correct.

French ver-  
 sions incor-  
 rect.

1. The English versions of the seventh, eighth, ninth and  
 fifteenth sub-sections of the thirty-third section of the said  
 firstly mentioned Act, and of the seventh and ninth sub-  
 sections of the thirty-fourth section of the said secondly-  
 mentioned Act, are hereby declared to have been always  
 and to be the original, only true and correct versions of  
 the said sub-sections respectively; and the French transla-  
 tion of the said versions is hereby declared to have been  
 always and to be erroneous and incorrect.

2. The French versions of all and every the aforesaid sub-sections of the said Acts are and were always to be read and construed as if the words hereinafter declared to be substituted for others or to be inserted after others had always been so substituted or inserted in the said French versions.

French versions amended and amendment to be retrospective.

3. The word "*inscription*" is hereby substituted for the word "*possession*" in the seventh and eighth lines of the seventh sub-section of the thirty-third section of the said firstly-mentioned Act, and in the fourth and fifth lines of the eighth sub-section of the said thirty-third section, and in the fourth and fifth lines of the ninth sub-section of the thirty-fourth section of the said secondly-mentioned Act.

Substitution of words in certain sections.

4. The words "*dont il a pris inscription*" are hereby inserted after the word "*contigue*" in the fourth line of the ninth sub-section of the said thirty-third section, and in the fourth line of the seventh sub-section of the said thirty-fourth section.

Insertion of words in certain sections.

5. The words "*à la date de l'inscription*" are hereby substituted for the words "*lors de la prise de possession*" in the sixth line of the fifteenth sub-section of the said thirty-third section; and the words "*de l'inscription*" are hereby substituted for the words "*de son occupation*" in the eighth and ninth lines of the said fifteenth sub-section.

Substitution of words in certain sections.

6. Nothing in this Act contained shall be held or construed to revive any Act or part of any Act repealed by the Act secondly above mentioned or by any of the Acts amending the same, or to affect the provisions of the Act passed in the thirty-ninth year of Her Majesty's reign, chaptered nineteen, respecting the reading and numbering of certain sub-sections of the thirty-third section of the Act hereinabove firstly mentioned.

No repealed Act to be revived hereby.

29 V., c. 19 not affected.

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## CHAP. 28.

An Act to remove certain doubts as to the effect of "*The North-West Territories Act, 1880*," and to amend the same.

[Assented to 17th May, 1882.]

WHEREAS doubts have arisen as to the effect of the Preamble repeal by section ninety five of "*The North-West Territories Act, 1880*," of the Acts thirty-eighth Victoria, chapter forty nine, and fortieth Victoria, chapter seven, therein mentioned; And whereas it is expedient to remove the said doubts:

Acts 43 V., c. 25, 38 V., c. 49 and 40 V., c. 7.

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

The Act 43 V., c. 25 to be construed as a consolidation.

1. The said "*The North-West Territories Act, 1880*," shall not be construed as new law, but as a revision, consolidation and continuation of the said Acts thirty-eighth Victoria, chapter forty-nine and fortieth Victoria, chapter seven, subject to the changes, amendments and new provisions contained therein.

This Act to relate back to 7th May, 1880.

2. The foregoing provisions of this Act shall relate back and take effect from and after the day of the passing of the said "*The North-West Territories Act, 1880*."

Subs. 9 of section 90 of 43 V., c. 25 amended.

3. Sub-section nine of section ninety of the said "*The North-West Territories Act, 1880*," is hereby amended by striking out the words "having jurisdiction in the North-West Territories" from the fourth and fifth lines thereof, and also the words "within the North-West Territories" in the twelfth and thirteenth lines thereof.

## CHAP. 29.

An Act to amend "An Act to amend and consolidate  
"as amended the several enactments respecting the  
"North-West Mounted Police Force."

[Assented to 17th May, 1882.]

Preamble.  
42 V., c. 36.

IN amendment to the Act cited in the title to this Act (forty-second Victoria, chapter thirty-six), Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows :—

Certain sections of 42 V., c. 36 repealed : and others substituted.  
How to be construed.

1. Sections five, six, seven, fourteen, nineteen, twenty-one and twenty-two of the said Act are hereby repealed, and the following sections are substituted in lieu thereof, and shall be read and construed as if originally enacted as part of the said Act.

Appointment of constables and non-commissioned officers.

5. The Governor in Council may, from time to time, authorize the Commissioner of Police to appoint, by warrant under his hand, such number of constables as he may think proper, not exceeding in the whole five hundred men, and to appoint from among them non-commissioned officers of different grades, and the Commissioner may delegate this authority to any commissioned officer of the force ; and such number

number thereof shall be mounted as the Governor in Council may, at any time, direct: Provided, that the Commissioner may appoint supernumerary constables not exceeding in the whole twenty men, in order to fill vacancies in the force, and may employ not exceeding in the whole ten men as scouts, at such rates of pay as may be authorized by the Minister charged with the control and management of the force.

Supernumerary constables and scouts.

“ 6. No officer or constable shall be appointed to the police force unless he be of a sound constitution, able to ride, active and able-bodied, of good character, and between the ages of eighteen and forty years; nor unless he be able to read and write either the English or French language: Provided always, that the provision in this section as to age shall not be held to apply to any officer who has been appointed before the passing of this Act, nor to the Commissioner or Assistant-Commissioner.

Qualification of members of the force.

Proviso.

“ 7. No person shall exercise any office in the said force until he shall have taken the oath of allegiance in the following form :—

Oaths of allegiance and of office.

“ ‘ I, A. B, do sincerely promise and swear that I will be faithful and bear true allegiance to Her Majesty Queen Victoria, as lawful Sovereign of the United Kingdom of Great Britain and Ireland, and of this Dominion of Canada, dependent on and belonging to the said Kingdom; and that I will defend Her to the utmost of my power against all traitorous conspiracies or attempts whatever, which shall be made against Her Person, Crown and Dignity, and that I will do my utmost endeavour to disclose and make known to Her Majesty, Her Heirs and Successors, all treasons and traitorous conspiracies and attempts which I shall know to be against Her, or any of them; and all this I do swear without any equivocation, mental evasion, or secret reservation: So help me God.’—

Of allegiance.

“ And the following oath of office :—

“ ‘ I, A. B., solemnly swear that I will faithfully, diligently and impartially execute and perform the duties required of me as a member of the North-West Mounted Police Force, and will well and truly obey and perform all lawful orders and instructions which I shall receive as such, without fear, favour or affection of or towards any person or party whomsoever: So help me God.’—

Of office.

“ And such oaths may be taken by the Commissioner before any Judge, Stipendiary Magistrate, or Justice of the Peace having jurisdiction in any part of Canada, and by any other member of the force, before the Commissioner of Police, or any person having jurisdiction as aforesaid; and

By whom to be administered and kept.



such oaths shall be retained by the Commissioner as part of the records of his office."

Certain  
offences by  
members of  
the force—

"14. Any member of the force, other than a commissioned officer, convicted of,—

Disobeying the lawful command of, or striking his superior, or—

Oppressive or tyrannical conduct towards his inferior, or—

Intoxication, however slight, or—

Having intoxicating liquor illegally in his possession or concealed, or—

Directly or indirectly receiving any gratuity without the Commissioner's sanction, or any bribe, or—

Wearing any party emblem, or—

Otherwise manifesting political partizanship, or—

Overholding any complaint, or—

Mutinous or insubordinate conduct, or—

Unduly overholding any allowances or any other public money entrusted to him, or—

Misapplying any money or goods levied under any warrant or taken from any prisoner, or—

Divulging any matter or thing which it may be his duty to keep secret, or—

Making any anonymous complaint to the Government or the Commissioner, or—

Communicating without the Commissioner's authority, either directly or indirectly, to the public press, any matter or thing touching the force, or—

Wilfully or through negligence or connivance allowing any prisoner to escape, or—

Using any cruel, harsh or unnecessary violence towards any prisoner or other person, or—

Leaving any post on which he has been placed as sentry or on other duty, or—

Deserting

Deserting or absenting himself from his duties or quarters without leave, or—

Scandalous or infamous behaviour, or—

Disgraceful, profane or grossly immoral conduct, or—

Violating any standing order, rule or regulation, or any order, rule or regulation hereafter to be made, or—

Any disorder or neglect to the prejudice of morality or discipline, though not specified in this Act or in any lawful rules or regulations, —

Shall be held to have committed a breach of discipline and—

To be breaches of discipline.

“The Commissioner, Assistant Commissioner or the Superintendent commanding at any post, or such other commissioned officer as may be thereunto empowered by the Commissioner, may, forthwith, on a charge in writing of any one or more of the foregoing offences being preferred against any member of the force, other than a commissioned officer, cause the party so charged to be brought before him, and he shall then and there, in a summary way, investigate the said charge or charges, and on oath if he thinks fit, and if proved to his satisfaction shall thereof convict the offender, who shall suffer such punishment, either by fine not exceeding one month's pay, or imprisonment for a term not exceeding one year in any gaol at hard labour, or both, as the convicting officer shall in his discretion order, in addition to and besides any punishment to which the offender may be liable under any law in force in the North-West Territories, or in any Province in which the offence may be committed, in respect of such offence.

Trial and punishment for the same.

Fine or imprisonment.

If the offence be also an offence against law.

“Provided always, that in all cases of imprisonment under sentence, the pay of the offender shall be forfeited during the period of imprisonment suffered; and provided also, that all sentences of imprisonment for a term exceeding one month shall be forthwith reported to the Commissioner (or in case of his absence from the Territories, to the Assistant Commissioner), who shall have power to reverse or mitigate the same at his discretion.”

Forfeiture of pay during imprisonment.

Report of sentence and power to reverse or mitigate it.

“19. If any member of the force, having deserted, absented himself from his duties without leave, or refused to do duty therein, be found in any part of Canada other than the North-West Territories, he shall, on conviction thereof, be liable to forfeit and pay for every such offence any sum not exceeding one hundred dollars, or to be imprisoned and

Punishment for deserting or refusing to do duty.

Evidence in such case. kept to hard labour for any term not exceeding twelve months, or both; and upon the trial of any offender under this section it shall not be necessary to produce or give in evidence the original engagement or agreement to serve in the force signed by such offender, but such engagement may be proved by parol evidence or by a certificate purporting to be signed by the Commissioner, Assistant Commissioner or any Superintendent or Inspector of the force, giving the date and period of such engagement; and it shall not be necessary *prima facie* to prove the signature to such certificate, which shall be held to be genuine, unless it be expressly alleged by the offender not to be so."

Arrest of member of the force resisting authority of officer. "21. Any member of the force refusing to obey an order distinctly given by, or resisting the authority of a superior officer of the force, may be forthwith placed under arrest and detained in custody to be dealt with under the provisions of this Act.

Governor in Council to fix rates of pay within certain limits. "22. It shall be lawful for the Governor in Council, from time to time, to fix the sums to be paid to the Commissioner and other members of the force,—regard being had to the number of constables, from time to time, actually organized and enrolled, and the consequent responsibility attaching to their offices aforesaid respectively, and to the nature of the duty or service and amount of labour devolved upon them; but such sums shall not exceed the amounts following, that is to say—

	Per annum.
The limited rates. Commissioner of Police.....	\$2,600
Assistant Commissioner.....	1,600
Each Superintendent.....	1,400
Each Inspector.....	1,000
Each Surgeon or Assistant Surgeon.....	1,400
Each Veterinary Surgeon.....	700
Staff Constables, \$1.50 per day.	
Other Non-Commissioned Officers, \$1 per day.	
And Constables, seventy-five cents per day.	
Working pay to Artisans, fifty cents per day."	

CHAP. 30

An Act to further amend "The Indian Act, 1880."

[Assented to 17th May, 1882.]

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

1. The sixth sub-section of the second section of "*The Indian Act, 1880*" is hereby amended by striking out of the fourth line thereof the words "but which is unsundered," and inserting in lieu thereof the words "and which remains a portion of the said Reserve." Subs. 6 of s. 2, 43 V., c. 28 amended.

2. The twenty-seventh section of "*The Indian Act, 1880*" is hereby amended by striking out of the twelfth line thereof the word "Justice" and inserting in lieu thereof the words "any two Justices," and by striking out of the twenty-ninth line thereof the word "Justice" and inserting in lieu thereof the word "Justices." Sect. 27 amended.

3. Wherever, in "*The Indian Act, 1880*," or in the Act passed in the forty-fourth year of Her Majesty's reign, chaptered seventeen, amending the said Act,—or in this Act, power is given to any Stipendiary Magistrate or Police Magistrate to dispose of cases of infraction of the provisions of the said Acts brought before him, any Indian Agent shall have the same power as a Stipendiary Magistrate or a Police Magistrate has in respect to such cases. Indian Agent to have in certain cases powers of a magistrate.

4. The seventy-eighth section of "*The Indian Act, 1880*" is hereby amended by adding thereto the following words: "But in any suit between Indians no appeal shall lie from an order made by any District Magistrate, Police Magistrate, Stipendiary Magistrate or two Justices of the Peace, when the sum adjudged does not exceed ten dollars." Sect. 78 of 43 V., c. 28 amended.

5. The ninety-fourth section of "*The Indian Act, 1880*" is hereby amended by adding after the word "month" in the eleventh line thereof the words: "or to a fine of not less than five nor more than thirty dollars, or to both fine and imprisonment in the discretion of the convicting Judge, Stipendiary Magistrate or Justice of the Peace," and by adding after the word "days" in the nineteenth line the following words: "or to an additional fine of not less than three nor more than fifteen dollars, or to both fine and imprisonment at the discretion of the convicting Judge, Stipendiary Magistrate or Justice of the Peace." Sect. 94 amended. Penalties increased.

6. The second section of the Act passed in the forty-fourth year of Her Majesty's reign, chaptered seventeen, intituled "*An Act to amend the Indian Act, 1880*" is hereby amended by adding after the word "conviction" in the fifth line thereof, the words: "before a Stipendiary Magistrate, Police Magistrate, or two Justices of the Peace." Sect. 2 of 44 V., c. 17 amended.

## CHAP. 31.

An Act to amend and further to continue in force, for a limited time, the Act Forty-third Victoria, Chapter Thirty-six.

[Assented to 17th May, 1882.]

Preamble.

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

Act 43 V., c. 36 amended and further continued as amended.

1. The Act passed in the forty-third year of Her Majesty's reign, chapter thirty-six, and intituled "*An Act respecting the Administration of Criminal Justice in the Territory in dispute between the Governments of the Province of Ontario and the Dominion of Canada,*" is hereby amended by inserting, after the name "Ontario" in the third line of the second section thereof, the words "or in Manitoba," and by inserting in the sixth line of the said section the words "or in an undisputed part of Manitoba," and as so amended shall continue in force until the end of the now next ensuing session of Parliament.

## CHAP. 32.

An Act further to amend "The Pilotage Act, 1873," and the other Acts therein mentioned.

[Assented to 17th May, 1882.]

Preamble.

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

Pilotage authorities may examine witnesses, &c. on oath.

1. The Pilotage Authority for any district shall, in all cases of inquiry or investigation to be made by them under "*The Pilotage Act, 1873,*" or any amendment thereof, (all which are hereinafter referred to as "the said Acts,") or under any other Act or law, have full power to examine any person appearing before them to give evidence in such case, on oath, and such oath may be administered by any member of such Pilotage Authority present at such inquiry or investigation; and any wilfully false evidence given on such oath shall be wilful and corrupt perjury, and punishable accordingly.

Pilotage Commissioner

2. If any pilotage commissioner for the Pilotage District of Halifax, or for the Pilotage District of St. John, shall at any

any time have been absent during twelve months (whether before or after the passing of this Act, or partly before and partly after) from the Province in which the pilotage district for which he was appointed or elected is situate, without having resigned his office, and without leave from the authority by which he was appointed or elected, his office shall, *ipso facto*, be vacant; and upon written notice of the fact given by any member of the said Pilotage Authority to the authority by which any such vacancy is to be filled, it shall be filled under the provisions of the said Acts as if it had been occasioned by the death or resignation of such absentee.

of Halifax or St. John absent twelve months without leave, to forfeit his office.

2. So much of the seventeenth section of the Act of the legislature of the late Province of Canada, passed in the twelfth year of Her Majesty's reign, and intituled "*An Act to repeal a certain Act and Ordinance therein mentioned, relating to the Trinity House at Montreal, and to amend and consolidate the provisions thereof,*" or of any other Act or law, as requires complaint or information of the master or owner of any ship, steamer or other vessel sustaining damage through the fault of any branch pilot for and above the Harbour of Quebec, before the Pilotage Authority of Montreal can declare that such pilot has forfeited his branch, is hereby repealed; and the said pilotage authority may, in their discretion, and upon such information as they may deem expedient, and with or without complaint by any person, investigate the matter and declare the branch of such pilot forfeited: Provided, that in the case of inward-bound ships no investigation shall be had after the expiry of thirty days from the happening of the damage or cause of complaint, or ten days from the arrival of the ship at its destination; and provided also, that in the case of outward-bound ships, no investigation shall be had after the expiry of thirty days from the happening of the damage or cause of complaint, unless the owner or master of the ship, within six days after the arrival of the ship at its destination, mails a complaint to the pilotage authority aforesaid,—which complaint shall be investigated within thirty days after coming to the knowledge of the said pilotage authority.

Part of sect. 17 of Act of Canada 12 V., c. 117, repealed.

Complaint not necessary for inquiry into pilots' conduct.

Proviso: in case of inward bound ships.

And in case of outward bound ships.

4. So much of the seventy-sixth section of the Act passed in the twelfth year of Her Majesty's reign, and intituled "*An Act to consolidate the laws relative to the powers and duties of the Trinity House of Quebec, and for other purposes,*" or of the seventh section of the Act of the Parliament of Canada, passed in the thirty-sixth year of Her Majesty's reign, and intituled "*An Act to add to the number of the members of the corporation of the Trinity House of Quebec, and to increase the powers thereof,*" or of any other Act or law as limits the time within which the master, owner, consignee of or in any vessel meeting with any accident while

Part of sect. 76 of Act of the said Province, 12 V., c. 114, and of 36 V., c. 10, repealed.

in

Complaint of pilots' conduct may be made at any time.

Proviso: in case of inward bound ships.

And in case of outward bound ships.

in charge of a pilot for and below the Harbour of Quebec, and by his fault,—or other interested party, must submit his complaint to the Harbour Master of Quebec, on pain of losing his right of complaint, is hereby repealed; and such complaint may be made at any time, and the Pilotage Authority of Quebec may, upon such information as they may deem expedient and with or without complaint by any person, investigate the matter and declare the branch of such pilot forfeited: Provided, that in the case of inward bound ships, no investigation shall be had after the expiry of thirty days from the happening of the damage or cause of complaint; or ten days from the arrival of the ship at its destination; and provided also, that in the case of outward bound ships no investigation shall be had after the expiry of thirty days from the happening of the damage or cause of complaint unless the owner or master of the ship within six days after the arrival of the ship at its destination, mails a complaint to the pilotage authority aforesaid, which complaint shall be investigated within thirty days after coming to the knowledge of the said pilotage authority.

Power to limit or cancel a pilot's license.

Form of license in such case.

4 The Pilotage Authority for any district, except the Pilotage Districts of Quebec, Montreal and St. John, N.B. respectively, may, if they see fit, limit the period during which any license to a pilot granted by them after the passing of this Act shall be in force, to any term not less than two years from the date thereof, and may, in their discretion after the end of such period, renew such license for a further limited term not less than two years; and may also, in their discretion cancel any license to a pilot granted before the passing of this Act, and substitute for it a license limited and renewable as aforesaid; and in such cases the form of the license shall be altered by inserting after the word "capacity" in the first schedule of the said "*Pilotage Act, 1872*," the words "until the " day of A.D., , unless in the "meantime this license be cancelled."

Fees on renewal of license.

Application.

6 All pilots shall pay to the Pilotage Authority of the respective districts for which they are licensed, or as such authority directs, such fees upon such renewals as may be, from time to time, fixed for that purpose by such authority with the consent of the Governor in Council; such fees to be applied in the manner prescribed by the sixty-seventh section of the Act of one thousand eight hundred and seventy-three hereby amended.

Pilots shall not be harbour masters.

7 No licensed pilot shall be hereafter appointed to act as Harbour Master of any port unless he first surrenders his license; and no licensed pilot now acting as Harbour Master shall continue to be or act as a Harbour Master after the passing of this Act, unless before the expiration of eight days

days from the passing thereof he surrenders his license as a pilot.

(8) The twenty-sixth section of "*The Pilotage Act, 1873*," and so much of the fifth sub-section of the eighteenth section of the said Act, as respects the number of pilots for and below the Harbour of Quebec, is hereby repealed; and the Pilotage Authority of the District of Quebec shall not grant any new license to any person as a pilot until the number of pilots in the said district is reduced below one hundred and twenty-five,—which number shall never be exceeded after such reduction: Provided, that the said Pilotage Authority may grant a license to any apprentice admitted to indenture to the Board of Pilots of the Port of Quebec before the passage of this Act, and who, on completing by consecutive service the full term prescribed by the regulations of the said Board of Pilots, shall be found qualified; and the said Pilotage Authority is hereby empowered to prescribe the number of apprentices to be indentured to the Corporation of Pilots for and below the Harbour of Quebec, having regard to the requirements of the service, and the said corporation shall, in each year, make a return of the number of its apprentices to the said Pilotage Authority.

Parts of 36 V., c. 54, repealed. Number of pilots for and below Quebec to be reduced.

Proviso; as to apprentices now indentured.

Number of apprentices hereafter may be limited.

(9) The Board of Directors of the Corporation of Pilots for and below the Harbour of Quebec, are hereby declared to have had and to have, under the Act of the legislature of the late Province of Canada, creating the said corporation, passed in the twenty-third year of Her Majesty's reign, and chaptered one hundred and twenty-three, power to make any agreement and compromise respecting the withdrawal of the license of any pilot for and below the said harbour, and the conditions of such withdrawal; and such agreement and compromise shall be binding and conclusive.

Corporation of pilots declared to have certain powers as to the withdrawal of members.

10. The fifth section of the Act passed in the thirty-eighth year of Her Majesty's reign, and chaptered fifty-five, is hereby amended by inserting after the word "Canada" in the last line but one thereof the words: "or in such other way as may be."

38 V., c. 55 amended as to investment by Corporation of Pilots.

## CHAP. 33.

An Act to further amend "*The Seamen's Act, 1873*."

[Assented to 17th May, 1882.]

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

Preamble.

1.



Section 86 of  
36 V., c. 129  
repealed.

**1.** Section eighty-six of the "Seamen's Act, 1873," is hereby repealed, and the following is substituted in lieu thereof:—

New Section :  
No person to  
go on board a  
merchant  
ship on her  
arrival from  
sea without  
leave of the  
master or  
person in  
charge.

Punishment  
for so doing  
when un-  
armed.

When armed.

Arrest of  
offender.

How such  
offender shall  
be dealt  
with.

**"86.** No person (other than any owner, agent of owner, or consignee of the ship or cargo, or any person in the employment of either of them, or any officer or person in Her Majesty's service or employment, harbour master, deputy harbour master, health officer, custom house officer, pilot, shipping master or deputy shipping master) shall go and be on board of any merchant ship arriving or about to arrive from sea at the place of her destination before or previous to her actual arrival in dock, or at the quay or place of her discharge, or while she remains in port, without the permission and against the orders of the master or person in charge of such ship; and if any person (other than aforesaid) goes on board any such ship before or previous to her actual arrival in dock, or at the quay or place of her discharge or while she remains in port, without the permission and against the orders of the master or person in charge of such ship, he shall, if he be unarmed at the time of committing the offence, for every such offence be subject to imprisonment in the penitentiary for any period not more than three or less than two years, or in any common gaol or other place of confinement for any period less than two years but not less than six months; and if such person be armed with or carries about his person any pistol, gun or other firearm, or offensive weapon, at the time of committing the offence, then he shall, for every such offence, be subject to imprisonment in the penitentiary for any period not less than two nor more than five years; and for the better securing the person of such offender, the master or person in charge of the ship may take any person so offending, as aforesaid, into custody and deliver him up forthwith to any constable or peace officer, to be by him taken before any Judge of a County Court or any Stipendiary Magistrate, Police Magistrate or Judge of the Sessions of the Peace, to be dealt with according to the provisions of this Act."

