











# BILL

## An Act to amend The Assessment Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**1.** Section 84 of *The Assessment Act* is repealed and the following substituted therefor:

Rev. Stat.  
c. 195, s. 84,  
amended.

84.—(1) When, after the appeal provided by this Act the assessment roll has been finally revised and corrected, the clerk of the municipality shall within ninety days transmit to the county clerk a summarized statement of the contents of the roll showing the total population of the municipality and the total assessment of each of the various classes of property liable to assessment, and when required to do so by the county judge or by resolution of the county council for the purpose of equalization or otherwise produce the original assessment roll of the municipality.

Summarized  
statement of  
roll to be  
transmitted  
to county  
clerk.

(2) For default in the performance of his duties under this section the clerk of the municipality shall incur a penalty of not less than \$10 and not more than \$20.

Penalty.

No. 81.

3rd Session, 15th Legislature,  
12 George V, 1922.

BILL.

An Act to amend The Assessment Act.

1st Reading,	28th February, 1922.
2nd Reading,	1922.
3rd Reading,	1922.

Mr. McLEOD.

TORONTO:  
PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.

# BILL

## An Act to amend The Ontario Railway Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**1.** Subsection (1) of Section 232 of *The Ontario Railway Act* is amended by striking out the word “conduct” in the first and second lines thereof and substituting the word “construct”. Rev. Stat.  
c. 185, s. 232,  
(1) amended

**2.** Section 232 of *The Ontario Railway Act* is further amended by adding the following as subsection 6:— Rev. Stat.  
c. 185, s. 232,  
amended.

- (6) Where a municipal Corporation has acquired or owns a street railway, the management, control and operation of which has been or is entrusted to a commission or committee all claims, actions and demands arising from or relating to the construction, repair, operation, management or control of such street railway or arising from the exercise of any of the powers of such commission or committee shall be made upon and brought against such commission or committee and not upon or against the Municipality, and such commission or committee may sue and be sued in its own name. Municipally-  
owned street  
railway to  
sue and be  
sued in  
own name.

3rd Session, 15th Legislature,  
12 George V, 1922.

BILL.

An Act to amend The Ontario Railway  
Act.

1st Reading,	1st March, 1922.
2nd Reading,	1922.
3rd Reading,	1922.

Mr LEWIS.

TORONTO:  
PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty

# BILL

## An Act to amend The Ontario Railway Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. Subsection (1) of Section 232 of *The Ontario Railway Act* is amended by striking out the word "conduct" in the first and second lines thereof and substituting the word "construct".

Rev. Stat.  
c. 185, s. 232,  
(1) amended

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3rd Session, 15th Legislature,  
12 George V, 1922.

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BILL.

An Act to amend The Ontario Railway  
Act.

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1st Reading,	1st March, 1922.
2nd Reading,	27th March, 1922.
3rd Reading,	1922.

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*Reprinted as amended by The Railway  
Committee.*

Mr LEWIS.

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TORONTO:  
PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty



# BILL

## An Act to amend The Ontario Highways Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**1.** This Act may be cited as *The Ontario Highways Act*, Short title.  
1922.

**2.** *The Ontario Highways Act, 1915*, is amended by adding thereto the following section: 1915, c. 17, amended.

11a.—(1) Notwithstanding anything in *The Municipal Act*, contained, the township road overseer or foreman may, without the passing of a by-law or resolution by the council of the township, apply to the owner of any gravel land or gravel pit in the township for gravel for township purposes. Application for gravel for township roads.

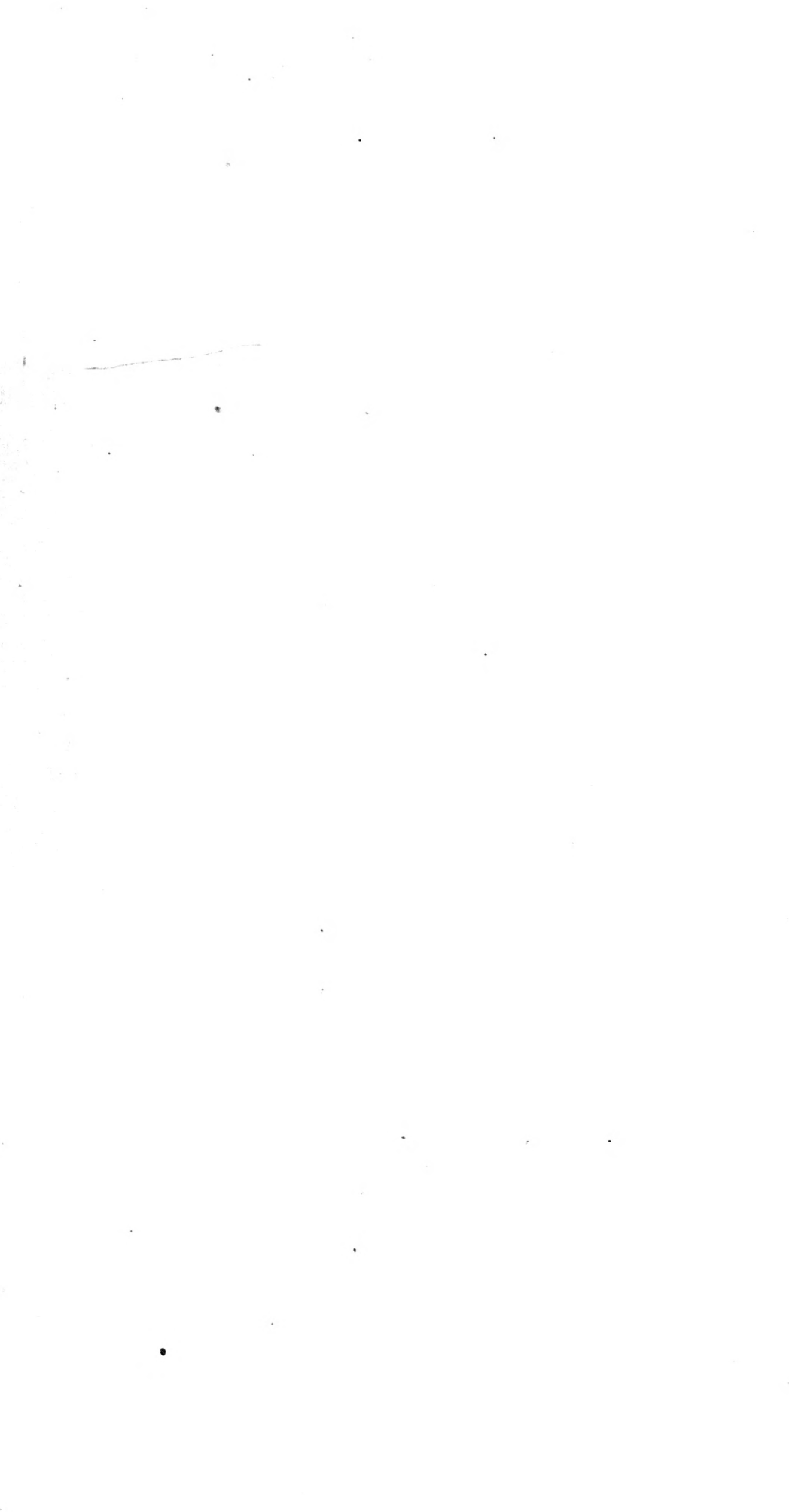
(2) The township road overseer or foreman shall state in his application the price per cubic yard of such amount of gravel as he may require or the price per acre or otherwise of the land which he may deem necessary to furnish the material he may require. Price to be stated.

(3) If the owner does not within three days after receiving such application agree with the township road overseer or foreman to sell the gravel or land as the case may be and as to the price at which same shall be sold, the township road overseer or foreman may upon seven days notice in writing to the owner apply to the County Order of County Judge.

Judge, in the county in which the gravel is situate, for an order fixing the price per cubic yard for the gravel or per acre for the land, and the judge upon such application and upon hearing such evidence as he deems necessary may fix the price per cubic yard to be paid for the gravel or the price payable for the land and may order and direct, that upon payment or tendering of the price so fixed, the township road overseer or foreman by his servants or agents may enter upon the lands and take the gravel so required.

- (4) *The Judges' Orders Enforcement Act* shall <sup>Application of Rev. Stat. c. 19.</sup> apply to any application or order made under this Act.
- (5) There shall be an appeal from the order <sup>Appeal.</sup> of the Judge of the County Court to the Appellate Division of the Supreme Court whose decision shall be final.

**3.** This Act shall come into force on the first day of <sup>Commence-ment of Act.</sup> July, 1922.



3rd Session, 15th Legislature,  
12 George V, 1922.

BILL.

An Act to amend The Ontario Highways  
Act.

1st Reading,	March 1st, 1922.
2nd Reading	1922
3rd Reading	1922

Mr. BLACK.

# BILL

## An Act to amend The Ontario Highways Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Ontario Highways Amendment Act, 1922*.

2. *The Ontario Highways Act, 1915*, is amended by adding thereto the following section:—

1915, c. 17.  
amended.

11a.—(1) Notwithstanding anything in *The Municipal Act* contained, the council of a township may by by-law, authorize the reeve of the township to apply to the owner of any gravel land or gravel pit in the township for gravel for township purposes.

Application  
for gravel  
for township  
roads.

(2) The reeve of the township shall state in his application the price per cubic yard of such amount of gravel as may be required.

Price to be  
stated.

(3) If the owner does not within three days after receiving such application agree with the reeve of the township to sell the gravel and as to the price at which same shall be sold, the reeve of the township may upon seven days notice in writing to the owner apply to the County Judge, in the county in which the gravel is situate, for an order fixing the price to be paid for the gravel, and the judge upon such application

Order of  
County  
Judge.

and upon hearing such evidence as he deems necessary may fix the price per cubic yard to be paid for the gravel and may order and direct, that upon payment or tendering of the price so fixed, the reeve of the township by his servants or agents may enter upon the lands of the owner and take the gravel so required.

Application  
of Rev. Stat.  
c. 19.

- (4) *The Judges' Orders Enforcement Act* shall apply to any application or order made under **this Act**.

Appeal.

- (5) There shall be an appeal from the order of the Judge of the County Court to the Appellate Division of the Supreme Court whose decision shall be final.

Commence-  
ment of Act.

- 3.** This Act shall come into force on the first day of July, 1922.



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3rd Session, 15th Legislature,  
12 George V, 1922.

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BILL.

An Act to amend The Ontario Highways  
Act.

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1st Reading,	March 1st, 1922.
2nd Reading,	March 10th, 1922.
3rd Reading	1922

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*Reprinted as amended by The Municipal Committee.*

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Mr. BLACK.

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TORONTO:  
PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.



# BILL

## An Act to provide for a Provincial Board of Alienists.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Ontario Board of Alienists Act, 1922*. Short title.

2. There shall be established a Board to be composed of three legally qualified medical practitioners to be known as "The Board of Alienists," who shall be appointed by the Lieutenant-Governor in Council. Establishment of Board.

3. The Lieutenant-Governor in Council may appoint one of the members of the Board to be the Chairman thereof and may appoint a secretary and such other officers, clerks and servants of the Board as may be deemed expedient. Chairman, Secretary and Staff

4. Two members of the Board shall form a quorum thereof. Quorum.

5. A legally qualified medical practitioner shall not be eligible for appointment as a member of the Board of Alienists, unless he has had at least ten years previous experience in the care and treatment of the insane or possesses special qualifications as a psychiatrist. Qualification.

6. The charges and expenses of the Board shall be paid out of such sums as may be voted by the Assembly and appropriated by the Legislature for the purposes of the Board. Charges and expenses.

7. For the purposes of any inquiry held by them under this or any other Act or under any regulation, the Board shall have the like powers as to summoning witnesses, compelling persons to give evidence under oath and the production of documents and papers as any court has in civil cases.

Power of Board on inquiries.

8. It shall be the duty of the Board,—

Duties.

- (a) to assist the Attorney-General and counsel for the Crown in any criminal case in which the sanity of a prisoner or defendant may be in question;
- (b) to conduct such inquiry and make such reports as may be required of the Board by any Statute or by direction of a court or by regulations made under the authority of this Act;
- (c) to collect such information and material as may from time to time be available respecting the mode of treatment of insane persons, including insane criminals and the curative effects of any method of treatment.

9. The Attorney-General may at any time call upon the Board for a report as to the mental condition of any person confined in any reception hospital, lock-up, gaol, or provincial reformatory or prison, or in any hospital for the insane, and it shall be the duty of the Board to make such personal examination and inquiry in such a case as may be required.

Report at instance of Attorney General.

10.—The Lieutenant-Governor in Council may make regulations respecting,—

Regulations.

- (a) the charges and expenses of the Board and the payment thereof;
- (b) the procedure of the Board;
- (c) the appointment, remuneration and duties of the secretary and other officers and employees of the Board;
- (d) the duties of the Board;

- (e) the extension of the duties and powers of the Board to inquiries and investigations other than those mentioned in this Act.

**11.** The services of the Board shall at all times be available free of any charge at the instance of any person charged with murder, homicide or manslaughter, or of his counsel for the purpose of ascertaining and reporting upon the mental condition of such person. Free services of Board in cases of homicide.

**12.** This Act shall come into force and take effect on the First day of July, 1922. Commencement of Act.

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3rd Session, 15th Legislature,  
12 George V, 1922.

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BILL.

An Act to provide for a Provincial  
Board of Alienists.

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1st Reading,	1st March,	1922.
2nd Reading,		1922.
3rd Reading,		1922.

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Mr. CUREY.

# BILL

## An Act to amend The Evidence Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** This Act may be cited as *The Evidence Amendment Act, 1922.* Short title.

**2.** *The Evidence Act* is amended by adding thereto the following section: Rev. Stat. c. 76 amended.

### *Summoning Expert Witnesses as to Mental Condition.*

55.—(1) Where the mental condition of any person is in question in an action the Court may make an order directing the attendance of one or more disinterested, legally qualified, medical practitioners, not exceeding three, having experience in the care and treatment of mental diseases, to give evidence at the trial. Order of Court for attendance of psychiatrists.

(2) The order may be made before the trial of the action is begun, and in that case the order shall be served upon all parties to the action. Where order made before trial.

(3) Where the question of the mental condition of any person is raised upon the trial of the action the order may be made by the Court at the trial, and the Court, if it deems expedient, may direct an adjournment of the trial pending the service of the order. Order made at trial.

Effect of  
order.

- (4) The order shall have the same force and effect and shall be served in the same manner and subject to the same conditions as a subpoena.

Directions  
of Court.

- (5) The Court may give such direction as it deems proper before the trial for the observation and examination of the person whose mental condition is in question by the legally qualified medical practitioners so summoned and every person having the care and custody of the person whose mental condition is in question shall give such assistance as may be in his power in carrying out the order of the Court.

Cross  
examination.

- (6) Every person so summoned shall be subject to cross examination by the counsel for any party to the action.

Right to  
call other  
experts.

- (7) Nothing in this section contained shall preclude any party to the action from calling and examining any other expert witnesses at the trial.

Costs.

- (8) The costs and expenses incurred with respect to any order made under this section shall be in the discretion of the Court and shall be payable by such persons and in such manner as the Court may direct.

Examination  
of person in  
question.

- (9) The Court may give such directions as it deems proper for the examination of persons whose mental condition is in question by the witnesses so summoned.



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3rd Session, 15th Legislature,  
12 George V, 1922.

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BILL

An Act to amend The Evidence Act

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1st Reading,	1st March, 1922.
2nd Reading,	1922.
3rd Reading,	1922.

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Mr. CURRY.



No. 86.

1922.

# BILL

An Act respecting Mineral Rights in certain  
Canada Company Lands.

**W**HEREAS certain lands in various counties of On- Preamble.  
tario, including the mineral rights therein, were here-  
tofore granted by the Crown to the Canada Company, and  
the said lands were sold and conveyed by the said Com-  
pany to divers purchasers, reserving the mineral rights to  
the said Company; and whereas by various in-  
dentures subsequent to said conveyances and dated  
the first day of October, 1919, the said Company  
did release and quit-claim unto His Majesty, his  
heirs, successors and assigns, all estate, right, title, in-  
terest, claim and demand whatsoever both at law and in  
equity or otherwise howsoever, and whether in possession  
or expectancy of it the Canada Company of, in, to or out  
of the said lands, which lands are described in the inden-  
tures aforesaid, and which said estate, right, title, interest,  
claim and demand are now vested in His Majesty; and  
whereas it is expedient that the Crown be authorized and  
empowered to grant to the respective owners of the said  
lands the rights so conveyed to the Crown by the said Com-  
pany.

Therefore, His Majesty, by and with the advice and con-  
sent of the Legislative Assembly of the Province of Ontario,  
enacts as follows:—

Short title.

**1.** This Act may be cited as *The Canada Company's Lands Act, 1922*.

Crown may  
grant  
mineral  
rights.

**2.** Notwithstanding anything in *The Mining Act of Ontario*, or any other Act, the Crown may sell and convey to the owner of any of the said lands, upon his proving his ownership, all the estate, right, title, interest, claim and demand in and to the said lands conveyed to the Crown by the said company.

Price.

**3.** The price to be paid by the owner purchasing under section 2, shall be at the rate of twenty-five cents per acre, but in no case less than ten dollars for any such grant.

Conditions.

**4.** A grant may issue without survey and without performance of any of the conditions or requirements of *The Mining Act of Ontario*.

Commencement  
of Act.

**5.** This Act shall come into force on the day on which it receives the Royal Assent.



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3rd Session, 15th Legislature,  
12 George V, 1922.

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BILL.

An Act respecting Mineral Rights in  
Certain Canada Company Lands.

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1st Reading,	2nd March,	1922.
2nd Reading,		1922.
3rd Reading,		1922.

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Mr. MILLS.

# BILL

## An Act to amend The Mining Tax Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**1.** This Act may be cited as *The Mining Tax Amendment Act, 1922.* Short title.

**2.** Section 20 of *The Mining Tax Act* and section 8 of Chapter 21 of the Statutes of 1914, are repealed, and the following is enacted as section 20 of *The Mining Tax Act.* Rev. Stat. c. 26, s. 20, and 1914, c. 21 s. 8, repealed.

20.—(1) Where lands liable to acreage tax under section 15 are held by two or more co-owners, and the whole of the taxes have been paid by one or more of such co-owners, and the other co-owner or co-owners have neglected or refused to pay his or their proportion of such taxes for a period of six years, the Mining Commissioner, upon the application of the co-owner or co-owners who have paid such taxes, may make an order requiring the delinquent co-owner or co-owners to pay, within three months from the date of such order, their proper proportion of such taxes to the co-owner or co-owners who have paid them. Procedure to enforce claim for payment of taxes by one co-owner against another.

(2) The order shall be served in such manner as the Mining Commissioner shall direct, and if at the expiration of the period fixed by the order it appears to the said Commissioner that the payment has not been made in accordance therewith, the said Commissioner may make an order vesting the interest of the delinquent co-owner Service of order.

Vesting of  
interest of  
delinquent  
owner.

or co-owners in the co-owner or co-owners who have paid taxes, and such order shall be registered in the proper Registry or Land Titles Office, and a duplicate original thereof forwarded by the said Commissioner to the Minister of Mines.

"Co-owner"  
what to  
include.

- (3) In this section "co-owner" or "co-owners" shall include "co-lessee" or "co-lessees" and "incorporated company and shareholder or shareholders therein," and in the case of a company, the order shall be directed to the company.

Rev. Stat.  
c. 26, amended.

**3.** *The Mining Tax Act* is amended by inserting the following section immediately after section 21:—

Machinery  
and property  
may be  
removed  
upon for-  
feiture.

- 21a. Where any lands or mining rights have been forfeited to the Crown under this Act, the owner may take from them any machinery, chattels or personal property, and any ore or mineral he may have extracted therefrom belonging to him, within six months, after such forfeiture, or within such further time as may be fixed by the Mining Commissioner, and in default of so doing, all such machinery, chattels, personal property, ore and mineral shall belong to His Majesty, for the use of Ontario.

Commencement  
of Act.

**4.** This Act shall come into force on the day upon which it receives the Royal Assent.



No. 87.

3rd Session, 15th Legislature,  
12 George V, 1922.

BILL.

An Act to amend The Mining Tax Act.

1st Reading.	2nd March.	1922.
2nd Reading.		1922.
3rd Reading.		1922.

Mr. Mills.

TORONTO:  
PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.



# BILL

## An Act to amend The Mining Act of Ontario.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. This Act may be cited as *The Mining Amendment Act, 1922.* Short title.

2. Section 7 of *The Mining Act of Ontario* is amended by adding thereto the following subsection: Rev. Stat.  
c. 32, s. 7,  
amended.

(2) Where a mining recorder is absent, because of illness or for any other reason, the Minister may appoint a competent person to act as recorder *pro tempore*, and such person shall during such time, have all powers and perform all the duties of a mining recorder in the mining division to which he is appointed. Where  
mining  
recorder  
absent.

3. Section 8 of *The Mining Act of Ontario* is repealed and the following substituted therefor: Rev. Stat.  
c. 32, s. 8  
repealed.

(8) Every recorder shall keep such books for the recording of mining claims, applications and other entries therein as may be directed by the Minister, and such books shall be open to inspection by any person on payment of a fee of ten cents for each claim or application examined, and every recorder shall also keep displayed in his office a map or maps showing the territory included in his mining division and shall mark thereon all claims as they are recorded, and there shall be no charge for examining such map or maps. Books and  
maps to  
be kept by  
recorder.

Rev. Stat.  
c. 32, s. 22  
(1) amended.

4. Subsection 1 of section 22 of *The Mining Act of Ontario* is amended by striking out the words "for a working permit or" in the fifth and sixth lines, so that the subsection will now read as follows:

License  
required.

(1) No person, mining partnership or company not the holder of a miner's license shall prospect for minerals upon Crown Lands or land of which mining rights are in the Crown, or stake out, record or acquire any unpatented mining claim, quarry claim, or area of land for boring permit, or acquire any right or interest therein.

Rev. Stat.  
c. 32, s. 26  
amended.

5. Section 26 of *The Mining Act of Ontario* is amended by striking out the words "working permit or" in the third and fourth lines, so that the section will now read as follows:

Unlicensed  
person not  
to act for  
partnership  
or company.

26. A person who is not a licensee shall not prospect for minerals or stake out a mining claim, quarry claim, or area of mining land for the purpose of obtaining a boring permit on behalf of a mining partnership or a company.

Rev. Stat.  
c. 32, s. 27  
(2) is  
repealed.

6. Subsection 2 of section 27 of *The Mining Act of Ontario* is repealed and the following substituted therefor:

Who may  
issue re-  
newals.

(2) Licenses to companies may be renewed by the Minister or the Deputy Minister, and licenses to individuals and to mining partnerships may be renewed by the Minister or the Deputy Minister or by any recorder.

Rev. Stat.  
c. 32, s. 34,  
cl. b, sub-  
cl. ii repealed.

7. Sub-clause ii of clause b of section 34 of *The Mining Act of Ontario* is repealed.

Rev. Stat.  
c. 32, s. 35,  
repealed.

8. Section 35 of *The Mining Act of Ontario* is repealed and the following substituted therefor:

When claim  
may be  
staked.

35. A licensee, for himself or on behalf of another licensee, may stake out a mining claim on any land open for prospecting and, subject to the other provisions of this Act, may work such claim and transfer his interest therein to another licensee:

but where the surface rights in the land have been granted, sold, leased or located by the Crown, a mining claim may be staked out only upon discovery by the licensee of valuable mineral in place, and compensation must be made as provided by section 104 hereof.

**9.** Section 36a of *The Mining Act of Ontario* as enacted by section 9 of *The Mining Amendment Act, 1921*, is amended by adding at the end thereof the words "or upon land for which there is a recent and *bona fide* application pending in the Department of Lands and Forests under *The Public Lands Act* or regulations made thereunder", so that the section will now read as follows:

Rev. Stat.  
c. 32, s. 36a  
(1921, c. 16,  
s. 9)  
amended.

36a. No mining claim shall be staked out or recorded on land sold or located under *The Public Lands Act* in which the mines, minerals or mining rights have not been reserved, or upon land for which there is a recent and *bona fide* application pending in the Department of Lands and Forests under *The Public Lands Act* or regulations made thereunder.

Where  
mining  
rights not  
reserved.

**10.** Subsection 2 of section 42 of *The Mining Act of Ontario* is amended by striking out the words "the discovery post and" in the fourth line thereof, so that the subsection will now read as follows:

Rev. Stat.  
c. 32, s. 42  
(2) amended.

(2) No proceeding shall be necessary for such staking out except to plant posts and blaze lines as provided in respect to a mining claim, but the officer or assistant shall mark upon No. 1 post the words "staked out for the Crown", and within the time limited by this Act for recording the claim shall notify the recorder of the staking out giving the date of staking out and the description of the property.

Method.

**11.** Paragraph 1 of section 47 of *The Mining Act of Ontario* is repealed and the following substituted therefor:

Rev. Stat.  
c. 32, s. 47  
par. 1  
repealed.

1. The holder of a miner's license may stake out and record a mining claim on such lands, and the recorder, within three days after the application for record, shall notify the Minister thereof and the Minister shall thereupon notify the timber licensee.

Rev. Stat.  
c. 32, s. 54  
(1) repealed.

**12.** Subsection 1 of section 54 of *The Mining Act of Ontario* is repealed and the following substituted therefor:

(1) A mining claim shall be staked out by,

Staking out  
and planting.

- (a) planting or erecting a post at each of the four corners of the claim, marking that at the northeast corner "No. 1," that at the southeast corner "No. 2," that at the southwest corner "No. 3" and that at the northwest corner "No. 4," so that the number shall be on the side of the post toward the post next following it in the order named;
- (b) writing or placing on No. 1 post the name of the licensee staking out the claim, the letter and number of his license, the date of staking out, and, if the claim is staked out on behalf of another licensee, also the name of such other licensee and the letter and number of his license, and, if the claim is situated in a township surveyed into lots, quarter-sections or subdivisions of a section, the part thereof comprised in the claim, mentioning the lot and concession or the section by number;
- (c) writing or placing on No. 2, No. 3 and No. 4 posts the name of the licensee staking out the claim, and, if the claim is staked out on behalf of another licensee, also the name of such other licensee; and
- (d) plainly blazing the trees on two sides only where there are standing trees, and cutting the underbrush along the boundary lines of the claim, or where there are not standing trees, clearly indicating the outlines of the claim, by planting thereon durable pickets not less than five feet in

height, at intervals of not more than two chains (132 feet) or by erecting at such intervals monuments of earth or rock not less than two feet in diameter at the base, and at least two feet high so that the lines may be distinctly seen.

**13.** Sections 55, 56 and 57 of *The Mining Act of Ontario* are repealed. Rev. Stat. c. 32, ss. 55, 56 and 57 repealed.

**14.** Subsections 1 and 3 of section 59 of *The Mining Act of Ontario* are repealed and the following substituted therefor: Rev. Stat. c. 32, subs. 1 and 3 repealed.

(1) A licensee who has staked out a mining claim, or upon whose behalf a mining claim has been staked out, shall within fifteen days thereafter or within the further time allowed by subsection 4, furnish the recorder with an outline, sketch or plan of the mining claim showing the corner posts and the witness posts, (if any) and their distance from each other in feet, together with an application, Form 4, setting forth the name of the licensee by whom the claim was staked out, and of the licensee on whose behalf the application is made, and the letters and number of their licenses, the name, if any, of the claim, and in the case of unsurveyed territory, its locality indicated by some general description and such other information as will enable the recorder to indicate the claim on his office map, or in the case of a surveyed township, designating the lot, quarter-section, or subdivision of a section, and the portion thereof comprised in the claim, the length of the outlines, and if for any reason they are not regular, the nature of such reason, the day and hour when the claim was staked out and the date of the application, and with the application shall be paid the prescribed fee. Plan and application to be furnished to recorder.

(3) The application and sketch or plan shall be accompanied by an affidavit, Form 6, made by the licensee who staked out the claim, showing the date of the staking out and stating that the distances given in the application and sketch or plan are as accurate as they could reasonably be ascertained and that all the other statements and particulars set forth and Affidavit to accompany map.

shown in the application and sketch or plan are true and correct, that at the time of staking out there was nothing upon the lands to indicate that they were not open to be staked out as a mining claim, that the deponent verily believes they were so open and that the staking out is valid and should be recorded, and that there are upon the lands or the lot or part lot or section of which they form a part, no buildings, clearing or improvements for farming or other purposes except as set forth in the affidavit, and an applicant for a free grant shall also file an affidavit, Form 7, showing his right thereto.

Rev. Stat.  
c. 32, s. 64  
repealed.

**15.** Section 64 of *The Mining Act of Ontario* is repealed and the following substituted therefor:

Granting  
certificate  
of record.

64.—(1) When a mining claim not in a special mining division has been recorded for sixty days, the recorder shall, upon application of the holder of the claim, give a certificate of record, Form 10, provided that there is no dispute standing against the claim, and the surface rights compensation, if any, has been paid or secured, and unless by reason of an order, pending proceeding or other special matter or thing, it would be improper to give such certificate.

Certificate  
as to  
portion of  
claim.

(2) If a portion of the claim is unaffected by any matter or reason mentioned in subsection 1, the recorder may, if he deems proper, give a certificate of record as to such portion.

Rev. Stat.  
c. 32, s. 67  
repealed.

**16.** Section 67 of *The Mining Act of Ontario* is repealed.

Rev. Stat.  
c. 32, s. 69,  
(1) amended.

**17.** Subsection 1 of section 69 of *The Mining Act of Ontario* is amended by striking out the words "or a working permit" in the first and second lines, so that the subsection will now read as follows:

Address for  
service to  
be on appli-  
cation for  
claim, etc.

(1) Every application for a mining claim and every other application and every transfer or assignment of a mining claim or of any right or interest acquired under the provisions of this Act shall contain, or have endorsed thereon, the place of residence and post office address

of the applicant, transferee or assignee, and also, when he is not a resident in Ontario, the name, residence and post office address of some person resident in Ontario upon whom service may be made.

**18.** Clause *e* of section 79 of *The Mining Act of Ontario* is repealed and the following substituted therefor:— Rev. Stat.  
c. 32, s. 79  
cl. *e* re-  
pealed.

(*e*) For the first instalment of work the time between the 16th of November and the 15th of April, both days inclusive, but this shall not have the effect of extending the time for the performance of any subsequent instalment of work.

**19.** Section 87 of *The Mining Act of Ontario* is amended by striking out the word "Minister" in the third line thereof and substituting therefor the word "Commissioner," so that the section will now read as follows:— Rev. Stat.  
c. 32, s. 87  
amended.

87.—In the case of joint holders where the interest of a holder has ceased by reason of the expiration of his license, such interest shall, if the Commissioner so directs, pass to and vest in the other holders in proportion to their interests in the claim. Interest  
of joint  
holder on  
expiry of  
his license.

**20.** Subsection 1 of section 89 of *The Mining Act of Ontario* is amended by striking out the words "whether a discovery of valuable mineral in place has been made or" in the eighth and ninth lines, so that the subsection will now read as follows:— Rev. Stat.  
c. 32, s. 89,  
(1) amended.

(1) The commissioner or the recorder may inspect or order an inspection of and an inspector or other officer appointed by the Minister may inspect a mining claim at any time with or without notice to the holder for the purpose of ascertaining whether the provisions of this Act have been complied with, but after the granting of the certificate of record no such inspection shall, except by order of the commissioner, be made for the purpose of ascertaining whether the claim has been staked out in the prescribed manner. Inspection  
by commis-  
sioner, re-  
corder or  
inspector.

**21.** Sections 90, 92, 94, 95, 96, 97, 98, 99, 100, 101, 102 and 103 of *The Mining Act of Ontario* are repealed. Rev. Stat.  
c. 32, ss. 90,  
92, 94, 95,  
96, 97, 98,  
99, 100, 101,  
102 and 103  
repealed.

Rev. Stat.  
c. 32, s. 104,  
(1) (1921,  
c. 16, s. 12)  
amended.

**22.** Subsection 1 of section 104 of *The Mining Act of Ontario* as amended by section 12 of *The Mining Act Amendment Act, 1921*, is amended by striking out the words "a working permit or" in the sixth line, so that the subsection will read as follows:—

Right of  
owner of  
surface  
rights to  
compensation.

- (1) Where the surface rights of land have been granted, sold, leased, or located with reservation of mines, minerals or mining rights to the Crown, or where land is occupied by a person who has made improvements thereon which in the opinion of the Minister entitle him to compensation, a licensee who prospects for mineral, or stakes out a mining claim or an area of land for a boring permit, or carries on mining operations upon such land shall compensate the owner, lessee, locatee, or occupant, for all injury or damage which is or may be caused to the surface rights by such prospecting, staking out or operations, and in default of agreement the amount and the manner, and time of payment of compensation shall be determined by the commissioner upon application to him after notice to the persons interested, and, subject where the amount awarded exceeds \$1,000 to appeal to a Divisional Court, his order shall be final and may be enforced as provided in section 132 of this Act.

Rev. Stat.  
c. 32,  
amended.

**23.** *The Mining Act of Ontario* is amended by adding thereto the following section:—

Sampling  
and testing  
of ores.

186a.—The Minister may, out of any moneys appropriated for the purpose, acquire and construct, and under rules and regulations made by the Lieutenant-Governor in Council, may operate works for the sampling and testing of ores of the precious metals, or works for the recovery of such metals, and may purchase and treat such ores or procure their treatment for the recovery of their contents, or for the purpose of determining the best and most efficient method or methods of such recovery, and the rules and regulations may provide for,

- (a) the management and operation of such works by persons employed for the purpose by the Department of Mines.



- (b) the payment of freight charges upon ores and other material shipped to or from such works and all other necessary costs;
- (c) the charges to be paid for assaying, testing and treating such ores, and the making of deductions from the assay value thereof for losses in treatment;
- (d) the payment of the price of ores purchased and the time and method of such payment;
- (e) such other purposes as to the Lieutenant-Governor in Council may seem proper.

**24.** Section 192 of *The Mining Act* of Ontario is amended by inserting after the figures "1897" in the third line thereof the words "*The Mining Act of Ontario* or any regulations providing for the leasing of mining lands," so that the section will now read as follows:

Rev. Stat.,  
c. 32, s. 192,  
amended.

192.—If default is made by the lessee of a mining location leased under the authority of *The Mines Act* Chapter 36 of the Revised Statutes of Ontario, 1897, *The Mining Act of Ontario* or any regulations providing for the leasing of mining lands, in the payment of rent the lease shall be forfeited, but the lessee may defeat the forfeiture by payment of the full amount of rent within ninety days from the day when the same became payable; and in default thereof the lease shall be absolutely forfeited and void, any statute or law to the contrary notwithstanding, and all claims of the lessee or his assigns shall from and after such period forever cease and determine.

Forfeiture of  
leases  
under Rev.  
Stat. c. 36.

**25.** Section 193 of *The Mining Act of Ontario* is repealed and the following substituted therefor:—

Rev. Stat.,  
c. 32, s. 193  
repealed.

Default by  
one of  
several co-  
owners or  
co-lessees.

193.—(1) Upon the failure of any one or more of several co-owners, or co-lessees of a location to contribute his or their proportion of the expenditures or of the rental necessary to hold such location, the commissioner, upon application of the co-owners or co-lessees who have performed the labour or made the improvements or paid the rent as required by the provisions of *The Mines Act*, Chapter 36, of the Revised Statutes of Ontario, 1897, may order any such delinquent co-owner or co-lessee or, in the case of his death, his personal representative to make the necessary payment within three months from the date of such order.

Vesting  
order of  
delinquent  
co-owner's  
interest.

(2) The order may be served in such a manner as the commissioner may direct, and if at the expiration of the period fixed by the order, it appears to the commissioner that payment has not been made in accordance therewith, the commission may make an order vesting the interest of the delinquent co-owner or co-lessee in the co-owners or co-lessees who have made the expenditures and paid the rent.

Death of  
delinquent.

(3) Where any such delinquent co-owner or co-lessee has died either before or after default in respect of his share, and no person has taken out administration of his estate, or has obtained probate of his Will, any order made under this section may be directed to and served upon his heirs.

Commence-  
ment of Act.

**26.** This Act shall come into force on the day upon which it receives the Royal Assent.



No. 88.

3rd Session, 15th Legislature,  
12 George V, 1922.

BILL.

An Act to amend The Mining Act of  
Ontario.

1st Reading,	2nd March, 1922.
2nd Reading,	1922.
3rd Reading,	1922.

Mr. Mills.

TORONTO:  
PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.

# BILL

## An Act respecting the Township of York.

**W**HEREAS the Corporation of the Township of York Preamble. has by its petition represented that it is in the interests of the Corporation that all tax sales and tax deeds made prior to the 31st day of December, 1919, should be validated and confirmed; and that powers should be conferred upon the Corporation; (a) To acquire land as a site for the erection of fire halls and to purchase fire appliances for the benefit of certain defined areas, and to levy the cost thereof by a special rate on the rateable property in such section or area; (b) To construct, operate and maintain sewers and sewage disposal works to serve certain defined sections and to levy the whole cost thereof upon such sections or areas either by a special rate on all the rateable property therein or partly as a local improvement and partly as a general charge; (c) To construct, operate and maintain a street railway to serve certain defined sections and to levy the whole cost thereof upon such sections or areas either by a special rate on all the rateable property therein or partly as a local improvement and partly as a general charge; (d) That clause (c) of section 1 of *An Act respecting the Township of York*, passed in the sixth year of the reign of His Majesty King George the Fifth, Chaptered 100, should be repealed and a new clause substituted as hereinafter set forth; (e) To establish building grades throughout the Township; (f) To prevent encroachments on any road allowance within the Township and to permit the Township to charge a rental for the use of coal chutes and similar areas; (g) To issue permits for constructing private walks; (h) To acquire lands for and establish and lay out public parks, squares, avenues, boulevards and drives in the Municipality, and to levy the cost thereof by a special rate on the rateable property in such sections benefited thereby; (i) To pass by-laws to provide for the approval of plans of proposed subdivisions and to establish fees to be paid to the Township for the approval;

(j) To stipulate that at the least 5% of the land in such subdivision shall be dedicated to the Township for public use; and whereas the Corporation has by its petition prayed that an Act may be passed for the above mentioned purposes; and whereas it is expedient to grant the prayer of the said petition:

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Tax deeds  
prior to  
December  
31st, 1919,  
confirmed.

1.—(1) All sales of lands within the Township of York made prior to the 31st day of December, 1919, which purport to have been made by the Corporation of the said Township for arrears of taxes in respect to lands so sold for which tax deeds have been issued by the said Corporation are hereby validated and confirmed and all deeds of lands so sold executed by the reeve and treasurer of the said Corporation purporting to convey the said lands so sold to the purchaser thereof, or his, her or their assigns are hereby validated and confirmed, and shall have the power of vesting the lands so sold or conveyed or purporting to be sold or conveyed, and the same are hereby vested in the purchaser, or his, her or their assigns in fee simple, free and clear of and from all title or interest whatsoever of the owner or owners thereof at the time of such sale or his, her or their assigns, and all charges or encumbrances thereon and dower therein, except taxes accrued since those for which payment whereof the said lands were sold.

Application  
of subs. 1  
to pur-  
chases by  
the cor-  
poration.

(2) Subsection 1 of this section shall extend and apply to cases where the said Township or any person or persons in trusts for it, or in its behalf became the purchaser of lands at any such tax sale.

Section not  
to affect  
pending  
litigation.

(3) Nothing in this section contained shall effect any action, litigation or other proceeding now pending, but the same may be proceeded with and finally adjudicated upon in the same manner and as fully and effectually as if this Act had not been passed.

2. The Council of the Corporation of the Township of York may pass by-laws for purchasing lands and erecting thereon community halls or for erecting thereon fire halls and for purchasing fire engines and other appliances for fire protection and for appointing and insuring and paying men for all services rendered in connection therewith for the use and benefit of any defined section or area of the Township and may levy the costs thereof by special rate on all the rateable property in such section or area according to the last revised assessment roll, and shall not be borne by the Corporation at large.

Authority to purchase lands, erect community and fire halls, purchase fire engines etc., and levy special rate on defined area.

3.—(1) The Municipal Corporation of the Township of York may pass By-laws:—

Authority to pass by-laws.

(a) To construct, operate and maintain sewers, a sewage system and sewage disposal works in any defined section or area of the Township.

To construct sewers.

(b) To provide that the whole cost of the construction of sewage disposal works, and trunk sewers having a sectional area of more than four feet, other than those hereinafter mentioned, shall be raised by a special rate on all the rateable property in such defined section or area and shall not be borne by the corporation at large.

To provide for cost being raised by special rate in area benefited.

(c) To provide that the cost of the construction of all sewers having a sectional area of not more than four feet may be specially assessed as a local improvement under and pursuant to the provisions of *The Local Improvement Act*, and be charged against and be paid by a special rate on the lands fronting and abutting directly thereon, and that the amount of reductions provided for by Section 24, and the amount of exemptions provided for by Section 48 of *The Local improvement Act* shall not be chargeable upon the land liable to be specially assessed, but shall be levied by a special rate on all the rateable property in such defined section or area.

To provide for special distribution of cost of service sewers varying provisions of Rev. Stat. c. 193.

Apportionment of cost of sewers used both as trunk and as service sewers.

- (d) To provide that when a sewer, having a sectional area of more than four feet, is used both as a trunk sewer and a service sewer having connections with private drains, the cost of the construction thereof shall be apportioned, and so much thereof as would have been necessary to construct a service sewer, having a sectional area of not more than four feet, shall be raised as provided for in clause (c) herein, and the balance thereof shall be raised as provided for in clause (b) herein.

Authority to borrow money on credit corporation at large during progress of work.

- (2) The said corporation may from time to time borrow on the credit of the corporation at large, as the work proceeds, such sums of money as may be necessary to defray the cost of the works undertaken and to issue debentures for the sums so borrowed, but the whole of the cost shall be raised as hereinbefore set out and shall not be borne by the corporation at large.

Power to admit sewage of other municipalities.

- (3) The Township council may also arrange terms with any adjoining municipality for the admission of sewage from the township into the sewers and works of such adjoining municipalities, and the expenditure of monies which may be incurred in any way by the township council may by by-law by the said council be assessed or charged against any defined section in the same manner as in the case of sewage disposal works as above described.

Authority to pass by-laws.

- 4.—(1) The Municipal Corporation of the Township of York may pass By-laws:—

To construct and maintain street railway.

- (a) To construct, operate and maintain a street railway system and all the necessary works in connection therewith in any defined sections or area of the Township which the Council may deem advisable, and to purchase the lands, cars and all other appliances necessary in connection therewith.

To appoint and pay men serving railway.

- (b) To provide for the appointing and insuring and paying men for all services rendered in connection with the street railway system for the use and benefit of any defined sections or area of the Township.



- (c) To provide that the whole cost of the construction of the street railway system shall be raised by a special rate on all the rateable property in such defined sections or area according to the last revised assessment roll and shall not be borne by the corporation at large.

To provide cost being borne by special rate on area benefited.

- (2) The said corporation may from time to time borrow on the credit of the corporation at large, as the work proceeds, such sums of money as may be necessary to defray the cost of the works undertaken and to issue debentures for the sums so borrowed, but the whole of the cost shall be raised as hereinbefore set out and shall not be borne by the corporation at large.

Authority to borrow money on credit corporation at large during progress of work.

- (3) The Township council may also arrange terms with any adjoining municipality for the admission of the street railway upon the railways and works of such adjoining municipalities, and the expenditure of monies which may be incurred in any way by the Township council may by by-law by the said council be assessed or charged against any defined section as hereinbefore set out and shall not be borne by the corporation at large.

Authority to arrange admission upon railways of adjoining municipalities and assess any expenditure against area benefited.

5. Clause (c) of section 1 of *An Act respecting the Township of York*, passed in the sixth year of the reign of His Majesty, King George the Fifth, chaptered 100, is repealed and the following substituted therefor:—

6. Geo. V, c. 100, repealed.

- (c) To provide that all branch water mains service pipes, hydrants, stop cocks, and appliances of any such water works systems shall be constructed as a local improvement under and pursuant to the provisions of *The Local Improvement Act* providing that the portion of the costs of any such work, which, under *The Local Improvement Act*, would be chargeable against the Corporation, together with the entire cost of the water meters, shall be assessed against and paid by a special annual rate on all the rateable property in such section or area, and shall not be borne by the corporation at large.

Cost of all branch mains etc., to be borne by area benefited and not by corporation at large.

6. The Council of the Corporation of the Township of York may pass by-laws for the establishment of building grades throughout the Township.

Authority to establish Building grades.

Authority  
to pass

**7.** The Council of the Corporation of the Township of York may pass by-laws:—

by-laws:  
to prevent  
encroachment  
on road  
allowance.

(a) For the prevention of encroachment or buildings of a private nature on any road allowance within the Township, except in the case of illuminated signs.

To charge  
rental for  
coal chutes.

(b) For the Township to charge a rental for the use of coal chutes and similar areas.

Authority  
to issue  
permits for  
sidewalks.

**8.** The council of the Corporation of the Township of York, when giving approval of any subdivisions of land, shall struction of permanent private walks and buildings so that there will be at least 18 inches of level grade adjoining the sidewalk.

Authority  
to approve  
plans of  
proposed  
subdivisions.

**9.—(1)** The Council of the Corporation of the Township of York may pass by-laws to provide for the approval of plans of proposed subdivisions in the Township and to establish the fees to be paid by the applicants to the Township in connection with this approval.

Dedication of  
5 per cent. of  
land for  
public use.

(2) The Council of the Corporation of the Township of York, when giving approval of any subdivisions of land, shall stipulate that at least 5 per centum of the land included in such subdivision shall be dedicated to the Township for public use, free of any charge;

Small reser-  
vations may  
be consol-  
idated for  
organizing  
parks,

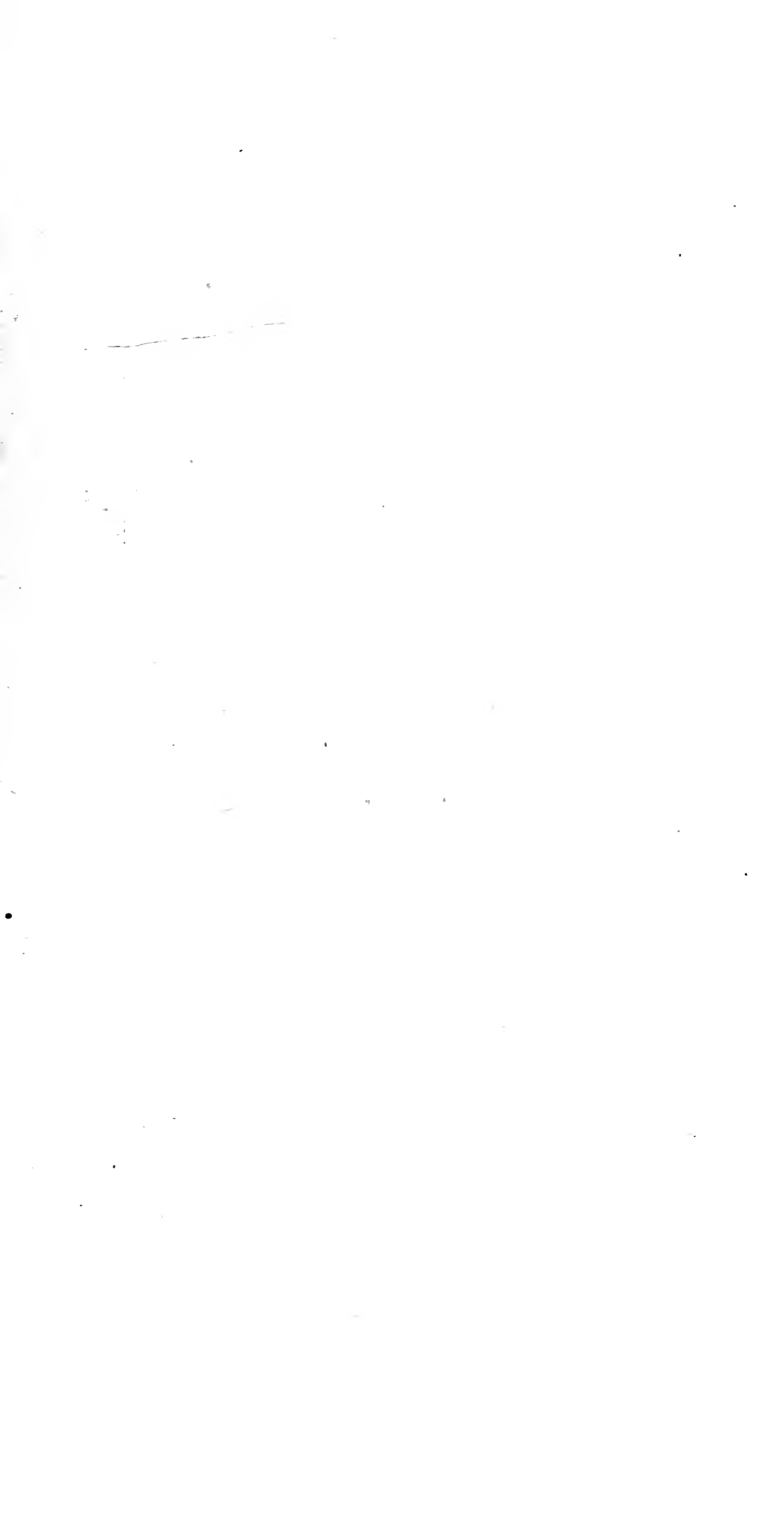
(a) The Council shall be at liberty to provide for the consolidation of the various small reservations for the purpose of organizing larger parks;

Sale, pur-  
chase and  
exchange  
of reserva-  
tions.

(b) The Council shall have power to sell any reservations which they deem expedient and to purchase others or make exchanges.

Authority  
to establish  
public parks,  
boulevards,  
etc., and pay  
for same by  
special rate  
in defined  
area.

**10.** The Corporation of the Township of York may acquire lands for and establish and lay out public parks, squares, avenues, boulevards and drives in the municipality, and pay for and maintain same by a special rate levied on all the rateable property in any defined section or sections in said township which the council may by by-law direct.



3rd Session, 15th Legislature,  
12 George V, 1922.

BILL.

An Act respecting the Township of York.

1st Reading,	1922.
2nd Reading,	1922.
3rd Reading,	1922.

*(Private Bill.)*

MR. HENRY.

No. 89.

1922.

# BILL

## An Act respecting the Township of York.

**W** HEREAS the Corporation of the Township of York Preamble.  
has by its petition represented that it is in the interests of the Corporation that all tax sales and tax deeds made prior to the 31st day of December, 1919, should be validated and confirmed; and that powers should be conferred upon the Corporation; (a) To acquire land as a site for the erection of community halls or fire halls and to purchase fire appliances for the benefit of certain defined areas, and to levy the cost thereof by a special rate on the rateable property in such section or area; (b) To construct, operate and maintain sewers and sewage disposal works to serve certain defined sections and to levy the whole cost thereof upon such sections or areas either by a special rate on all the rateable property therein or partly as a local improvement and partly as a general charge; (c) To construct, operate and maintain street railways to serve certain defined sections and to levy the whole cost thereof upon such sections or areas by a special rate on all the rateable property therein; (d) That clause (c) of section 1 of *An Act respecting the Township of York*, passed in the sixth year of the reign of His Majesty King George the Fifth, Chaptered 100, should be repealed and a new clause substituted as hereinafter set forth; (e) To pass by-laws to provide for the approval of plans of proposed subdivisions and to fix fees to be paid to the Township for *such* approval.

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Tax sales  
and deeds  
prior to  
December  
31st, 1919,  
confirmed.

**1.**—(1) All sales of lands within the Township of York made prior to the 31st day of December, 1919, which purport to have been made by the Corporation of the said Township for arrears of taxes in respect to lands so sold for which tax deeds have been issued by the said Corporation are hereby validated and confirmed and all deeds of lands so sold executed by the reeve and treasurer of the said Corporation purporting to convey the said lands so sold to the purchaser thereof, or his, her or their assigns are hereby validated and confirmed, and shall have the power of vesting the lands so sold or conveyed or purporting to be sold or conveyed, and the same are hereby vested in the purchaser, or his, her or their assigns in fee simple, free and clear of and from all title or interest whatsoever of the owner or owners thereof at the time of such sale or his, her or their assigns, and all charges or encumbrances thereon and dower therein, except taxes accrued since those for which payment whereof the said lands were sold.

Application  
of subs. 1  
to **pur-**  
chases by  
the cor-  
poration.

(2) Subsection 1 of this section shall extend and apply to cases where the said Township or any person or persons in trust for it, or on its behalf became the purchaser of lands at any such tax sale.

Section not  
to affect  
pending  
litigation.

(3) Nothing in this section contained shall affect any action, litigation or other proceeding now pending, but the same may be proceeded with and finally adjudicated upon in the same manner and as fully and effectually as if this Act had not been passed.



Authority to  
pass by-laws  
for building  
fire-halls etc.

**2.**—(1) The council of the corporation of the Township of York may pass by-laws for acquiring land and for erecting thereon a community hall and a fire hall, or either of them, and for purchasing fire engines and other appliances for fire protection for the use and benefit of any defined section or area of the Township and for levying the whole cost thereof by a special rate on all the rateable property in such section or area.

Special Rate.

(2) The special rate for such purpose may be levied in one year or two years as the council may think proper, but shall not exceed in any one year two mills in the dollar on the value of the rateable property in such section or area.

(3) The annual cost of maintenance and repair of such community hall or fire hall and of appointing, insuring and paying men for all services rendered in connection with such fire hall shall also be met by a special rate on all the rateable property in such section or area.

Annual cost  
of main-  
tenance.



3.—(1) The Corporation of the Township of York may pass By-laws:—

Authority  
to pass  
by laws.

(a) To construct, operate and maintain sewers, a sewage system and sewage disposal works in any defined section or area of the Township.

To construct  
sewers.

(b) To provide that the whole cost of the construction of sewage disposal works, and trunk sewers having a sectional area of more than four feet, other than those hereinafter mentioned, shall be raised by a special rate on all the rateable property in such defined section or area and shall not be borne by the corporation at large.

To provide  
for cost  
being raised  
by special  
rate in area  
benefited.

(c) To provide that the cost of the construction of all sewers having a sectional area of not more than four feet may be specially assessed as a local improvement under and pursuant to the provisions of *The Local Improvement Act*, and be charged against and be paid by a special rate on the lands fronting and abutting directly thereon, and that the amount of reductions provided for by Section 24, and the amount of exemptions provided for by Section 48 of *The Local improvement Act* shall not be charge-

To provide  
for special dis-  
tribution  
of cost  
of service  
sewers  
varying  
provisions  
of Rev. Stat.  
c. 193.

able upon the land liable to be specially assessed, but shall be levied by a special rate on all the rateable property in such defined section or area.

(d) To provide that when a sewer, having a sectional area of more than four feet, is used both as a trunk sewer and a service sewer having connections with private drains, the cost of the construction thereof shall be apportioned, and so much thereof as would have been necessary to construct a service sewer, having a sectional area of

Apportion-  
ment of cost  
of sewers  
used both  
as trunk  
and as ser-  
vice s. sewers.

not more than four feet, shall be raised as provided for in clause (c) herein, and the balance thereof shall be raised as provided for in clause (b) herein.

Authority to borrow money on credit corporation at large during progress of work.

(2) The said corporation may from time to time borrow on the credit of the corporation at large, as the work proceeds, such sums of money as may be necessary to defray the cost of the works undertaken and to issue debentures for the sums so borrowed, but the whole of the cost shall be raised as hereinbefore set out and shall not be borne by the corporation at large.

Power to admit sewage of other municipalities.

(3) The Township council may also arrange terms with any adjoining municipality for the admission of sewage from the township into the sewers and works of such adjoining municipalities, and the expenditure of monies which may be incurred in any way by the township council may by by-law by the said council be assessed or charged against any defined section in the same manner as in the case of sewage disposal works as above described.



Street Railways—Powers of city under Rev. Stat. c. 185, granted Township of York.

4.—(1) The Corporation of the Township of York shall have the same powers to construct, equip, maintain and operate street railways as a city or town has under the provisions of *The Ontario Railway Act* and shall be subject to the same duties as a city or town under that Act.

Cost.

(2) Where the council determines that a proposed street railway will serve the inhabitants of a specified district or districts only the by-law for borrowing the money for constructing the railway shall provide that the whole cost shall be borne by the rateable property in such specified district or districts and in that case:

- (a) the by-law shall define the district or districts by metes and bounds or by lots and concessions;
- (b) the assent to the by-law of those electors qualified to vote on money by-laws in the district or districts shall be sufficient and they shall be the only electors qualified to vote on the by-law;
- (c) the money to meet the cost shall be borrowed on the credit of the corporation at large by the issue of its debentures but the special rate imposed by the by-law to



provide for the payment of the debentures and the interest thereon shall be imposed upon the rateable property within such district or districts only.

(3) The said corporation and the Toronto Transportation Commission may enter into agreements for the construction in the said township by the said commission of a street-railway or railways together with all necessary appurtenances thereto at the sole cost and expense of the said corporation, and (or) for the operation of the cars of the said commission over any street railway in the said township for such period and on such terms and conditions as may be deemed proper by the said corporation and commission. But any such agreement shall not be executed by the said corporation until it has been assented to by the electors in such specified district or districts as in the case of a by-law for borrowing money to meet the cost of the construction of the railway.

Authority for Township and T. T. C. to enter into agreement.

(4) The Corporation of the Township of York may, with the assent of the electors qualified to vote on money by-laws in the district or districts or in the township as the case may be as provided by *The Municipal Act*, borrow money by the issue of debentures payable within a term not exceeding thirty years from the date of the issue thereof and bearing interest at such rate as the council may deem proper, payable semi-annually, to meet the cost of the construction of any railway constructed under the provisions of this section.

Authority to issue debentures to meet construction cost.

(5) All such debentures shall be issued repayable on the sinking fund plan and it shall not be necessary to raise or provide any sinking fund for the retirement of the debentures until after the expiration of three years from the date of the issue thereof.

Sinking Fund.

(6) The council or The Toronto Transportation Commission, where the railway is to be operated by the Commission, shall so regulate and fix all tolls and fares that the revenue derived therefrom shall be sufficient to cover the full cost of such operation, including maintenance and renewals and all capital and debt charges.

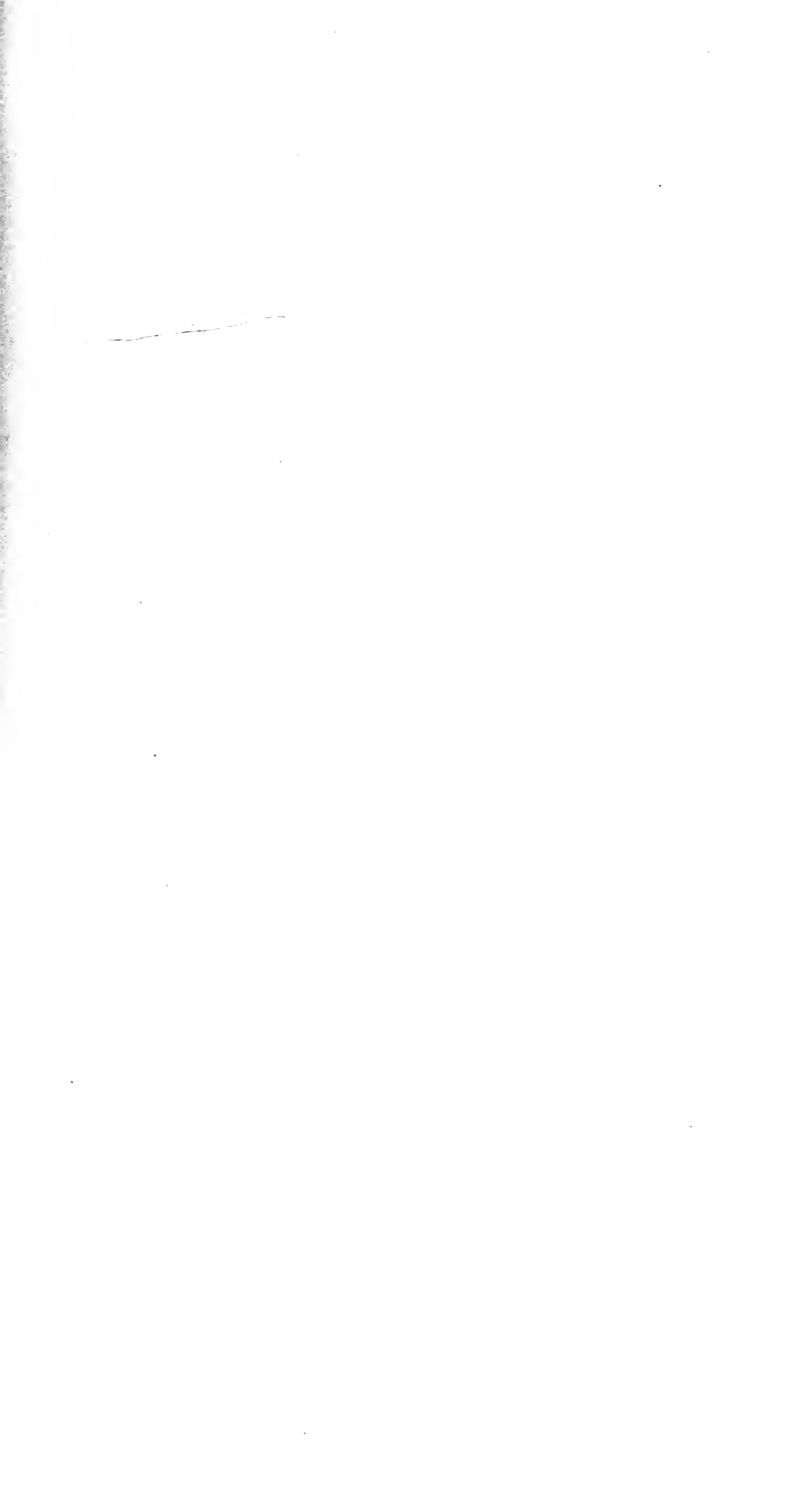
Fares—how fixed.