**2.** In addition to any other jurisdiction conferred upon him by "The Seamen's Act, 1873," a Judge of the Sessions of the Peace, a Police Magistrate, a Stipendiary Magistrate or a Judge of a County Court shall have authority and jurisdiction to try and determine in a summary way all offences punishable under the said Act, whether by fine, penalty or imprisonment, or by both fine and imprisonment, or penalty and imprisonment, and in the Province of Quebec a Judge of the Superior Court shall have the like authority and jurisdiction as that conferred by the "Seamen's Act, 1873," and by this Act upon a Judge of the Sessions of the Peace.

Act 32 33 V.,  
c. 31 to apply

**3.** The provisions of the Act passed in the Session held in the thirty-second and thirty-third years of Her Majesty's reign,

reign, chaptered thirty-one and intituled "*An Act respecting the duties of Justices of the Peace out of Sessions in relation to summary convictions and orders,*" shall apply to and govern proceedings against any person for any offence against "*The Seamen's Act, 1873;*" and a Judge of the Superior Court, a Judge of the Sessions of the Peace, Police Magistrate, Stipendiary Magistrate or Judge of a County Court, before whom any proceedings under the said last mentioned Act are taken, shall, for the purposes of the said proceedings, have all the powers of a Justice of the Peace.

to offences  
against 36  
V., c. 29.

4. In correction of a clerical error in the French version of the eightieth section of the Act hereby amended, the word "*ne*" shall be inserted before the word "*pourront,*" in the third line of the said section, and the word "*aucune*" shall be substituted for the word "*toute*" in the said line.

Clerical error  
in French  
version  
corrected.

## CHAP. 34.

An Act to amend the Act forty-second Victoria, chapter forty, intituled "*An Act to amend 'The Maritime Jurisdiction Act, 1877,'*" and to make further provision for the recovery of the wages of seamen employed on vessels navigating the inland waters of Canada.

[Assented to 17th May, 1882.]

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

Preamble.

1. Notwithstanding anything contained in the Act made and passed in the forty-second year of Her present Majesty's reign, chaptered forty, and intituled "*An Act to amend 'The Maritime Jurisdiction Act, 1877,'*" a right or remedy *in rem* for the wages accruing after the passing of this Act, of seamen and other persons employed on board a ship on any river, lake, canal or inland water of which the whole or part is in the Province of Ontario, may be enforced against the ship under "*The Maritime Jurisdiction Act, 1877,*" as fully, to all intents and purposes, as though the Act first in this section recited had not been passed.

Rights of  
seamen, &c.,  
employed in  
the waters of  
Ontario, are  
not impaired  
by 42 V.,  
c. 40.

2. Seamen and other persons employed on board a ship on any river, lake, canal or inland water of which the whole or part is in the Province of Ontario, in addition to any other remedy they may have in that behalf, may recover their wages in the mode and manner provided by "*The Seamen's Act, 1873,*" for the recovery of seamen's wages, and with the like remedies for enforcing payment.

Such persons  
may recover  
their wages  
under 36 V.,  
c. 129.

And may do so as soon as their right of action accrues.

3. Nothing in the fifty-first section of "*The Seamen's Act, 1873*," shall prevent a seaman or other person, employed on board any ship on any river, lake, canal or inland water of which the whole or part is in the Province of Ontario, from proceeding for the recovery of his wages so soon as, under his contract of service or by law, his right of action accrues.

Sect. 2 of 42 V., c. 40, repealed.

4. The second section of the Act, forty-second Victoria, chapter forty, aforesaid, is hereby repealed.

Word "ship" how construed.

5. The word "ship" shall, for the purposes of this Act, include every description of vessel used in navigation not propelled by oars.

## CHAP. 35.

An Act to amend and consolidate the Acts respecting the inspection of Steamboats, and the examination and licensing of Engineers employed on them.

[Assented to 17th May, 1882.]

Preamble.

FOR the greater security of life and property on board steamboats navigating the waters of the Dominion of Canada, or owned or registered in the Dominion of Canada, and departing from or arriving at any port or place in the Dominion of Canada: Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

### EXTENT AND APPLICATION OF ACT.

Short title and extent of Act.

1. This Act may be cited for all purposes as "*The Steamboat Inspection Act, 1882*," and shall extend and apply to the whole Dominion of Canada, including Manitoba and the North-West Territories and Keewatin.

Construction, and effect of Act as an amendment of former Acts, 31 V., c. 65, 32, 33 V., c. 39, 36 V., c. c. 7 and 53, 37 V., c. 30, 40 V., c. 18, 44 V., c. 21,

2. This Act shall be construed as being passed in amendment of the Act thirty-first Victoria, chapter sixty-five, intitled "*An Act respecting the Inspection of Steamboats, and for the greater safety of passengers by them*," as amended by the Acts thirty-second and thirty-third Victoria, chapter thirty-nine; thirty-sixth Victoria, chapters seven and fifty-three; thirty-seventh Victoria, chapter thirty; fortieth Victoria, chapter eighteen, and forty-fourth Victoria, chapter twenty-one, which are hereby superseded and repealed (except as hereinafter provided), with every other Act, enactment or provision inconsistent with this Act,—and as being a consolidation of the amendments hereby made with those portions of the said Acts which are herein re-enacted, and of such Orders in Council made under them as are herein incorporated, all which shall be construed as declaratory of the existing law:

law: and all appointments made and all things lawfully done under the provisions of law then in force, shall remain valid, unless and until it is otherwise ordered by or under this Act, and all proceedings commenced under them may be continued and completed, as if this Act had not been passed, only the amendments hereby made having effect as new law.—

Appoint-  
ments, &c.,  
continued.

3. In this Act the word "steamboat" includes any vessel used in navigation or afloat on navigable water, and propelled or movable wholly or in part by steam; the word "owner" includes the lessee or charterer of any such vessel; and the word "year" means the calendar year, commencing on the first day of January, and ending on the thirty-first day of December.

Interpreta-  
tion of terms.

4. This Act shall not apply to steamboats belonging to Her Majesty the Queen, nor to steamboats registered in Great Britain and Ireland or in any foreign country, and plying between any port or place in the Dominion of Canada and any port or place outside of the Dominion of Canada:

Exceptions  
from applica-  
tion of Act.

2. And all steam yachts, used exclusively for pleasure or private use without hire or remuneration of any kind, all tug boats, all steamboats carrying freight only (hereinafter called freight boats) and under one hundred and fifty tons gross, and all steamboats used only for fishing purposes or the carrying of fish, and under one hundred and fifty tons gross, and steam dredges and elevators or vessels of like kind, shall be exempt from the requirements of this Act, except as regards the inspection of their boilers and machinery, to which they shall be subject at least once in each year, and oftener if required, under the same provisions and penalties for neglect as other steamboats, and except also as to the obligation to carry one lifebuoy hereinafter imposed on all steamboats.

Partial  
exceptions.

5. The Governor in Council may direct that any steamboat not registered in the Dominion of Canada, but employed in the Dominion of Canada in carrying mails, passengers or troops, shall be subject to the provisions of this Act.

Governor  
in Council  
may bring  
certain steam-  
boats under  
the Act.

#### APPOINTMENT AND QUALIFICATION OF INSPECTORS.

6. The Governor in Council shall, from time to time, appoint at each of such places, and to act respectively within such local limits, as he may find advisable, within the Dominion of Canada, a skilled person or skilled persons competent to inspect the boilers and machinery employed in steamboats, who shall not be interested in the manufacture of steam engines, boilers or other machinery belonging to steamboats, and whose duty it shall be to make such inspection as hereinafter prescribed, and to give to the owner or master two of the certificates of such inspection,—and also a skilled person or skilled persons competent to inspect the hulls and equipment of steamboats, who shall

Appointment  
of inspectors  
of boilers and  
machinery.

And inspec-  
tors of hulls  
and equip-  
ment.

shall not be interested in the building or construction of hulls of steamboats, or of any article or thing hereinafter mentioned as part of the equipment required by this Act for steamboats, or properly belonging to or connected with such equipment according to the intent of this Act, and whose duty it shall be to make such inspection, and to give triplicate certificates of such inspection :

Further interpretation of terms.

"Boilers and machinery."

"Hull and equipment."

"Inspector."

"Boiler."  
"Boilers."

"Hull."

"Certificate."

Examination of inspectors of boilers and machinery.

And of inspectors of hulls and equipment

2. In this Act the expression "boilers and machinery" includes the steam engine or engines, and every part thereof or thing connected therewith, employed in propelling the steamboat, and any donkey or pony engine used on board, and the boiler or boilers for supplying steam thereto, and the furnaces, chimneys, flues, safety and blow-off valves, gauges, braces, stays, pipes, steam pumps, and all other apparatus and things attached to or connected therewith or used with reference to any such engine or under the care of the engineer; and the expression "hull and equipment" includes the hull and every part thereof, masts, sails and rigging when the steamboat carries them, life-boats and other boats and the tackle and apparatus for lowering or hoisting them, the apparatus, other than steam fire engines, for preventing or extinguishing fires, anchors and cables, windlasses and capstans, fire buckets, compasses, axes, lanterns, and all other articles and things necessary for the navigation and safety of the steamboat and not under the care of the engineer: the word "Inspector," in any provision in the following sections, means a person appointed to inspect the "boilers and machinery" of steamboats, when and so far as such provision applies to anything included in that expression, or a person appointed to inspect the "hulls and equipment" of steamboats, when and so far as the provision applies to any thing included in the expression last mentioned; the word "boiler" means a boiler of or intended for a steamboat, and includes boilers when the steamboat has more than one, and the word "boilers" means "boiler" when she has only one; and the word "hull" includes the equipment unless the context is inconsistent with such construction: and the word "certificate" means one of the duplicates or triplicates of the certificate given by the Inspectors or Inspector, as the case may be.

7. No person shall be appointed an Inspector of boilers and machinery of steamboats unless nor until he has passed a satisfactory examination before the Board of Steamboat Inspection, as to his knowledge on the subject of boilers and machinery of steamboats, and the working of the same; or an Inspector of the hulls and equipment of such vessels, unless he has passed a satisfactory examination as to his competency for the office, before a board of three practical ship-builders to be appointed by the Governor in Council, or is a certified surveyor of a recognised society for the classification

of shipping ; nor shall he be appointed an Inspector for either purpose unless he has received from the chairman of the Board, or from the said practical shipbuilders (as the case may be) a certificate in writing that he has satisfactorily passed such examination, or is a certified surveyor as aforesaid :

2. Provided always, that all Inspectors appointed before the passing of this Act shall continue in office as Inspectors of boilers and machinery until removed under this Act :

Proviso: as to existing inspectors.

3. Every such Inspector, before entering upon his duties as such, shall take and subscribe an oath, before any person duly authorized to administer an oath, well, faithfully and impartially to execute the duties assigned to him by this Act.

Oathsof office.

5. The Inspectors shall form a Board, to be called the "Board of Steamboat Inspection," of whom the Governor shall name the chairman ; three of the members shall form a quorum, and the chairman shall have the right to vote, and in case of an equal division he shall also have a casting vote ; and the minutes of the proceedings of the Board shall be kept by him :

Board of Steamboat Inspection.

2. The Board shall meet at least once every year at such place as they may agree upon, and may make rules and regulations for their own conduct, and for the uniform inspection of steamboats, the selection of ports of inspection, and granting licenses to engineers, and for such other purposes as may be necessary under this Act, and may, from time to time, repeal, alter or add to such rules and regulations or make others in their stead ; and such rules and regulations shall come into force after they have been approved by the Governor in Council, but not before ; and copies of the minutes of the proceedings of the Board, certified by the chairman, shall be transmitted to the Minister of Marine and Fisheries ; provided that such rules and regulations made before this Act comes into force shall remain in force until repealed or amended under it :

Duties, proceedings, and rules of Board.

Subject to approval.

Proviso, as to present rules.

3. Provided always, that in the Provinces of Manitoba and British Columbia, and in the North-West Territories and the District of Keewatin, the Minister of Marine and Fisheries may, if and when he sees fit, dispense with the appointment of an Inspector of hulls and equipment ; and in such case and in case of the non-appointment of such Inspector in any Inspection District, or of vacancy in the office therein, the said Minister may, by Departmental Order, assign the duties of such Inspector to the Inspector of boilers and machinery, or such other person as he may temporarily employ,—who shall then and so long as such order remains in force, have all

Provision respecting inspectors of hulls in certain parts of Canada, or in case of vacancy.

all the powers and perform all the duties hereby assigned to the Inspector of hulls and equipment, under the like obligations and like penalties in case of default,—the forms of certificate being altered to suit the case.

## INSPECTION GENERALLY.

Neglect of duty by Inspector to be reported by chairman.

9. The chairman of the Board of Steamboat Inspection may, at any time, inspect or examine the hull, boiler and machinery of any steamboat, and if he suspects any Inspector of having neglected his duty in relation to such steamboat, he may call a meeting of the Board to investigate the case ; and the result of every such investigation shall forthwith be communicated in writing to the Minister of Marine and Fisheries, for the information of the Governor in Council.

Inspection to be made at least yearly.

Certificates of inspection.

Penalty for neglect.

10. The master or owner of every steamboat liable to inspection under this Act, shall cause the boiler and machinery and the hull and equipment thereof, to be inspected at least once every year, and shall deliver to the chief officer of Customs at the port where such inspection is made, or at which such steamboat shall arrive next after such inspection, where it has not been made in such port, one of the certificates thereof ; and for every neglect to cause such inspection to be made, and a certificate thereof to be delivered to the proper officer of Customs, such master or owner shall incur a penalty of four hundred dollars, and such steamboat shall be liable for the same and chargeable therewith ; and every such certificate unless sooner revoked, shall be good for a period of twelve months from the date thereof, or for such less period as may be stated by the Inspector in the certificate.

Subsequent injury to hull or machinery to be reported.

11. The master, owner or engineer of every steamboat, or the person in charge thereof, shall at the earliest opportunity after the occurrence of any event whereby the hull, or the machinery, or boiler thereof, or any part of any or either of the same, is in any material degree injured, strained or weakened, report such occurrence to the Inspector by whom the same was last inspected, or to the proper Inspector at the port or place where the steamboat is, or first arrives after such event occurs ; and in case of omission to give such notice the owner of the steamboat shall forfeit to Her Majesty two hundred dollars for every day during which such omission continues ; and if the injury be to the machinery or boiler or any part of the same, the license of the engineer shall be revoked.

Officers of steamboat to answer questions.

12. Any Inspector may, at all times when inspecting, visiting or examining any boilers and machinery or the hull of any steamboat, ask of any or all of the owners, officers or engineers of such steamboat, or other person on board thereof

thereof, and in charge or appearing to be in charge of the same, or of the boiler or machinery thereof, such pertinent questions concerning the same, or concerning any accident that may have happened thereto, as he may think fit; and every such person shall fully and truly answer every such question so put to him respectively, to the best of his knowledge and ability; and every person refusing to answer or falsely answering such question, or preventing any such inspection or obstructing any Inspector in the same, shall, by so acting, incur a penalty of forty dollars.

Penalty for refusal.

**13.** Any Inspector of Steamboats is hereby empowered to demand of the owner or master of any steamboat being inspected by him, the production of the certificate of registry of such steamboat; and it shall thereupon be the duty of such owner or master to produce and exhibit the same to such Inspector.

Certificate of registry to be exhibited.

**14.** When the Inspector finds it necessary to open up the hull of a vessel for the purpose of examining her condition, the expense incurred thereby shall be chargeable to the owner of such vessel.

Owner to pay certain expenses of examination.

**15.** The Inspector may require that the engine and machinery under inspection by him, be put in motion; and any Inspector shall be carried free of expense on any steamboat which he shall desire to inspect while under way, and during such period as may be necessary for such inspection, and for his return to the port at which he embarked on such steamboat for such purpose, or for his disembarkation at any port at which such steamboat touches on her voyage.

Inspection of machinery in motion; free passage of inspector.

**16.** If the Inspector who inspects any steamboat in the manner required by this Act, approves the hull and equipment of such steamboat, he shall sign a certificate according to the form A in the schedule of this Act, and triplicates of such certificate, signed by the Inspector of hulls and equipment shall be delivered by him to the Inspector of boilers and machinery for the same district, who, if he has then inspected and approved the boilers and machinery of the steamboat and has also satisfied himself that the certificate of the Inspector of hulls and equipment is true and correct as to the said equipment, and as to the number of passengers the steamboat may lawfully carry, and as to all the particulars mentioned in the said form, and that the equipment is sufficient and in accordance with the requirements of this Act, shall sign the certificate in triplicate and deliver two of such triplicates to the owner or master of the steamboat,—who shall deliver one triplicate to the chief officer of Customs as aforesaid, and the other he shall cause to be posted up, framed and protected by glass, in some conspicuous part of the steamboat for the information of the

Certificate of inspection of hull and equipment.

And of boilers.

To be signed by both inspectors.



Disposal of triplicate certificate.

public; and the Inspector of boilers and machinery shall retain the other triplicate for the purposes of this Act:

Certificate of inspection of boilers and machinery only.

2. Except that, if the steamboat is one of which the boiler and machinery only is subject to inspection under this Act, the Inspector of boilers and machinery shall sign a certificate in the form B in the said schedule, in duplicate, and deliver the duplicates to the master or owner of the steamboat, who shall deliver one to the chief officer of Customs and cause the other to be posted up in some conspicuous part of the steamboat for the information of the public:

Decision of disputes in certain cases.

3 Any matter in dispute arising under this or any other sections of this Act, between an Inspector or the Board of Inspection and the master or owner of any steamboat, and also any dispute between an Inspector or the Board of Inspection and an engineer, may be referred by either party to the Minister of Marine and Fisheries, who shall finally decide the same:

Register of inspections.

4. Each inspector shall keep a register of the inspections and certificates made and granted by him, in such form and with such particulars respecting them as the Inspection Board shall, from time to time, require, and shall furnish copies thereof to the Board when required.

#### INSPECTION OF BOILERS AND MACHINERY.

Testing of boilers by hydrostatic pressure.

7. Any Inspector may, whenever he deems it necessary so to do, and some one of them shall, at least once in every year, subject the boiler of every steamboat to a test by hydrostatic pressure, and shall satisfy himself by examination and experimental trials, that such boiler is well made, of good and suitable material; the limit of such pressure shall not exceed one hundred and fifty pounds to the square inch in the case of a boiler made of iron plates, or one hundred and ninety pounds to the square inch in the case of a boiler made of steel plates; and the owner of the steamboat shall provide the necessary hand-pump and apparatus for such test, to be worked by the crew of the steamboat; and no Inspector shall make or deliver to the owner or master of any steamboat, any such certificate as is mentioned in the sixteenth section of this Act, without having first subjected the boiler of such steamboat to such test by hydrostatic pressure:

Limit of test.

Essential to obtaining certificate.

Proceedings before testing by hydrostatic pressure.

2. Before subjecting a boiler to a test by hydrostatic pressure, it shall be opened up for inspection, the man-hole doors and mud-plates removed, and the outside and inside of the boiler cleaned, the furnace grates removed and the furnace swept out clean, so that satisfactory and efficient inspection can be made: when bulkheads are so placed as to prevent a close examination of the plates of the boiler, they shall

shall be removed ; the owner or master of the steamboat shall see that these requirements are complied with before applying for inspection :

In any case in which the test is not satisfactory, the defects must be made good and the boiler re-tested satisfactorily, before a certificate shall be granted ; and—

Defects to be made good.

When the outside of the bottom of a boiler cannot be otherwise perfectly inspected, the boiler shall be lifted for inspection once at least in every four years :

Boiler to be lifted if necessary.

3. In subjecting boilers made of iron plates to the hydrostatic test aforesaid, the Inspector shall assume one hundred pounds to the square inch as the maximum pressure allowable as a working power for a new boiler forty-two inches in diameter, made of the best refined iron, at least one-quarter of an inch thick, in the best manner and of the quality herein required,—and shall rate the working pressure of all iron boilers, whether of greater or less diameter, according to this standard ; and in all such cases the test applied shall exceed the working pressure allowed, in the ratio of one hundred and fifty pounds to one hundred, using the water in such tests at a temperature not exceeding sixty degrees Fahrenheit :

Maximum working pressure for new iron boilers.

Ratio of test to working pressure.

4. In subjecting boilers made of steel to the hydrostatic test aforesaid, the Inspectors shall assume one hundred and twenty-five pounds as the maximum pressure allowable as a working power for a new boiler forty-two inches in diameter, made in the best manner, of the best quality of steel plates, at least one-quarter of an inch thick, with all the rivet holes drilled in place, the plates being then taken apart and the burrs removed, the longitudinal seams in the shell being fitted with double butt steel straps cut across the grain of the plate, and each of five-eighths the thickness of the plates they cover, and all the seams being at least double-riveted and having at least seventy per cent. of the strength of the solid plate, and all the flat surfaces stayed in the best manner and all the seams double-riveted,—and they shall rate the working pressure of all steel boilers so made, whether of greater or less diameter, according to this standard ; and in all such cases the test applied shall exceed the working pressure allowed for such boilers in the ratio of one hundred and ninety pounds to one hundred and twenty-five pounds, using the water in such tests at a temperature not exceeding sixty degrees Fahrenheit :

Maximum working pressure for new steel boilers.

Ratio of test to working pressure.

5. But if the Inspector is of opinion that any boiler, whether made of iron or steel plates, by reason of its construction or material, will not safely allow so high a working pressure as that hereinbefore specified for each such description of boiler respectively, he may, for reasons to be stated

Working pressure allowed may be reduced.

specifically

specifically in his certificate, fix the working pressure of such boiler at less than two-thirds of the test pressure :

**Discretion allowed to Inspector as to working pressure.**

6. And these rules shall be observed in all cases, unless the proportion between such boilers and the cylinders, or some other cause, renders it manifest that their application would be unjust,—in which case the Inspector may depart from these rules if it can be done with safety ; but in no case shall the working pressure allowed exceed the proportion hereinbefore mentioned, as compared with the hydrostatic test :

**Determination of external working pressure on flues. &c.**

7. The external working pressure to be allowed on circular furnaces and flues subjected to such pressure, when the longitudinal joints are welded or made within a butt strap, shall be determined by the following formula :—

**Formula.**

The product of 90,000 multiplied by the square of the thickness of the plate in inches,—divided by the length of the flue or furnace in feet plus 1, multiplied by the diameter in inches,—will be the allowable working pressure per square inch in pounds,—provided it does not exceed that found by the following formula,—

**Formula.**

The product of 8,000 multiplied by the thickness of the plate in inches, divided by the diameter of the furnace or flue in inches, will be the allowable working pressure per square inch in pounds,—

**Length, how understood.**

The length of the furnace to be used in the first formula being the distance between the rings if the furnace is made with rings ; and that one of the two formulæ which gives the lowest pressure being the one by which the Inspector shall be guided :

**Allowable pressure on flat surfaces.**

8. On flat surfaces the allowable working pressure shall not exceed six thousand pounds to each effective square inch of sectional area of the stays supporting it ; the pressure to be allowed on plates forming flat surfaces shall be that found by the following formula :—

$$\frac{C \times (T+1)^2}{S-6} = \text{Working pressure in pounds per square inch, where—}$$

$T$  = Thickness of plate in sixteenths of an inch ;

$S$  = Surface supported in square inches ;

$C$  = 100 ; but when the plates are exposed to the impact of heat or flame, and steam only is in contact with the plates on the opposite side,  $C$  is to be reduced to 50 :

9. In order to satisfy himself as to the strength and condition of a boiler, the Inspector may, if he deems it necessary, order holes to be cut in it, and may also demand that such information be furnished him as to the interior construction of the boiler as will enable him to judge correctly of its strength:

Interior condition of boiler to be ascertained.