(7) Notwithstanding the provisions of section 1 of the Act passed in the Second year of the reign of His Majesty King George the Fifth, Chaptered 126, The Toronto Transportation Commission may operate in, along, under and

Operation of trackless trolleys etc., by T. T. C.

over such suitably constructed highways of the said township as the council thereof may determine, motor cars, omnibuses trackless trolleys or other vehicles for the transportation of passengers under such tolls and fares as will cover the full cost of such operation, and all capital and debt charges, including maintenance and depreciation, and upon such other terms and conditions as may be agreed upon between the corporation and the commission.





No. 89.

3rd Session, 15th Legislature,  
12 George V, 1922.

BILL.

An Act respecting the Township of York.

1st Reading	14th March, 1922.
2nd Reading,	1922.
3rd Reading,	1922.

(*Re-printed as amended by Private Bills  
Committee.*)

Mr. HENRY.

# BILL

## An Act respecting the Maintenance of Deserted Wives and Children

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Deserted Wives' and Children's Maintenance Act, 1922.* Short title.

2.—(1) A husband who has deserted his wife may be summoned by her before a police magistrate, who, upon proof of service of the summons and whether or not the husband appears, if satisfied that the husband, being able wholly or in part to maintain his wife or his wife and family, has wilfully refused so to do, and has deserted his wife, may order that the husband shall pay to his wife such weekly sum, not exceeding \$20, with or without costs, as the magistrate may consider proper, having regard to his means and to any means the wife may have, for her support and the support of the family. When order for maintenance of wife may be made.

(2) A married woman shall be deemed to have been deserted within the meaning of this section when she is living apart from her husband because of his acts of cruelty, or of his refusal or neglect, without sufficient cause, to supply her with food and other necessities when able so to do. Extension of remedy to certain cases.

3.—(1) A father who has deserted his child may be summoned before a police magistrate who, upon proof of the service of the summons, and whether or not the father When order for maintenance of child may be made.

appears, if satisfied that such father has wilfully refused or neglected to maintain the child and has deserted the child, may order that the father shall pay to such person as may by order be directed for the support of such child, such weekly sum, not exceeding \$20, with or without costs, as the magistrate may consider proper, having regard to the means of the father and to any means the child may have for his support.

When child  
deemed to  
have been  
deserted.

(2) A child shall be deemed to have been deserted by his father, within the meaning of this section, when the child is under the age of sixteen years and when the father has refused or neglected to supply such child with food or other necessities when able so to do.

Who may  
lay  
complaint.

4. A complaint under this Act may be laid by a deserted wife or child or by a person having the care and custody of a deserted child or with the consent of the Crown Attorney by any other person.

Proceedings  
in case of  
non-  
payment.

5. —(1) In case of non-payment of any sum so ordered together with costs, for twenty-one days after the order has been made, or such less time as the order provides, and when and so often as the payment so ordered is in arrear a summons may be procured from the magistrate making the order returnable on the tenth day after the service thereof.

Service of  
summons.

(2) The summons may be served on the husband or father either personally or in such other manner as the magistrate may in writing direct, and shall require the husband or father to attend at the time and place mentioned therein to show cause why the order should not be enforced as hereinafter provided.

Witnesses.

(3) The applicant and all witnesses whom the magistrate thinks proper may be examined on oath touching the inquiries to be made on the return of the summons.

Enforce-  
ment of  
order.

(4) If the husband or father does not attend as required by the summons, or show a sufficient reason for not attending, or does not satisfy the magistrate that he is unable to pay the sum ordered to be paid, the magistrate may enforce the order by the like proceedings, including imprisonment, as, under *The Ontario Summary Convictions Act*, are applicable in the case of a fine or penalty imposed by a justice of the peace.

6. The magistrate before whom the order for payment was made, or any other magistrate sitting in his stead at his request, shall have power from time to time to vary the order on the application of any of the parties named in the order upon proof that the means of any of such parties have been altered in amount since the making of the original order or any subsequent order varying it. Power to vary order.

7.—(1) No order shall be made in favor of a wife who is proved to have committed adultery, unless the adultery has been condoned, and any order may be rescinded by the magistrate by whom it was made, or by a magistrate sitting in his stead at his request, upon proof that the wife, since the making thereof, has been guilty of adultery if it has not been condoned. Cases of adultery.

(2) A finding by the magistrate that adultery has been proved shall not be evidence of the adultery except for the purpose of proceedings under this Act. Effect of finding of adultery.

8. Cases arising under this Act may, in the discretion of the magistrate, be heard in private. Hearing of complaint.

9. A summons under this Act shall be applied for, granted and served in the same manner as a summons in a case of assault, or in such other manner as the magistrate directs, and the magistrate, or other magistrate sitting in his stead at his request, may at any time rehear the application at the instance of the husband after notice to the wife and child and may confirm, rescind or vary any order made thereon as he may deem just. Application for and service of summons.

10. Where a husband or father who has deserted his wife or child, is not residing in the place in which proceedings are taken, the magistrate may in writing direct that the summons be served by a constable, or such other person as the magistrate deems suitable and where the magistrate certifies that in his opinion the expenses of enforcing the attendance of such husband or father should be borne by the municipality in which the proceedings are taken, the travelling and other expenses incurred in bringing such husband or father before the magistrate shall be certified by the magistrate and shall be payable to the person named in the certificate, upon production thereof to the treasurer of the municipality, or in case of territory without municipal organization, then to the treasurer of the district. Expenses of enforcing attendance of husband or father.

Forms.

**11.** Orders and summonses may be according to the form in the schedule to this Act.

Provision  
as to costs  
and appeal.

**12.** The costs of proceedings under this Act shall be the same as are provided for by *The Ontario Summary Convictions Act*, and the provisions of that Act, as to appeals, and the proceedings therein and incidental thereto, shall apply to any order made under the provisions of this Act except that where the husband or father is the appellant he shall pay all costs.

Rev. Stat.,  
c. 152,  
repealed.

**13.** Chapter 152 of the Revised Statutes of Ontario 1914, is repealed.

Commence-  
ment of  
Act.

**14.** This Act shall come into force on the day on which it receives the Royal Assent.



## SCHEDULE.

## SUMMONS.

County (or District)

of

To A.B., of

Whereas application has this day been made by your wife (or child), C.B., to the undersigned police magistrate (or justice of the peace, as the case may be) for a summons under *The Deserted Wives' and Children's Maintenance Act*, for that you have wilfully refused or neglected to maintain your said wife (or your wife and family, as the case may be) or your child, and have deserted your said wife or child. These are, therefore, to command you to appear before the undersigned or such police magistrate or justices as may then and there be present in my (or our) stead, at \_\_\_\_\_ on the \_\_\_\_\_ day after the service hereof, at the hour of \_\_\_\_\_ in the \_\_\_\_\_ noon, to show cause why an order should not be made against you, to pay to your said wife for her support (or for the support of her and your family, as the case may be, or to your child for his support), such weekly sum not exceeding \$20 as may be considered to be in accordance with your means and with the means of your said wife (or child).

Given under \_\_\_\_\_ hand and seal \_\_\_\_\_ day of \_\_\_\_\_ 19 .

J. S.

(L.S.)

## ORDER.

County (or District)

of

Upon reading the summons dated the \_\_\_\_\_ day of \_\_\_\_\_ 19 , issued by \_\_\_\_\_, police magistrate for the

(or justices of the peace for \_\_\_\_\_),

upon the application of C.B., wife or child of A.B., under the provisions of *The Deserted Wives' and Children's Maintenance Act*, and upon hearing all the parties (or, as the case may be), and the evidence adduced, and it appearing that the said C.B. is entitled to the benefit of the said Act; I (or we), the undersigned, do hereby order that the said A.B. do pay hereafter to his said wife, or her agent (or his child or his child's agent), authorized in writing, at \_\_\_\_\_, the sum of \$ \_\_\_\_\_ per week for her support (or for the support of her and the family of the said A.B. or for support of the child), the first weekly payment to be made on the \_\_\_\_\_ day of \_\_\_\_\_ 19 , together with the costs of these proceedings, which amount to \$ \_\_\_\_\_, which shall be paid on or before the \_\_\_\_\_ day of \_\_\_\_\_, 19 .

Given under \_\_\_\_\_ hand and seal \_\_\_\_\_ day of \_\_\_\_\_ 19 .

J. S.

(L.S.)





No. 90.

3rd Session, 15th Legislature,  
12 George V, 1922.

BILL.

An Act respecting the Maintenance of  
Deserted Wives and Children.

1st Reading,	3rd March, 1922.
2nd Reading,	1922.
3rd Reading,	1922.

Mr. McNAMARA.

**TORONTO:**  
PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.

# BILL

## An Act respecting the Maintenance of Deserted Wives and Children

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**1.** This Act may be cited as *The Deserted Wives' and Children's Maintenance Act, 1922.* Short title.

**2.**—(1) A husband who has deserted his wife may be summoned by her before a police magistrate, who, upon proof of service of the summons and whether or not the husband appears, if satisfied that the husband, being able wholly or in part to maintain his wife or his wife and family, has wilfully refused so to do, and has deserted his wife, may order that the husband shall pay to his wife such weekly sum, not exceeding \$20. with or without costs, as the magistrate may consider proper, having regard to his means and to any means the wife may have, for her support and the support of the family. When order for maintenance of wife may be made.

(2) A married woman shall be deemed to have been deserted within the meaning of this section when she is living apart from her husband because of his acts of cruelty, or of his refusal or neglect, without sufficient cause, to supply her with food and other necessities when able so to do. Extension of remedy to certain cases.

**3.**—(1) A father who has deserted his child may be summoned before a police magistrate who, upon proof of the service of the summons, and whether or not the father When order for maintenance of child may be made.

appears, if satisfied that such father has wilfully refused or neglected to maintain the child and has deserted the child, may order that the father shall pay to such person as may by order be directed for the support of such child, such weekly sum, not exceeding \$20, with or without costs, as the magistrate may consider proper, having regard to the means of the father and to any means the child may have for his support.

When child  
deemed to  
have been  
deserted.

(2) A child shall be deemed to have been deserted by his father, within the meaning of this section, when the child is under the age of sixteen years and when the father has refused or neglected to supply such child with food or other necessities when able so to do.

Who may  
lay  
complaint.

4. A complaint under this Act may be laid by a deserted wife or child or by a person having the care and custody of a deserted child or with the consent of the Crown Attorney by any other person.

Proceedings  
in case of  
non-  
payment.

5. —(1) In case of non-payment of any sum so ordered together with costs, for twenty-one days after the order has been made, or such less time as the order provides, and when and so often as the payment so ordered is in arrear a summons may be procured from the magistrate making the order returnable on the tenth day after the service thereof.

Service of  
summons.

(2) The summons may be served on the husband or father either personally or in such other manner as the magistrate may in writing direct, and shall require the husband or father to attend at the time and place mentioned therein to show cause why the order should not be enforced as hereinafter provided.

Witnesses.

(3) The applicant and all witnesses whom the magistrate thinks proper may be examined on oath touching the inquiries to be made on the return of the summons.

Enforce-  
ment of  
order.

(4) If the husband or father does not attend as required by the summons, or show a sufficient reason for not attending, or does not satisfy the magistrate that he is unable to pay the sum ordered to be paid, the magistrate may enforce the order by the like proceedings, including imprisonment, as, under *The Ontario Summary Convictions Act*, are applicable in the case of a fine or penalty imposed by a justice of the peace.

6. The magistrate before whom the order for payment was made, or any other magistrate sitting in his stead at his request, shall have power from time to time to vary the order on the application of any of the parties named in the order upon proof that the means of any of such parties have been altered in amount since the making of the original order or any subsequent order varying it. Power to vary order.

7.—(1) No order shall be made in favor of a wife who is proved to have committed adultery, unless the adultery has been condoned, and any order may be rescinded by the magistrate by whom it was made, or by a magistrate sitting in his stead at his request, upon proof that the wife, since the making thereof, has been guilty of adultery if it has not been condoned. Cases of adultery.

(2) A finding by the magistrate that adultery has been proved shall not be evidence of the adultery except for the purpose of proceedings under this Act. Effect of finding of adultery.

8. Cases arising under this Act may, in the discretion of the magistrate, be heard in private. Hearing of complaint.

9. A summons under this Act shall be applied for, granted and served in the same manner as a summons in a case of assault, or in such other manner as the magistrate directs, and the magistrate, or other magistrate sitting in his stead at his request, may at any time rehear the application at the instance of the husband after notice to the wife and child and may confirm, rescind or vary any order made thereon as he may deem just. Application for and service of summons.

10. Where a husband or father who has deserted his wife or child, is not residing in the place in which proceedings are taken, the magistrate may in writing direct that the summons be served by a constable, or such other person as the magistrate deems suitable and where the magistrate certifies that in his opinion the expenses of enforcing the attendance of such husband or father should be borne by the municipality in which the proceedings are taken, the travelling and other expenses incurred in bringing such husband or father before the magistrate shall be certified by the magistrate and shall be payable to the person named in the certificate, upon production thereof to the treasurer of the municipality, or in case of territory without municipal organization, then to the treasurer of the district. Expenses of enforcing attendance of husband or father.

Forms.

**11.** Orders and summonses may be according to the form in the schedule to this Act.

Provision  
as to costs  
and appeal.

**12.** The costs of proceedings under this Act shall be the same as are provided for by *The Ontario Summary Convictions Act*, and the provisions of that Act, as to appeals, and the proceedings therein and incidental thereto, shall apply to any order made under the provisions of this Act except that where the husband or father is the appellant he shall pay all costs.

Rev. Stat.,  
c. 152,  
repealed.

**13.** Chapter 152 of the Revised Statutes of Ontario 1914, is repealed.

Commence-  
ment of  
Act.

**14.** This Act shall come into force on the *1st day of September, 1922*.









No. 90.

3rd Session, 15th Legislature,  
12 George V, 1922.

BILL.

An Act respecting the Maintenance of  
Deserted Wives and Children.

1st Reading,	3rd March, 1922.
2nd Reading,	17th March, 1922.
3rd Reading,	1922.

*(Re-printed as amended by the Legal  
Committee.)*

MR. McNAMARA.

TORONTO:  
PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.

No. 91.

1922.

# BILL

An Act to amend The Assessment Act.

**H**IS MAJESTY, by and with the advice and consent  
the Legislative Assembly of the Province of Ontario,  
tario, enacts as follows:—

1. Subsection 1 of section 115 of *The Assessment Act* is  
amended by inserting after the word "February" in the  
fifth line the words, "or in the case of the Township of  
Peleé Island, not later than the 1st of June."

Rev. Stat.  
c. 195 s  
115 (1)  
amended.

Date of re-  
turn of  
collectors' roll  
in Township  
of Peleé  
Island.

3rd Session, 15th Legislature,  
12 George V, 1922.

BILL.

An Act to amend The Assessment Act.

1st Reading,	3rd March,	1922.
2nd Reading,		1922.
3rd Reading,		1922.

MR. FOX.

# BILL

## An Act respecting the City of St. Catharines.

**W**HEREAS the Corporation of the City of St. Catharines has by its petition prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition; Preamble.

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**1.** This Act may be cited as *The City of St. Catharines Act, 1922.* Short title.

**2.** By-law No. 3392 of the Corporation of the City of St. Catharines set forth in full in Schedule "A" to this Act is hereby ratified and confirmed and declared to be legal, valid and binding upon the said Corporation and the rate-payers thereof. By-law  
No. 3392,  
confirmed.

**3.** Notwithstanding the provisions of *The Municipal Act* or of any other Act, the Municipal Council of the City of St. Catharines may pass a by-law to provide that thereafter nomination meetings for all municipal offices to which candidates are to be elected by vote of the electors of the said City shall be held annually on the last Monday of November, and the elections shall be held annually on the first Monday of December; provided that if either of the said days shall in any year fall on a holiday, such nomination meeting or election (as the case may be), shall be held on the next succeeding day which is not a holiday. Date of  
nomination  
meeting and  
annual  
elections.

Application  
provisions  
c. 192.

4. In all other respects the proceedings in respect of nomination meetings and elections shall be held and conducted in the manner prescribed by *The Municipal Act* or any other Act applicable thereto.

Assent of  
electors  
required  
before by-law  
changing date  
of election  
comes into  
force.

5. Section 3 of this Act and any by-law passed thereunder shall not come into force or have effect unless and until such by-law shall receive the assent of the municipal electors of the said City in manner prescribed by *The Municipal Act* and with the like assent the said by-law may be repealed.

City  
Council to  
consist of  
Mayor and  
nine  
aldermen.

6. Notwithstanding the provisions of *The Municipal Act* or of any other Act, the Municipal Council of the City of St. Catharines may pass a by-law to provide that thereafter the municipal Council of the said City shall be composed of a Mayor, who shall be elected annually, and nine aldermen, who shall be elected by general vote of the electors of the said City, and of the nine aldermen who shall be elected at the first election after the passing of such by-law, the three aldermen who shall obtain the highest number of votes thereat shall hold office for a term of three years, and the three aldermen who shall obtain the next highest number of votes thereat shall hold office for a term of two years, and the three aldermen who shall obtain the next highest number of votes thereat shall hold office for a term of one year; and in each subsequent year thereafter one third of the said nine aldermen shall be elected by general vote of the said electors and shall hold office for a term of three years; provided that in the event of the election by acclamation of all of the aldermen at such first election the three aldermen having the highest assessment in the said City according to the then last revised assessment roll shall hold office for a term of three years, and the three aldermen having the next next highest assessment as aforesaid shall hold office for a term of two years, and the three aldermen having the next highest assessment as aforesaid shall hold office for the term of one year.

Provisions of  
Rev. Stat.,  
c. 192,  
to govern  
nominations  
and  
elections.

7. In all other respects than set forth in section 6 the proceedings in respect of nomination and election of Mayor and Aldermen shall, subject to sections 3, 4 and 5 of this Act, be held and conducted in the manner prescribed by *The Municipal Act*.

Assent of  
electors  
required be-  
fore by-law  
passed under  
section 6  
comes into  
force.

8. Section 6 of this Act and any by-law passed thereunder shall not come into force or have effect unless and until such by-law shall receive the assent of the municipal electors of the said City in manner prescribed by *The Municipal Act* and with the like assent the said by-law may be repealed.



## SCHEDULE "A"

## CITY OF ST. CATHARINES.

## BY-LAW NUMBER 3392.

A By-law to grant a fixed assessment to The Young Men's Christian Association of St. Catharines for a period of ten years.

Whereas The Young Men's Christian Association of St. Catharines has applied to the Council for a fixed assessment in respect to the Y. M. C. A. situate on St. Paul Street in the City of St. Catharines at the sum of five thousand dollars for all purposes except for school purposes and local improvements for a period of ten years from the first day of January 1922;

And whereas subject to the assent of the electors and such other approval as may be requisite it is deemed expedient to grant such application;

Therefore the Council of the Corporation of the City of St. Catharines enacts as follows:—

1. That the assessment of the lands and premises of The Young Men's Christian Association of St. Catharines known as the Y. M. C. A. situate on the northerly side of St. Paul Street in the said City and being the whole of Lots Numbers 4 and 5 and parts of Lots Numbers 3 and 6 of the Rykert Homestead Plot shall, save and except for school purposes and local improvements be and is hereby fixed at the sum of five thousand dollars for a period of ten years from and including the first day of January 1922 and the said lands and property shall be partially exempt from municipal taxation save as aforesaid to the extent and amount of all the assessed value thereof over and above the said sum of five thousand dollars.

2. Notwithstanding the said partial exemption from taxation granted by this by-law the said lands and premises shall during the said period of ten years be annually assessed in the same manner as if this by-law had not been passed and the taxes rated thereon shall be duly entered in the Collector's Roll from year to year but such taxes save and except as aforesaid shall not during any year of the said period of ten years be collected on any greater part of the said assessment than five thousand dollars so long as the said lands and premises are owned, occupied and used by The Young Men's Christian Association of St. Catharines for the ordinary and usual purposes of a Y. M. C. A. and not for the benefit of others; and in the event of the same or any part thereof not being so owned, occupied and used or in the event of the same or any part thereof being sold or otherwise disposed of, then the partial exemption from taxation hereby granted shall in respect thereof (or of a part thereof, as the case may be), forthwith cease and determine and the whole of the taxes thereupon shall thereafter become due and payable and may be collected by the Collector under the Municipal and Assessment Act as if this by-law had not been passed.

3. This by-law shall not come into force or take any effect until assented to by a majority of the electors of the City of St. Catharines qualified to vote on money by-laws and voting thereon, and receiving such other approval as may be requisite.

(sgd.) E. C. GRAVES.

Mayor.

(sgd.) J. ALBERT PAY,

Clerk.

Passed this 23rd day of January 1922.

No. 92.

3rd Session, 15th Legislature,  
12 George V, 1922.

BILL.

An Act respecting the City of St.  
Catharines.

1st Reading	1922.
2nd Reading	1922.
3rd Reading	1922.

(*Private Bill*)

Mr. GREENLAW.

TORONTO:  
PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.

# BILL

## An Act respecting the City of Niagara Falls.

**W**HEREAS the Corporaton of the City of Niagara Preamble.  
Falls has by its petition prayed that it be enacted as  
hereinafter ste forth, and it is expedient to grant the prayer  
of the said petition;

Therefore, His Majesty, by and with the advice and con-  
sent of the Legislative Assembly of the Province of Ontario,  
enacts as follows:—

**1.** By-law No. 1076 of the Corporation of the City of By-law  
No. 1076  
confirmed.  
Niagara Falls and the Agreement therein referred to both  
of which are set forth in full in Schedule "A" to this Act,  
are hereby ratified and confirmed and declared to be legal,  
valid and binding upon the said Corporation and the rate-  
payers thereof and upon the parties to the said agreement,  
anything in any Statute of the Province of Ontario to the  
contrary notwithstanding.

## SCHEDULE "A"

## CITY OF NIAGARA FALLS

## By-law No. 1076.

A By-law to fix the assessment and maximum rate of taxation of the properties of the Ontario Power Company and the Ontario Transmission Company for a period of ten years.

Whereas in respect of the properties of the Ontario Power Company of Niagara Falls and the Ontario Transmission Company at Niagara Falls, disputes have arisen as to the liability thereof to assessment and taxation, and litigation having ensued as to the same, it is desirable and expedient to adjust the said disputes and avoid further litigation;

And whereas for such purpose it has been agreed in settlement between the Council and the said Companies and the Hydro-Electric Power Commission of Ontario that the assessment and maximum rate of taxation of the said properties should be fixed at \$2,500,000 and thirty mills on the dollar respectively for a period of ten years from the 1st day of January 1922, and thereupon such litigation shall cease, and it is necessary to pass this By-law to authorize an agreement embodying the terms of such settlement.

Therefore the Council of the Corporation of the City of Niagara Falls enacts as follows:—

1. That the Mayor and Clerk on behalf of the Corporation are hereby authorized to enter into, execute and deliver an Agreement (copy whereof is hereto annexed) between the Corporation and the said Companies and the said Commission to fix the assessment of the said properties of the said Companies at Niagara Falls at \$2,500,000 for all purposes and to fix the maximum rate of taxation thereon at thirty mills on the dollar for all purposes in any year of and for the period of ten years from the first day of January 1922.

2. Nothing herein contained shall effect local improvement rates or taxes imposed or levied upon the said properties.

3. That this By-law and the said Agreement shall come into force and take and remain in effect upon and subject to the terms of the said Agreement for the said period upon the same receiving the assent of the Legislative Assembly of the Province of Ontario.

PASSED this second day of March 1922.

(Sgd.) W. J. Seymour,

(Sgd.) Chas. R. Newman,

*Clerk.*

*Mayor.*

Seal.

This agreement, made the                      day of One thousand nine hundred and twenty-two:

Between:

The Corporation of the City of Niagara Falls. (Hereinafter called the "Corporation"), of the first part;  
The Ontario Power Company of Niagara Falls and the Ontario Transmission Company Limited, (Hereinafter called the "Companies"), of the second part;

and

The Hydro-Electric Power Commission of Ontario, (Hereinafter called the "Commission"), of the third part.

Whereas certain portions of the works, properties and undertakings of the Companies are situate within the City of Niagara Falls;

And whereas disputes have arisen between the parties hereto as to the liability of the said works, properties and undertakings to assessment and taxation, and certain litigation in respect thereof has ensued;

And whereas to settle and end such litigation it has been agreed between the parties that the portions of the said works, properties and undertakings of the Companies within the said City shall be subject to a fixed assessment and a fixed maximum rate of taxation for a period of ten years from the first day of January 1922, upon and subject to the terms hereinafter expressed:

Therefore this agreement in consideration of the premises and of the sum of one dollar of lawful money of Canada paid by each of the Companies and by the Commission to the Corporation (receipt whereof by the Corporation is hereby acknowledged) Witnesseth as follows:—

1. That for and during the period of ten years from the first day of January 1922 all the real estate, works, properties and undertakings of the Companies situate within the City of Niagara Falls shall be annually assessed for all purposes (including school, business or other general or special municipal assessment) at the sum of \$2,500,000 for each and every of the said years, at which sum the annual assessment thereof is hereby fixed.

2. That for and during the said period of ten years all rates and taxes imposed in any year thereof by the Corporation for all purposes (including taxation for school purposes, business or other general or special municipal taxation) shall be imposed and levied as against the Companies and its said real estate, works, properties and undertakings on the said fixed assessment of \$2,500,000, and if in any such year it shall or may become necessary for the Corporation to impose or levy an aggregate rate or taxation in excess of thirty mills in the dollar for all purposes (including taxation for school purposes, business or other general or special municipal taxation), then in such year the aggregate maximum rate or taxation which shall or may be imposed or levied on the said fixed assessment shall be thirty mills in the dollar and no more, at which the maximum annual aggregate levy of rate or taxation is hereby fixed and commuted. Provided always that if in any such year the annual aggregate levy of rate or taxation is less than thirty mills in the dollar for all said purposes, then such lesser rate or taxation only shall be imposed or levied on the said fixed assessment of \$2,500,000.

(a) Nothing in this Agreement contained shall effect local improvement rates or taxes imposed or levied upon the said properties.

3. That otherwise than aforesaid the said real estate, works, properties and undertakings of the Companies and the said Commission shall be exempt from assessment and taxation, the provisions of any statute of the Province of Ontario to the contrary notwithstanding.

4. That all litigation, present or pending, between the parties respecting the said assessment shall cease and be discontinued, and each party thereto shall pay its own costs thereof.

5. The Companies and the Commission agree to pay to the Corporation the taxes for the year 1921 amounting to \$98,657.42 imposed and levied in respect of the said real estate, works, properties and undertakings of the Companies (less any sums paid on account thereof) in full payment of all liability to the Corporation for rates or taxation for all purposes up to and including the thirty-first day of December, 1921, the same to be paid forthwith after execution of this agreement.

6. The Companies and the Commission agree to pay to the Corporation in each year during the said period the annual taxes imposed and levied in accordance with the terms of this agreement as and when the same respectively become due and payable under the General Tax Levy and Tax Collection By-laws of the Corporation from time to time in force.

7. This agreement shall come into force and effect (and thereupon become retroactive to the first day of January 1922) upon the same being ratified by the Legislative Assembly of the Province of Ontario.

In witness whereof the parties hereto have each caused its own Corporate seal to be affixed under the hands of their proper officers respectively.

Signed, Sealed and Delivered  
in the presence of

The Corporation of the City of Niagara Falls,

..... Mayor,

..... Clerk,

The Ontario Power Company of Niagara Falls,

..... President,

..... Secretary,

The Ontario Transmission Company Limited,

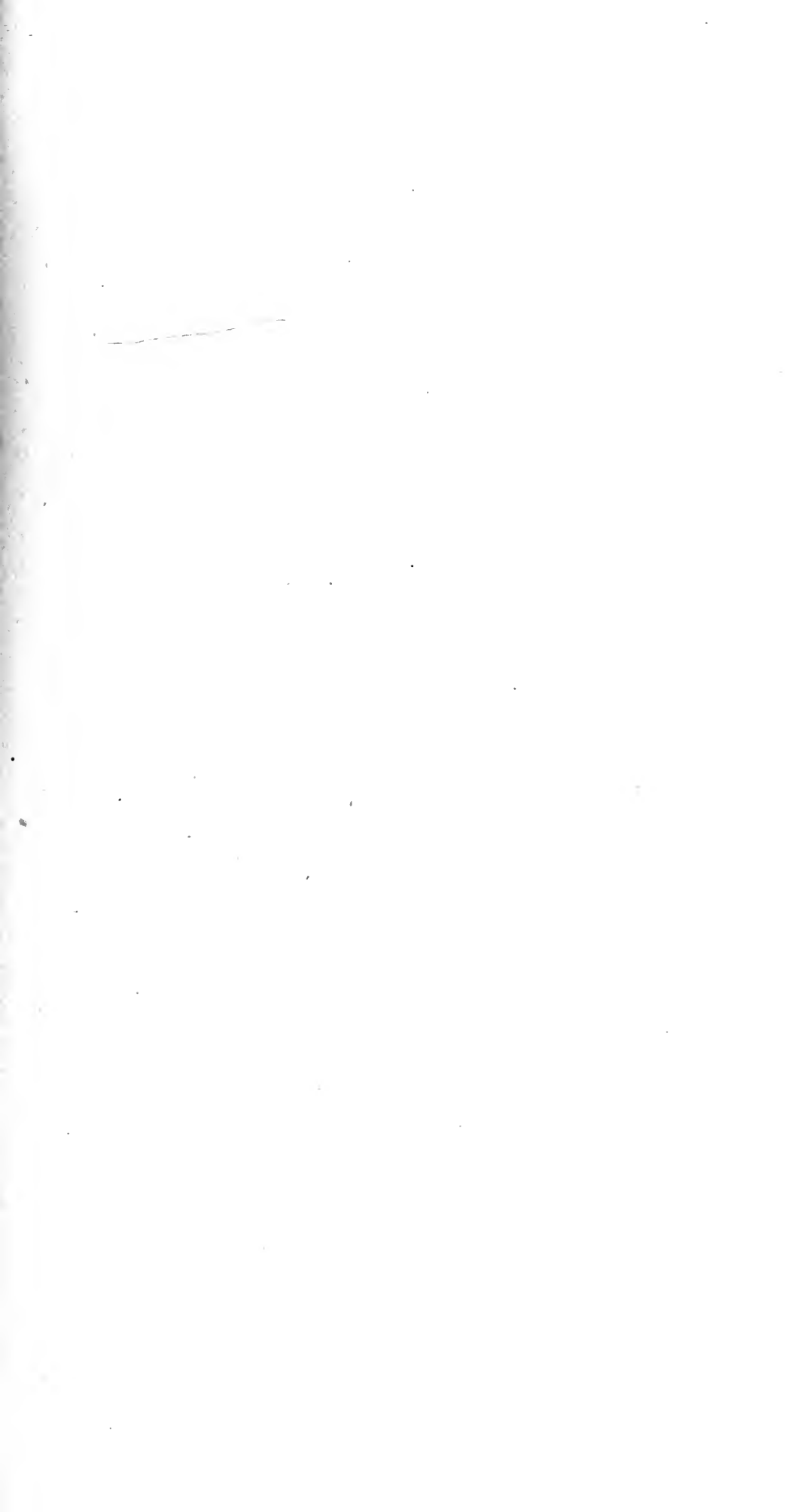
..... President,

..... Secretary,

The Hydro-Electric Power Commission of  
Ontario,

..... Chairman,

..... Secretary.









3rd Session, 15th Legislature,  
12 George V, 1922.

BILL.

An Act respecting the City of  
Niagara Falls.

1st Reading	1922
2nd Reading	1922
3rd Reading	1922

(*Private Bill.*)

Mr. SWAYZE.

# BILL

An Act respecting Free Text Books in Public, Separate and Industrial Schools.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be known as *The Free Text Books Act*, Short title. 1922.

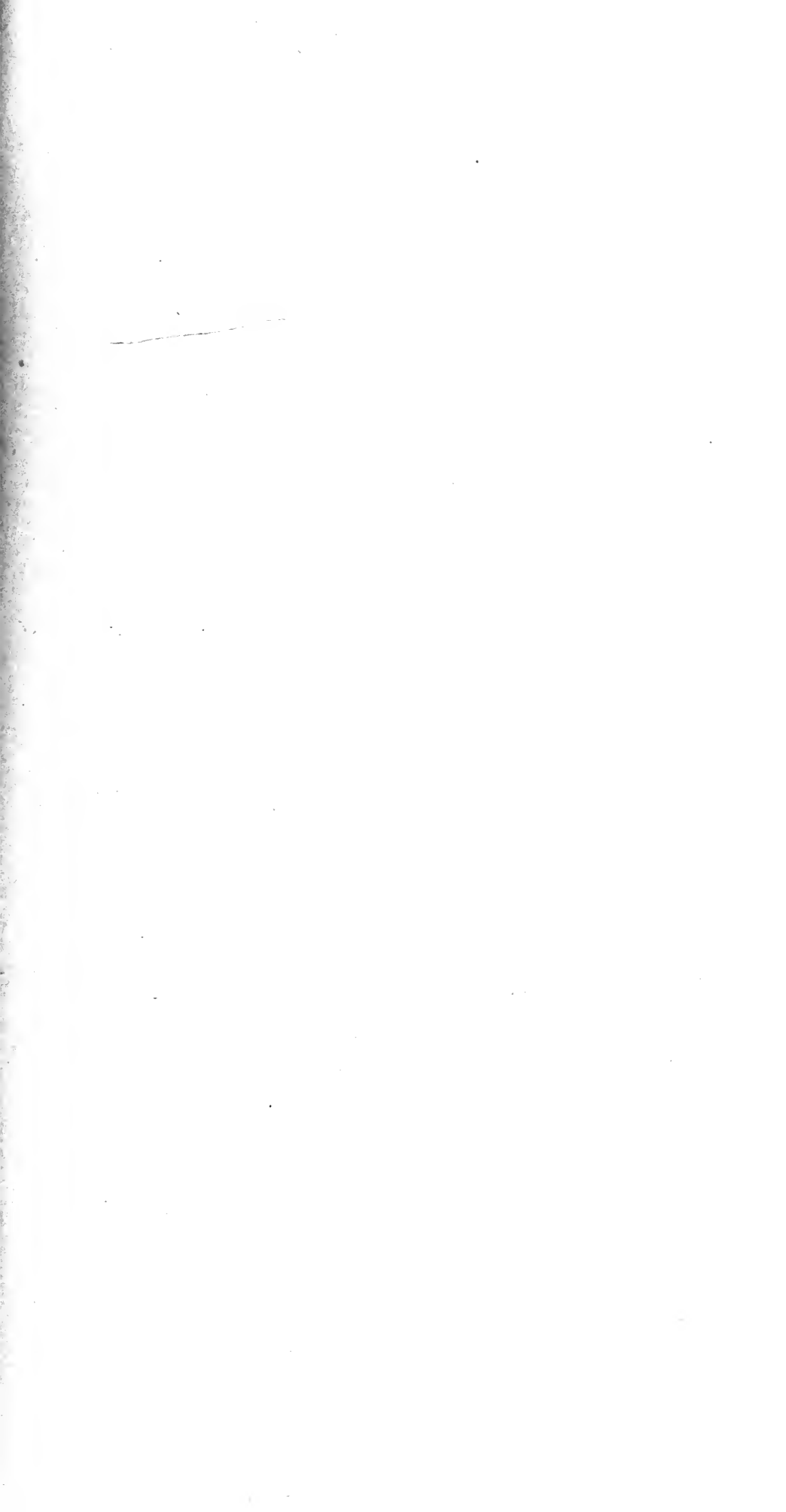
2. "Board" in this Act shall mean a board of education, public school board, separate school board or any board of trustees having the management and control of a public, separate or industrial school, and "Minister" shall mean the Minister of Education. Interpretation—  
"Board".

3. From and after the first day of September, 1922, every board shall furnish free of cost to each pupil in attendance at a public, separate or industrial school under the jurisdiction of the board, all text books required to be used by such pupil and prescribed by the regulations of the Department of Education. Boards to  
furnish  
text books  
free.

4. All text books so furnished by a board shall be the property of the board and the board may make regulations subject to the approval of the Minister of Education governing the issue of such books to pupils and their use, but no book shall be re-issued to another pupil unless and until such book has been fumigated or otherwise disinfected as directed by the medical officer of health of the municipality or district. Issue and  
re-issue of  
books.

Exchange  
of books  
on pro-  
motion of  
pupil.

5. Any pupil who has been promoted from one grade in any school to another grade in the same or any other school to which this Act applies shall be by the board supplied with the text books prescribed for the grade to which such pupil has been so promoted upon such pupil exchanging therefor the set of text books used by him or her in the grade from which such pupil has been promoted or such of the such last-mentioned text books as such pupil had while a pupil in such lower grade. The conditions and manner of such exchange shall be regulated by resolution or resolutions of the board, but the board shall not have power to make any charge upon such exchange unless the board is satisfied that such pupil or his parents or some other person or persons for him and with his concurrence or connivance is wrongfully withholding some or one of the text books, the exchange of which is provided for by this section. The board may require to be exchanged under this section the text books used by pupils during the school year ending in the month of June in the year 1922.



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3rd Session, 15th Legislature,  
12 George V, 1922.

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BILL

An Act respecting Free Text Books in  
Public, Separate and Industrial Schools.

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1st Reading,	6th March, 1922.
2nd Reading,	1922.
3rd Reading,	1922.

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Mr. BRACKIN.

# BILL

## An Act to reduce the Business Assessment of Brewers and Maltsters.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**1.** This Act may be cited as *The Brewers' Business Assessment Act, 1922.* Short title.

**2.** The clause lettered (b) in subsection 1 of section 10 of *The Assessment Act* is amended by striking out the figures and words "75 per cent." in the second line of the said clause and inserting in lieu thereof the figures and words "25 per cent." and by striking out the figures and words "60 per cent." in the sixth line and inserting in lieu thereof the figures and words "25 per cent." so that the said clause will read,—

Rev. Stat.  
c. 195,  
s. 10 (1)  
cl. b.  
amended.

(b) Every person carrying on the business of a brewer for a sum equal to 25 per cent. of the assessed value of the land occupied or used by him for such business exclusive of any portion of such land occupied and used by him as a malting house and for a sum equal to 25 per cent. of the assessed value as to such last mentioned portion.

Business  
assessment  
of brewers  
and malt-  
sters.

**3.** The amendment shall have effect as to any business assessment of a brewer made in the year 1922 and thereafter, notwithstanding the provisions of the Act respecting the Business Assessment of Distillers and Brewers passed in the year 1920, Chapter 79.

Effect of  
amendment.

**4.** This Act shall come into force on the day upon which it receives the Royal Assent.

Short title.

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3rd Session, 15th Legislature,  
12 George V, 1922.

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BILL.

An Act to reduce the Business Assessment  
of Brewers and Maltsters.

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1st Reading.	6th March, 1922.
2nd Reading	1922.
3rd Reading	1922.

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Mr. THOMPSON.

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TORONTO:  
PRINTED BY CLARRISON W. JAMES,  
Printer to the King's Most Excellent Majesty.



# BILL

## An Act to amend The Public Health Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario enacts as follows:—

**1.** This Act may be cited as *The Public Health Amendment Act, 1922.* Short title.

**2.** *The Public Health Act* is amended by adding thereto the following section:— Rev. Stat.  
c. 218,  
amended.

93a.—(1) Where the Provincial Board of Health has reported as provided in subsection 1 of section 96, and the carrying into effect of the recommendations of such report will involve a connection with, or an extension of works in another municipality, or an outlet from such municipality for the supply of water, or the rendering of any service by one municipality to another, the council of each municipality affected shall forthwith pass the necessary by-law to give effect to such recommendation, and each of the corporations required to construct any work for the purpose of carrying out such recommendations shall immediately commence the same and carry the work to completion without unnecessary delay, but nothing herein contained shall apply to or effect any work undertaken under an agreement heretofore or hereafter entered into and approved of by the Provincial Board and the Ontario Railway and Municipal Board.

Connection  
with works  
in another  
muni-  
cipality.

Apportion-  
ment of  
costs.

- (2) The Ontario Railway and Municipal Board, upon the application of the corporation of any municipality affected by the regulations of the Provincial Board, may in default of an agreement by the municipal corporations interested, impose conditions and settle the terms upon which the required works shall be constructed and maintained and the rates and charges to be imposed for any service rendered by one municipality to another, and the manner of apportioning and regulating any amounts required from time to time to cover the cost of such construction and maintenance.



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3rd Session, 15th Legislature,  
12 George V, 1922.

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BILL.

An Act to amend The Public Health Act.

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1st Reading,	6th March, 1922.
2nd Reading,	1922.
3rd Reading,	1922.

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MR. CROCKETT.

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# BILL

## An Act respecting Liens of Mechanics, Wage Earners and Others.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Mechanics' and Wage Earners' Lien Act, 1922*. R.S.O. 1914. c. 140. s. 1. Short title.

2. In this Act,—

Interpreta-  
tion.

- (a) "Contractor" shall mean a person con- "Contractor."  
tracting with or employed directly by the  
owner or his agent for the doing of work  
or service or placing or furnishing mater-  
ials for any of the purposes mentioned  
in this Act;
- (b) "Material" or "Materials" shall include "Material."  
every kind of moveable property;
- (c) "Owner" shall extend to any person, body "Owner."  
corporate or politic, including a municip-  
al corporation and a railway company  
having any estate or interest in the land  
upon which or in respect of which the  
work or service is done, or materials are  
placed or furnished at whose request and
- (i) upon whose credit or
  - (ii) on whose behalf or
  - (iii) with whose privity and consent or
  - (iv) for whose direct benefit
- work or service is performed or materials  
are placed or furnished and all persons  
claiming under him or them whose rights  
are acquired after the work or service

in respect of which the lien is claimed is commenced or the materials furnished have been commenced to be furnished;

"Registrar."

(d) "Registrar" shall include Master of Titles and Local Master of Titles;

"Registry Office."

(e) "Registry Office" shall include Land Titles Office;

"Sub-contractor."

(f) "Sub-contractor" shall mean a person not contracting with or employed directly by the owner or his agent for the purposes aforesaid, but contracting with or employed by a contractor, or under him by another subcontractor; R.S.O. 1914, c. 140, s. 2 (a-f).

"Wages."

(g) "Wages" shall mean money earned by a mechanic or labourer for work done, whether by time or as piece work. R.S.O. 1914, c. 140, s. 2 (g) amended.

Exception of streets or highways.

**3.** Nothing in this Act shall extend to any public street or highway, or to any work or improvement done or caused to be done by a municipal corporation thereon. R.S.O. 1914, c. 140, s. 3.

Contracts waiving application of Act to be void.

**4.—(1)** Every agreement, verbal or written, express or implied, on the part of any workman, servant, labourer, mechanic or other person employed in any kind of manual labour intended to be dealt with in this Act, that this Act shall not apply, or that the remedies provided by it shall not be available for the benefit of such person, shall be null and void. R.S.O. 1914, c. 140, s. 4 (1).

Exception as to certain employees.

(2) This section shall not apply to a manager, officer or foreman, or to any other person whose wages are more than \$10 a day. R.S.O. 1914, c. 140, s. 4 (2); amended.

Effect upon third party of agreement waiving lien.

**5.** No agreement shall deprive any person otherwise entitled to a lien under this Act who is not a party to the agreement, of the benefit of the lien, but it shall attach, notwithstanding such agreement. R.S.O. 1914, c. 140, s. 5.

General right of workman or material man to a lien

**6.—(1)** Unless he signs an express agreement to the contrary and in that case subject to the provisions of section 4, any person who performs any work or service upon or in respect of, or places or furnishes any materials to be used in the making, constructing, erecting, fitting, altering,

improving or repairing of any erection, building, railway, land, wharf, pier, bulkhead, bridge, trestlework, vault, mine, well, excavation, fence, sidewalk, pavement, fountain, fishpond, drain, sewer, aqueduct, roadbed, way, fruit or ornamental trees, or the appurtenances to any of them for any owner, contractor, or subcontractor, shall by virtue thereof have a lien for the price of such work, service or materials upon the estate or interest of the owner in the erection, building, railway, land, wharf, pier, bulkhead, bridge, trestlework, vault, mine, well, excavation, fence, sidewalk, paving, fountain, fishpond, drain, sewer, aqueduct, roadbed, way, fruit or ornamental trees, and appurtenances and the land occupied thereby or enjoyed therewith, or upon or in respect of which such work or service is performed, or upon which such materials are placed or furnished to be used, limited, however, in amount to the sum justly due to the person entitled to the lien and to the sum justly owing, except as herein provided, by the owner; the placing or furnishing of such materials to be used, upon the said lands or such other place in the immediate vicinity of the said land designated by the owner or his agent shall be good and sufficient delivery for the purpose of this Act. R.S.O. 1914, c. 140, s. 6; 1918, c. 29, s. 1; Amended.

(2) The lien given by subsection 1 shall attach to the lands as therein set out where the materials delivered to be used are incorporated into the buildings, erections or structures on such land, notwithstanding such materials may not have been delivered in strict accordance with the provisions of subsection 1. New.

Lien attaches where materials incorporated into building.

7. Where work is done or services are performed or materials are furnished upon or in respect of the land of a married woman or in which she has any interest or an inchoate right of dower, with the privity and consent of her husband he shall be conclusively presumed to be acting as her agent as well as for himself for the purposes of this Act unless before doing such work or performing such services or furnishing such materials the person doing, performing or furnishing the same shall have had actual notice to the contrary. R.S.O. 1914, c. 140, s. 7; Amended.

When husband's interest liable for work done or materials furnished on land of married woman.

8.—(1) Where the estate or interest upon which the lien attaches is leasehold the fee simple shall also be subject to the lien, provided the person doing the work or supplying the material gives notice in writing to the

Where estate charged is leasehold.

owner or his agent of the work to be done or material to be furnished, unless the owner within three days thereafter gives notice to such person that he will not be responsible therefor.

Forfeiture or  
cancellation of  
lease,—effect  
of on lien-  
holder.

(2) No forfeiture or attempted forfeiture of the lease on the part of the landlord or cancellation or attempted cancellation of the lease except for non-payment of rent shall deprive any person otherwise entitled to a lien under this Act of the benefit of the lien provided that the person entitled to the lien may pay any rent accruing after he becomes so entitled and the amount so paid may be added to his claim.

Prior  
mortgage.

(3) Where the land and premises upon or in respect of which any work or service is performed or materials are furnished to be used, is encumbered by a prior mortgage or other charge existing in fact before the lien arises such mortgage or other charge shall have priority over a lien under this Act to the extent of the actual value of such land and premises at the time the lien arose, such value to be ascertained by the Judge or officer having jurisdiction to try the action by proper evidence to be adduced before him. New.

Agreement  
for purchase.

(4) Where there is an agreement for the purchase of land and the purchase money or a part thereof is unpaid and no conveyance has been made to the purchaser he shall for the purposes of this Act be deemed a mortgagor and the seller a mortgagee. R.S.O. 1914, c. 140, s. 14 (2); amended.

Application  
of insurance  
when lien  
attaches.

9. Where any of the property upon which a lien attaches is wholly or partly destroyed by fire any money received by reason of any insurance thereon by an owner or prior mortgagee or chargee shall take the place of the property so destroyed and shall after satisfying any prior mortgage or charge in the manner and to the extent set out in subsection 3 of section 8 be subject to the claims of all persons for liens to the same extent as if such money had been realized by a sale of such property in an action to enforce the lien. R.S.O. 1914, c. 140, s. 9. Amended.

Limit of  
amount of  
owner's  
liability.

10. Save as herein otherwise provided the lien shall not attach so as to make the owner liable for a greater sum than the sum payable by the owner to the contractor. R.S.O. 1914, c. 140, s. 10.



**11.** Save as herein otherwise provided where the lien is claimed by any person other than the contractor the amount which may be claimed in respect thereof shall be limited to the amount owing to the contractor or subcontractor or other person for whom the work or service has been done or the materials placed or furnished. R.S.O. 1914, c. 140, s. 11.

Limit of  
lien when  
claimed by  
some other  
than con-  
tractor.

**12.—(1)** In all cases the person primarily liable upon any contract under or by virtue of which a lien may arise shall, as the work is done or materials are furnished under the contract, retain for a period of thirty days after the completion or abandonment of the work done or to be done under the contract twenty per cent. of the value of the work, service and materials actually done, placed or furnished, as mentioned in section 6 irrespective of whether the contract or subcontract provides for partial payments or payment on completion of the work and such value shall be calculated on the basis of the contract price, or if there is no specific contract price, then on the basis of the actual value of the work, service or materials done, performed or or supplied. R.S.O. 1914, c. 140, s. 12 (1); Amended.

Retention  
of percent-  
age by owner  
for thirty  
days.

(2) Where the contract price or actual value exceeds \$15,000 the amount to be retained shall be fifteen per cent. instead of twenty per cent. R.S.O. 1914, c. 140, s. 12 (2).

Where con-  
tract  
price  
exceeds  
\$15,000.

(3) The lien shall be a charge upon the amount directed to be retained by this section in favour of lienholders whose liens are derived under persons to whom such moneys so required to be retained are respectively payable. R.S.O. 1914, c. 140, s. 12 (3); Amended.

Effect of  
lien on  
amounts  
retained.

(4) All payments up to eighty per cent. as fixed by subsection 1 or up to eighty-five per cent. as fixed by subsection 2 made in good faith by an owner to a contractor, or by a contractor to a subcontractor, or by one subcontractor to another subcontractor, before notice in writing of such lien given by the person claiming the lien to the owner, contractor, or subcontractor as the case may be shall operate as a discharge *pro tanto* of the lien. R.S.O. 1914, c. 140, s. 12 (4); Amended.

Payments  
made in  
good faith  
without  
notice  
of lien.

(5) Payment of the percentage required to be retained under this section may be validly made so as to discharge all liens or charges in respect thereof after the expiration of the period of thirty days mentioned in subsection 1 unless in the meantime proceedings have been commenced to enforce any lien or charge against such percentage as provided by sections 23 and 24. R.S.O. 1914, c. 140, s. 12 (5); Amended.

Payment of  
percentage  
and discharge  
of liens.

Payments made direct by owner to persons entitled to lien.

**13.**—(1) If an owner, contractor or subcontractor makes a payment to any person entitled to a lien under section 6 for or on account of any debt, justly due to him for work or service done or for materials placed or furnished to be used as therein mentioned, for which he is not primarily liable, and within three days afterwards gives written notice of such payment to the person primarily liable, or his agent, such payment shall be deemed to be a payment on his contract generally to the contractor or subcontractor primarily liable but not so as to affect the percentage to be retained by the owner as provided by section 12. R.S.O. 1914, c. 140, s. 13; Amended.

Rights of subcontractor on noncompletion or abandonment of contract.

(2) Every subcontractor shall be entitled to enforce his lien notwithstanding the non-completion or abandonment of the contract by any contractor or subcontractor under whom he claims. New.

Priority of lien.

**14.**—(1) The lien shall have priority over all judgments, executions, assignments, attachments, garnishments and receiving orders recovered, issued or made after such lien arises, and over all payments or advance made on account of any conveyance or mortgage after notice in writing of such lien to the person making such payments or after registration of a claim for such lien as hereinafter provided. R.S.O. 1914, c. 140, s. 14 (1).

Priority among lienholders.

(2) Except where it is otherwise provided by this Act no person entitled to a lien on any property or money shall be entitled to any priority or preference over another person of the same class entitled to a lien on such property or money, and each class of lienholders shall rank *pari passu* for their several amounts, and the proceeds of any sale shall be distributed among them *pro rata* according to their several classes and rights. R.S.O. 1914, c. 140, s. 14 (3).

## WAGES.

Priority of lien for wages.

**15.**—(1) Every mechanic or labourer whose lien is for wages shall, to the extent of thirty days' wages, have priority over all other liens derived through the same contractor or subcontractor to the extent of and on the twenty per cent. or fifteen per cent. as the case may be, directed to be retained by section 12 to which the contractor or subcontractor through whom such lien is derived is entitled and all such mechanics and labourers shall rank thereon *pari passu*. R.S.O. 1914, c. 140, s. 15 (1).

(2) Every wage earner shall be entitled to enforce a lien in respect of any contract or subcontract not completely fulfilled and, notwithstanding anything to the contrary in this Act provided, may serve a notice of motion on the proper parties returnable in four days after service thereof before the Judge or officer having jurisdiction under this Act, that said applicant will on the return of the motion ask for judgment on his claim for lien, registered particulars of which shall accompany such notice of motion duly verified by affidavit. R.S.O. 1914, c. 140, s. 15 (2); Amended.

Enforcing  
lien in  
such cases.

(3) If the contract has not been completed when the lien is claimed by a wage-earner, the percentage shall be calculated on the value of the work done or materials furnished by the contractor or subcontractor by whom such wage-earner is employed having regard to the contract price, if any. R.S.O. 1914, c. 140, s. 15 (3).

Calculating  
percentage  
when con-  
tract not  
fulfilled.

(4) Where the contractor or subcontractor makes default in completing his contract the percentage shall not as against a wage-earner claiming a lien, be applied by the owner or contractor to the completion of the contract or for any other purpose nor to the payment of damages for the non-completion of the contract by the contractor or subcontractor nor in payment or satisfaction of any claim against the contractor or subcontractor. R.S.O. 1914, c. 140, s. 15 (4).

Percentage  
not to be  
otherwise  
applied.

(5) Every device by an owner, contractor or subcontractor to defeat the priority given to a wage-earner for his wages and every payment made for the purpose of defeating or impairing a lien shall be null and void. R.S.O. 1914, c. 140, s. 15 (5).

Devices to  
defeat  
priority  
of wage  
earners.

## MATERIAL.

**16.**—(1) During the continuance of a lien no part of the material affected thereby shall be removed to the prejudice of the lien. R.S.O. 1914, c. 140, s. 16 (1).

Restraining  
attempt to  
remove  
material  
affected  
by lien.

(2) Material actually delivered to be used for any of the purposes enumerated in section 6, shall be subject to a lien in favour of the person furnishing it until placed in the building, erection or work, and shall not be subject to execution or other process to enforce any debt other than for the purchase thereof due by the person furnishing the same. R.S.O. 1914, c. 140, s. 16 (2); 1918, c. 29, s. 2; Amended.

Exemption  
from exe-  
cution of  
material  
furnished  
for certain  
purposes.

(3) The Judge or officer trying the action may direct the sale of any material or authorize its removal. New.

Sale of  
material.

## REGISTRATION OF LIEN.

(As to registration of liens against mining claims and mining lands, see R.S.O. 1914, c. 32, s. 182.)

Registration  
of  
claim for  
lien.

**17.**—(1) A claim for a lien, Forms 1, 2 and 3 may be registered in the proper Registry Office and shall set out:—

- (a) the name and residence of the person claiming the lien and of the owner or of the person whom the person claiming the lien, or his agent, believes to be the owner of the land, and of the person for whom the work or service was or is to be done, or materials furnished or placed, and the time within which the same was or was to be done or furnished or placed;
- (b) a short description of the work or service done or to be done, or materials furnished or placed or to be placed or to be furnished or placed;
- (c) the sum claimed as due or to become due;
- (d) a description of the land sufficient for the purpose of registration and where the land is registered under *The Land Titles Act*, also a reference to the number of the parcel of the land and to the register in which such land is registered in the Land Titles Office.
- (e) the date of expiry of the period of credit when credit has been given. R.S.O. 1914, c. 140, s. 17 (1); Amended.

Form of  
affidavit.

(2) The claim shall be verified by the affidavit, Form 4, of the person claiming the lien, or of his agent or assignee, having a personal knowledge of the matters required to be verified, and the affidavit of the agent or assignee shall state that he has such knowledge. R.S.O. 1914, c. 140, s. 17 (2).

Description  
of lands  
where lien  
registered.  
against  
railway.

(3) When it is desired to register a claim for lien against a railway it shall be sufficient description of the land of the railway company to describe it as the land of the railway company and every such claim shall be registered in the general register in the office for the registry division within which such lien is claimed to have arisen. R.S.O. 1914, c. 140, s. 17 (3); Amended.

**18.**—(1) A claim for lien may include claims against any number of properties, and any number of persons claiming liens upon the same property may unite therein, but where more than one lien is included in one claim each lien shall be verified by affidavit as provided in section 17. R.S.O. 1914, c. 140, s. 18. What may be included in claim.

(2) The Judge or officer shall have jurisdiction equitably to apportion against the respective properties the amounts included in any claim or claims for liens under subsection 1. New. Apportionment of claims against different properties.

**19.**—(1) A substantial compliance with sections 17, 18 and 30 shall be sufficient and no lien shall be invalidated by reason of failure to comply with any of the requisites of these sections unless, in the opinion of the Judge or officer who tries an action under this Act, the owner, contractor or subcontractor, mortgagee or other person, is prejudiced thereby, and then only to the extent to which he is thereby prejudiced. R.S.O. 1914, c. 140, s. 19 (1); 1916, c. 30, s. 4; Amended. Informality in cases of registering liens.

(2) Nothing in this section shall dispense with registration of the claim for lien. R.S.O. 1914, c. 140, s. 19 (2). Exception.

**20.**—(1) The registrar, upon payment of the proper fee shall register the claim, describing it as, "Mechanic's Lien" against the land therein described in like manner as if it were a mortgage, and shall certify the registration upon the duplicate, but he shall not copy the claim or affidavit in any registry book. R.S.O. 1914, c. 140, s. 20 (1); Amended. Effect of registration.

(2) The fee for registration of a claim for lien shall be twenty five cents, and if several persons join in one claim the registrar shall be entitled to a further fee of ten cents for each person after the first. R.S.O. 1914, c. 140, s. 20 (2). Fee for registration.

**21.** Where a claim is so registered the person entitled to a lien shall be deemed a purchaser *pro tanto* and within the provisions of *The Registry Act* and *The Land Titles Act*, but except as herein otherwise provided those Acts shall not apply to any lien arising under this Act. R.S.O. 1914, c. 140, s. 21. Status of lien-holder.

**22.**—(1) A claim for lien by a contractor or subcontractor in cases not otherwise provided for, may be registered before or during the performance of the contract, or subcon- Limit of time for registration.

tract or within thirty days after the completion or abandonment of the contract or subcontract as the case may be. R.S.O. 1914, c. 140, s. 22 (1); Amended.

**Materials.**

(2) A claim for lien for materials may be registered before or during the furnishing or placing thereof, or within thirty days after the furnishing or placing of the last material so furnished or placed.

**Services.**

(3) A claim for lien for services may be registered at any time during the performance of the service or within thirty days after the completion of the service.

**Wages.**

(4) A claim for lien for wages may be registered at any time during the performance of the work for which such wages are claimed, or within thirty days after the last work is done for which the lien is claimed. R.S.O. 1914, c. 140, s. 22 (2-4)

**In case of supervision by architect etc., etc.**

(5) In the case of a contract which is under the supervision of an architect, engineer or other person upon whose certificates payments are to be made, the claim for lien by a contractor may be registered within the time mentioned in subsection 1, or within seven days after the architect, engineer or other person has given or has, upon application in writing, to him by the contractor, refused to give a final certificate. R.S.O. 1914, c. 140, s. 22 (5); Amended.

### EXPIRY AND DISCHARGE OF LIEN.

**Expiry of liens.**

**23.** Every lien for which a claim is not registered shall absolutely cease to exist on the expiration of the time hereinbefore limited for the registration thereof, unless in the meantime an action is commenced to realize the claim or in which the claim may be realized, under the provisions of this Act and a certificate thereof is registered in the Registry Office in which the claim for lien might have been registered. R.S.O. 1914, c. 140, s. 23.