10. In no case shall a certificate be granted for a boiler when drift pins have been used in bringing the holes in the sheets together:

Use of drift pins forbidden.

11. Man-hole openings must be stiffened with compensating rings of at least the same effective sectional area as the plate cut out, and in no case shall such rings be of less thickness than the plates to which they are attached; all openings in the shells of cylindrical boilers shall have their short axes placed longitudinally:

Openings in shells of boilers.

12. When bars or angle irons are used for sustaining the crown sheet of the furnace of a boiler, three-fifths of the working pressure allowable upon the crown sheet, shall be sustained by hanging stays from the shell of the boiler attached to the crown sheet:

Stays to crown sheet of boilers.

13. Donkey boilers on steamboats shall be provided with two safety-valves, one of which may be locked up:

Safety valves to donkey boilers.

14. Boilers in which the longitudinal seams in the cylindrical shell are single riveted, in place of double riveted, shall be subject to a reduction in the working pressure allowable for a boiler made in the best manner (as prescribed by sub-sections three and four of this section), and the limit of pressure in boilers so made shall not exceed eighty pounds to the square inch in place of one hundred pounds or one hundred and twenty-five pounds, as mentioned in sub-sections three and four of this section.

Reduction required in working pressure for single riveted shells.

15. No boiler made and placed on board after the passing of this Act shall be made of boiler plate, whether iron or steel, which has not been stamped with the mark or name of the maker thereof; and no certificate shall be granted with respect to any boiler made wholly or in part of plate not so marked: and before a certificate shall be granted with respect to any boiler, a declaration on oath by the maker of the boiler, stating the name of the maker of the plates, their quality, and the quality of all materials used in the construction thereof, shall be furnished to the Inspector,—which oath may be taken before any Justice of the Peace in Canada, or before a Notary Public, and certified under his official seal, if taken out of Canada: Provided always, that in any case where such declaration on oath by the maker of the boiler cannot be

Mark or name of maker of plates to be stamped on them.

Maker or quality of plates, to be sworn to.

Proviso: in case of decease of maker.

obtained

obtained owing to the death of the maker, or from other cause deemed sufficient by the Inspector, the affidavit of two practical boiler-makers who shall examine the boiler and report upon the quality of the materials in it and its workmanship and strength, shall, if satisfactory to the Inspector inspecting the boiler, be deemed sufficient in lieu of such declaration by the maker of the boiler :

**Inspector to be notified of construction of new boiler.**

2. During the construction of every boiler made in Canada, the maker of such boiler shall notify the Inspector of the district in which it is being made, that it is open to his inspection, and shall, at all times during such construction, allow the Inspector access to such boiler :

**Bad material or form not allowed.**

3. No boiler or pipe shall be approved which is made in whole or in part of bad material, or is unsafe in its form, or dangerous from defective workmanship, age, use or any other cause.

#### SAFETY VALVES, STEAM GAUGES, ETC.

**Examination of safety valves.**

19. Every Inspector, when inspecting, visiting or examining the boiler or machinery of any steamboat, shall satisfy himself that the safety-valves attached thereto are of suitable dimensions, sufficient in number, well managed and in good working order, and only loaded so as to open at or below the certified working pressure ; and he may, if he thinks proper, order and cause one or more of such safety-valves, which together shall be of sufficient dimensions to discharge all the steam the boiler can generate, and of such construction as he approves, to be locked up and taken wholly away from the control of the engineer when the steam is up ; but this provision does not imply that the engineer is not to have access to the safety-valves when the steam is not up, but on the contrary he shall see that they are kept in working order, and the master of the steamboat shall see that the engineer has access to them for that purpose, and keeps them in proper working order :

**One or more to be taken from control of engineer when steam is up.**

**Proviso.**

**Attachment of cocks and valves to boiler.**

2. The boiler-cocks and valves attached to the boilers, shall be substantially made, and in no case shall they be attached to the boiler by screwing into the plate, unless, as an additional security, nuts and flanges be used in addition to such attachment :

**No valve to be overloaded.**

3. No valve, under any circumstances, shall at any time be so loaded, or so managed in any way, as to subject a boiler to a greater pressure than that allowed by the Inspector at the then last inspection thereof :

**Lock-up valves.**

4. The lock-up valves shall be of a construction, approved by the Board of Steamboat Inspection,—such valves to be tested and proved by an Inspector before use ;  
and

and no Inspector shall grant a certificate to any steamboat unless the boiler, or each boiler, if more than one, of such steamboat be provided with two safety-valves, one of which shall be locked up and one open :

5. Every safety-valve made or placed on board after the passing of this Act, or attached to a boiler made after that time, must have a lift equal to at least one-fourth of its diameter ; the openings for the passage of steam to and from the valve must each have an area not less than the area of the valve, as shall also the waste steam pipe, and the valve box must have a waste water pipe ; if the lever of a lever safety-valve is not bushed with brass the pin must be of brass,—iron and iron working together must not be allowed ; every such safety-valve must be fitted with lifting gear so that it can be worked by hand, either from the engine-room or the fire-hold, or by the master or person in charge on deck ; every such safety-valve must be so attached to the boiler, that the valve chest shall be as close to the boiler as possible.

Lift and openings of valves :—  
lifting gear, &c.

20. The area of any locked safety-valve or the joint areas of any locked safety-valves to any boiler, made or placed on board after the passing of this Act, shall not be less than half a square inch for each square foot of grate surface in or under the boiler.

Area of locked safety valves.

21. Whenever the engine of any steamboat is stopped for any purpose, the engineer or the master or person in charge of such steamboat shall open the safety-valve, so as to keep the steam in the boiler down to ten pounds below the pressure limited by the Inspector's certificate if the engine be a high pressure engine, and to five pounds below the pressure limited as aforesaid if the engine be a low-pressure engine,—under the penalty of two hundred dollars for every contravention of this provision.

When engine is stopped safety-valve to be opened, and steam pressure reduced.

22. In a conspicuous and easily accessible place, in each steamboat, there shall be a steam gauge properly constructed and open to the view of all passengers and others on board such steamboat, and showing at all times the true pressure of the steam in the boiler thereof.

Steam gauge to be exposed to view of passengers.

23. And if any master or engineer of any steamboat at any time allows the pressure of steam, to which the boiler of such steamboat is subjected, to exceed that limited by her certificate, or alters or conceals or otherwise deals with the said steam-gauge, so as to prevent the real pressure of steam from being seen and ascertained by any passenger, he shall thereby incur a penalty of two hundred dollars for every such offence.

Penalty for concealing or tampering with gauge.

Bourdon gauge to be used.

**24.** The steam-gauge required by this Act to be open to the view of all passengers and others on board any steamboat, shall be that known as "The Bourdon Gauge," or shall be of such construction and shall be put in such place and position, as the Inspector inspecting, visiting or examining such steamboat shall, from time to time, direct.

Water-gauge and surface blow off valves.

**25.** Each boiler of every steamboat shall be provided with a suitable water-gauge, capable of showing the water level within each boiler at all times: and all steamboats navigating in brackish or salt water, shall be provided with surface blow-off valves, such as are commonly used on board sea-going steamboats.

#### SAFETY BILGE INJECTION-PIPE.

Bilge pipe with valve connecting with condenser.

**26.** Every steamboat carrying passengers and having a condensing engine, shall be provided with a bilge injection valve and pipe of suitable dimensions, leading from the floor frames of the steamboat into the condenser of the engine.

#### BOATS AND LIFE PRESERVERS TO BE CARRIED BY STEAMERS.

Life-boats on sea-going or lake-going steamboats.

**27.** No steamboat of the registered tonnage of one hundred tons or upwards shall depart by sea from any port or place within the Dominion of Canada, or depart from any port or place, on either of the Lakes Memphremagog, Ontario, Erie, Huron, Simcoe, or Superior, or on the River St. Lawrence, or on the River Ottawa, or St. John, or on any lake or river in Manitoba, British Columbia, or the North-West Territories, or the District of Keewatin, which is at any place on the route of such steamer more than one mile in width, with passengers, without having on board or attached to such steamboat, one good and sufficient life boat made of suitable metal, fire-proof, with air-tight metallic compartments at the ends and sides, (except as hereinafter provided) according to the directions of the Inspector, capable of sustaining, inside and outside, fifty persons, with life-lines attached to the gunwale at suitable distances, or having on board two good and sufficient life boats, with air-tight metallic compartments as aforesaid, each capable of sustaining inside and outside thirty persons, with life-lines attached to the gunwales at suitable distances, and in either case with sufficient oars and other suitable tackle:

Description of boat and its appurtenances.

Dimensions of life-boat for fifty persons.

2. The life boat required to carry fifty persons may be considered of sufficient capacity if made of the following dimensions:—

Length of keel, twenty-two feet; breadth of beam from metal to metal, five feet six inches; depth from top of keel to top of gunwale at bottom of row-lock, two feet nine inches:

The life boat required to carry thirty persons may be considered of sufficient capacity if made of the following dimensions :— For thirty persons.

Length of keel, eighteen feet ; breadth between metal and metal, five feet two inches ; depth from top of keel to top of gunwale, two feet two inches.

28. Notwithstanding anything to the contrary contained in the immediately preceding section, the life boat or life boats on board of or attached to any steamboat on any of the voyages of such steamboat, may have air-tight metallic compartments at the sides only, or at the ends only, or shall have them at both ends and sides, according to the directions of the Inspector by whom such steamboat was last inspected. Inspector may direct as to build of life-boats carried.

29. No steamboat of any registered tonnage whatever shall depart by sea from any port or place in the Dominion of Canada, or depart from any port or place on any of the lakes or rivers mentioned or referred to in section twenty-seven, with passengers, without having on board or attached to such steamboat, a good, suitable and sufficient boat, or good, suitable and sufficient boats, in good condition and properly equipped,—every such boat to be provided with not less than six oars, and other necessary tackle, and to be of sufficient capacity to carry not less than twelve adult persons, exclusive of the crew of such boat, and to be of not less than seventeen feet length of keel ; and the number of such boats to be in the following proportion to the registered tonnage of such steamboat, that is to say :— Other boats to be carried.

For every steamboat of less than fifty tons, one such boat ;

For every steamboat of fifty tons and upwards, but less than one hundred tons, not less than two such boats ;

For every steamboat of one hundred tons and upwards, but less than three hundred tons, not less than two such boats, in addition to the life boat above required ;

For every steamboat of three hundred tons and upwards, not less than three such boats, in addition to the life boat above required :

All such boats shall be hung in separate davits, with lowering apparatus complete and ready for instant lowering : Provided, that in any case where any such steamboat carries two life boats one of the other boats may be carried on the hurricane deck without Provision as to care and management of boats and their protection.



without davits ; the boats shall be kept in good condition, water-tight and ready for immediate use, and masters of steamboats shall detail their crews and exercise them in lowering and handling the said boats at least once a month ; when wood is used as fuel in the boilers of high-pressure steamboats, the covers for the said boats shall be made of wood covered with zinc ; and every boat shall have the name of the steamboat to which it belongs and of her port of registry legibly painted on her bows and stern :

Name of steamer to be on her boats.

Proviso : as to freight steamboats.

Provided, that no steamboat employed chiefly in the carriage of freight, when carrying not more than twenty-five passengers, shall be required to have on board or attached to such steamboat more than two boats in addition to a life boat.

Minister of Marine may authorize special boats in special cases.

**30.** Provided, that the Minister of Marine and Fisheries may authorize the use in individual specified cases, of boats of different dimensions from those specified in sections twenty-seven, twenty-eight and twenty-nine of this Act ; and upon such authorization being granted, it shall be sufficient that boats of the dimensions specified in such authorization be provided and carried on the steamboat to which such authorization relates.

Boats to be carried by steamers employed in inland navigation carrying passengers.

**31.** Every steamboat employed in the carriage of passengers which shall be used in the navigation of rivers, or inland navigation only, except as specified in sections twenty-seven and twenty-nine of this Act, shall carry not less than two good boats, provided with four oars each, and of sufficient capacity to carry not less than twelve persons with safety, besides the crew, except steamboats confined to the navigation of the River St. John, above Fredericton, the waters in the District of Muskoka, the County of Victoria and the County of Peterborough, in the Province of Ontario, and the waters of the Ottawa River, and its tributaries above the City of Ottawa, or of lakes or rivers not exceeding one mile in width at any place on the route of such steamboat, which shall carry one good boat of the size and provided as aforesaid ; and except also steamboats of less than fifty tons register, which shall carry one good boat of the size and description, and provided in the manner approved of, in each case, by the Inspector : Provided always, that steamboats not exceeding one hundred and fifty tons register shall not be required to carry more than one good boat of the capacity above mentioned.

Small steamboats under 50 tons.

Proviso.

Boat lowering apparatus.

**32.** Every steamboat to which the twenty-seventh and twenty-ninth sections of this Act apply, shall be provided with sufficient means for lowering from on board safely and expeditiously

expeditiously each boat required by the said sections to be on board of or attached to such steamboat, on each occasion on which such boats are so required to be on board of or attached to the same :

2. Three davits properly constructed and placed shall be considered sufficient for lowering two boats. Davits.

33. Every steamboat not employed in the carriage of passengers, and every steamboat to which the twenty-seventh, twenty-eighth, twenty-ninth, thirty-first, thirty-fifth and thirty-eighth sections of this Act do not apply, shall at, all times when the crew thereof is on board, be provided with and have on board or attached to such steamboat in some convenient place a good, suitable and sufficient boat, or good, suitable and sufficient boats, in good condition and properly equipped, and provided with oars in sufficient number and other necessary tackle, and of sufficient capacity to carry all the crew of such steamboat, and with sufficient means for lowering such boat or boats from on board safely and expeditiously, and also a life-preserver for each one of the crew,—and also a number, in due proportion to that of the crew, of good and sufficient fire buckets, of metal, leather or other suitable material, and axes and lanterns, to the satisfaction of the Inspector. Freight steamboats ; boats to be carried by and equipment of.  
  
Life preservers, buckets, &c.

34. Sections twenty-seven, twenty-eight, twenty-nine, thirty-one, thirty-five and thirty-eight shall not apply to ferry-boats or tug-boats plying elsewhere than on the River St. Lawrence. Ferry-boats and tug-boats.

35. Every sea-going steamboat and every steamboat on any of the lakes or rivers specified in the twenty-seventh and twenty-ninth sections of this Act, or navigating any bay or bays or arm or arms of the sea in connection with the Dominion, employed in the carriage of passengers, shall be provided with and shall carry on board on every voyage life-preservers as follows, namely :—Each and every such steamboat of the registered tonnage of two hundred tons and upwards, shall be provided with two hundred life preservers ; and each and every such steamboat of the registered tonnage of less than two hundred tons shall be provided with not less than three life preservers for every five tons register ; and each steamboat carrying passengers on rivers or inland navigation, except on the lakes and rivers specified in section twenty-seven, of the registered tonnage of two hundred tons and upwards, shall be provided with not less than one hundred life preservers, and each such steamboat as last aforesaid, of less than two hundred tons register, with not less than fifty life preservers ; and all such life preservers shall be made of the size and material approved of by the Inspector, and shall be fitted with shoulder straps and fastenings Life-preservers.  
  
Number of.  
  
Size and material of.

Proviso :  
maximum  
number of  
life preser-  
vers.

Wooden floats  
for unprovid-  
ed passengers.

Proviso : as to  
freight boats.

Life-pre-  
servers to be  
cork jackets.

Life buoys.

Proviso : as to  
ferry boats.

Fire buckets  
on passenger  
boats.

ings suitable for securing the same around the body, under the arms; and each such preserver shall have a buoyancy of sixteen pounds, and shall at all times be kept in some convenient and accessible places in the staterooms or on the deck of such steamboat, under cover and in readiness for the use of passengers; and no steamboat shall proceed to sea or on any voyage without being fully provided in compliance with the requirements of this section: Provided always, that the maximum number of such life preservers required on any steamboat shall not exceed two hundred. But in any steamboat, as to which the boat capacity, and the number of life preservers, together fall short of the number of passengers she is allowed to carry by her certificate, such deficiency shall be supplied by a number of wooden floats, each equal in buoyancy to one cubic foot of seasoned white pine, equal to the number of passengers and crew not provided for in the boats or with life preservers:

2. Provided always, that notwithstanding anything in the next preceding sub-section, no steamboat employed chiefly in the carriage of freight, when carrying not more than sixty passengers, shall be required to be provided with or carry on board on any voyage, more than one life-preserver for each passenger, and one life-preserver for each of the crew then on board of such steamboat.

**36.** A cork jacket, with shoulder straps and waist lines for fastening the same around the body, shall be the form of life-preserver to be used on passenger steamboats.

**37.** Every steamboat registered in Canada, or to which this Act applies, shall carry at least one life buoy with a proper heaving line attached, in some convenient place where it can be easily got at for use in case of accident requiring it:

But the Governor in Council may, at any time, order and direct that the other provisions of this Act shall not, or shall not for any time specified in the order, in so far as such provisions extend to the carrying of boats and life-preservers, apply to any ferry-boat specially mentioned in such Order in Council, and the Governor in Council may order and direct that such other provisions as he may deem advisable with respect to the carrying of boats and life-preservers on such ferry boat, shall be applicable to and shall be enforced in respect of such ferry boat.

#### PRECAUTIONS AGAINST FIRE.

**38.** Except as hereinafter provided, every steamboat employed in the carriage of passengers, whether by sea, bay, lake

lake or river navigation, of more than one hundred and fifty tons gross, shall be provided with and have on board, in some convenient place, not less than twenty-five sufficient fire buckets of metal or leather, five axes, and six good and sufficient lanterns approved of by the Inspector: Provided always, that passenger steamboats of more than seventy-five and less than one hundred and fifty tons gross shall not require to be provided with and have on board more than twelve fire buckets, and that passenger steamboats of seventy-five tons gross and under, and steam-tugs under one hundred and fifty tons gross, shall not be required to be provided with and have on board more than six fire buckets.

Proviso  
limiting  
number.

**39.** Suitable and safe provision shall be made throughout the steamboat to guard against danger from fire; and no combustible material liable to take fire from heated iron or any other heat generated on board any steamboat, in and about the boilers, pipes or machinery, shall be placed at less than six inches distant from such heated metal or other substance likely to cause ignition; and further, when wood is so exposed to ignition, it shall, as an additional preventive, be shielded by some incombustible material, in such manner as to allow the air to circulate freely between such material and the wood: and metallic vessels or safes shall be provided and kept in some convenient place to receive cotton-waste, hemp, and other inflammable substances, which are in use on board:

Further  
precautions  
against fire.

2. Provided however, that when the structure of the steamboat is such, or the arrangement of the boiler or machinery is such, that the requirements aforesaid cannot, without serious inconvenience or sacrifice, be complied with, the Inspector may allow deviations from the said requirements, if in his judgment it can be done with safety:

Proviso:  
Inspector may  
authorize  
deviations  
from usual  
requirements.

3. But inflammable matter, when carried on any steamboat, shall invariably be stowed away as far as possible from the boiler, and from places where its ignition is possible:

Inflammable  
matter.

4. No fire nor any lighted lamp, candle or other artificial light by which fire may be communicated, shall be allowed in any stateroom of any passenger steamboat, nor in the steerage thereof unless in a locked and glazed lantern.

Uncovered  
lights not  
allowed.

**40.** Every steamboat carrying passengers shall have at least three double-acting forcing pumps, with chambers at least four inches in diameter, two to be worked by hand, and one by steam, if steam can be employed independent of and not worked by the main engine, otherwise, all three by hand,—one whereof shall be placed near the stern, one near the stem, and one amidships, each having a suitable well-fitted hose of

Force pumps  
and hose.

at

Hose  
wrenches and  
supply pipes.

at least two-thirds the length of the steamboat, kept at all times in perfect order, clear of freight or other obstructions, with hose coupled and ready for immediate use ; each pump and coupling shall be provided with a hose-wrench chained to the same, and each of the said pumps shall be supplied with water by a pipe connected therewith, and passing through the side of the steamboat, so low as to be at all times in the water when the boat is afloat :

Proviso: as to  
vessels not  
exceeding  
200 tons.

2 Provided, that in steamboats not exceeding two hundred tons gross (that is engine-room included) two of such pumps (one of which may be the steam-pump) may be dispensed with, and in steamboats of over two hundred tons, but not exceeding five hundred tons gross, one of such hand-pumps may be dispensed with ; but in these cases the hose shall be of such length as to reach easily to every part of the steamboat ; and in steamboats where only one pump is used, such pump shall be placed where directed by the Inspector :

If there are  
fixed iron  
tubes along  
deck with  
nozzles.

3. And in cases where an iron tube or tubes equal in diameter to the hose carried by the steamboat, connected with a force-pump or pumps, and extending at least one-half of the length of the steamboat, is or are fixed under the hurricane deck thereof, and provided with nozzles placed at distances of not more than thirty feet from each other or from either end of the steamboat—to which nozzles the hose carried by the steamboat can be readily attached,—it shall not be necessary that the hose should be of greater length than will be sufficient to reach from some one of such nozzles to either end of the steamboat : each nozzle shall be provided with a stop valve or stop cock, so that one or more of such hose attachments may be used, as may be required :

Vessels under  
100 tons.

4. In steamboats under one hundred tons gross, one steam pump of suitable size, or if steam cannot be employed, one force-pump of suitable size worked by hand, shall be sufficient :

If only one  
pump, it is to  
be placed aft.  
Exception.

5. In steamboats not exceeding two hundred tons gross requiring only one pump, such pump shall be placed aft, unless the space forward is kept free to admit of ready access to the pump and hose, in which case the pump may be placed forward.

Steam pony-  
pump.

41. Every steamboat of more than sixty tons, registered tonnage, carrying passengers, shall also be provided with a steam pony pump that may be used as a fire-engine, to be worked independently of the main engine ; such steam pony-pump shall be placed on the main deck of the vessel, as near as possible to the engine room, convenient to the control of the engineer ; and in all cases the pump hose shall be coupled to the pony and hand fire-pumps, ready for immediate use in case of fire.

Hose to be  
coupled.

**42.** Every steamboat carrying passengers on the main or lower deck, shall be provided with sufficient means convenient to such passengers for their escape to the upper deck, in case of fire or other accident endangering life.

Means of escape from lower to upper deck.

**43.** On board every steamboat carrying passengers there shall be placed in some conspicuous place, accessible to all the passengers, a copy of this Act, and in every cabin, stateroom and in other conspicuous places about the vessel, a printed paper (to be provided and filled up by the owner or master of the steamboat) showing the number of boats, with their capacity, and also the number of fire-buckets, axes and life-preservers and floats on board of such steamboat, and the method of adjusting such life-preservers to the body, and a statement of the places where such buckets, axes and life-preservers are kept. The name of the steamboat shall be painted or stamped on all the boats, fire-buckets and floats, axes and life-preservers.

Printed notice, to be posted up stating number of boats, pumps, buckets, &c. and with instructions as to fitting life-preservers, &c.

Name of vessel to be painted on boats, &c.