**When lien to cease if registered and not proceeded upon.**

**24.—(1)** Every lien for which a claim has been registered shall absolutely cease to exist on the expiration of ninety days after the work or service has been completed or materials have been furnished or placed, or after the expiry of the period of credit, where such period is mentioned in the claim for lien registered, or in the cases provided for by subsection 5 of section 22, on the expiration of thirty days from the registration of the claim, unless in the meantime an action is commenced to realize the claim or in which the claim may be realized under the provisions of this Act,

and a certificate is registered as provided by the next preceding section.

(2) Where the period of credit mentioned in the claim for lien registered has not expired it shall nevertheless cease to have any effect on the expiration of six months from the registration or any re-registration thereof if the claim is not again registered within that period, unless in the meantime an action is commenced and a certificate thereof has been registered as provided by subsection 1. R.S.O. 1914, c. 140, s. 24. Necessity for renewal.

**25.** The right of a lienholder may be assigned by an instrument in writing and, if not assigned, upon his death shall pass to his personal representative. R.S.O. 1914, c. 140, s. 26. Assignment or death of lienholder.

**26.—(1)** A lien may be discharged by a receipt signed by the claimant, or his agent duly authorized in writing, acknowledging payment, and verified by affidavit and registered. Discharge of lien.

(2) The receipt shall be numbered and entered like other instruments, but shall not be copied in any registry book, and there shall be entered against the entry of the lien to which the discharge relates the word "discharged" and the registration number of such discharge. Registration.

(3) The fee shall be the same as for registering a claim. R.S.O. 1914, c. 140, s. 27 (1-3). Fee.

(4) Upon application the Judge or officer having jurisdiction to try an action to realize a lien, may allow security for or payment into court of the amount of the claim and such costs as the Judge or officer may fix, and may thereupon order that the registration of the lien be vacated or may vacate the registration upon any other proper ground and a certificate of the order may be registered. R.S.O. 1914, c. 140, s. 27 (4); Amended. Security or payment into court and vacating lien thereon.

(a) Any money so paid into court shall take the place of the property discharged and be subject to the claims of all persons for liens to the same extent as if such money was realized by a sale of such property in an action to enforce the lien. Money paid into court. New.

(5) Where the certificate required by section 23 or section 24 has not been registered within the prescribed time, and an application is made to vacate the registration of When notice of application to vacate not requisite.

a claim for lien after the time for registration of such certificate, the order vacating the lien may be made *ex parte* upon production of the certificate of the proper registrar certifying the facts entitling the applicant to such order. R.S.O. 1914, c. 140, s. 27 (5); Amended.

#### EFFECT OF TAKING SECURITY OR EXTENDING TIME.

Effect  
generally.

**27.**—(1) The taking of any security for, or the acceptance of any promissory note or bill of exchange for or the taking of any acknowledgement of the claim, or the giving of time for the payment thereof, or the taking of any proceedings for the recovery or the recovery of a personal judgment for the claim, shall not merge, waive, pay, satisfy, prejudice or destroy the lien unless the claimant agrees in writing that it shall have that effect.

When period  
of credit  
not expired.

(2) Where any such promissory note or bill of exchange has been negotiated the lienholder shall not thereby lose his lien, if, at the time of bringing his action to enforce it, or where an action is brought by another lienholder, he is, at the time of proving his claim in such action, the holder of such promissory note or bill of exchange.

Time for  
bringing  
action not  
extended.

(3) Nothing in subsection 2 shall extend the time limited by this Act for bringing the action to enforce the lien. R.S.O. 1914, c. 140, s. 28 (1-3).

Time for  
bringing  
action by  
person who  
gave time  
for payment.

(4) A person who has extended the time for payment of a claim for which he has a lien, to obtain the benefit of this section, shall commence an action to enforce such lien within the time prescribed by this Act, and shall register a certificate as required by sections 23 and 24, but no further proceedings shall be taken in the action until the expiration of such extension of time. R.S.O. 1914, c. 140, s. 28 (4); Amended.

Proving  
claim in  
action by  
another  
lienholder.

**28.** Where the period of credit in respect of a claim has not expired, or where there has been an extension of time, for payment of the claim, the lienholder may nevertheless, if an action is commenced by any other person to enforce a lien against the same property, prove and obtain payment of his claim in such action as if the period of credit or the extended time had expired. R.S.O. 1914, c. 140, s. 29.



## LIENHOLDER'S RIGHTS TO INFORMATION.

29.—(1) Any lienholder may at any reasonable time demand of the owner or his agent the production, for inspection, of the contract or agreement with the contractor for or in respect of which the work, service or material is or is to be performed or furnished or placed, if such contract or agreement is in writing or if not in writing, the terms of such contract or agreement and the state of the accounts between the owner and the contractor, and if such owner or his agent does not at the time of such demand, or within a reasonable time thereafter, produce the said contract or agreement if in writing or, if not in writing, does not inform the person making such demand of the terms of such contract or agreement and the amount due and unpaid upon such contract or agreement or if he knowingly falsely states the terms of the contract or agreement or the amount due or unpaid thereon and if the person claiming the lien sustains loss by reason of such refusal or neglect or false statement, the owner shall be liable to him in an action therefor for the amount of such loss.

(2) Any lienholder may at any reasonable time demand of a mortgagee or unpaid vendor or his agent the terms of any mortgage on the land or of any agreement for the purchase of the said lands in respect of which the work, service or material is or is to be performed, furnished or placed and a statement showing the amount advanced on the said mortgage or the amount owing on the said agreement as the case may be, and if such mortgagee or vendor or his agent fails to inform said lienholder at the time of such demand or within a reasonable time thereafter of the terms of the said mortgage or agreement and the amount advanced or owing thereon or if he knowingly falsely states the terms of the said mortgage or agreement and the amount owing thereon and such lienholder sustains loss by such refusal or neglect or mis-statement, the mortgagee or vendor shall be liable to him in an action therefor for the amount of such loss.

(3) The Judge or officer having jurisdiction to try an action to realize a lien may, on a summary application at any time before or after an action is commenced for the enforcement of such lien, make an order requiring the owner or his agent or the mortgagee or his agent or unpaid

Vendor or his agent as the case may be to produce and allow any lien holder to inspect any such contract or agreement or mortgage or agreement for sale upon such terms as to costs as he may deem just. New.

#### ACTION TO REALIZE CLAIM

Mode of realizing lien.

**30.**—(1) A lien shall be enforced in the Supreme Court in an action to be commenced by filing in the proper office a statement of claim, verified by affidavit, Form 5, which affidavit may be made by any of the persons named in subsection 2 of section 17. New.

Service.

(2) The statement of claim shall be served within one month after it is filed, but a judge or officer having jurisdiction to try the action may extend the time for service thereof, and the time for delivering the statement of defence shall be the same as for entering an appearance in an action in the Supreme Court.

Parties.

(4) It shall not be necessary to make any lienholders parties defendant to the action, but all lienholders served with the notice of trial shall for all purposes be deemed parties to the action. R.S.O. 1914, c. 140, s. 31 (3, 4).

Lienholders joining in action.

**31.** Any number of lienholders claiming liens on the same land may join in an action and an action brought by a lienholder shall be deemed to be brought on behalf of himself and all other lienholders. R.S.O. 1914, c. 140, s. 32. Amended.

Who may try action to enforce lien.

**32.**—(1) The action shall be tried in the County of York before the Master-in-Ordinary, or the Assistant Master-in-Ordinary, and outside the County of York before a Judge of the County or District Court of the county or district in which the land is situate. 1916, c. 30, s. 1.

When action may be tried in Supreme Court.

(2) Notwithstanding the provisions of subsection 1 upon the application of any party to an action, made according to the practice of the Supreme Court, the Court may direct that the action be tried before a Judge of the Supreme Court at the regular sittings of the High Court Division for the trial of actions in the county or district in which the land is situate. New.

**33.**—(1) The Master-in-Ordinary, Assistant Master-in-Ordinary and the County or District Judge, in addition to their ordinary powers shall have all the jurisdiction, powers and authority of the Supreme Court to try and completely dispose of the action and questions arising therein. 1916, c. 30, s. 2. Powers of certain officers.

(2) The Judge or officer may obtain the assistance of an independent architect, practical builder, engineer or accountant in such way as he thinks fit, the better to enable him to determine any matter of fact in question in any proceeding under this Act, and may act on the certificate of such person. New. Right of Judge or officer to expert assistance.

(3) Where an owner enters into an entire contract for the supply of material to be used in several buildings the person supplying such material may ask to have his lien follow the form of the contract and that it be for an entire sum upon all the buildings, but in case the owner has sold one or more of such buildings, the Judge or officer shall have jurisdiction equitably to apportion against the respective buildings the amount included in the claim for lien under the entire contract. New. Where contract covers several buildings.

**34.** Where more actions than one are brought to realize liens in respect of the same land a Judge or officer having jurisdiction to try such actions may, on the application of any party to any one of the actions, or on the application of any other person interested, consolidate all such actions into one action, and may give the conduct of the consolidated action to any plaintiff as he may see fit. R.S.O. 1914 c. 140, s. 35. Amended. Consolidation of actions.

**35.** Any lienholder entitled to the benefit of an action may apply for the carriage of the proceedings, and the Judge or officer may make an order giving such lienholder the carriage of the proceedings. R.S.O. 1914, c. 140, s. 36. Transferring carriage of proceedings.

**36.**—(1) After the delivery of the statement of defence where the plaintiff's claim is disputed, or after the time for delivery of defence in all other cases and except where the trial is to take place before a Judge of the Supreme Court under section 32, either party may apply *ex parte* to a Judge or officer who has jurisdiction to try the action to fix a day for the trial thereof, and the Judge or officer shall appoint the day and place of trial. R.S.O. 1914, c. 140, s. 37 (1); 1914, c. 21, s. 30 (1). Amended. Appointing day for trial.

Notice of  
trial and  
service of.

(2) The party obtaining an appointment for the trial shall, at least eight clear days before the day appointed, serve notice of trial, Form 6, upon the solicitors for the defendants who appear by solicitors and upon defendants who appear in person, and on all lienholders who have registered their claims as required by this Act or of whose claims he has notice, and on all other persons having any charge, incumbrance or claim on the land subsequent in priority to the lien, who are not parties, and such service shall be personal unless otherwise directed by the Judge or officer who may direct in what manner the notice of trial may be served. R.S.O. 1914, c. 140, s. 37 (2). Amended.

Trial.

(3) The Judge or officer shall try the action and all questions which arise therein or which are necessary to be tried in order to completely dispose of the action and to adjust the rights and liabilities of the persons appearing before him or upon whom the notice of trial has been served. and shall take all accounts, make all inquiries, give all directions and do all other things necessary to finally dispose of the action and of all matters, questions and accounts arising therein or at the trial, and to adjust the rights and liabilities of and give all necessary relief to all parties to the action and all persons who have been served with the notice of trial and shall embody the results in a judgment. Form 7, which judgment may direct payment forthwith by the person or persons primarily liable to pay the amount of the claims and costs as ascertained by the judgment and execution may be issued therefor forthwith. R.S.O. 1914, c. 140, s. 37 (3). Amended.

(a) The form of the judgment may be varied by the Judge or officer in order to meet the circumstances of the case so as to afford to any party to the proceedings any right or remedy in the judgment to which he may be entitled. New.

Sale.

(4) The Judge or officer may order that the estate or interest charged with the lien may be sold and may direct the sale to take place at any time after judgment, allowing however a reasonable time for advertising such sale. R.S.O. 1914, c. 140, s. 37 (4). Amended.

Letting in  
lienholders  
who have  
not proved  
their claims  
at trial.

(5) A lienholder who has not proved his claim at the trial, on application to the Judge or officer before whom the action was tried, may be let in to prove his claim on such terms as to costs and otherwise as may be deemed just at any time before the amount realized in the action for the

satisfaction of liens has been distributed, and where such a claim is allowed the judgment shall be amended so as to include such claim. R.S.O. 1914, c. 140, s. 37 (6).

(6) Every lienholder for an amount not exceeding \$100 may be represented by an agent who is not a solicitor. Right of lienholders to representation. R.S.O. 1914, c. 140, s. 37 (7). Amended.

**37.**—(1) Where a sale is had, the moneys arising therefrom shall be paid into court to the credit of the action and the Judge or officer shall make a report on the sale and therein direct to whom the moneys in court shall be paid and may add to the claim of the person conducting the action his fees and actual disbursements incurred in connection with the sale, and where sufficient to satisfy the judgment and costs is not realized from the sale he shall certify the amount of the deficiency and the names of the persons who are entitled to recover the same, showing the amount which each is entitled to recover and the persons adjudged to pay the same, giving credit for payments made, if any, under subsection 3 of section 36, and the persons so entitled may enforce payment of the amounts so found to be due by execution or otherwise. Report where sale is had. R.S.O. 1914, c. 140, s. 38; 1914, c. 21, s. 30 (2). Amended.

(2) The Judge or officer may make all necessary orders for the completion of the sale and for vesting the property in the purchaser. Completion of sale,—Judge's order as to. New.

(3) Where a claimant fails to establish a valid lien he may nevertheless recover a personal judgment against any party to the action for such sum as may appear to be due to him and which he might recover in an action against such party. Where lien not established. R.S.O. 1914, c. 140, s. 49.

**38.** Where property subject to a lien is sold in an action to enforce a lien, every lienholder shall be entitled to share in the proceeds of the sale in respect of the amount then owing to him, although the same or part thereof was not payable at the time of the commencement of the action or is not then presently payable. Right of lienholders whose claims are not payable to share in proceeds. R.S.O. 1914, c. 140, s. 39.

#### NEW TRIAL AND APPEAL.

**39.**—(1) Where the aggregate amount of the claims of the plaintiff and all other persons claiming liens is not more than \$100 the judgment shall be final and without appeal. Where judgment of court of first instance to be final. R.S.O. 1914, c. 140, s. 40 (1). Amended.

Appeal in  
other cases.

(2) In all other cases an appeal shall lie and may be had in like manner and to the same extent as from the decision of a Judge trying an action in the Supreme Court without a jury, and the costs of the appeal shall not be governed by section 41 or section 42, but may be awarded without regard to costs recoverable under these sections. R.S.O. 1914, c. 140, s. 40 (3). Amended.

#### FEES AND COSTS.

Limit of  
fees in  
money or  
stamps.

**40.** No fees in stamps or money shall be payable to any judge or officer in any action brought to realize a lien under this Act, nor on any filing, order record or judgment or other proceeding in such action excepting that every person other than a wage-earner shall on filing his statement of claim where he is plaintiff, or on filing his claim where he is not a plaintiff, pay in stamps \$1 on every \$100 or fraction of \$100 of the amount of his claim up to \$1,000, and \$1 on every \$1,000 or fraction of \$1,000 of the amount of his claim over \$1,000. 1916, c. 30, s. 3.

Limit of  
costs to  
plaintiff.

**41.** The costs of the action, exclusive of actual disbursements awarded to the plaintiffs and successful lienholders, shall not exceed in the aggregate twenty-five per cent. of the total amount found to have been actually due on the liens at the time of the registration thereof, and shall be apportioned and borne in such proportion as the Judge or officer who tries the action may direct, but in making such apportionment he shall have regard to the actual services rendered by or on behalf of the parties respectively. R.S.O. 1914, c. 140, s. 42. Amended.

Limit of  
costs to  
be awarded  
against  
plaintiffs.

**42.** Where costs are awarded against the plaintiff or other persons claiming liens they shall not exceed twenty-five per cent. of the claim of the plaintiff and the other claimants, besides actual disbursements, and shall be apportioned and borne as the Judge or officer may direct. R.S.O. 1914, c. 140, s. 43.

Costs where  
least  
expensive  
course not  
taken.

**43.** Where the least expensive course is not taken by a plaintiff, the costs allowed to him shall in no case exceed what would have been incurred if the least expensive course had been taken. R.S.O. 1914, c. 140, s. 44.

Costs of  
drawing and  
registering  
and vacating  
registration  
of lien.

**44.** Where a lien is discharged or vacated under section 26, or where judgment is given in favour of or against a claim for a lien, in addition to the costs of the action, the Judge or officer may allow a reasonable amount for the costs of drawing and registering the claim for lien or of vacating

the registration thereof, but this shall not apply where the claimant fails to establish a valid lien. R.S.O. 1914, c. 140, s. 45. Amended.

45. Except as otherwise herein provided, all costs of <sup>Costs not otherwise provided for.</sup> and incidental to all applications and orders not otherwise provided for shall be in the discretion of the Judge or officer. R.S.O. 1914, c. 140, s. 46. Amended.

#### PAYMENTS OUT OF COURT.

46.—(1) Where money has been paid into Court and <sup>Payment of money out of court.</sup> the time for the payment out has arrived, the Judge or officer shall forward a certified copy of his judgment and of the report on same, if any, to the Accountant of the Supreme Court, whereupon the cheques shall be delivered by the Accountant to the persons entitled, or their solicitors, in accordance with the usual practice of the Accountant's office. New.

(2) No fees or stamps shall be payable on any cheques <sup>Fees.</sup> or on proceedings to pay money into court or to obtain money out of court, in respect of a claim for lien, but sufficient postage stamps to prepay a return registered letter shall be enclosed with every requisition for cheques. R.S.O. 1914, c. 140, s. 47 (2).

#### RULES OF PROCEDURE.

47. Proceedings for the enforcement of claims for liens <sup>Rules of procedure.</sup> under this Act shall be subject to the rules set out in Schedule "B" to this Act. New.

#### LIENS ON CHATTELS.

48.—(1) Every mechanic or other person who has be- <sup>Right of mechanics entitled to lien on a chattel to sell chattel.</sup> stowed money or skill and materials upon any chattel or thing in the alteration or improvement of its properties, or for the purpose of imparting an additional value to it so as thereby to be entitled to a lien upon such chattel or thing for the amount or value of the money or skill and materials bestowed shall, while such lien exists but not afterwards, in case the amount to which he is entitled remains unpaid for three months after the same ought to have been paid, have the right in addition to any other remedy to which he may be entitled to sell by auction the chattel or thing, on giving one week's notice by advertisement in a newspaper

published in the municipality in which the work was done, or in case there is no newspaper published in such municipality then in a newspaper published nearest thereto, setting forth the name of the person indebted, the amount of the debt, a description of the chattel or thing to be sold the time and place of sale, and the name of the auctioneer, and leaving a like notice in writing at the last known place of residence if any, of the owner, if he is a resident of such municipality.

Application  
of proceeds  
of sale.

(2) Such mechanic or other person shall apply the proceeds of the sale in payment of the amount due to him and the costs of advertising and sale and shall, upon application pay over any surplus to the person entitled thereto. R.S.O 1914, c. 140, s. 50.

Rev. Stat.  
c. 140,  
repealed.

**49.** *The Mechanics and Wage-Earners Lien Act*, being Chapter 140 of the Revised Statutes of Ontario, 1914, and all amendments thereto are hereby repealed.

Commence-  
ment of Act.

**50.** This Act shall come into force on the day upon which it receives the Royal Assent.



## SCHEDULE "A."

## FORM 1.

(Sections 17-22).

## CLAIM FOR LIEN.

A.B. (name of claimant) of (here state residence of claimant), (if claimant is a personal representative or assignee set out the facts) under *The Mechanics' and Wage Earners' Lien Act* claims a lien upon the estate of (here state the name and residence of owner of the land upon which the lien is claimed), in the undermentioned land in respect of the following work (or service or materials) that is to say (here give a short description of the nature of the work done or to be done, or materials furnished or to be furnished, and for which the lien is claimed) which work (or service) was (or is to be) done (or materials were or are to be furnished) for (here state the name and residence of the person upon whose request the work is done or to be done, or the materials furnished or to be furnished) on or before the                      day of                      19                      .

The amount claimed as due (or to become due) is \$                      .

The following is the description of the land to be charged (here set out a concise description of the land to be charged sufficient for the purpose of registration).

Where credit has been given, insert: The work was done (or materials were furnished) on credit, and the period of credit agreed to expired (or will expire) on the                      day of

19                      .

Dated at                      this                      day of                      19                      .

(Signature of claimant)

R.S.O. 1914, c. 140, Form 1.

## FORM 2.

(Sections 17-22)

## CLAIM FOR LIEN FOR WAGES.

A.B. (name of claimant), of (here state residence of claimant), (if claimant is a personal representative or assignee set out the facts) under *The Mechanics' and Wage Earners' Lien Act* claims a lien upon the estate of (here state the name and residence of owner of the land upon which the lien is claimed), in the undermentioned land in respect of work performed (or to be performed) thereon while in the employment of (here state the name and residence of the person upon whose request the work was or is to be performed) on or before the                      day of                      19                      .

The amount claimed as due (or to become due) is \$                      .

The following is the description of the land to be charged (here set out a concise description of the land to be charged sufficient for the purpose of registration).

Dated at                      this                      day of                      19                      .

(Signature of claimant)

R.S.O. 1914, c. 140, Form 2.

## FORM 3.

(Sections 17-22)

## CLAIM FOR LIEN FOR WAGES BY SEVERAL CLAIMANTS.

The following persons claim a lien under *The Mechanics' and Wage Earners' Lien Act* upon the estate of (here state the name and residence of the owner of land upon which the lien is claimed) in the undermentioned land in respect of wages for

labour performed (or to be performed) thereon while in the employment of (here state name and residence or names and residences of employers of the several persons claiming the lien).

A.B. of (residence)	\$		for wages.
C.D. of	"	\$	" "
E.F. of	"	\$	" "

The following is the description of the land to be charged (here set out a concise description of the land to be charged sufficient for the purpose of registration).

Dated at this day of 19 .  
(Signatures of several claimants).

R.S.O. 1914, c. 140, Form 3.

#### FORM 4.

(Sections 17-22)

##### AFFIDAVIT VERIFYING CLAIM.

I, A.B., named in the above (or annexed) claim, make oath that the said claim is true.

Or, We, A.B., and C.D., named in the above (or annexed) claim, make oath, and each for himself makes oath that the said claim, so far as relates to him, is true.

(Where affidavit is made by agent or assignee a clause must be added to the following effect:—I have full knowledge of the facts set forth in the above (or annexed) claim).

Sworn before me at , in the  
County of , this day  
of 19 .

Or, The said A.B. and C.D. were severally sworn before me at , in the  
County of this day  
of , 19 .

Or, The said A.B. was sworn before me  
at , in the County of ,  
this day of 19 .

R.S.O. 1914, c. 140, Form 4.

#### FORM 5.

(Section 30).

##### AFFIDAVIT VERIFYING CLAIM ON COMMENCING AN ACTION.

(Style of Court and Cause)

I, , make oath and say, that I have read (or heard read) the foregoing statement of claim, and that the facts therein set forth are, to the best of my knowledge and belief, true, and the amount claimed to be due to me in respect of my lien is the just and true amount due and owing to me after giving credit for all the sums of money or goods or merchandise to which (naming the debtor) is entitled to credit as against me.

Sworn before me, etc.

R.S.O. 1914, c. 140, Form 5.

FORM 6.  
(Section 36)

NOTICE OF TRIAL.

(Style of Court and Cause)

Take notice that this section will be tried at the  
in the                      of                      , in the County (or District)  
of                      , on the                      day of                      by  
and at such time and place the                      will

proceed to try the action and all questions which arise in or which are necessary to be tried completely to dispose of the action and to adjust the rights and liability of the persons appearing before him, or upon whom this notice of trial has been served, and at such trial he will take all accounts, make all enquiries and give all directions and do all things necessary to try and otherwise finally dispose of this action, and of all matters, questions and accounts arising therein and will give necessary relief to all parties.

And further take notice that if you do not appear at the trial and prove your claim, if any, (or your defence, if any) to the action, the proceedings will be taken in your absence and you may be deprived of all benefit of the proceedings and your rights disposed of in your absence.

This in a Mechanics' Lien action brought by the above named plaintiffs against the above named defendants to enforce a Mechanics' Lien against the following lands:— (*set out description of lands*).

This notice is served by, etc.

Dated                      19                      .

To

R.S.O. 1914, c. 140, Form 6.

FORM 7.  
(Section 36)

JUDGEMENT.

In the Supreme Court of Ontario,

Monday, the                      day of                      19                      .

Name of Judge or Officer:

William Spencer, Plaintiff,  
and

Thomas Burns, Defendant.

This action coming on for trial before                      at  
upon opening of the matter and it appearing that the following persons have been duly served with notice of trial herein, (*set out names of all persons served with notice [of trial]*) and all such persons (or as the case may be) appearing at the trial (or and the following persons not having appeared *set out names of non-appearing persons*) and upon hearing the evidence adduced and what was alleged by counsel for the plaintiff and for C.D. and E.F. and the defendant (or and by A.B. appearing in person).

1. This court doth declare that the plaintiff and the several persons mentioned in the first Schedule hereto are respectively entitled to a lien under *The Mechanics' and Wage Earners' Lien Act* upon the land described in the second Schedule hereto for the amounts set opposite their respective names in the 2nd, 3rd and 4th columns of the said first Schedule, and the persons primarily liable for the said claims respectively are set forth in the 5th column of the said Schedule.

2. (And this court doth further declare that the several persons mentioned in Schedule 3 hereto are also entitled to some lien charge or incumbrance upon the said land for the amounts set opposite their respective names in the 4th column of the said Schedule 3, *according to the facts*).

3. And this court doth further order and adjudge that upon the defendant (A.B., the owner) paying into court to the credit of this action the sum of (gross amount of liens in Schedules 1 and 3 for which owner is liable) on or before the day of next, that the said liens in the said first Schedule mentioned be and the same are hereby discharged, (and the several persons in the said third Schedule are to release and discharge their said claims and assign and convey the said premises to the defendant (owner) and deliver up all documents on oath to the said defendant (owner) or to whom he may appoint) and the said money so paid into court is to be paid out in payment of the claims of the said lienholders (or and incumbrances).

4. In case the said defendant (owner) shall make default in payment of the said money into court this court doth order and adjudge that the said land be sold with the approbation of the Master of this court at and that the purchase money be paid into court to the credit of this action, and that all proper parties do join in the conveyances as the said Master shall direct.

5. And this court doth order and adjudge that the said purchase money be applied in or towards payment of the several claims in the said first (and third) Schedule (S) mentioned as the said Master shall direct, with subsequent interest and subsequent costs to be computed and taxed by the said Master.

6. And this court doth further order and adjudge that in case the said purchase money shall be insufficient to pay in full the claims of the several persons mentioned in the said first Schedule, the persons primarily liable for such claim as shown in the first Schedule do pay to the persons to whom they are respectively primarily liable the amount remaining due to such persons forthwith after the same shall have been ascertained by the said Master.

7. (And this court doth declare that have not proved any lien under *The Mechanics' and Wage Earners' Lien Act* and that they are not entitled to any such lien, and this court doth order and adjudge that the claims of liens registered by them against the land mentioned in the second Schedule be and the same are hereby discharged, *according to the fact*).

## SCHEDULE 1.

Names of lien-holders entitled to mechanics' liens.	Amount of debt and interest (if any).	Costs.	Total.	Names of primary debtors.

(Signature of officer).

R.S.O. 1914, c. 140, Schedule 1.

## SCHEDULE 2.

The lands in question in this matter are

*(Set out a description sufficient for registration purposes).*

(Signature of officer).

R.S.O 1914, c. 140, Schedule 2.

## SCHEDULE 3.

Names of persons entitled to incumbrances other than mechanics' liens.	Amount of debt and interest (if any)	Costs.	Total.

(Signature of Officer.)

R.S.O. 1914, c. 140, Schedule 3.

*SCHEDULE "B"*

## RULES OF PROCEDURE.

1.—(a) Where the amount of the lien claimed does not exceed \$400 and the land is situate in the City of Toronto or County of York, the Master-in-Ordinary or the Assistant Master-in-Ordinary shall prepare or cause to be prepared in duplicate the necessary claims for liens and administer the necessary oaths to enable the registration thereof and the total charge for such service in each case shall not exceed the sum of \$1.

(b) Where the land is situate in any county or district outside the County of York, the clerk of the county or district court of said county or district shall prepare in duplicate the necessary claims for liens and administer the necessary oaths to enable the registration thereof and the total charge for such service in each case shall not exceed the sum of \$1.

(c) The duplicate of every claim for lien so prepared shall be filed in the office of the Master-in-Ordinary, the clerk of the county court of the county affected or the clerk of the district court of the district affected.

2. After the commencement of any action under this Act any lienholder or other person interested may move before the judge or officer having jurisdiction to speed the trial of said action.

3. Upon the day appointed for the trial of an action under this Act the parties interested shall appear and every lienholder shall file detailed particulars of his claim verified by affidavit if not set out in claim for lien filed and the judge or officer having jurisdiction shall proceed at such sittings to adjudicate upon such claims, taking up first the smallest claims and disposing of as many of such as possible either by consent of the parties interested or upon proper evidence to be adduced before him, subject, however, to the judge or officer having jurisdiction to grant an adjournment of the trial of any of said claims at said sitting upon proper cause shown.

4. Every lienholder who does not register a claim for lien and whose lien is preserved by an action commenced by another lienholder shall nevertheless before the day appointed for the trial of said action give written notice of his lien to the owner or his agent, the mortgagee or his agent and the lienholder who has commenced action and deposit with the proper officer of the county or district concerned particulars of his claim verified by affidavit.

5. The object of this Act being to enforce liens at the least expense, the procedure shall be of a summary character so far as possible, having regard to the amount and nature of the liens in question.

6. No interlocutory proceedings shall be permitted except such as are provided by this Act, without the consent of the judge or officer having jurisdiction and then only upon proper proof that such proceedings are in the interests of justice.

3rd Session, 15th Legislature,  
12 George V, 1922.

BILL.

An Act respecting Liens of Mechanics,  
Wage Earners and Others.

1st Reading,	7th March, 1922.
2nd Reading,	1922.
3rd Reading,	1922.

MR. RANNEY.



# BILL

## An Act to amend The Local Improvement Act.

**HIS MAJESTY**, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**1.** Section 22a of *The Local Improvement Act* is amended Rev. Stat., c. 193, s. 22a, as enacted by 1921, c. 64, s. 4, amended. by adding at the end thereof the following words, “or in the alternative shall assume and pay the special assessments remaining unpaid on the existing pavement and charged against the lots fronting or abutting on the work, as the Council may determine.”

**2.** Subsection 1 of section 3 of *The Local Improvement Act* is amended by adding the following as clause (o):— Rev. Stat., c. 193, s. 3 (1), amended.

(o) Subject to the provisions of section 22b, the reconstruction of an existing pavement where the same has in its lifetime become beyond repair, as certified by the Engineer of the Corporation. Reconstruction of existing pavement.

**3.** *The Local Improvement Act* is amended by adding the following as section 22b:— Rev. Stat., c. 193, amended.

22b. Where the work undertaken is the reconstruction of an existing pavement as provided by clause o of subsection 1 of section 3 the corporation shall assume and pay the special assessments therefor charged against the lots fronting or abutting on the work until the expiration of the period, within which such lots are specially assessed for the then existing pavement, or in the alternative shall assume and pay the special assessments remaining unpaid on the existing pavement and charged against the lots fronting or abutting on the work, as the Council may determine. Assumption by corporation of special assessments in certain cases.

**4.** This Act shall come into force and take effect on the day on which it receives the Royal Assent. Commencement of Act.

No. 98.

3rd Session, 15th Legislature,  
12 George V, 1922.

BILL.

An Act to amend The Local Improvement  
Act.

1st Reading,	7th March, 1922.
2nd Reading,	1922.
3rd Reading,	1922.

Mr. MacVicar.

TORONTO:  
PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.

# BILL

## An Act to amend The Judicature Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. This Act may be cited as *The Jury Trials Act, 1922*. Short title.

2. Section 53 of *The Judicature Act* is amended by inserting after the word "imprisonment" in the third line thereof the following words "and actions for or involving the price or value of products of the farm, forest or mine." so that the section will now read as follows:

53. Actions of libel, slander, criminal conversation, seduction, malicious arrest, malicious prosecution and false imprisonment and actions for or involving the price or value of products of the farm, forest or mine shall be tried by a jury unless the parties in person or by their solicitors or counsel waive such trial.

3. This Act shall come into force on the day upon which it receives the Royal Assent.

Certain actions to be tried by a jury.  
Rev. Stat., c. 56, s. 53, amended.  
Commencement of Act.

3rd Session, 15th Legislature,  
12 George V, 1922.

BILL.

An Act to amend The Judicature Act.

1st Reading,	7th March, 1922.
2nd Reading,	1922.
3rd Reading,	1922.

Mr. OKE.

# BILL

## An Act to amend The Judicature Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. This Act may be cited as *The Jury Trials Act, 1922*. Short title.



2. *The Judicature Act* is amended by adding thereto the following section:—

Rev. Stat.  
c. 56, amended

56a. Notwithstanding anything in this Act or in the Rules contained where in an action involving the price or value of the products of the farm or any question arising out of the sale or shipment of such products, a jury notice has been duly filed and served, the action shall be tried by a jury unless the Court is of opinion that the action involves a question of law only.



3. This Act shall come into force on the day upon which it receives the Royal Assent.

Commence-  
ment of  
Act.





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3rd Session, 15th Legislature,  
12 George V, 1922.

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BILL.

An Act to amend The Judicature Act.

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1st Reading,	7th March, 1922.
2nd Reading,	17th March, 1922.
3rd Reading,	1922.

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*(Re-printed as amended by the Legal  
Committee.)*

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MR. OKE.

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No. 100.

1922.

# BILL

An Act respecting the Construction and Operation of  
Municipal Electric Railways.

**H**IS MAJESTY, by and with the advice and consent of  
the Legislative Assembly of the Province of Ontario,  
enacts as follows:—

**1.** This Act may be cited as *The Municipal Electric* Short title.  
*Railway Act, 1922.* 4 Geo. V, c. 31, s. 1. *Amended.*

**2.** In this Act,

Interpreta-  
tion.

- (a) "Association" shall mean "Municipal Elec- "Association."  
tric Railway Association." *New.*
- (b) "Commission" shall mean "Hydro Electric "Commission."  
Power Commission of Ontario."
- (c) "Corporation" "corporations" shall mean "Corporation."  
a municipal corporation or municipal cor-  
porations other than the municipal corpora-  
tion of a county. 4 Geo V, c. 31, s. 2.
- (d) "Trust Corporation" shall include "Trust "Trust  
Corporation."  
Company." *New.*

**3.** On the request expressed by resolution of the corpora- Investiga-  
tion and  
report by  
Commission.  
tions of two or more municipalities situate in any locality in  
which electrical power or energy may be supplied by the  
Commission under *The Power Commission Act*, the Commis-  
sion as the agent of such corporations and at the expense of  
such corporations, may enquire into, examine, investigate  
and report upon:

- (a) The cost of constructing, equipping and operating an electric railway in such municipalities including a sum for working capital and a sum to cover any probable loss by discount on the sale of the bonds of the association;
- (b) The municipalities, the inhabitants of which will be served by such railway;
- (c) The population of each of such municipalities as shown by the last enumeration thereof by the assessors;
- (d) An estimate of the probable revenue from the railway;
- (e) The practicability of the undertaking and its economic value to the locality to be served by it. 4 Geo. V, c. 31, s. 3. *Amended*.

Agreement among corporations for construction and operation.

4.—(1) Such corporations may enter into an agreement (Form 1), with each other, for the construction, equipment and operation of an electric railway to be operated by electric power or energy supplied by the Commission.

What agreement shall set out.

(2) The agreement shall provide for:

- (a) The location of the line of railway;
- (b) The character of the construction and of the equipment to be furnished;
- (c) The proportions in which the costs of construction and equipment, and the amount to be provided for working capital of the railway shall be borne by each corporation;
- (d) The issuing of debentures by the corporations and their deposit with a Trust Corporation as collateral security for any bonds which may be issued by the Association to meet the cost of construction and equipment of the railway and to provide working capital therefor;
- (e) The terms and conditions on which electrical power or energy shall be supplied by the Commission for the operation of the railway;
- (f) The construction and equipment of the railway either by the Association or by the Commission;

- (g) The entrustment of the management and operation of the railway to the Association to be appointed or elected as hereinafter provided;

(3) The agreement may provide for:

What agreement may set out.

- (a) The construction of the railway upon any right of way acquired by the Commission for the transmission of electrical power or energy under *The Power Commission Act*, and the amount chargeable to the railway **by way of rental or otherwise for the use of such right of way**; 4 Geo. V, c. 31, s. 4. *Amended.*
- (b) The acquiring by purchase or lease of any steam, electric or street railway, or any part or parts thereof, capable of forming part of the proposed railway system for the service of such municipalities or the obtaining of running rights over the same;
- (c) The extension of the railway into any adjacent municipality under an agreement to be made between the Association and the corporation of such municipality with the approval of the corporations parties to the agreement. *New.*

5. Before the submission of the by-law to the electors as provided in section 7 the corporations shall without the assent of the electors enter into an agreement with the Commission, conditioned on the assent of the electors of each of the municipalities being obtained to the agreement mentioned in section 4 except as provided by section 9.

Agreement with Commission as to certain matters.

- (a) For the supply by the Commission of the electrical power or energy required for the operation of the railway: and,
- (b) For the construction and equipment of the railway and any extension thereof by the Commission, if construction and equipment it to be constructed by the Commission:
- (c) The construction of the railway upon any right of way as set out in subsection 3 of section 4. *New*

Provisions  
as to con-  
struction to  
apply to  
purchase.

6.—(1) Except where otherwise expressly provided, the provisions of this Act relating to the construction of a railway and to the equipment, maintenance and operation of it shall apply to the purchase of a railway or any part or parts thereof and the provisions of this Act relating to maintenance and operation shall apply to a railway or any part or parts thereof leased. *New.*

Operation  
by electri-  
cal power.

(2) Where a steam railway or part thereof is purchased or leased it shall be operated by electrical power or energy supplied by the Commission under *The Power Commission Act.* *New.*

Submission  
of by-law  
approving  
of agree-  
ment.

7.—(1) The council of each of the corporations interested shall submit to the vote of the electors qualified to vote on money by-laws, a by-law approving of the agreement and directing its execution, and if a majority of the electors voting thereon vote in favour of the by-law, the council shall pass the same and the agreement shall be executed as directed by the by-law.

Publication  
of by-law  
and agree-  
ment.

(2) The by-law shall not be voted upon by the electors until the by-law and agreement have been published in the manner provided by *The Municipal Act* in the case of money by-laws, at least once a week for four successive weeks. 6 Geo. V, c. 37, s. 2, part; 10-11 Geo. V, c. 57, s. 2. *Amended.*

Recitals  
in by-law.

8. The by-law submitted to the electors shall recite:

- (a) The estimated cost of the construction and equipment of the railway including a sum for working capital;
- (b) The portion of such cost to be borne by the corporation;
- (c) The total annual amount estimated to be required for the maintenance and operation of the railway and for sinking fund charges and interest;
- (d) The portion of such amount to be borne by the corporations; 4 Geo. V, c. 31, s. 5.
- (e) The estimated probable revenue from the railway. *New.*

**9.**—(1) Where any corporation named as a party to the agreement has failed to pass the necessary by-law and to execute the agreement, and the amount for which such corporation would be liable under the agreement does not exceed ten per cent. of the estimated cost of the construction and equipment of the railway and of the amount to be provided for working capital and the remaining corporations, parties to the agreement, have by resolution of their respective councils, expressed the desire to proceed with the undertaking notwithstanding the failure of such first-mentioned corporation to execute the agreement, the Association or the Commission, as the case may be, may proceed with the construction and equipment of the railway, and in such case the corporations which have executed the agreement shall deposit with the Trust Corporation additional debentures to the amount required to replace the debentures which would have been deposited by the first-mentioned corporation in the proportions in which they are liable under the agreement to contribute to the cost of the construction and equipment of the railway and to working capital therefor.

Case of any corporation failing to pass by-law and execute agreement.

(2) Until a corporation has executed the agreement and deposited debentures with the Trust Corporation as required by this Act the Association or the Commission, as the case may be, shall not be bound to construct, equip, maintain or operate within the limits of the municipality any works provided for by the agreement, except such as may be necessary for the construction and equipment of the railway in passing through the municipality the corporation of which has failed to pass the necessary by-law and to execute the agreement to and from municipalities the corporations of which have executed the agreement and deposited debentures to the amounts stated therein. 9 Geo. V, c. 45, s. 9.

(3) *Amended.*

**10.**—(1) As soon as practicable after the by-laws and agreements have been approved of by the electors and the agreements executed the head of the council of that corporation which by the agreement is liable to contribute the largest sum to the cost of the construction and equipment and working capital of the railway shall by notice to each corporation fix a time and place for a meeting of the representatives of the corporations to elect the members of a Municipal Electric Railway Association for the construction, equipment and operation or the operation only of the railway as the case may be.

Meeting to elect association.

Appointment  
of repre-  
sentative.

(2) The council of each corporation shall by resolution appoint one of its members as its representative at such meeting, and such corporation shall be bound by the action of such representative at the meeting.

Chairman.  
and secre-  
tary.

(3) The representatives shall appoint one of themselves to preside at the meeting and another person, not a representative, to act as secretary.

Number of  
members  
and term  
of office.

(4) The Association shall consist of five members elected or appointed as hereinafter provided and each member shall hold office for five years and until his successor is elected or appointed.

Corporation  
contributing  
certain per-  
centages en-  
titled to  
elect one or  
two  
members.

(5) Each corporation which is liable under the agreement to contribute not less than 25 per cent. of the cost of the construction and equipment and working capital of the railway shall be entitled to nominate and elect one member of the Association, and a second member where it is liable to contribute not less than 50 per cent. of such cost, and such member or members shall be elected by by-law of the council.

Voting  
power.

(6) The voting power of each corporation for the election of the members other than those elected under subsection 5 shall be as follows:

One vote where the contribution of the corporation to the estimated cost does not exceed . . . . .	\$250,000
Two votes where it exceeds \$250,000 but does not exceed . . . . .	\$500,000
Three votes where it exceeds \$500,000 but does not exceed . . . . .	\$1,000,000
and one additional vote for each additional \$1,000,000 or fraction thereof which it is liable to contribute to such estimated cost.	

Majority in  
number and  
votes neces-  
sary to elect.

(7) A majority in number and votes of the representatives of the corporations shall be necessary in order to elect the members of the Association or the remaining members thereof in the case provided for by subsection 5.

Nominations  
in case of  
failure to  
elect and ap-  
pointment by  
by Lieut.-  
Gov. in  
Council.

(8) Where the corporations fail to elect the full number of members of the Association under the provisions of the preceding subsections, then the representatives of the corporations shall nominate one or more persons to complete the membership of the Association, such nominations to be made by not less than 25 per cent. of the representatives and 25 per cent. of the votes of the representatives of the

corporations, and the names of the persons so nominated shall be set out in a resolution of the meeting, certified by the Chairman and the Secretary of the meeting and submitted to the Lieutenant-Governor in Council and thereupon the Lieutenant-Governor in Council may appoint from such nominees the person or persons to complete the membership of the Association.

(9) The members so elected or appointed shall be a body corporate under the name of "The (name of railway) Municipal Electric Railway Association". Incorporation of Association.

(10) When and so often as a vacancy occurs in the office of a member of the Association the corporation in the case provided for by subsection 5, shall appoint and in other cases the representatives of the corporations shall elect in the manner provided by this section another person to fill the office for the remainder of the term. Vacancies.

(11) No member of the council of any of the corporations shall be eligible for appointment as a member of the Association. Member of Council not eligible.

(12) The Association at its first meeting shall appoint one of the members as chairman and another as vice-chairman, and a majority of the members shall form a quorum. Appointment of Chairman and Vice-Chairman

(13) The Chairman shall be paid a salary of \$4,000, the Vice-chairman \$3,000, and each of the other members \$2,000 yearly by the Association, or such other salary or remuneration as may be fixed by the agreement, or as may be agreed upon from time to time by a resolution of the Councils of a majority of the corporations. Salaries.

(14) Immediately after the close of each calendar year, the Association shall prepare and report to the council of each of the corporations interested and publish a complete, audited and certified statement of its affairs including revenue and expense account, balance sheet and profit and loss statement, and such statement shall be accompanied by a general report of the operations of the Association during the year and a certificate from a competent engineer as to the physical condition of the railway and its equipment and as to the adequacy and sufficiency of the funds set apart for any renewals and replacements. Annual report of association to council of each corporation.

**11.** The Association shall appoint a Trust Corporation with which the debentures of the corporations shall be deposited as required by this Act and shall notify each of the corporations of the appointment. Appointment of Trust Corporation.

Issue and  
deposit of  
debentures  
with Trust  
Corporation.

**12.**—(1) Each of the corporations shall issue and deposit with the Trust Corporation named by the Association, debentures to the amount apportioned as its share of the cost of the construction and equipment and of working capital of the railway and such debentures shall be payable at the expiration of 44 years from the date of the agreement and bear interest at the rate of  $4\frac{1}{2}\%$  per annum payable semi-annually.

Issue and  
deposit of  
further  
debentures.

(2) Each of the corporations shall also from time to time thereafter upon the requisition in writing of the Association and in the proportions fixed by the agreement, issue and deposit with the Trust Corporation such further debentures payable at the same time and bearing the same rate of interest as may be necessary to permit the Association to raise the moneys,

- (a) for completion of the construction and equipment and for working capital;
- (b) for the construction and equipment and working capital of any extension of the railway if the agreement provides for extensions;
- (c) for the construction of branch lines, sidings, permanent works and betterments and of additional equipment, in all not exceeding ten per cent. of the estimated cost if the construction and equipment and the working capital of the railway as fixed by the agreement;
- (d) to cover any loss by discount on the sale of the bonds of the Association.

Debentures  
to be  
collateral  
security to  
bonds of  
Association.

(3) The debentures so issued shall be held by the Trust Corporation as collateral security for all bonds issued by the Association to meet the cost of construction and equipment and for working capital of the railway, but whenever interest upon the bonds issued by the Association as hereinafter authorized shall be paid by the Association the corresponding interest coupons attached to the debentures deposited by the corporations with the Trust Corporation shall be delivered up by the Trust Corporation for cancellation to all such of the corporations as shall not be in default in respect of their obligations to and agreements with the Association.



13.—(1) The Association may raise money for the construction and equipment and for working capital of the railway by the issue for and on behalf of the Association of bonds payable at the expiration of 44 years from the date of the agreement and bearing interest at the rate of  $4\frac{1}{2}\%$  per annum payable semi-annually. Bonds of Association.

(2) The Association may also from time to time issue further bonds payable at the same time and bearing interest at the said rate Issue of further bonds.

- (a) to cover any additional costs above estimates of such construction and equipment and for working capital of the railway;
- (b) for the construction and equipment and working capital of any extension of the railway if the agreement provides for extensions;
- (c) for the construction of branch lines, sidings, permanent works and betterments and for additional equipment in all not exceeding ten per cent. of the estimated cost of the construction and equipment and the working capital of the railway as fixed by the agreement;
- (d) to cover any loss by discount on the sale of the bonds of the Association.

(3) All bonds issued by the Association shall rank *pari passu* and shall bear on their face the corporate name of the Association and the amount of the bonds which may be issued by the Association shall not at any time exceed the amount of debentures deposited by the corporations with the Trust Corporation as collateral security for such bonds. Bonds not to exceed debentures and to rank *pari passu*.

(4) The Association shall secure such bonds by a Deed of Trust creating a charge in favour of the Trust Corporation on the Railway and all the assets, rights privileges, revenue, works, property and effects belonging thereto or held in connection therewith, and also upon the debentures of the corporations deposited with the Trust Corporation as collateral to the bonds of the Association. Mortgage deed securing bonds.

(5) Subject to the payment of the working expenditures of the railway and to any prior charge or encumbrance in the case of a railway which has been purchased the bonds of the Association shall be a first preferential Bonds first charge on railway with exceptions.

claim and charge upon the railway and all the assets, rights, privileges, revenue, works, property and effects belonging thereto or held or used in connection therewith.

Enforcement  
of payment  
of bonds.

(6) No proceeding shall be taken to enforce payment of such bonds or of the interest thereon except through the Trust Corporation under the provisions of the said Deed of Trust.

Raising of  
sinking  
fund de-  
layed for  
certain  
period.

(7) The bonds shall be payable at the same time as the debentures of the corporations but it shall not be necessary for the Association to raise or provide any sinking fund for the retirement of the bonds until after the expiration of two years from the date of the commencement of the operation of the railway or until after the expiration of five years from the date of the agreement whichever shall be the shorter period.

Relief of  
corporations  
where bonds  
purchased  
out of  
sinking funds.

(8) When bonds issued by the Association shall be purchased out of sinking fund and cancelled the corporations shall be relieved by the Trust Corporation of liability in respect of the debentures deposited by them with the Trust Corporation to a similar extent, and when convenient so to do debentures of the corporations in such amounts may be delivered up to them by the Trust Corporation for cancellation.

Hypothecation  
of bonds.

(9) During the course of construction and equipment of the railway the Association may in lieu of selling its bonds raise money from time to time to meet the cost of such construction and equipment by borrowing upon the bonds authorized to be issued by it, and the Association may hypothecate such bonds or any part thereof for such purposes.

Sinking fund  
plan only.

**15.** All debentures of the corporations and all bonds of the Commission shall be issued repayable on the sinking fund plan.

Assumption  
of bonded  
debt in case  
of railway  
purchased.

**16.** Where a railway or any part thereof is purchased and any bonds, debts or obligations shall stand charged against or upon it the Association may assume such bonds, debts and obligations as part of the purchase price to be paid for such railway or part thereof. If the Association shall assume and agree to pay such bonds or debts the corporations shall deposit with the Trust Corporation in the proportions fixed by the agreement debentures to the amount of the debts assumed, bearing the same rate of interest and maturing at the same time as other debentures

of the corporations deposited or to be deposited with the Trust Corporation.

**17.** The Association shall so regulate and fix all tolls, tariffs of tolls and fares for the carriage of passengers and freight that the revenue derived therefrom in each year will be sufficient to provide for

Requirement as to fixing tolls and fares.

- (a) the cost of maintenance and operation of the railway including the cost of the supply of electrical power or energy and the cost of administration;
- (b) the cost of making such renewals and replacements as are properly chargeable to revenue;
- (c) the payment of the interest on and in due course of the principal of any mortgage, encumbrance or debt forming a lien or charge on the property and works of a railway purchased under the provisions of this Act, and
- (d) the payment of the interest on and the formation by the Association of a sinking fund sufficient to retire all outstanding bonds of the Association at maturity.

*New.*

**18.**—(1) If in any year such revenue is more than sufficient to satisfy the costs, charges and payments mentioned in section 17, the Association may pay over the surplus to the corporations, parties to the agreement, in the proportions fixed thereby or may apply such surplus to meet the cost of the construction of branch lines, sidings, permanent works, and betterments, and of additional equipment or may retain such surplus as a reserve fund to meet the cost of future operation or to meet contingencies.

Application of surplus revenue.

(2) If in any year such revenue and any accumulated surplus revenue from prior periods is insufficient to satisfy the costs, charges and payments mentioned in section 17, the Association shall within one month following the termination of such year make demand upon the corporations to provide and pay over to the Association such sum as shall be necessary to make up the deficiency and the council of each of the said corporations shall forthwith raise and pay over to the Association its proportion, as

Corporations to meet deficits in operations.

fixed by the agreement, of such sum, together with interest thereon at the rate of 6% per annum from the date of demand for payment thereof by the Association.

Apportionment by association.

(3) The Association shall from time to time adjust and apportion the amounts payable to the corporations under subsection 1 or by the corporations under subsection 2 and such adjustment and apportionment shall be final and binding upon the corporations.

Investment of sinking funds.

**19.** All sinking funds shall be paid over to and be invested by the Trust Corporation in bonds of the Dominion of Canada or Province of Ontario or in bonds of the Association which prior thereto had been sold by the Association and all bonds of the Association so purchased out of sinking fund shall be cancelled by the Trust Corporation.

Borrowing powers—debentures not to be counted.

**20.** Any debentures issued under the authority of this Act shall not be included in ascertaining the limit of the borrowing powers of the corporations as prescribed by *The Municipal Act* or by any other general or special Act. 6 Geo. V, c. 37, s. 8; 7 Geo. V, c. 27, s. 32. *Amended.*

Extension into adjacent municipality.

**21.—**(1) Where the agreement so provides the Association with the consent expressed by by-law of each of the corporations, parties to the agreement, which may be passed without the assent of the electors may enter into an agreement with the corporation of any adjacent municipality for the extension of the railway into such adjacent municipality.

Submission to electors.

(2) The council of such adjacent municipality shall submit, to the vote of the electors qualified to vote on money by-laws, a by-law approving of the agreement and directing its execution as required in the case of a by-law and agreement for the construction and equipment of a railway.

Application of Act to extensions.

(3) The provisions of this Act relating to the construction, equipment and operation of the railway shall apply to the construction, equipment and operation of such extension.

Payment of debentures and bonds.

(4) All debentures of the corporations and all bonds of the Association issued for the construction, equipment and working capital of such extension shall be payable at the same time as the debentures and bonds issued for the construction and equipment of the railway.

(5) After the corporation of such adjacent municipality has deposited debentures with the Trust Corporation to meet its portion of the cost of the construction, equipment and for the working capital of the extension it shall be deemed to be a party to the agreement for the construction and equipment of the railway.

Adjacent municipality as party to original agreement.

**22.** The Association or the Commission may construct and equip or the Association may construct, equip, maintain and operate the railway as provided by the agreement and for that purpose, subject to the provisions of section 24, the Association or the Commission shall have and may exercise all the powers, rights, immunities and privileges of a company incorporated by special Act for the construction and operation of a railway under *The Ontario Railway Act*, so far as the same are applicable.

Powers as to construction and operation. Rev. Stat. c. 185.

4 Geo. V, c. 31, s. 12. *Amended.*

**23.**—(1) The Association may enter into an agreement with the Commission for the operation of the railway by the Commission as its agent for a period not exceeding five years but such agreement may be renewed from time to time for further periods not exceeding five years at any one time.

Provision for operation by Commission.

(2) Where such an agreement is made the Commission shall maintain separate and distinct books and accounts with respect to the operation of the railway and all moneys received by it in connection with such operation shall be kept in a separate bank account and shall not be merged or mixed with the funds of the Commission derived from any other sources.

Separate books of accounts to be kept.

**24.**—(1) Where land is required for any of the purposes for which land may be acquired or expropriated under *The Ontario Railway Act* the Association or the Commission, as provided by the agreement, shall in respect thereof have the powers and shall proceed in the manner provided by *The Ontario Public Works Act*, where the Minister of Public Works takes land or property for the use of Ontario and the provisions of the said last mentioned Act shall, *mutatis mutandis*, apply.

Expropriation of land—application of Rev. Stat. c. 35.

(2) Where compensation would be payable upon the exercise of any powers by the Association or the Commission under *The Ontario Railway Act* the same shall be determined in the manner provided by *The Ontario Public Works Act*.

Compensation.

Provisions of  
Rev. Stat.  
c.185, how  
far applicable.

**25.** Sections 66 to 69 and section 210 of *The Ontario Railway Act* shall not apply to the Association or the Commission or to any railway constructed, purchased or operated under the authority of this Act, but the construction, equipment and operation of such railway by the Association or Commission shall be in accordance with the provisions of *The Ontario Railway Act* except where they are inconsistent with the provisions of this Act.

No action  
against  
Commission  
without  
flat of  
Att'y-Gen.

**26.** No action or prosecution shall be brought against the Commission or any member thereof or any of its officers without the consent of the Attorney-General of Ontario for anything done under this Act, but this shall not apply to an Association. 4 Geo. V, c. 13, s. 15.

Province or  
Commission  
not liable  
for errors  
in estimates.

**27.** The Province shall not nor shall the Commission, or any member thereof incur any liability by reason of any error or omission in any estimates, plans or specifications prepared or furnished by the Commission.

Corporation  
not to sell  
any railway  
without  
assent of  
electors.

**28.**—(1) Notwithstanding anything contained in any general or special Act heretofore passed by this Legislature, a corporation shall not sell or otherwise dispose of any electric railway or street railway owned by it or of which it has acquired control by foreclosure or other proceedings or under the provisions of any special Act, unless and until a by-law authorizing such sale or other disposal has been submitted to and has received the assent of the electors qualified to vote on money by-laws according to the provisions of *The Municipal Act*. 6 Geo V, c. 37, s. 4.

Rev. Stat.  
c. 192.

(2) Every agreement or arrangement entered into by a corporation in violation of subsection 1 shall be null and void. 9 Geo. V, c. 45, s. 8, (2).

Repeal.

**29.** The following Acts and parts of Acts are hereby repealed:

*The Hydro-Electric Railway Act, 1914.* (4 Geo. V, Chapter 31.) The Whole.

*The Hydro-Electric Railway Act, 1915.* (5 Geo. V, Chapter 32.) Section 2.

*The Hydro-Electric Railway Act, 1916.* (6 Geo. V, Chapter 37.) Sections 2, 3, 4, and 8.

*The Statute Law Amendment Act, 1917.* (7 Geo. V,  
Chapter 27.) Section 32.

*The Hydro-Electric Railway Act, 1919.* (9 Geo. V,  
Chapter 45.) Sections 8 and 9.

*The Hydro-Electric Railway Act, 1920.* (10-11 Geo.  
V, Chapter 57.) Sections 2, 3, 4, 5 and 6. *New.*

**30.** This Act shall come into force and take effect on  
the day on which it receives the Royal Assent. Commence-  
ment of Act.

3rd Session, 15th Legislature,  
12 George V, 1922.

BILL.

An Act respecting the Construction and  
Operation of Municipal Electric Railways.

1st Reading,	16th March,	1922.
2nd Reading,		1922.
3rd Reading,		1922.

MR. DUBRY.



No. 100.

1922.

# BILL

## An Act respecting the Construction and Operation of Municipal Electric Railways.

**H**IS MAJESTY, by and with the advice and consent of  
the Legislative Assembly of the Province of Ontario,  
enacts as follows:—

**1.** This Act may be cited as *The Municipal Electric Railway Act, 1922.* 4 Geo. V, c. 31, s. 1. *Amended.* Short title.

**2.** In this Act,

Interpreta-  
tion.

- (a) "Association" shall mean "Municipal Electric Railway Association." *New.* "Association."
- (b) "Commission" shall mean "Hydro Electric Power Commission of Ontario." "Commission."
- (c) "Corporation" "corporations" shall mean a municipal corporation or municipal corporations other than the municipal corporation of a county. 4 Geo V, c. 31, s. 2. "Corporation."
- (d) "Trust Corporation" shall include "Trust Company." *New.* "Trust Corporation."

**3.** On the request expressed by resolution of the corporations of two or more municipalities situate in any locality in which electrical power or energy may be supplied by the Commission under *The Power Commission Act*, the Commission as the agent of such corporations and at the expense of such corporations, may enquire into, examine, investigate and report upon: Investiga-  
tion and  
report by  
Commission.

- (a) The cost of constructing, equipping and operating an electric railway in such *locality* including a sum for working capital and a sum to cover any probable loss by discount on the sale of the bonds of the Association;
- (b) The municipalities, which will be served by such railway;
- (c) The population of each of such *last mentioned* municipalities as shown by the last enumeration thereof by the assessors;
- (d) An estimate *including the rates and fares proposed to be charged*, of the probable revenue from the railway;
- (e) The practicability of the undertaking and its economic value to the locality to be served by it. 4 Geo. V, c. 31, s. 3. *Amended.*

Agreement  
among  
corporations  
for con-  
struction and  
operation.

4.—(1) Such corporations may enter into an agreement (Form 1), with each other, for the construction, equipment and operation of an electric railway to be operated by electrical power or energy supplied by the Commission.

What agree-  
ment shall  
set out.

(2) The agreement shall provide for:

- (a) The location of the line of railway;
- (b) The character of the construction and of the equipment to be furnished;
- (c) The proportions in which the cost of construction and equipment, and the working capital of the railway shall be borne by each corporation;
- (d) The issuing of debentures by the corporations and their deposit with a Trust Corporation as collateral security for any bonds which may be issued by the Association to meet the cost of construction and equipment of the railway and to provide working capital therefor;
- (e) The terms and conditions on which electrical power or energy shall be supplied by the Commission for the operation of the railway;
- (f) The construction and equipment of the railway either by the Association or by the Commission;

- (g) The entrustment of the management and operation of the railway to the Association to be appointed or elected as hereinafter provided;

(3) The agreement may provide for:

- (a) The construction of the railway upon any right of way acquired by the Commission for the transmission of electrical power or energy under *The Power Commission Act*, and the amount chargeable to the railway by way of rental or otherwise for the use of such right of way; 4 Geo. V, c. 31, s. 4. *Amended.*

What agreement may set out.

- (b) The acquiring by purchase or lease of any steam, electric or street railway situate within one or more of such municipalities or any part or parts of any steam, electric or street railway which are situate within one or more of such municipalities and are capable of forming part of the proposed railway system for the service of such municipalities, or the obtaining of running rights over the same;

- (c) The extension of the railway into any adjacent municipality under an agreement to be made between the Association and the corporation of such municipality with the approval of the corporations parties to the agreement. *New.*

5. Before the submission of the by-law to the electors as provided in section 7 the corporations shall without the assent of the electors enter into an agreement with the Commission, conditioned on the assent of the electors of each of the municipalities being obtained to the agreement mentioned in section 4

Agreement with Commission as to certain matters.

- (a) For the supply by the Commission of the electrical power or energy required for the operation of the railway; and,
- (b) For the construction and equipment of the railway and any extension thereof by the Commission, if construction and equipment is to be by the Commission; *and*
- (c) For the construction of the railway upon any right of way as set out in subsection 3 of section 4. *New*

Provisions  
as to con-  
struction to  
apply to  
purchase.

**6.**—(1) Except where otherwise expressly provided, the provisions of this Act relating to the construction of a railway and to the equipment, maintenance and operation of it shall apply to the purchase of a railway or any part or parts thereof and the provisions of this Act relating to maintenance and operation shall apply to a railway or any part or parts thereof leased. *New.*

Operation  
by electri-  
cal power.

(2) Where a steam railway or part thereof is purchased or leased it shall be operated by electrical power or energy supplied by the Commission under *The Power Commission Act.* *New.*

Submission  
of by-law  
approving  
of agree-  
ment.

**7.**—(1) The council of each of the corporations interested shall submit to the vote of the electors qualified to vote on money by-laws, a by-law approving of the agreement and directing its execution, and if a majority of the electors voting thereon vote in favour of the by-law, the council shall pass the same and the agreement shall be executed as directed by the by-law.

Publication  
of by-law  
and agree-  
ment.

(2) The by-law shall not be voted upon by the electors until the by-law and agreement have been published in the manner provided by *The Municipal Act* in the case of money by-laws, at least once a week for four successive weeks. 6 Geo. V, c. 37, s. 2, part; 10-11 Geo. V, c. 57, s. 2. *Amended.*

Recitals  
in by-law.

**8.** The by-law submitted to the electors shall recite:

- (a) The estimated cost of the construction and equipment of the railway including a sum for working capital;
- (b) The portion of such cost to be borne by the corporation;
- (c) The total annual amount estimated to be required for the maintenance and operation of the railway and for sinking fund charges and interest;
- (d) The portion of such amount to be borne by the corporation; 4 Geo. V, c. 31, s. 5.
- (e) The estimated probable revenue from the railway.

**9.**—(1) Where any corporation *or corporations* named as party *or parties* to the agreement *have* failed to pass the necessary by-law and to execute the agreement, and the amount for which such corporation *or corporations* would be liable under the agreement does not exceed *fifteen* per cent. of the estimated cost of the construction and equipment of the railway and of the amount to be provided for working capital and the remaining corporations, parties to the agreement, have by resolution of their respective councils, expressed the desire to proceed with the undertaking notwithstanding the failure of such first-mentioned corporation *or corporations* to execute the agreement, the Association or the Commission, as the case may be, may proceed with the construction and equipment of the railway, and in such case the corporations which have executed the agreement shall *without the assent of the electors* deposit with the Trust Corporation additional debentures to the amount required to replace the debentures which would have been deposited by the first-mentioned corporation *or corporations* in the proportions in which they are liable under the agreement to contribute to the cost of the construction and equipment of the railway and to working capital therefor.

Case of any corporation failing to pass by-law and execute agreement.

(2) Until a corporation has executed the agreement and deposited debentures with the Trust Corporation as required by this Act the Association or the Commission, as the case may be, shall not be bound to construct, equip, maintain or operate within the limits of the municipality any works provided for by the agreement, except such as may be necessary for the construction and equipment of the railway in passing through the municipality the corporation of which has failed to pass the necessary by-law and to execute the agreement to and from municipalities the corporations of which have executed the agreement and deposited debentures to the amounts stated therein. 9 Geo. V, c. 45, s. 9.

(3) *Amended.*

**10.**—(1) As soon as practicable after the by-laws and agreements have been approved of by the electors and the agreements executed the head of the council of that corporation which by the agreement is liable to contribute the largest sum to the cost of the construction and equipment and working capital of the railway shall by notice to each corporation fix a time and place for a meeting of the representatives of the corporations to elect the members of a Municipal Electric Railway Association for the construction, equipment and operation or the operation only of the railway as the case may be, *and a meeting for the election of a successor or successors shall be called in like manner.*

Meeting to elect association.

Appointment  
of repre-  
sentative.

(2) The council of each corporation shall by resolution appoint one of its members as its representative at such meeting, and such corporation shall be bound by the action of such representative at the meeting.

Chairman.  
and secre-  
tary.

(3) The representatives shall appoint one of themselves to preside at the meeting and another person, not a representative, to act as secretary.

Number of  
members  
and term  
of office.

(4) The Association shall consist of five members elected or appointed as hereinafter provided and each member shall hold office for *three* years and until his successor is elected or appointed.

Corporation  
contributing  
certain per-  
centages en-  
titled to  
elect one or  
two  
members.

(5) Each corporation which is liable under the agreement to contribute not less than 25 per cent. of the cost of the construction and equipment and working capital of the railway shall be entitled to nominate and elect one member of the Association, and a second member where it is liable to contribute not less than 50 per cent. of such cost, and such member or members shall be elected by by-law of the council.

Voting  
power.

(6) The voting power of each corporation for the election of the members other than those elected under subsection 5 shall be as follows:

One vote where the contribution of the  
corporation to the estimated cost does not  
exceed . . . . . \$250,000

Two votes where it exceeds \$250,000 but  
does not exceed . . . . . \$500,000

Three votes where it exceeds \$500,000 but  
does not exceed . . . . . \$1,000,000

and one additional vote for each additional  
\$1,000,000 or fraction thereof which it is  
liable to contribute to such estimated cost.

Majority in  
number and  
votes neces-  
sary to elect.

(7) A majority in number and votes of the representatives of the corporations shall be necessary in order to elect the members of the Association or the remaining members thereof in the case provided for by subsection 5.

Nominations  
in case of  
failure to  
elect and ap-  
pointment by  
by Lieut.-  
Gov. in  
Council.

(8) Where the corporations fail to elect the full number of members of the Association under the provisions of the preceding subsections, then the representatives of the corporations shall nominate one or more persons to complete the membership of the Association, such nominations to be made by not less than 25 per cent. of the representatives and 25 per cent. of the votes of the representatives of the

corporations, and the names of the persons so nominated shall be set out in a resolution of the meeting, certified by the Chairman and the Secretary of the meeting and submitted to the Lieutenant-Governor in Council and thereupon the Lieutenant-Governor in Council may appoint from such nominees the person or persons to complete the membership of the Association.

(9) The members so elected or appointed shall be a body corporate under the name of "The (name of railway) Municipal Electric Railway Association". Incorporation of Association.

(10) When and so often as a vacancy occurs in the office of a member of the Association *by death, resignation, or any other cause*, the corporation in the case provided for by subsection (5), shall appoint, and in other cases the representatives of the corporations shall elect, in the manner provided by this section another person to fill the office for the remainder of the term. *A member of the Association may resign his office by filing a notice thereof with the secretary of the Association.* Vacancies.

(11) No member of the council of any of the corporations shall be eligible for appointment as a member of the Association. Member of Council not eligible.

(12) The Association at its first meeting shall appoint one of the members as chairman and another as vice-chairman, and a majority of the members shall form a quorum. Appointment of Chairman and Vice-Chairman

(13) The Chairman, the Vice-chairman and each of the other members of the Association may be paid such salary or remuneration as may be fixed by the agreement, or as may be agreed upon from time to time by a resolution of the Councils of a majority of the corporation. *and in case no salary or remuneration is so fixed or agreed upon, the Chairman shall be paid a salary of \$4,000, the Vice-chairman \$3,000, and each of the other members \$2,000 yearly by the Association.* Salaries.

(14) Immediately after the close of each calendar year, the Association shall prepare and report to the council of each of the corporations interested and publish a complete, audited and certified statement of its affairs including revenue and expense account, balance sheet and profit and loss statement, and such statement shall be accompanied by a general report of the operations of the Association during the year and a certificate from a competent engineer as to the physical condition of the railway and its equipment and as to the adequacy and sufficiency of the funds set apart for any renewals and replacements. Annual report of association to council of each corporation.

**11.** The Association shall appoint a Trust Corporation with which the debentures of the corporations shall be deposited as required by this Act and shall notify each of the corporations of the appointment. Appointment of Trust Corporation.

Issue and  
deposit of  
debentures  
with Trust  
Corporation.

**12.**—(1) Each of the corporations shall issue and deposit with the Trust Corporation named by the Association, debentures to the amount apportioned as its share of the cost of the construction and equipment and of working capital of the railway and such debentures shall be payable at the expiration of 44 years from the date of the agreement and bear interest at the rate of  $4\frac{1}{2}\%$  per annum payable semi-annually.

Issue and  
deposit of  
further  
debentures.

(2) Each of the corporations shall also from time to time thereafter upon the requisition in writing of the Association and in the proportions fixed by the agreement, issue and deposit with the Trust Corporation such further debentures payable at the same time and bearing the same rate of interest as may be necessary to permit the Association to raise the moneys,

- (a) *to cover any additional costs above estimate of such construction and equipment and for working capital of the railway;*
- (b) *for the construction and equipment and working capital of any extension of the railway if the agreement provides for extensions;*
- (c) *for the construction of branch lines, sidings, permanent works and betterments and of additional equipment, in all not exceeding ten per cent. of the estimated cost of the construction and equipment and the working capital of the railway as fixed by the agreement;*
- (d) *to cover any loss by discount on the sale of the bonds of the Association.*

Debentures  
to be  
collateral  
security to  
bonds of  
Association.

(3) The debentures so issued shall be held by the Trust Corporation as collateral security for all bonds issued by the Association to meet the cost of construction and equipment and for working capital of the railway, but whenever interest upon the bonds issued by the Association as hereinafter authorized shall be paid by the Association the corresponding interest coupons attached to the debentures deposited by the corporations with the Trust Corporation shall be delivered up by the Trust Corporation for cancellation to all such of the corporations as shall not be in default in respect of their obligations to and agreements with the Association.



**13.**—(1) The Association may raise money for the construction and equipment and for working capital of the railway by the issue for and on behalf of the Association of bonds payable at the expiration of 44 years from the date of the agreement and bearing interest at the rate of  $4\frac{1}{2}\%$  per annum payable semi-annually. Bonds of Association.

(2) The Association may also from time to time issue further bonds payable at the same time and bearing interest at the said rate Issue of further bonds.

- (a) to cover any additional costs above estimates of such construction and equipment and for working capital of the railway;
- (b) for the construction and equipment and working capital of any extension of the railway if the agreement provides for extensions;
- (c) for the construction of branch lines, sidings, permanent works and betterments and for additional equipment in all not exceeding ten per cent. of the estimated cost of the construction and equipment and the working capital of the railway as fixed by the agreement;
- (d) to cover any loss by discount on the sale of the bonds of the Association.

(3) All bonds issued by the Association shall rank *pari passu* and shall bear on their face the corporate name of the Association and the amount of the bonds which may be issued by the Association shall not at any time exceed the amount of debentures deposited by the corporations with the Trust Corporation as collateral security for such bonds. Bonds not to exceed debentures and to rank *pari passu*.

(4) The Association shall secure such bonds by a Deed of Trust creating a charge in favour of the Trust Corporation on the railway and all the assets, rights, privileges, revenue, works, property and effects belonging thereto or held in connection therewith, and also upon the debentures of the corporations deposited with the Trust Corporation as collateral to the bonds of the Association. Mortgage deed securing bonds.

(5) Subject to the payment of the working expenditures of the railway and to any prior charge or encumbrance in the case of a railway which has been purchased the bonds of the Association shall be a first preferential Bonds first charge on railway with exceptions.

claim and charge upon the railway and all the assets, rights, privileges, revenue, works, property and effects belonging thereto or held or used in connection therewith.

Enforcement  
of payment  
of bonds.

(6) No proceeding shall be taken to enforce payment of such bonds or of the interest thereon except through the Trust Corporation under the provisions of the said Deed of Trust.

Raising of  
sinking  
fund de-  
layed for  
certain  
period.

(7) The bonds shall be payable at the same time as the debentures of the corporations but it shall not be necessary for the Association to raise or provide any sinking fund for the retirement of the bonds until after the expiration of *three* years from the date of the commencement of the operation of the railway or until after the expiration of five years from the date of the agreement whichever shall be the shorter period.

Relief of  
corporations  
where bonds  
purchased  
out of  
sinking funds.

(8) When bonds issued by the Association shall be purchased out of sinking fund and cancelled the corporations shall be relieved by the Trust Corporation of liability in respect of the debentures deposited by them with the Trust Corporation to a similar extent, and when convenient so to do debentures of the corporations in such amounts may be delivered up to them by the Trust Corporation for cancellation.

Hypothecation  
of bonds.

(9) During the course of construction and equipment of the railway the Association may in lieu of selling its bonds raise money from time to time to meet the cost of such construction and equipment by borrowing upon the bonds authorized to be issued by it, and the Association may hypothecate such bonds or any part thereof for such purposes.

Sinking fund  
plan only.

**15.** All debentures of the corporations and all bonds of the Commission shall be issued repayable on the sinking fund plan.

Assumption  
of bonded  
debt in case  
of railway  
purchased.

**16.** Where a railway or any part thereof is purchased and any bonds, debts or obligations shall stand charged against or upon it the Association may assume such bonds, debts and obligations as part of the purchase price to be paid for such railway or part thereof. If the Association shall assume and agree to pay such bonds or debts the corporations shall deposit with the Trust Corporation in the proportions fixed by the agreement debentures to the amount of the debts assumed, bearing the same rate of interest and maturing at the same time as other debentures

of the corporations deposited or to be deposited with the Trust Corporation.

**17.** The Association shall so regulate and fix all tolls, tariffs of tolls and fares for the carriage of passengers and freight that the revenue derived therefrom in each year will be sufficient to provide for Requirement as to fixing tolls and fares.

- (a) the cost of maintenance and operation of the railway including the cost of the supply of electrical power or energy and the cost of administration;
  - (b) the cost of making such renewals and replacements as are properly chargeable to revenue;
  - (c) the payment of the interest on and in due course of the principal of any mortgage, encumbrance or debt forming a lien or charge on the property and works of a railway purchased under the provisions of this Act, and
  - (d) the payment of the interest on and the formation by the Association of a sinking fund sufficient to retire all outstanding bonds of the Association at maturity.
- New.*

**18.—(1)** If in any year such revenue is more than sufficient to satisfy the costs, charges and payments mentioned in section 17, the Association may pay over the surplus to the corporations, parties to the agreement, in the proportions fixed thereby or may apply such surplus to meet the cost of the construction of branch lines, sidings, permanent works, and betterments, and of additional equipment or may retain such surplus as a reserve fund to meet the cost of future operation or to meet contingencies. Application of surplus revenue.

**(2)** If in any year such revenue and any accumulated surplus revenue from prior periods is insufficient to satisfy the costs, charges and payments mentioned in section 17, the Association shall within one month following the termination of such year make demand upon the corporations to provide and pay over to the Association such sum as shall be necessary to make up the deficiency and the council of each of the said corporations shall forthwith raise and pay over to the Association its proportion, as Corporations to meet deficits in operations.

fixed by the agreement, of such sum, together with interest thereon at the rate of 6% per annum from the date of demand for payment thereof by the Association.

Apportionment by Association.

(3) The Association shall from time to time adjust and apportion the amounts payable to the corporations under subsection 1 or by the corporations under subsection 2 and such adjustment and apportionment shall be final and binding upon the corporations.

Investment of sinking funds.

19. All sinking funds shall be paid over to and be invested by the Trust Corporation in bonds of the Dominion of Canada or Province of Ontario or in bonds of the Association which prior thereto had been sold by the Association and all bonds of the Association so purchased out of sinking fund shall be cancelled by the Trust Corporation.

Borrowing powers—debentures not to be counted.

20. Any debentures issued under the authority of this Act shall not be included in ascertaining the limit of the borrowing powers of the corporations as prescribed by *The Municipal Act* or by any other general or special Act. 6 Geo. V, c. 37, s. 8; 7 Geo. V, c. 27, s. 32. *Amended.*

Extension into adjacent municipality.

21.—(1) Where the agreement so provides the Association with the consent expressed by by-law of each of the corporations, parties to the agreement, which may be passed without the assent of the electors may enter into an agreement with the corporation of any adjacent municipality for the extension of the railway into such adjacent municipality.

Submission to electors.

(2) The council of such adjacent municipality shall submit, to the vote of the electors qualified to vote on money by-laws, a by-law approving of the agreement and directing its execution as required in the case of a by-law and agreement for the construction and equipment of a railway.

Application of Act to extensions.

(3) The provisions of this Act relating to the construction, equipment and operation of the railway shall apply to the construction, equipment and operation of such extension.

Payment of debentures and bonds.

(4) All debentures of the corporations and all bonds of the Association issued for the construction, equipment and working capital of such extension shall be payable at the same time as the debentures and bonds issued for the construction and equipment of the railway.

(5) After the corporation of such adjacent municipal- Adjacent municipality as party to original agreement.  
ity has deposited debentures with the Trust Corporation to meet its portion of the cost of the construction, equipment and of the working capital of the extension it shall be deemed to be a party to the agreement for the construction and equipment of the railway.

22. The Association or the Commission may construct and equip or the Association may construct, equip, maintain and operate the railway as provided by the agreement and for that purpose, subject to the provisions of section 24, the Association or the Commission shall have and may exercise all the powers, rights, immunities and privileges of a company incorporated by special Act for the construction and operation of a railway under *The Ontario Railway Act*, so far as the same are applicable. Powers as to construction and operation.  
c. 185.  
Rev. Stat.  
4 Geo. V, c. 31, s. 12. *Amended.*

23.—(1) The Association may enter into an agreement with the Commission for the operation of the railway by the Commission as its agent for a period not exceeding five years but such agreement may be renewed from time to time for further periods not exceeding five years at any one time. Provision for operation by Commission.

(2) Where such an agreement is made the Commission shall maintain separate and distinct books and accounts with respect to the operation of the railway and all moneys received by it in connection with such operation shall be kept in a separate bank account and shall not be merged or mixed with the funds of the Commission derived from any other sources. books of accounts to be kept.

24.—(1) Where land is required for any of the purposes for which land may be acquired or expropriated under *The Ontario Railway Act* the Association or the Commission, as provided by the agreement, shall in respect thereof have the powers and shall proceed in the manner provided by *The Ontario Public Works Act*, where the Minister of Public Works takes land or property for the use of Ontario and the provisions of the said last mentioned Act shall, *mutatis mutandis*, apply. Expropriation of land—application of Rev. Stat. c. 35.

(2) Where compensation would be payable upon the exercise of any powers by the Association or the Commission under *The Ontario Railway Act* the same shall be determined in the manner provided by *The Ontario Public Works Act*. Compensation.

Provisions of  
Rev. Stat.  
c.185, how  
far applicable.

**25.** Sections 66 to 69 and section 210 of *The Ontario Railway Act* shall not apply to the Association or the Commission or to any railway constructed, purchased or operated under the authority of this Act, but the construction, equipment and operation of such railway by the Association or Commission shall be in accordance with the provisions of *The Ontario Railway Act* except where they are inconsistent with the provisions of this Act.

No action  
against  
Commission  
without  
fiat of  
Att'y-Gen.

**26.** No action or prosecution shall be brought against the Commission or any member thereof or any of its officers without the consent of the Attorney-General of Ontario for anything done under this Act, but this shall not apply to an Association. 4 Geo. V, c. 13, s. 15.

Province or  
Commission  
not liable  
for errors  
in estimates.

**27.** The Province shall not nor shall the Commission, or any member thereof incur any liability by reason of any error or omission in any estimates, plans or specifications prepared or furnished by the Commission.

Corporation  
not to sell  
any railway  
without  
assent of  
electors.

**28.**—(1) Notwithstanding anything contained in any general or special Act heretofore passed by this Legislature, a corporation shall not sell or otherwise dispose of any electric railway or street railway owned by it or of which it has acquired control by foreclosure or other proceedings or under the provisions of any special Act, unless and until a by-law authorizing such sale or other disposal has been submitted to and has received the assent of the electors qualified to vote on money by-laws according to the provisions of *The Municipal Act*. 6 Geo V, c. 37, s. 4.

Rev. Stat.  
c. 192.

Repeal.

(2) Every agreement or arrangement entered into by a corporation in violation of subsection 1 shall be null and void. 9 Geo. V, c. 45, s. 8, (2).



**29.**—(1) Subject to the provisions of subsections 3 and 4, the following Acts and parts of Acts are hereby repealed;

*The Hydro-Electric Railway Act, 1914.* (4 Geo. V, Chapter 31.) The Whole.

*The Hydro-Electric Railway Act, 1915.* (5 Geo. V, Chapter 32.) The Whole.

*The Hydro-Electric Railway Act, 1916.* (6 Geo. V, Chapter 37.) The Whole.

*The Statute Law Amendment Act, 1917.* (7 Geo. V, Chapter 27.) Section 32.

*The Hydro-Electric Railway Act, 1919.* (9 Geo. V, Chapter 45.) The Whole.

*The Hydro-Electric Railway Act, 1920.* (10-11 Geo. V, Chapter 57.) Sections 2, 3, 4, 5, 6 and 7 and that part of section 8 relating to The Toronto and Eastern Railway. *New.*

(2) All by-laws heretofore passed by municipal corporations and all agreements made between municipal corporations and the Commission under the provisions of *The Hydro-Electric Railway Act, 1914*, and amendments thereto are hereby declared to be void and of no further force or effect, and the Commission is hereby authorized and required to deliver up to each municipal corporation for cancellation the debentures deposited by it with the Commission under the provisions of any such by-law and agreement, but this shall not apply to any by-laws passed or agreements made with respect to the railways mentioned in clauses (a) and (b) of subsection 3.

(3) *The Hydro-Electric Railway Act, 1914*, and amendments thereto shall in so far as they apply remain in full force and effect with respect to:

- (a) The maintenance and operation of The Sandwich Windsor and Amherstburg Railway and The Windsor and Tecumseh Electric Railway acquired and operated by the Commission for certain municipal corporations under the contracts confirmed by sections 8 and 9 of *The Hydro-Electric Railway Act, 1920*;
- (b) The maintenance and operation by the Commission of The Guelph Radial Railway in accordance with the terms of the agreement confirmed by *The Guelph Railway Act, 1921*;
- (c) The future acquisition, equipment, maintenance and operation by the Commission of the railways mentioned in *The Toronto Radial Railway Act, 1921*;

- (d) The future acquisition by the Commission of the shares, securities and / or property and rights of The Toronto and Suburban Railway Company and the equipment, maintenance and operation by the Commission of such railway under the provisions of *The Toronto and Suburban Railway Company Act, 1922*.

(4) *The Hydro-Electric Railway Act, 1914*, and amendments thereto shall in so far as they apply remain in full force and effect with respect to;

- (a) The construction, equipment, maintenance and operation of a railway from the City of Toronto to the Village of Port Credit and a railway from the Village of Port Credit to the City of St. Catharines;
- (b) The future acquisition by the Commission of the shares, securities and / or property and rights of The Niagara, St. Catharines and Toronto Railway Company and the equipment, maintenance and operation by the Commission of such railway;

under agreements which may hereafter be entered into by the Commission and the municipal corporations interested with the assent of the electors as provided by the said Act and amendments thereto except that:—

1. The following clauses shall be substituted for clauses *c* and *d* of section 5*a* of the said Act as enacted by 5 George V, Chapter 32, section 2;

- (c) The money to meet the share of the cost payable by the corporation shall be borrowed on the credit of the corporation at large by the issue of its debentures, but the special rate imposed by the by-law to provide for the payment of the principal and interest of the debentures shall be imposed upon the rateable property within such district or districts only.
- (d) The money to meet the corporation's share of any deficit resulting from the operation of the railway in any year as provided in paragraph 4 of the Form of Agreement set out as Schedule "A" shall also be raised by a special rate upon the rateable property within such district or districts only.



2. Clause *o* of paragraph 1 of The Standard Form of Agreement relating to extensions of the railway set out as a schedule to the said Act shall not apply but the Commission with the consent expressed by by-law of each of the corporations parties to the agreement with the Commission which may be passed without the assent of the electors may enter into an agreement with the corporation of any adjacent municipality for the extension of the railway into such adjacent municipality and the corporation of such adjacent municipality with the assent of the electors qualified to vote on money by-laws may enter into such agreement and borrow by the issue of its debentures the money necessary to meet its share of the cost of the construction and equipment of such extension.
3. Section 8 of the said Act authorizing the Lieutenant-Governor in Council to authorize the Treasurer of Ontario for and on behalf of the Province to guarantee the payment of bonds issued by the Commission shall not apply except as provided by subsection 3 of section 30 of this Act.
4. Subsection 2 of section 11 of the said Act shall be deemed to contain the following proviso:—

Provided that the Commission in lieu of holding the said debentures may lodge and / or hypothecate the same or any of them with or to a trust company or corporation as Trustee for the holders of bonds of the Commission and for such purpose the Commission may enter into, execute and deliver any agreement, charge, trust indenture or other document containing such powers, terms and conditions as the Commission in its sole discretion shall deem to be in the best interests of the railway, anything contained herein or in any Act or agreement to the contrary notwithstanding.

**30.**—(1) The Commission is hereby authorized and required to deliver up to the Treasurer of Ontario for cancella-

tion the bonds to the amount of \$11,360,363. issued by the Commission and guaranteed by the Treasurer of Ontario for and on behalf of the Province, for the construction and equipment of a railway from the Village of Port Credit to the City of St. Catharines or so much of such bonds as are now in the possession or under the control of the Commission and as to any such bonds which have heretofore been hypothecated or deposited by the Commission with any bank or person as security for the payment of a loan to the Commission such bank or person is hereby authorized and required to deliver up such bonds to the Treasurer of Ontario for cancellation on payment by such Treasurer of the amount of the loan and the interest thereon.

(2) Upon payment by the Treasurer of Ontario of the amount of any such loan the Commission shall hold in trust for the Crown as represented by the Province of Ontario any land acquired by the Commission for a right of way for a railway from the Village of Port Credit to the City of St. Catharines and also any other real and personal property, assets, rights, easements and privileges acquired by the Commission for the purposes of such railway.

(3) The Lieutenant-Governor in Council may authorize the Treasurer of Ontario for and on behalf of the Province to guarantee to the amount of \$11,360,363. the payment of bonds which may be hereafter issued by the Commission under the provisions of *The Hydro-Electric Railway Act, 1914*, to meet the cost of the construction and equipment of a railway from the Village of Port Credit to the City of St. Catharines.

**31.** Such variations, additions or alterations as are in conformity with the provisions of this Act may be made to the Agreement set out as Form 1. to this Act with the approval of the Lieutenant-Governor in Council.

Commence-  
ment of Act.

**32.** This Act shall come into force and take effect on the day upon which it receives the Royal Assent.

## FORM 1.

(Referred to in section 8.)

THIS AGREEMENT made this                      day of                      192 .  
 Between  
 The Municipal Corporations of  
 hereinafter called the "Corporations"

In this Agreement "Association" means "Municipal Electric Railway Association" elected or appointed as provided by *The Municipal Electric Railway Act, 1922*.

WHEREAS pursuant to *The Municipal Electric Railway Act, 1922*, the Hydro-Electric Power Commission of Ontario hereinafter called the "Commission" at the request of the Corporations and after enquiry, examination and investigation into the various matters set out in section 3 of *The Municipal Electric Railway Act, 1922*, have reported to the Corporations that

- (a) The cost of constructing, equipping and operating an electric railway in such municipalities including a sum for working capital and a sum to cover any probable loss by discount on the sale of the bonds of the Association will be
- (b) The proportion of the capital cost to be borne by such of the Corporations as are set out in Schedule "B" attached hereto
- (c) The population of each of such municipalities as shown by the last enumeration thereof by the assessors is
- (d) The estimated probable revenue from the railway will be

AND WHEREAS the Corporations have determined it is in the interests of the inhabitants of such municipalities that the railway should be constructed, equipped and operated over the routes laid down in Schedule "A" attached hereto *Where construction and equipment is by the Commission insert the following recital:* (And whereas the Corporations have determined that the railway should be constructed and equipped by the Commission and the Commission has agreed with the Corporations to construct and equip the railway but upon the express condition that the Commission shall not be in any way liable for any errors or omissions in the estimates, plans or specifications or for any financial or other obligations or loss whatsoever by virtue of the construction and equipment of the railway).

*Where construction and equipment is by the Association insert the following recital;* (And whereas it has been determined by the Corporations that the railway should be constructed and equipped by the Association). And whereas the electors of each of the Corporations have assented to by-laws authorizing the Corporations to enter into this Agreement for the construction and equipment of the railway as laid down in Schedule "A".

NOW THIS AGREEMENT WITNESSETH that each of the Corporations covenants and agrees with the other as follows;

1. The railway shall be constructed and operated over the routes laid down in Schedule "A".

2. The character of the construction and equipment of the railway shall be as far as possible first class, modern and standard and so as to give the best service and accommodation possible, having regard to the districts to be served.

3. To bear its share of the cost of construction and equipment and the amount to be provided for working capital of the railway by each Corporation as set out in Schedule "B".

4. To issue and deposit with the Trust Corporation named by the Association, debentures to the amount set out in Schedule "B" as its share of the cost of the construction and equipment and of working capital of the railway, such debentures to be payable at the expiration of forty-four years from the date of this Agreement and to bear interest at the rate of four and one-half per cent. per annum, payable semi-annually.

5. Upon the requisition in writing of the Association and in the proportions fixed by this Agreement to issue and deposit with the Trust Corporation such further debentures payable at the same time and bearing the same rate of interest as may be necessary to permit the Association to raise the moneys.

(a) To cover any additional costs above estimates of such construction and equipment and for working capital of the railway;

(b) For the construction and equipment and working capital of any extension of the railway (*This clause to be struck out if Agreement does not provide for extensions*).

(c) For the construction of branch lines, sidings, permanent works and betterments and for additional equipment in all not exceeding ten per cent. of the estimated cost of the construction and equipment and the working capital of the railway as fixed by this agreement;

(d) To cover any loss by discount on the sale of the bonds of the Association.

6. Electrical power or energy for the operation of the railway shall be supplied by the Commission in accordance with the agreement made with the Commission and the obligations of the Corporations thereunder shall be carried out by the Association.

*(Here set out a synopsis of the terms and conditions of the Agreement including the amount of power or energy to be supplied and the price to be paid and the terms of payment).*

7. The railway shall be constructed and equipped by the  
(Association)  
(Commission) as the case may be.

8. The management and operation of the railway shall be and is hereby entrusted to an Association to be elected or appointed as provided by *The Municipal Electric Railway Act, 1922*.

*Where the railway is to be constructed on any right of way of the Commission add*

9. The railway shall be constructed on the following right of way acquired by the Commission for the transmission of electrical power or energy

*(Here describe right of way in general terms but so as to identify it)* in accordance with the agreement made with the Commission under which a rental of \$ \_\_\_\_\_ is to be paid to the Commission annually. The said rental shall be paid to the Commission by the Association on behalf of the Corporations.

*If the Corporations determine that provision should be made for extensions of the railway into any adjacent municipality add*

10. The railway may be extended into any adjacent municipality under an agreement to be made between the Association and the Corporation of such municipality with the approval of the Corporations parties to this agreement.

*Where the Corporations determine to acquire by purchase any steam, electric or street railway situate within one or more of such municipalities, or any parts of any steam, electric or street railway which are situate within one or more of such municipalities and capable of forming part of the proposed railway system appropriate recitals should be added to the agreement setting out the report of the Commission as to the purchase price and as to the other matters required in a report from the Commission in the case of the construction and equipment of a railway and the provisions of the agreement relative to construction and equipment of the railway should be altered or additions should be made thereto to cover the purchase of the railway or of any part or parts thereof.*

*Where the Corporations determine to lease or obtain running rights over any such railway or any such part or parts of a railway as above set out add*

11. The railway or that part or those parts of the railway (describe the part or parts ) as the case may be shall be leased by the Association upon the following terms and conditions (here set out the terms and conditions) and upon such other terms and conditions as the Association may deem proper and the Association shall execute the said lease and carry out its provisions on behalf of the corporations.

*Where the Corporations determine to obtain running rights as above set out add*

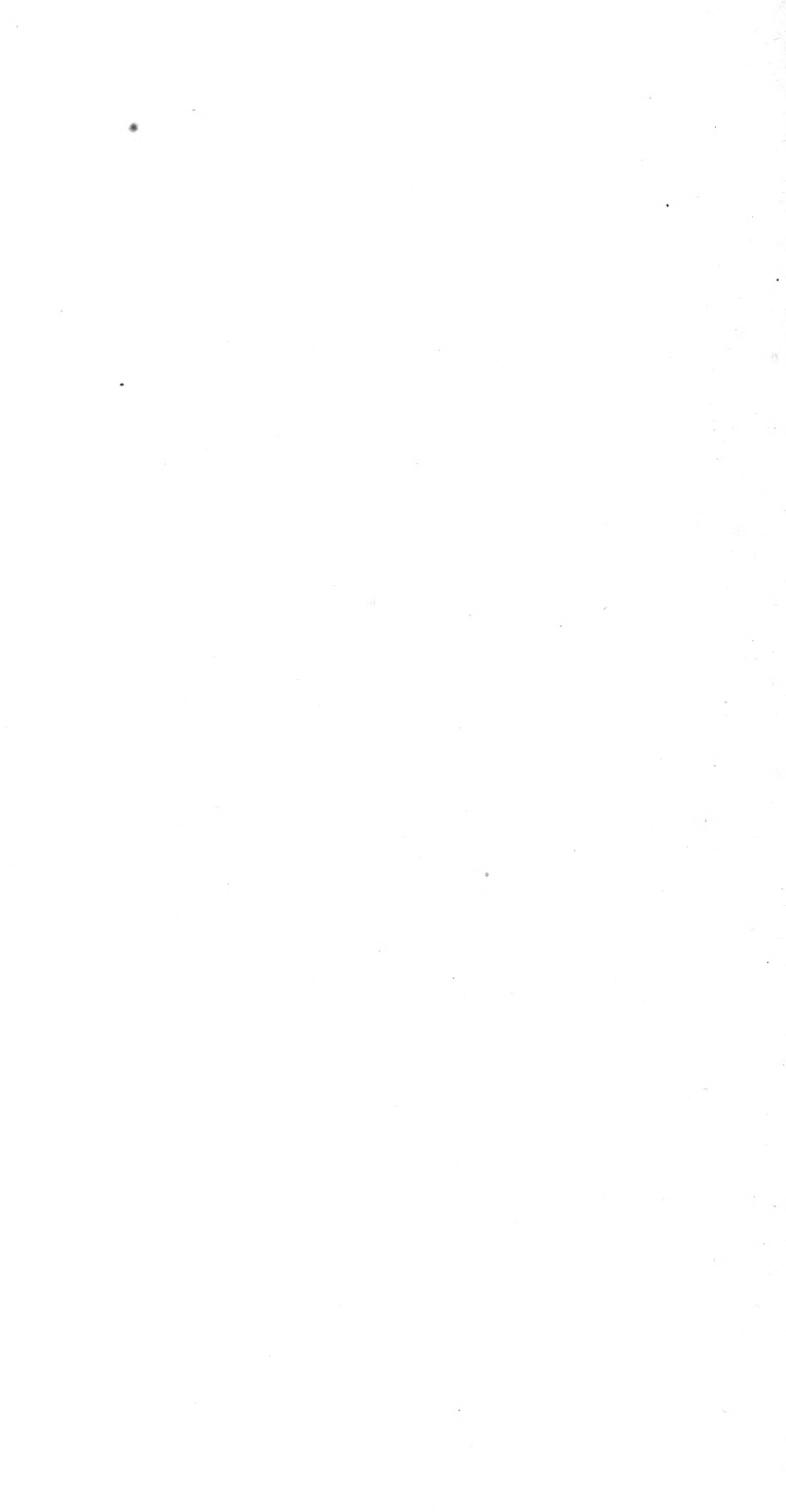
12. The Association shall enter into an agreement with the Railway Company to obtain running rights over the Railway or over the following part or parts of the Railway (describe the part or parts) on the following terms and conditions (here set out terms and conditions).

13. To keep, observe and perform the covenants, provisoes and conditions set forth in this agreement intended to be kept, observed and performed by the Corporations and to execute such further or other documents and to pass such by-laws as may be requested by the Commission or the Association for the purpose of fully effectuating the object and intent of this agreement and of carrying out the provisions of *The Municipal Electric Railway Act, 1922*.

14. To perform and carry out all the duties and obligations cast upon it by *The Municipal Electric Railway Act, 1922*, with reference to the construction, equipment, maintenance and operation of the railway or of any extension of it.

15. Should the Corporation fail to perform any of its duties or obligations to the Association under this Agreement or under the said Act the Association may in addition to all other remedies and without notice discontinue the service of the railway to such Corporation until the said duty or obligation has been fulfilled and no such discontinuance of service shall relieve the Corporation in default from the performance of such duty or obligation.

In witness whereof each of the Corporations has affixed its corporate seal and the hands of its proper officers.





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3rd Session, 15th Legislature,  
12 George V, 1922.

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BILL.

An Act respecting the Construction and  
Operation of Municipal Electric Railways.

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1st Reading,	16th March, 1922.
2nd Reading,	26th May, 1922.
3rd Reading,	1922.

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*(Re-printed as amended by Committee  
of the Whole.)*

MR. DUBRY.

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TORONTO:  
PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.



No. 101.

1922.

# BILL

## An Act to amend The Steam Boiler Act.

**H**IS MAJESTY, by and with the advice and consent of  
of the Legislative Assembly of the Province of Ontario,  
enacts as follows:—

**1.** This Act may be cited as *The Steam Boiler Act, 1922*. Short title.

**2.** The clause lettered *d* in section 2 of *The Steam Boiler* 1918,  
*Act* as re-enacted by section 45 of the Statute passed in 1918, c. 45, s. 2,  
Chapter 20, is amended by adding at the end thereof the cl. d.  
words “but not a portable boiler rated at 25 horsepower or amended.  
under” so that the clause will now read as follows:—

(*d*) “Steam Boiler” shall mean and include any “Steam  
vessel or structure in which steam is gener- Boiler”  
ated for power or heating purposes, and any meaning of.  
vessel or other appliance in which steam,  
gas, air or liquid is contained under pres-  
sure, and shall include all pipes, apparatus,  
and machinery attached to, or connected  
with a steam boiler but not a portable  
boiler rated at 25 horsepower or under.

**3.** This Act shall come into force and take effect on the Commence-  
1st day of July, 1922. ment of  
Act.

3rd Session, 15th Legislature,  
12 George V, 1922.

BILL.

An Act to amend The Steam Boiler Act.

1st Reading,	7th March, 1922.
2nd Reading,	1922.
3rd Reading,	1922.

Mr. OKE.

# BILL

## An Act to amend The Assessment Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario enacts as follows:—

**1.** Paragraph 20*a* of section 5 of *The Assessment Act* as enacted by subsection 2 of section 1 of chapter 63 of 10-11 George V. is amended by striking out the words “for each child under 18 years of age” in the fourth and fifth lines and substituting therefor the words “for each child and also for any father or mother” so that the paragraph when amended will read as follows:—

Rev. Stat.  
c. 195 s. 5.  
par. 20*a*  
amended.

20*a*. \$200 of the income derived from personal earnings or from any pension, gratuity or retiring allowance in respect of personal services of the householder or head of a family mentioned in paragraph 20 for each child and also for any father or mother who is dependent upon such householder or head of a family for support.

Exemption for  
dependents.

**2.** *The Assessment Act* is amended by adding the following section:—

Rev. Stat.  
c. 195  
amended.

196*a*.—(1) The council of any municipality whose officers have power to sell lands for arrears of taxes, may from time to time without the assent of the ratepayers, by by-law authorize the Mayor or other head of the muni-

Borrowing on  
security of  
land pur-  
chased by  
municipality  
at tax sales.

cipality to issue, under the corporate seal, upon the credit and security of the lands in the municipality purchased by such municipality at tax sales, debentures payable not later than 8 years after the date thereof, and for sums not less than \$100 each, so that the whole of the debentures at any time issued and unpaid do not exceed the amount paid by the municipality for such lands including the costs of sale together with the money standing to the credit of the special fund hereinafter provided.

Special fund.

- (2) Such debentures shall be negotiated by the Mayor or other head of the municipality and treasurer and all money received in payment for lands upon the security of which such debentures are issued shall be set apart as a special fund out of which to pay the debentures and interest thereon.

Deficiency in special fund.

- (3) If at any time there is not to the credit of such special fund sufficient money to redeem the debentures due and accrued interest, such debentures and interest shall be payable out of the general funds of the municipality, and the payment thereof may be enforced in the same manner as is by law provided in the case of other debentures.



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3rd Session, 15th Legislature,  
12 George V, 1922.

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BILL.

An Act to amend The Assessment Act.

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1st Reading	March 8th, 1922.
2nd Reading	1922.
3rd Reading	1922.

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MR. CROCKETT.

No. 103.

1922.

# BILL

## An Act to amend The Highway Improvement Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**1.** This Act may be cited as *The Highway Improvement Act, 1922.* Short Title.

**2.**—(1) Notwithstanding anything in *The Municipal Act* or in any other Act contained, where, in the exercise of its powers or in the performance of its obligations under *The Highway Improvement Act*, *The Ontario Highways Act* or *The Provincial Highways Act*, the corporation of a county by by-law declares that it is necessary for the purpose of opening up, widening, altering or diverting a county or provincial county highway, that lands described in the by-law should be acquired by the corporation of the county, the corporation of the county may purchase or acquire or without the consent of the owners thereof, enter upon and expropriate any land or property which may be necessary for the purposes aforesaid and which may be described in the by-law. Powers of Counties as to expropriation for road improvements.

(2) Where land is to be entered upon, taken or used by the corporation of a county as provided in subsection 1, the corporation may proceed in the manner provided by *The Ontario Public Works Act* in the case of lands taken by the Minister of Public Works for the purposes of Ontario without the consent of the owner of such lands, and the provisions of *The Ontario Public Works Act* shall *mutatis mutandis* apply, and the powers and duties of the Minister Procedure to be as provided by Rev. Stat., c. 35.

of Public Works, as set out in the said *The Ontario Public works Act*, may be exercised and performed in the name of the corporation of the county, or, in the name of any commission appointed under the provisions of *The Highway Improvement Act*, *The Ontario Highways Act* or *The Provincial Highways Act*.

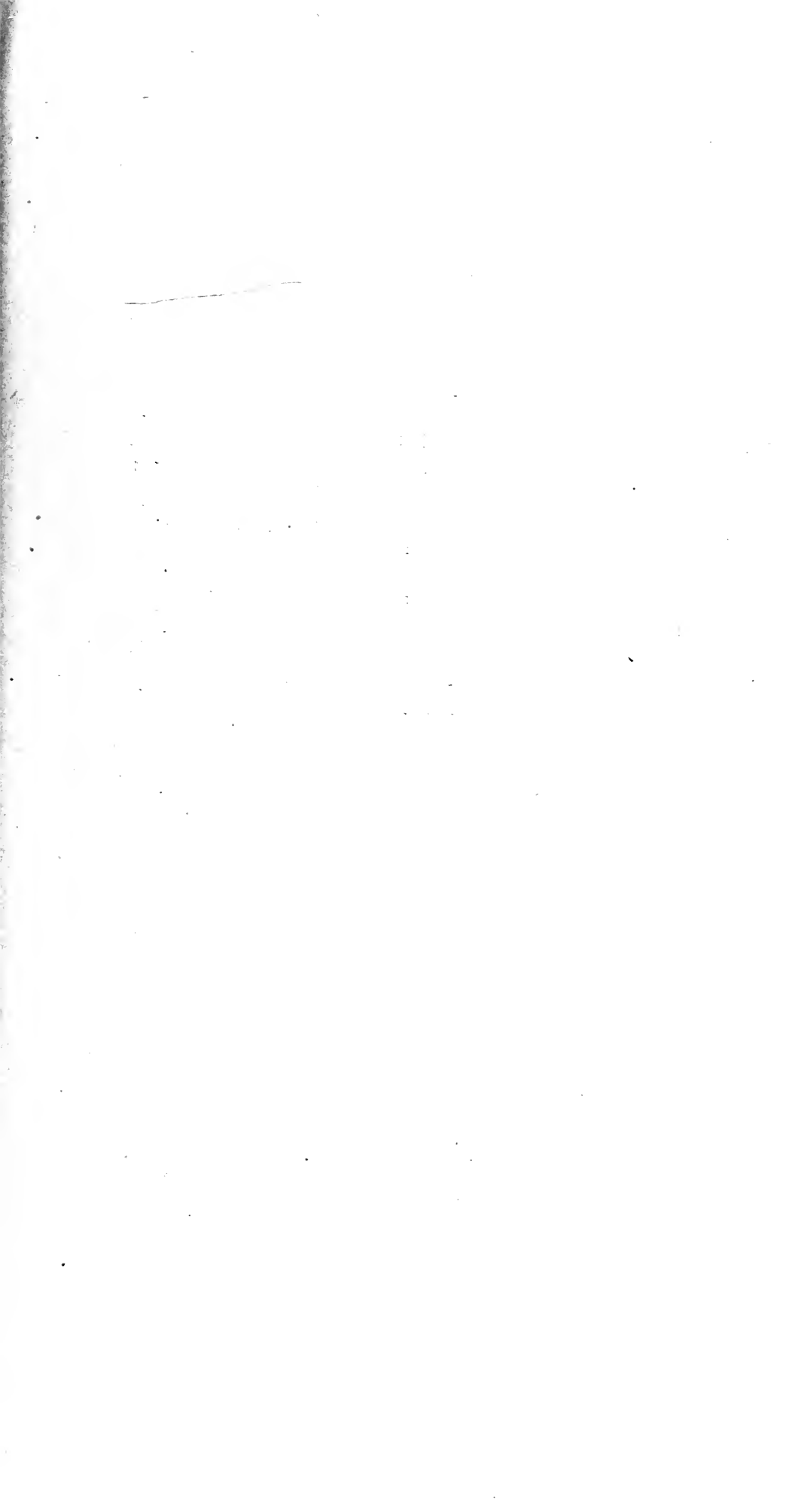
Plan and  
description,  
filing of.

(3) The plan and description of the lands taken, required by section 18 of *The Ontario Public Works Act*, to be deposited in the registry office, shall be signed by the Warden and Treasurer of the county, or by an Ontario Land Surveyor, and upon the deposit of the said plan and description the land shall become and be vested in the corporation of the county.

Commence-  
ment July.

**3.** This Act shall come into force on the 1st day of July, 1922.





No. 103.

3rd Session, 15th Legislature,  
12 George V, 1922.

BILL.

An Act to amend The Highway  
Improvement Act.

1st Reading,	8th March,	1922.
2nd Reading.		1922.
3rd Reading.		1922.

MR. BLACK.

TORONTO:  
PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.

# BILL

## An Act to amend The Highway Improvement Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**1.** This Act may be cited as *The Highway Improvement Amendment Act, 1922.* Short Title.

**2.** *The Highway Improvement Act* is amended by adding the following as section 31. Rev. Stat.  
c. 40,  
amended.

31.—(1) Where, in the exercise of its powers or in the performance of its obligations under *The Highway Improvement Act*, *The Ontario Highways Act, 1915*, or *The Provincial Highways Act*, the corporation of a county finds that it is necessary to expropriate land for the purpose of opening up, widening, altering or diverting a county or provincial county highway, the corporation may, instead of the procedure provided by *The Municipal Act*, proceed in the manner provided by *The Ontario Public Works Act* in the case of lands taken by the Minister of Public Works for the purposes of Ontario without the consent of the owner of such lands, and the provisions of *The Ontario Public Works Act* shall *mutatis mutandis* apply, and the powers and duties of the Minister of Pub- Procedure  
on expro-  
priation  
land.

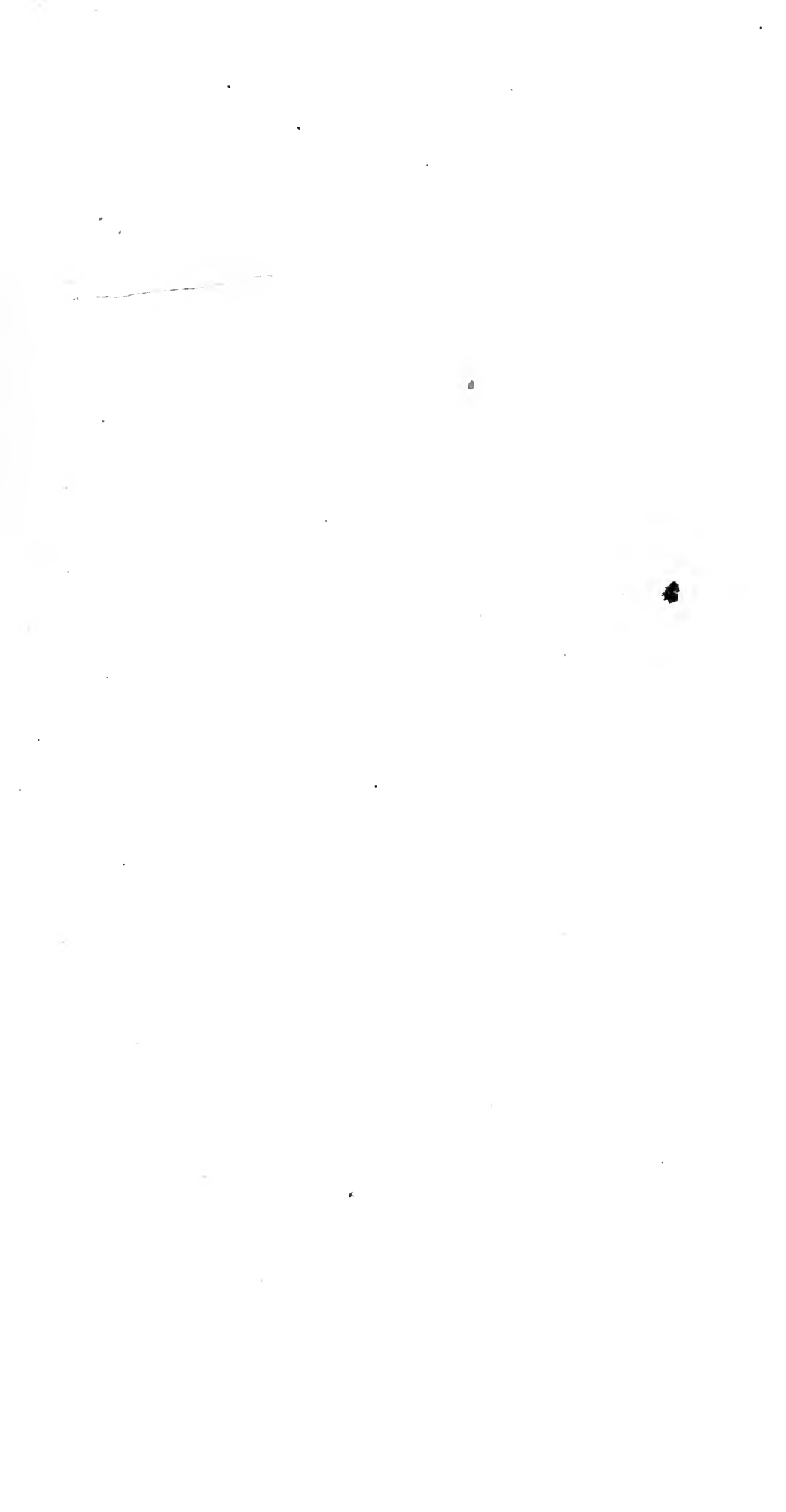
lic Works, as set out in the said *The Ontario Public Works Act*, may be exercised and performed in the name of the corporation of the county, or, in the name of any commission appointed under the provisions of *The Highway Improvement Act*, *The Ontario Highways Act, 1915*, or *The Provincial Highways Act*.

Plan and  
description,  
filing of.

- (2) The plan and description of the lands taken, required by section 18 of *The Ontario Public Works Act*, to be deposited in the registry office, shall be signed by the Warden and Treasurer of the county, or by an Ontario Land Surveyor, and upon the deposit of the said plan and description the land shall become and be vested in the corporation of the county.

Commence-  
ment July.

**3.** This Act shall come into force on the 1st day of July, 1922.



No. 103.

3rd Session, 15th Legislature,  
12 George V, 1922.

BILL.

An Act to amend The Highway  
Improvement Act.

1st Reading,	8th March, 1922.
2nd Reading,	20th March, 1922.
3rd Reading,	1922.

*(Reprinted as amended by the  
Municipal Committee.)*

MR. BLACK.

TORONTO:  
PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.

No. 104.

1922.

# BILL

## An Act to abolish Bonusing Powers of Municipal Corporations.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**1.** From and after the day when this Act comes into force and notwithstanding the provisions of any general or special Act it shall not be lawful for any municipal corporation in Ontario to grant aid by way of bonus as defined by section 395 of *The Municipal Act* for any of the purposes mentioned in section 396 of *The Municipal Act* headed “Bonuses in aid of Manufactures” or for any of the purposes mentioned in section 397 of *The Municipal Act* headed “Bonuses in aid of Railways” and the provisions of any special Act conferring any such power on any particular municipal corporation shall be deemed to be repealed from and after the said date and sections 278, 395, 396 and 397 of *The Municipal Act* shall stand repealed from and after that day.

Repeal of bonusing powers of municipalities.

**2.** This Act shall come into force and take effect on the 1st day of July, 1922.

Commencement of Act.

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3rd Session, 15th Legislature,  
12 George V, 1922.

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BILL.

An Act to abolish Bouncing Powers  
of Municipalities.

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1st Reading,	8th March,	1922.
2nd Reading,		1922.
3rd Reading.		1922.

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MR. CROCKETT.

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TORONTO:

PRINTED BY CLARKSON W. JAMES,

Printer to the King's Most Excellent Majesty.



# BILL

## An Act respecting the Examining and Licensing of Electrical Contractors and Journeymen Electricians

**H**IS MAJESTY, by and with the advice and consent of  
the Legislative Assembly of the Province of Ontario,  
enacts as follows:—

**1.** This Act may be cited as *The Electricians' Licensing Act, 1922.* Short title.

- 2.** In this Act, unless the context otherwise requires, Interpre-  
tation.
- (a) "Minister" shall mean the Minister of Labour; "Minister."
  - (b) "Board" shall mean the board of examiners appointed as hereinafter provided; "Board."
  - (c) "Department" shall mean the Department of Labour; "Depart-  
ment."
  - (d) "Contractor" shall mean and include any person, firm or corporation, who or which by the employment of electrical workmen, performs the work of installing wires, conduits, apparatus, fixtures and other appliances for the carrying or using of electricity for light, heat or power purposes, within the meaning of this Act; "Contractor."
  - (e) "Journeyman" shall mean a person who does any work in installing, repairing, or making alterations to wires, conduits, apparatus, fixtures or other appliances for the carrying or using of electricity for light, heat, or power purposes within the meaning of this Act, for hire; "Journey-  
man."
  - (f) "License" shall mean the certificate of qualification issued to a contractor or journeyman under the provisions of this Act; "License."
  - (g) "Inspector" shall mean a person appointed under the provisions of this Act, as hereinafter provided. "Inspector."

“Apprentice.”

(h) “Apprentice” shall mean a person or persons, engaged in learning the rudiments of or assisting in electrical installation, and shall be subject to the provisions specified in subsection (3) of section 3 of this Act.

Application of Act.

**3.**—(1) The provisions of this Act shall apply to all contractors, journeymen and inspectors engaged within the province in the business of placing, installing, maintaining, repairing, replacing or inspecting in or on any class of structure any conduits of any description, designed for the purpose of enclosing or carrying any electrical conductor upon which is impressed an E. M. F. equal to or higher than the voltage prescribed in the wiring regulations issued by the Ontario Hydro-Electric Power Commission, between any two conductors and ground independent of the characteristics of the current; of placing, installing, maintaining, repairing, replacing or inspecting in or on such structures, of any conductor switch, attachment, fitting or any element whatsoever of an equipment designed for the purpose of supplying such electrical service, or for any purpose in connection with such an electrical service.

Not to apply to public service corporations or municipal departments.

(2) The provisions of this Act shall not apply to such work within power houses, sub-stations or other places wherein the business of generating or distributing electrical power is carried on by public service corporations or by municipal departments, and where such work is installed by employees under the direction of officers of such public corporations or municipal departments, except in structures wherein the public, other than employees of such public service corporation or municipal department have free access on business.

Certain railway works.

(3) The provisions of this Act shall not apply to such work on street railway cars or locomotives, or on railway cars or locomotives which are the property of municipal departments or of public service corporations, and where such work is installed by employees under the direction of officers of such municipal departments or public service corporations.

Restrictions as to powers of apprentices.

(4) No apprentice or other person shall perform any electrical work or install any electrical material or appliances within the meaning of this Act, except as an assistant to, in the presence of, and under the direct personal supervision of a journeyman continuously employed on the same contract or job and licensed under this Act, and only one apprentice shall be allowed to each journeyman as assistant on any job.

(5) Nothing in this section shall be taken to apply to the insertion of incandescent lamps in sockets or receptacles, or the replacement of such lamps, the carboning, trimming, or operation of arc lamps, the lawful connection of utilization equipment to supply by means of attachment plugs or the use or operation of the same, or the lawful replacement of fuses controlling circuits or equipment.

4. All electrical contractors and journeymen carrying on their work in the Province of Ontario, shall be subject to examination before the board of examiners, appointed under the provisions of this Act, and upon the fitness of such contractors and journeymen being established before such board of examiners, licenses, as provided for under this Act shall be issued to such contractors and journeymen.

5. The Lieutenant-Governor in Council, upon the recommendation of the Minister, may appoint a board of examiners, consisting of three members, who shall be qualified in practical electrical work, one of whom shall be an electrical contractor, and one who shall be a practical journeyman electrician, and who are conversant in a practical degree with the qualifications necessary to be held by a person described as an electrical contractor or an electrical journeyman, who shall hold office during pleasure and who, subject to the regulations mentioned in the next following section, and to the approval of the Lieutenant-Governor in Council, shall prescribe the subjects in which candidates for a contractor's or journeyman's license shall be examined, and conduct and provide for and supervise the examinations of candidates and report thereon to the department.

6. The board of examiners shall make regulations for, Regulations of board of examiners.

- (a) The examination of candidates for contractor's and journeyman's licenses, the granting of licenses, and the evidence to be furnished by candidates for contractor's or journeyman's licenses as to previous experience;
- (b) Determining time and duration of licenses, and their renewals.
- (c) Prescribing causes for which a license may be revoked, cancelled or suspended;
- (d) Defining the duties of inspectors and making rules governing their operations;

License  
forms.

7. Four license forms shall be issued, designated as follows:—

License A, which may be issued to any person who has satisfactorily passed the examination prescribed for journeymen electricians, and has filed an application to be registered as a contractor in the examiner's office and paid the fee prescribed by subsection (2) of section 8 of this Act.

License B, which may be granted to any company, association, corporation, or firm doing or wishing to do business as contractor for electrical installation, provided one of the members of the said association, company, corporation, or firm, or at least one person in its employ, holds a certificate of journeyman electrician given by the examiners, and that the fee for the license has been paid.

License C, which may be given to a journeyman electrician having at least four years' experience, and who, after passing his examination successfully and complying in every respect with the prescription contained in the forms prepared by the examiners, has paid the fee prescribed by subsection (2) of section 8 of this Act.

License D, which is the special license authorizing a person with a knowledge of electricity and employed in a factory, warehouse, or public building subject to exceptions specified in subsections 2 and 3 of section 3 of this Act, to do work in connection with the repair and maintenance of electrical installations in the said public buildings, and the person applying for such license must pass an examination before the board of examiners.

Meeting  
of board.

8.—(1) The board of examiners shall within thirty days after its appointment meet and organize, by the selection of a chairman and secretary, and they shall designate the time and place for the examination of all applicants for license, and the board shall examine the applicants as to their practical and theoretical knowledge of electrical installation and also as to their knowledge of the regulations of the Ontario Hydro-Electric Power Commission, governing such work, and such examination shall be made in whole or in part in writing.

(2) If satisfied as to the competency of the applicant, the board shall thereupon issue to such applicant a license in accordance with section 7 of this Act, authorizing him to follow, engage in or work at the trade or occupation of electrical installation in the Province of Ontario as specified under that section, and the examination fee shall be \$5.00 for contractors and journeymen electricians and shall be applied in reimbursing the examining board for its services, and the license fee, which shall be \$25.00 for contractors and \$2.00 for journeymen electricians, shall be renewed annually upon payment of \$5.00 by a contractor and \$2.00 by a journeyman electrician, and shall be applied in reimbursing the examining board for its services.