**44.** The Governor in Council may, from time to time, make, alter or repeal rules and regulations requiring steamboats to carry chemical or other fire extinguishers, and prescribing the number of such fire extinguishers to be carried by steamboats of different sizes and classes respectively; and such rules and regulations being published in the *Canada Gazette*, as required by this Act, shall, while in force, have effect and be enforced by the Inspectors and others as if made under this Act; and any contravention thereof shall be punishable as an offence against this Act.

Regulations as to carrying chemical fire extinguishers.

#### ENGINEERS.

**45.** Any person claiming to be qualified to perform the duties of an engineer in steamboats, shall apply for a certificate to the Board of Inspection, who shall examine, or shall cause an Inspector or Inspectors to examine and report upon the applicant and the proofs that he produces in support of his claim; and any such examination may be upon oath, which any Inspector may administer; and if upon full consideration the Board of Inspection are satisfied that his character, habits of life, knowledge and experience in the duties of an engineer are all such as to authorize the belief that the applicant is a suitable and safe person to be entrusted with the powers and duties of such a station, the said Board of Inspection shall give him a certificate to that effect under the hand and seal of the Chairman, specifying the grade for which he has been found qualified; and the said certificate, except that of a first-class engineer, shall, subject to the above conditions, be renewed yearly, or oftener if applied for, and may be so renewed by the Chairman in the interim between the meetings of the Board; and for every such certificate the applicant shall pay the sum of five dollars, and

Examination of engineers by the Board.

May be on oath.

Certificate if found qualified.

Renewable yearly.

Exception.

Fees thereon.

Provision if the Board of Inspection is not sitting when an applicant is found qualified.

and for every renewal five dollars, which shall be paid to the Receiver General, as part of the Consolidated Revenue Fund :  
 Provided, that if the report of the Inspector or Inspectors certifying the fitness of an applicant, be made at a time when the Board of Inspection is not sitting, it may be sent by such Inspector or Inspectors to the Chairman or to the Deputy-Chairman of the Board, who may thereupon grant a certificate to the applicant to be in force only until the then next meeting of the Board ; and the fee paid by him shall not be returned if he does not then obtain a certificate from the Board, but if he obtains it he shall not pay any further fee therefor :

Revocation of license for cause.

2. But the license of any such engineer may be revoked by the said Board upon proof of negligence, unskilfulness or drunkenness, or upon the finding of a coroner's inquest, and may also be revoked by the Board for any other cause, provided such other cause be deemed sufficient by the Minister of Marine and Fisheries, and certified as such by him :

Passenger boats or freight boats over 150 tons must have certificated engineers.

3. It shall not be lawful for any person to keep watch as engineer on any passenger steamboat or on any freight steamboat over one hundred and fifty tons gross, who does not hold a certificate either from the Board or from the Chairman as provided by this Act :

Engineer and master must not be same person.

4. It shall not be lawful for any person to act in the double capacity of engineer and master on any steamboat.

Grades of engineers.

**46.** Engineers shall be classified according to the following grades :—

1st Class Engineers,  
 2nd Class Engineers,  
 3rd Class Engineers :

Qualifications of first class engineer.

A first class engineer shall be qualified to take charge of any steamboat :

Second class.

2. A second-class engineer shall be qualified to take charge of any freight steamboat, or of any other steamboat, except a sea-going passenger steamboat of more than one hundred nominal horse power :.

Third class.

3. A third class engineer shall be qualified to take charge of any passenger steamboat of less than thirty nominal horse power, or of any freight steamboat except a sea-going steamboat of more than one hundred nominal horse power :

Certain existing certificates may be exchanged.

4. Persons who hold certificates as first-class assistant engineers, or limited certificates as competent to take charge of passenger steamboats for the year One thousand eight hundred

hundred and eighty-two, may, at any time after the passing of this Act, exchange them for certificates as third-class engineers on payment of a fee of five dollars which shall be paid to the Receiver General as part of the Consolidated Revenue Fund.

47. It shall not be lawful for any person to employ another as engineer, or for any person to serve as engineer, on any passenger steamboat, or on any freight steamboat of over one hundred and fifty tons gross, unless the person serving or employed as engineer is licensed by the said Board, for the grade in which he is to be employed, except as herein provided; and any person so offending shall incur a penalty of one hundred dollars: Provided however, that if a steamboat leaves a port with a complement of engineers, and on her voyage is deprived of their services, or the services of any of them, without the consent, fault or collusion of the master, owner or any one interested in the steamboat, the deficiency may be temporarily supplied until others licensed can be obtained.

Engineer on passenger boat or freight boat over 150 tons must be licensed.

Penalty for contravention.

Proviso: when vessel is deprived of engineer.

*Rules for the guidance of Inspectors of Steamboats examining Engineers.*

48. No person shall be qualified for a third-class engineer's certificate who is not over twenty-one years of age or who has not served an apprenticeship of not less than three years in a marine steam engine shop, and been employed on the making and repairing of such engines,—or, if he has not served such apprenticeship, he must prove that he has been employed for not less than three years as a journeyman mechanic in some workshop, on the making and repairing of such engines; in either case, he must also have served one calendar year in the engine room of a steamboat as engineer on the watch; or he must have served four years at least in the engine room of a steamboat as engineer on the watch: he must be able to give a description of boilers, the methods of staying them, and the requisite strength of their several parts, and must know the means of repairing them; he must know the method of lining the engine, setting the eccentrics and adjusting the slides or valves, and also the cause of any derangement and the means of remedying it; he must write a legible hand and understand the first five rules of arithmetic:

Qualifications of third class engineer.

2. A second-class engineer shall have the qualifications of a third-class engineer with not less than two years' experience as such in the engine room of steamboats of not less than thirty nominal horse-power, as engineer on the watch:

Qualifications of second class engineer.

3. A first-class engineer shall have the qualifications of a second-class engineer, with not less than three years'

Qualification of first class engineer.



years' experience on one or more steamboats of not less than one hundred nominal horse-power: he must be competent to calculate the thickness of plates required for a boiler of given dimensions and construction to carry a fixed pressure of steam, and also the dimensions and construction of the boiler and thickness of plates being given, the pressure that it may be allowed to carry: he must be able to calculate the strength of its stays, connections, joints and other parts, and the tensile and crushing strength of the materials used in its construction: he must be able to calculate the required capacity of the feed-pump, the area of the safety-valve for a boiler of given dimensions, and the power of the engine from a diagram of its working, and to define the position of the crank and eccentrics as indicated by diagram: he must know the relative volumes of steam and water at different temperatures and pressures, the chemical constituents of coal, its heating and mechanical equivalents, and the quantity of air required for its combustion; he must be competent to make a working drawing of any part of an engine, and explain the operation of the engine or any of its parts in connection with the whole: he must be conversant with surface condensation and the working of steam expansively.

Engineer aggrieved may appeal to Board or its chairman.

Any person may appeal to Minister of Marine when aggrieved by Inspector.

**49.** Any engineer who feels himself aggrieved by any order, or act of an Inspector may, within two weeks thereafter, appeal therefrom to the Board of Steamboat Inspection, or to the Chairman when the Board is not sitting, who shall submit the case to the Board at its next sitting; and the Board may confirm, modify or disallow such order or act; and any other person who feels himself aggrieved by any order or act of an Inspector, may, within two weeks thereafter, appeal therefrom to the Minister of Marine and Fisheries, who may confirm, modify, or disallow such act or order.

#### INSPECTION FEES.

Inspection fees, scale of.

**50.** The owner or master of every steamboat in the Dominion of Canada, shall pay, yearly and every year, a rate or duty fixed by the Governor in Council, and not exceeding ten cents for every ton gross which such steamboat measures; and the owner or master of every passenger steamboat exceeding one hundred tons gross, shall pay an inspection fee of eight dollars for each inspection made imperative by this Act; and the owner or master of any passenger steamboat of one hundred tons and less, or of any other steamboat, shall pay an inspection fee of five dollars for each inspection made imperative by this Act:

No deduction for machinery when calcu-

**2.** And for the purposes of this section every ton of the gross tonnage of a steamboat shall be reckoned and no allowance

allowance or deduction shall be made for the space occupied by the engine room : ating tons for fees.

3. The amount of such rate or duty and inspection fee or fees shall, in each case, be paid to and received by the chief officer of Customs, at some one of the ports in the Dominion of Canada, who shall account for and pay over the same to the Receiver-General for the Consolidated Revenue Fund, at such times and in such manner as the Governor in Council may, from time to time, direct. Fees to be paid to chief officer of customs.

51. No Inspector shall make or deliver a certificate respecting any steamboat under this Act, unless the receipt of a chief officer of Customs for the rate or duty payable in respect of such steamboat for the then current year, has been produced and shown to him, nor unless he is satisfied, by careful examination, that all the conditions and requirements of this Act have been fulfilled and complied with, by and in respect of such steamboat ; and every Inspector shall report to some chief officer of Customs any case of omission to pay such rate or duty, or of omission to apply for such inspection as aforesaid, for more than one year from the date of the then last inspection, or of refusal to submit to inspection at any time, which in any way or at any time comes to his knowledge. Inspector's certificate not to be granted before fees paid. Inspectors to report to chief officer of customs, omissions to pay duty, &c.

52. Each chief officer of Customs shall demand of the owner or master of every steamboat which he may have reason to think has not been inspected as required by this Act, or in respect of which he may have reason to think the rate or duty mentioned in section fifty of this Act is due and unpaid, the exhibition of the receipt and certificate in that behalf, appertaining to such steamboat ; and if such receipt and certificate as aforesaid, to his satisfaction, are not produced, then such Chief Officer shall seize and detain such steamboat until the same are produced and exhibited, and any penalty incurred and lawfully imposed in respect of such steamboat under the provisions of this Act, has been paid in full ; and in default of payment, such Chief Officer shall sell such steamboat for the payment of such rate or duty or penalties, in the usual manner, and shall deal with the proceeds as if the penalties were incurred for violation of the Customs laws. Certificate or receipt may be demanded from owner of vessel. Vessel may be detained, seized and sold on failure to pay penalty. Proceeds, how dealt with.

#### PASSENGERS.

53. The Inspectors shall, in their certificate, prescribe the number of cabin or steerage or other passengers, that may be carried by any steamboat inspected by them having regard to the dimensions or tonnage thereof, or both, or otherwise howsoever,—subject to appeal to the Minister of Marine and Fisheries, whose decision shall be final ; and if such decision differs Number of cabin and steerage passengers allowed to be prescribed in certificate.

differs from that of the Inspectors, they shall alter their certificate accordingly.

Inspector may visit any steamer and may report to Minister that she is unfit for passengers.

**54.** Every Inspector may, at any time, visit, within the limits assigned to him, any steamboat, and inspect and examine the same, and if he considers such steamboat unsafe or unfit to carry passengers, he shall report thereon to the Minister of Marine and Fisheries, who may direct that such steamboat shall not be used or run until permitted by the Inspector, who shall have made such report, or by order of the said Minister; and any steamboat run or used in contravention of an order of the Minister shall be liable to forfeiture and to seizure by the chief officer of Customs at any port, and to sale, in the same way and under like provisions, as goods liable to forfeiture for non-payment of duties.

Penalty for running contrary to order of Minister.

Penalty for carrying more passengers than allowed by certificate.

**55.** The master or owner of any steamboat, in which a greater number of passengers than that allowed by her certificate is, at any time, carried, shall be guilty of an offence against this Act and shall, for each such offence, incur a penalty not exceeding five hundred dollars and not less than fifty dollars,—to be recovered and appropriated in the manner provided by section sixty-six of this Act.

Punishment of master allowing more passengers to be carried than allowed by certificate.

**56.** The master or person in charge for the time being of any steamboat, who shall, wilfully or negligently at any time, allow to be carried, on board such steamboat, a greater number of passengers than that permitted by her certificate, shall be guilty of a misdemeanour—and upon conviction thereof shall be imprisoned for two years in a penitentiary, or for a less term in any other prison or place of confinement, or shall be subject to a fine not exceeding five hundred dollars, or shall suffer both fine and imprisonment within the above defined limits, as the court may order.

Barge, scow, &c., used to carry passengers when being towed must be certified as fit

**57.** No tug-boat shall be employed to tow any barge, or any boat, bateau, scow or undecked vessel having passengers on board, unless such vessel has been inspected by an Inspector of hulls and equipment, and by him certified as provided in the Schedule C, hereunto annexed, to be fit and properly equipped to carry passengers on the waters on which she is so towed; and no such vessel shall, while so towed, have on board a greater number of passengers than she is certified as being fit to carry safely; and for any contravention of this provision, the master and the owner of the tug-boat, and the owner and person in charge of such barge, boat, bateau, scow or vessel carrying such passengers, shall each incur a penalty not exceeding two hundred dollars and not less than twenty dollars, to be recovered and appropriated in the manner provided in section sixty-six aforesaid

Penalty for contravention.

## MASTS AND SAILS—AND GANG-BOARDS.

**58.** It shall be lawful for the Minister of Marine and Fisheries, from time to time, by regulations to be made, repealed or altered by him from time to time, and to come into force as provided by the eighth section of this Act, with respect to regulations made by the Board of Inspection, to require that all or any description of steamboats above sixty tons registered tonnage, carrying passengers on the sea coasts of the Dominion or on all or any of the waters of the Dominion, with the exception of that portion of the St. Lawrence between Quebec and Kingston, and of the river connecting Lakes Erie and Huron, and of the waters between Kingston and the head of the Bay of Quinté, and the rivers in the Provinces of Nova Scotia and New Brunswick, and the tributary rivers flowing into the River St. Lawrence, or the lakes west of Quebec, and of any rivers or lakes not exceeding one mile in width on any part thereof on the route of such steamboats, respectively, shall, at all or any seasons of the year, be provided with a mast or masts, and sail or sails, suitable for such steamboats, and to prescribe the dimensions of such mast or masts, and sail or sails respectively.

Regulations  
as to carrying  
masts and  
sails.

**59.** Every steamboat or vessel carrying passengers shall be provided with good and sufficient gang-boards, protected at the sides in a suitable manner against danger to passengers from falling overboard; and the master of such steamboat or vessel shall, on stopping at any wharf or landing place, cause a gangboard to be firmly secured to the vessel for the safe and convenient transit of passengers; and he shall cause to be affixed to such gangway (in the night time), good and sufficient lights.

Gang-boards.

Lights to be  
affixed at  
night.

**60.** The owner or occupier of every such wharf or landing-place, shall also (in the night time) cause to be shown conspicuously, on such wharf or landing-place, and at every angle or turn thereof, during the whole of the time that any steamboat or vessel is approaching the same or stopping thereat, a good and sufficient light.

Lights on  
wharves.

**61.** For the purposes of the two next preceding sections of this Act, the night shall be deemed to extend from one hour after sunset till one hour before sunrise, at all seasons of the year.

Definition  
of night.

**62.** Any person commanding or having charge of any steamboat, schooner or other vessel, navigating the waters of Canada, and any owner or occupier of a wharf or landing place, who offends against the fifty-ninth or sixtieth section of this Act, shall be liable to a penalty of twenty dollars and costs, and in default of payment to imprisonment for

Penalty for  
infringement  
of sections  
59 or 60.

a period of not more than twenty days, unless such penalty and costs are sooner paid.

Liability for damages arising from non-compliance with sections 59 or 60.

**63.** The owner or owners of any steamboat or other vessel, or the owner or occupier of any wharf or landing place, the person commanding or in charge of which neglects to comply with the provisions of the fifty-ninth or sixtieth section of this Act, shall be liable for all damages sustained by any person or persons from any accident arising from non-compliance with the provisions of this Act, or during such time as the provisions of this Act are not complied with,—such damages to be recoverable at law, before any of Her Majesty's superior courts of common law in the Province in which such accident happens.

#### MISCELLANEOUS PROVISIONS.

Owner or master of vessel liable for non-observance of this Act.

**64.** If any damage to any person or property is sustained in consequence of the non-observance of any of the provisions of this Act, imposing any duty on the owner or master of any steamboat, the owner shall, in all civil proceedings, and the master or other person having charge thereof shall, in all proceedings, whether civil or criminal, be subject to the legal consequences of such default:

Penalty for Inspector giving false certificate.

And any Inspector wilfully, or through any culpable negligence of duty, making or confirming any false statement in any certificate under this Act shall thereby incur a penalty of two hundred dollars.

Penalty in non-provided cases under this Act.

**65.** Except when otherwise specially provided, for every contravention in respect of any steamboat in the Dominion of Canada, on any one voyage or trip thereof, of any provision in this Act, or in any Order in Council made under it, the owner or master thereof shall incur a penalty of not more than two hundred and not less than twenty dollars; and any Inspector of steamboats is hereby empowered to detain any steamboat on board or in respect of which the provisions of this Act have not been fully complied with, or of which the boilers or machinery or the hull, by reason of any injury or other cause, have, in his opinion, become unsafe; and in case any such Inspector gives notice in writing to any chief officer of Customs that any of the provisions of this Act have not been fully complied with in respect to any steamboat, such chief officer of Customs shall not grant any clearance, coasting licence or other document for such steamboat, unless nor until he receives the certificate in writing of such Inspector, to the effect that such provisions have been fully complied with in respect to such steamboat.

Inspector may detain the vessel.

Clearance to be withheld in case of non-compliance with provisions of this Act.

Recovery of penalties

**66.** All penalties incurred under this Act may, when other provision is not made in the case, be recovered with costs

costs in a summary manner under the Act thirty-second and thirty-third Victoria, chapter thirty-one, in the name of Her Majesty, by any Inspector or by any party aggrieved by any act, neglect or omission, on the evidence of one credible witness, who may be the prosecuting Inspector himself, before any Judge of a County Court, Judge of the Sessions of the Peace, Stipendiary or Police Magistrate, or two Justices of the Peace; and in default of immediate payment of such penalty, such magistrate or justices may commit the offender to gaol for any period not exceeding three months, unless such penalty be sooner paid; and one moiety of all penalties recovered under this Act shall be paid to the Receiver-General, and shall be, by him, placed to the credit of the Consolidated Revenue Fund, and the other moiety shall belong to the informer unless he is the prosecuting Inspector,—in which case the whole shall be paid to the Receiver-General for the said fund.

by summary proceedings.

Imprisonment in default of payment.

Application of proceeds of penalties.

**67.** The Governor may, whenever he thinks fit, order an investigation to be made by any person or persons to be appointed for that purpose, into the cause of any accident involving loss of life on any steamboat; and the person or persons so appointed may summon witnesses and compel their attendance before him or them by the same process as courts of law, and may administer oaths and examine witnesses touching the cause of such accident, and report thereon to the Governor.

Investigation into causes of accidents involving loss of life.

**68.** The Chairman of the Board of Steamboat Inspection shall, at the end of each calendar year, furnish the Minister of Marine and Fisheries with a report of the proceedings of the Board, and a return of all steamboats inspected, and of all penalties collected under the provisions of this Act:

Yearly report of Board to Minister of Marine.

2. And each Inspector shall make monthly returns to the Chairman of the said Board of all steamboats inspected by him, their tonnage and power, with general descriptions of their machinery and hulls, and a statement of the fees collected upon the same.

Monthly returns by Inspectors.

**69.** The foregoing provisions of this Act shall come into force and take effect on, from and after the first day of September in the present year, one thousand eight hundred and eighty-two; except that any appointment or arrangement for carrying out this Act may be made before the said day to take effect on and after it.

When this Act shall come into force.

SCHEDULE A.

*Certificate for a steamboat to carry passengers, or a freight steamboat of or over 150 tons gross.*

Having examined the hull and equipment of the steamboat (*name*) of \_\_\_\_\_ whereof \_\_\_\_\_ is (*or are*) owners, and \_\_\_\_\_ is master, on this \_\_\_\_\_ day of \_\_\_\_\_ A.D. 18 .

The particulars of her gross and register tonnage, as shewn on her certificate of registry, being as follows:—

	Tons
Tonnage under tonnage deck.....	
Houses on deck ( <i>naming them</i> ) .....	
Total gross tonnage.....	
Deduct for engine room .....	
Register tonnage.....	

I, (*Inspector's name*) Inspector of hulls and equipment, do hereby certify that her hull is in all respects staunch, seaworthy and in good condition for navigation, that the equipment of the vessel throughout is in conformity with the requirements of "*The Steamboat Inspection Act, 1882,*" the said steamboat having on board, properly placed and in good order for immediate service:—

(*Number*) boats having a carrying capacity for \_\_\_\_\_ persons; \_\_\_\_\_ life boats having (together) a carrying capacity for \_\_\_\_\_ persons; \_\_\_\_\_ life preservers; \_\_\_\_\_ wooden floats; \_\_\_\_\_ fire buckets; \_\_\_\_\_ axes; \_\_\_\_\_ lanterns; \_\_\_\_\_ chemical fire extinguishers, and one life buoy having a proper heaving line attached: And I declare it to be my deliberate conviction, founded on the inspection I have made, that the said steamboat, as regards her hull and equipment, may be employed on the waters hereinafter specified, without peril to life from any imperfections of or in materials, workmanship or arrangement of the several parts, or from age or use.

And I, (*Inspector's name*) Inspector of boilers and machinery, do hereby certify that the engine, boiler and machinery of the said steamboat are sufficient and suitable to authorize her being lawfully employed in the carriage of passengers, (*or as a freight boat, or as a ferry boat, as the case may be,*) without hazard to life on the route on which she is to be placed as hereinafter mentioned; that the engine of the said steamboat is of \_\_\_\_\_ nominal horse power, and that her boiler can carry with safety \_\_\_\_\_ pounds of steam pressure per square inch, and no more;—

And

And we further certify that the said steamboat is permitted to run on the waters between (*here insert the places between which the steamboat is to be employed in running, and the season or period of time during which she may be so employed, and for which the certificate is granted*) and that she is adapted and fit to carry (*here insert the number*) passengers and no more, (*as the case may be.*)

Date (*of time and place.*)

A. B., Inspector of hulls and equipment.

C.D., Inspector of boilers and machinery.

SCHEDULE B.

*Certificate for a freight boat under 150 tons gross, or a tug boat, fishing boat, or pleasure yacht, steam dredge, or elevator, or like vessel.*

Having examined the boiler and machinery of the steamboat (*name, or as the case may be*) of \_\_\_\_\_ whereof is owner (*or are owners*) and \_\_\_\_\_ is master, on this day of \_\_\_\_\_ A.D. 18 .

The particulars of her gross and register tonnage, as shewn on her certificate of registry, being as follows :—

	Tons.
Tonnage under tonnage deck.....	
Houses on deck ( <i>naming them</i> ).....	
Total gross tonnage.....	
Deduct for engine room.....	
Register tonnage.....	

*(If not registered omit this statement of tonnage.)*

I, (*Inspector's name*) Inspector of boilers and machinery, do hereby certify that her engine, boiler and machinery are sufficient for a freight boat under 150 tons (*or as the case may be*) and may be so used without hazard to life ; that the engine of the said (*steamboat*) is of \_\_\_\_\_ nominal horsepower and that the boiler of the said (*steamboat*) can carry with safety \_\_\_\_\_ pounds (*here insert number of pounds*) per square inch of steam pressure, and no more :—and that she is provided with one life buoy, having a proper heaving line attached and so placed as to be ready for immediate use when required.

Date (*time and place.*)

C. D., Inspector of boilers and machinery.

SCHEDULE



## SCHEDULE C.

*Certificate for a barge, boat, bateau or scow, to carry passengers in tow of a tug steamboat.*

I, (*Inspector's name*) Inspector of hulls and equipment, having examined the barge, boat, bateau or scow, (*as the case may be*), of which \_\_\_\_\_ is owner and \_\_\_\_\_ is master (*or the person in charge*) on this \_\_\_\_\_ A.D. 18 \_\_, do hereby certify that the said vessel is fit, safe and properly equipped in all respects to carry \_\_\_\_\_ passengers in tow of a tug boat, on the waters (*here describe the locality on which she is to be employed*) and that she is provided with one life buoy having a proper heaving line attached, and so placed as to be ready for immediate use.

Date (*time and place.*)

A. B. Inspector of hulls  
and equipment.

## CHAP 36.

An Act to make further provision respecting Lighthouses, Buoys and Beacons.

[Assented to 17th May, 1882.]

Preamb'le.

33 V., c. 18.

31 V., c. 12.

37 V., c. 13.

WHEREAS, by the ninth section of the Act passed in the thirty-third year of Her Majesty's reign, chaptered eighteen, and intituled "*An Act to amend the Act relating to Lighthouses, Buoys and Beacons,*" it is in effect enacted that, for all purposes preliminary to and consequent upon the taking of land by the Minister of Marine and Fisheries for the purposes of a work under his control, the said Minister and those under him shall have the same powers and be subject to the same conditions, limitations and restrictions as are conferred and imposed upon the Minister of Public Works and those under him by the Act intituled "*An Act respecting the Public Works of Canada,*" passed in the thirty-first year of Her Majesty's reign, chaptered twelve;

And whereas the last mentioned Act has been amended by the Act passed in the thirty-seventh year of Her Majesty's reign, chaptered thirteen, and intituled "*An Act to amend an Act respecting the Public Works of Canada,*" and it is expedient to make such amendment applicable to proceedings by the Minister of Marine and Fisheries connected with the taking of lands by him, for the purposes of works under his control: Therefore, Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

1. The provisions of the said Act passed in the thirty-seventh year of Her Majesty's reign, intituled "*An Act to amend an Act respecting the Public Works of Canada*," shall apply to all cases in which the lands or properties are acquired or taken by the Minister of Marine and Fisheries for the use, construction and maintenance of any public work or building under his control and management, or for the enlargement or improvement of any such public work or building or for obtaining better access thereto; and with respect to such lands and properties and the compensation therefor, the words "Minister of Public Works" and "Minister" in the said Act, shall mean the Minister of Marine and Fisheries.

37 V., c. 13  
to apply to  
the Minister  
of Marine and  
Fisheries as  
to lands ac-  
quired for  
certain pur-  
poses.

## CHAP. 37.

An Act respecting Bridges over navigable waters, constructed under the authority of Provincial Acts.

[Assented to 17th May, 1882.]

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

Preamble.

1. No bridge hereafter constructed under the authority of an Act of a Legislature of a Province of Canada, or under the authority of an Ordinance of the North-West Territories or of the District of Keewatin, shall, so far as the same may interfere with navigation, be a lawful bridge, unless the site thereof has been approved by the Governor General in Council, and unless the bridge has been built and is maintained in accordance with plans approved by the Railway Committee of the Privy Council.

Certain  
bridges au-  
thorized by  
Provincial  
Acts or Ter-  
ritorial Or-  
dinances not  
lawful, un-  
less approved  
by Governor  
General in  
Council.

2. Any bridge hereafter constructed under the authority of an Act of a Legislature of a Province of Canada or under the authority of an Ordinance of the North-West Territories or of the District of Keewatin, shall, so far as the same may interfere with navigation, be a lawful bridge, if the site thereof has been approved by the Governor General in Council, and if the bridge has been built and be maintained in accordance with plans approved by the Railway Committee of the Privy Council.

What bridges  
so authorized  
are lawful.

3. The company or person proposing to construct the bridge shall deposit the plans thereof and a description of the proposed site with the Secretary of the Railway Committee of the Privy Council.

Deposit of  
plans re-  
quired.

Application for approval.

4. The company or person proposing to construct the bridge, may apply to the Governor General in Council for approval of the site, and to the Railway Committee of the Privy Council for approval of the plans.

Regulations as to swing and draw-bridges may be made by Governor in Council.

5. The Governor General in Council may, from time to time, make and alter such regulations as may be deemed expedient, respecting the opening of any swing-bridge or draw-bridge within the purview of this Act; and the company or person constructing or owning, or in possession of the bridge, as the case may be, shall be subject to such regulations.

Governor in Council may order removal of bridges built in contravention of this Act.

6. Any bridge within the purview of this Act which is built upon a site not approved by the Governor General in Council, or which is not built in accordance with plans approved by the Railway Committee of the Privy Council, or which, having been so built, is not maintained in accordance with such plans may, in so far as the same interferes with navigation, be lawfully removed and destroyed under the authority of an order of the Governor General in Council.

Section 6 not to limit jurisdiction of courts.

7. The preceding section shall not limit the jurisdiction of any court with respect to the removal and destruction of any unlawful bridge.

Order or approval may be annulled or varied by Parliament.

8. Parliament may, at any time, annul or vary any order or approval of the Governor General in Council, or of the Railway Committee of the Privy Council, made under this Act; and any action of Parliament in that behalf shall not be deemed an infringement of the rights of the company or person concerned.

Act not to apply to Rivers St. Lawrence and St. John.

9. No approval shall be given under this Act of the site or plans of a bridge over the River St. Lawrence or the River St. John.

Section 71 of 42 V., c. 9 repealed.

10. Section seventy-one, including all sub-sections thereof, of "*The Consolidated Railway Act, 1879*," is hereby repealed.

Proviso: as to bridges already built.

11. This Act shall not affect any bridge heretofore constructed which may hereafter require to be rebuilt or repaired, provided such bridge, when so rebuilt or repaired, shall not interfere more injuriously with navigation than now or heretofore.

## CHAP. 38.

An Act further to continue in force for a limited time  
“The better Prevention of Crime Act, 1878.”

[Assented to 17th May, 1882.]

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

Preamble.

1. The Act passed in the forty-first year of Her Majesty's reign, chapter seventeen, and intituled “*An Act for the better prevention of crimes of violence in certain parts of Canada until the end of the next Session of Parliament,*” which was continued by the Act passed in the forty-fourth year of Her Majesty's reign, chapter twenty-nine, shall further continue in force until the end of the now next ensuing Session of Parliament; and any proclamation heretofore issued thereunder shall continue in force until such proclamation is revoked by proclamation in the manner provided by the said Act, or until the expiration of the said Act, whichever shall first happen.

Act 41 V., c. 17, continued to end of next Session.

As to any proclamation under it.

## CHAP. 39.

An Act to amend the Act fortieth Victoria, chapter thirty, intituled “An Act to make provision against the improper use of Fire-arms.”

[Assented to 17th May, 1882.]

**W**HEREAS it is now the duty of the court or justice, before whom any person is convicted of an offence against the Act above referred to, to impound the weapon for carrying which such person is convicted and to cause the same to be destroyed; and whereas it is expedient that the weapon, if a pistol, should not be destroyed, but should be handed over to the municipality in which the conviction takes place for use by constables and other peace officers in the municipality: Therefore, Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows :—

Preamble.

1. When a person has been convicted of an offence under the Act above referred to, and the weapon in respect of which he has been convicted is a pistol, it shall be the duty of the court or justice, instead of causing the pistol to be destroyed,

When weapon is a pistol it shall become the property of the Municipality.

destroyed, to cause the same to be handed over to the corporation of the municipality in which the conviction takes place for the public uses of such corporation.

Provision where there is no Municipality.

2. If the conviction takes place where there is no municipality the pistol shall be handed over to the Lieutenant-Governor of the Province, District or Territory in which the conviction takes place, for the public uses thereof in connection with the administration of justice therein.

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## CHAP. 40.

An Act declaratory of the meaning of the word Telegraph in certain cases.

[Assented to 17th May, 1882.]

Preamble.

WHEREAS doubts have arisen as to whether the word "telegraph" includes the word "telephone," and whereas it is desirable that such doubts should be set at rest : Therefore, Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows :—

Word "Telegraph" in Acts on subjects under control of Parliament does not include "Telephones."

1. The word "telegraph" and its derivatives wherever they occur in any Statute of the Dominion of Canada heretofore passed or hereafter to be passed, or in any Statute of any Province now forming part of the Dominion of Canada passed before such Province entered the Dominion, on a subject which by "*The British North America Act, 1867,*" was placed within the legislative powers of the Parliament of Canada, are not to be held or construed to include the word "telephone" and its derivatives.

Saving pending suits.

2. This Act shall not in any way affect any suit, action or proceeding now pending.

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## CHAP. 41.

An Act respecting the sale of Railway Passenger Tickets.

[Assented to 17th May, 1882.]

Preamble.

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

- 1.** Any railway company subject to the jurisdiction of the Parliament of Canada or to which "*The Consolidated Railway Act, 1879*," applies, and the Minister of Railways and Canals as respects any railway under the control of the Government of Canada, may appoint, in any city, town or village in Canada, such person or persons as they or he may choose, as agents for the sale of passenger tickets to passengers or persons desiring to travel by the railway of the company employing such agent, or by any Government railway, as the case may be. Railway authorities to appoint agents for sale of tickets.
- 2.** The Minister of Railways and Canals or company hereinbefore described, employing any such agent, shall give him a certificate of his appointment, which shall be under the hand of the said Minister or the corporate seal of the Company appointing him, and such agent shall keep the same framed or exhibited in some conspicuous part of his office or place of business where it can be seen and read by those resorting to the office. Agent to have certificate of appointment and exhibit it openly.
- 3.** Every ticket so sold by any agent shall have the name of such agent and the date of the sale written or stamped plainly upon it, and any person fraudulently altering, changing, or imitating such signature or date, shall be guilty of an offence against this Act. This Act shall also apply to the agents of foreign railway companies doing business in Canada, who shall be required, before issuing tickets over Canadian lines, to be duly authorized for such purpose by the Minister of Railways and Canals, or company over whose line they desire to issue tickets, in the same way as is provided in section one, and shall also be required to have and exhibit in like manner a certificate from the foreign company he or they may represent. Tickets to be stamped and signed, &c.  
Provision as to tickets of foreign railway companies.
- 4.** Nothing in this Act shall preclude the duly authorized agent of any company from procuring from the properly authorized agent of any other company, a ticket for a passenger to whom he may have sold a ticket to travel over the line or any part thereof for which he is the authorized agent, so as to enable such passenger to travel to the point or junction from which he may have previously secured his ticket. Authorized agents may procure tickets from each other for certain purposes.
- 5.** No person whosoever, except those authorized as above mentioned, shall sell or offer for sale, any railway passenger ticket, or pass, ticket, certificate or other instrument, enabling any person or persons, or purporting to entitle any person or persons to travel on any one railway, or more than one railway, or on any part of one railway, or parts of several railways to which this Act applies; and any person or persons offending against this Act shall, upon summary conviction thereof before any Justice of the Peace, be subject to a fine of not less than twenty dollars nor more than fifty dollars, in the Penalty on persons selling tickets, &c., without authority.  
Enforcement of penalty by summary proceedings.

the discretion of such justice, and to pay the costs of the prosecution and conviction, or to imprisonment for not less than ten days nor more than ninety days in the common gaol, or to both fine and imprisonment, in the discretion of the justice.

Procedure to be under 32, 33 V., c. 31.

6. All complaints regarding the contravention of this Act shall be prosecuted by information, and shall be subject to the provisions of the Act passed in the Session held in the thirty-second and thirty-third years of Her Majesty's reign, and intituled "*An Act respecting the duties of Justices of the Peace out of Sessions, in relation to summary convictions and orders.*"

Act not to affect station agents of railway authority.

7. Nothing in this Act contained as regards the appointment of agents for the sale of tickets shall prevent the station agents of the minister or company at their stations, and in their ticket offices at such stations, from selling tickets to passengers about to enter upon and travel by railway from the said stations.

Examination of complainant or witness may be used in evidence in appeal on certain conditions.

8. The examination of any complainant or witness, taken or heard under oath in the presence of the person accused, on the hearing of any complaint for any offence against the provisions of this Act (if the person charged, or his counsel, or agent, shall have had the opportunity of cross-examining such complainant or witness, whether he has done so or not), may, on the hearing of any appeal from any decision of such magistrate, be used in evidence, provided the person whose examination is so used is out of the jurisdiction of the court to which the appeal is made: and provided further, that the said examination or evidence has been reduced to writing and has been signed by the person whose examination it purports to be; and to entitle the said examination to be read and taken as evidence on the hearing of such appeal it shall only be necessary to produce the certificate of the magistrate or person before whom the said trial was had, under his hand, certifying that the said deposition, which is offered in evidence, was taken before him on the hearing of the complaint which forms the subject matter of the said appeal, and on the production of the said certificate the said deposition or evidence of such absent person shall be taken and received as evidence, without further proof, on the trial of any such appeal.

Proof of such examination.

Provision for the redemption of unused tickets or parts of tickets, and at what places.

9. The Minister of Railways as regards any Government railway and every railway company subject to the jurisdiction of the Parliament of Canada, or to which "*The Consolidated Railway Act, 1879,*" applies, shall repay to any ticket holder the cost of his ticket if unused in whole or in part, less the ordinary and regular fare for the distance for which such ticket has been used; and such repayment shall be made at any

any station or office of the railway or Company between, and including, the points covered by the ticket; and the sale by any person of the unused portion of any ticket otherwise than by the presentation of the same for redemption as provided for in this section, shall be deemed to be a violation of the provisions of this Act, and shall be punished as hereinbefore provided: Provided always, that the claim for such redemption be made within thirty days from the expiration of the time for which the ticket was issued in accordance with the conditions thereon.

Sale of unused portion prohibited.

Proviso: time for redemption limited.

10. Passengers presenting single journey tickets upon the trains within the time for which the conditions printed upon them, and the date show such tickets to be good for use, may apply to the conductor of such train to have the privilege of stopping over granted, and the time for which the ticket is valid extended, which shall be conceded on tickets purchased at railway ticket offices in Canada, from one place in Canada to another, or from a place in Canada to a place in the United States; but no railway company shall be required to extend the time more than two days for every fifty miles of distance to be travelled in Canada.

Passengers to have right of staying over within the time to which the ticket is good.

Limit of time.

11. This Act shall come into force and take effect on and from the first day of July next

When this Act shall be in force.

## CHAP. 42.

An Act concerning Marriage with a Deceased Wife's Sister.

[Assented to 17th May, 1882.]

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

Preamble.

1. All laws prohibiting marriage between a man and the sister of his deceased wife are hereby repealed, both as to past and future marriages, and as regards past marriages, as if such laws had never existed.

Repeal of prohibition. Retroaction of repeal.

2. This Act shall not affect, in any manner, any case decided by or pending before any court of justice; nor shall it affect any rights actually acquired by the issue of the first marriage previous to the passing of this Act; nor shall this Act affect any such marriage when either of the parties has afterwards, during the life of the other, lawfully intermarried with any other person.

Cases decided or pending and certain vested rights saved, &c.



## CHAP. 43.

An Act further to amend the Act respecting the Trinity House and Harbour Commissioners of Montreal.

[Assented to 17th May, 1882.]

Preamble.

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

Power to commute dues on steamers, &c in the harbour.

1. The Harbour Commissioners of Montreal are hereby authorized and empowered to commute the dues and the duties payable by steamboats, elevators and other vessels of all descriptions, plying and working within the Harbour of Montreal, in the same manner as they are at present authorized to commute the dues and duties payable by steamboats and other vessels plying between Montreal and any other place in the River St. Lawrence.

To restrict the use of certain channels of the River St. Lawrence, by rafts and small vessels.

2. The said Harbour Commissioners are further hereby empowered to make by-laws restricting the use of the main channels of the River St. Lawrence, at the points hereinafter mentioned, in whole or in part, as they may deem expedient, by rafts, barges and other vessels of light draught, requiring such barges, rafts and other light draught vessels, except in case of accident or stress of weather or force of current, to make use of the channels of the river other than the deep water channels, and appropriating in whole or in part the said deep water channels to the exclusive use of large vessels,—defining the classes of the vessels to be affected by such by-laws in such manner as they may deem expedient: and the portions of the said River St. Lawrence, in respect of which such restrictive by-laws may be made, are the following, viz.:—

(1.). The portion of the said river at and near Point-aux-Trembles (en haut);

(2.) The portion of the said river lying at, between and near Varennes and Pointe Marie;

(3.) The portion of the said river through which the channel known as the Contrecoeur Channel passes;

(4.) The portion of the said river lying between the upper end of the St. Francis Bank, in Lake St. Peter, and the English Bank in the same Lake;

(5.) The portion of the said river at and near Port St Francis;

(6.)

(6.) The portion of the said river at, between and near Batiscan and Cape Charles.

3. The said Harbour Commissioners are also authorized and empowered to make by-laws for the control and management of tow-boats in the Harbour of Montreal. To regulate tow-boats.

4. The said Harbour Commissioners are also hereby further empowered to make arrangements with the several railway companies having communication with the Harbour of Montreal, for increased facilities for conveying to and from vessels in the harbour, freight carried by such railways, and for making connections between such railways eastward and westward,—to enforce such arrangements when made, and for that purpose to make by-laws providing for such enforcement thereof. To make arrangements with railway companies for certain purposes.

5. The by-laws hereby authorized to be made may be, from time to time, amended or repealed, and others enacted in their stead; and shall have force and effect, and shall require ratification and confirmation by the Governor in Council, in the manner provided by the Statutes in force respecting the said harbour, with respect to the by-laws thereby authorized to be made and passed, and such by-laws may, in like manner, provide for penalties to be imposed for the violation of the same. And all dues and penalties imposed by such by-laws, or by or under the authority of "*The Pilotage Act, 1873*," in respect of any offence within the jurisdiction of the Harbour Commissioners of Montreal, or by any by-law duly made by the said Harbour Commissioners, and in force under the authority of the said "*Pilotage Act, 1873*," may be recovered in the manner prescribed by the tenth section of the Act of the legislature of the late Province of Canada, passed in the eighteenth year of Her Majesty's reign, chapter one hundred and forty-three. By-laws and penalties how made and enforced. Pilotage Act of 1873. Act of Province of Canada, 1855.

## CHAP. 44.

An Act to make further provision for the improvement of the River St. Lawrence between Montreal and Quebec.

[Assented to 17th May, 1882.]

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

Sum to be raised by loan and advanced for the improvement of the River St. Lawrence between Montreal and Quebec.

1. It shall be lawful for the Governor in Council to raise, by the issue of debentures, in the manner prescribed by the Act thirty-sixth Victoria, chapter sixty (except as to the rate of interest, which shall not exceed four per cent. per annum), a further sum not exceeding two hundred and eighty thousand dollars, to be advanced to and applied by the Montreal Harbour Commissioners from time to time in meeting the expenses incurred and to be incurred by them in completing the dredging and deepening of the ship channel of the River St. Lawrence between Montreal and Quebec, subject to the payment to the Receiver-General of interest on the sums so raised and advanced at the rate of four per cent. per annum.

## CHAP. 45.

An Act to amend and consolidate the Acts relating to the office of Port Warden for the Harbour of Montreal.

[Assented to 17th May, 1882.]

Preamble.

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

Repeal of Act of Province of Canada 26 V., c. 52, 29 V., c. 59, secs. 1, 2, 5, 6, 7 of 36 V., c. 11, and 37 V., c. 33.

1. The Act of the legislature of the late Province of Canada, passed in the twenty-sixth year of Her Majesty's reign, chapter fifty-two; the Act of the said legislature, passed in the twenty-ninth year of Her Majesty's reign, chapter fifty-nine; the first and second, and the fifth, sixth, and seventh sections, so far as they relate to the Harbour of Montreal, of the Act of the Parliament of Canada, passed in the thirty-sixth year of Her Majesty's reign, chapter eleven; and the Act of the said Parliament, passed in the thirty-seventh year of Her Majesty's reign, chapter thirty-three, are, and each of them is, hereby repealed; save and except that the Port Warden of the Harbour of Montreal, the Deputy Port Warden of the said harbour, and the Board of Examiners appointed under the said last-mentioned Act, shall continue to hold their respective offices until their successors have been appointed under this Act.

Exception as to present Warden and deputies.

Officers continued.

2. There shall continue to be, at the City of Montreal, an officer who shall be designated the Port Warden of the Harbour of Montreal, and such number of Deputy Port Wardens as the Council of the Board of Trade at Montreal shall deem necessary for the business of the harbour: and any power, function, or duty conferred or imposed by this Act upon the Port Warden, may be effectually exercised and performed by any Deputy Port Warden, under the general supervision of the said Port Warden.

And their powers.

3. The Council of the Board of Trade at Montreal shall annually appoint five persons, who shall constitute a Board of Examiners, who shall examine all candidates for the offices of Port Warden and Deputy Port Warden, when any appointment to either office requires to be made, and shall report the result of such examination to the said council, whereupon the said council, acting for and on behalf of the Board of Trade at Montreal shall recommend to the Governor in Council, for appointment to the office of Port Warden of Montreal, one of such persons as shall be reported by the said Board of Examiners as being a fit and proper person to be such Port Warden ; and thereupon such person may be appointed to the said office by the Governor : and the Council of the Board of Trade shall appoint to the office of Deputy Port Warden such person or persons, from among those reported by the said Board of Examiners as being fit and proper persons for the said office, as the said council shall deem expedient.

Council of Board of Trade to appoint Examiners of candidates for office.

Appointment of Port Warden.

And of deputies.

4. The Council of the Board of Trade at Montreal shall have the control and supervision of the office of Port Warden, and if any complaint be made to them of the conduct of any Port Warden or Deputy Port Warden in the performance of his duties, they shall investigate the same ; and if the complaint be against the Port Warden and is, in the opinion of the said council, well founded, and if in their opinion the circumstances require it, the said council shall report their decision to the Governor in Council, who may remove such Port Warden from office, after the examination of the report, and appoint a successor in the manner hereinbefore provided for ; but if such complaint be against any Deputy Port Warden, and the said council shall be of opinion that the same is well founded, such Deputy Port Warden may be removed by the said council in their discretion.

Council of Board of Trade to have supervision.

Their action on complaints.

5. The Board of Examiners shall make by-laws, rules and regulations for regulating the office of Port Warden and the performance of his duties, and of those of the Deputy Port Wardens ; and may, from time to time, repeal and amend such by-laws, rules and regulations : but the same shall have no force or effect until approved by the Council of the Board of Trade,—which shall have the right to confirm the same, either with or without amendment ; and a copy of such by-laws, rules and regulations certified by the Secretary of the Board of Trade, shall be *prima facie* evidence in all courts in Canada that the same were duly passed and are in force.

By-laws for regulation of office, how to be made and confirmed.

Proof thereof.

6. The person so appointed to be Port Warden shall, before acting as such, take and subscribe the following oath of office, before some Justice of the Peace for the District of Montreal, who is hereby empowered to administer the same :—

Oath of office.

“ I,

**Form.**

"I, A. B., do solemnly swear that I will faithfully and impartially, to the best of my judgment and ability perform the duties of the office of Port Warden of the Harbour of Montreal, without fear, favour or affection for any person or party whomsoever :"

**Custody thereof.****Deputies' oath.**

And after taking and subscribing the said oath of office he shall deposit the same with the Secretary of the Board of Trade, who shall be the custodian thereof. And each Deputy Port Warden, upon his appointment, shall take and subscribe, before a Justice of the Peace, a similar oath, and shall likewise deposit the same with the Secretary of the Board of Trade.

**Fees of Port Warden.****Yearly return thereof.**

7. The Port Warden shall receive no fees whatever, other than such as strictly appertain to the business of his office ; all such fees shall be recorded in his books and duly credited to the office ; and he shall make a certified annual return to the Council of the Board of Trade at Montreal, of the receipts and expenses of his office, within seven days after the thirty-first day of December in each year.