Examination  
and license  
fee.

9. It shall be the duty of the secretary of the board to preserve and keep all records, papers and books which are required by this Act or by the board, and to do or perform such other work as may be required by the board.

Duties of  
Secretary.

10. Any electrician failing in the examination before the examining board shall have the right to appear before such board thereafter to take the additional examination at the next regular sitting of the board, or any succeeding sitting.

Failure to  
pass examina-  
tion.

11. Every contractor before obtaining a license shall file a bond with the board of examiners in the penal sum of two hundred dollars, conditioned for the faithful performance of his duty as licensed contractor, and for his not permitting any electrical installation that he is called upon to do, to be performed by any person in his employ, except by such persons as are authorized to do electrical installation under this Act, and for his not violating any of the terms and conditions thereof, or any amendment from time to time made thereto.

Bond.

12. The license herein provided for of any contractor or journeyman electrician may at any time be revoked for gross incompetency, or fraudulent use thereof, after a full and fair hearing by a majority of the examining board.

Revocation  
of license.

13. Any person or corporation, who or which, after this Act comes into force, carries on such business of electrical contracting without authority of a valid and subsisting license therefor issued under this Act, shall be guilty of an offence punishable, on summary conviction before a justice of the peace, by a fine of not less than fifty dollars nor more than two hundred dollars, and, in default of immediate payment, by not more than three month's imprisonment.

Offence to  
carry on busi-  
ness without  
a license.

Offence by  
electrical  
journeyman.

**14.** Any person who, after this Act comes into force, engages in the work of an electrical journeyman in the Province of Ontario without authority of a valid and subsisting license therefor, shall be guilty of an offence punishable, on summary conviction before a justice of the peace, by a fine of not less than \$5.00 nor more than \$50.00, and in default of immediate payment by not more than two months' imprisonment.

Special  
license.

**15.** In the case of industries where workmen are engaged in repair or maintenance of electrical equipment, solely in or upon the premises upon which such industries are carried on, any such workman shall be granted a special license according to License D, as provided by section 7 of this Act, to do such work in or upon such premises upon demonstrating to the satisfaction of the board of examiners that he possesses sufficient qualification for the work intended to be performed in such premises, and no such special license shall entitle the holder to perform any electrical work outside the premises described in the license, nor shall such license be transferable.

Offence by  
firm or  
corporation.

**16.** Each member of any firm and the managing director or other responsible officer of any corporation carrying on the business of an electrical contractor in the Province of Ontario, who or which, after this Act comes into force, has not, as a member of the firm or officer of the corporation or in its employ at least one person in possession of a valid and subsisting journeyman's license, shall be guilty of an offence punishable on summary conviction before a justice of the peace, by a fine of not less than \$50.00, nor more than \$200.00, and in default of immediate payment, by not more than three months' imprisonment.

Appointment  
of inspectors.

**17.** The Ontario Hydro-Electric Power Commission may appoint inspectors, one of whom may be chief inspector, and such other officer or officers as may be deemed advisable for inspection of electrical wiring in the Province of Ontario, and such inspectors shall be persons who hold a license under this Act and who, in the opinion of the commission, have had the necessary practical experience to qualify them for the positions.

Offence by  
contractor or  
journeyman.

**18.** Any contractor or journeyman shall if necessary be required to furnish satisfactory proofs that he has been duly licensed under the provisions of this Act, and any corporation, contractor or journeyman taking out a permit,

issued by the Hydro-Electric Inspector's Department, to do electrical installation, without being duly licensed shall be guilty of an offence punishable on summary conviction before a justice of peace by a fine of not less than \$50.00 and not more than \$200.00 and in default of immediate payment by not more than three month's imprisonment.

**19.** If, on demand from any duly appointed inspector of the Department, any person performing the work of an electrical contractor, or an electrical journeyman, does not produce satisfactory evidence of his being in possession of a valid and subsisting license therefor, he shall be guilty of an offence punishable, on summary conviction before a justice of the peace, by a fine of not less than \$50.00 and not more than \$200.00, and in default of immediate payment, by not more than three month's imprisonment.

Offence where  
inspector not  
licensed.

**20.** This Act shall come into force on the First day of July, 1922.

Commence-  
ment of Act.

3rd Session, 15th Legislature,  
12 George V, 1922.

BILL.

An Act respecting the Examining and  
Licensing of Electrical Contractors and  
Journeyman Electricians.

1st Reading,	8th March, 1922.
2nd Reading,	1922.
3rd Reading,	1922.

Mr. SWAYZE.



# BILL

## An Act to amend The Conveyancing and Law of Property Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**1.** This Act may be cited as *The Conveyancing and Law of Property Act, 1922.* Short title.

**2.** *The Conveyancing and Law of Property Act* is amended by adding the following as section 57:— Rev. Stat., c. 109, amended.

57.—(1) Where there is annexed to any land which has not been registered under *The Land Titles Act* any condition or covenant that such land or any specified portion thereof is not to be built on or is to be or not to be used in a particular manner, or any condition or covenant running with or capable of being legally annexed to land, any such condition or covenant may be modified or discharged by order of a Judge of the Supreme Court on proof to his satisfaction that the modification will be beneficial to the persons principally concerned. Rev. Stat. c. 126. Restrictive Covenants, modification or discharge of.

(2) Before making any such order the Judge shall cause notice of the application to be given to such persons as shall appear to him to be interested in the relief sought either by personal service, advertisement or by registered mail as he shall direct. Notice of application.  
(As the Land under *The Land Titles Act*, see section 99 of that Act.)

**3.** This Act shall come into force on the 1st day of July, 1922. Commencement of Act.

3rd Session, 15th Legislature,  
12 George V. 1922.

BILL.

An Act to amend The Conveyancing and  
Law of Property Act.

1st Reading,	8th March,	1922.
2nd Reading,		1922.
3rd Reading,		1922.

Mr. HULL.

No. 106.

1922.

# BILL

## An Act to amend The Conveyancing and Law of Property Act.

**H**IS MAJESTY, by and with the advice and consent  
of the Legislative Assembly of the Province of Ontario,  
enacts as follows:—

**1.** This Act may be cited as *The Conveyancing and Law of Property Act, 1922.* Short title.

**2.** *The Conveyancing and Law of Property Act* is amended by adding the following as section 57:— Rev. Stat.,  
c. 109,  
amended.

57.—(1) Where there is annexed to any land which has not been registered under *The Land Titles Act* any condition or covenant that such land or any specified portion thereof is not to be built on or is to be or not to be used in a particular manner, or any condition or covenant running with or capable of being legally annexed to land, any such condition or covenant may be modified or discharged by order of a Judge of the Supreme Court on proof to his satisfaction that the modification will be beneficial to the persons principally concerned. Restrictive  
Covenants,  
modification  
or discharge  
of.  
Rev. Stat.  
c. 126.

Notice of  
application.

- (2) Before making any such order the Judge shall cause notice of the application to be given to such persons as shall appear to him to be interested in the relief sought either by personal service, advertisement or by registered mail as he shall direct.  
(As the Land under *The Land Titles Act*, see section 99 of that Act.)

Appeal.



- (3) An appeal shall lie to a Divisional Court from the decision or order of a Judge under subsection 1,



Commence-  
ment of Act.

- 3.** This Act shall come into force on the *day upon which it receives the Royal Assent.*



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3rd Session, 15th Legislature,  
12 George V, 1922.

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BILL.

An Act to amend The Conveyancing and  
Law of Property Act.

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1st Reading,	8th March, 1922.
2nd Reading,	22nd March, 1922.
3rd Reading,	1922.

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*(Re-printed as amended by the Legal  
Committee.)*

MR. HILL.

# BILL

## An Act to amend The Railway Employees' Voting Act, 1918.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**1.** Section 3 of *The Railway Employees' Voting Act, 1918*, is amended by inserting after the word "employees" in the first line thereof, the words "railway mail clerks, railway express clerks and commercial travellers." s. Geo. V, c. 33, s. 3, amended.  
Extension of Act to railway mail clerks, commercial travellers etc.

**2.** Section 4 of *The Railway Employees' Voting Act, 1918*, is amended by striking out the words "nine o'clock in the morning until five o'clock" in the third line thereof, and substituting therefor the words "noon until ten o'clock." Time for holding poll open.

**3.** Subsection 1 of Section 8 of *The Railway Employees' Voting Act, 1918*, is amended by inserting after the words "railway company" in the seventh line thereof the words "Post Office Department. Express Company or Wholesale House." Declaration of voter.

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3rd Session, 16th Legislature,  
12 George V, 1921.

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BILL.

An Act to amend The Railway  
Employees' Voting Act, 1918.

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1st Reading,	8th March, 1922.
2nd Reading,	1922.
3rd Reading,	1922.

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MR. STEVENSON.

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No. 107

1922

# BILL

## An Act to amend The Railway Employees' Voting Act, 1918.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**1.** *The Railway Employees' Voting Act, 1918*, is amended by adding the following as section 1b:

8. Geo. V.  
c. 33,  
amended.

1b. In this Act "railway employees" in addition to their ordinary meaning shall include railway mail clerks employed by the Post Office Department of Canada and railway express clerks employed by an express company.

Interpreta-  
tion.  
"Railway  
Employees."

**2.** Subsection 1 of section 8 of *The Railway Employees' Voting Act, 1918*, is amended by inserting after the words "railway company" in the seventh line thereof the words "or by the Post Office Department, or by the Express Company, as the case may be."

Declaration  
of voter.

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3rd Session, 15th Legislature,  
12 George V, 1921.

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BILL.

An Act to amend The Railway  
Employees' Voting Act, 1918.

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1st Reading,	8th March, 1922.
2nd Reading,	22nd March, 1922.
3rd Reading,	1922.

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(*Reprinted as amended by The  
Municipal Committee.*)

MR. STEVENSON.

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No. 108.

1922.

# BILL

## An Act to amend The Municipal Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**1.** Subsection 4 of section 56 of *The Municipal Act*, <sup>Right of husband and wife jointly rated to vote.</sup> is amended by adding thereto the words “but in the case of a husband and wife who are jointly rated each shall be deemed to be rated.”

**2.** Section 101 of *The Municipal Act* is amended by <sup>Opening of poll at ten instead of nine.</sup> striking out the word “nine” in the first line thereof, and substituting therefor the word “ten.”

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3rd Session, 15th Legislature,  
12 George V, 1922.

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BILL.

An Act to amend The Municipal Act.

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1st Reading,	8th March, 1922.
2nd Reading,	1922.
3rd Reading,	1922.

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MR. STEVENSON.

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TORONTO:  
PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.

# BILL

## An Act to amend The Ontario Voters' Lists Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Ontario Voters' Lists Amendment Act, 1922.* Short title.

2. Subsection 1 of section 50 of *The Ontario Voters' Lists Act* is amended by striking out at the beginning thereof the words "The clerk of the Peace and," so that the subsection will now read as follows: Rev. Stat. c. 6, s. 50, (1) amended.

- (1) The clerk of a municipality having the custody of the list, shall furnish to any person who may require the same, a certified copy of the list then last revised and certified, or of any portion thereof, on being paid at the rate of four cents for every ten names on such list or portion thereof. Right to obtain copies of voters lists.

3. Subsection 3 of section 50 of *The Ontario Voters' Lists Act* is amended by striking out the word "peace" in the fifth line thereof and substituting therefor the word "municipality," so that the subsection will now read as follows: Rev. Stat. c. 6, s. 50 (3) amended.

- (3) For each copy of the list or of any of the parts thereof furnished to the returning officer, according to Form 6 in Schedule "A" to *The Ontario Election Act* or according to Form 7 in the Schedule to *The Municipal Act* the clerk of the municipality furnishing the same shall be entitled to receive the sum of six cents for every ten voters whose names are on such list or part, as the case may be. Fees of clerk of the municipality.

Rev. Stat.  
c. 6, s. 50  
(4) amended.

4. Subsection 4 of section 50 of *The Ontario Voters' Lists Act* is amended by striking out the words "the Clerk of the Peace or" in the first and second lines thereof, so that the subsection will now read as follows:

Copies of  
alterations  
made in lists  
by Judge.

- (4) In lieu of a copy of a list, or portion thereof, the clerk of the municipality if required shall furnish a statement of the alterations and corrections made by the Judge, and the fees payable for such statement shall be at the rate of four cents for every ten names.

Rev. Stat.  
c. 6, s. 56,  
amended.

5. Section 56 of *The Ontario Voters' Lists Act* is amended by inserting after the word "shall" in the second line thereof the words "save as hereinafter provided," so that the section will now read as follows:

Effect of  
lists as  
completed.

56. The lists as so revised, corrected and certified by the Judge shall, save as hereinafter provided, together form from time to time the last revised voters' list for the city within the meaning of this Act, *The Ontario Election Act* and *The Municipal Act*, and the date fixed by section 54 as the last day for making complaints to the Judge shall be deemed to be the last day for making complaints to the Judge within the meaning of any oath prescribed by any of said Acts, and such date shall be inserted in any such oath when the voting is upon a list prepared under this Part.

Rev. Stat.  
c. 6, s. 56,  
amended.

6. Section 56 of *The Ontario Voters' Lists Act* is amended by adding thereto the following subsections:

Correction  
of errors.

- (2) The clerk of the municipality may, upon the application of a ratepayer stating that a manifest error has been made in the preparation of the voters' list, by certificate under the hand of the clerk, amend the said voters' list in any of the particulars hereinafter mentioned, that is to say:
- (a) An error in copying by the clerk the name or description of the property from the assessment roll, or the correction of a name misspelled.

(b) Where a name has been omitted from the assessment roll and proof has been given to the satisfaction of the clerk of the municipality that the ratepayer is a resident of the municipality, but has moved from one house to another in the municipality, but is otherwise entitled to vote.

(c) Where a resident of the municipality has transferred the property in respect of which he has been assessed to another person, in which case the name of such resident, if not otherwise entitled to vote, may be stricken from the voters' list, and the name of the person to whom the property has been transferred may be added to the voters' list.

7. This Act shall come into force and take effect on the <sup>Commence-</sup>  
1st day of July, 1922. <sub>ment of Act.</sub>

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3rd Session, 16th Legislature,  
12 George V, 1922.

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BILL.

An Act to amend The Ontario Voters'  
Lists Act.

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1st Reading,	8th March, 1922.
3rd Reading,	1922.
2nd Reading,	1922.

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Mr. STEVENSON.



# BILL

## An Act to vary and validate the Timber License of The Shevlin-Clarke Company Limited.

**W**HEREAS in three certain actions brought by the Preamble.  
Attorney-General and the Minister of Lands and Forests for Ontario against Shevlin-Clarke Company, Limited, hereinafter called the Company, and others, it has been determined that a certain agreement and license dated August 30th, 1919, for the cutting of timber on Berths 45 and 49 in the Quetico Forest Reserve is invalid and that the Company is liable to pay for all pine timber cut or to be cut on the said berths the price of \$17.60 per thousand feet Board Measure, measured on the Doyle Rule, in addition to Crown Dues, and doubts have arisen as to the validity of the Company's timber licenses hereinafter referred to.

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**1.** This Act may be cited as *The Shevlin-Clarke Timber* Short title.  
*License Act, 1922.*

**2.** The agreement and license dated the 30th day of August, 1919, for the sale and cutting of timber on berths 45 and 49 of the Quetico Forest Reserve and the renewals thereof are validated and declared to be binding upon His Majesty, the King, in the right of the Province and upon the Company, its successors and assigns, to all intents and purposes, but subject to the following modifications:—  
Agreement and license confirmed subject to certain change.

- (a) The Company shall pay for pine sawlogs, including all classes of pine, \$17.60 per thousand feet Board Measure, measured on the Doyle Rule, in addition to dues, in lieu of the price of \$7.00 per thousand feet Board Measure, measured on the Doyle Rule, in addition to dues specified in the said agreement and license.
- (b) The Company shall remove all timber which it is entitled to cut on the said berths 45 and 49 before April 30th, 1927, and shall not be bound to conduct an operation on the said berths 45 and 49 in any particular year.
- (c) Notwithstanding anything contained in clause (b), if the said Company shall not have cut all of the said timber before April 30th, 1927, the Lieutenant-Governor in Council will grant an extension of not longer than two years from the said date within which the company may complete such cutting.

Right to cut in certain berths confirmed.

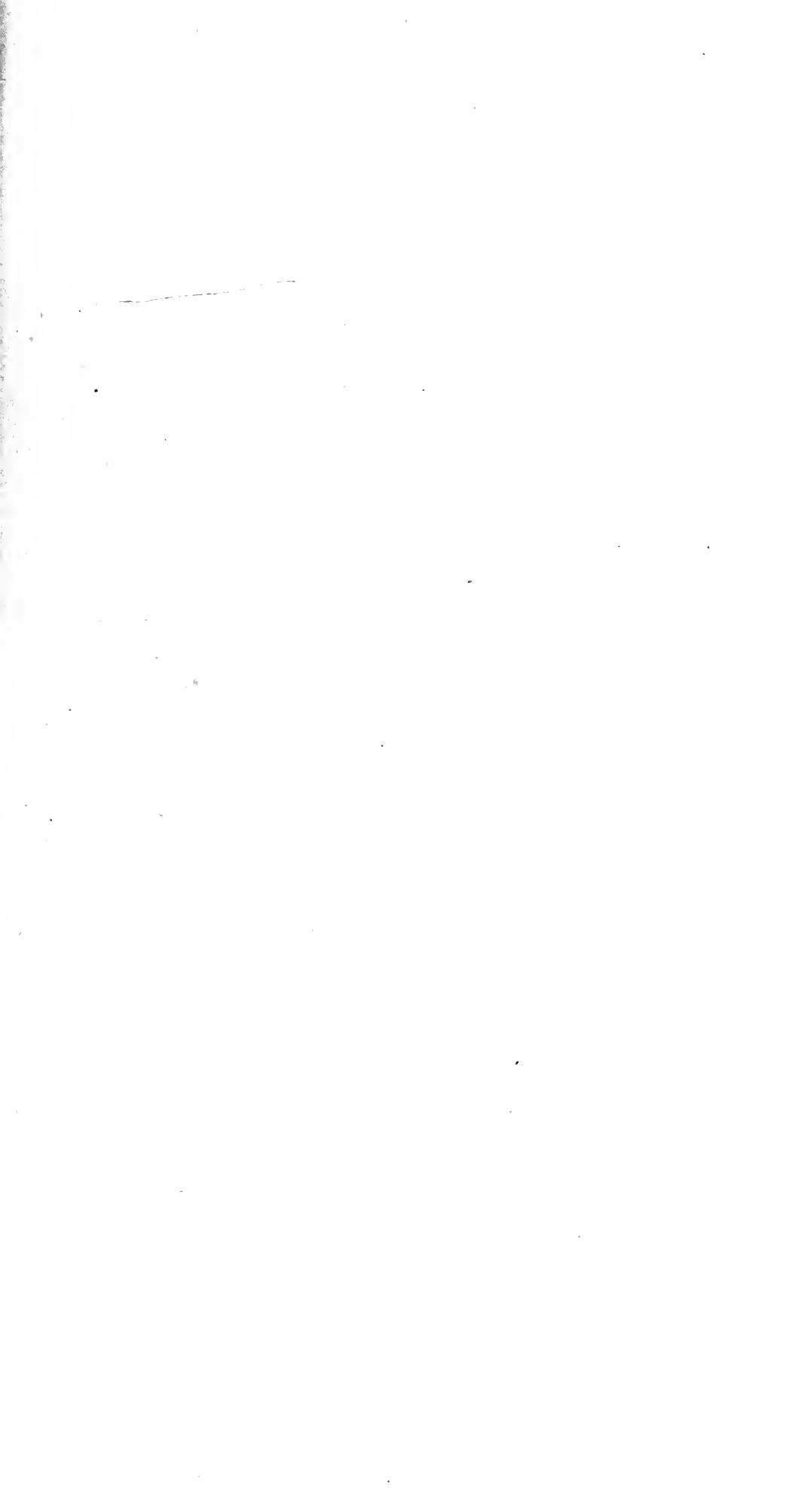
**3.** The right of the Company to cut timber on timber berths Nos. 38, 39, 51, 54, 55, 65, 66, 67, G.1, G.24, G.25, G.26, G.27, G.41, G.72, S.V. 8, S.V. 9, W.12 and W.13 in the Rainy River District, and the timber berth known as the Dick and Banning Limit is hereby confirmed, subject, however, to the conditions of sale and licenses pursuant to which such right purports to have been granted from time to time, and the said licenses (being licenses to cut timber on the said berths) held by the Company or other licensee on its behalf are hereby validated and confirmed and declared to be binding upon His Majesty, the King, in the right of the Province and upon the Company and such other licensee.

Application of general Acts and regulations.

**4.** Except as otherwise expressly provided by this Act, and by the agreement referred to in Section 2, the said timber berths and the lands upon which the same are situate and the rights of the Company therein shall be subject to all general statutes, Orders-in-Council and Regulations from time to time in force affecting or applying to the said timber berths, the lands upon which the said timber berths are situate, or the disposal of timber thereon.

Commencement of Act.

**5.** This Act shall come into force on the day upon which it receives the Royal assent.



3rd Session, 15th Legislature,  
12 George V, 1922.

BILL

An Act to vary and validate the timber  
Licenses of Shevlin-Clarke Company,  
Limited.

1st Reading	March Sth, 1922.
2nd Reading	1922.
3rd Reading	1922.

Mr. RANNEY.

TORONTO:

PRINTED BY CLARKSON W. JAMES,

Printer to the King's Most Excellent Majesty.

# BILL

## An Act to amend The Election Laws Amendment Act, 1920.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**1.** This Act may be cited as *The Election Laws Amendment Act, 1922*. Short title.

**2.** Section 37 of *The Election Laws Amendment Act, 1920*, is hereby repealed and the following substituted therefor: 1920, c. 2, s. 37 repealed.

37.—(1) The list for the municipality as last revised by the judge in the manner provided by *The Ontario Voters' Lists Act*, shall be subject to revision upon complaint as hereinbefore provided. Revision of list.

(2) In case an election shall be held before lists have been prepared as hereinbefore provided, the clerk of the municipality shall prepare three copies of the list as finally revised and used in the preparation of the polling list at the last previous election, held in the electoral district of which the municipality forms a part, and in that case such last mentioned list shall be the list to be revised by the revising officer, and when revised by him shall be the proper list to be used at the election. Where election held before lists prepared.

1920, c. 2,  
s. 41, subs. 1,  
cl. d amend-  
ed.

3.—(1) Clause (d) of subsection 1 of section 41 of *The Election Laws Amendment Act, 1920*, is hereby amended by striking out the words "Clerk of the Peace" in the third line thereof and by substituting therefor the words "Clerk of the Municipality", so that the clause will now read as follows:—

- (d) Fixing the fees to be payable to the board and the revising officer, clerk of the revising officer and clerk of the municipality for services performed, and the witness fees and costs payable under this part, and prescribing the manner in which the same shall be borne and paid.

1920, c. 2,  
s. 41, subs. 1,  
cl. e  
amended.

(2) Clause (e) of subsection 1 of section 41 of *The Election Laws Amendment Act, 1920*, is hereby amended by striking out the words "Clerk of the Peace" in the second line thereof and by substituting therefor the words "Clerk of the Municipality", so that the clause will now read as follows:

- (e) Fixing the times within which the lists shall be completed and delivered to the clerk of the municipality or the revising officers, and the time within which any duty imposed by this part with reference to the revision of the lists by the revising officer and as to which no other provision is made, shall be performed.



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3rd Session, 15th Legislature,  
12 George V, 1922.

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BILL.

An Act to amend The Election Laws  
Amendment Act, 1920.

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1st Reading,	9th March, 1922.
2nd Reading,	1922.
3rd Reading,	1922.

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MR. STEVENSON.

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TORONTO:  
PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.



# BILL

## An Act to amend The Assessment Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**1.** Subsection 11 of section 37 of *The Assessment Act* is hereby repealed and the following substituted therefor:

Rev. Stat.  
c. 195, s. 37,  
subs. 11  
amended.

- (11) Where a married woman is assessed as owner or tenant of real property rated for an amount sufficient to entitle her to vote at municipal elections, and desires that her husband shall also be entitled to vote, she may file with the Assessor, or, if there is one, the Assessment Commissioner, before the date fixed for the return of the roll, a notice setting out all the real property owned by her or which she is the tenant of in the municipality, and stating that she desires that her husband shall have the right to vote, and the Assessor shall thereupon enter upon the roll as owners or tenants as the case may be, both the names of the husband and wife.

Notice by  
wife to  
enable  
husband  
to vote.

**2.** Subsection 11a of section 37 of *The Assessment Act* is hereby amended by striking out at the end thereof the words "to be entered on the roll as owner instead of the wife," and by substituting therefor the words "and the name of the wife to be entered on the roll as owners or tenants as the case may be."

Rev. Stat.  
c. 195, s. 37,  
subs. 11a  
amended.

**3.** Subsection 11b of section 37 of *The Assessment Act* is hereby repealed and the following substituted therefor:

Rev. Stat.  
c. 195 s. 37  
subs. 11b  
amended.

- (11b) In every case the husband and the wife shall be entitled to be entered on the voters' list as the owners or tenants as the case may be of the property, and to vote.

Rev. Stat.  
c. 195, s. 37  
amended.

4. Section 37 of *The Assessment Act* is amended by adding the following subsections:

Notice by  
husbands  
to make  
wife to  
vote.

- (13) Where a married man is assessed as owner or tenant of real property rated for an amount sufficient to entitle him to vote at municipal elections, and desires that his wife shall also be entitled to vote, he may file with the Assessor, or, if there is one, the Assessment Commissioner, before the date fixed for the return of the roll, a notice setting out all the real property owned by him or of which he is tenant in the municipality and stating that he desires that his wife shall have the right to vote, and the Assessor shall thereupon enter upon the roll as owners or tenants as the case may be, both the names of the husband and wife.
- (13a) If the notice is not filed as provided by subsection 13 a notice to the same effect may be filed with the Clerk within the time allowed for appeals to the Court of Revision and the Court of Revision shall in compliance with such notice and without further evidence direct the name of the wife and the name of the husband to be entered on the roll as owners or tenants as the case may be.
- (13b) In every case the husband and the wife shall be entitled to be entered on the voters' list as the owners or tenants as the case may be of the property, and to vote.



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3rd Session, 15th Legislature,  
12 George V, 1922.

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**BILL.**

An Act to amend The Assessment Act.

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1st Reading:	March 9th, 1922.
2nd Reading:	1922.
3rd Reading:	1922.

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**MR. STEVENSON.**

# BILL

## An Act to Amend The Beach Protection Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**1.** This Act may be cited as *The Beach Protection Amendment Act, 1922.* Short title.

**2.** Section 4 of *The Beach Protection Act*, as enacted by subsection 2 of chapter 91 of the Statutes of 1920, is amended by inserting the words “the Minister of Mines approved by” immediately after the word “from” in the thirteenth line thereof, so that the section will now read as follows: Rev. Stat.  
c. 244, s. 4  
(1920, c. 97  
s. 2,  
amended.

(4) No person shall within the territorial limits of the Province of Ontario take or carry away in any vessel or otherwise transport by water any sand, gravel or stone from the bed, beach, shore, or waters of Lake Erie, Lake Ontario or Lake Huron or from land covered by or bordering upon the waters of such lakes or from any bar or flat within such limits in any of the said lakes or adjoining any chaunel or entrance to any of the said lakes, whether such bed, beach, shore, land, bar or flat be owned by such person or otherwise owned, without a license first had and obtained from the Minister of Mines, approved by the Lieutenant-Governor in Council, unless such sand, gravel or stone is taken from a locality distant inland from high water mark of any of the said lakes. Prohibition  
against  
taking  
sand,  
gravel or  
stone from  
certain  
waters.

**3.** This Act shall come into force on the 1st day of July, 1922. Commence-  
ment of  
Act.

3rd Session, 15th Legislature,  
12 George V, 1922.

BILL.

An Act to amend The Beach Protection  
Act.

1st Reading,	9th March, 1922.
2nd Reading,	1922.
3rd Reading,	1922.

Mr. Mills.

TORONTO:  
PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.

# BILL

## An Act respecting Licenses for Billiard and Pool Rooms and Bowling Alleys.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**1.** This Act may be cited as *The Billiard Room and Bowling Alley License Act, 1922.* Short title.

**2.** The Act passed in 1921, Chapter 14, entitled *An Act to License Billiard and Pool Rooms and Bowling Alleys* 1921, c 14, repealed is repealed but this shall not relieve anyone guilty of a contravention of the said Act from punishment therefor and the penalty imposed by section 10 of this Act shall apply to any contravention of the said repealed Act committed before the passing hereof.

**3.**—(1) Notwithstanding anything in any other Act contained no person shall carry on the business of conducting a billiard room, pool room or bowling alley as owner, lessee, or manager or otherwise unless and until he has paid the license fee hereinafter provided for and has received from the Treasurer of Ontario the license so to do. License required.

(2) Every person contravening the provisions of subsection 1 shall incur a penalty of not less than double the amount of the license fee payable under this Act. Penalty.

**4.** Subject to the regulations made under this Act, the Treasurer of Ontario may issue to the owner, lessee or manager of a billiard room, pool room or bowling alley upon payment of the prescribed fee, and upon compliance with the conditions prescribed by the regulations, a license to carry on such business. Issue of license.

**5.** Every such license shall continue in force for one year and may be renewed upon payment of the prescribed fee. Duration of license.

Fees for  
licenses.

**6.** The fees payable for licenses under this Act shall be,—

- (a) in cities having a population of over 50,000 according to the last census of Canada, \$20 per annum;
- (b) in every other city, \$15 per annum;
- (c) in any other place, \$10 per annum,

for each table or alley in such billiard room, pool room or bowling alley.

Fee on  
transfer.

**7.** For transfer of a license there shall be payable by the transferee the fee of \$10.

Returns.

**8.** Every owner, lessee, manager or other person in charge of a billiard room, pool room or bowling alley shall make such returns to the Treasurer of Ontario as he may from time to time require respecting the number of tables or alleys installed or located in such place.

Regulations.

**9.** The Lieutenant-Governor in Council may make regulations,—

- (a) prescribing to what class of persons and the terms and conditions under which licenses may be issued;
- (b) respecting the suspension or revocation of licenses and the causes therefor;
- (c) respecting the transfer of licenses;
- (d) prescribing the sanitary and other equipment of billiard rooms, pool rooms and bowling alleys, and the precautions to be taken for the safety and convenience of patrons;
- (e) prescribing the hours for the opening and closing of billiard rooms, pool rooms and bowling alleys;
- (f) respecting the method by which such tables and alleys shall be let for hire and the inspection and supervision thereof;
- (g) the form of licenses and transfers and the time and manner of issue thereof;



- (h) for regulating and governing the conduct of employees and patrons in billiard rooms, pool rooms and bowling alleys;
- (i) prescribing penalties for the breach of any regulation;
- (j) generally for the better carrying out of the provisions of this Act.

**10.** Every person guilty of a contravention of any of the provisions of this Act or of the regulations for which no other penalty is provided or who has been guilty of a contravention of the said Act passed in 1921, shall incur a penalty of not less than \$20 nor more than \$200. General penalty.

**11.** The penalties imposed by this Act or by the regulations shall be recoverable under *The Ontario Summary Convictions Act*. Recovery of penalties  
Rev. Stat.  
c. 90.

**12.** This Act shall come into force and take effect on the day upon which it receives the Royal Assent. Commencement of Act.

3rd Session, 15th Legislature,  
12 George V, 1922.

**BILL.**

An Act respecting Licenses for Billiard  
and Pool Rooms and Bowling Alleys.

1st Reading,	March 9th, 1922.
2nd Reading,	1922.
3rd Reading,	1922.

Mr. SMITH.

# BILL

## An Act to amend The Municipal Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. Section 406a of *The Municipal Act* is amended by inserting the following as paragraph 6:

Rev. Stat.  
192, s. 406a  
amended.

6. (a) For allowing refuse receptacles to be placed upon any highway in the municipality.

Refuse  
receptacles.

(b) For regulating and controlling the style, type, materials, construction, location, maintenance and removal of such receptacles, and the placing of advertisements thereon.

Removal,  
etc.

(c) For fixing and collecting an annual fee from the owner of any such receptacle.

Fee.

2. Clause (a) of paragraph 45 of section 400 of *The Municipal Act* is amended by striking out the words "or bricks or tiles" in the fourth line thereof.

Rev. Stat. c.  
192, s. 400.  
par. 45.  
amended.

3. Section 409 of the said Act is amended by adding the following as paragraph 2g.

Rev. Stat.  
192, s. 409,  
amended.

2g. Paragraph 2 of this Section shall also apply to buildings for clothes cleaning, pressing or dyeing businesses, hotels and saloons, billiard or pool rooms and bowling alleys, tea rooms, tailor shops, barber shops, massage parlors, hair-dressing establishments, turkish baths, printing establishments, banks, office buildings, sectarian orphanages, baby farms, private schools and seminaries of learning, storage of material used by contractors, dressing establishments and rooming houses.

Cleaning and  
pressing  
businesses.

Rev. Stat.  
c. 192, s. 399  
par. 57  
amended.

4. Paragraph 57 of Section 399 of the said Act is amended by adding thereto the following words: "within any defined area or areas or on land abutting on any defined highway or part of a highway."

Rev. Stat.  
c. 192,  
amended.

5. The said Act is amended by inserting the following as Section 409a:

Residential  
districts.

409a. By-laws may be passed by the Councils of cities having a population of not less than 200,000 for setting aside any defined area or areas or districts to be used exclusively for buildings for residences, and may prohibit the erection of any building therein for any other purpose except such as are usually appurtenant to a residence.

Rev. Stat.  
c. 192, s. 400  
par. 45  
amended.

6. Paragraph 45 of Section 400 of the said Act is amended by adding the following thereto as clause (c):

By-law to  
apply to one  
mile beyond  
city limits.

(c) Any by-law passed under this paragraph shall also apply to any part of any municipality lying within one mile of the limits of any urban municipality having a population of not less than 200,000 and any such by-law may be enforced therein.

Rev. Stat.  
c. 192, s. 406  
amended.

7. Section 400 of the said Act is amended by inserting after paragraph 4b the following as paragraph 4c:—

Foundation  
walls.

4c. For requiring the foundation walls of all buildings to be erected on lands fronting or abutting on any defined highway or highways named in such by-laws to be carried down to rock.

Rev. Stat. c.  
c. 192, s. 406  
amended.

8. Section 406 of the said Act is amended by inserting the following as paragraph 1 thereof:—

1. For licensing, regulating and controlling the use of bicycles on the highways.



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3rd Session, 15th Legislature,  
12 George V, 1922.

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BILL

An Act to amend The Municipal Act.

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1st Reading,	9th March, 1922.
2nd Reading,	1922.
3rd Reading,	1922.

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MR. CRAWFORD.

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No. 116.

1922.

# BILL

## An Act to amend The Assessment Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. Section 2 of *The Assessment Act* is amend by inserting after clause (k) the following clause (ka):—

Rev. Stat.  
c. 195 s. 2  
amended.

(ka) "Person" shall include any partnership, anybody corporate or politic and the heirs, executors, administrators or other legal representatives of a person to whom the context can apply according to law.

2. Paragraph 11 of section 5 of the said Act is amended by adding thereto the following words:—

Rev. Stat.  
c. 195 par. 11  
amended.

"or the income arising from any gift or bequest to any charitable institution or public hospital."

3. Clause (f) of subsection 1 of section 10 of the said Act is amended by striking out the word "only" in the twelfth line.

Rev. Stat.  
c. 195 s.  
10 (1)  
amended.

4. Subsection 8 of section 10 of the said Act is amended by striking out the words "Except as provided in clause (c) of subsection 1 of section 11, every person liable to assessment in respect of a business shall not be assessed in respect of income derived from such business nor shall the premiums or assessments of an insurance company be assessable" at the commencement thereof, and substituting the following:—

Rev. Stat.  
c. 195,  
s. 10 (8)  
amended.

"The premiums or assessments of an insurance company shall not be assessable."

Rev. Stat.  
c. 195  
s. 11 (1)  
repealed.

5. Clause (c) of subsection 1 of section 11 of the said Act is repealed and the following substituted therefore:—

(c) Every person or partnership liable to business assessment under section 10 shall be assessed in respect of the income derived by him from his business profession or calling to the extent to which such income exceeds the amount of such business assessment excepting incorporated companies not assessable under clause (f) of subsection 1 of section 10, commissions, or trustees assessable under section 45a.

Rev. Stat.  
c. 195  
s. 11 (2)  
repealed.

6.—(1) Subsection 2 of section 11 of the said Act is repealed and the following substituted therefor:—

Assessment of,  
where not  
fixed  
amount.

(2) Where the income is not a fixed wage or salary for the current year, the income of such person or partnership for the purpose of assessment shall be taken to be the amount of the income received during the year ending on the 31st of December then last year.

Commence-  
ment of  
Section.

(2) This section shall come into force and take effect on the first day of January, 1923.

Rev. Stat.  
c. 195  
s. 11  
amended.

7. Section 11 of the said Act is amended by adding thereto the following as subsection 3:—

Adjustment  
of taxes in  
following  
year.

(3) Where any person has been assessed for income from any source (except from personal earnings) during the year in which this Act comes into effect, but does not receive the whole or any part of such income during that year, or receives a larger amount than that for which he is assessed, he, or the assessor, or the assessment Commissioner may apply to the Court of Revision in the following year for a remission, reduction or adjustment of his taxes and the court shall have power to remit, reduce or adjust his taxes according to the facts proved on such application.

Rev. Stat.  
c. 195  
s. 13 (1)  
amended.

8. Subsection 1 of section 13 of the said Act is amended by adding thereto the following clauses:—



(a) Every agent, trustee, executor or person who collects or receives or is in any way in possession or control of income for or on behalf of a person resident either within or without Ontario and which income is not wholly distributed annually, shall be assessed in respect of the income not so distributed.

(b) Income which has been assessed against any agent, trustee, executor or other person under the foregoing clause (a) shall not be again assessed when received by the beneficiary or person entitled thereto.

**9.** Subsection 1 of section 19 of the said Act is repealed and the following substituted therefor:—

Rev. Stat.  
c. 195  
s. 19 (1)  
repealed.

(1) Every corporation whose dividends are liable to tax to be assessed against the shareholders as income, which has received a notice from any assessor or assessment commissioner requiring it to do so, shall within thirty days thereafter deliver or mail to such assessor or assessment commissioner a statement, in writing, setting forth the names and addresses of all shareholders who are resident in the municipality for which he is appointed or who ought to be assessed for their income therein, the amount of stock held by every shareholder, as of the 31st of December next preceding, and the amount of dividends and bonuses paid to each during the twelve months next preceding.

Returns by  
corporations  
as to share-  
holders.

**10.** Subsection 2 of section 19 of the said Act is repealed and the following substituted therefor:—

Rev. Stat.  
c. 195  
s. 19 (2)  
repealed.

(2) The notice shall be addressed to the corporation and delivered or mailed by registered post to the head office of the corporation in Ontario or to any branch or agency of such corporation in Ontario, or be left at the principal office or the office of the manager, cashier or other chief officer of the corporation, and the notice shall be deemed to have been received when it was so delivered, mailed or left.

**11.** Subsection 2 of section 54 of the said Act is repealed and the following substituted therefor:—

Rev. Stat.  
c. 195  
s. 54 (2)  
repealed.

Omission of  
income or  
business  
assessment.

- (2) If at any time it appears to any assessor or other officer of the municipality that during the year any income or business assessment has been omitted from the assessment roll for the current year or that the amount thereof has been incorrectly stated, he shall forthwith report the same to the clerk of the municipality who shall forthwith enter the same or correct the amount on the assessment and collector's roll for the current year and the party or parties so assessed and taxed shall have the right to appeal as provided in section 118.

Rev. Stat.  
c. 195  
s. 19b  
amended.

**12.** Section 19b of the said Act is amended by striking out the words "payable to him during the current year" at the end of the first paragraph and also the second paragraph and substituting therefor the words "paid during the year ending on the 31st day of December then last past."

Rev. Stat.  
c. 195,  
s. 109, (11)  
amended.

**13.** Subsection 11 of section 109 of the said Act as enacted by section 10 of the Act passed in the seventh year of the reign of His Majesty King George the fifth, chaptered 45, is repealed and the following substituted therefor:—

Notice of  
taxes where  
goods under  
seizure.

- (11) Where personal property liable to seizure for taxes as hereinbefore provided is under seizure or attachment or has been seized by the sheriff or by a bailiff of any court or is claimed by or in possession of any assignee for the benefit of creditors or liquidator or of any trustee or authorized trustee in bankruptcy or where such property has been converted into cash and is undistributed, it shall be sufficient for the tax collector to give to the sheriff, bailiff, assignee or liquidator or trustee or authorized trustee in bankruptcy, notice of the amount due for taxes, and in such case the sheriff, bailiff, assignee or liquidator or trustee or authorized trustee in bankruptcy shall pay the amount of the same to the collector in preference and priority to any other and all other fees, charges, liens or claims whatsoever.

Rev. Stat.  
c. 195  
s. 118, (1)  
repealed.

Remission or  
reduction of  
taxes by  
Court of  
Revision.

**14.** Subsection 1 of section 118 of the said Act is repealed and the following substituted therefor:—

- (1) The Court of Revision shall, at any time during the year for which an assessment has been adopted by the council or before the first day of

July in the following year and with or without notice receive and decide upon the petition from any person assessed for a tenement which has remained vacant during more than three months in the year for which an assessment has been so adopted; or from any person who declares himself from sickness or extreme poverty unable to pay the taxes or who by reason of any gross or manifest error in the roll has been overcharged or whose land has been assessed under section 54; or who has been assessed for business but has not carried on business for the whole year in which the assessment was made, or who has been assessed for income from personal earnings and has not received such income or has died during the year in which the assessment on such income was made; and the Court of Revision may (subject to the provisions of any by-law in this behalf) remit or reduce the taxes of any such person or reject the petition; and the council may from time to time make such by-laws and repeal or amend the same.

**15.** Subsection 2 of section 118 of the said Act is amended by inserting after the word "had" in the first line the words "to the county judge."

Rev. Stat.  
c. 195  
s. 118 (2)  
amended.

**16.** Section 126 of the said Act is amended by inserting after the word "may" in the third line the words "in his discretion."

Rev. Stat.  
c. 195  
s. 126  
amended.





3rd Session, 15th Legislature,  
12 George V, 1922.

BILL.

An Act to amend The Assessment Act.

1st Reading,	9th March, 1922.
2nd Reading,	1922.
3rd Reading,	1922.

MR. LEWIS.

# BILL

## An Act to amend The Municipal Act.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. Paragraph 1 of section 419 of *The Municipal Act* as enacted by 8 George V, Chapter 32, section 13, is amended by inserting the words “and of fresh fish” after the word “meats” in the first line and after the word “carcass” in the sixth and tenth lines, so that the paragraph when so amended will read as follows;

Rev. Stat.  
c. 192, s. 419,  
par. 1,  
amended.

- (1) For regulating the storage, handling and sale of fresh meats and of fresh fish and prescribing the equipment and appliances necessary to conduct such business under sanitary conditions, and for granting annually or oftener licenses for the sale of fresh meat in quantities less than by the quarter carcass and of fresh fish, and fixing and regulating the places where such sale shall be allowed, and for prohibiting the sale of fresh meat in less quantities than the quarter carcass and of fresh fish unless by a licensed person and in a place authorized by the council.
- (a) The power conferred by paragraph 1 shall not be affected or restricted by anything in section 402.
- (b) Nothing in paragraph 1 shall affect the powers conferred by paragraphs 3 and 4 of section 401.
- (c) The fee to be paid for the license shall not exceed \$50 in a city and \$25 in a town or village.

Regulation,  
Storage and  
Sale of  
Fresh Meats  
and Fish.

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3rd Session, 15th Legislature,  
12 George V, 1922.

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BILL.

An Act to amend the Municipal Act.

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1st Reading,	10th March, 1922.
3rd Reading,	1922.
2nd Reading,	1922.

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Mr. HONATH.



# BILL

## An Act to amend The Ontario Voters' Lists Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**1.** This Act may be cited as *The Ontario Voters' Lists Act, 1922.* Short title.

**2.** *The Ontario Voters' Lists Act* is amended by adding Rev. Stat. c. 6, amended. thereto the following section:

*Sa.* Where it appears by the assessment roll of a township that a person who is not resident in the township is entered upon the assessment roll and assessed for sufficient property to entitle him to vote at municipal elections in the township, such non-resident person at any time after the revision of the assessment roll and before the printing of the voters' list by the clerk, may give notice in writing signed by him and verified by a statutory declaration, to the clerk requesting that the name of such non-resident person be entered on the voters' list for some other polling subdivision in the township than that in which he is so assessed, and thereupon the clerk may enter the name of such non-resident person on the list for any other polling subdivision so designated and after the name of such non-resident person shall enter the property in respect of which he is qualified to vote and the polling subdivision in which the same is situate.

**3.** This Act shall come into force on the day upon which Commence-  
ment of Act. it receives the Royal Assent.

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3rd Session, 15th Legislature,  
12 George V, 1922.

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BILL

An Act to amend the Ontario Voters'  
Lists Act.

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1st Reading,	March 10th,	1922.
2nd Reading,		1922.
3rd Reading,		1922.

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Mr. STAPLES.

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TORONTO:  
PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.

# BILL

## An Act respecting Voters' Lists.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**1.** This Act may be cited as *The Ontario Voters' Lists Act, 1922.* Short title. R.S.O. 1914, c. 6, s. 1.

### INTERPRETATION.

**2.—(1)** In this Act,—

Interpretation.

- (a) "Board" shall mean Election Board as constituted under the provisions of *The Election Laws Amendment Act, 1920.* "Board."
- (b) "Judge" shall mean judge of the county or district court of the county or district in which lists are to be prepared, and shall include a junior or acting judge, but shall not include a deputy judge: "Judge".
- (c) "Prescribed" shall mean prescribed by this Act or by regulations made under the authority of this Act. "Prescribed."
- (d) "Voter" shall mean a person entitled to be a voter, or to be named in the voter's list as qualified to be a voter either at an election of a member of the Assembly or at any municipal election, as the case may be. R.S.O. 1914, c. 6, s. 2 (1): amended, 1914, c. 2. "Voter".

### RULES AND FORMS.

**3—(1)** The Board of County Judges may, if requested so to do by the Lieutenant-Governor, frame rules and forms of procedure for the purpose of better carrying this Act into effect, and such rules and forms shall, when approved by the Lieutenant-Governor in Council, have the same effect and force as if they formed part of this Act. R.S.O. 1914, c. 6, s. 3. Rules.

(2) The forms in Schedule "A" to this Act may be modified or varied, but any such modification or variation shall be subject to the approval of the judge. Forms. New.

Repeal.

4. The Acts and parts of Acts set out in Schedule "B" are repealed to the extent therein mentioned.

#### APPLICATION OF PARTS I, II, III AND IV.

Application  
Part s. I.  
and III.

5.—(1) Parts I and III shall apply to towns, townships, villages and except as varied by Part II, to cities.

Of Part II.

(2) Part II. shall apply to every city in which a by-law shall have been passed for taking the assessment at any time prior to the 30th day of September, and fixing separate dates for the return and final revision of the assessment rolls for each ward or subdivision of a ward, as defined in the by-law.

Of Part IV.

(3) Part IV shall apply to every part of Ontario including Indian Reserves, not comprised in an organized municipality. R.S.O. 1914, c. 6, s. 5 (3).

Territory with-  
out assessment  
roll.

(4) Territory comprised in a newly organized municipality for which there is no assessment roll shall for the purposes of subsection 3 be deemed to be still a portion of Ontario not comprised in an organized municipality. R. S. O. 1914, c. 6, s. 5 (4).

#### PART I.

##### ENTRY OF NAMES OF VOTERS AND OTHER PARTICULARS IN ASSESSMENT ROLL.

Assessor to  
enter names  
on roll.

6.—(1) In addition to the other particulars required by *The Assessment Act*, to be entered upon the assessment roll, every assessor shall enter upon the roll the name of every person who is of the full age of twenty-one years, a British subject, and who has been a resident of Ontario for a period of nine months prior to the date fixed for the assessor to begin to make up his roll, and who is a resident of the municipality and qualified in other respects as the assessor believes, to vote at elections to the Assembly.

Particulars  
to be entered  
on list.

(2) After the name of every person so entered, the assessor shall enter the person's place of residence, occupation and condition (as "married" or "married woman," "widower," "widow," "bachelor" or "spinster," as the case may be) or initials denoting such condition and the letters "L.F." (Legislative Franchise).

Duty of  
assessor.

(3) It shall be the duty of the assessor to make diligent inquiries when preparing the assessment roll in order to ascertain the persons who are entitled to be entered on the roll under this section. 1920, c. 2, s. 26.

(4) The names of persons and the particulars in relation to such persons required by this section to be entered in the assessment roll, and who are not qualified to vote at municipal elections, may be entered in a separate or supplementary assessment roll by the assessor or an assistant assessor appointed and sworn in the same manner as the assessor and all such rolls shall be verified by the assessor or assistant assessor by his affidavit or solemn affirmation according to the following form:—

I (*name and residence*), make oath and say (*or solemnly declare and affirm*), as follows:—

I have according to the best of my information and belief set down in the above separate roll the name of every person who is of full age of twenty-one years, a British subject, and who has been a resident of Ontario for a period of nine months prior to the day of 192  
(*the date fixed for the assessor to begin to make up his roll*) and who is a resident of the municipality (*or electoral district*) and qualified in other respects, as I believe, to vote at elections to the Assembly, and who is not qualified to vote at municipal elections. 1921 c. 2, s. 3.

#### LIST OF VOTERS AND COPIES.

7.—(1) The clerk of each municipality shall, immediately after the final revision and correction of the assessment roll in every year, make a correct list in three parts. Form I of all persons appearing by the assessment roll or by the supplementary roll mentioned in section 6 to the voters.

(2) The list shall be made up alphabetically except in the case of a city, the council of which has by resolution directed that the list be made up in order of street numbers.

(3) The first of the three parts shall contain the names of all persons appearing by the assessment roll to be voters at both Provincial and municipal elections.

(4) The second part shall contain the names of all persons appearing by the assessment roll to be voters at municipal elections, but not at Provincial elections.

(5) The third part shall be prepared separately and shall contain the names of all persons appearing by the assessment roll or by the supplementary roll mentioned in section 6 to be voters at Provincial, but not at municipal elections.

Part III not to be printed.

(6) The third part shall not be printed unless and until so ordered by the Chief Election Officer, in which case it shall be dealt with as hereinafter provided and until such order is received the clerk shall retain the third part in his custody.

Furnishing copies of Part III.

(7) The clerk shall furnish copies of the third part or permit the inspection thereof and shall be entitled to like fees as in the case of other documents kept or filed in his office.

Entries.

(8) The name of the same person shall not be entered more than once.

List for polling subdivisions.

(9) Where a municipality is divided into polling subdivisions lists shall be made for each subdivision.

Where qualification in respect of real property.

(10) Where the qualification of a person to be a voter at a municipal election is in respect of real property, the clerk shall opposite the name of such person, insert, in the proper column the number of the lot or other proper description of the parcel of real property in respect of which such person is so qualified; adding thereto where the person is so qualified in respect of more than one lot or parcel, the words "and other premises."

Farmer's son.

(11) In the case of a person being a farmer's son, the clerk shall insert opposite his name, in the proper column, the words "Farmer's Son," or the letters "F. S."

Entry where voters assessed in several divisions of same ward.

(12) Where a ward is divided into polling subdivisions, and it appears by the assessment roll that a person is assessed in each of two or more polling subdivisions for property sufficient to entitle him to be a voter at a municipal election, the clerk shall enter his name in the list for one subdivision only, and shall insert opposite his name the words "and other premises," and where to the knowledge of the clerk the person resides in one of the subdivisions, his name shall be entered on the list for that subdivision.

Provision where property partly in one subdivision and partly in another.

(13) Where it appears by the assessment roll that a person is assessed for property within the municipality sufficient to entitle him to be a voter at a municipal election, but that the property lies partly within one subdivision and partly within another or others, the clerk shall enter the name of such person on the list of voters in only one of the subdivisions in which the property is situate, with the following words added: "Partly qualified in subdivision No. ."

(14) If the qualification to be a voter at a municipal election is in respect of income, the clerk shall state that fact in the proper column. Income qualification.

(15) Where the word "Freeholder" or the letter "F," or the word "Tenant" or the letter "T," appears in the assessment roll opposite the name of a person entitled to be entered on the list, such word or letter shall be placed opposite the name of such person. Entry in list of person assessed as freeholder or tenant.

(16) Where no appeal is made from the court of revision of the municipality to the judge as provided by *The Assessment Act*, the assessment roll shall be deemed to be finally revised and corrected when the time within which an appeal may be made has elapsed, and where an appeal is made, when the assessment roll has been revised and corrected by the judge. R.S.O. 1914, c. 6, s. 6 (16). When assessment roll to be regarded as finally revised.

8.—(1) In the case of a city or town in which the assessment roll is not returnable before the 30th day of September the clerk, immediately after the return of the roll, and without waiting for the revision and correction thereof by the court of revision or the judge, shall make out a list of all persons appearing by the roll to be voters; and shall within thirty days after the return of the roll, cause two hundred copies of Part I and Part II, of the list to be printed in pamphlet form, and shall post up and otherwise deal with the list, as provided by section 10. Preparing voters' list in cities where roll not returnable before 30th September. Copies.

(2) A larger number of copies may be printed if the council shall so direct. Idem.

(3) The list so made shall be deemed the list of voters which is subject to revision by the judge under section 15, and the provisions of this Act which have reference to the list mentioned in the said section shall apply to the list provided for by this section. Revision of list by county judge.

(4) The time for giving notice of any complaint to be made to the judge under section 15 with respect to a list prepared under this section shall be twenty-one days after the clerk has posted up the list. Time for giving notice of complaints.

(5) The list prepared under this section shall be finally revised, corrected and certified by the judge within one month after the last day for making complaints. Time for completion of lists.

Correction of  
voters' list  
after revision  
of roll.

(6) In case the assessment roll of a city or town to which this section applies is not finally revised before the time limited for the final revision, correction and certifying of the list by the judge, and upon appeal from the court of revision alterations are made by the judge in the assessment roll affecting the right of any person to be entered on the list, the judge shall forthwith after the final revision of the roll, make out a list of such alterations and deliver the same to the clerk, who shall make corresponding changes in the certified copies of the revised list, and the judge shall initial the same. R.S.O. 1914, c. 6, s. 7.

Entry of P.O.  
address of  
voter.

9.—(1) The clerk of every township municipality, in making out the list shall insert therein a schedule, Form 1, containing the name, numbered consecutively, of every postoffice which by the assessment roll appears as the address of any person entered on the list, and in making out the list, shall, according to the form and in the proper column therefor, insert opposite the name of every voter entered on the list the consecutive number which according to the schedule is his postoffice address, so far as the address appears by the assessment roll, or is within the knowledge or belief of the clerk; but no appeal or complaint on the ground of any error, mistake or omission in or from the list in respect of any matter or thing by this section directed to be inserted therein, shall be made or allowed by or under this Act. R.S.O. 1914, c. 6, s. 8 (1).

Entries of  
those qualified  
as jurors.

(2) The clerk in making out the Voters' List shall in a separate column provided for the purpose, write or mark the letter "J" upon the Voters' List opposite the names of every male person over twenty-one and under sixty years of age, who by the roll appears to possess the property qualification required to qualify him to serve as a juror, and such Voters' List shall show at or near the end of Part II, the aggregate number of names of persons upon such lists qualified to serve on juries, and in the case of cities and towns such list shall give the same information for each ward. R.S.O. 1914, c. 6, s. 8 (2).

Printing and  
distribution of  
list.

10.—(1) Immediately after the clerk has made the list and within forty days in a city and in other municipalities within thirty days, after the final revision and correction of the assessment roll, the clerk shall cause at least two hundred copies of Parts I and II of the list to be printed in pamphlet form, and forthwith shall cause one of the printed copies to be posted up and to be kept posted up in



some conspicuous place in his office, and deliver or transmit by post, by registered letter or by parcel post, registered, one copy to each judge of the county or district court of the county or district to which for judicial purposes the municipality belongs; and two copies of Parts I and II to each of the following persons:—

- (a) Every member of the municipal council of the municipality;
- (b) The sheriff;
- (c) The clerk of the peace;
- (d) Every postmaster in the municipality;
- (e) In a town, township or village every head teacher of a public or separate school in the municipality;
- (f) The registrar of deeds. R.S.O. 1914, c. 6, s. 9, (1).

(2) The copies required to be sent to every head teacher of a public or separate school may be sent by the clerk to the secretary or secretary-treasurer of the school board by which such teacher is employed. R.S.O. 1914, c. 6, s. 9 (1) *amended*. Sending copies to school secretaries.

(3) The clerk shall forthwith also send notice to each of the following persons:— Distribution of list.

- (a) The Member of the House of Commons for the electoral district in which the municipality or any part thereof lies;
- (b) The Member of the Assembly for the electoral district in which the municipality or any part thereof lies;
- (c) Every candidate for whom votes were given at the then last election of a Member for the House of Commons and for the Assembly respectively for the electoral district in which the municipality or any part thereof lies, and
- (d) The head of the municipality.

that the list has been printed and posted up and that copies of the same will be supplied to such persons on application therefor. R.S.O. 1914, c. 6, s. 9 (2) *amended*.

To what part  
of list members  
and candi-  
dates.

(4) Every member or candidate applying for copies of the list under subsection 3 shall be entitled only to copies of the list for the electoral district for which he is or was member or candidate.

When to  
supply copies  
of list.

(5) Upon the personal application or written order of any of the persons mentioned in subsection 3, the clerk shall deliver the copies of the list, or on receipt of the necessary postage, shall transmit the same by registered parcel post. *New.*

Certificate  
of Clerk.

**11.**—(1) Upon each of the copies of Part I so delivered or sent there shall be a certificate, form 2*a*, over the name of the clerk, stating that the list is a correct list of all persons appearing by the last revised Assessment Roll to be voters at Provincial and Municipal elections; and upon each of the copies of Part II so delivered or sent there shall be a certificate, form 2*b* over the name of the clerk, stating that the list is a correct list of all persons appearing by the last revised Assessment Roll to be voters at Municipal elections only; and such certificates shall contain clauses calling upon all voters to examine the lists, and to take immediate proceedings to have omissions or errors corrected according to law.

Endorsement  
of date.

(2) Upon the outside or cover of each of the copies so sent shall be printed or written conspicuously the date of the posting up of the list thus:—

“This list was posted up in the Clerk’s Office  
on the day of (*fill in date*), 19 .”

R.S.O. 1914, c. 6, s. 11.

Posting up  
by sheriff.

**12.**—(1) The sheriff shall immediately upon receipt of his copies cause one of them to be posted up in a conspicuous place in the court house; the clerk of the peace, upon receipt of his copies, shall cause one of them to be posted up in a conspicuous place in his office; every head teacher of a public or separate school shall post up one copy on the door of the school house and every postmaster shall post up one copy in his post office. R.S.O. 1914, c. 6, s. 12 (1).

Duty of Sec-  
retary-Treas-  
urer as to  
posting list.

(2) Where copies of the list have been sent to the secretary or secretary-treasurer of a school board instead of to the head teacher of a public or separate school, such secretary or secretary-treasurer shall act in place of the head teacher, and shall post up one copy of the list on the door of every school house under the control of the board. R.S.O. 1914, c. 6, s. 12 (2).

**13.** The clerk shall also forthwith cause to be inserted at least once in a newspaper published in the municipality, or in case none is published therein, then in a newspaper published either in the nearest municipality in which one is published, or in the county or district town, a notice, form 3, signed by him, which shall state that he has delivered or transmitted the copies of the list as directed by this Act, and the date of the first posting up of the list in his office. R.S.O. 1914. c. 6. s. 13.

Notice of transmission and posting up of list.

#### REVISION OF PARTS I AND II OF LIST.

**14.—(1)** The first and second parts of the list shall be subject to revision by the Judge at the instance of any voter who complains that the names of voters have been omitted from the list, or wrongly stated therein, or that the names of persons who are not entitled to be voters have been entered on the list.

Revision of list by Judge.

(2) Upon such revision the finally revised assessment roll shall not be conclusive evidence in regard to any matter.

Assessment Roll not conclusive.

(3) Upon such revision no person shall be disentitled to have his name entered on the list by reason of his having omitted to make, sign or deliver any statement or affidavit required by *The Assessment Act*, or of his name not having been entered on the assessment roll.