**Port Warden's office, books, &c.**

8. The Port Warden shall keep an office open on lawful days from seven A.M. till six P.M. during the season of navigation ; and from ten A.M. till three P.M. during the remainder of the year ; and shall have a seal of office, and the necessary books in which all his acts as Port Warden, and those of his deputies, with their fees of office, shall be recorded in such manner as the by-laws, in that behalf made and in force, shall direct.

**Masters of seagoing vessels arriving in Port to notify Port Warden.****Proceedings if the cargo is found to be damaged.****If the Port Warden is not notified, and the cargo is landed in a damaged condition.**

9. The master of every sea-going vessel arriving with cargo in the Port of Montreal, which has not previously legally broken bulk during the voyage at any port in Canada, shall notify the Port Warden to be present at the opening of the hatches of such vessel ; and immediately on the discovery of any damage to the cargo, shall request him to survey the same, with the view of ascertaining the nature, cause and extent of such damage, before such damaged cargo shall be removed from the place in which it was originally stowed,—though, for the purpose of full and complete investigation, the Port Warden may cause the cargo so damaged to be discharged and removed to any wharf or warehouse : and should the Port Warden not be so notified and requested to be present and survey such cargo as aforesaid, and the said cargo or any part thereof should be landed from on board such vessel in a damaged condition, these facts shall be *prima facie* evidence that such damage occurred in consequence of improper stowage or negligence on the part of the persons in charge of such vessel ; and unless the contrary be shewn by the master or owners of such vessel, the burden of which shall be upon him or them, he or they shall be liable for such damage.

**10.** Upon notice and request to the Port Warden by any party interested, the Port Warden or one of his Deputies shall proceed, in person, on board of any ship, steamer or other vessel, for the purpose of examining the condition and stowage of cargo; and if there be any goods damaged on board such vessel, he shall enquire, examine into and ascertain the cause or causes of such damage, and make a memorandum thereof, and enter the same in full on the books of his office.

Port Warden on request to inspect stowage or damaged goods; his duty in such case.

**11.** Upon notice and request to the Port Warden by any party interested, the Port Warden or one of his Deputies shall proceed in person to any warehouse, dwelling or wharf, and examine any merchandise, package, material, produce or other property said to have been damaged on board of any vessel, first notifying the master, agent or other representative of such vessel thereof, and shall enquire and examine into and ascertain the nature, cause and extent of such damage, make a memorandum thereof, and record in the books of his office a full and complete statement thereof; and the Port Warden shall be entitled to call in one or two experts in his discretion, who shall assist him in such survey, and who shall make and sign a report on the same to be kept in the office of the Port Warden, and who shall, for such service, be entitled to a fee not exceeding five dollars each—nor shall the total cost of such survey, in any case, exceed fifteen dollars, which shall be paid by the party or parties calling for such survey; and such cost shall be a lawful charge against any person liable for such damage to the party calling for such survey: Provided always, that such party shall notify the person so liable, his agent or representative (if he be resident or have a place of business in Montreal) of the intention to hold such survey, and of the time and place thereof.

Further provision for examination of damaged goods.

Experts may be called.

Report.

Fee and costs.

Proviso: notice of survey.

**12.** The Port Warden shall, when required by any party interested, survey any vessel within the Harbour of Montreal which may have suffered damage or which is asserted by such party to be unfit to proceed on her voyage; he shall examine the hull, spars, rigging and all appurtenances thereof, shall specify what damage has occurred to them or any of them, and the condition thereof, and of such vessel at the time of such survey, and record on the books of the office a full and particular account thereof: he shall call to his assistance, if he deems it necessary in any such survey, one or more carpenters, sailmakers, riggers, shipwrights, or other persons skilled in their profession, (who shall each be entitled to a fee not exceeding five dollars for the first survey, and two dollars for each subsequent one on which their services may be required), to aid him in such examination and survey; but no person shall be chosen as such surveyor or expert who is interested in the result thereof. The Port Warden

Survey of vessel having sustained damage or unfit to proceed on her voyage.

Assistance of experts; their fees, &c.

Report as to repairs required.

Proviso: in case of serious damage.

Survey of damaged vessels and cargoes.

Duty of masters of vessels intending to load grain in bulk, and of Port Warden in such case.

Power to make necessary orders.

How enforced.

Record of proceedings.

Warden shall also, if required, be surveyor of, and report upon the repairs necessary to render such vessel seaworthy: and his certificate that such repairs have been properly made shall be *prima facie* evidence that the vessel is seaworthy: Provided that in case of wreck or serious damage he shall call upon the regular surveyor or representative of Lloyds, or other similar association, if any such person is available, under which such ship carries a certificate of classification, to act with him upon such survey.

**13.** The Port Warden shall have cognizance of all matters relating to the survey of sea-going vessels and their cargoes arriving in port damaged, and shall make a memorandum thereof, and enter the same in full in the books of his office, and, when requested, shall, on payment of the regular fee, give certificates of such surveys.

**14.** The Master of every vessel intending to load grain, wholly or partly in bulk, for any port not within the limits of inland navigation, shall have such vessel inspected and surveyed by the Port Warden when ready to be, but before it is being dunnaged for such grain: and the Port Warden, in such case, shall ascertain whether such vessel is in a fit state to receive and carry such grain to its destination; he shall record in his books the condition of the vessel; if he finds she is not fit to carry such grain in safety, he shall state what repairs are necessary to render her seaworthy; and before any such grain is taken on board of such vessel, while the different chambers are being prepared, he shall, from time to time, inspect and survey the same; before the loading of any chamber is commenced he shall see that such chamber is in a fit and proper state and condition to receive grain, and furnished with such shifting boards as he may deem necessary; and he shall see that the boards and planks used for lining and other purposes are properly seasoned; he shall examine the pumps and see that they are properly lined and dunnaged; he shall enter in the books of his office all particulars connected with these surveys, and grant the necessary certificates: and he shall make such orders as he deems fit, in respect of all the matters and things referred to in this section; and if such order be not properly obeyed by the master or person in charge of such vessel, he shall deliver the same in writing to such master or other person in charge; and if not thereupon complied with he shall notify in writing such master or person in charge to desist from loading such vessel, and such vessel shall thereupon be held to be unseaworthy, and unfit for the carriage of grain, and no certificate or clearance shall be granted to her. And he shall enter in the books of his office all his acts, and all particulars connected with the matters and things provided for by this section, and shall grant certifi-

cates

cates of the due performance of his directions in respect thereof.

**15.** It shall be the duty of the Port Warden, when required, to decide if any and what amount of dunnage is necessary below cargo, and also between wheat and other grain, and the cargo to be stowed over it; and his certificate shall be *prima facie* evidence of the good stowage of the cargo so far as these points are concerned.

His duties as to dunnage.

**16.** The master of every vessel loading at the Port of Montreal for any port not within the limits of inland navigation, shall, before proceeding on his voyage, or clearing at the custom house for the same, notify the Port Warden, whose duty it shall then be to proceed on board such vessel and examine whether she is in a fit state to proceed to sea or not; if she is found unfit, the Port Warden shall state in what particulars, and on what conditions only she will be deemed in a fit state to leave, and shall notify the master not to leave the port until the required conditions have been fulfilled; and in case of the master refusing or neglecting to fulfil the same, the Port Warden shall notify the Collector of Customs, in order that no clearance may be granted for the vessel until such required conditions have been fulfilled, and a certificate thereof granted by the Port Warden or his Deputy.

Further examination before clearance.

No clearance if found unfit for sea.

**17.** No officer of customs shall grant a clearance to any vessel for the purpose of enabling her to leave the Port of Montreal for any port not within the limits of inland navigation, unless nor until the master of such vessel produces to him a certificate from the Port Warden or his Deputy, to the effect that all the requirements of this Act have been fully complied with; and if any vessel attempts to leave the Port of Montreal without a certificate of clearance, for any port not within the limits of inland navigation, any officer of customs, or any person acting under the direction of the Minister of Marine and Fisheries, or the chief officer of the river police, may detain such vessel until such certificate is produced to him.

No clearance without certificate of Port Warden or his deputy.

**18.** The Port Warden shall, when required, estimate the value of any vessel, being at the time in the harbour of Montreal, when the same is in dispute or otherwise needed, and shall record the same in the books of his office.

Estimate of value of vessel.

**19.** It shall be the duty of every auctioneer making a sale of any vessel condemned, or ships' materials, or goods damaged on board a ship or vessel, whether sea-going or of inland navigation, for the benefit of underwriters or others concerned, in the City of Montreal, to file an account of such sale at the office of the Port Warden within ten days after such

Auctioneer selling condemned vessels, &c., to notify Port Warden.



- such sale : no sale for account of underwriters shall take place until after at least two days' public advertisement, in not less than two English and one French newspapers, in the City of Montreal, except in such special cases as hereinafter provided for, and such sale shall not be at an hour earlier than eleven, nor later than three o'clock in the day ; but, if the goods or effects to be sold are in such a condition as to be subject to rapid deterioration from delay, the Port Warden, upon the application of an interested party, may make an order for a sale thereof, after such notice and delay as he may deem for the interest of all concerned,—duly recording such application, and his order thereon, in the books of his office.
- Proviso : as to goods liable to deterioration.**
- Survey before sale.** **20.** No goods, vessels or property, alleged to be damaged on the voyage to the said port, shall be sold as damaged for account of underwriters unless a regular survey and condemnation has previously been had ; and the Port Warden shall, in all such cases, be one of the surveyors.
- Arbitration between master and consignee.** **21.** If required by all parties interested, in a memorandum in writing signed by them, the Port Warden shall hear, arbitrate upon, and determine any matter in dispute between the master or consignee of any vessel or ship, and any proprietor, shipper or consignee, of any part of the cargo thereof.—and for that purpose shall have the power of hearing the parties and their witnesses upon oath, and of administering such oath ; and his award in the premises shall be final : and he shall enter a note of the reference to him, and his award thereon in full in the books of his office.
- Award and record.**
- Power to initiate proceedings.** **22.** If the consignee of a vessel or cargo cannot be found or communicated with, the Port Warden may, in any case in which he thinks it right and necessary so to do, initiate proceedings and hold surveys, and obtain process, as if required by the parties concerned, under the provisions of this Act.
- Notices to Port Warden and to parties concerned.** **23.** All notices, requests or requirements, to or from the Port Warden, must be given in writing in an intelligible form, and signed by the party making the same, or by some one duly authorized on his behalf, and be delivered within a reasonable time before action is required : and before proceeding to act in the performance of any duty imposed upon him by this Act, the Port Warden shall ascertain that notice thereof has been given to the parties interested, and if not, shall himself cause reasonable notice thereof to be given to them : and the nature and extent of the notice required in all cases coming under the jurisdiction of the Port Warden may be, from time to time, regulated by the by-laws, rules and regulations made as hereinbefore provided.
- Subject to by-laws.**
- Port Warden to furnish** **24.** The Port Warden shall, on the application of any person interested, and on payment of the proper fee, furnish to

to such person extracts from the books of his office certified by him to be correct extracts, and sealed with the seal of his said office, respecting any matter recorded therein, and also certified copies of any original documents filed in his office,— which certified copies shall be *prima facie* evidence of the contents and execution of the originals thereof : and all such extracts so certified under the hand of the Port Warden or his deputy, and under the seal of his office, purporting to contain copies of entries recorded in his books, shall be received as *prima facie* evidence of the existence and contents of such entries, in any court in the Dominion. And the said Port Warden shall not be required during the season of open navigation to leave the Port of Montreal to give evidence before any court, nor for any other purpose whatever, except with the consent of the Council of the Board of Trade ; and in case of his evidence being required before any court in the City of Montreal, he shall be entitled to a fee of five dollars for each and every attendance at such court,—nor shall he be required on any one day to absent himself from his office for more than three hours.

extracts from his books, &c.

How certified and effect as evidence.

Port Warden exempted from attending as witness except in Montreal, during navigation season.

**25.** The Port Warden shall, on application, supply once in each year, to every master of a vessel arriving in the Port of Montreal, a copy of the by-laws, rules and regulations relating to the office of Port Warden.

To supply copies of regulations.

**26.** The by-laws, rules and regulations respecting the office of Port Warden shall declare to what extent the regulations of Lloyds shall be applicable to the Harbour of Montreal, and to what extent the Port Warden and his Deputies shall be governed by such regulations.

As to application of rules of Lloyds.

**27.** If any person interested is dissatisfied with any decision of the Port Warden (except in cases of arbitration), such party may appeal to the Board of Trade, by addressing and delivering to the Secretary of the Board of Trade a statement in writing of the matter complained of ; and thereupon it shall be the duty of such secretary forthwith to summon a meeting of the said Board of Examiners, who, or not less than three of them, shall immediately investigate the matter complained of, and, after hearing the parties, their determination, or that of a majority of them, made in writing, shall be final and conclusive. The party against whom the examiners shall decide shall pay all the expenses of such appeal, and the examiners shall determine the amount thereof, which shall not exceed ten dollars.

Appeals from decisions of Port Warden.

Proceedings.

Costs.

**28.** The Council of the Board of Trade at the City of Montreal may, from time to time, upon the recommendation of the Board of Examiners or otherwise, establish a tariff of fees to be paid to the Port Warden, for services performed by him and his deputies, by the masters or owners of sea-going vessels,

Council of Board of Trade may make tariff of fees.

vessels, and by others in respect of whom the duties of the said Port Warden are required to be performed,—which tariff, being first approved of by the Governor in Council, shall be in force until repealed or altered by the said Council of the Board of Trade,—as it may be at any time, with the approval or by the order of the Governor in Council; but such fees shall not exceed the rates hereinafter mentioned, that is to say :—

Not in force until approved by Governor in Council.

Rates limited.

Surveys.

1. For every survey, and certificate thereof by the Port Warden, of the hatches and cargo of any vessel, or of the hull, spars and rigging thereof, or the survey of damaged goods, a fee, including the certificate thereof, not exceeding eight dollars each ;

Valuations.

2. For every valuation of a vessel for average, and every inspection of a vessel intended to load, a fee to be graduated according to the tonnage of such vessel, but not in any case to exceed ten dollars ;

Settling disputes.

3. For hearing and settling disputes of which the Port Warden is authorized to take cognizance, and for the fees on appeal to the Board of Examiners, a sum to be graduated according to the value of the thing or the amount in dispute, but in no case to exceed ten dollars :

Other services.

4. In addition to the fees hereinbefore authorized to be taken for services performed by the Port Warden or his deputies, the following fees and charges shall be paid by the shippers of the following articles from the Port of Montreal in sea-going vessels, that is to say :—

#### ON FLOUR.

On all flour shipped from the said port, a fee not exceeding seventy-five cents for every thousand barrels, with a proportionate charge for every fractional quantity thereof ;

#### ON ASHES.

On all ashes shipped from the said port, a fee not exceeding two cents per barrel ;

#### ON CATTLE AND HORSES.

On all cattle and horses shipped from the said port, a fee not exceeding one and one-half cents per head ;

#### ON SHEEP AND PIGS.

On all sheep and pigs shipped from the said port, a fee not exceeding one-quarter of one cent per head ;

ON

## ON SAWN LUMBER.

On all sawn lumber shipped from the said port, a fee not exceeding one-half cent per thousand feet ;

## ON DEALS.

On all deals shipped from the said port, a fee not exceeding two cents per Petersburg standard hundred ;

## ON STAVES.

On all puncheon and West India staves shipped from the said port, a fee not exceeding eight cents per mille, and on all pipe staves a fee not exceeding thirty cents per mille ;

## PHOSPHATES,

On all phosphates shipped from the said port, a fee not exceeding one cent per ton weight ;

## ON OTHER ARTICLES.

On other articles not herein enumerated, being natural productions, two cents per ton weight, or ton measurement ;

On all other articles shipped from the said port, and not hereinbefore enumerated, a fee not exceeding six cents per ton weight or ton measurement, and the same fee on all quantities or parcels of such other articles exceeding in the whole shipment half a ton, though not amounting to one ton weight or measurement ; but no fee shall be charged in respect of such other articles for any shipment not amounting to half a ton, or for any fractional part of a ton in any shipment exceeding one or more tons :

Fees apportioned for particular services, must be approved by the Governor in Council :

The foregoing maximum rates, comprehending the Port Warden's fees for the incidental proceedings, certificates and copies, may be altered and apportioned, and the particular service distinguished and the fees therefor assigned, and the person by whom the same shall be paid, may be indicated in such way as the Council of the Board of Trade may from time to time appoint ; and all rates so established shall be subject to the approval of the Governor in Council, who shall have power, from time to time to reject or modify and alter such fees and rates : Provided however, that the said Council of the Board of Trade may, from time to time, reduce any one or all of the fees and rates before mentioned, without obtaining the sanction of the Governor in Council as aforesaid.

Natural productions.

Other non-enumerated articles.

Governor in Council may alter fees.

And the Council of Board of Trade, with Governor's consent.

Remuneration of Port Wardens and deputies and office expenses to be fixed by Board of Trade and paid out of receipts.

**29.** The Council of the Board of Trade shall fix the remuneration of the Port Warden and that of his Deputies, and his expenses of office or otherwise, out of the receipts of his office, as it may, from time to time, determine; and for any period during which the Port Warden may be paid by salary, the balance, if any, which may appear by his certified annual return to be in his hands, over and above his salary, that of his Deputies and his expenses of office, shall be forthwith paid by the said Port Warden to such person as the Council of the Board of Trade shall depute to receive the same; and the said Port Warden and his Deputies, when required so to do, shall furnish such securities for the faithful performance of the duties of their respective offices as the Council of the said Board of Trade shall deem adequate.

Security to be given by Port Warden and deputies.

Penalties for contravention of Act.

**30.** The penalty for every infringement or breach, on the part of a master or owner of a vessel, of the fourteenth section of this Act, shall be eight hundred dollars; and for every infringement or breach of the twentieth section thereof, shall be twenty dollars:

How to be recovered and applied.

2. Every such penalty as aforesaid shall be recoverable in the manner prescribed by "*The Interpretation Act*" in cases where penalties are imposed, and the recovery not otherwise provided for: and the whole of any pecuniary penalty imposed by and collected under this Act shall belong to the Crown, and shall be paid over to the Receiver-General, on receipt of the same, by the Council of the Board of Trade, and shall be appropriated in such manner as the Governor in Council may direct; but payment of such penalties shall not, in any way, diminish the liability of any ship, ship-master or other person, for the consequences of any thing done by him or his representatives in contravention of this Act.

Further liability of offender.

Yearly report to Minister of Marine and Fisheries.

**31.** The Council of the Board of Trade shall yearly, within seven days after the first day of January, transmit to the Minister of Marine and Fisheries, a report of the business done in the office of the Port Warden, and of his receipts and expenditure in respect thereof, and of all moneys which may have been received from time to time by the Board, as arising from fees of office, and then in the hands of the said Board, shewing also how such moneys are invested, in such manner and form as the Minister may direct; and for that purpose shall have power from time to time to call upon the Port Warden to make up and furnish to the said Council, such returns, accounts and information as the said Council may require.

He may require further information.

Application of proceeds of rates and fees,

**32.** The proceeds of the fees and rates collected under this Act, shall be applied by the said Board of Trade solely to the purposes mentioned in the twenty-ninth section of this

this Act, and other purposes necessary and incident to the efficient working of this Act, as shall also any money now or hereafter in the hands of the said Board, arising from rates and fees under this Act, or the Acts repealed by it, or any interest on such moneys; and if at any time it should become apparent that the proceeds of the rates and fees herein mentioned, with the interest on any such moneys as aforesaid in the hands of the Board, are and probably will be more than sufficient for the purposes aforesaid, it shall be the duty of the said Board to reduce any or all of the said rates and fees accordingly, and again to increase them or any of them, with the sanction of the Governor in Council, if they become insufficient for the said purposes.

for the purposes of this Act only.

Duty of Board in case of excess.

## CHAP. 46.

An Act to amend "The General Port Wardens' Act, 1874."

[Assented to 17th May, 1882]

**I**N amendment of "*The General Port Wardens' Act 1874*," Preamble.  
Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, declares and enacts as follows:—

37 Vic., c. 31.

1. Section eighteen of the said Act is repealed, and the following substituted therefor:—

Section 18 repealed.

"18. If the consignee of a vessel or cargo, or other person at whose requisition any proceedings ought to be taken under this Act, cannot be found or cannot be communicated with by the Port Warden before or at the time at which it is necessary that such proceedings should be taken to avoid loss or damage to the party or parties interested in such vessel or cargo, the Port Warden may initiate proceedings in such case and hold surveys and obtain process under this Act, as if required by the proper parties under this Act."

New section 18. When the Port Warden may initiate proceedings.

2. The Port Warden has and is hereby declared to have had, from the passing of the Act hereby amended, power to appoint a deputy or deputies, and to remove him or them at his pleasure, and shall be responsible for his or their conduct as such deputy or deputies; and whenever the Port Warden is mentioned in any provision in the said Act, such provision shall always be understood to have applied and to apply to any deputy he may have appointed.

Power past and present to appoint deputies declared.

3. Provided always, that this Act shall not affect any proceeding commenced, or any right acquired, or liability incurred before its passing.

Certain rights and liabilities not affected.

CHAP.

## CHAP. 47.

An Act further to amend the Acts to provide for the improvement and management of the Harbour of Quebec.

[Assented to 17th May, 1882.]

Preamble.

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

Sum to be raised as provided in 36 V. c. 62, and advanced to the Quebec Harbour Commissioners to complete certain works.

1. It shall be lawful for the Governor in Council to raise, by the issue of debentures, in the manner prescribed by the Act thirty-sixth Victoria, chapter sixty-two (except as to the rate of interest, which shall not exceed four per cent. per annum), a further sum not exceeding three hundred and seventy-five thousand dollars, to be advanced from time to time to the Quebec Harbour Commissioners, to enable them to construct the cross-wall and lock necessary to render available as a wet dock the dock constructed by them at the mouth of the River St. Charles, and to pay the balance of the cost of the said dock, subject, as to the payment to the Receiver-General of interest on the sums so advanced at the rate of four per cent. per annum and a sinking fund of one per cent. per annum, to the provisions of the Act above cited :

Proviso: for preparation and approval of plan, and as to contract for the work.

Provided always, that the plans for such cross-wall and lock, after being prepared by the engineers of the Public Works Department, shall be subject to the approval of the Governor in Council, and that public tenders for the said works shall be called for, and the contract awarded by the Governor in Council.

## CHAP. 48.

An Act respecting the Harbour and River Police of the Province of Quebec.

[Assented to 17th May, 1882.]

Preamble.

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

Governor General may establish police force at Montreal and Quebec. Extent of jurisdiction.

1. The Governor in Council may, from time to time, establish at the ports of Montreal and Quebec respectively a harbour and river police force, and may, from time to time, appoint one or more fit and proper persons to be and act as a superintendent or superintendents of such force, with jurisdiction over such part or parts of the Province of Quebec as may be defined by the Governor in Council.

**2.** The Minister of Marine and Fisheries may, from time to time, appoint fit and proper persons to serve as harbour and river police constables under and within the jurisdiction of such superintendents of Harbour and River Police. Such constables shall hold office during the pleasure of the said Minister, and shall obey all lawful directions of and be subject to the government of the superintendents, and shall have and be charged with all the powers, rights and responsibilities which belong by law to police constables.

Constables may be appointed by Minister of Marine and Fisheries.

Tenure of office and duties.

**3.** The Governor in Council may, from time to time, make rules and regulations for the government of the superintendents and constables of harbour and river police, and for the general management of the force.

Rules and regulations by Gov. in C.

**4.** If any constable appointed under the authority of this Act is guilty of any disobedience of orders, neglect of duty or any misconduct as such constable, and is convicted thereof in a summary way before any Police Magistrate, a Judge of the Sessions of the Peace or two Justices of the Peace, he shall be liable to a fine not exceeding twenty dollars and costs, and in default of immediate payment thereof shall be liable to imprisonment for any time not exceeding three months, unless the fine and costs be sooner paid.

Penalty for disobedience of orders.

**5.** Any superintendent of harbour and river police, and any constable appointed under the authority of this Act, may, at any time, board any vessel for the purpose of arresting or searching for any person for whose arrest a warrant has been issued, or for the purpose of assisting or protecting any officer of Customs or other officer of the Government of Canada in the performance of his duties.

Power of Superintendent or constable to board vessels for certain purposes.

**6.** All moneys arising from fines, penalties and forfeitures imposed under the authority of this Act, shall be paid to the Receiver General to form part of the Consolidated Revenue Fund.

Application of fines.

**7.** There shall be levied upon every vessel whether entering at the Port of Québec or at the Port of Montreal, a tonnage duty of three cents per ton register of such vessel, for the purposes of this Act, and the said duty shall be a lien upon the vessel, and shall be payable by the master of such vessel to the Collector of Her Majesty's Customs at the port: Provided, that any vessel of one hundred tons register, or less, shall be subject to the payment of such tonnage duty on her first entry in either of the said ports in any calendar year, but not on any subsequent entry at the same port in the same year; and that any vessel of more than one hundred tons register shall be subject to the said duty on her first and second entry at either of the said ports in any one calendar year, but not on any subsequent

Duty to be levied on vessels at Quebec and Montreal.

Proviso as to vessels not over 100 tons.

As to larger vessels.



None to pay  
at both ports.

quent entry in the same year, and that no vessel bound to or from the Port of Montreal shall be liable to pay such duty at the Port of Quebec for the same voyage.

Collector of  
Customs not  
to grant entry  
or clearance  
till duty paid.

8. The Collector of Her Majesty's Customs at either of the said ports shall not grant any entry inwards or clearance outwards to any vessel which may require to make such entry or clearance until the tonnage duty payable on such vessel under this Act has been paid; and the master of any vessel liable to such duty, and not requiring any entry or clearance, who shall leave the port at which it ought to be paid without having paid it, shall thereby incur a penalty of fifty dollars.

Application  
of moneys  
levied.

9. The moneys levied in either of the said ports under the authority of this Act shall be paid over by the collector receiving the same to the Receiver General, to form part of the Consolidated Revenue Fund.

"Vessel."

10. The word "vessel" in this Act includes every description of vessel used in navigation not propelled by oars.

Annual Re-  
port by Minis-  
ter to Gover-  
nor.

11. The Minister of Marine and Fisheries shall make an annual report and statement to the Governor General of the receipts and expenditures under this Act, for the purpose of, and in time for its being laid before Parliament within the first fifteen days of the next session thereof.

When this  
Act shall  
come into  
force.

12. The foregoing provisions of this Act shall not come into force until a day to be appointed in that behalf by proclamation of the Governor, to be published in the *Canada Gazette*; and from and after such day the Act passed in the thirty-first year of Her Majesty's reign, chaptered sixty-two and intituled "*An Act respecting Harbour Police,*" shall be repealed, but no Act or provision of any Act repealed thereby shall be revived.

Repeal of 31  
V., c. 62.

## CHAP. 49

An Act to amend the Act thirty-fifth Victoria, chapter forty-two, respecting the appointment of a Harbour Master for the Port of Halifax.

[Assented to 17th May, 1882.]

Preamble.  
35 V., c. 42.

IN amendment of the Act passed in the thirty-fifth year of Her Majesty's reign, intituled "*An Act to provide for the appointment of a Harbour Master for the Port of Halifax;*" Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

1. The seventh section of the said Act is hereby repealed and the following is substituted therefor, and shall be read and have effect as the seventh section of the said Act :—

Sect. 7 repealed.

“7. The Harbour Master for the port of Halifax shall be remunerated for his services solely by the fees, or the portion hereinafter mentioned of the fees, which he may, from time to time, be authorized, by the rules and regulations to be made as hereinbefore provided for, to collect in respect of all ships over twenty tons register, entering the port of Halifax, but which shall not at any time exceed the following rates, that is to say :—

New Sect. 7. Remuneration of Harbour Master out of fees.

Rates of fees.

For every ship over twenty tons and not over fifty tons register, fifty cents ;

For every ship over fifty tons and not over one hundred tons register, one dollar ;

For every ship over one hundred tons and not over two hundred tons register, one dollar and fifty cents ;

For every ship over two hundred tons and not over three hundred tons register, two dollars ;

For every ship over three hundred tons and not over four hundred tons register, two dollars and fifty cents ;

For every ship over four hundred tons and not over five hundred tons register, three dollars ;

For every ship over five hundred tons and not over seven hundred tons register, four dollars ;

For every ship over seven hundred tons register, five dollars :

Ships of twenty tons register and under shall not be subject to any duty under this Act, nor ships engaged in trading or plying between ports and places in the Dominion.”

Small ships and coasters exempted.

2. The ninth section of the said Act is hereby repealed and the following is substituted therefor, and shall be read and have effect as the ninth section of the said Act :—

Sect. 9 repealed.

“9. Such fees as aforesaid shall be payable only once in each calendar year, (that is, the year commencing on the first day of January and ending on the last day of December,) on any ship not exceeding one hundred tons registered tonnage, and not more than twice in each calendar year on any ship exceeding one hundred tons registered tonnage: that is to say, on any ship of one hundred tons or under, registered

New Sect. 9. When the said fees shall be payable.

On ships not over 100 tons.

On ships over  
100 tons.

No clearance  
until fees  
paid.

tered tonnage, the fee shall be payable on her first time of entering the port of Halifax during any calendar year, but not on any subsequent time of her entering the said port during the same calendar year; and on any ship of more than one hundred tons, registered tonnage, the fee shall be payable on the first and second times of her entering the port of Halifax during the calendar year, but not on any subsequent time of her entering the said port during the said calendar year; and the Collector or principal officer of Customs thereat shall not permit any ship on which fees are payable as aforesaid to clear or report outwards at the Custom House until the master thereof produces to him a certificate of the payment of fees under this Act."

## CHAP. 50.

An Act to amend the Act respecting the Harbour of North Sydney in Nova Scotia.

[Assented to 17th May, 1882.]

Preamble.  
42 V., c. 30.

**I**N amendment of the Act passed in the forty-second year of Her Majesty's reign, chaptered thirty, and intituled "*An Act respecting the Harbour of North Sydney in Nova Scotia*;" Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

The Harbour  
Commissioners  
appointed  
under 42 V.,  
c. 30, consti-  
tuted a cor-  
poration.

Powers.

Local limits  
within which  
powers may  
be exercised.

**1.** The Commissioners of the Harbour of North Sydney, aforesaid, appointed by the Governor in Council under and by virtue of the said Act hereby amended, are hereby made and constituted a body corporate and politic by the name of "The Harbour Commissioners of North Sydney," and by that name may sue and be sued, may have a common seal, and may, by and with the sanction and consent of the Governor in Council, purchase, acquire and hold land and lands covered by water, rights, privileges, easements and appurtenances in connection with lands for them and their successors in office, within the limits of said harbour designated in section thirteen of the Act aforesaid, as they shall deem necessary and requisite, for the sole purpose of the maintenance and improvement of the said harbour, the erection of breakwaters or ballast-wharves and the carrying out of the provisions of said Act.

Beach may  
be used.

**2.** The said Commissioners may take, use, occupy and hold, but not alienate, so much of the beach or beaches of said harbour as may be required for the carrying out of the provisions

visions of said Act, paying therefor as provided in this Act, and subject to the sanction and consent of the Governor in Council.

**3.** In case of disagreement between the said Harbour Commissioners and the owners, proprietors or persons interested in the lands, lands covered with water, or rights, privileges, easements or appurtenances in connection therewith, which shall be taken, used, occupied, held, prejudiced or injured by the said Harbour Commissioners under the provisions of this Act, as to the price or value thereof, or as to the compensation for the injury or damage by them respectively sustained, then such price, value or compensation shall be determined by three arbitrators, one to be chosen by the said Harbour Commissioners and one by the owner or owners or persons interested as aforesaid,—which two arbitrators so chosen shall choose a third arbitrator; and in case the arbitrators so chosen shall not agree in such choice within ten days after their appointment, then and in such case it shall and may be lawful for any one of the Judges of the Supreme Court of the Province of Nova Scotia, upon the application of said Harbour Commissioners, or owners or persons interested, to appoint a third arbitrator; and the award of the said arbitrators or any two of them shall be final and conclusive in the matter referred to them; and the costs of such arbitration shall be paid by the said Harbour Commissioners: and in case the said Harbour Commissioners, or any person or persons interested as aforesaid, shall decline making any such agreement or appointment of arbitrators as aforesaid, then and in every such case the other party may make application to one of the said Judges of the said Supreme Court, stating the grounds of such application, and such judge is hereby empowered and required, from time to time, upon such application, to issue a writ or warrant to the Sheriff of the County of Cape Breton in the said province, or in case of said sheriff being a party interested, then to a coroner of the said county or to some other person who may be disinterested, commanding such sheriff, coroner or person disinterested forthwith to summon a jury of five disinterested freeholders within said county,—which jury so summoned upon their oaths (all which oaths, as well as the oath to be taken by any person or persons who shall be called upon to give evidence, shall be administered by the officer or person summoning such jury,) shall enquire of, assess and determine the distinct sum or sums of money or annual rent to be paid for the price or value, or compensation for the use, or damage or injury sustained by the owner or owners or persons interested in such property as aforesaid: and such verdict or award of such jury shall be returned and filed in the office of the Prothonotary of the Supreme Court at Sydney in the county of Cape Breton aforesaid, and shall be final and conclusive between the parties; and the costs and expenses of such proceedings,

Arbitration as to compensation for lands taken.

Arbitrators, how chosen.

Award to be final.

Costs to be paid by Commissioners.

In case of failure to agree on arbitrators, Judge to command sheriff, coroner or other person to summon a jury to assess compensation.

Award of jury final.

to

Costs to be paid by Commissioners. Provision in the case of persons under legal disability.

Or of mortgaged premises.

Judge in Equity to appoint representative to such parties when they have none.

Commissioners to pay costs.

Borrowing powers not to exceed \$4,000, and for purposes of Act only.

Harbour property may be mortgaged as security.

All property to be held in trust for corporate uses.

to be taxed and allowed by a Judge of said Supreme Court, shall be paid by said Commissioners: and when the lands of an infant, feme covert, idiot or lunatic, or land under mortgage is or are required for the purposes of this Act, and the said Act hereby amended, or may sustain any damage or injury by reason of anything done by said Harbour Commissioners under the provisions of this Act, and if the said Harbour Commissioners cannot agree as to the price or value or compensation to be paid in respect thereof, with the legal representatives of such parties as aforesaid, or with the mortgagor with the consent of the mortgagee or mortgagees, the said Harbour Commissioners, or the legal representatives of the party or parties interested as aforesaid may apply to any one of the Judges of the said Supreme Court for a jury, as hereinbefore provided,—which jury and the officer or person appointed to summon it shall have and exercise the power hereinbefore mentioned for the purposes aforesaid; and in the case of mortgaged premises, the price or value or compensation found by such jury shall be paid to the mortgagee or mortgagees according to priority, and shall be by him or them credited on such mortgage, and the lands so taken shall be held to be thereupon released from any such mortgage or mortgages; and in case any such infant, idiot or lunatic has no legal representative, then the Judge of the said Supreme Court in Equity shall, upon application setting forth the facts, appoint a representative for such infant, idiot or lunatic for the purposes of this Act; and the value or price or damage assessed or determined by a jury, as hereinbefore provided, shall be paid to the representative so appointed for the benefit of such infant, idiot or lunatic; and the said Harbour Commissioners shall pay all costs, charges and expenses in connection with such proceedings.

4. It shall be lawful for the said Harbour Commissioners to borrow, either in the Dominion of Canada or out of it, and in sterling money or currency, and at such legal rate of interest as the said Commissioners may, from time to time, agree upon, on mortgage or other security, such sums of money, from time to time, as shall not exceed in all the sum of four thousand dollars, for the sole purpose of carrying out the provisions of this and the Act hereby amended; and for securing the repayment of the money so borrowed with interest, it shall be lawful for said Harbour Commissioners to mortgage, encumber and assign the real estate, works, tolls and revenues of said harbour.

5. All property acquired and held by the said Harbour Commissioners shall be held by the said corporation in trust for all the purposes for which the said corporation is created.

## CHAP. 51.

An Act relating to the Harbour of Saint John, in the Province of New Brunswick.

[Assented to 17th May, 1882.]

**W**HEREAS under the charter of the City of Saint John, Preamble.  
 in the Province of New Brunswick, granted by his late Recital of  
 Majesty King George the third, A.D., 1785, the Harbour of case.  
 Saint John, within the limits of the said city, is vested in the  
 city corporation of Saint John, and the said city corporation are  
 also the owners of certain water-lots and wharf property ;  
 and whereas by an Act of the Provincial Legislature of New  
 Brunswick, passed in the thirty-eighth year of the reign of  
 Her present Majesty, chapter ninety-five, the city corpora-  
 tion of Saint John are authorized to contract and agree for  
 the transfer of the harbour property and privileges as men-  
 tioned and referred to in the first section of the said Act, to  
 Commissioners to be appointed as the corporation of the  
 Harbour Commissioners of Saint John, and the Common  
 Council of Saint John have agreed to make such transfer for  
 the sum of five hundred thousand dollars, to be paid and  
 applied as set forth in the said Act ; and whereas it is ex-  
 pedient to constitute the corporation of the Harbour Com-  
 missioners of Saint John for the management and improve-  
 ment of the said harbour, and that the said harbour, upon  
 transfer by the Mayor, Aldermen and Commonalty of the  
 City of Saint John to the commissioners constituted under  
 this Act, should become and thenceforth be one of the public  
 harbours of Canada : Therefore Her Majesty, by and with the  
 advice and consent of the Senate and House of Commons of  
 Canada, enacts as follows :—

**1.** The corporation of the Harbour Commissioners of Saint Corporation  
 John, in the Province of New Brunswick, shall be consti- of the Har-  
 tuted and consist of five members, three of whom, that bour Commis-  
 is to say, the Chairman of the commissioners and two other sioners of St.  
 members, shall be appointed by the Governor in Council, one John consti-  
 by the Common Council of the City of Saint John, and one by tuted.  
 the Council of the Saint John Board of Trade ; and the persons  
 so appointed under this Act, and their successors, shall be  
 and are hereby declared to be a body corporate and politic  
 in deed and in name by the name of "The Harbour Their corpor-  
 Commissioners of Saint John," and by that name shall have ate name and  
 all the general powers made incident by law to corporations, general  
 with power to receive, take and hold the harbour property powers.  
 and privileges that may be transferred to them by the  
 Mayor, Aldermen and Commonalty of the City of Saint  
 John as herein mentioned, and to purchase and acquire,  
 have, hold, enjoy, possess and retain also other immovable  
 property

May build  
and hold  
vessels.

property for the purposes of this Act; and to build or acquire, hold and possess such steamboats, dredges, scows, and other vessels as they may deem necessary for the efficient discharge of their duties under this Act, and to take out registers for such vessels in their corporate name and capacity, and to dispose of the same as well as of the said immovable property as often as they may see fit so to do; and to do all other things necessary to carry out the purposes of this Act.

Appoint-  
ments by  
Gov. in C. to  
be under  
great seal.

2. Every appointment by the Governor in Council under this Act shall be made by an instrument under the Great Seal of Canada, and the person so appointed shall hold office during pleasure; and any such appointment shall be made at any time after the passing of this Act, to take effect on and after the time at which this Act comes into operation.

By Common  
Council of St.  
John under  
Common  
Seal.

3. Every appointment made by the Common Council of the City of Saint John under this Act shall be by warrant under the Common Seal of the city corporation of Saint John; and the first appointment shall be made within thirty days after the day upon which this Act comes into force, and every person so appointed shall hold office during the pleasure of the Common Council; and every such appointment shall be certified to the Minister of Public Works. In case the said Common Council refuse or, during thirty days, neglect to make such appointment as in this section provided, or at any time thereafter in case of a vacancy, refuse or, for thirty days, neglect to fill any such vacancy, the Governor in Council may appoint or may fill such vacancy.

And certified  
to Min. of  
Public Works.  
Case of refu-  
sal or neglect  
to appoint  
provided for.

Election of  
Commission-  
ers by St.  
John Board of  
Trade.

4. The Council of the Saint John Board of Trade shall, within thirty days after the day upon which this Act comes into force, elect one person to fill the office of Harbour Commissioner, and the person having the majority of votes of the Members of the Council personally present at the meeting at which the election is had, shall be held to be duly elected, and the Secretary of the Board shall give him a certificate of his election and shall also certify the same to the Minister of Public Works; and any person so elected shall hold office during the pleasure of the Council of the said Board of Trade. In case the Council of the Saint John Board of Trade refuse or, during thirty days, neglect to make such appointment as in this section provided, or at any time thereafter in case of a vacancy refuse or, during thirty days, neglect to fill any such vacancy, the Governor in Council may appoint or may fill such vacancy.

Case of refu-  
sal or neglect  
to elect pro-  
vided for.

How vacan-  
cies shall be  
filled.

5. Every vacancy happening from time to time among the members of the said corporation appointed by the Governor in Council, not being members so appointed by reason  
of

of the refusal or neglect of the Common Council or of the Council of the Saint John Board of Trade, or of refusal when appointed to accept office, shall be filled up by the Governor in Council ; and every other vacancy may be filled by the appointment of a member of such Harbour Commission by the body by whom the member occasioning the vacancy was or might have been appointed,—such appointment being made within thirty days after the occurrence of the vacancy. The name of the person appointed to fill such vacancy shall forthwith after his appointment be certified to the Minister of Public Works.

Certificate to Minister.

6. Any three members of the corporation of the Harbour Commissioners of Saint John shall be a quorum, and the majority of any quorum, the Chairman being one, may exercise the powers of the corporation ; and the existence of a vacancy or vacancies among the members shall not prevent or affect the exercise of the said powers, provided there be a quorum as aforesaid.

Quorum.

Vacancies not to affect proceedings by a quorum.

7. No member of the said corporation shall be directly or indirectly interested in any contract for work, supplies or materials of any description whatever, furnished to the said corporation.

Members not to be contractors with corporation.

8. To enable the said corporation of the Harbour Commissioners of Saint John, to purchase, acquire, obtain and receive the harbour property and privileges agreed to be transferred to them by the city corporation of Saint John, as hereinbefore mentioned, for the purchase and acquisition of other wharf property as hereinafter mentioned, and for the extension and improvement of the said harbour, it shall be lawful for the Governor in Council to raise by the issue of debentures bearing interest payable half-yearly, at the rate of four per cent. per annum, and redeemable in forty years, the sum of seven hundred and fifty thousand dollars :

\$750,000 to be raised by Government.

Conditions.

Out of this sum so raised the Governor in Council shall advance and pay to the said Harbour Commissioners, in the first place, the sum of five hundred thousand dollars to enable them to complete the acquisition of the harbour property, rights, rents and privileges to be conveyed to them by the said Mayor, Aldermen and Commonalty of the City of Saint John, to be paid to the Chamberlain of the City of Saint John, as set forth in the Act of the Provincial Legislature of New Brunswick, referred to in the preamble of this Act ; such property to be described by metes and bounds in the deed and conveyance thereof, and to be as shown by the red lines on a plan prepared by Hurd Peters, City Engineer, in accordance with the agreement lately made by the Common Council of Saint John, by resolutions relating thereto,—which plan is filed at the office of the Common Clerk of the City of Saint John :

\$500,000 to be advanced to Commissioners for acquiring harbour property &c. from corporation of St. John.

Description of property to be acquired.



Property to be vested in Commissioners.

Upon the registering of the deed, and conveyance of such harbour property and privileges from the Mayor, Aldermen and Commonalty of the City of Saint John to the said corporation of the Harbour Commissioners of Saint John, in the office of the Registrar of deeds in and for the City and County of Saint John, all the property conveyed by the said deed, and all rights, rents, powers and privileges of the Mayor, Aldermen and Commonalty of the City of Saint John, in or relating to the Harbour of Saint John, except only as reserved and expressed in the said deed, shall vest in the said Harbour Commissioners of Saint John and their successors absolutely :

Advance of remaining sum for improvements.

The remainder of the sum so raised shall be advanced from time to time to the said Harbour Commissioners to meet payments to be made for the purchase and acquisition of other wharf property as hereinafter provided, and on account of the improvements or extension of the said harbour, and the carrying out of the provisions and purposes of this Act,—such improvements having been previously sanctioned by the Governor in Council on the report of the Minister of Public Works :

Corporation to deposit their bonds to an equal amount with Receiver General.

Upon the payment or advance of any sum, by the Government, under the foregoing provisions, the said corporation shall deposit with the Receiver General their own bonds in favour of Her Majesty, for the Dominion of Canada, for the same amount, in such form as he may approve, bearing interest at the rate of four per cent per annum :

Interest on such bonds.

The interest on the bonds given by the said corporation for sums paid or advanced for the purposes aforesaid shall be payable by the said corporation from the time of such payment or advance :

Out of what funds payable.

The said interest shall be payable by the said corporation out of the income of the said corporation from the tolls, rates, dues and other sources of income under this Act, and shall be the first charge thereon, and paid out of the same in preference to all other charges whatsoever, after defraying the expenses of collecting the same.

Properties to be held in trust by Commissioners.

9. All property acquired and held by the Harbour Commissioners of Saint John, under this Act, shall be held to have been and is hereby declared to be transferred to and vested in, and to be the property of the corporation of the said Harbour Commissioners, in trust for all the purposes for which the said corporation is created, as fully and effectually to all intents and purposes, as if the several properties were absolutely vested in them by the express provisions of this Act : Provided always, that the consent of the Minister of Public Works to the purchase of any real estate shall be previously obtained by the said Commissioners.

Proviso for consent of Min. of Public Works.

10. The Governor in Council may, from time to time, until all the wharf and beach property in the Harbour of Saint John is acquired by the Commissioners, authorize the Commissioners to purchase or acquire any wharf or beach property in the Harbour of Saint John not then owned by them, or any part thereof, and thereupon it shall be the duty of the Commissioners to acquire the same by purchase if possible; but in case they cannot agree with the owner as to price, they shall lay off by metes and bounds the property to be acquired, and shall deposit of record in the office of the Registrar of deeds, wills, &c., for the City and County of Saint John, a plan and description of the property to be acquired, signed by the Chairman of the Commissioners; and by such deposit the said property shall thereupon become and remain vested in the Commissioners: and the price or compensation money to be paid therefor shall be determined as follows: the said Commissioners and the owner shall each appoint a disinterested arbitrator, and the two arbitrators so appointed shall name a third, also disinterested, and the three arbitrators, after being sworn by or before any Judge of the Supreme Court or a County Court in the said Province, to perform their duty honestly and impartially, and having given each other notice of the time and place of their meeting, shall determine such price; and their decision or that of any two of them shall be final, and the Commissioners shall, forthwith after the decision, pay to the owner the amount awarded to him with interest at the rate of six per centum per annum from the time the plan and description are deposited:

Gov. in C. may authorize acquisition of certain property by Commissioners.

Provision if they cannot agree with owner as to price.

Appointment of arbitrators to fix such price.

Award of two final.

2. In case either the Commissioners or the owner shall file within thirty days after the notice to the owner of the filing of the plan and description, to appoint an arbitrator, or in case any two arbitrators appointed hereunder fail within thirty days after the appointment of the one last appointed to appoint a third, then in either of such cases it shall be lawful for the Minister of Public Works, in the place of the person or persons otherwise entitled, to appoint an arbitrator or arbitrators, as the case may be, so that the board of arbitrators shall consist of three persons,—any two of whom shall have power to act:

Provision in case of failure by either party to appoint.