Idem.

(4) The decision of the Judge, in regard to the right of any person to vote, or as to the right to enter on or strike from the list the name of any person as a voter, shall be final. R.S.O. 1914. c. 6. s. 14 (1-4).

Judge's decision final.

(5) In the case of a list for a town, village or township, the Judge shall receive as evidence in support of an application to have the name of a person entered on the list, the affidavit of such person or of some other person who has, and deposes that he has, personal knowledge of the matter set forth in the affidavit, form 4, if the affidavit is made not earlier than the tenth day next preceding the last day for making complaints to the Judge and is delivered to the clerk before the time for making complaints has expired. R.S.O. 1914. c. 6. s. 14 (5).

When evidence by affidavit receivable.

**15.—(1)** Any voter whose name is entered on or who is entitled to have his name entered on the list for the municipality shall have the right for all purposes of this Act, upon giving notice in writing, form 5, within twenty-one

Who may appeal or complain.

days after the clerk has posted up the first and second parts of the list in his office, to apply, complain or appeal to have his own name or the name of any other person corrected in, entered on or removed from the list for any municipality in the electoral district. R.S.O. 1914, c. 6, s. 15 (1).

Persons  
who have  
acquired  
qualification  
before time  
for giving  
notice has  
expired.

(2) Any person who has acquired the qualification entitling him to vote at a municipal election before the time for giving the notice of appeal to the Judge has expired, shall be deemed to be a person entitled to be entered on the list, and if entered thereon, he shall be entered also on the assessment roll, and shall be assessed for his property or income, if not already assessed therefor, without any request on his part, and the Judge and clerk shall for the purposes of such assessment have the powers and perform the duties mentioned in section 40. R.S.O. 1914, c. 6, s. 15 (2).

Complaint  
that person  
named on  
list has lost  
qualification.

(3) A person whose name is entered on the first or second parts of the list and has before the time for giving notice of appeal to the Judge has expired, ceased to possess the qualification in respect of which his name was so entered, on complaint being duly made under section 17, shall be deemed to be wrongfully entered on the list and subject to the provisions of section 19, his name shall be removed therefrom. R.S.O. 1914, c. 6, s. 15, (3).

Powers of  
Judge.

**16.** The Judge may, without a previous notice of appeal or complaint, on an application made by or on behalf of any person entered on the first or second part of the list, correct any mistake which shall appear to have been made in compiling the list in respect of the name, place of abode, qualification, or of the local or other description of the property of a person entered on the list, and with respect to whose right to be so entered an appeal or complaint is pending before the Judge. R.S.O. 1914, c. 6, s. 16.

Proceedings  
on complaint  
of errors  
in list.

**17.—(1)** A voter making a complaint in respect of the list shall, within twenty-one days after the clerk has posted up the list in his office, give to the clerk or leave for him at his residence or place of business, notice in writing, form 5, of his complaint. R.S.O. 1914, c. 6, s. 17 (1).

Vacancy in  
office of  
clerk.

(2) If the office of clerk is vacant, the notice may be given in like manner to the head of the council of the municipality, and he shall perform all the duties of the clerk.

(3) The proceedings thereafter by the judge, clerk and the parties respectively, and the powers and duties of the judge, clerk and other persons shall be the same, as nearly as may be, as in the case of an appeal from the court of revision under *The Assessment Act*; but no deposits shall be required. (See Forms 5-11.)

Procedure  
as in appeal  
from court  
of revision.

(4) The judge shall not proceed with the holding of any court for hearing complaints until notice, Form 9, of the time and place of holding the court shall have been published by the clerk at least ten days before the sittings of the court, in some newspaper published in the municipality, or, if there be no such paper, then in a newspaper published in the nearest municipality in which one is published, or in the county town. R.S.O. 1914, c. 6, s. 17 (2-4).

Notice of  
holding  
court for  
complaints.

**18.**—(1) Any person may obtain from the county or district court of the county or district a subpoena, form 12, or from the judge an order, requiring the attendance at court for hearing complaints, at the time mentioned in the subpoena or order, of a witness residing or served with the subpoena or order, in any part of Ontario, and requiring the witness to produce any papers or documents mentioned in the subpoena or order; and every witness served with the subpoena or order shall obey the same, provided his expenses according to the scale allowed in division courts, are paid or tendered to him at the time of service.

Compelling  
attendance  
of witnesses.

(2) Any person in respect of the entry or omission of whose name a complaint is made, shall, if resident within the municipality for or in which the court is held, upon being served with a subpoena or order obey the same without being tendered or paid his expenses; and the subpoena or order shall be deemed to have been sufficiently served,

Compelling  
attendance  
of persons  
whose right  
is in  
question.

- (a) if the subpoena or order is served upon him personally; or
- (b) where he has a known residence or place of business within the municipality, if a copy of the subpoena or order is left for him with some grown-up person at such residence or place of business: or
- (c) where he has a known residence or place of business within the municipality, if a copy of the subpoena or order, at least six days before the sitting of the court, is mailed to him by registered letter, directed to him at

the post-office address contained in any affirmation made by him under *The Assessment Act*, and where no such affirmation has been made, directed to him at his last known post-office address, and also by separate registered letter directed to the post-office described as his post-office in the voters' list unless such last mentioned post-office is his last known post-office address; or in the case of cities, towns and villages if no post-office is described for him in the voters' list, directed to the post-office of such city, town or village, (1917 c. 4, s. 6. *am.*) or

- (d) where he is a farmer's son, if a copy of the order or subpœna is left for him with some person at the residence of the farmer whose son he is.

Penalty for  
non-attend-  
ance.

(3) If a person, whose right to be a voter is the subject of enquiry, does not attend in obedience to the subpœna or order, the judge, in the absence of satisfactory excuse being shown for the non-attendance, or of proof of right of the person to be a voter, may, on the ground of his non-attendance, strike his name off, or refuse to enter his name on the list or impose on him a fine not exceeding \$20, or may do both.

Prima facie  
evidence  
of certain  
facts.

(4) The fact that the name of the person is entered on the last revised voters' list of the electoral district shall be *prima facie* evidence that he is a British subject and twenty-one years of age.

Number  
of names.

(5) The names of any number of witnesses may be inserted in one subpœna or order. R.S.O. 1914, c. 6, s. 18.

When  
qualification  
incorrectly  
stated.

**19.** If on complaint or appeal to strike off the name of any person on the list it appears that the qualification of such person is incorrectly set forth therein, but that he has the qualification necessary to entitle his name to be entered on the list, the judge shall not strike off the name of such person, but shall make such alterations in the list as are necessary to set forth the proper qualifications of such person, and in so doing may, if the name has not been entered on the proper part of the list, enter the same thereon. R.S.O. 1914, c. 6, s. 19.

**20.** The judge shall so arrange and proceed, and fix the sittings of the court, that all the complaints shall be heard and determined, and the list finally revised, corrected and certified, within two months from the last day for making complaints. R.S.O. 1914, c. 6, s. 20.

**21.**—(1) If no complaint is made within twenty-one days after the clerk has posted up the list in his office, he shall forthwith deliver either in person or by letter to the judge his report, form 13, and the judge shall thereupon certify, form 14, a sufficient number of copies of the first and second parts of the list as being the last revised list of persons entitled to be voters at elections to the Assembly as well as at municipal elections, and of persons entitled to vote at municipal elections only in the municipality to furnish one copy of such list to each of the following persons, namely:

- (a) the judge;
- (b) the clerk of the peace;
- (c) the clerk of the municipality.

(2) The judge shall certify each of such copies and shall retain one and shall deliver or transmit by registered post, one copy to each of the persons mentioned in clauses (b) and (c), of subsection 1. R.S.O. 1914, c. 6, s. 21.

**22.** If any complaint is made and allowed by the judge he shall immediately after the list has been finally revised, furnish to the clerk a statement of the changes made by him in the list.

**23.**—(1) After the list has been certified and before the nomination day at any municipal election, the judge may, upon the application of a voter, strike from the list the name of any person who has died since the list was certified; and for that purpose the certificate of the Registrar-General or of the division registrar shall be sufficient evidence of death, but if the identity of the person proved to be dead with the person whose name is sought to be struck off is disputed or open to reasonable doubt, proof of the identity shall be required.

(2) The proceedings shall be the same as may be as those which are prescribed for the revision of the list, except that it shall not be necessary to publish notice of the sittings of the court, and the judge and the officers named in this Act shall have the same jurisdiction as in the case of proceedings to revise the list under this Act. R.S.O. 1914, c. 6, s. 23.

Effect of  
certified  
list.

**24.**—The certified list shall, under *The Municipal Act* be final and conclusive evidence that all persons named therein, and no others, were qualified to vote at any municipal election at which such list was, or was the proper list to be used; except,—

Exceptions.

1. Persons guilty of corrupt practices at or in respect of the election in question, or since the list was certified by the judge;
2. Persons who, subsequently to the list being certified, have ceased to be qualified to vote at a municipal election in the municipality to which the list relates and who by reason thereof are, under the provisions of *The Municipal Act*, disentitled to vote;
3. Persons who under *The Disqualification Act, 1919* are disqualified and incompetent to vote at a municipal election. See R.S.O. 1914, c. 6, s. 24.

Duty of  
municipality  
to provide  
room.

**25.**—(1) The corporation of the municipality within which a court is to be held shall provide a suitable and convenient place, properly furnished, heated and lighted, for the holding of the court, and in default thereof, the judge may hold the court at such place in the county or district as he may deem proper; and if the court is held elsewhere than in the court-house of the county or district, the occupant of the building in which it is held may recover from the corporation the sum of \$5 for each day on which the building was used for the purposes of the court.

Courts in  
county  
towns.

(2) Every court held in the county or district town shall be held in the court-house, or in such other place as the judge may deem proper. R.S.O. 1914, c. 6, s. 25.

Powers of  
Judge.

**26.** In all proceedings before the judge he shall have all the powers which belong to or might be exercised by him in the county court. R.S.O. 1914, c. 6, s. 26.

Clerk.

**27.** The clerk of every municipality shall be subject to the summary jurisdiction and control of the judge in the performance of his duty under this Act, in the same manner as an officer of the county court is to the court. R.S.O. 1914, c. 6, s. 27.



**28.** The clerk shall be entitled to the actual and reasonable disbursements necessarily incurred by him in the discharge of the duties imposed upon him by this Act, and shall also be entitled to the following compensation:—

Remuneration  
of clerk in  
connection  
with com-  
plaints.

1. Five cents for the name of every person entered in the list of complaints.
2. Five cents for every name entered in any necessary copy of the list of complaints;
3. Five cents for every name entered or other correction made by the judge in the voters' list, and in every copy of the list as revised.
4. Five cents for every name in the statement of changes made by the judge in the list;
5. Fifteen cents for every necessary notice to any party complaining or complained against;
6. Fifteen cents for every mile necessarily and actually travelled by him in effecting service of a notice of appeal or complaint;
7. Five dollars for every days' attendance at the sittings of the court. R.S.O. 1914, c. 6. s. 28.  
*Amended.*

**29.**—(1) The judge shall have power to appoint a proper person to attend as constable at the sitting of the court, and duties and powers of such person shall be as nearly as may be the same as those of a bailiff at a sitting of a division court.

Appointment  
of Constable.

(2) The person acting as constable shall be entitled to the following compensation; that is to say:—

Constable's  
fees.

1. For every day's attendance, four dollars;
2. For every service of any process or notice, including the receipt and return thereof, and all other duties connected therewith when allowed by the judge, a sum not exceeding twenty cents per mile one way for each mile actually and necessarily travelled to effect such service.  
R.S.O. 1914, s. 6. c. 29.

**30.** The compensation to which the clerk and constable are respectively entitled shall be certified by the judge and paid to the clerk and constable respectively by the treasurer of the municipality upon the production and deposit with him of the judge's certificate. R.S.O. 1914, c. 6. s. 30.

Payment  
of fees.

Report by  
Judges as  
to frauds  
etc.

**31.** If the judge who holds the court is of the opinion that any person has contravened section 45 or section 47 of this Act, or that frauds in respect to the assessment or the list have prevailed extensively in the municipality, he shall report the same to the Attorney-General, with particulars as to names and facts. R.S.O. 1914, c. 6, s. 31.

Amendments.

**32.** The judge may amend any notice or other proceeding upon such terms as he may think proper. R.S.O. 1914, c. 6, s. 32.

Substitution  
of new  
appellant.

**33.** If an appellant or complainant dies or abandons his appeal or complaint, or is found not to be entitled to be an appellant, the judge may in his discretion, allow any other person who might have been an appellant or complainant to intervene and prosecute the appeal or complaint, upon such terms as the judge may think just. R.S.O. 1914, c. 6, s. 33.

Costs occasioned  
by errors.

**34.**—(1) If errors are found in the voters' list on the revision thereof, in the omission of names, the inaccurate entry of names, or the entry of names of persons not entitled to vote, and it appears to the judge that the assessor or clerk was blamable for any of the errors, the judge may order, form 16, the assessor or clerk respectively, to pay all costs occasioned by such errors.

Order for  
payment of  
municipality.

(2) In case of errors for which the court of revision is blamable, the judge may order the municipality to pay the costs occasioned by such errors.

Discretion  
of Judge.

(3) In all cases not herein provided for, the costs shall be in the discretion of the judge. R.S.O. 1914, c. 6, s. 34.

Scale of  
costs.

**35.** The costs to be allowed on any proceeding under this Act shall be according to the lowest scale of costs in an action in a division court. R.S.O. 1914, c. 6, s. 35.

Liability  
of appellant  
for costs.

**36.** An unsuccessful appellant or complainant shall be liable to pay the witness fees only, unless in the opinion of the judge, the complaint or appeal is frivolous or vexatious, or has not been made in good faith, when the judge may order the appellant or complainant to pay in addition any other costs allowed by section 35. R.S.O. 1914, c. 6, s. 36.

**37.** Payment of costs may be enforced by an execution, Enforcing payment of costs. Form 17, against goods and chattels, to be issued from the division court of the division within which the municipality or part thereof is situate, upon filing therein the order of the judge, and an affidavit showing the amount at which the costs have been allowed and the non-payment thereof.  
R.S.O. 1914, c. 6, s. 37.

#### REFERENCE TO DIVISIONAL COURT.

**38.**—(1) In order to facilitate uniformity of decision Stating case for opinion of Court of Appeal. without the delay and expense of appeals.

(a) A judge may state a case on any question arising or likely to arise, and may transmit the same to the Lieutenant-Governor in Council, who may immediately refer the same to a Divisional Court for the opinion of the Court: or

(b) The Lieutenant-Governor in Council may state a case on any such question to a Divisional Court for a like opinion.

(2) Immediately upon receipt of the case it shall be the Fixing time and place of hearing argument. duty of the Court to appoint a time and place for hearing argument, of which written notice shall be given by the Registrar of the Appellate Division posting up a copy of the notice in the Central Office at Osgoode Hall, in Toronto, at least ten clear days before the time appointed.

(3) At the time appointed the Court shall hear the argu- Hearing. ment by such of the counsel present as the Court may think fit to hear, and shall certify to the Lieutenant-Governor in Council the opinion of the Court thereon, and the opinion shall forthwith be published in *The Ontario Gazette*, and a copy of the opinion shall forthwith be sent to the judge of every county and district court. R.S.O. 1914, c. 6, s. 39.

**39.** A Divisional Court may also give an opinion on any Opinion at instance of voter. question at the instance of any voter, if the Court sees fit; and the proceedings with respect thereto shall be, as nearly as may be, the same as upon a case referred: but the Court or a Judge thereof may require a deposit of money to cover the costs of hearing the question argued by counsel, and may require notice of the proceedings, or any of them, to be given to such person as the Court or Judge may direct. R.S.O. 1914, c. 6, s. 40.

## LIABILITY FOR TAXES OF PERSONS WHOSE NAMES ARE ADDED.

Liability of persons whose names are added to roll on revision.

Rev. Stat.  
c. 193.

**40.** If any person who is found entitled to be a voter at municipal elections is not assessed, or is insufficiently assessed, the judge shall enter the name of such person on the roll together with the other particulars required by *The Assessment Act* to be set opposite the name of the person assessed including the value of the property or income in respect of which the assessment is made, which shall be determined by the judge, and corresponding corrections shall be made by the clerk in the collector's roll. R.S.O. 1914, c. 6, s. 41.

## FAILURE OF CLERK TO PERFORM HIS DUTIES.

Lists not vitiated by failure of clerk to perform duties.

**41.** The non-performance by the clerk of any of his duties under this Act within the times appointed shall not affect the validity of any list. R.S.O. 1914, c. 6, s. 42.

Summary application if clerk perform his duties.

**42.**—(1) In case the clerk fails to perform any of his duties, the clerk of the peace shall forthwith apply summarily, form 18, to the judge to enforce the performance of the same.

Application by voter.

(2) The application may also be made by any voter;

Proceedings by Judge.

(3) The judge shall require, form 18, the clerk and any other person he sees fit to appear before him and produce the assessment roll, and any documents relating thereto, or to the list, and to submit to examination on oath, and may thereupon make such order and give such directions as he may deem proper.

Liability of clerk for costs.

(4) The clerk shall pay the costs of the proceedings, unless on special grounds the judge shall otherwise order, in which case the judge may direct how and by whom the costs shall be paid.

Clerk's liability to penalty.

(5) The proceedings and order of the judge shall not relieve the clerk from the penalty hereinafter imposed. R.S.O. 1914, c. 6, s. 43.

Penalty for neglect of duties by clerk.

**43.** If the clerk omits, neglects or refuses to perform any of the duties hereinbefore required of him, for such omission, neglect or refusal, he shall incur a penalty of \$200. R.S.O. 1914, c. 6, s. 44.

Penalty for wilfully falsifying lists.

**44.** The wilful alteration of, omission from, incorrect entry in, or falsification of a certified list or copy thereof shall be an offence; and any clerk of a municipality, clerk of the peace or other person who commits such offence, or wilfully permits the same to be committed, shall incur a penalty of \$2,000. R.S.O. 1914, c. 6, s. 45.

## COLOURABLE TRANSFER OF PROPERTY.

45.—(1) No person shall be a party to any instrument or to any verbal arrangement, whereby a colourable qualification is conferred or sought to be conferred upon himself or any other person in order to enable him to become a voter. Colourable transfer of order to confer property in vote.

(2) Any person violating the provisions of this section, beside being liable to any other penalty prescribed in that behalf, shall incur a penalty of \$100. Penalty.

(3) An person who induces or attempts to induce another to commit an offence under this section shall incur a like penalty. Procuring commission of offence. R.S.O. 1914, c. 6, s. 46.

## CREATION OF FALSE VOTES.

46. To prevent the creation of false votes, where a person claims to be assessed, or to be entered or named in an assessment roll, or claims that another person should be assessed, or to be named in an assessment roll so as to entitle him to be a voter, and the assessor has reason to suspect that the person so claiming, or for, or in respect to whom the claim is made, ought not to be so assessed, or so entered or named in the roll, it shall be the duty of the assessor to make reasonable inquiries before assessing, entering, or naming any such person in the assessment roll. R.S.O. 1914, c. 6, s. 47 (1). Inquiries by assessor.

47. Any person who wilfully and improperly enters or procures or causes to be entered the name of a person in an assessment roll, or assesses or procures or causes the assessment of a person at too high an amount, with intent to give to a person not entitled thereto, either the right or an apparent right to be a voter; or who wilfully enters or procures or causes to be entered a fictitious name in an assessment roll, or who wilfully and improperly omits, or procures or causes to be omitted the name of a person from the assessment roll, or assesses or procures or causes the assessment of a person at too low an amount with intent to deprive a person of his right to be a voter, shall incur a penalty of \$200. R.S.O. 1914, c. 6, s. 47 (2). Improper insertion of names in roll.

## RECOVERY OF PENALTIES AND FINES.

48.—(1) Any penalty mentioned in the next preceding four sections may be recovered with costs by any person suing for the same in any court of competent jurisdiction. Recovery of penalties.

(2) Actions for penalties incurred under this Act shall be tried by a Judge without a jury. R.S.O. 1914, c. 6, s. 48. Trial of action for penalties.

## INSPECTION AND COPIES OF DOCUMENTS.

Right to inspect and copy assessment rolls etc.

**49.** A voter, and an agent of a voter may, at all reasonable times and under reasonable restrictions, inspect and takes copies of or extracts from assessment rolls, notices, complaints, applications and other documents and proceedings necessary or of use for carrying out of the provisions of *The Municipal Act, The Assessment Act*, or of this Act; and the clerk for the said purposes shall accord all reasonable facilities which may be consistent with the safety of the documents, and the rights and interests of all persons concerned, and shall in regard to the matters aforesaid be subject to the direction of the Judge. R.S.O. 1914, c. 6, s. 49.

Fees for copies of lists.

**50.** The fees payable to the clerk of the peace and to the clerk of the municipality for furnishing copies of a list or any part of a list shall be those fixed by the Lieutenant-Governor in Council under the authority of *The Election Laws Amendment Act, 1920*.

## PART II.

## PREPARATION OF WARD LISTS.

Preparation of list where roll returned and revised by wards.

**51.** Immediately after the return by the assessor of the assessment roll for any ward or subdivision of a ward, and without waiting for the revision and correction of the roll by the court of revision or by the judge, the clerk of every city to which the provisions of this Part apply, shall prepare and print the first and second parts of the voters' list and shall prepare the third part of the voters' list for such ward or subdivision in the manner prescribed by Part I of this Act. R.S.O. 1914, c. 6, s. 51.

Posting up and distributing lists.

**52.**—(1) Forthwith after the preparation and printing of the last of such lists the clerk shall post up and distribute each of the lists for each ward or subdivision in the manner prescribed by Part I, and forthwith after the clerk has posted up the lists in his office, he shall cause a notice to be inserted once a week for three weeks in such daily newspapers published in the city as may be directed by the judge calling upon persons who are aware of errors or omissions in the lists or of changes which have been rendered necessary by reason of the death or removal of any person named therein or by reason of any person having acquired the necessary qualifications as a voter since the return or final revision

Notice of Court for hearing complaints.

of the assessment roll for any such ward or subdivision of a ward to give notice of the same, and shall name a time and place at which the judge will hold a court for revising the lists for the whole city.

(2) The time for making complaints as to errors or omissions in the lists shall be within fifteen days after the first publication of the notice. R.S.O. 1914, c. 6, s. 52. Time for making complaint.

**53.** The judge shall so arrange and proceed, and so fix the sittings of the court for hearing complaints against or in respect of the lists that the complaints shall be heard and determined and the lists finally revised and certified in manner provided by Part I, within ten days after the last day for making complaints and in any case before the tenth day of December. R.S.O. 1914, c. 6, s. 53. Time for final revision of lists.

**54.** If no complaint respecting any of the lists is received by the clerk within twenty-one days after the first publication of the notice the clerk shall forthwith apply to the judge to certify three copies of each of the lists as being the last revised list of voters for the ward or subdivision, and the judge shall certify such three copies and retain one, and deliver, or transmit by post registered, one to the clerk of the peace, and one to the clerk of the municipality, to be kept by him among the records of his office. R.S.O. 1914, c. 6, s. 54.

**55.—(1)** If any complaint is made as aforesaid with respect to any of the lists within such period, the judge shall proceed as provided by section 22 of this Act, and sections 23 and 24 of this Act shall apply to the list prepared under this Part. Procedure where complaints are made.

(2) If the assessment roll is not finally revised before the final revision and certifying of the lists by the judge, and upon appeal to the judge from the court of revision alterations are made in the assessment roll affecting the right of any person to be entered on any of the lists, the judge shall forthwith after the final revision of the roll, make out a list of such alterations and deliver the same to the clerk, who shall make corresponding changes in the certified copies of the revised list, and the judge shall initial the same, and a copy of the list of alterations shall be posted up by the clerk in his office. R.S.O. 1914, c. 6, s. 55. When changes made in assessment roll subsequent to preparation of list.

Effect of  
lists as  
completed.

**56.** The lists as so revised, corrected and certified by the Judge shall together form from time to time the last revised voters' list for the city within the meaning of this Act, and *The Municipal Act*, and the date fixed by section 54 as the last day for making complaints to the judge shall be deemed to be the last day for making complaints to the judge within the meaning of any oath prescribed by any of the said Acts and such date shall be inserted in any such oath when the voting is upon a list prepared under this Part. R.S.O. 1914, c. 6, s. 56.

### PART III.

#### PRINTING, DISTRIBUTION AND REVISION OF THIRD PART OF VOTERS' LISTS.

Printing  
Part III.

**57.**—(1) Whenever directed in writing by the Chief Election Officer so to do, the clerk of the Municipality shall print the third part of the voters' list and shall post up and distribute printed copies of such list in the same manner as is provided for the posting up and distribution of printed copies of the first and second parts of the Voters' list.

Certificate  
by Clerk.

(2) Upon each of the copies of the third part so distributed or posted up there shall be a certificate, form 2 (c), over the name of the clerk, stating that the list is a correct list of all persons appearing by the last revised assessment roll (or supplementary roll prepared by the Assessor) to be voters at elections to the Assembly.

Particulars.

(3) The third part of the voters' list shall include the name of every person therein entered, such person's place of residence, occupation and condition (as "married" or "married woman," "widower," "widow," "bachelor" or "spinster" as the case may be) or initials denoting such condition. 1920, c. 2, s. 27 (3).

Board to  
fix time  
and place  
of hearing  
appeals.

**58.** As soon as conveniently may be after the issue of a writ for the holding of an election to fill a vacancy in the Assembly, or after the dissolution or expiry of the Assembly, the board shall fix the times and places in every municipality at which sittings shall be held by the revising officer for the purpose of hearing complaints as to the right of any person to be entered on the lists as entitled to vote at elections to the Assembly. 1920, c. 2, s. 29.



**59.**—(1) The board shall appoint from among their number revising officers to hold sittings in each municipality or part of a municipality included in the electoral district in which an election is to be held, for the revision of the lists for the purposes of the election. Appointment of revising officer.

(2) Wherever practicable, the revising officer so appointed shall be the judge or one of the judges of the county or district court or the acting judge of the said court, but where the county or district forms part of a district formed under section 20 of *The County Judges Act*, as enacted in section 4 of *The County Judges Act, 1919*, a judge of any county or district included therein may be appointed revising officer in a municipality in the county court district. 1920, c. 2, s. 30. County judge to act if practicable.

**60.** Where, owing to the number of sittings to be held, or from any other cause, the board finds it impracticable for a judge to act as revising officer, the board may appoint one of their number, being a barrister of at least five years standing, or some other fit and proper person having the like qualification to act as revising officer. 1920, c. 2, s. 31. Where judge not available.

**61.** The board shall cause notice in the prescribed form to be given by publication in at least two newspapers having a general circulation in the county or district, and by posting up such notice in the office of the clerk of the municipality and in at least two conspicuous places in the municipality or portion of the municipality for which the sittings are to be held, stating the name of the revising officer appointed for each municipality, and the name and place of residence or office of the clerk of the revising officer, and the time and place at which the sittings will be held in each municipality and the last day upon which notice of complaint may be given under this Part, and calling upon all persons to examine the voters' list in order to ascertain that their names are correctly entered therein. 1920, c. 2, s. 32. Notice of sittings of revising officer.

**62.** The clerk of the municipality shall act as clerk to the revising officer, but the board may appoint a clerk to any revising officer where the clerk of the municipality is unable to act. 1920, c. 2, s. 33. Clerk of municipality to be clerk to revising officer.

**63.** The last day for making complaint to the revising officer shall be not less than two clear days and not more than five clear days before the day fixed for holding the sittings, as the board may direct. 1920, c. 2, s. 34. Last day for making complaint.

Right to  
apply.

**64.** Every person who, if he remains a resident in the municipality until the day fixed for holding the poll, and is otherwise qualified as provided by this Act, will be entitled to vote at the election, and whose name does not appear upon the first part of the last revised voters' list, as certified by the judge under Part I, or on the third part of the list as prepared by the clerk, shall be entitled to apply by notice of complaint in the prescribed form to the revising officer to have his name entered upon the list. 1920, c. 2, s. 35.

Who may  
give notice  
of complaint.

**65.**—(1) Any person whose name is entered upon the list, or who is entitled to be so entered, shall be entitled to give notice of complaint as to any person whose name has not been entered on the said first or third parts of the list and who, if he remains a resident of the municipality or electoral district, will be qualified in other respects to vote at the election, or as to any person whose name has been entered on the list and who is not qualified or who has ceased to be qualified or is disqualified under *The Ontario Election Act* or *The Disqualification Act, 1919*, or otherwise by law prohibited from voting.

Notice of  
complaint  
to be in  
duplicate.

(2) The notice of complaint shall be in duplicate and the clerk of the revising officer shall keep one copy of every notice of complaint posted up in his office and shall deliver the other copy to the revising officer. 1920, c. 2, s. 36.

Delivery  
of last  
list by  
clerk.

**66.**—(1) The clerk of the peace shall deliver to the clerk of the municipality three copies of the first part of the list for the municipality as last revised by the judge in the manner provided by this Act and the said lists shall be subject to revision upon complaint as hereinbefore provided. 1920, c. 2, s. 37 (1).

Procedure  
at sittings.

**67.** The sittings of the revising officer shall be held in the same manner and shall be subject to the same provisions as nearly as may be as the sittings of the judge for the hearing of appeals or complaints under Part I of this Act and such provisions shall *mutatis mutandis* apply to the sittings of the revising officer. 1921, c. 2, s. 38.

**68.**—(1) Where a person by whom or on whose behalf notice of complaint has not been given applies to the revising officer to have his name entered upon the list, and no objection to the want of notice is taken, the revising officer upon being satisfied on oath of such person or of someone having personal knowledge of the facts, that he is qualified to be so entered shall enter the name of such person upon the list.

Entering name without complaint in certain cases.

(2) The name of any person shall not be removed from the list by the revising officer unless the revising officer is satisfied on oath that due notice of complaint has been given to such person or that such person is dead or has removed from the municipality.

Names not to be struck off without notice.

(3) The revising officer shall not remove any name from or add any name to the list or make any other changes therein except upon the evidence under oath of some person who has personal knowledge of the facts. 1920, c. 2, s. 39.

Evidence required.

**69.**—(1) At the close of the sittings, the revising officer shall certify in the prescribed form the lists as revised by him and the list of changes and corrections in the lists in triplicate, and one copy shall be delivered by the clerk of the revising officer to the clerk of the peace, and one copy shall be retained by the clerk of the revising officer and the third copy shall be delivered by the revising officer to the clerk of the board.

Certifying and delivering lists at close of sittings.

(2) The lists as so revised and certified shall be the proper lists to be used at the election.

List as revised to be proper list for election.

**70.**—(1) The Lieutenant-Governor in Council may make regulations:—

Regulations.

- (a) Prescribing the forms, notices and other documents to be used for the purposes of this Part;
- (b) Respecting the duties of the clerk of the board, the clerk of the peace and the clerks and other officers appointed or acting under this Part;
- (c) Respecting the books and other records to be kept of the proceedings of the board and the revising officer;
- (d) Fixing the fees to be payable to the board and the revising officer, clerk of the peace for services performed, and the witness fees and costs payable under this Part, and pre-

scribing the manner in which the same shall be borne and paid;

- (e) Fixing the times within which the lists shall be completed and delivered to the clerk of the peace or the revising officers, and the time within which any duty imposed by this Part with reference to the revision of the lists by the revising officer and as to which no other provision is made, shall be performed;
- (f) For giving directions as to any matter in connection with the preparation or revision of lists under this Part which is not expressly provided for therein; and
- (g) Generally for the better carrying out of the provisions of this Part.

Force of regulations.

(2) Any regulation made by the Lieutenant-Governor in Council under this Part shall have the same force as if it had been enacted herein. 1920, c. 2, s. 41.

Expenses how paid.

**71.** The fees and expenses payable in connection with the preparation or revision of any list under this Part shall be borne and paid by the corporation of the town, village or township and shall be payable to the persons entitled thereto by the treasurer of the municipality upon presentation of accounts therefor, certified by the chairman of the board. 1920, c. 2, s. 42.

## PART IV.

### LISTS IN TERRITORY WITHOUT MUNICIPAL ORGANIZATION.

When lists to be prepared.

**72.** Whenever a vacancy occurs in the Assembly or the Assembly is dissolved or expires, lists shall be prepared in each electoral district comprising territory without municipal organization, including territory in an Indian reserve, of all persons who are entitled to be entered upon the lists and to vote at an election in the electoral district of which such territory forms a part. 1920, c. 2, s. 44.

Proclamation of preparation of list.

**73.** As soon as conveniently may be after a vacancy occurs in the Assembly or the Assembly is dissolved or expires the board shall cause a proclamation in the prescribed form to be posted up at every place at which a poll was held at the last election to the Assembly calling upon all persons qualified to vote at the election to see that their names are duly entered on the list to be prepared under this Part. 1920, c. 2, s. 45.

**74.**—(1) The board shall appoint a chief enumerator for the electoral district and the chief enumerator shall appoint one or more assistant enumerators to assist him in the preparation of the voters' lists. Appointment of chief enumerator and assistant enumerators.

(2) The appointment shall be by writing in duplicate under the hand of the chairman of the board or the chief enumerator as the case may be and shall designate the area within the electoral district in which each assistant enumerator is to prepare the list. Mode of appointment.

(3) One of such duplicates shall be furnished to the chief enumerator or the assistant enumerator, as the case may be, and the other shall be forthwith filed in the office of the clerk of the board and shall be open to inspection at all reasonable times. Filing of appointments.

(4) A copy of every such appointment, certified by the chairman of the board, or by the chief enumerator as the case may be, shall be forthwith transmitted to the Clerk of the Crown in Chancery, and shall be filed in his office. 1920, c. 2, s. 45. Copy for clerk of Crown in Chancery.

**75.** The board may dispense with the services of any chief enumerator or assistant enumerator at any time and may appoint some other person to the office and may fill any vacancy caused by death, removal or otherwise, or by the neglect of the chief enumerator to make an appointment, and may enlarge, diminish or alter the limits of the territory in which any assistant enumerator is to act as the board may think fit. 1920, c. 2, s. 47. Changes among appointees.

**76.** Every chief enumerator and every assistant enumerator shall, before entering upon his duties, take the oath of office, Form 20, before a judge of the county or district court of the county or district or before a justice of the peace or one of the members of the board, and the oath shall forthwith be transmitted to the clerk of the board, and in the case of the chief enumerator shall be forthwith transmitted by the clerk of the board to the Clerk of the Crown in Chancery. 1920, c. 2, s. 48. Oath of office.

**77.**—(1) The chief enumerator, under the direction of the board, shall forthwith cause to be posted up in a conspicuous manner throughout those parts of the territory for which he is appointed, and in such places as the board may direct, a copy of this Part, and one or more printed notices in the prescribed form, and the chief enumerator or assistant enumerator shall attend at the time and place mentioned in the notice. Notice of preparation of lists and duty of chief enumerator thereunder.

To whom  
notice to  
be sent.

(2) The chief enumerator shall also forthwith, upon appointment, notify the member representing the electoral district, the defeated candidate in the previous election in such district, and the known candidates before the people for election in such district, of the preparation of the voters' lists by sending to each of them by registered post a copy of this part and one printed notice in the prescribed form. 1920, c. 2, s. 49.

Fixing  
polling  
places.

**78.**—(1) Notwithstanding anything in *The Ontario Election Act*, or any amendment thereto contained, polls shall be held in territory to which this Part applies at such places as may be fixed by the chief enumerator subject to the approval of the board.

List of  
polling place  
to be for-  
warded with  
notice.

(2) A list of such places shall be forwarded with the notice provided for in the last preceding section, to the persons mentioned in subsection 2 thereof, and a list shall be prepared for use at every such polling place. 1920, c. 2, s. 50.

Who may be  
entered  
on list.

**79.** Every person who,—

- (a) Is of the full age of twenty-one years or will be of the full age of twenty-one years before the day fixed for holding the poll at the election;
- (b) Is a British subject;
- (c) Is not disqualified under *The Ontario Election Act* or *The Disqualification Act, 1919*, or otherwise by law prohibited from voting;
- (d) Is a resident of and domiciled in the electoral district;
- (e) Is and has been continuously, from a date twelve months prior to the day fixed for holding the poll at the election, a resident of and domiciled in Ontario,

shall be entitled to be entered on the list prepared under this Part. 1920, c. 2, s. 51.

General  
supervision  
of enumer-  
ation.

**80.** Subject to the direction of the board the chief enumerator shall have the general supervision and direction of the assistant enumerators, and notwithstanding anything in this Act contained, may do and perform any of the duties assigned to an assistant enumerator. 1920, c. 2, s. 52.

**81.**—(1) Save as otherwise provided, the judge and assistant enumerators, so far as the same are applicable to territory without municipal organization, shall respectively perform the duties assigned to the judge and to the clerk of the municipality and the judge by this Act elsewhere in Ontario, and the forms and notices and other proceedings, shall be the same as nearly as may be, and be taken with the same effect as in the case of lists elsewhere in Ontario save as herein otherwise provided.

Application of general provisions as to duties of clerk and judge.

(2) All appeals shall be filed in duplicate with the clerk of the board, and he shall post up one copy of every notice of appeal or complaint in his office and shall deliver the other copy to the judge. 1920, c. 2, s. 53.

Appeals.

**82.** The list shall be in several parts, one part for each polling place, and the name of each voter shall be entered in that part, the polling place for which is most convenient for him. 1920, c. 2, s. 54.

Subdivision of lists.

**83.** Every assistant enumerator shall, on completion of the lists, attach thereto an affidavit in the prescribed form, to be made before the judge or a police magistrate, and shall forthwith deliver the list to the clerk of the board who shall post up the same in his office. 1920, c. 2, s. 55.

Affidavit of assistant enumerator.

**84.** The non-performance by the assistant enumerator of any of his duties under this Act within the times appointed shall not affect the validity of any list nor shall such list be void for an irregularity, if there has been a substantial compliance with the requirements of this Part. 1920, c. 2, s. 56.

Where irregularities not to void list.

**85.**—(1) There shall be an appeal to the judge in the same manner as elsewhere in Ontario under this Act and the judge shall, without any unnecessary delay, attend and hear the appeals at such places as may be convenient for the parties concerned, and shall give due notice thereof.

Appeal to judge.

(2) The board may appoint one or more of its members to act in place of the judge for the purpose of hearing appeals and complaints under this Part where owing to the extent of territory to be dealt with or for any other reason the board deems such appointment necessary or expedient, and every person so appointed in the territory to which he is assigned shall have and may exercise and shall perform all the rights, powers, authority and duties of the judge under this Part.

Appointment of additional officers to hear appeals.

Appeal as  
to polling  
place.

(3) A voter may also appeal with respect to the polling place at which his name is entered.

Notice of  
appeal.

(4) At least ten days' notice in the prescribed form (inclusive of the first day's publication) of the hearing of such appeals shall be given, by publication in a newspaper published in the county or district, and by posting as required by section 77.

Procedure  
on appeals.

(5) The proceedings, in respect to such appeals, shall be as nearly as may be the same as upon appeals under Part I of this Act save that the time within which notice may be given of any complaint or appeal to be made to the judge with respect to a voters' list shall be ten days after the assistant enumerator has posted up the list, inclusive of the day of such posting.

Notice of  
hearing  
appeals.

(6) Notice of the time and place at which appeals will be heard shall be posted up by the chief enumerator and the assistant chief enumerator with the list of voters and the board may give such directions as to further notice of the hearing of appeals as it may deem necessary to secure due publicity. 1920, c. 2, s. 57.

Certifying  
list where  
there is  
no appeal.

**86.** If there is no appeal within such ten days the enumerator shall forthwith deposit in the office of the sheriff, and of every police magistrate in the electoral district, and in the office of the clerk of the peace and the clerk of the board respectively, a copy of his list, certified by the judge. 1920, c. 2, s. 58.

Fees of  
enumerator  
and judge.

**87.**—(1) The chief enumerator and each assistant enumerator for preparing, and the judge for revising the lists required by this Part, shall be entitled to receive the sum of \$5 per day for the time during which he was engaged therein, and all reasonable personal expenses and disbursements.

When ad-  
ditional sums  
may be  
authorized.

(2) Whenever it appears to the Lieutenant-Governor in Council that the amount provided in subsection 1 is not sufficient remuneration for the services required to be performed, he may authorize the payment of such additional sum for such services as he may consider just and reasonable.

How payable.

(3) The fees, allowances and expenses payable under subsections 1 and 2, and the other expenses of preparing lists under this Part shall be certified by the Chairman of the Board and shall be audited and paid in the manner provided by section 57 of *The Ontario Election Act, 1918*. 1920, c. 2, s. 59.



**88.** No chief enumerator or assistant enumerator and no person in whose office the list is deposited under this Part, shall be a candidate for election to the Assembly at any election at which the list is used. 1920, c. 2, s. 60. Enumerators etc., not to be candidates

**89.** If a chief or assistant enumerator wilfully neglects or omits, or refuses to perform any of the duties hereinbefore required of him, for each omission, neglect or refusal, he shall incur a penalty of \$200. 1920, c. 2, s. 61. Penalty for neglect of duty.

**90.** The wilful alteration of, omission from, incorrect entry in or falsification of any certified list or copy thereof, shall be an offence and any chief or assistant enumerator, clerk of the peace or other person who commits such offence or wilfully permits the same to be committed, shall incur a penalty of \$2,000. 1920, c. 2, s. 62. For misconduct.

**91.**—(1) Any penalty mentioned in the next two preceding sections may be recovered by any person suing for the same. Recovery of penalties.

(2) Actions for penalties incurred under the next two preceding sections shall be tried by a judge without a jury. 1920 c. 2, s. 63. Trial.

**92.** The Lieutenant-Governor in Council may make regulations:— Regulations.

- (a) Prescribing forms to be used in carrying out this Part;
- (b) Fixing the fees and charges to be paid and allowed for any services rendered in connection with the preparation and revision of the lists;
- (c) Providing for any matter in connection with the preparation of the lists not expressly provided for herein, and generally for the better carrying out of the provisions of this Part. 1920 c. 2, s. 63.

## SCHEDULE "A"

## FORM 1.

(Sections 6, 7, 8, 14.)

FORM OF VOTERS' LIST.

Voters' List 19 . Municipality of

## SCHEDULE OF POST OFFICES.

1. North Augusta.
2. Maitland

3. Wright's Corners.
4. Prescott.

POLLING SUBDIVISION No. 1, COMPRISING ETC. :—(*Giving the Limits.*)

PART I.—Persons entitled to vote at BOTH Municipal Elections and Elections to the Legislative Assembly.

NAME	OCCU- PATION	CONDI- TION	LOT		CON. OR STREET	POST OFFICE ADDRESS.	JUR- ORS' COL.
Anderson, Henry.			N W $\frac{1}{2}$ 6	3	M.F. and Owner	1	
Andrews, John . . .			W 14 acres 8	1	M.F. and Tenant	4	
Archer, James. . . .			2	9	M.F. and Income	4	
Brown, Simon. . . .			W $\frac{1}{2}$ 9	2	M.F. and F.S.	3	
Burton, Samuel. . .			E $\frac{1}{2}$ 17	4	See Subdiv. No.	2	
Etc.			Etc.	Etc.	Etc.	Etc.	

PART II.—Persons entitled to vote at Municipal Elections ONLY.

NAME.	LOT.	CON. OR STREET.		POST OFFICE ADDRESS.
Archer, Henry. . . . .	4	3	Owner.	2
Burk, Edmund. . . . .	W $\frac{1}{2}$ 17	4	Tenant.	3
Etc.	Etc.	Etc.	Etc.	Etc.

PART III.—Persons entitled to vote at Elections to the Legislative Assembly ONLY.

NAME	OCCU- PATION	CONDI- TION	LOT	CON. OR STREET		POST OFFICE ADDRESS
Acroyd, James. . . . .			N $\frac{1}{2}$ 3	4	M.F.	3
Joseph, Amos. . . . .			3	7	M.F.	3
Etc.			Etc.	Etc.	Etc.	Etc.

POLLING SUBDIVISION No. 2, COMPRISING ETC. :—(*Giving the Limits.*)

R. S. O. 1914 c. 6, Form 1 Amended.

33.

FORM 2 (a)  
(Section 11.)

CERTIFICATE TO BE ENDORSED ON PART I OF THE VOTERS' LIST.

I, A. B., Clerk of the Municipality of \_\_\_\_\_, in the County of \_\_\_\_\_, certify that the within (or above) list being Part 1 of the Voters' List constitutes a correct list for the year 19\_\_\_\_, of all persons appearing by the last revised Assessment Roll to be entitled to vote at both elections for Members of the Legislative Assembly and Municipal elections in the said Municipality, and I hereby call upon all voters to take immediate proceedings to have any omissions or errors corrected according to law.

Dated this \_\_\_\_\_ day of \_\_\_\_\_  
A. B.,  
Clerk of \_\_\_\_\_

FORM 2. (b).  
(Section 11.)

CERTIFICATE TO BE ENDORSED ON PART II OF THE VOTERS' LIST.

I, A. B., Clerk of the Municipality of \_\_\_\_\_, in the County of \_\_\_\_\_, certify that the within (or above) list being Part II of the Voters' List constitutes a correct list for the year 19\_\_\_\_, of all persons appearing by the last revised Assessment Roll to be entitled to vote at Municipal elections in the said Municipality, and I hereby call upon all voters to take immediate proceedings to have any omissions or errors corrected according to law.

Dated this \_\_\_\_\_ day of \_\_\_\_\_  
A. B.,  
Clerk of \_\_\_\_\_

FORM 2. (c).  
(Section 11 and 57 (2)).

CERTIFICATE TO BE ENDORSED ON PART III OF THE VOTERS' LIST.

I, A. B., Clerk of the Municipality of \_\_\_\_\_, certify that the within (or above) list being Part III of the Voters' List constitutes a correct list for the year 19\_\_\_\_, of all persons appearing by the Assessment Roll (or Supplementary Roll prepared by the Assessor) of the said Municipality to be entitled to vote at elections for Members of the Legislative Assembly and not at Municipal elections.

Dated this \_\_\_\_\_ day of \_\_\_\_\_  
A. B.,  
Clerk of \_\_\_\_\_

FORM 3.  
(Section 13.)

CLERK'S NOTICE OF FIRST POSTING OF VOTERS' LIST.

Voters' Lists, 19\_\_\_\_. Municipality of \_\_\_\_\_, County of \_\_\_\_\_, Notice is hereby given that I have complied with section 10, of the *Voters' Lists Act* and that I have posted up at my office at \_\_\_\_\_, on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, the list of all persons entitled to vote in the said Municipality for Members of Parliament (or, as the case may be, At Municipal Elections) and that such list remains there for inspection.

And I hereby call upon all voters to take immediate proceedings to have any errors or omissions corrected according to law.

Dated etc., \_\_\_\_\_  
A. B.,  
Clerk of \_\_\_\_\_

## FORM 4.

(Section 14, subsec. 5.)

I, \_\_\_\_\_, of the Township of \_\_\_\_\_, in the County of \_\_\_\_\_, make oath and say:—

1. That I am (or that \_\_\_\_\_ is to the best of my personal knowledge) a British subject of the full age of twenty-one years, and not a citizen or a subject of any foreign country.

2. That I have (or that the said \_\_\_\_\_ has) resided in the Dominion of Canada for the nine months next preceeding the day of \_\_\_\_\_, 19 \_\_\_\_\_. (Fill in the day fixed for beginning to make the assessment roll upon which the Voters' List is based) and that I was (or the said \_\_\_\_\_ was) on the said day a resident of and domiciled in this municipality.

or

2. That on the \_\_\_\_\_ day of \_\_\_\_\_, 19...., (fill in the last day for making complaint to the County Judge), I will have (or the said \_\_\_\_\_ will have), resided in the Dominion of Canada for the twelve months next preceding that day and that I am (or the said \_\_\_\_\_ is) a resident of and domiciled in this municipality.

3. That I am (or the said \_\_\_\_\_ is) entitled to be entered on the Voters' List for the Township of \_\_\_\_\_.

4. That I am not (or that the said \_\_\_\_\_ is not) disqualified under *The Election Act* or otherwise by law prohibited from voting at elections for the Legislative Assembly.

Sworn before me at the  
of \_\_\_\_\_ in the County of \_\_\_\_\_  
this \_\_\_\_\_ day of \_\_\_\_\_  
A. D. 19 \_\_\_\_.

(Signature Justice of the Peace or Commissioner, etc.)

NOTE.—This affidavit may be made before a Justice of the Peace, a Commissioner for taking Affidavits or a Notary Public.

R. S. O. 1914 c. 6, Form 4.

## FORM 5.

(Sections 15, 17.)

## VOTERS' NOTICE OF COMPLAINT.

To the Clerk of the Municipality of the \_\_\_\_\_ of \_\_\_\_\_

I, *James Smith*, a voter (or a person entitled to be entered on the Voters' List) of the municipality of \_\_\_\_\_ in the Electoral District of \_\_\_\_\_, complain (state the names of the persons in respect to whom complaint is made and the grounds of complaint touching each person, or set forth in lists as follows, varying according to circumstances) that the persons whose names are set forth in the subjoined list No. 1 are entitled to be voters in the Municipality of \_\_\_\_\_, as shown in said list, but are omitted from the Voters' List; that the persons whose names are mentioned in the first column of the subjoined list No. 2 are wrongly stated in the Voters' List; that the persons whose names are set forth in the first column of the subjoined list No. 3 ought not to have been entered on the Voters' List; and that there are errors in the description of the property in respect to which the names are

entered on the Voters' List (*or stating other errors*), as shown in the subjoined list No. 4. And take notice, that I intend to apply to the Judge in respect thereof, pursuant to the statute in that behalf.

Dated the                      day of                      , 19                      .

JAMES SMITH,

*Residence Township of Beby.*

R. S. O. 1914, c. 6, Form 5.

FORM 6.

(Section 17.)

CLERK'S REPORT IN CASE OF APPEALS AND COMPLAINTS TO THE JUDGE.

To His Honour the Judge of the County Court of the County of

The Clerk of the Municipality of                      reports that the several persons mentioned in column 1 of the subjoined Schedule, and no others, have given to him written notice complaining of errors or omissions in the Voters' List for the said Municipality for 19                      , on the grounds mentioned in column 2 of the said Schedule, and that such notices were received respectively at the dates set down in column 3 of the said Schedule.

Dated, etc.

A. B.,

*Clerk of*

*Schedule.*

1 NAME OF COMPLAINANT.	2 ERRORS OR OMISSIONS COM- PLAINED OF.	3 DATE WHEN NOTICE OF COM- PLAINT RECEIVED BY CLERK.

R. S. O. 1914 c. 6, Form 6.

FORM 7.

(Section 17.)

JUDGE'S ORDER APPOINTING COURT FOR HEARING COMPLAINTS AND APPEALS.

To                      , Clerk of the Municipality of the

I appoint the                      of                      19                      , at the hour of                      at                      in the said county, for holding a Court to hear and determine the several complaints of errors and omissions in the said Voters' List for the Municipality of                      for 19                      .

I direct that the Assessor for the Municipality shall attend the sittings of the said Court, and that the Assessment Roll and the minutes of the Court of Revision for the Municipality for 19                      , be produced thereat.

Dated                      day of                      19                      .

*Judge C. C.*

R. S. O. 1914 c. 6, Form 7.

*Lists of Complaints mentioned in the above Notice of  
Complaints.*

LIST NO. 1 (*Showing voters omitted from or not entered on the  
Voters' List.*)

NAMES OF PERSONS.	GROUND ON WHICH THEY ARE ENTITLED TO BE ON THE VOTERS' LIST.
James Tupper . . . . .	Tenant to John Fraser, of N. ½ lot 1, 2nd Con.
Simon Beauclerk . . . .	Manhood Franchise Voter.
Angus Blain . . . . .	Assessed too low—property worth \$

LIST NO. 2 (*Showing voters wrongfully named in Voters' List*)

NAMES OF PERSONS.	POLLING SUB-DIVI- SION.	PART OF LIST.	THE ERRORS IN STATEMENT UPON VOTERS' LIST.
Joshua Townsend..	2	1	Should be Joseph Townsend.
John McBean . . . . .	4	1	Should be John McBean <i>the younger</i>
S. Connell . . . . .	3	2	Should be Simon O'Connell etc., etc.

LIST NO. 3 (*Showing persons wrongfully inserted in the Voters' List*)

NAMES OF PERSONS.	POLLING SUB-DIVI- SION.	PART OF LIST .	STATEMENT WHY WRONGFULLY INSERTED IN VOTERS' LIST.
Peter White . . . . .	4	1	Died before final revision of roll.
John May . . . . .	3	2	Not entitled to Manhood Franchise.
David Walters . . . .	2	2	Assessed too high—property worth under \$ etc , etc.

LIST NO. 4 (*Showing voters whose property or qualification is  
erroneously described in Voters' List, etc.*)

NAMES OF PERSONS.	POLLING SUB-DIVI- SION.	PART OF LIST.	ERRORS IN RESPECT TO PROPERTY OR OTHERWISE STATED.
Stephen Washburn	2	2	Name should be in Sub-division No. 2.
Thomas Gordon . .	3	1	Property should be W. ½ lot 7, in 3rd Con.
Ronald Blue . . . . .	4	2	Should be described as owner, not tenant.

37.

FORM 8.

(Section 17.)

NOTICE TO BE POSTED BY CLERK IN HIS OFFICE WITH LIST OF COMPLAINTS.

Notice is hereby given, that a Court will be held, pursuant to *The Ontario Voters' Lists Act*, at \_\_\_\_\_, on the \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_, at \_\_\_\_\_ o'clock, \_\_\_\_\_ for hearing all complaints made against the Voters' List for the Municipality of \_\_\_\_\_ for 19\_\_\_\_, particulars of which complaints are shown in the subjoined Schedule.  
Dated, etc.

A. B.,  
Clerk of

SCHEDULE

NAME OF PARTY COMPLAINING.	NAME OF PERSON IN RESPECT TO WHOM APPEAL WAS MADE.	GROUND OF COMPLAINT ALLEGED.

R. S. O. 1914 c. 6, Form 8.

FORM 9.

(Section 17.)

CLERK'S ADVERTISEMENT OF COURT IN NEWSPAPER.

Notice is hereby given that a Court will be held, pursuant to *The Ontario Voters' Lists Act*, by His Honour the Judge of the County Court of the County of \_\_\_\_\_, at \_\_\_\_\_, on the \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_, at \_\_\_\_\_ o'clock, \_\_\_\_\_ to hear and determine complaints of errors and omissions in the Voters' List of the Municipality of \_\_\_\_\_ for 19\_\_\_\_.  
Dated, etc.

A. B.,  
Clerk of

R. S. O. 1914 c. 6, Form 9.

FORM 10.

(Section 17.)

CLERK'S NOTICE TO PARTY COMPLAINING.

*The Ontario Voters' Lists Act.*

You are hereby notified that a Court of Revision of the Voters' List, 19\_\_\_\_, for the Municipality of \_\_\_\_\_ will be held by  
119.

the Judge of the County Court of the County of \_\_\_\_\_  
 at \_\_\_\_\_, on the \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_.  
 at \_\_\_\_\_ o'clock, at which Court all complaints will be heard and  
 determined. A list of complaints is posted up in \_\_\_\_\_ and you  
 are hereby required to appear at the Court; and take notice, that  
 the Judge may proceed to hear and determine the complaints,  
 whether the parties complaining appear or not.

By order of His Honour the Judge of the County Court of the  
 County of \_\_\_\_\_

Dated \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_.

To

A person complaining of error in the }  
 Voters' List.

A. B.,

*Clerk of the Municipality \_\_\_\_\_, and  
 of the Court.*

R. S. O. 1914 c. 6, Form 10.

\_\_\_\_\_

FORM 11.

(Section 17.)

CLERK'S NOTICE TO PARTY COMPLAINED AGAINST.

*The Ontario Voters' Lists Act.*

You are hereby notified that a Court for the Revision of the  
 Voters' List, 19 \_\_\_\_, for the Municipality of \_\_\_\_\_, will be  
 held by the Judge of the County Court of the County of \_\_\_\_\_,  
 at \_\_\_\_\_, on the \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_, at  
 o'clock, and you are required to appear at the Court, for that  
 \_\_\_\_\_ has complained that your name \_\_\_\_\_ is  
 wrongly omitted (or inserted as the case may be) in the said  
 Voters' List because (*state matter of complaint concisely*). A list  
 of all complaints lodged is posted up in \_\_\_\_\_; and take  
 notice, that the Judge may proceed to hear and determine the said  
 complaint, whether you appear or not.

By order of His Honour the Judge of the County Court of the  
 County of \_\_\_\_\_

To

Entered on Voters' List.

A. B.,

*Clerk of the said Municipality, and  
 of the Court.*

R. S. O. 1914 c. 6, Form 11.



## FORM 12.

(Section 18, Subsec. 1.)



## SUBPOENA

ONTARIO:  
County of  
To Wit.

GEORGE THE FIFTH, by the Grace of God, of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the Seas, King, Defender of the Faith, Emperor of India.

To

Greeting:

We command you, that, all excuses being laid aside, you be and appear in your proper person before our Judge of our County Court of the County of , at , on the day of , 19 , at o'clock in the noon, at a Court appointed, and there and then to be held, for hearing complaints of errors in the Voters' List for 19 , of the Municipality of the of , in the County of , and for revision of the said Voters' List, then and there to testify to all and singular those things which you know in a certain matter (or matters) of complaint made and now depending before the said Judge, under *The Ontario Voters' Lists Act*, wherein one is complainant, and which complaint is to be tried at the said Court. (And if the witness is required to produce documents) that you bring with you and produce at the said time and place (*Set out the documents to be produced.*) Herein fail not.

Witness, His Honour , Judge of our said Court at  
the day of , in the year of our Lord 19 .

A. B.,

Clerk.

R. S. O. 1914 c. 6, Form 12.

## FORM 13.

(Section 21.)

## REPORT OF CLERK WHEN APPLYING FOR CERTIFICATE UNDER SECTION 21.

To the Judge of the County Court of the County of

I, , Clerk of the Municipality of , in the County of , do hereby certify as follows:

That I did, on the day of , 19 , post up, and for a period of twenty one days next thereafter did keep posted up in a conspicuous place in my office at , a correct printed copy of the Voters' List for the Municipality of for 19 , made in pursuance of *The Ontario Voters' Lists Act*, with the certificate required by section 11 of the said Act endorsed thereon.

That I did also deliver or transmit by post, by registered letter, or by parcel post, registered, the required number of similar printed copies of the List, with my certificate endorsed, to each of the persons entitled to the same under section 10 of said Act.

That I did on the                      day of                      , 19                      , cause to be inserted in the newspaper called the "                      ," published in                      , the notice required by section 13 of the said Act.

That no person gave me nor did I receive, within twenty-one days after I had posted up the list in my office, any written notice of complaint or intention to apply to the Judge in respect to the List.

And to the best of my knowledge and belief, I have complied with all the requirements of the said Act, so as to entitle me to apply for certified copies under section 21, and I now apply to you to certify three of the copies of the List received by you as being the Revised List of Voters for the municipality of the said  
of                      for 19                      .

Witness my hand this                      day of                      , 19                      . P.O.

*Clerk of the Municipality of*

..... P. O.

R. S. O. 1914, c. 6, Form 13.

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FORM 14.

(Section 21.)

CERTIFICATE WHERE NO COMPLAINTS.

A, B., Clerk of the Municipality of the                      , having certified under his hand that no complaint respecting the List of Voters for said municipality, for the year 19                      had been received by him within twenty-one days after the first posting up of the same; and on application of the Clerk, I,                      , Judge of the County Court of the County of                      , in pursuance of the provisions of *The Ontario Voters' Lists Act*, certify that the annexed printed Lists of Voters, being one of the copies received by me from the Clerk, under section 10 of the said Act, is the Revised List of Voters for the said Municipality for the year 19                      .

Given under my hand and seal, at                      , this                      day of                      , 19                      .

*Judge.*

R. S. O. 1914 c. 6. Form 14.

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FORM 15.

(Section 22.)

CERTIFICATE OF JUDGE WHEN COMPLAINTS HAVE BEEN MADE.

I,                      , Judge of the County Court of the County of                      , pursuant to section 22 of *The Ontario Voters' Lists Act*, do hereby certify that the above (as the case may be) is a correct copy of

41.

the List of Voters, for the year 19 , received by me from the Clerk of the Municipality of the of , according to my revision and correction thereof, pursuant to the provisions of the said Act.

Dated at , this day of , 19 . Judge.

R. S. O. 1914 c. 6, Form 15.

FORM 16.

(Section 34, Subsec. 1. )

ORDER FOR PAYMENT OF COSTS.

*The Ontario Voters' Lists Act.*

In the matter of the Voters' List for the Municipality of 19 , on the complaint or appeal of A. B., complaining of the name of C. D. being wrongly inserted in the said list (*or, as the case may be, stating in brief the nature of the complaint.*)

On proceedings taken before me I find and adjudge that the name of the said C. D. was rightly inserted in the said list (*or, was wrongly inserted in the said list*), and order that the said A. B. do pay the said C.D. his costs occasioned by the said complaint (*or, and order that the said C.D. shall pay the said A.B. his costs incident to the said complaint:—or, and order that E.F., the Assessor of the said Municipality, do pay the said A. B. his costs incident to the said complaint,—or, as the case may be stating it in brief*), which I fix at the sum of \$ .

Dated at , this day of , 19 .

Judge.

R. S. O. 1914 c. 6, Form 16.

FORM 17.

(Section 37.)

WRIT OF EXECUTION

In the Division Court in the County of

Whereas on the day of , His Honour,

Judge of the County Court of the County of

made his order that C. D. should pay to A. B. dollars as and for his costs sustained by him on the trial of a complaint against the Voters' Lists for the Municipality of , in the said County, for 19 , (*or as the case may be*) made and prosecuted under the provisions of *The Ontario Voters' Lists Act*, which said costs have been fixed and allowed at the said sum. You are hereby required to levy of the goods and chattels of the said

C. D. in the said County (not exempt from execution) the said money and your lawful fees, so that you may have the same within thirty days from the date hereof and pay the same over to the Clerk of this Court for the said A. B.

Given under the seal of the Court this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_.

X. Y.,  
Clerk.

To V. W.,

Bailiff of the said Court

R. S. O. 1914 c. 6, Form 17.

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FORM 18.

(Section 42, Subsec. 1.)

APPLICATION TO JUDGE AGAINST DELINQUENT CLERK.

Pursuant to section 42 of *The Ontario Voters' Lists Act*. I, A.B., Clerk of the Peace for the County of \_\_\_\_\_, (or, a person entitled to be entered on the Voters' List for the Municipality of \_\_\_\_\_, for 19\_\_,) hereby inform His Honour the Judge of the County Court of the said County, that C. D., Clerk of the Municipality of \_\_\_\_\_, in the said County, has failed to perform the duties required of him as such Clerk by the said Act, in this, that he has not made out the List of Voters for 19\_\_, for the said Municipality, within thirty days after the final revision and correction of the Assessment Roll thereof (or, has not delivered or transmitted printed copies of the Voters' List for the said Municipality, for 19\_\_, to \_\_\_\_\_ and \_\_\_\_\_ or to any of them, or, as the case may be, stating in brief the duty not performed), according to the requirements of the Act; and I apply to you to enforce the performance of the duties aforesaid.

Dated at \_\_\_\_\_, this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_.

A. B.,  
Clerk of the Peace.

R. S. O. 1914 c. 6, Form 18.

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FORM 19.

(Section 42, Subsec. 3.)

SUMMONS.

*The Ontario Voters' Lists Act.*

In the matter of the Voters' List for the Municipality of \_\_\_\_\_, in the County of \_\_\_\_\_, for 19\_\_.

Whereas it appears by the application of A. B., the Clerk of the Peace for the said County, (or, a person entitled to be entered on the said List), made to me, in pursuance of the said Act, that you have failed to perform certain duties required of you by the said Act, in this, that you have not made out the List of Voters for 19\_\_, for the said Municipality, within thirty days after

the final revision and correction of the Assessment Roll thereof (or, as the case may be, following the application); and whereas the said A.B. has applied to me to enforce the performance of the duties aforesaid;

You are hereby required to appear before me at \_\_\_\_\_ in \_\_\_\_\_, on the \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_, at the hour of \_\_\_\_\_, and produce before me the Assessment Roll for 19\_\_\_\_, for the said Municipality, and any documents in your custody, power or control, relating to the Assessment Roll, or to the List aforesaid; and submit yourself for examination on oath.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

To C. D.,  
Clerk of the Municipality of \_\_\_\_\_

Judge.

R. S. O. 1914 c. 6, Form 19.

#### FORM 20.

(Section 76.)

#### OATH OF ENUMERATOR PREPARING VOTERS' LISTS IN UNORGANIZED TERRITORY.

I, \_\_\_\_\_, of the \_\_\_\_\_ of \_\_\_\_\_, in the District of \_\_\_\_\_ and Province of \_\_\_\_\_, the enumerator whose duty it is under *The Ontario Voters' Lists Act* to prepare the Voters' Lists in and for the electoral district (or portion of the electoral district, *describing such portion*) of \_\_\_\_\_ in the Province of \_\_\_\_\_ do hereby solemnly swear that I will well and faithfully discharge the duties assigned to me by the said Act without favour or partiality; and that I will in all respects, to the best of my ability, conform to the said Act and to the law. So help me God.

Sworn before me, at the \_\_\_\_\_ of \_\_\_\_\_ in the \_\_\_\_\_ of \_\_\_\_\_, and Province of \_\_\_\_\_, this \_\_\_\_\_ day of \_\_\_\_\_, A.D. 19\_\_\_\_.

(District or County Judge, or Stipendiary Magistrate,  
as the case may be.)

R. S. O. 1914 c. 6, Form 20.

#### FORM 21.

(Section 77.)

Take notice that \_\_\_\_\_ (*here insert the name of the Enumerator*) will be in attendance at \_\_\_\_\_ (*here insert the place*) from ten o'clock in the forenoon till four o'clock in the afternoon on the \_\_\_\_\_ days of \_\_\_\_\_, 19\_\_\_\_, to enroll the names of all persons qualified to vote for members of the Legislative Assembly.

Appeals with respect to the omission of voters or the improper enrolment of any alleged voter or as to any error made by the Enumerator as to the place at which a voter may vote may be made to \_\_\_\_\_ (*here insert the name of the County or District Judge, as the case may be*).

(Signed)

Enumerator.

Dated at \_\_\_\_\_, this \_\_\_\_\_ day of \_\_\_\_\_, 19 .

R. S. O. 1914 c. 6, Form 21.

#### FORM 22.

(Section 79.)

FORM OF AFFIDAVIT BY A PERSON CLAIMING TO BE PLACED ON THE VOTERS' LIST.

I, \_\_\_\_\_, make oath and say as follows:—

I am a British subject by birth (*or naturalization*) and I am not a citizen or subject of any foreign country, and I have resided in the Dominion of Canada for the nine months next preceding the \_\_\_\_\_ day of \_\_\_\_\_, in the present year (*the day to be filled in here is the date fixed by proclamation for commencing to prepare the list for the Electoral District of* \_\_\_\_\_).

I was at the said date in good faith a resident of and domiciled in (*giving name of municipality or place for which the lists are to be prepared*) and I have resided therein continuously from the said date, and I now reside therein at \_\_\_\_\_ (*here give the deponent's residence with as much particularity as is practicable*).

I am of the full age of 21 years and am not disqualified under *The Ontario Voters' Lists Act* or otherwise by law prohibited from voting at the elections for the Legislative Assembly of Ontario.

Sworn before me at \_\_\_\_\_ in }  
the county of \_\_\_\_\_, this \_\_\_\_\_ day of \_\_\_\_\_ } *Signature of Voter.*  
\_\_\_\_\_, 19 .

*Signature of Justice of the Peace.*

(*This oath may be taken before the Enumerator or before any Justice of the Peace, Commissioner for taking Affidavits or Notary Public.*)

R. S. O. 1914 c. 6, Form 22.

#### FORM 23.

(Section 79.)

FORM OF AFFIDAVIT FOR SAME PURPOSES AS FORM 22 WHEN THE PERSON HAS BEEN TEMPORARILY ABSENT.

I, \_\_\_\_\_, make oath and say as follows:—

I am a British subject by birth (*or naturalization*), and I am not a citizen or subject of any foreign country, and I have resided in the Dominion of Canada for the nine months next preceding the \_\_\_\_\_ day of \_\_\_\_\_, in the present year (*the date to be filled in here is the date fixed by proclamation for commencing the preparation of the lists for the Electoral District of* \_\_\_\_\_).

I was at the said date in good faith a resident of and domiciled in \_\_\_\_\_ (*giving the name of the municipality or place for which* \_\_\_\_\_).

*the lists are to be prepared) and have resided therein continuously (here give deponent's residence with as much particularity as is practicable), and I have not been absent from Ontario during the said nine months except occasionally or temporarily in the prosecution of my occupation as (mentioning the occupation, namely, a lumberman, or a mariner, or a fisherman, or a member of a permanent militia corps enlisted for continuous service or a student in attendance in an institution of learning in the Dominion of Canada, naming the Institution.)*

I am of the full age of 21 years and am not disqualified under *The Ontario Election Act* or otherwise by law prohibited from voting at elections for the Legislative Assembly of Ontario.

Sworn before me at \_\_\_\_\_, in \_\_\_\_\_  
the county of \_\_\_\_\_, this \_\_\_\_\_  
day of \_\_\_\_\_, 19\_\_\_\_ } *Signature of Voter.*

*Signature of Justice of the Peace.*

*(This oath may be taken before the Enumerator or any Justice of the Peace, Commissioner for taking Affidavits or Notary Public.)*

R. S. O. 1914 c. 6, Form 23.

#### FORM 24.

*(Section 83.)*

##### OATH OF ASSISTANT ENUMERATOR.

- I, \_\_\_\_\_, make oath and say:—
1. That I have set down in the Voters' List for \_\_\_\_\_ *(describe the territory for which the deponent is Enumerator)* according to the best of my information and judgment the name of every person entitled to be entered thereon.
  2. That I have not entered upon the said List the name of any person which I have any reason to believe ought not to be entered thereon.
  3. That I have not intentionally omitted from the said List the name of any person which I had any reason to believe ought to be entered thereon.
  4. That I have to the best of my knowledge and belief discharged the duties required of me by *The Ontario Voters' Lists Act*.

Sworn before me at \_\_\_\_\_, in the District of \_\_\_\_\_, this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

*County (or District) Judge.*

R. S. O. 1914 c. 6, Form 24.

#### FORM 25.

*(Section 85.)*

##### NOTICE OF HEARING APPEALS.

##### ONTARIO VOTERS' LISTS ACT.

Take notice that the undersigned will be in attendance at \_\_\_\_\_ *(here insert the place)* at \_\_\_\_\_ o'clock, on the \_\_\_\_\_ day of \_\_\_\_\_, to hear appeals with respect to the Voters' Lists for the Electoral District of \_\_\_\_\_

*(District or County Judge, as the case may be.)*

R.S.O. 1914, c. 6, Form 25.

## SCHEDULE " B "

## ACTS AND PART OF ACTS REPEALED.

ACT.	EXTENT OF REPEAL.
Revised Statutes of Ontario, chapter 6 .....	The whole.
1914, chapter 2 .....	Schedule, Item (2).
1914, chapter 5 .....	Sections 3, 4, 5.
1916, chapter 5 .....	The Whole.
1917, chapter 4 .....	The Whole.
1917, chapter 5 .....	The Whole.
1918, chapter 3 .....	The Whole.
1919, chapter 7 .....	Sections 2-4, 6-11, 15.
1920, chapter 2 .....	Sections 26-65.
1921, chapter 2 .....	The Whole.





3rd Session, 15th Legislature,  
12 George V, 1922.

BILL.

An Act respecting Voters' Lists.

1st Reading,	10th March, 1922.
2nd Reading,	1922.
3rd Reading,	1922.

Mr. DEURY.

# BILL

## An Act respecting Voters' Lists.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**1.** This Act may be cited as *The Ontario Voters' Lists Act, 1922.* Short title. R.S.O. 1914, c. 6, s. 1.

### INTERPRETATION.

**2.—(1)** In this Act,—

Interpretation.

- (a) "Board" shall mean Election Board as constituted under the provisions of *The Election Laws Amendment Act, 1920.* "Board."
- (b) "Judge" shall mean judge of the county or district court of the county or district in which lists are to be prepared, and shall include a junior or acting judge, but shall not include a deputy judge; "Judge".
- (c) "Prescribed" shall mean prescribed by this Act or by regulations made under the authority of this Act. "Prescribed."
- (d) "Voter" shall mean a person entitled to be a voter, or to be named in the voter's list as qualified to be a voter either at an election of a member of the Assembly or at any municipal election, as the case may be. R.S.O. 1914, c. 6, s. 2 (1); amended, 1914, Rules. c. 2.

### RULES AND FORMS.

**3—(1)** The Board of County Judges may, if requested so to do by the Lieutenant-Governor, frame rules and forms of procedure for the purpose of better carrying this Act into effect, and such rules and forms shall, when approved by the Lieutenant-Governor in Council, have the same effect and force as if they formed part of this Act. R.S.O. 1914, c. 6, s. 3. Rules and forms.

(2) The forms in Schedule "A" to this Act may be modified or varied, but any such modification or variation shall be subject to the approval of the judge. Forms. New.

Repeal.

**4.** The Acts and parts of Acts set out in Schedule "B" are repealed to the extent therein mentioned.

#### APPLICATION OF PARTS I, II, III AND IV.

Application  
Part s. I.  
and III.

**5.**—(1) Parts I and III shall apply to towns, townships, villages and except as varied by Part II, to cities.

Of Part II.

(2) Part II. shall apply to every city in which a by-law shall have been passed for taking the assessment at any time prior to the 30th day of September, and fixing separate dates for the return and final revision of the assessment rolls for each ward or subdivision of a ward, as defined in the by-law.

Of Part IV.

(3) Part IV shall apply to every part of Ontario including Indian Reserves, not comprised in an organized municipality. R.S.O. 1914, c. 6, s. 5 (3).

Territory with-  
out assessment  
roll.

(4) Territory comprised in a newly organized municipality for which there is no assessment roll shall for the purposes of subsection 3 be deemed to be still a portion of Ontario not comprised in an organized municipality. R. S. O. 1914, c. 6, s. 5 (4).

#### PART I.

##### ENTRY OF NAMES OF VOTERS AND OTHER PARTICULARS IN ASSESSMENT ROLL.

Assessor to  
enter names  
on roll.

**6.**—(1) In addition to the other particulars required by *The Assessment Act*, to be entered upon the assessment roll, every assessor shall enter upon the roll the name of every person who is of the full age of twenty-one years, a British subject, and who has been a resident of Ontario for a period of nine months prior to the date fixed for the assessor to begin to make up his roll, and who is a resident of the municipality and qualified in other respects as the assessor believes, to vote at elections to the Assembly.

Particulars  
to be entered  
on list.

(2) After the name of every person so entered, the assessor shall enter the person's place of residence, occupation and condition (as "married" or "married woman," "widower," "widow," "bachelor" or "spinster," as the case may be) or initials denoting such condition and the letters "L.F." (Legislative Franchise).

Duty of  
assessor.

(3) It shall be the duty of the assessor to make diligent inquiries when preparing the assessment roll in order to ascertain the persons who are entitled to be entered on the roll under this section. 1920, c. 2, s. 26.

(4) The names of persons and the particulars in relation to such persons required by this section to be entered in the assessment roll, and who are not qualified to vote at municipal elections, may be entered in a separate or supplementary assessment roll by the assessor or an assistant assessor appointed and sworn in the same manner as the assessor and all such rolls shall be verified by the assessor or assistant assessor by his affidavit or solemn affirmation according to the following form:—

I (*name and residence*), make oath and say (*or solemnly declare and affirm*), as follows:—

I have according to the best of my information and belief set down in the above separate roll the name of every person who is of full age of twenty-one years, a British subject, and who has been a resident of Ontario for a period of nine months prior to the day of 1921  
(*the date fixed for the assessor to begin to make up his roll*) and who is a resident of the municipality (*or electoral district*) and qualified in other respects, as I believe, to vote at elections to the Assembly, and who is not qualified to vote at municipal elections. 1921 c. 2, s. 3.

#### LIST OF VOTERS AND COPIES.

7.—(1) The clerk of each municipality shall, immediately after the final revision and correction of the assessment roll in every year, make a correct list in three parts. Form I of all persons appearing by the assessment roll or by the supplementary roll mentioned in section 6 to the voters.

(2) The list shall be made up alphabetically except in the case of a city, the council of which has by resolution directed that the list be made up in order of street numbers.

(3) The first of the three parts shall contain the names, of all persons appearing by the assessment roll to be voters at both Provincial and municipal elections.

(4) The second part shall contain the names, of all persons, appearing by the assessment roll to be voters at municipal elections, but not at Provincial elections.

(5) The third part shall be prepared separately and shall contain the names of all persons appearing by the assessment roll or by the supplementary roll mentioned in section 6 to be voters at Provincial, but not at municipal elections.

Part III not to be printed.

(6) The third part shall not be printed unless and until so ordered by the Chief Election Officer, in which case it shall be dealt with as hereinafter provided and until such order is received the clerk shall retain the third part in his custody.

Furnishing copies of Part III.

(7) The clerk shall furnish copies of the third part or permit the inspection thereof and shall be entitled to like fees as in the case of other documents kept or filed in his office.

Entries.

(8) The name of the same person shall not be entered more than once.

List for polling subdivisions.

(9) Where a municipality is divided into polling subdivisions lists shall be made for each subdivision.

Where qualification in respect of real property.

(10) Where the qualification of a person to be a voter at a municipal election is in respect of real property, the clerk shall opposite the name of such person, insert, in the proper column the number of the lot or other proper description of the parcel of real property in respect of which such person is so qualified; adding thereto where the person is so qualified in respect of more than one lot or parcel, the words "and other premises."

Farmer's son.

(11) In the case of a person being a farmer's son, the clerk shall insert opposite his name, in the proper column, the words "Farmer's Son," or the letters "F. S."

Entry where voters assessed in several divisions of same ward.

(12) Where a ward is divided into polling subdivisions, and it appears by the assessment roll that a person is assessed in each of two or more polling subdivisions for property sufficient to entitle him to be a voter at a municipal election, the clerk shall enter his name in the list for one subdivision only, and shall insert opposite his name the words "and other premises," and where to the knowledge of the clerk the person resides in one of the subdivisions, his name shall be entered on the list for that subdivision.

Provision where property partly in one subdivision and partly in another.

(13) Where it appears by the assessment roll that a person is assessed for property within the municipality sufficient to entitle him to be a voter at a municipal election, but that the property lies partly within one subdivision and partly within another or others, the clerk shall enter the name of such person on the list of voters in only one of the subdivisions in which the property is situate, with the following words added: "Partly qualified in subdivision No. ."

(14) If the qualification to be a voter at a municipal election is in respect of income, the clerk shall state that fact in the proper column. Income qualification.

(15) Where the word "Freeholder" or the letter "F," or the word "Tenant" or the letter "T," appears in the assessment roll opposite the name of a person entitled to be entered on the list, such word or letter shall be placed opposite the name of such person. Entry in list of person assessed as freeholder or tenant.

(16) Where no appeal is made from the court of revision of the municipality to the judge as provided by *The Assessment Act*, the assessment roll shall be deemed to be finally revised and corrected when the time within which an appeal may be made has elapsed, and where an appeal is made, when the assessment roll has been revised and corrected by the judge. R.S.O. 1914, c. 6, s. 6 (16). When assessment roll to be regarded as finally revised.

8.—(1) In the case of a city or town in which the assessment roll is not returnable before the 30th day of September the clerk, immediately after the return of the roll, and without waiting for the revision and correction thereof by the court of revision or the judge, shall make out a list of all persons appearing by the roll to be voters; and shall within thirty days after the return of the roll, cause two hundred copies of Part I and Part II, of the list to be printed in pamphlet form, and shall post up and otherwise deal with the list, as provided by section 10. Preparing voters' list in cities where roll not returnable before 30th September. Copies.

(2) A larger number of copies may be printed if the council shall so direct. Idem.

(3) The list so made shall be deemed the list of voters which is subject to revision by the judge under section 15, and the provisions of this Act which have reference to the list mentioned in the said section shall apply to the list provided for by this section. Revision of list by county judge.

(4) The time for giving notice of any complaint to be made to the judge under section 15 with respect to a list prepared under this section shall be twenty-one days after the clerk has posted up the list. Time for giving notice of complaints.

(5) The list prepared under this section shall be finally revised, corrected and certified by the judge within one month after the last day for making complaints. Time for completion of lists.

Correction of  
voters' list  
after revision  
of roll.

(6) In case the assessment roll of a city or town to which this section applies is not finally revised before the time limited for the final revision, correction and certifying of the list by the judge, and upon appeal from the court of revision alterations are made by the judge in the assessment roll affecting the right of any person to be entered on the list, the judge shall forthwith after the final revision of the roll, make out a list of such alterations and deliver the same to the clerk, who shall make corresponding changes in the certified copies of the revised list, and the judge shall initial the same. R.S.O. 1914, c. 6, s. 7.

Entry of P.O.  
address of  
voter.

9.—(1) The clerk of every township municipality, in making out the list shall insert therein a schedule, Form 1, containing the name, numbered consecutively, of every postoffice which by the assessment roll appears as the address of any person entered on the list, and in making out the list, shall, according to the form and in the proper column therefor, insert opposite the name of every voter entered on the list the consecutive number which according to the schedule is his postoffice address, so far as the address appears by the assessment roll, or is within the knowledge or belief of the clerk; but no appeal or complaint on the ground of any error, mistake or omission in or from the list in respect of any matter or thing by this section directed to be inserted therein, shall be made or allowed by or under this Act. R.S.O. 1914, c. 6, s. 8 (1).

Entries of  
those qualified  
as jurors.


(2) The clerk in making out the Voters' List shall in a separate column provided for the purpose, write or mark the letter "J" upon the Voters' List opposite the names of every male person over twenty-one and under sixty years of age, who by the roll appears to possess the property qualification required to qualify him to serve as a juror, and such Voters' List shall show at or near the end of Part II, the aggregate number of names of persons upon such lists qualified to serve on juries, and in the case of cities and towns such list shall give the same information for each ward. R.S.O. 1914, c. 6, s. 8 (2).



Entry of  
non-resident  
voter, how  
may be  
changed.

(3) Where it appears by the assessment roll of a township that a person who is not resident in the township is entered upon the assessment roll and assessed for sufficient property to entitle him to vote at municipal elections in the township, such non-resident person at any time after the revision of the assessment roll and before the printing



of the voters' list by the clerk, may give notice in writing signed by him and verified by a statutory declaration, to the clerk requesting that the name of such non-resident person be entered on the voters' list for some other polling subdivision in the township than that in which he is so assessed, and thereupon the clerk may enter the name of such non-resident person on the list for any other polling subdivision so designated and after the name of such non-resident person shall enter the property in respect of which he is qualified to vote and the polling subdivision in which the same is situate. Bill No. 118, 1922. 

**10.**—(1) Immediately after the clerk has made the list and within forty days in a city and in other municipalities within thirty days, after the final revision and correction of the assessment roll, the clerk shall cause at least two hundred copies of Parts I and II of the list to be printed in pamphlet form, and forthwith shall cause one of the printed copies to be posted up and to be kept posted up in some conspicuous place in his office, and deliver or transmit by post, by registered letter or by parcel post, registered, one copy to each judge of the county or district court of the county or district to which for judicial purposes the municipality belongs; and two copies of Parts I and II to each of the following persons:—

- (a) Every member of the municipal council of the municipality;
- (b) The sheriff;
- (c) The clerk of the peace;
- (d) Every postmaster in the municipality;
- (e) In a town, township or village every head teacher of a public or separate school in the municipality;
- (f) The registrar of deeds. R.S.O. 1914, c. 6. s. 9, (1).

(2) The copies required to be sent to every head teacher of a public or separate school may be sent by the clerk to the secretary or secretary-treasurer of the school board by which such teacher is employed. R.S.O. 1914, c. 6. s. 9 (1) *amended*. Sending copies to school secretaries.

Distribution  
of list.



(3) The clerk shall forthwith also deliver or transmit by post, by registered letter, or by parcel post, registered, ten copies of the list to each of the following persons:—

- (a) the Member of the House of Commons for the electoral district in which the municipality or any part thereof lies;
- (b) the Member of the Assembly for the electoral district in which the municipality or any part thereof lies;
- (c) every candidate for whom votes were given at the then last election of a member for the House of Commons and for the Assembly respectively for the electoral district in which the municipality or any part thereof lies, and
- (d) the head of the municipality. R.S.O. 1914, c. 6, s. 9 (2).



Certificate  
of Clerk.

**11.**—(1) Upon each of the copies of Part I so delivered or sent there shall be a certificate, form 2a, over the name of the clerk, stating that the list is a correct list of all persons appearing by the last revised Assessment Roll to be voters at Provincial and Municipal elections; and upon each of the copies of Part II so delivered or sent there shall be a certificate, form 2b over the name of the clerk, stating that the list is a correct list of all persons appearing by the last revised Assessment Roll to be voters at Municipal elections only; and such certificates shall contain clauses calling upon all voters to examine the lists, and to take immediate proceedings to have omissions or errors corrected according to law.

Endorsement  
of date.

(2) Upon the outside or cover of each of the copies so sent shall be printed or written conspicuously the date of the posting up of the list thus:—

“This list was posted up in the Clerk’s Office  
on the day of (*fill in date*), 19 .”

R.S.O. 1914, c. 6, s. 11.

Posting up  
by sheriff.

**12.**—(1) The sheriff shall immediately upon receipt of his copies cause one of them to be posted up in a conspicuous place in the court house; the clerk of the peace, upon

receipt of his copies, shall cause one of them to be posted up in a conspicuous place in his office; every head teacher of a public or separate school shall post up one copy on the door of the school house and every postmaster shall post up one copy in his post office. R.S.O. 1914, c. 6, s. 12 (1).

(2) Where copies of the list have been sent to the secretary or secretary-treasurer of a school board instead of to the head teacher of a public or separate school, such secretary or secretary-treasurer shall act in place of the head teacher, and shall post up one copy of the list on the door of every school house under the control of the board. R.S.O. 1914, c. 6, s. 12 (2).

Duty of Secretary-Treasurer as to posting list.

**13.** The clerk shall also forthwith cause to be inserted at least once in a newspaper published in the municipality, or in case none is published therein, then in a newspaper published either in the nearest municipality in which one is published, or in the county or district town, a notice, form 3, signed by him, which shall state that he has delivered or transmitted the copies of the list as directed by this Act, and the date of the first posting up of the list in his office. R.S.O. 1914, c. 6, s. 13.

Notice of transmission and posting up of list.

#### REVISION OF PARTS I AND II OF LIST.

**14.**—(1) The first and second parts of the list shall be subject to revision by the Judge at the instance of any voter who complains that the names of voters have been omitted from the list, or wrongly stated therein, or that the names of persons who are not entitled to be voters have been entered on the list.

Revision of list by Judge.

(2) Upon such revision the finally revised assessment roll shall not be conclusive evidence in regard to any matter.

Assessment Roll not conclusive.

(3) Upon such revision no person shall be disentitled to have his name entered on the list by reason of his having omitted to make, sign or deliver any statement or affidavit required by *The Assessment Act*, or of his name not having been entered on the assessment roll.

Idem.

(4) The decision of the Judge, in regard to the right of any person to vote, or as to the right to enter on or strike from the list the name of any person as a voter, shall be final. R.S.O. 1914, c. 6, s. 14 (1-4).

Judge's decision final.

When evidence  
by affidavit  
receivable.

(5) In the case of a list for a town, village or township, the Judge shall receive as evidence in support of an application to have the name of a person entered on the list, the affidavit of such person or of some other person who has, and deposes that he has, personal knowledge of the matter set forth in the affidavit, form 4, if the affidavit is made not earlier than the tenth day next preceding the last day for making complaints to the Judge and is delivered to the clerk before the time for making complaints has expired. R.S.O. 1914, c. 6, s. 14 (5).

Who may  
appeal or  
complain.

**15.**—(1) Any voter whose name is entered on or who is entitled to have his name entered on the list for the municipality shall have the right for all purposes of this Act, upon giving notice in writing, form 5, within twenty-one days after the clerk has posted up the first and second parts of the list in his office, to apply, complain or appeal to have his own name or the name of any other person corrected in, entered on or removed from the list for any municipality in the electoral district. R.S.O. 1914, c. 6, s. 15 (1).

Persons  
who have  
acquired  
qualification  
before time  
for giving  
notice has  
expired.

(2) Any person who has acquired the qualification entitling him to vote at a municipal election before the time for giving the notice of appeal to the Judge has expired, shall be deemed to be a person entitled to be entered on the list, and if entered thereon, he shall be entered also on the assessment roll, and shall be assessed for his property or income, if not already assessed therefor, without any request on his part, and the Judge and clerk shall for the purposes of such assessment have the powers and perform the duties mentioned in section 40. R.S.O. 1914, c. 6, s. 15 (2).

Complaint  
that person  
named on  
list has lost  
qualification.

(3) A person whose name is entered on the first or second parts of the list and has before the time for giving notice of appeal to the Judge has expired, ceased to possess the qualification in respect of which his name was so entered, on complaint being duly made under section 17, shall be deemed to be wrongfully entered on the list and subject to the provisions of section 19, his name shall be removed therefrom. R.S.O. 1914, c. 6, s. 15, (3).

Powers of  
Judge.

**16.** The Judge may, without a previous notice of appeal or complaint, on an application made by or on behalf of any person entered on the first or second part of the list, correct any mistake which shall appear to have been made in compiling the list in respect of the name, place of abode, qualification, or of the local or other description of the pro-

# 11.



perty of a person entered on the list, and with respect to whose right to be so entered an appeal or complaint is pending before the Judge. R.S.O. 1914, c. 6, s. 16.

**17.**—(1) A voter making a complaint in respect of the list shall, within twenty-one days after the clerk has posted up the list in his office, give to the clerk or leave for him at his residence or place of business, notice in writing, form 5, of his complaint. R.S.O. 1914, c. 6, s. 17 (1). Proceedings on complaint of errors in list.

(2) If the office of clerk is vacant, the notice may be given in like manner to the head of the council of the municipality, and he shall perform all the duties of the clerk. Vacancy in office of clerk.

(3) The proceedings thereafter by the judge, clerk and the parties respectively, and the powers and duties of the judge, clerk and other persons shall be the same, as nearly as may be, as in the case of an appeal from the court of revision under *The Assessment Act*; but no deposits shall be required. (See Forms 5-11.) Procedure as in appeal from court of revision.

(4) The judge shall not proceed with the holding of any court for hearing complaints until notice, Form 9, of the time and place of holding the court shall have been published by the clerk at least ten days before the sittings of the court, in some newspaper published in the municipality, or, if there be no such paper, then in a newspaper published in the nearest municipality in which one is published, or in the county town. R.S.O. 1914, c. 6, s. 17 (2-4). Notice of holding court for complaints.

 (5) The clerk shall forthwith after posting up the list of appeals in his office, deliver or transmit by post, by registered letter, or by parcel post registered, one copy of the list to each of the persons described in subsection 3 of section 10. R.S.O. 1914, c. 6, s. 17 (5). Distribution of list of appeals. 

**18.**—(1) Any person may obtain from the county or district court of the county or district a subpoena, form 12, or from the judge an order, requiring the attendance at court for hearing complaints, at the time mentioned in the subpoena or order, of a witness residing or served with the subpoena or order, in any part of Ontario, and requiring the witness to produce any papers or documents mentioned in the subpoena or order; and every witness served with the subpoena or order shall obey the same, provided his expenses according to the scale allowed in division courts, are paid or tendered to him at the time of service. Compelling attendance of witnesses.

Compelling  
attendance  
of persons  
whose right  
is in  
question.

(2) Any person in respect of the entry or omission of whose name a complaint is made, shall, if resident within the municipality for or in which the court is held, upon being served with a subpoena or order obey the same without being tendered or paid his expenses; and the subpoena or order shall be deemed to have been sufficiently served,

- (a) if the subpoena or order is served upon him personally; or
- (b) where he has a known residence or place of business within the municipality, if a copy of the subpoena or order is left for him with some grown-up person at such residence or place of business: or
- (c) where he has a known residence or place of business within the municipality, if a copy of the subpoena or order, at least six days before the sitting of the court, is mailed to him by registered letter, directed to him at the post-office address contained in any affirmation made by him under *The Assessment Act*, and where no such affirmation has been made, directed to him at his last known post-office address, and also by separate registered letter directed to the post-office described as his post-office in the voters' list unless such last mentioned post-office is his last known post-office address; or in the case of cities, towns and villages if no post-office is described for him in the voters' list, directed to the post-office of such city, town or village. (1917 c. 4, s. 6. *am.*)  
or
- (d) where he is a farmer's son, if a copy of the order or subpoena is left for him with some person at the residence of the farmer whose son he is.

Penalty for  
non-attend-  
ance.

(3) If a person, whose right to be a voter is the subject of enquiry, does not attend in obedience to the subpoena or order, the judge, in the absence of satisfactory excuse being shown for the non-attendance, or of proof of right of the person to be a voter, may, on the ground of his non-attendance, strike his name off, or refuse to enter his name on the list or impose on him a fine not exceeding \$20, or may do both.

13.

(4) The fact that the name of the person is entered on the last revised voters' list of the electoral district shall be *prima facie* evidence that he is a British subject and twenty-one years of age. Prima facie evidence of certain facts.

(5) The names of any number of witnesses may be inserted in one subpoena or order. R.S.O. 1914, c. 6, s. 18. Number of names.

**19.** If on complaint or appeal to strike off the name of any person on the list it appears that the qualification of such person is incorrectly set forth therein, but that he has the qualification necessary to entitle his name to be entered on the list, the judge shall not strike off the name of such person, but shall make such alterations in the list as are necessary to set forth the proper qualifications of such person, and in so doing may, if the name has not been entered on the proper part of the list, enter the same thereon. R.S.O. 1914, c. 6, s. 19. When qualification incorrectly stated.

**20.** The judge shall so arrange and proceed, and fix the sittings of the court, that all the complaints shall be heard and determined, and the list finally revised, corrected and certified, within two months from the last day for making complaints. R.S.O. 1914, c. 6, s. 20. Time within which list to be revised.

**21.—**(1) If no complaint is made within twenty-one days after the clerk has posted up the list in his office, he shall forthwith deliver either in person or by letter to the judge his report, form 13, and the judge shall thereupon certify, form 14, a sufficient number of copies of the first and second parts of the list as being the last revised list of persons entitled to be voters at elections to the Assembly as well as at municipal elections, and of persons entitled to vote at municipal elections only in the municipality to furnish one copy of such list to each of the following persons, namely: Certifying list by Judge when no complaint made.

- (a) the judge;
- (b) the clerk of the peace;
- (c) the clerk of the municipality.



- (d) the Members of the House of Commons for the electoral district in which the municipality or any part thereof lies;
- (e) the Member of the Assembly for the electoral district in which the municipality or any part thereof lies; and

14.

- (f) every candidate for whom votes were given at the then last election of a member for the House of Commons and the Assembly respectively for the electoral district in which the municipality or any part thereof lies.



Certificate  
of judge.

(2) The judge shall certify each of such copies and shall retain one and shall deliver or transmit by registered post, one copy to each of the persons mentioned in clauses (b) and (c), of subsection 1. R.S.O. 1914, c. 6, s. 21.

Statement  
of changes  
made by  
Judge.

**22.**—(1) If any complaint is made and allowed by the judge he shall immediately after the list has been finally revised, furnish to the clerk a statement of the changes made by him in the list.



Delivery of  
copies of  
revised list.

(2) The clerk shall thereupon prepare a sufficient number of copies of the statement of changes made by the Judge to furnish one copy for each of the persons mentioned in clauses *b*, *c*, *d*, *e* and *f* of subsection 1 of section 21, and shall within one week after the revision has been made by the Judge transmit or deliver such copies of the statement of changes to the Judge.

- (a) Such statement shall be made out according to polling subdivisions and shall show the changes made in the list for each polling subdivision.

Certificate  
of Judge on  
copies.

(3) The Judge shall thereupon sign and certify, Form 15, such copies and deal therewith in the manner provided by subsection 2 of section 21. R.S.O. 1914, c. 6, s. 22.



Striking off  
names of  
persons dying  
after  
revision.

**23.**—(1) After the list has been certified and before the nomination day at any municipal election, the judge may, upon the application of a voter, strike from the list the name of any person who has died since the list was certified; and for that purpose the certificate of the Registrar-General or of the division registrar shall be sufficient evidence of death, but if the identity of the person proved to be dead with the person whose name is sought to be struck off is disputed or open to reasonable doubt, proof of the identity shall be required.

Procedure.

(2) The proceedings shall be the same as may be as those which are prescribed for the revision of the list, except that it shall not be necessary to publish notice of the sittings of the court, and the judge and the officers named in this Act shall have the same jurisdiction as in the case of proceedings to revise the list under this Act. R.S.O. 1914, c. 6, s. 23.



**24.**—The certified list shall, under *The Municipal Act* be final and conclusive evidence that all persons named therein, and no others, were qualified to vote at any municipal election at which such list was, or was the proper list to be used; except,—

1. Persons guilty of corrupt practices at or in respect of the election in question, or since the list was certified by the judge: Exceptions.

2. Persons who, subsequently to the list being certified, have ceased to be qualified to vote at a municipal election in the municipality to which the list relates and who by reason thereof are, under the provisions of *The Municipal Act*, disentitled to vote; R.S.O. 1914, c. 6, s. 24 (1-2).

3. Persons who were disqualified and incompetent to vote under *The Disqualification Act, 1919*, and whose disqualification has not been removed or expired. New.

**25.**—(1) The corporation of the municipality within which a court is to be held shall provide a suitable and convenient place, properly furnished, heated and lighted, for the holding of the court, and in default thereof, the judge may hold the court at such place in the county or district as he may deem proper; and if the court is held elsewhere than in the court-house of the county or district, the occupant of the building in which it is held may recover from the corporation the sum of \$5 for each day on which the building was used for the purposes of the court. Duty of municipality to provide room.

(2) Every court held in the county or district town shall be held in the court-house, or in such other place as the judge may deem proper. R.S.O. 1914, c. 6, s. 25. Courts in county towns.

**26.** In all proceedings before the judge he shall have all the powers which belong to or might be exercised by him in the county court. R.S.O. 1914, c. 6, s. 26. Powers of Judge.

**27.** The clerk of every municipality shall be subject to the summary jurisdiction and control of the judge in the performance of his duty under this Act, in the same manner as an officer of the county court is to the court. R.S.O. 1914, c. 6, s. 27. Clerk.

Remuneration  
of clerk in  
connection  
with com-  
plaints.

**28.** The clerk shall be entitled to the actual and reasonable disbursements necessarily incurred by him in the discharge of the duties imposed upon him by this Act, and shall also be entitled to the following compensation:—

1. Five cents for the name of every person entered in the list of complaints.
2. Five cents for every name entered in any necessary copy of the list of complaints;
3. Five cents for every name entered or other correction made by the judge in the voters' list, and in every copy of the list as revised.
4. Five cents for every name in the statement of changes made by the judge in the list;
5. Fifteen cents for every necessary notice to any party complaining or complained against;
6. Fifteen cents for every mile necessarily and actually travelled by him in effecting service of a notice of appeal or complaint;
7. Five dollars for every days' attendance at the sittings of the court. R.S.O. 1914, c. 6, s. 28. *Amended.*

Appointment  
of Constable.

**29.**—(1) The judge shall have power to appoint a proper person to attend as constable at the sitting of the court, and duties and powers of such person shall be as nearly as may be the same as those of a bailiff at a sitting of a division court.

Constable's  
fees.

(2) The person acting as constable shall be entitled to the following compensation: that is to say:—

1. For every day's attendance, four dollars;
2. For every service of any process or notice, including the receipt and return thereof, and all other duties connected therewith when allowed by the judge, a sum not exceeding twenty cents per mile one way for each mile actually and necessarily travelled to effect such service. R.S.O. 1914, s. 6, c. 29.

Payment  
of fees.

**30.** The compensation to which the clerk and constable are respectively entitled shall be certified by the judge and paid to the clerk and constable respectively by the treasurer of the municipality upon the production and deposit with him of the judge's certificate. R.S.O. 1914, c. 6, s. 30.

**31.** If the judge who holds the court is of the opinion that any person has contravened section 45 or section 47 of this Act, or that frauds in respect to the assessment or the list have prevailed extensively in the municipality, he shall report the same to the Attorney-General, with particulars as to names and facts. R.S.O. 1914, c. 6, s. 31. Report by Judges as to frauds etc.

**32.** The judge may amend any notice or other proceeding upon such terms as he may think proper. R.S.O. 1914, c. 6, s. 32. Amendments.

**33.** If an appellant or complainant dies or abandons his appeal or complaint, or is found not to be entitled to be an appellant, the judge may in his discretion, allow any other person who might have been an appellant or complainant to intervene and prosecute the appeal or complaint, upon such terms as the judge may think just. R.S.O. 1914, c. 6, s. 33. Substitution of new appellant.

**34.—(1)** If errors are found in the voters' list on the revision thereof, in the omission of names, the inaccurate entry of names, or the entry of names of persons not entitled to vote, and it appears to the judge that the assessor or clerk was blamable for any of the errors, the judge may order, form 16, the assessor or clerk respectively, to pay all costs occasioned by such errors. Costs occasioned by errors.

**(2)** In case of errors for which the court of revision is blamable, the judge may order the municipality to pay the costs occasioned by such errors. Order for payment of municipality.

**(3)** In all cases not herein provided for, the costs shall be in the discretion of the judge. R.S.O. 1914, c. 6, s. 34. Discretion of Judge.

**35.** The costs to be allowed on any proceeding under this Act shall be according to the lowest scale of costs in an action in a division court. R.S.O. 1914, c. 6, s. 35. Scale of costs.

**36.** An unsuccessful appellant or complainant shall be liable to pay the witness fees only, unless in the opinion of the judge, the complaint or appeal is frivolous or vexatious, or has not been made in good faith, when the judge may order the appellant or complainant to pay in addition any other costs allowed by section 35. R.S.O. 1914, c. 6, s. 36. Liability of appellant for costs.

Enforcing  
payment of  
costs.

**37.** Payment of costs may be enforced by an execution, Form 17, against goods and chattels, to be issued from the division court of the division within which the municipality or part thereof is situate, upon filing therein the order of the judge, and an affidavit showing the amount at which the costs have been allowed and the non-payment thereof.

R.S.O. 1914, c. 6, s. 37.

#### REFERENCE TO DIVISIONAL COURT.

Stating case  
for opinion  
of Court  
of Appeal.

**38.**—(1) In order to facilitate uniformity of decision without the delay and expense of appeals.

(a) A judge may state a case on any question arising or likely to arise, and may transmit the same to the Lieutenant-Governor in Council, who may immediately refer the same to a Divisional Court for the opinion of the Court: or

(b) The Lieutenant-Governor in Council may state a case on any such question to a Divisional Court for a like opinion.

Fixing time  
and place of  
hearing  
argument.

(2) Immediately upon receipt of the case it shall be the duty of the Court to appoint a time and place for hearing argument, of which written notice shall be given by the Registrar of the Appellate Division posting up a copy of the notice in the Central Office at Osgoode Hall, in Toronto, at least ten clear days before the time appointed.

Hearing.

(3) At the time appointed the Court shall hear the argument by such of the counsel present as the Court may think fit to hear, and shall certify to the Lieutenant-Governor in Council the opinion of the Court thereon, and the opinion shall forthwith be published in *The Ontario Gazette*, and a copy of the opinion shall forthwith be sent to the judge of every county and district court. R.S.O. 1914, c. 6, s. 39.

Opinion at  
instance of  
voter.

**39.** A Divisional Court may also give an opinion on any question at the instance of any voter, if the Court sees fit; and the proceedings with respect thereto shall be, as nearly as may be, the same as upon a case referred; but the Court or a Judge thereof may require a deposit of money to cover the costs of hearing the question argued by counsel, and may require notice of the proceedings, or any of them, to be given to such person as the Court or Judge may direct. R.S.O. 1914, c. 6, s. 40.

# LIABILITY FOR TAXES OF PERSONS WHOSE NAMES ARE ADDED.

**40.** If any person who is found entitled to be a voter at municipal elections is not assessed, or is insufficiently assessed, the judge shall enter the name of such person on the roll together with the other particulars required by *The Assessment Act* to be set opposite the name of the person assessed including the value of the property or income in respect of which the assessment is made, which shall be determined by the judge, and corresponding corrections shall be made by the clerk in the collector's roll. R.S.O. 1914, c. 6, s. 41.

Liability of persons whose names are added to roll on revision.

Rev. Stat. c. 193.

## FAILURE OF CLERK TO PERFORM HIS DUTIES.

**41.** The non-performance by the clerk of any of his duties under this Act within the times appointed shall not affect the validity of any list. R.S.O. 1914, c. 6, s. 42.

Lists not vitiated by failure of clerk to perform duties.

**42.—(1)** In case the clerk fails to perform any of his duties, the clerk of the peace shall forthwith apply summarily, form 18, to the judge to enforce the performance of the same.

Summary application if clerk perform his duties.

(2) The application may also be made by any voter;

Application by voter.

(3) The judge shall require, form 18, the clerk and any other person he sees fit to appear before him and produce the assessment roll, and any documents relating thereto, or to the list, and to submit to examination on oath, and may thereupon make such order and give such directions as he may deem proper.

Proceedings by Judge.

(4) The clerk shall pay the costs of the proceedings, unless on special grounds the judge shall otherwise order, in which case the judge may direct how and by whom the costs shall be paid.

Liability of clerk for costs.

(5) The proceedings and order of the judge shall not relieve the clerk from the penalty hereinafter imposed. R.S.O. 1914, c. 6, s. 43.

Clerk's liability to penalty.

**43.** If the clerk omits, neglects or refuses to perform any of the duties hereinbefore required of him, for such omission, neglect or refusal, he shall incur a penalty of \$200. R.S.O. 1914, c. 6, s. 44.

Penalty for neglect of duties by clerk.

**44.** The wilful alteration of, omission from, incorrect entry in, or falsification of a certified list or copy thereof shall be an offence; and any clerk of a municipality, clerk of the peace or other person who commits such offence, or wilfully permits the same to be committed, shall incur a penalty of \$2,000. R.S.O. 1914, c. 6, s. 45.

Penalty for wilfully falsifying lists.

## COLOURABLE TRANSFER OF PROPERTY.

Colourable  
transfer of  
order to con-  
fer property  
in vote.

**45.**—(1) No person shall be a party to any instrument or to any verbal arrangement, whereby a colourable qualification is conferred or sought to be conferred upon himself or any other person in order to enable him to become a voter.

Penalty.

(2) Any person violating the provisions of this section, beside being liable to any other penalty prescribed in that behalf, shall incur a penalty of \$100.

Procuring  
commission  
of offence.

(3) An person who induces or attempts to induce another to commit an offence under this section shall incur a like penalty. R.S.O. 1914, c. 6, s. 46.

## CREATION OF FALSE VOTES.

Inquiries by  
assessor.

**46.** To prevent the creation of false votes, where a person claims to be assessed, or to be entered or named in an assessment roll, or claims that another person should be assessed, or to be named in an assessment roll so as to entitle him to be a voter, and the assessor has reason to suspect that the person so claiming, or for, or in respect to whom the claim is made, ought not to be so assessed, or so entered or named in the roll, it shall be the duty of the assessor to make reasonable inquiries before assessing, entering, or naming any such person in the assessment roll. R.S.O. 1914, c. 6, s. 47 (1).

Improper  
insertion  
of names  
in roll.

**47.** Any person who wilfully and improperly enters or procures or causes to be entered the name of a person in an assessment roll, or assesses or procures or causes the assessment of a person at too high an amount, with intent to give to a person not entitled thereto, either the right or an apparent right to be a voter; or who wilfully enters or procures or causes to be entered a fictitious name in an assessment roll, or who wilfully and improperly omits, or procures or causes to be omitted the name of a person from the assessment roll, or assesses or procures or causes the assessment of a person at too low an amount with intent to deprive a person of his right to be a voter, shall incur a penalty of \$200. R.S.O. 1914, c. 6, s. 47 (2).

## RECOVERY OF PENALTIES AND FINES.

Recovery of  
penalties.

**48.**—(1) Any penalty mentioned in the next preceding four sections may be recovered with costs by any person suing for the same in any court of competent jurisdiction.

Trial of  
action for  
penalties.

(2) Actions for penalties incurred under this Act shall be tried by a Judge without a jury. R.S.O. 1914, c. 6, s. 48.

## INSPECTION AND COPIES OF DOCUMENTS.

**49.** A voter, and an agent of a voter may, at all reasonable times and under reasonable restrictions, inspect and takes copies of or extracts from assessment rolls, notices, complaints, applications and other documents and proceedings necessary or of use for carrying out of the provisions of *The Municipal Act*, *The Assessment Act*, or of this Act; and the clerk for the said purposes shall accord all reasonable facilities which may be consistent with the safety of the documents, and the rights and interests of all persons concerned, and shall in regard to the matters aforesaid be subject to the direction of the Judge. R.S.O. 1914, c. 6, s. 49.

Right to inspect and copy assessment rolls etc.

**50.** The fees payable to the clerk of the peace and to the clerk of the municipality for furnishing copies of a list or any part of a list shall be those fixed by the Lieutenant-Governor in Council under the authority of *The Election Laws Amendment Act*, 1920.

Fees for copies of lists.

## PART II.

## PREPARATION OF WARD LISTS.

**51.** Immediately after the return by the assessor of the assessment roll for any ward or subdivision of a ward, and without waiting for the revision and correction of the roll by the court of revision or by the judge, the clerk of every city to which the provisions of this Part apply, shall prepare and print the first and second parts of the voters' list and shall prepare the third part of the voters' list for such ward or subdivision in the manner prescribed by Part I of this Act. R.S.O. 1914, c. 6, s. 51.

Preparation of list where roll returned and revised by wards.

**52.**—(1) Forthwith after the preparation and printing of the last of such lists the clerk shall post up and distribute each of the lists for each ward or subdivision in the manner prescribed by Part I. and forthwith after the clerk has posted up the lists in his office, he shall cause a notice to be inserted once a week for three weeks in such daily newspapers published in the city as may be directed by the judge calling upon persons who are aware of errors or omissions in the lists or of changes which have been rendered necessary by reason of the death or removal of any person named therein or by reason of any person having acquired the necessary qualifications as a voter since the return or final revision

Posting up and distributing lists.

Notice of Court for hearing complaints.

## 22.

of the assessment roll for any such ward or subdivision of a ward to give notice of the same, and shall name a time and place at which the judge will hold a court for revising the lists for the whole city.

Time for making complaint.

(2) The time for making complaints as to errors or omissions in the lists shall be within fifteen days after the first publication of the notice. R.S.O. 1914, c. 6, s. 52.

Time for final revision of lists.

**53.** The judge shall so arrange and proceed, and so fix the sittings of the court for hearing complaints against or in respect of the lists that the complaints shall be heard and determined and the lists finally revised and certified in manner provided by Part I, within ten days after the last day for making complaints and in any case before the tenth day of December. R.S.O. 1914, c. 6, s. 53.

Certifying list when no complaint made.

**54.** If no complaint respecting any of the lists is received by the clerk within *fifteen* days after the first publication of the notice the clerk shall forthwith apply to the judge to certify three copies of each of the lists as being the last revised list of voters for the ward or subdivision, and the judge shall certify such three copies and retain one, and deliver, or transmit by post registered, one to the clerk of the peace, and one to the clerk of the municipality, to be kept by him among the records of his office. R.S.O. 1914, c. 6, s. 54.

Procedure where complaints are made.

**55.**—(1) If any complaint is made as aforesaid with respect to any of the lists within such period, the judge shall proceed as provided by section 22 of this Act, and sections 23 and 24 of this Act shall apply to the list prepared under this Part.

When changes made in assessment roll subsequent to preparation of list.

(2) If the assessment roll is not finally revised before the final revision and certifying of the lists by the judge, and upon appeal to the judge from the court of revision alterations are made in the assessment roll affecting the right of any person to be entered on any of the lists, the judge shall forthwith after the final revision of the roll, make out a list of such alterations and deliver the same to the clerk, who shall make corresponding changes in the certified copies of the revised list, and the judge shall initial the same, and a copy of the list of alterations shall be posted up by the clerk in his office. R.S.O. 1914, c. 6, s. 55.



**56.** The lists as so revised, corrected and certified by the Judge shall together form from time to time the last revised voters' list for the city within the meaning of this Act, and *The Municipal Act*, and the date fixed by section 54 as the last day for making complaints to the judge shall be deemed to be the last day for making complaints to the judge within the meaning of any oath prescribed by any of the said Acts and such date shall be inserted in any such oath when the voting is upon a list prepared under this Part. R.S.O. 1914, c. 6, s. 56.

### PART III.

#### PRINTING, DISTRIBUTION AND REVISION OF THIRD PART OF VOTERS' LISTS.

**57.**—(1) Whenever directed in writing by the Chief Election Officer so to do, the clerk of the Municipality shall print the third part of the voters' list and shall post up and distribute printed copies of such list in the same manner as is provided for the posting up and distribution of printed copies of the first and second parts of the Voters' list.

(2) Upon each of the copies of the third part so distributed or posted up there shall be a certificate, form 2 (c), over the name of the clerk, stating that the list is a correct list of all persons appearing by the last revised assessment roll (or supplementary roll prepared by the Assessor) to be voters at elections to the Assembly.

(3) The third part of the voters' list shall include the name of every person therein entered, such person's place of residence, occupation and condition (as "married" or "married woman," "widower," "widow," "bachelor" or "spinster" as the case may be) or initials denoting such condition. 1920, c. 2, s. 27 (3).

**58.** As soon as conveniently may be after the issue of a writ for the holding of an election to fill a vacancy in the Assembly, or after the dissolution or expiry of the Assembly, the board shall fix the times and places in every municipality at which sittings shall be held by the revising officer for the purpose of hearing complaints as to the right of any person to be entered on the lists as entitled to vote at elections to the Assembly. 1920, c. 2, s. 29.

Appointment  
of revising  
officer.

**59.**—(1) The board shall appoint from among their number revising officers to hold sittings in each municipality or part of a municipality included in the electoral district in which an election is to be held, for the revision of the lists for the purposes of the election.

County  
judge to  
act if  
practicable.

(2) Wherever practicable, the revising officer so appointed shall be the judge or one of the judges of the county or district court or the acting judge of the said court, but where the county or district forms part of a district formed under section 20 of *The County Judges Act*, as enacted in section 4 of *The County Judges Act, 1919*, a judge of any county or district included therein may be appointed revising officer in a municipality in the county court district. 1920, c. 2, s. 30.

Where  
judge not  
available.

**60.** Where, owing to the number of sittings to be held, or from any other cause, the board finds it impracticable for a judge to act as revising officer, the board may appoint one of their number, being a barrister of at least five years standing, or some other fit and proper person having the like qualification to act as revising officer. 1920, c. 2, s. 31.

Notice of  
sittings of  
revising  
officer.

**61.** The board shall cause notice in the prescribed form to be given by publication in at least two newspapers having a general circulation in the county or district, and by posting up such notice in the office of the clerk of the municipality and in at least two conspicuous places in the municipality or portion of the municipality for which the sittings are to be held, stating the name of the revising officer appointed for each municipality, and the name and place of residence or office of the clerk of the revising officer, and the time and place at which the sittings will be held in each municipality and the last day upon which notice of complaint may be given under this Part, and calling upon all persons to examine the voters' list in order to ascertain that their names are correctly entered therein. 1920, c. 2, s. 32.

Clerk of  
municipality  
to be clerk  
to revising  
officer.

**62.** The clerk of the municipality shall act as clerk to the revising officer, but the board may appoint a clerk to any revising officer where the clerk of the municipality is unable to act. 1920, c. 2, s. 33.

Last day  
for making  
complaint.

**63.** The last day for making complaint to the revising officer shall be not less than two clear days and not more than five clear days before the day fixed for holding the sittings, as the board may direct. 1920, c. 2, s. 34.

**64.** Every person who, if he remains a resident in the municipality until the day fixed for holding the poll, and is otherwise qualified as provided by this Act, will be entitled to vote at the election, and whose name does not appear upon the first part of the last revised voters' list, as certified by the judge under Part I, or on the third part of the list as prepared by the clerk, shall be entitled to apply by notice of complaint in the prescribed form to the revising officer to have his name entered upon the list. 1920, c. 2, s. 35. Right to apply.

**65.**—(1) Any person whose name is entered upon the list, or who is entitled to be so entered, shall be entitled to give notice of complaint as to any person whose name has not been entered on the said first or third parts of the list and who, if he remains a resident of the municipality or electoral district, will be qualified in other respects to vote at the election, or as to any person whose name has been entered on the list and who is not qualified or who has ceased to be qualified or is disqualified under *The Ontario Election Act* or *The Disqualification Act, 1919*, or otherwise by law prohibited from voting. Who may give notice of complaint.

(2) The notice of complaint shall be in duplicate and the clerk of the revising officer shall keep one copy of every notice of complaint posted up in his office and shall deliver the other copy to the revising officer. 1920, c. 2, s. 36. Notice of complaint to be in duplicate.

**66.**—(1) The clerk of the peace shall deliver to the clerk of the municipality three copies of the first part of the list for the municipality as last revised by the judge in the manner provided by this Act and the said lists shall be subject to revision upon complaint as hereinbefore provided. 1920, c. 2, s. 37 (1). Delivery of last list by clerk.

**67.** The sittings of the revising officer shall be held in the same manner and shall be subject to the same provisions as nearly as may be as the sittings of the judge for the hearing of appeals or complaints under Part I of this Act and such provisions shall *mutatis mutandis* apply to the sittings of the revising officer. 1921, c. 2, s. 38. Procedure at sittings.

Entering name without complaint in certain cases.

**68.**—(1) Where a person by whom or on whose behalf notice of complaint has not been given applies to the revising officer to have his name entered upon the list, and no objection to the want of notice is taken, the revising officer upon being satisfied on oath of such person or of someone having personal knowledge of the facts, that he is qualified to be so entered shall enter the name of such person upon the list.

Names not to be struck off without notice.

(2) The name of any person shall not be removed from the list by the revising officer unless the revising officer is satisfied on oath that due notice of complaint has been given to such person or that such person is dead or has removed from the municipality.

Evidence required.

(3) The revising officer shall not remove any name from or add any name to the list or make any other changes therein except upon the evidence under oath of some person who has personal knowledge of the facts. 1920, c. 2, s. 39.

Certifying and delivering lists at close of sittings.

**69.**—(1) At the close of the sittings, the revising officer shall certify in the prescribed form the lists as revised by him and the list of changes and corrections in the lists in triplicate, and one copy shall be delivered by the clerk of the revising officer to the clerk of the peace, and one copy shall be retained by the clerk of the revising officer and the third copy shall be delivered by the revising officer to the clerk of the board.

List as revised to be proper list for election.

(2) The lists as so revised and certified shall be the proper lists to be used at the election.

Regulations.

**70.**—(1) The Lieutenant-Governor in Council may make regulations:—

- (a) Prescribing the forms, notices and other documents to be used for the purposes of this Part;
- (b) Respecting the duties of the clerk of the board, the clerk of the peace and the clerks and other officers appointed or acting under this Part;
- (c) Respecting the books and other records to be kept of the proceedings of the board and the revising officer;
- (d) Fixing the fees to be payable to the board and the revising officer, clerk of the revising officer and clerk of the peace for services performed, and the witness fees and costs payable under this Part, and pre-

27.

scribing the manner in which the same shall be borne and paid;

- (e) Fixing the times within which the lists shall be completed and delivered to the clerk of the peace or the revising officers, and the time within which any duty imposed by this Part with reference to the revision of the lists by the revising officer and as to which no other provision is made, shall be performed;
- (f) For giving directions as to any matter in connection with the preparation or revision of lists under this Part which is not expressly provided for therein; and
- (g) Generally for the better carrying out of the provisions of this Part.

(2) Any regulation made by the Lieutenant-Governor in Council under this Part shall have the same force as if it had been enacted herein. 1920, c. 2, s. 41. Force of regulations.

**71.** The fees and expenses payable in connection with the preparation or revision of any list under this Part shall be borne and paid by the corporation of the town, village or township and shall be payable to the persons entitled thereto by the treasurer of the municipality upon presentation of accounts therefor, certified by the chairman of the board. 1920, c. 2, s. 42. Expenses how paid.

PART IV.

LISTS IN TERRITORY WITHOUT MUNICIPAL ORGANIZATION.

**72.** Whenever a vacancy occurs in the Assembly or the Assembly is dissolved or expires, lists shall be prepared in each electoral district comprising territory without municipal organization, including territory in an Indian reserve, of all persons who are entitled to be entered upon the lists and to vote at an election in the electoral district of which such territory forms a part. 1920, c. 2, s. 44. When lists to be prepared.

**73.** As soon as conveniently may be after a vacancy occurs in the Assembly or the Assembly is dissolved or expires the board shall cause a proclamation in the prescribed form to be posted up at every place at which a poll was held at the last election to the Assembly calling upon all persons qualified to vote at the election to see that their names are duly entered on the list to be prepared under this Part. 1920, c. 2, s. 45. Proclamation of preparation of list.