3. The compensation money, awarded by the arbitrators or any two of them, shall stand instead of the property acquired, and any claim or incumbrance upon such property shall, as respects the Commissioners, be converted into a claim to such compensation money, or to a proportionate amount thereof, and shall be void as respects the property itself, which shall, by the fact of the depositing of the plan and description, become and be absolutely vested in the Commissioners:

Price to stand in place of the property.

Provision in case the owner cannot be found, or of incumbrance.

4. If the owner cannot be found, or is unknown to the Commissioners, or if the Commissioners have reason to fear any claim or incumbrance, or if, for any other reason, they shall deem it advisable, they shall pay such compensation money into the Supreme Court of New Brunswick, with interest thereon for six months, and shall deliver to the clerk of the court a certified copy of the plan and description :

Notice to persons claiming price or part thereof.

5. A notice in such form and for such time as the court may appoint, shall be published in a newspaper published in the City of Saint John, notifying all persons entitled to the property or any parts thereof, or representing or being the husbands of any party entitled, or claiming to hold or represent incumbrances thereon, or interests therein, to file their claims to the compensation money or any part thereof; and all such claims shall be received and adjudged upon by the court; and the said proceedings shall forever bar all claims to the compensation money or any part thereof, including claims in respect of dower as well as claims in respect of mortgages or incumbrances upon the same; and the court shall make such order for the distribution, payment or investment of the compensation money or of parcels thereof, and for the securing of the rights of all parties interested, as to right and justice, and according to the provisions of this Act and the law, shall appertain :

Court to adjudge on claims and distribute the price.

Costs, how and by whom to be paid.

6. The costs of the proceedings before the court or any part thereof, shall be paid by the Commissioners or by the other party, as the court may order; and if the order of distribution be obtained in less than six months from the payment of the compensation money into court, the court shall direct a proportionate part of the interest to be returned to the Commissioners, and if, from any error, fault or neglect of the Commissioners the distribution is not obtained until after the six months have expired, the court shall order the Commissioners to pay into court, the interest for such further period as may be right.

Certain rights saved.

11. The rights of riparians or other proprietors of deep water piers or other property within the said harbour shall not be abrogated or diminished by this Act in any manner whatever, except as hereinbefore provided for the purchase and acquisition of private property.

Certain by-laws of Corporation of St. John continued in force.

12. The by-laws, tolls and dues made and established by the Mayor, Aldermen and Commonalty of the City of Saint John, at present in force relating to the Harbour of Saint John, and the wharfage dues on wharf property acquired hereunder by the corporation of the Harbour Commissioners of Saint John, shall continue in force until altered by the Commissioners under authority of this Act.

**13.** The said corporation of the Harbour Commissioners of Saint John shall, for the purposes of this Act, have power and authority to make by-laws not repugnant to law or to the provisions of this Act, and by any such by-law to impose penalties not exceeding one hundred dollars or sixty days imprisonment for any offence, upon persons infringing or contravening the provisions of this Act, or of any by-law made thereunder; and to revoke, alter and amend such by-laws as often as they may deem the same expedient; and by-laws made for any of the following purposes shall be held and deemed to be made for the purposes of this Act, that is to say:—

Commissioners may make by-laws.

And impose penalties thereby.

And alter or repeal them; and for what purposes.

1. The direction, conduct and government of the said corporation, and of its officers and servants, and the management and improvement of its property, real and personal;

Management.

2. The prevention of injury to the property of the corporation, and encroachments and incumbrances thereon, and for the removal of the same, and also to prescribe where all vessels entering and loading at the Harbour of Saint John shall discharge their ballast and shall be, from time to time, moored and placed;

Prevention of injury.

3. The collection of dues and penalties imposed by or under the authority of this Act;

Collection of dues &c.

4. And finally the doing of anything necessary to carry out the provisions of this Act according to their intent and spirit:

Other matters.

5. Provided always, that no by-law made by said corporation shall have any force or effect until after it has been sanctioned by the Governor in Council.

Provision for sanction by Gov. in C.

**14.** Copies of any such by-law certified by the Secretary-Treasurer and under the seal of the said corporation shall be *prima facie* evidence of the same in all courts of law or equity in Canada.

Copies of by-laws as evidence.

**15.** The said corporation shall appoint a Secretary-Treasurer thereto, and shall fix his compensation; and shall require and take from such Secretary-Treasurer such security for the due and faithful performance of his duties as may be deemed necessary: Provided always, that such Secretary-Treasurer and his compensation shall be approved by the Governor in Council: and provided, that the Harbour Master of Saint John shall be appointed by the Governor in Council, and shall be paid from the funds of the said corporation such compensation as the Governor in Council shall determine;

Secretary-Treasurer.

Approval of.

Harbour Master, appointment and pay of.

Appointment  
and compen-  
sation of other  
officers.

All such other officers, assistants and servants as may be required by the said corporation for the purposes of this Act shall be appointed by the said corporation, who shall allow them such compensation or salary as the said corporation may find necessary.

Rates to be  
paid on ves-  
sels.

**16.** It shall be lawful for the said Commissioners to levy upon all vessels loading or discharging in the Harbour of Saint John, or moored or fastened to any of their wharves, and upon all goods landed or shipped within the harbour, such moorage or wharfage rates and such other tolls and dues as may, from time to time, be fixed by the said Commissioners by by-law and approved by the Governor in Council; and the said rates and dues shall be levied and paid as follows:—

Sea-going  
vessels.

1. As respects sea-going vessels, the moorage thereon shall be levied upon the master or person in charge thereof, and the wharfage rates of goods landed or shipped shall be levied upon the consignee, shipper or owner thereof, or his agent:

Other vessels.

2. As respects all other vessels, the moorage rates thereon, as well as the wharfage rates upon the cargoes, shall be levied upon and be paid by the master or person in charge thereof, saving to him such recourse as he may have by law against any other person for the recovery of the sum so paid:

To be a lien  
on vessels or  
goods.

3. In either case such rates shall be a charge and lien upon the vessels and goods on which they are payable, and the said Commissioners may detain the same until such rates are paid, and may sell the same by public auction, if such rates are not paid within forty days after they are landed,—paying the surplus, if any, to the owner or his agent after deducting the rates due and costs of sale.

If insufficient,  
Gov. in C.  
may raise  
them.

**17.** If the tariff of tolls and dues established by the Commissioners under this Act should prove insufficient to enable the said Commissioners to meet the charges upon their revenue, as provided by this Act, it shall then be lawful for the Governor in Council to add such percentage to all dues whatsoever imposed under this Act, as will afford the said Commissioners a sufficient revenue for the said purposes.

Report by  
vessels using  
the harbour.

**18.** It shall be lawful for the said Commissioners to require from the master or person in charge of every vessel coming to the Harbour of Saint John, a report in writing, signed and certified by him, of his vessel's cargo and her draft of water, such report to be made before he shall break bulk; also of his outward cargo and draft of water before his vessel shall leave the harbour,—and such other particulars as may be necessary to carry out the provisions of this Act.

**19.** It shall be lawful for the said Commissioners to require the Collector of Customs for the Port of Saint John to collect all or such portion of the aforesaid rates, tolls and dues on their behalf, as they may deem expedient for the convenience of the trade of the harbour to collect through him, and to allow him therefor a commission thereon not exceeding one-half of one per cent. ; and the said Collector shall not grant a clearance outwards to any vessel without the consent of the Commissioners, unless all rates, tolls and dues payable on such vessel and her cargo have been previously paid.

Collector of Customs may collect the rates.

**20.** In case of non-payment of the said dues, tolls or rates or parts thereof, or any other charge which under this Act the said Commissioners may lawfully make, it shall be lawful for the said Commissioners to seize forthwith, before judgment, any vessel or goods whatsoever upon which such dues or other charges may be owing, and to detain the same at the risk, cost and charges of the owner until the sum due and the costs and charges incurred for the seizure and detention of the same be paid in full, and in the event of such rates, dues or other charges remaining due for forty days after such seizure, such vessel or goods may be sold by the said Commissioners by public auction, after the publication in any newspaper published in the said City of Saint John, of three advertisements of such sale, in three separate issues of such paper ; and the said Commissioners shall thereafter, on demand, account to the owner of such vessel or goods for the proceeds of such sale, first deducting the rates or dues due and all their other legal charges.

Seizure and sale of vessels and goods for non-payment.

Sale by public auction after notice.

Application of proceeds.

**21.** All dues and penalties imposed by this Act or by any by-law made under the authority thereof, and all rates, dues and duties authorized to be levied, under and by virtue of this Act, may be recovered by action or proceeding at the suit of the said Commissioners before any court of competent jurisdiction, or in a summary manner before the Police Magistrate of the City of Saint John or the sitting magistrate acting at the Police Office in the said city.

Recovery of rates by action or summary proceeding.

**22.** The said Commissioners shall keep separate accounts of all moneys borrowed, received or expended by them under the authority of this Act, and shall account for the same annually to the Governor in Council in such manner and form as he may see fit to direct.

Account to be kept by Commissioners.

**23.** If any injury be done to any of the wharves, slips, piers or other works in the said harbour belonging to the said Commissioners, by any vessel or by the carelessness or wantonness of the crew thereof while in the execution of their duty, or of the orders of their superior officers, it shall be lawful for the said Commissioners to seize such vessel and detain her until the injury so done has been repaired by the master

Case of injury to wharves &c. by vessels provided for.

or crew, or until security has been given by the said master to pay such amount for the injury and costs as may be awarded in any suit which may be brought against him for the same ; and he is hereby declared to be liable to the said Commissioners for any such injury.

Penalty for obstructing Commissioners or their servants.

**24.** If any person or persons shall, in any manner or way whatever, obstruct, hinder or interrupt any of the officers, clerks or servants of the Commissioners in the execution of their duties, such person or persons shall, for every such offence, incur a penalty not less than twenty dollars nor exceeding fifty dollars, to be recovered as hereinbefore provided.

How a seizure of a vessel under this Act may be made.

**25.** The seizure of any vessel which, under and by virtue of this Act, the said Commissioners may make for the purpose of enforcing the provisions thereof, may be effected upon the order of the Police Magistrate of the said City of Saint John or any sitting magistrate sitting at the Police Office of the said City of Saint John,—which order such Magistrate is hereby authorized and required to give, upon the application of the said Commissioners or their authorized agents, on the institution of any action or proceeding before such magistrate for any cause rendering such vessel liable to seizure, and on the affidavit of any one credible person that the cause of such action, alleged in the declaration, complaint or information before such magistrate, is well founded in fact ; and such order may and shall be executed by any constable, bailiff or other person whom the said Commissioners may choose to entrust with the execution thereof, and the said constable, bailiff or other person is hereby authorized and empowered to take all necessary means, and to demand all necessary aid to enable him to execute the same.

When foregoing sections shall be in force.

**26.** The foregoing provisions of this Act shall come into force only upon, from and after a day to be appointed in that behalf by proclamation of the Governor in Council, to be published in the *Canada Gazette*.

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## CHAP. 52.

An Act to provide for the improvement and management of the Harbour of Three Rivers.

[Assented to 17th May, 1882.]

Preamble.

**W**HEREAS it is expedient to provide for the improvement and management of the Harbour of Three Rivers : Therefore Her Majesty, by and with the advice and consent of

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

1. The Harbour of Three Rivers shall, for the purposes of this Act, comprise that part of the Rivers St. Lawrence and St. Maurice lying between a line drawn from the east side of the mouth of the River St. Maurice to a point on the south side of the River St. Lawrence directly opposite, the said line being parallel to the westerly boundary line of the city of Three Rivers, and a line drawn from the said westerly boundary line of the City of Three Rivers to a point on the south side of the River St. Lawrence to be established by producing the said boundary line to the south side of the River St. Lawrence, together with both sides of the River St. Maurice and the islands therein situated up to the northerly boundary line of the said City of Three Rivers where it crosses the River St. Maurice; and shall include all the water space and beach up to tidal high water, on both sides of the said rivers.

Extent and boundaries of the Harbour of Three Rivers.

2. It shall be lawful for the Governor General in Council, by an instrument under the great seal of the Dominion of Canada, to constitute and appoint three persons to be, together with the Mayor of the City of Three Rivers for the time being, and the President of the Three Rivers Board of Trade for the time being, Commissioners for the improvement and management of the Harbour of Three Rivers, and from time to time to remove such persons or any or either of them, and to appoint others to be the successors of such as shall be removed, or shall die or resign their trust: and such Commissioners and the survivor or survivors of them, and their successors, so from time to time constituted and appointed as aforesaid, together with the Mayor of the City of Three Rivers for the time being, and the President of the Three Rivers Board of Trade for the time being, shall be and are hereby declared to be a body corporate and politic in deed and in name by the name of the "*Harbour Commissioners of Three Rivers*,"—with power to purchase and acquire, have, hold, enjoy, possess and retain immovable property for the purposes of this Act, and to build or acquire, hold and possess such steamboats, dredges, scows and other vessels as they may deem necessary for the efficient discharge of their duties under this Act: Provided always, that the consent of the Minister of Public Works shall be previously obtained and that any such purchase or expenditure shall have been sanctioned by him.

Appointment of Commissioners for improving harbour.

Corporate powers: to hold property &c.

Dredges and other vessels.

proviso: as to expenditure.

3. The said corporation of the Harbour Commissioners of Three Rivers shall, for the purposes of this Act, have power to make by-laws not repugnant to the laws of the Dominion of Canada, or of the Province of Quebec, or to the provisions of this Act, and to impose penalties under the same, not exceeding

Power to make, alter or repeal by-laws for certain purposes.



exceeding twenty dollars or sixty days imprisonment, upon all persons contravening the same, and to revoke, alter and amend such by-laws as they may deem expedient: and by-laws made for any of the following purposes shall be held to be made for the purposes of this Act, that is to say:—

**Management.** (1.) The direction, conduct and government of the said corporation and of its officers and servants, and the management and improvement of its property, real and personal ;

**Protection of property.** (2.) The prevention of injury to the property of the corporation, and of encroachment or incumbrances thereon, and the removal of the same, and for prescribing where all vessels entering and loading in the Harbour of Three Rivers shall discharge their ballast ;

**Collection of dues and general purposes.** (3.) The collection of all dues and penalties imposed by or under the authority of this Act, and finally the doing of anything necessary to carry out the provisions of this Act according to their intent and spirit :

**Proviso: for approval.** (4.) Provided always, that neither such by-laws nor any amendment thereof, shall have any force or effect unless and until approved, by the Governor in Council.

**Proof of by-laws.** 4. Copies of any such by-laws certified by the Secretary under the seal of the said corporation, shall be admitted as full and sufficient evidence of the same in all courts of law and equity in Canada ; and it shall not be necessary to prove the signature of the Secretary or the said seal unless formally disputed.

**Election of Chairman ; he and other Commissioners to serve gratuitously.** 5. It shall be lawful for the said Commissioners to elect a Chairman from among their number, but neither the chairman nor any member of the said corporation shall receive any salary, pay or gratuity of any kind whatever, nor shall any member of the said corporation be directly or indirectly interested in any contract for work, supplies or materials of any description whatever furnished to the said corporation ; but the said corporation may appoint a Secretary-Treasurer and fix and pay his compensation, provided such compensation be approved by the Minister of Public Works.

**Powers to borrow money on debentures.** 6. For the purpose of purchasing wharves or beach property, or for constructing wharves or other accommodation for vessels within the limits of the said harbour, it shall be lawful for the said corporation to borrow, in such sums, and for such number of years, and at such rates of interest not exceeding the rate of six per cent. per annum and payable half yearly, as may be found expedient, any sum or sums of money, not exceeding in the whole the sum of three hundred thousand dollars, and to expend the same for the purposes-

**Rate of interest.**

above

above mentioned, in the manner deemed by them best calculated to promote the commerce and interests of the Harbour of Three Rivers: the said sums of money may be raised by the issue of debentures under the hands of three of the said Commissioners, and the seal of the corporation, countersigned by the Secretary-Treasurer of the said corporation, with coupons signed by him for the half-yearly interest, payable to bearer at the times when the said interest shall be made payable; and the said sums, so borrowed, and the interest thereon, shall be paid out of the revenues of the harbour: Provided always, that no loan shall be effected nor any expenditure incurred for any purpose, before the same shall have been authorized by the Minister of Public Works.

Form of debentures.

Coupons.

How payable

Proviso for approval.

7. All works carried out by the corporation must have been authorized by the Minister of Public Works, and shall be conducted under the supervision of an engineer or other competent person, appointed by the said Minister, for that purpose.

Supervision of works by Minister.

8. Whenever the said Commissioners cannot agree with the proprietor or proprietors of any wharf or beach property, required by them for the purposes of this Act, as to the price to be paid for the same, such price shall be determined as follows: The said Commissioners and the proprietor or proprietors of such property, shall each appoint a disinterested arbitrator, and the two arbitrators shall name a third, also disinterested; and the three arbitrators, after being sworn by or before any judge or Justice of the Peace, to perform their duty honestly and impartially, and having given each other notice of the time and place of their meeting, shall determine such price; and their decision or that of any two of them shall be final.

Arbitration when corporation and vendor do not agree on price of properties required for works.

9. It shall be lawful for the said Commissioners to levy upon all vessels loading or discharging in the Harbour of Three Rivers, or moored or fastened to any of their wharves, and upon all goods landed or shipped within the harbour, such moorage or wharfage rates, and such other tolls and dues as may, from time to time, be fixed by the said Commissioners and approved by the Governor in Council, and the said rates and dues shall be levied and paid as follows:—

Tolls for use of works &c.

(1.) As respects sea-going vessels,—the moorage thereon shall be levied upon the master or person in charge thereof, and the wharfage rates of goods landed or shipped shall be levied upon the consignee, shipper, owner thereof or his agent:

On sea-going vessels.

On other  
vessels.

(2.) As respects all other vessels,—the moorage rates thereon as well as the wharfage rates upon the cargoes shall be levied upon and paid by the master or person in charge thereof, saving to him such recourse as he may have by law against any other person for the recovery of the sum so paid :

Lien for the  
same and how  
enforced.

(3.) In either case such rates shall be a charge and lien upon the vessels and goods on which they are payable, and the Commissioners may detain the same until such rates are paid, and may sell such goods by public auction, if such rates are not paid within forty days after they are landed,—paying the surplus, if any, to the owner or his agent, after deducting the rates due and costs of sale.

Report to  
Commission-  
ers by masters  
of vessels.

10. It shall be lawful for the said Commissioners to require from the master or person in charge of every vessel coming to the Harbour of Three Rivers, a report in writing, signed and certified by him, of his vessel's cargo and her draft of water,—such report to be made before he shall break bulk; also of his outward cargo and draft of water before his vessel shall leave the harbour, and such other particulars as may be necessary to carry out the provisions of this Act.

Collector of  
Customs may  
be required to  
collect dues.

11. It shall be lawful for the said Commissioners to require the Collector of Customs for the Port of Three Rivers to collect all or such portion of the aforesaid rates and dues on their behalf as they may deem expedient for the convenience of the trade of the harbour to collect through him, and to allow him therefor a commission thereon, not exceeding one-half per cent.; and the said collector shall not grant a clearance outwards to any vessel without the consent of the Commissioners, unless all rates payable on such vessel and her cargo have been previously paid.

No clearance  
until dues are  
paid.

Accounts.

12. The said Commissioners shall keep separate accounts of all moneys borrowed, received or expended by them under the authority of this Act, and shall account for the same annually to the Governor in such manner and form as he may see fit to direct.

Proviso: as to  
Dominion  
property.

13. Provided always, that all land and beach lots, booms, piers, wharves and other land or property of every description, situated and being within the limits of the said harbour, now actually in use by the Dominion Government, or which may hereafter be required for the use of the same, shall be and are hereby expressly exempted from the provisions of this Act.

Minister to  
establish  
boundaries  
of harbour.

14. The Minister of Public Works shall have power to fix and define the line of tidal high-water mark to be adopted by the Commissioners as the boundary of the harbour, and also to establish all other limits or boundaries required to be established for the purposes of this Act.

CHAP. 53.

An Act to authorize the construction, on certain conditions, of the Canadian Pacific Railway through some Pass other than the Yellow-Head Pass.

[Assented to 17th May, 1882.]

**W**HEREAS by clause thirteenth of the contract with Her Majesty the Queen now held by the Canadian Pacific Railway Company, (which contract is contained in the Schedule to the Act passed in the forty-fourth year of Her Majesty's reign chapter one, intituled "*An Act respecting the Canadian Pacific Railway*") it is provided that the said Company shall have the right, subject to the approval of the Governor in Council, to lay out and locate the line of the railway thereby contracted for as they may see fit, preserving the following terminal points namely, from Callander Station to the point of junction with the Lake Superior section and from Selkirk to the junction with the western section at Kamloops by way of the Yellow-Head Pass; and whereas it may be found to be in the public interest that the junction with the western section at Kamloops should be made by way of some pass other than the Yellow-Head Pass: Therefore Her Majesty by and with the advice and consent of the Senate and House of Commons of Canada enacts as follows:—

Preamble.

44 V., c. 1, cited: as to the Pass through the Rocky Mountains.

**1.** The Canadian Pacific Railway Company may, subject to the approval of the Governor in Council, lay out and locate their main line of railway from Selkirk to the junction with the western section at Kamloops by way of some pass other than the Yellow-Head Pass, provided that the pass be not less than one hundred miles from the boundary between Canada and the United States of America.

Change of Pass may be authorized by Governor-in-Council.

Proviso.

CHAP. 54.

An Act to make further provision respecting the incorporation of a Company to establish a Marine Telegraph between the Pacific coast of Canada and Asia.

[Assented to 17th May, 1882.]

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

Preamble.

Period limited by 41 V, c. 33, s. 2, extended.

I. The period mentioned in the second section of chapter thirty-three of the statutes of the forty-fourth Victoria, as that within which letters patent may issue for incorporating a Company for the purpose of establishing a marine telegraph between the Pacific coast of Canada and Asia, is hereby extended to twelve months from the passing of this Act.

CHAP. 55.

An Act to provide for the granting of a Subsidy to the Chignecto Marine Transport Railway Company (limited)

[Assented to 17th May, 1882.]

Preamble.

IN consideration of the great advantages which would accrue to the Maritime Provinces and the intercolonial trade of Canada generally, from the construction of a ship railway across the Isthmus of Chignecto from Tignish, on La Baie Verte, in the Gulf of St. Lawrence, to a point at the mouth of the River La Planche, on the Bay of Fundy, and of the proposal made by Mr. H. G. C. Ketchum, on behalf of a Company formed and to be incorporated as "The Chignecto Marine Transport Railway Company, (limited)" and approved by the Governor in Council on the report of the Minister of Railways and Canals, after consultation with the Chief Engineers of the Department: Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Conditions on which a subsidy not exceeding \$150,000 a year, may be paid to the said Company during 25 years.

I. If the said Company do, within seven years from the first day of July now next, construct such ship railway, according to the terms of their said proposal, and of an agreement and contract in that behalf which the Government of Canada may, if they see fit, make with the said Company, in a substantial manner and fully equipped for the services therein to be stipulated, to the satisfaction of and subject to the approval of the said Government; then, during a term of twenty-five years from the date of such approval, provided the said ship railway is kept in thorough repair and satisfactorily performs the services aforesaid, a subsidy at the rate of one hundred and fifty thousand dollars a year shall be paid to the said Company out of the Consolidated Revenue Fund of Canada,—such subsidy not being payable for any period during the said twenty-five years during which the conditions above mentioned shall not be complied with.

Provided the works are kept in good order.

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