Appointment  
of chief  
enumerator  
and assist-  
ant enumer-  
ators.

**74.**—(1) The board shall appoint a chief enumerator for the electoral district and the chief enumerator shall appoint one or more assistant enumerators to assist him in the preparation of the voters' lists.

Mode of  
appointment.

(2) The appointment shall be by writing in duplicate under the hand of the chairman of the board or the chief enumerator as the case may be and shall designate the area within the electoral district in which each assistant enumerator is to prepare the list.

Filing of  
appointments.

(3) One of such duplicates shall be furnished to the chief enumerator or the assistant enumerator, as the case may be, and the other shall be forthwith filed in the office of the clerk of the board and shall be open to inspection at all reasonable times.

Copy for  
clerk of  
Crown in  
Chancery.

(4) A copy of every such appointment, certified by the chairman of the board, or by the chief enumerator as the case may be, shall be forthwith transmitted to the Clerk of the Crown in Chancery, and shall be filed in his office. 1920, c. 2, s. 45.

Changes  
among ap-  
pointees.

**75.** The board may dispense with the services of any chief enumerator or assistant enumerator at any time and may appoint some other person to the office and may fill any vacancy caused by death, removal or otherwise, or by the neglect of the chief enumerator to make an appointment, and may enlarge, diminish or alter the limits of the territory in which any assistant enumerator is to act as the board may think fit. 1920, c. 2, s. 47.

Oath of  
office.

**76.** Every chief enumerator and every assistant enumerator shall, before entering upon his duties, take the oath of office, Form 20, before a judge of the county or district court of the county or district or before a justice of the peace or one of the members of the board, and the oath shall forthwith be transmitted to the clerk of the board, and in the case of the chief enumerator shall be forthwith transmitted by the clerk of the board to the Clerk of the Crown in Chancery. 1920, c. 2, s. 48.

Notice of  
preparation  
of lists  
and duty of  
chief  
enumerator  
thereunder.

**77.**—(1) The chief enumerator, under the direction of the board, shall forthwith cause to be posted up in a conspicuous manner throughout those parts of the territory for which he is appointed, and in such places as the board may direct, a copy of this Part. and one or more printed notices in the prescribed form, and the chief enumerator or assistant enumerator shall attend at the time and place mentioned in the notice.

(2) The chief enumerator shall also forthwith, upon appointment, notify the member representing the electoral district, the defeated candidate in the previous election in such district, and the known candidates before the people for election in such district, of the preparation of the voters' lists by sending to each of them by registered post a copy of this part and one printed notice in the prescribed form. 1920, c. 2, s. 49.

To whom  
notice to  
be sent.

**78.**—(1) Notwithstanding anything in *The Ontario Election Act*, or any amendment thereto contained, polls shall be held in territory to which this Part applies at such places as may be fixed by the chief enumerator subject to the approval of the board.

Fixing  
polling  
places.

(2) A list of such places shall be forwarded with the notice provided for in the last preceding section, to the persons mentioned in subsection 2 thereof, and a list shall be prepared for use at every such polling place. 1920, c. 2, s. 50.

List of  
polling place  
to be for-  
warded with  
notice.

**79.** Every person who,—

Who may be  
entered  
on list.

- (a) Is of the full age of twenty-one years or will be of the full age of twenty-one years before the day fixed for holding the poll at the election;
- (b) Is a British subject;
- (c) Is not disqualified under *The Ontario Election Act* or *The Disqualification Act, 1919*, or otherwise by law prohibited from voting;
- (d) Is a resident of and domiciled in the electoral district;
- (e) Is and has been continuously, from a date twelve months prior to the day fixed for holding the poll at the election, a resident of and domiciled in Ontario.

shall be entitled to be entered on the list prepared under this Part. 1920, c. 2, s. 51.

**80.** Subject to the direction of the board the chief enumerator shall have the general supervision and direction of the assistant enumerators, and notwithstanding anything in this Act contained, may do and perform any of the duties assigned to an assistant enumerator. 1920, c. 2, s. 52.

General  
supervision  
of enumer-  
ation.

Application  
of general  
provisions  
as to duties  
of clerk  
and judge.

**81.**—(1) Save as otherwise provided, the judge and assistant enumerators, so far as the same are applicable to territory without municipal organization, shall respectively perform the duties assigned to the judge and to the clerk of the municipality and the judge by this Act elsewhere in Ontario, and the forms and notices and other proceedings, shall be the same as nearly as may be, and be taken with the same effect as in the case of lists elsewhere in Ontario save as herein otherwise provided.

Appeals.

(2) All appeals shall be filed in duplicate with the clerk of the board, and he shall post up one copy of every notice of appeal or complaint in his office and shall deliver the other copy to the judge. 1920, c. 2, s. 53.

Subdivision  
of lists.

**82.** The list shall be in several parts, one part for each polling place, and the name of each voter shall be entered in that part, the polling place for which is most convenient for him. 1920, c. 2, s. 54.

Affidavit of  
assistant  
enumerator.

**83.** Every assistant enumerator shall, on completion of the lists, attach thereto an affidavit in the prescribed form, to be made before the judge or a police magistrate, and shall forthwith deliver the list to the clerk of the board who shall post up the same in his office. 1920, c. 2, s. 55.

Where ir-  
regularities  
not to  
void list.

**84.** The non-performance by the assistant enumerator of any of his duties under this Act within the times appointed shall not affect the validity of any list nor shall such list be void for an irregularity, if there has been a substantial compliance with the requirements of this Part. 1920, c. 2, s. 56.

Appeal  
to judge.

**85.**—(1) There shall be an appeal to the judge in the same manner as elsewhere in Ontario under this Act and the judge shall, without any unnecessary delay, attend and hear the appeals at such places as may be convenient for the parties concerned, and shall give due notice thereof.

Appointment  
of additional  
officers to  
hear appeals.

(2) The board may appoint one or more of its members to act in place of the judge for the purpose of hearing appeals and complaints under this Part where owing to the extent of territory to be dealt with or for any other reason the board deems such appointment necessary or expedient, and every person so appointed in the territory to which he is assigned shall have and may exercise and shall perform all the rights, powers, authority and duties of the judge under this Part.



(3) A voter may also appeal with respect to the polling place at which his name is entered. Appeal as to polling place.

(4) At least ten days' notice in the prescribed form (inclusive of the first day's publication) of the hearing of such appeals shall be given, by publication in a newspaper published in the county or district, and by posting as required by section 77. Notice of appeal.

(5) The proceedings, in respect to such appeals, shall be as nearly as may be the same as upon appeals under Part I of this Act save that the time within which notice may be given of any complaint or appeal to be made to the judge with respect to a voters' list shall be ten days after the assistant enumerator has posted up the list, inclusive of the day of such posting. Procedure on appeals.

(6) Notice of the time and place at which appeals will be heard shall be posted up by the chief enumerator and the assistant chief enumerator with the list of voters and the board may give such directions as to further notice of the hearing of appeals as it may deem necessary to secure due publicity. 1920, c. 2, s. 57. Notice of hearing appeals.

**86.** If there is no appeal within such ten days the enumerator shall forthwith deposit in the office of the sheriff, and of every police magistrate in the electoral district, and in the office of the clerk of the peace and the clerk of the board respectively, a copy of his list, certified by the judge. 1920, c. 2, s. 58. Certifying list where there is no appeal.

**87.—**(1) The chief enumerator and each assistant enumerator for preparing, and the judge for revising the lists required by this Part, shall be entitled to receive the sum of \$5 per day for the time during which he was engaged therein, and all reasonable personal expenses and disbursements. Fees of enumerator and judge.

(2) Whenever it appears to the Lieutenant-Governor in Council that the amount provided in subsection 1 is not sufficient remuneration for the services required to be performed, he may authorize the payment of such additional sum for such services as he may consider just and reasonable. When additional sums may be authorized.

(3) The fees, allowances and expenses payable under subsections 1 and 2, and the other expenses of preparing lists under this Part shall be certified by the Chairman of the Board and shall be audited and paid in the manner provided by section 57 of *The Ontario Election Act, 1918*. 1920, c. 2, s. 59. How payable.

Enumerators  
etc., not to  
be candidates

**88.** No chief enumerator or assistant enumerator and no person in whose office the list is deposited under this Part, shall be a candidate for election to the Assembly at any election at which the list is used. 1920, c. 2, s. 60.

Penalty  
for neglect  
of duty.

**89.** If a chief or assistant enumerator wilfully neglects omits, or refuses to perform any of the duties hereinbefore required of him, for each omission, neglect or refusal, he shall incur a penalty of \$200. 1920, c. 2, s. 61.

For  
misconduct.

**90.** The wilful alteration of, omission from, incorrect entry in or falsification of any certified list or copy thereof, shall be an offence and any chief or assistant enumerator, clerk of the peace or other person who commits such offence or wilfully permits the same to be committed, shall incur a penalty of \$2,000. 1920, c. 2, s. 62.

Recovery of  
penalties.

**91.**—(1) Any penalty mentioned in the next two preceding sections may be recovered by any person suing for the same.

Trial.

(2) Actions for penalties incurred under the next two preceding sections shall be tried by a judge without a jury. 1920 c. 2, s. 63.

Regulations.

**92.** The Lieutenant-Governor in Council may make regulations:—

- (a) Prescribing forms to be used in carrying out this Part;
- (b) Fixing the fees and charges to be paid and allowed for any services rendered in connection with the preparation and revision of the lists;
- (c) Providing for any matter in connection with the preparation of the lists not expressly provided for in *this Part*, and generally for the better carrying out of the provisions of this Part. 1920 c. 2, s. 63.

## SCHEDULE "A"

## FORM 1.

(Sections 6, 7, 8, 14.)

FORM OF VOTERS' LIST.

Voters' List 19 . Municipality of

## SCHEDULE OF POST OFFICES.

1. North Augusta.
2. Maitland

3. Wright's Corners.
4. Prescott.

POLLING SUBDIVISION NO. 1, COMPRISING ETC. :—(Giving the Limits.)

PART I.—Persons entitled to vote at BOTH Municipal Elections and Elections to the Legislative Assembly.

NAME	OCCU- PATION	CONDI- TION	LOT		CON. OR STREET	POST OFFICE ADDRESS.	JUR- ORS' COL.
Anderson, Henry.			N W $\frac{1}{2}$ 6	3	M.F. and Owner	1	
Andrews, John...			W 14 acres 8	1	M.F. and Tenant	4	
Archer, James....			2	9	M.F. and Income	4	
Brown, Simon....			W $\frac{1}{2}$ 9	2	M.F. and F.S.	3	
Burton, Samuel...			E $\frac{1}{2}$ 17	4	See Subdiv. No.	2	
Etc.			Etc.	Etc.	Etc.	Etc.	

PART II.—Persons entitled to vote at Municipal Elections ONLY.

NAME.	LOT.	CON. OR STREET.		POST OFFICE ADDRESS.
Archer, Henry.....	4	3	Owner.	2
Burk, Edmund.....	W $\frac{1}{2}$ 17	4	Tenant.	3
Etc.	Etc.	Etc.	Etc.	Etc.

PART III.—Persons entitled to vote at Elections to the Legislative Assembly ONLY.

NAME	OCCU- PATION	CON- DITION	LOT	CON. OR STREET		POST OFFICE ADDRESS
Acroyd, James.....			N $\frac{1}{2}$ 3	4	M.F.	3
Joseph, Amos.....			3	7	M.F.	3
Etc.			Etc.	Etc.	Etc.	Etc.

POLLING SUBDIVISION NO. 2, COMPRISING ETC.—(Giving the Limits.)

R. S. O. 1914 c. 6, Form 1 Amended.

## FORM 2 (a)

(Section 11.)

## CERTIFICATE TO BE ENDORSED ON PART I OF THE VOTERS' LIST.

I, A. B., Clerk of the Municipality of \_\_\_\_\_, in the County of \_\_\_\_\_, certify that the within (or above) list being Part 1 of the Voters' List constitutes a correct list for the year 19\_\_\_\_, of all persons appearing by the last revised Assessment Roll to be entitled to vote at both elections for Members of the Legislative Assembly and Municipal elections in the said Municipality, and I hereby call upon all voters to take immediate proceedings to have any omissions or errors corrected according to law.

Dated this \_\_\_\_\_

day of  
A. B.,  
Clerk of

## FORM 2. (b).

(Section 11.)

## CERTIFICATE TO BE ENDORSED ON PART II OF THE VOTERS' LIST.

I, A. B., Clerk of the Municipality of \_\_\_\_\_, in the County of \_\_\_\_\_, certify that the within (or above) list being Part II of the Voters' List constitutes a correct list for the year 19\_\_\_\_, of all persons appearing by the last revised Assessment Roll to be entitled to vote at Municipal elections in the said Municipality, and I hereby call upon all voters to take immediate proceedings to have any omissions or errors corrected according to law.

Dated this \_\_\_\_\_

day of,  
A. B.,  
Clerk of

## FORM 2. (c).

(Section 11 and 57 (2)).

## CERTIFICATE TO BE ENDORSED ON PART III OF THE VOTERS' LIST.

I, A. B., Clerk of the Municipality of \_\_\_\_\_, certify that the within (or above) list being Part III of the Voters' List constitutes a correct list for the year 19\_\_\_\_, of all persons appearing by the Assessment Roll (or Supplementary Roll prepared by the Assessor) of the said Municipality to be entitled to vote at elections for Members of the Legislative Assembly and not at Municipal elections.

Dated this \_\_\_\_\_

day of  
A. B.,  
Clerk of

## FORM 3.

(Section 13.)

## CLERK'S NOTICE OF FIRST POSTING OF VOTERS' LIST.

Voters' Lists, 19\_\_\_\_. Municipality of \_\_\_\_\_, County of \_\_\_\_\_, Notice is hereby given that I have complied with section 10, of the Voters' Lists Act and that I have posted up at my office at \_\_\_\_\_, on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, the list of all persons entitled to vote in the said Municipality for Members of Parliament (or as the case may be, At Municipal Elections) and that such list remains there for inspection.

And I hereby call upon all voters to take immediate proceedings to have any errors or omissions corrected according to law.

Dated etc., \_\_\_\_\_

A. B.,  
Clerk of

# 35.

## FORM 4.

(Section 14, subsec. 5.)

I, \_\_\_\_\_, of the Township of \_\_\_\_\_, in the County of \_\_\_\_\_, make oath and say:—

1. That I am (or that \_\_\_\_\_ is to the best of my personal knowledge) a British subject of the full age of twenty-one years, and not a citizen or a subject of any foreign country

2. That I have (or that the said \_\_\_\_\_ has) resided in the Dominion of Canada for the nine months next preceeding the day of \_\_\_\_\_, 19\_\_\_\_. (*Fill in the day fixed for beginning to make the assessment roll upon which the Voters' List is based*) and that I was (or the said \_\_\_\_\_ was) on the said day a resident of and domiciled in this municipality.

or

2. That on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, (*fill in the last day for making complaint to the County Judge*), I will have (or the said \_\_\_\_\_ will have), resided in the Dominion of Canada for the twelve months next preceding that day and that I am (or the said \_\_\_\_\_ is) a resident of and domiciled in this municipality.

3. That I am (or the said \_\_\_\_\_ is) entitled to be entered on the Voters' List for the Township of \_\_\_\_\_

4. That I am not (or that the said \_\_\_\_\_ is not) disqualified under *The Election Act* or otherwise by law prohibited from voting at elections for the Legislative Assembly.

Sworn before me at the \_\_\_\_\_ of \_\_\_\_\_ in the County of \_\_\_\_\_ }  
this \_\_\_\_\_ day of \_\_\_\_\_ }  
A. D. 19\_\_\_\_.

(*Signature Justice of the Peace or Commissioner, etc.*)

NOTE.—This affidavit may be made before a Justice of the Peace, a Commissioner for taking Affidavits or a Notary Public.

R. S. O. 1914 c. 6, Form 4.

## FORM 5.

(Sections 15, 17.)

### VOTERS' NOTICE OF COMPLAINT.

To the Clerk of the Municipality of the \_\_\_\_\_ of \_\_\_\_\_

I, *James Smith*, a voter (or a person entitled to be entered on the Voters' List) of the municipality of \_\_\_\_\_ in the Electoral District of \_\_\_\_\_, complain (*state the names of the persons in respect to whom complaint is made and the grounds of complaint touching each person, or set forth in lists as follows, varying according to circumstances*) that the persons whose names are set forth in the subjoined list No. 1 are entitled to be voters in the Municipality of \_\_\_\_\_, as shown in said list, but are omitted from the Voters' List; that the persons whose names are mentioned in the first column of the subjoined list No. 2 are wrongly stated in the Voters' List; that the persons whose names are set forth in the first column of the subjoined list No. 3 ought not to have been entered on the Voters' List; and that there are errors in the description of the property in respect to which the names are

entered on the Voters' List (*or stating other errors*), as shown in the subjoined list No. 4. And take notice, that I intend to apply to the Judge in respect thereof, pursuant to the statute in that behalf.

FORM 6.  
(Section 17.)

To His Honour the Judge of the County Court of the County of

Dated, etc.

*Schedule.*

1 NAME OF COMPLAINANT.	2 ERRORS OR OMISSIONS COM- PLAINED OF.	3 DATE WHEN NOTICE OF COM- PLAINT RECEIVED BY CLERK.

FORM 7.

(Section 17.)

JUDGE'S ORDER APPOINTING COURT FOR HEARING COMPLAINTS AND APPEALS.

To \_\_\_\_\_, Clerk of the Municipality of the \_\_\_\_\_  
 I appoint the \_\_\_\_\_ of \_\_\_\_\_, 19\_\_\_\_, at the  
 hour of \_\_\_\_\_ at \_\_\_\_\_ in the said county, for holding a  
 Court to hear and determine the several complaints of errors and  
 omissions in the said Voters' List for the Municipality of \_\_\_\_\_  
 for 19\_\_\_\_.

I direct that the Assessor for the Municipality shall attend the sittings of the said Court, and that the Assessment Roll and the minutes of the Court of Revision for the Municipality for 19 be produced thereat.

Dated                 day of                 19   .  
*Judge C. C.*

R. S. O. 1914 c. 6, Form 7.

*Lists of Complaints mentioned in the above Notice of  
Complaints.*

LIST NO. 1 (*Showing voters omitted from or not entered on the  
Voters' List.*)

NAMES OF PERSONS.	GROUND ON WHICH THEY ARE ENTITLED TO BE ON THE VOTERS' LIST.
James Tupper.....	Tenant to John Fraser, of N. ½ lot 1, 2nd Con.
Simon Beauclerk....	Manhood Franchise Voter.
Angus Blain.....	Assessed too low—property worth \$

LIST NO. 2 (*Showing voters wrongfully named in Voters' List*)

NAMES OF PERSONS.	POLLING SUB-DIVI- SION.	PART OF LIST.	THE ERRORS IN STATEMENT UPON VOTERS' LIST.
Joshua Townsend..	2	1	Should be Joseph Townsend.
John McBean.....	4	1	Should be John McBean <i>the younger</i>
S. Connell.....	3	2	Should be Simon O'Connell etc., etc.

LIST NO. 3 (*Showing persons wrongfully inserted in the Voters' List*)

NAMES OF PERSONS.	POLLING SUB-DIVI- SION.	PART OF LIST.	STATEMENT WHY WRONGFULLY INSERTED IN VOTERS' LIST.
Peter White.....	4	1	Died before final revision of roll.
John May.....	3	2	Not entitled to Manhood Franchise.
David Walters....	2	2	Assessed too high—property worth under \$ etc, etc.

LIST NO. 4 (*Showing voters whose property or qualification is  
erroneously described in Voters' List, etc.*)

NAMES OF PERSONS.	POLLING SUB-DIVI- SION.	PART OF LIST.	ERRORS IN RESPECT TO PROPERTY OR OTHERWISE STATED.
Stephen Washburn	2	2	Name should be in Sub-division No. 2.
Thomas Gordon...	3	1	Property should be W. ½ lot 7, in 3rd Con.
Ronald Blue.....	4	2	Should be described as owner, not tenant.

38.

FORM 8.

(Section 17.)

NOTICE TO BE POSTED BY CLERK IN HIS OFFICE WITH LIST OF COMPLAINTS.

Notice is hereby given, that a Court will be held, pursuant to *The Ontario Voters' Lists Act*, at \_\_\_\_\_, on the \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_, at \_\_\_\_\_ o'clock, \_\_\_\_\_ for hearing all complaints made against the Voters' List for the Municipality of \_\_\_\_\_ for 19\_\_\_\_, particulars of which complaints are shown in the subjoined Schedule.

Dated, etc.

A. B.,  
Clerk of

SCHEDULE

NAME OF PARTY COMPLAINING.	NAME OF PERSON IN RESPECT TO WHOM APPEAL WAS MADE.	GROUND OF COMPLAINT ALLEGED.

R. S. O. 1914 c. 6, Form 8.

FORM 9.

(Section 17.)

CLERK'S ADVERTISEMENT OF COURT IN NEWSPAPER.

Notice is hereby given that a Court will be held, pursuant to *The Ontario Voters' Lists Act*, by His Honour the Judge of the County Court of the County of \_\_\_\_\_, at \_\_\_\_\_, on the \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_, at \_\_\_\_\_ o'clock, \_\_\_\_\_ to hear and determine complaints of errors and omissions in the Voters' List of the Municipality of \_\_\_\_\_ for 19\_\_\_\_.

Dated, etc.

A. B.,  
Clerk of

R. S. O. 1914 c. 6, Form 9.

FORM 10.

(Section 17.)

CLERK'S NOTICE TO PARTY COMPLAINING.

*The Ontario Voters' Lists Act.*

You are hereby notified that a Court of Revision of the Voters' List, 19\_\_\_\_, for the Municipality of \_\_\_\_\_ will be held by \_\_\_\_\_ 119.



the Judge of the County Court of the County of  
 at , on the day of , 19 ,  
 at o'clock, at which Court all complaints will be heard and  
 determined. A list of complaints is posted up in and you  
 are hereby required to appear at the Court; and take notice, that  
 the Judge may proceed to hear and determine the complaints,  
 whether the parties complaining appear or not.

By order of His Honour the Judge of the County Court of the  
 County of

Dated day of , 19

To

A person complaining of error in the }  
 Voters' List.

A. B.,

Clerk of the Municipality , and  
 of the Court.

R. S. O. 1914 c. 6, Form 10.

#### FORM 11.

(Section 17.)

#### CLERK'S NOTICE TO PARTY COMPLAINED AGAINST.

##### *The Ontario Voters' Lists Act.*

You are hereby notified that a Court for the Revision of the  
 Voters' List, 19 , for the Municipality of , will be  
 held by the Judge of the County Court of the County of ,  
 at , on the day of 19 , at  
 o'clock, and you are required to appear at the Court, for that  
 has complained that your name is  
 wrongly omitted (or inserted as the case may be) in the said  
 Voters' List because (*state matter of complaint concisely*). A list  
 of all complaints lodged is posted up in ; and take  
 notice, that the Judge may proceed to hear and determine the said  
 complaint, whether you appear or not.

By order of His Honour the Judge of the County Court of the  
 County of

To

Entered on Voters' List.

A. B.,

Clerk of the said Municipality, and  
 of the Court.

R. S. O. 1914 c. 6, Form 11.

## FORM 12.

(Section 18, Subsec. 1.)



## SUBPOENA

ONTARIO:  
County of  
To WIT.

GEORGE THE FIFTH, by the Grace of God, of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the Seas, King, Defender of the Faith, Emperor of India.

To

Greeting:

We command you, that, all excuses being laid aside, you be and appear in your proper person before our Judge of our County Court of the County of , at , on the day of , 19 , at o'clock in the noon, at a Court appointed, and there and then to be held, for hearing complaints of errors in the Voters' List for 19 , of the Municipality of the of , in the County of , and for revision of the said Voters' List, then and there to testify to all and singular those things which you know in a certain matter (or matters) of complaint made and now depending before the said Judge, under *The Ontario Voters' Lists Act*, wherein one is complainant, and which complaint is to be tried at the said Court. (And if the witness is required to produce documents) that you bring with you and produce at the said time and place (*Set out the documents to be produced.*) Herein fail not.

Witness, His Honour , Judge of our said Court at  
the day of , in the year of our Lord 19 .  
A. B.,  
Clerk.

R. S. O. 1914 c. 6, Form 12.

## FORM 13.

(Section 21.)

## REPORT OF CLERK WHEN APPLYING FOR CERTIFICATE UNDER SECTION 21.

To the Judge of the County Court of the County of  
I, , Clerk of the Municipality of , in the  
County of , do hereby certify as follows:

That I did, on the day of , 19 , post up, and for a period of twenty one days next thereafter did keep posted up in a conspicuous place in my office at , a correct printed copy of the Voters' List for the Municipality of for 19 , made in pursuance of *The Ontario Voters' Lists Act*, with the certificate required by section 11 of the said Act endorsed thereon.

That I did also deliver or transmit by post, by registered letter, or by parcel post, registered, the required number of similar printed copies of the List, with my certificate endorsed, to each of the persons entitled to the same under section 10 of said Act.

41.

That I did on the                      day of                      , 19                      , cause to be inserted in the newspaper called the "                      ," published in                      , the notice required by section 13 of the said Act.

That no person gave me nor did I receive, within twenty-one days after I had posted up the list in my office, any written notice of complaint or intention to apply to the Judge in respect to the List.

And to the best of my knowledge and belief, I have complied with all the requirements of the said Act, so as to entitle me to apply for certified copies under section 21, and I now apply to you to certify three of the copies of the List received by you as being the Revised List of Voters for the municipality of the said                      of                      for 19                      .

Witness my hand this                      day of                      , 19                      . P.O.

*Clerk of the Municipality of*

..... P. O.

R. S. O. 1914, c. 6, Form 13.

FORM 14.

(Section 21.)

CERTIFICATE WHERE NO COMPLAINTS.

A, B., Clerk of the Municipality of the                      , having certified under his hand that no complaint respecting the List of Voters for said municipality, for the year 19                      had been received by him within twenty-one days after the first posting up of the same; and on application of the Clerk, I,                      , Judge of the County Court of the County of                      , in pursuance of the provisions of *The Ontario Voters' Lists Act*, certify that the annexed printed Lists of Voters, being one of the copies received by me from the Clerk, under section 10 of the said Act, is the Revised List of Voters for the said Municipality for the year 19                      .

Given under my hand and seal, at                      , this                      day of                      , 19                      .

*Judge.*

R. S. O. 1914 c. 6. Form 14.

FORM 15.

(Section 22.)

CERTIFICATE OF JUDGE WHEN COMPLAINTS HAVE BEEN MADE.

I,                      , Judge of the County Court of the County of                      , pursuant to section 22 of *The Ontario Voters' Lists Act*, do hereby certify that the above (as the case may be) is a correct copy of

42.

the statement of changes made by me in the List of Voters, for the year 19 , received by me from the Clerk of the Municipality of the of , pursuant to the provisions of the said Act.

the said Act.

Dated at , this day of , 19 .

Judge.

R. S. O. 1914 c. 6, Form 15.

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FORM 16.

(Section 34, Subsec. 1. )

ORDER FOR PAYMENT OF COSTS.

*The Ontario Voters' Lists Act.*

In the matter of the Voters' List for the Municipality of 19 , on the complaint or appeal of A. B., complaining of the name of C. D. being wrongly inserted in the said list (or, as the case may be, stating in brief the nature of the complaint.)

On proceedings taken before me I find and adjudge that the name of the said C. D. was rightly inserted in the said list (or, was wrongly inserted in the said list), and order that the said A. B. do pay the said C.D. his costs occasioned by the said complaint (or, and order that the said C.D. shall pay the said A.B. his costs incident to the said complaint:—or, and order that E.F., the Assessor of the said Municipality, do pay the said A. B. his costs incident to the said complaint,—or, as the case may be stating it in brief), which I fix at the sum of \$ .

Dated at , this day of , 19 .

Judge.

R. S. O. 1914 c. 6, Form 16.

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FORM 17.

(Section 37.)

WRIT OF EXECUTION

In the Division Court in the County of

Whereas on the day of , His Honour,

Judge of the County Court of the County of

made his order that C. D. should pay to A. B. dollars as and for his costs sustained by him on the trial of a complaint against the Voters' Lists for the Municipality of , in the said County, for 19 , (or as the case may be) made and prosecuted under the provisions of *The Ontario Voters' Lists Act*, which said costs have been fixed and allowed at the said sum. You are hereby required to levy of the goods and chattels of the said

43.

C. D. in the said County (not exempt from execution) the said money and your lawful fees, so that you may have the same within thirty days from the date hereof and pay the same over to the Clerk of this Court for the said A. B.

Given under the seal of the Court this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_.

X. Y.,  
Clerk.

To V. W.,  
Balliff of the said Court

R. S. O. 1914 c. 6, Form 17.

FORM 18.

(Section 42, Subsec. 1.)

APPLICATION TO JUDGE AGAINST DELINQUENT CLERK.

Pursuant to section 42 of *The Ontario Voters' Lists Act*. I, A.B., Clerk of the Peace for the County of \_\_\_\_\_, (or, a person entitled to be entered on the Voters' List for the Municipality of \_\_\_\_\_, for 19\_\_,) hereby inform His Honour the Judge of the County Court of the said County, that C. D., Clerk of the Municipality of \_\_\_\_\_, in the said County, has failed to perform the duties required of him as such Clerk by the said Act, in this, that he has not made out the List of Voters for 19\_\_, for the said Municipality, within thirty days after the final revision and correction of the Assessment Roll thereof (or, has not delivered or transmitted printed copies of the Voters' List for the said Municipality, for 19\_\_, to \_\_\_\_\_ and \_\_\_\_\_ or to any of them, or, as the case may be, stating in brief the duty not performed), according to the requirements of the Act; and I apply to you to enforce the performance of the duties aforesaid.

Dated at \_\_\_\_\_, this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_.

A. B.,  
Clerk of the Peace.

R. S. O. 1914 c. 6, Form 18.

FORM 19.

(Section 42, Subsec. 3.)

SUMMONS.

*The Ontario Voters' Lists Act.*

In the matter of the Voters' List for the Municipality of \_\_\_\_\_, in the County of \_\_\_\_\_, for 19\_\_.

Whereas it appears by the application of A. B., the Clerk of the Peace for the said County, (or, a person entitled to be entered on the said List), made to me, in pursuance of the said Act, that you have failed to perform certain duties required of you by the said Act, in this, that you have not made out the List of Voters for 19\_\_, for the said Municipality, within thirty days after

#### 44.

the final revision and correction of the Assessment Roll thereof (or, as the case may be, following the application); and whereas the said A.B. has applied to me to enforce the performance of the duties aforesaid;

You are hereby required to appear before me at \_\_\_\_\_ in \_\_\_\_\_, on the \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_, at the hour of \_\_\_\_\_, and produce before me the Assessment Roll for 19\_\_\_\_, for the said Municipality, and any documents in your custody, power or control, relating to the Assessment Roll, or to the List aforesaid; and submit yourself for examination on oath.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

To C. D.,  
Clerk of the Municipality of \_\_\_\_\_

Judge.

R. S. O. 1914 c. 6, Form 19.

#### FORM 20.

(Section 76.)

#### OATH OF ENUMERATOR PREPARING VOTERS' LISTS IN UNORGANIZED TERRITORY.

I, \_\_\_\_\_, of the \_\_\_\_\_ of \_\_\_\_\_, in the District of \_\_\_\_\_ and Province of \_\_\_\_\_, the enumerator whose duty it is under *The Ontario Voters' Lists Act* to prepare the Voters' Lists in and for the electoral district (or portion of the electoral district, *describing such portion*) of \_\_\_\_\_ in the Province of \_\_\_\_\_ do hereby solemnly swear that I will well and faithfully discharge the duties assigned to me by the said Act without favour or partiality; and that I will in all respects, to the best of my ability, conform to the said Act and to the law. So help me God.

Sworn before me, at the \_\_\_\_\_ of \_\_\_\_\_ in the \_\_\_\_\_ of \_\_\_\_\_, and Province of \_\_\_\_\_, this \_\_\_\_\_ day of \_\_\_\_\_, A.D. 19\_\_\_\_.

(District or County Judge, or Stipendiary Magistrate,  
as the case may be.)

R. S. O. 1914 c. 6, Form 20.

#### FORM 21.

(Section 77.)

Take notice that \_\_\_\_\_ (here insert the name of the Enumerator) will be in attendance at \_\_\_\_\_ (here insert the place) from ten o'clock in the forenoon till four o'clock in the afternoon on the \_\_\_\_\_ days of \_\_\_\_\_, 19\_\_\_\_, to enroll the names of all persons qualified to vote for members of the Legislative Assembly.

Appeals with respect to the omission of voters or the improper enrolment of any alleged voter or as to any error made by the Enumerator as to the place at which a voter may vote may be made to \_\_\_\_\_ (here insert the name of the County or District Judge, as the case may be).

(Signed)

Enumerator.

Dated at \_\_\_\_\_, this \_\_\_\_\_ day of \_\_\_\_\_, 19 .

R. S. O. 1914 c. 6, Form 21.

## FORM 22.

(Section 79.)

### FORM OF AFFIDAVIT BY A PERSON CLAIMING TO BE PLACED ON THE VOTERS' LIST.

I, \_\_\_\_\_, make oath and say as follows:—

I am a British subject by birth (or naturalization) and I am not a citizen or subject of any foreign country, and I have resided in the Dominion of Canada for the nine months next preceding the \_\_\_\_\_ day of \_\_\_\_\_, in the present year (the day to be filled in here is the date fixed by proclamation for commencing to prepare the list for the Electoral District of \_\_\_\_\_).

I was at the said date in good faith a resident of and domiciled in (giving name of municipality or place for which the lists are to be prepared) and I have resided therein continuously from the said date, and I now reside therein at \_\_\_\_\_ (here give the deponent's residence with as much particularity as is practicable).

I am of the full age of 21 years and am not disqualified under The Ontario Voters' Lists Act or otherwise by law prohibited from voting at the elections for the Legislative Assembly of Ontario.

Sworn before me at \_\_\_\_\_ in }  
the county of \_\_\_\_\_, this \_\_\_\_\_ day of \_\_\_\_\_ } Signature of Voter.  
\_\_\_\_\_, 19 .

Signature of Justice of the Peace.

(This oath may be taken before the Enumerator or before any Justice of the Peace, Commissioner for taking Affidavits or Notary Public.)

R. S. O. 1914 c. 6, Form 22.

## FORM 23.

(Section 79.)

### FORM OF AFFIDAVIT FOR SAME PURPOSES AS FORM 22 WHEN THE PERSON HAS BEEN TEMPORARILY ABSENT.

I, \_\_\_\_\_, make oath and say as follows:—

I am a British subject by birth (or naturalization), and I am not a citizen or subject of any foreign country, and I have resided in the Dominion of Canada for the nine months next preceding the \_\_\_\_\_ day of \_\_\_\_\_, in the present year (the date to be filled in here is the date fixed by proclamation for commencing the preparation of the lists for the Electoral District of \_\_\_\_\_).

I was at the said date in good faith a resident of and domiciled in \_\_\_\_\_ (giving the name of the municipality or place for which

*the lists are to be prepared)* and have resided therein continuously *(here give deponent's residence with as much particularity as is practicable)*, and I have not been absent from Ontario during the said nine months except occasionally or temporarily in the prosecution of my occupation as *(mentioning the occupation, namely, a lumberman, or a mariner, or a fisherman, or a member of a permanent militia corps enlisted for continuous service or a student in attendance in an institution of learning in the Dominion of Canada, naming the Institution.)*

I am of the full age of 21 years and am not disqualified under *The Ontario Election Act* or otherwise by law prohibited from voting at elections for the Legislative Assembly of Ontario.

Sworn before me at \_\_\_\_\_, in \_\_\_\_\_  
the county of \_\_\_\_\_, this \_\_\_\_\_  
day of \_\_\_\_\_, 19 \_\_\_\_ } *Signature of Voter.*

*Signature of Justice of the Peace.*

*(This oath may be taken before the Enumerator or any Justice of the Peace, Commissioner for taking Affidavits or Notary Public.)*

R. S. O. 1914 c. 6, Form 23.

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#### FORM 24.

*(Section 83.)*

#### OATH OF ASSISTANT ENUMERATOR.

I, \_\_\_\_\_, make oath and say:—

1. That I have set down in the Voters' List for \_\_\_\_\_ *(describe the territory for which the deponent is Enumerator)* according to the best of my information and judgment the name of every person entitled to be entered thereon.

2. That I have not entered upon the said List the name of any person which I have any reason to believe ought not to be entered thereon.

3. That I have not intentionally omitted from the said List the name of any person which I had any reason to believe ought to be entered thereon.

4. That I have to the best of my knowledge and belief discharged the duties required of me by *The Ontario Voters' Lists Act*.

Sworn before me at \_\_\_\_\_, in the District of \_\_\_\_\_, this \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_.

*County (or District) Judge.*

R. S. O. 1914 c. 6, Form 24.

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#### FORM 25.

*(Section 85.)*

#### NOTICE OF HEARING APPEALS.

#### ONTARIO VOTERS' LISTS ACT.

Take notice that the undersigned will be in attendance at \_\_\_\_\_ *(here insert the place)* at \_\_\_\_\_ o'clock, on the \_\_\_\_\_ day of \_\_\_\_\_, to hear appeals with respect to the Voters' Lists for the Electoral District of \_\_\_\_\_

*(District or County Judge, as the case may be.)*

R.S.O. 1914, c. 6, Form 25.



## SCHEDULE "B"

## ACTS AND PART OF ACTS REPEALED.

ACT.	EXTENT OF REPEAL.
Revised Statutes of Ontario, chapter 6 .....	The whole.
1914, chapter 2 .....	Schedule, Item (2).
1914, chapter 5 .....	Sections 3, 4, 5.
1916, chapter 5 .....	The Whole.
1917, chapter 4 .....	The Whole.
1917, chapter 5 .....	The Whole.
1918, chapter 3 .....	The Whole.
1919, chapter 7 .....	Sections 2-4, 6-11, 15.
1920, chapter 2 .....	Sections 26-65.
1921, chapter 2 .....	The Whole.

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3rd Session, 15th Legislature,  
12 George V, 1922.

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BILL.

An Act respecting Voters' Lists.

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1st Reading,	10th March, 1922.
2nd Reading,	21st March, 1922.
3rd Reading,	1922.

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*(Reprinted as amended by special  
Committee.)*

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Mr. Druy.

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TORONTO:  
PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.

No. 120.

1922.

# BILL

## An Act to amend The Municipal Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. Section 391 of *The Municipal Act* is amended by adding thereto the following as clause (m):—

Rev. Stat.  
c. 192, s. 391,  
amended.

(m) Notwithstanding the provisions of the foregoing clauses (k) and (l) in the case of a city having a population of not less than 200,000 where it is impracticable to subdivide any polling subdivision so as to comply therewith, an election shall not be irregular or void or voidable for the reason that any polling subdivision contains more than the prescribed number of electors.

Polling  
subdivision  
in city over  
200,000.

2. Section 146 of the said Act is amended by striking out the words "one month" in the first and second lines thereof and inserting in lieu thereof the words "six weeks."

Rev. Stat.  
c. 192, s. 146,  
amended.  
Ballot papers  
to be de-  
stroyed after  
six weeks  
instead of  
one month.

3. Form 2 appended to the said Act as enacted by an Act passed in the 10th and 11th years of the reign of His Majesty King George the Fifth, chaptered 59 is repealed and the following substituted therefor:—

Rev. Stat.  
c. 192,  
Form 2,  
amended.

### DECLARATION OF QUALIFICATION BY CANDIDATE.

1. I am a householder residing in this municipality and am assessed as owner (or tenant) of a dwelling or apartment house (or part of a dwelling or apartment house separately occupied as a dwelling) or (am rated on the last revised assessment roll for land held in my own right for an amount sufficient to entitle me to be entered on the voters' list) and that I reside in (or within two miles of) the municipality.
2. I am entered on the last revised voters' list as qualified to vote at municipal elections;
3. I am a British subject and am not a citizen or a subject of any foreign country;
4. I am of the full age of twenty-one years;
5. I am not liable for any arrears of taxes to the corporation of this municipality.

And I make this solemn declaration conscientiously believing it to be true and knowing that it is of the same force and effect as if made under oath and by virtue of *The Canada Evidence Act*.

Declared before me at )  
this )  
day of 19 )

**A. B.**

Rev. Stat.  
c. 192, s. 242,  
(4), amended.  
Declaration  
of office not  
required in  
certain cases.

4. Subsection 4 of section 242 of the said Act is amended by striking out the words "returning officer, deputy returning officer, poll clerk" in the first and second lines thereof.

Oath of  
Office.

**5.** Section 242 of the said Act is amended by inserting the following as subsection 4a:—

(4a) Every returning officer, deputy returning officer and poll clerk before entering upon the duties of his office shall take the oath of office. Form 17a.

Form of  
path.

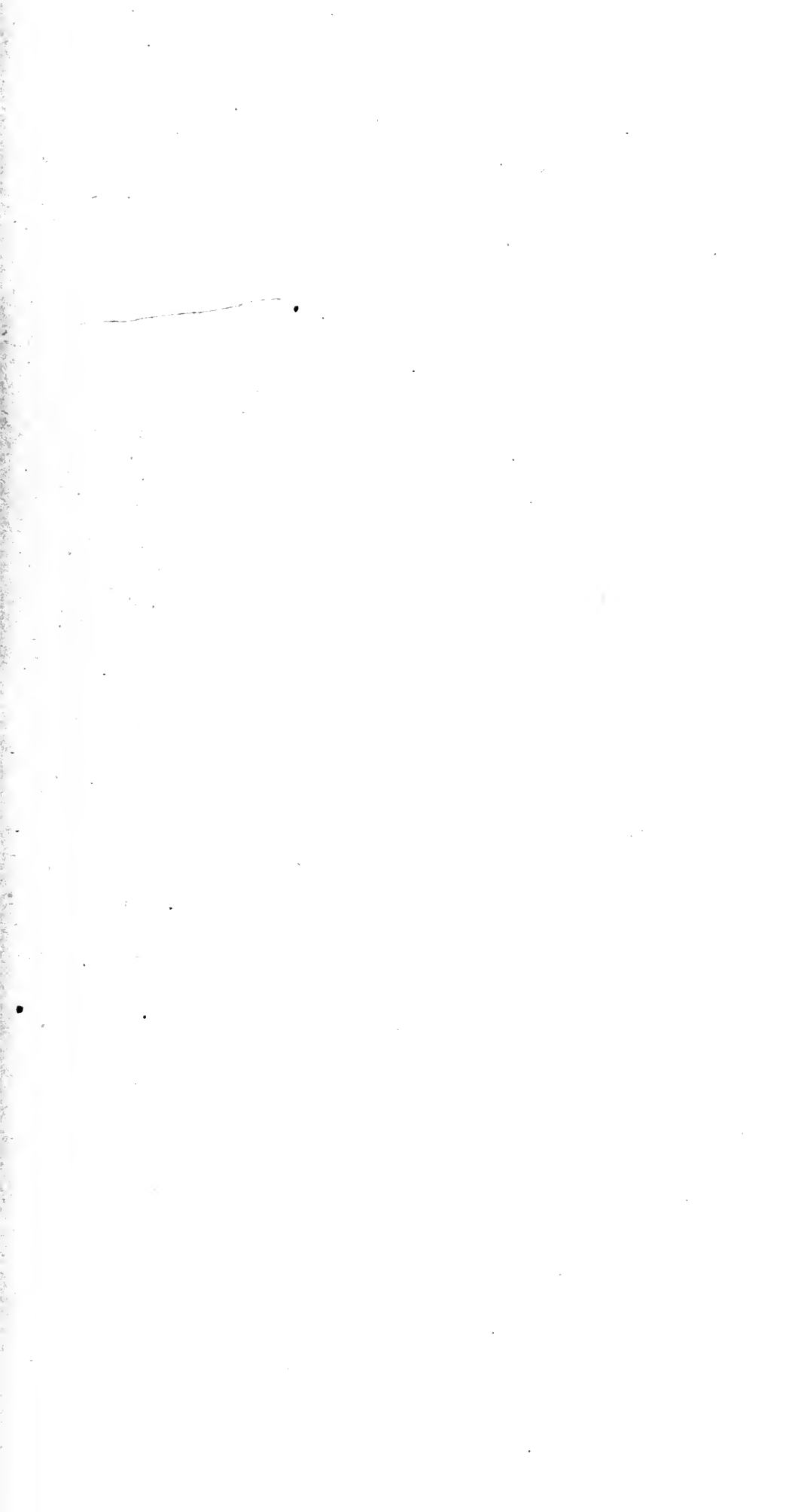
**6.** The said Act is amended by inserting the following as Form 17a.

## FORM 17a.

OATH OF RETURNING OFFICER, DEPUTY RETURNING  
OFFICER AND POLL CLERK

I, A.B., swear that I will truly, faithfully and impartially, to the best of my knowledge and ability, execute the office of (inserting the name of the office) in this municipality and that I have not received and will not receive any payment or reward or promise thereof for the due exercise of any partiality or malversation or other undue execution of the said office.

Sworn before me this )  
day of 19 )



3rd Session, 15th Legislature,  
12 George V, 1922.

BILL.

An Act to amend The Municipal Act.

1st Reading,	10th March, 1922.
2nd Reading,	1922.
3rd Reading,	1922.

MR. CURRY.

# BILL

## An Act to amend The Limitations Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Limitations Act, 1922*. Short title.

2.—(1) Section 17 of *The Limitations Act* is amended Rev. Stat. c. 75, s. 17 amended. by adding at the end thereof the words “nor to lands included in any allowance for road heretofore or hereafter surveyed and laid out or to any lands reserved or set apart or laid out as a public highway where the freehold in any such road allowance or highway is vested in the Crown or in a municipal corporation, commission or other public body, but nothing in this section contained shall be deemed to affect or prejudice any right, title or interest heretofore acquired by any person or by virtue of this Act.” so that the section will now read as follows:

17. Nothing in the foregoing sections shall apply to any waste or vacant land of the Crown Waste or vacant land of Crown excepted. whether surveyed or not, nor to lands included in any allowance for road heretofore or hereafter surveyed and laid out or to any lands reserved or set apart or laid out as a public highway where the freehold in any such road allowance or highway is vested in the Crown or in a municipal corporation, commission or other public body.

(2) Nothing in subsection 1 contained shall be deemed to affect or prejudice any right, title or interest heretofore acquired by any person or by virtue of this Act.

Commence-  
ment of  
Act.

**3.** This Act shall come into force on which it receives the Royal Assent.



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3rd Session, 15th Legislature,  
12 George V, 1922.

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BILL.

An Act to amend The Limitations Act.

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1st Reading,	March 10th, 1922.
2nd Reading,	1922.
3rd Reading,	1922.

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MR STAPLES.

No. 122.

1922.

# BILL

A Act respecting the Town of Wiarton.

**W**HEREAS the Corporation of the Town of Wiarton Preamble.  
has, by its petition, represented that there is an outstanding floating indebtedness of the corporation, now amounting to \$18,000 which has accumulated over a period of years and that said floating indebtedness is made up of the items of expenditure set forth in the recitals to By-law No. 175 of the said corporation, set forth in Schedule "A" to this Act and the said corporation has by its petition represented that it would be oppressive to the ratepayers of the said corporation to pay the said indebtedness out of the current revenue and has passed By-law No. 175 authorizing the issue of debentures for the amount of \$18,000 payable by annual instalments over a period of ten years and has petitioned that an Act may be passed to confirm and validate the said by-law and the debentures to be issued thereunder; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. By-law No. 175 of the Corporation of the Town of Wiarton, set forth in Schedule "A" to this Act, being a by-law to provide for the issue of debentures of the Town of Wiarton, for the sum of \$18,000, required by the said corporation, is hereby ratified and confirmed and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof, notwithstanding any want of jurisdiction on the part of the said corporation to pass said by-law.

By-law No.  
175, Town of  
Warton  
confirmed.

Debentures  
declared  
valid and  
binding on  
corporation.

2. The debentures to be issued under the provisions of said by-law, when so issued, are hereby declared to be legal, valid and binding upon the said corporation and the rate-payers thereof, and it shall not be necessary for the purchaser of any of the said debentures to inquire into the proceedings relating to the passing of the said by-law, or the issue of such debentures, and it shall not be necessary to submit the said by-law for the votes of the electors of the said Town of Wiarton.

## SCHEDULE "A"

By-law No. 175 of the Town of Wiarton, being a by-law to provide for the issue of debentures for the sum of \$18,000 required to pay the floating indebtedness of the said corporation.

Whereas the Corporation of the Town of Wiarton is now indebted to the Union Bank of Canada upon the corporation's promissory notes to the amount of \$11,893.30 and to the County of Bruce in respect of the county rate for the year 1921, to the amount of \$6,113.16, making a total indebtedness in excess of \$18,000.00;

And whereas former councils of the corporation have followed the practice of permitting the amount payable to the county each year to remain unpaid until each succeeding year, notwithstanding that the county rate was duly levied by the councils of the corporation in each year, and have used the amounts so levied for current expenses or other expenditures of the corporation, and this council does not approve of such practice.

And whereas the said sums of \$11,893.30 and \$6,113.16 in effect constitute a floating indebtedness of \$18,000.00 which this council considers is made up of the following items:

Deficit on operation of waterworks for years 1919, 1920 and 1921 .....	\$6,358 01
Waterworks extensions and repairs in 1919 and 1921 .....	2,500 00
Expended by Public School Board in 1921 for current expenses in excess of amount levied by Public School rate .....	1,866 60
Expended by High School Board in 1921 for current expenses in excess of amount levied by High School rate .....	1,000 00
Current Municipal expenses for 1921 unpaid by municipal rate .....	814 55
Replacing sidewalk from High School, 1921 .....	400 00
Replacing sidewalk on Town Hall hill, 1921 .....	350 00
Accumulated arrears, as of 1st January, 1919, to Sauble Falls Light & Power Co., for street lighting and power at waterworks plant, paid in 1919 .....	2,037 74
Paid for site for War Memorial, 1921 .....	350 00
Corporation's share of cost of War Memorial in addition to site .....	2,000 00
On account of legal expenses .....	323 10
<b>Total .....</b>	<b>\$18,000 00</b>

And whereas it would be unduly oppressive to the ratepayers of the Town of Wiarton to pay all the outstanding liabilities of the said town in one year in addition to meeting the necessary annual expenses of the said corporation;

And whereas the Municipal Council of the Town of Wiarton deems it necessary to borrow the said sum of \$18,000.00 on the credit of the corporation, and to issue debentures therefor, bearing interest at the rate of six per centum per annum, which is the amount of the debt intended to be created by this by-law;

And whereas it is expedient to make the principal of the said debt repayable in yearly sums during the period of ten years of such amounts respectively that the aggregate amount payable for principal and interest in any year shall be equal as nearly as may be to the amount so payable for principal and interest in each of the other years:

And whereas it will be necessary to raise annually by special rate the sum of \$2,445.62 during the period of ten years to pay the said yearly sums of principal and interest as they become due;

And whereas the amount of the whole rateable property of the Town of Wiarton according to the last revised Assessment Roll is \$641,730.00;

And whereas the amount of the existing debenture debt of the corporation (exclusive of Local Improvement debts secured by special rates or assessments) is \$64,374.07, and no part of the principal or interest is in arrear, and as against which there is an accumulated Sinking Fund of \$23,196.70;

Therefore the Municipal Council of the Corporation of the Town of Wiarton enacts as follows:—

1. That for the purpose aforesaid there shall be borrowed on the credit of the corporation at large the sum of Eighteen thousand (\$18,000.00) dollars, and debentures shall be issued therefor in sums of not less than One hundred (\$100.00) dollars each, bearing interest at the rate of six(6%) per cent. per annum.

2. The debentures shall all bear the same date, being the date of the confirmation of this by-law by the Legislative Assembly of the Province of Ontario, and shall be payable in ten annual instalments during the ten years next after the time when the same are issued, and the respective amounts of principal and interest payable in each of such years shall be as follows:—

No.	Principal	Interest	Total
1. ....	\$1,365 62	\$1,080 00	\$2,445 62
2. ....	1,447 56	998 06	2,445 62
3. ....	1,534 42	911 20	2,445 62
4. ....	1,626 48	819 14	2,445 62
5. ....	1,724 07	721 55	2,445 62
6. ....	1,827 51	618 11	2,445 62
7. ....	1,937 16	508 46	2,445 62
8. ....	2,053 39	392 23	2,445 62
9. ....	2,176 60	269 02	2,445 62
10. ....	2,307 19	138 43	2,445 62

3. The debentures as to both principal and interest shall be expressed in Canadian currency, and made payable at any place or places in Canada.

4. The Mayor of the corporation shall sign and issue the debentures, and the same shall also be signed by the Treasurer of the Corporation, and the debentures shall be sealed with the Seal of the corporation.

5. During the ten years, the currency of the debentures, the sum of \$2,445.62 shall be raised annually by special rate on all the rateable property in the said Town of Wiarton, for the purpose of paying the amount due in each year for principal and interest in respect of the said debt as shown in the Schedule in clause 2 hereof.

6. This by-law shall not come into force unless and until it is confirmed and validated by an Act of the Legislative Assembly of the Province of Ontario, and on the said Legislative Assembly passing such an Act, then this by-law shall come into force on the date on which the said Act receives the assent of the Lieutenant-Governor of the Province of Ontario.

Passed in open council this 9th day of March, 1922.

JOHN H. McDONALD,

*Mayor.*

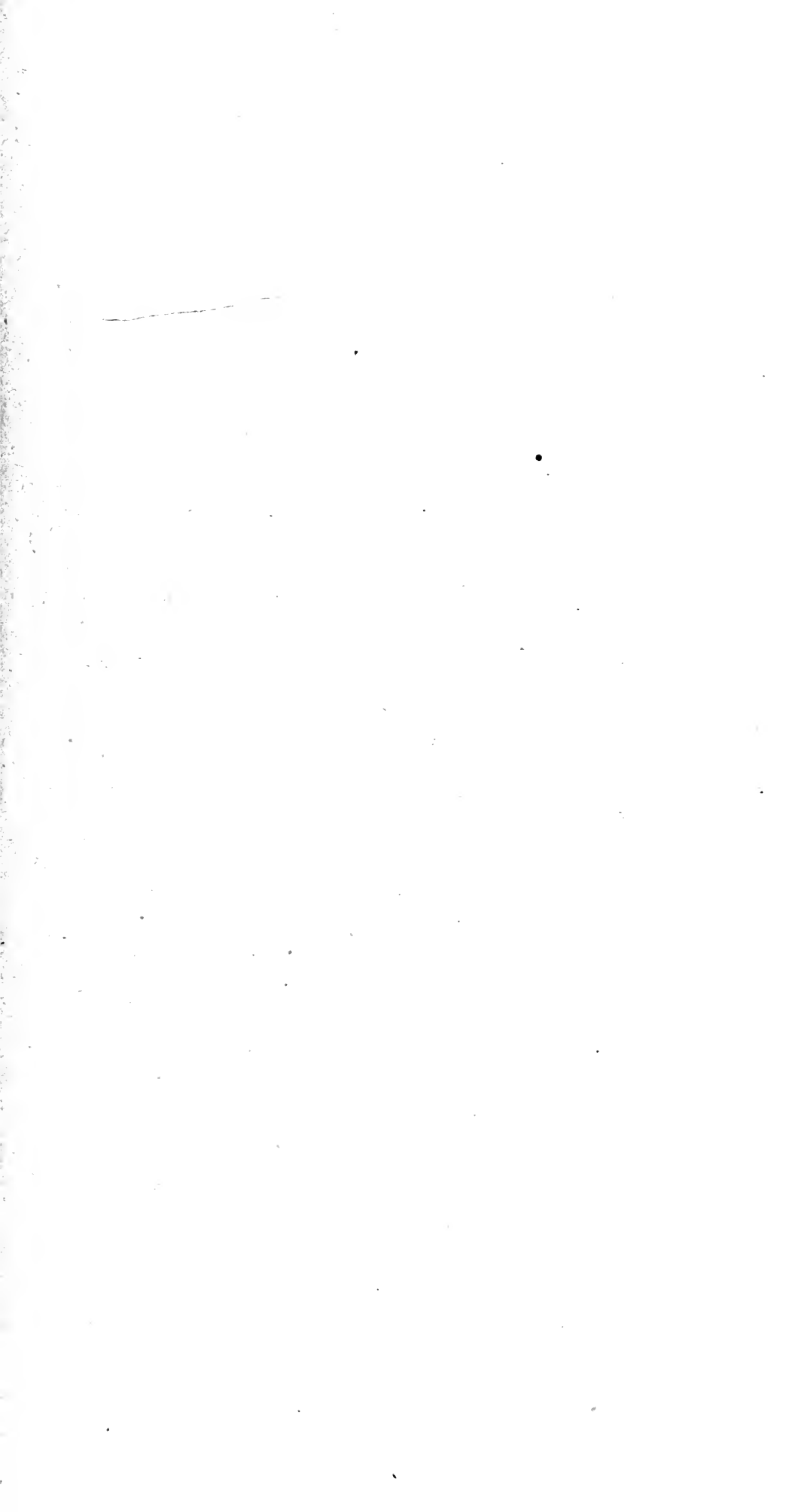
(Seal)

G. W. TAYLOR,

*Clerk.*







3rd Session, 15th Legislature,  
12 George V, 1922.

BILL.

An Act respecting the Town of Warton.

1st Reading,	1922.
2nd Reading,	1922.
3rd Reading,	1922.

(*Private Bill.*)

MR. FENTON.

# BILL

## An Act respecting the Town of Wiarton.



**W**HEREAS the Corporation of the Town of Wiarton Preamble. has by petition, represented that it has incurred a floating debt amounting to \$12,000, which has accumulated over a period of years, in addition to the ordinary expenses of the Corporation for payment of which no fund has been provided, and that it has incurred a further debt in respect of permanent works (including the Corporation's share of the cost of a War Memorial and site therefor) amounting to \$6,000, for payment of which no fund has been provided; and whereas the said Corporation has represented that to liquidate the said debts forthwith in addition to meeting the current annual expenses would be unduly oppressive to the ratepayers; and whereas the said Corporation has by its petition prayed that it may be authorized to borrow money by the issue of debentures payable in annual instalments to discharge the said debts; and whereas the total debenture debt of the said Corporation (exclusive of Local Improvement debts secured by special rates or assessments) is \$92,352.05, and that no arrears for principle or interest in connection therewith exists, and the total rateable property according to the last revised assessment roll is \$641,730, and that the sinking fund of the said Corporation amounts to \$23,196.20; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Power to  
borrow  
\$18,000 on  
debentures.

1. It shall be lawful for the Corporation of the said Town of Wiarton to raise by way of loan on the credit of the debentures hereinafter mentioned and by this Act authorized to be issued, from any person or persons or body corporate the several sums of \$12,000 and \$6,000 to pay off the said debts.

Issue of  
\$12,000 for  
floating debt,  
and \$6,000  
for permanent  
works.

2. It shall be lawful for the said Corporation of the Town of Wiarton to pass by-laws providing for the issue of debentures in such sums of not less than one hundred dollars and not exceeding \$12,000 in the whole, in respect of the floating debt and not exceeding \$6,000 in the whole in respect of the debt for permanent works, as the said Corporation may direct, and the principal sums secured by the said debentures and the interest accruing thereon may be payable at such place or places as the said Corporation may deem expedient.

Use and  
sale of  
debentures.

3. The Corporation of the said Town of Wiarton may for the purpose in section 6 hereof mentioned, raise money by way of loan on the said debentures or sell or dispose of said debentures from time to time as they may deem expedient.

Term of  
debentures.

4.—(1) The said debentures for \$12,000 in respect of the floating debt shall be payable in not more than five years from the date of issue thereof, and the said debentures for \$6,000 in respect of permanent works shall be payable in not more than twenty years from the date of issue thereof, and all said debentures shall bear interest at a rate not exceeding six per cent. per annum and may be issued with or without coupons attached thereto for interest.

Repayable in  
equal instalments  
of principal and  
interest.

(2) The said debentures may be issued payable in equal annual instalments of principal and interest, in such manner and in such amounts that the amount payable for principal and interest in any year shall be equal as nearly as possible to what is payable for principal and interest during each of the other years of the period within which the debts are to be discharged.

Special rate.

5. The said Corporation shall levy in addition to all other rates to be levied in each year, special rates sufficient to pay the amount falling due annually for principal and interest in respect of the debentures to be issued under this Act.

**6.** The said debentures and all monies arising therefrom shall be applied by the said Corporation in payment of the said debts and in no other manner. Application of money.

**7.** Any by-law passed under the provisions of this Act shall not be repealed until the debt created under such by-law and the interest thereon shall be paid and satisfied. Repeal of by-law.

**8.** It shall not be necessary to obtain the consent of the electors of the said Town of Wiarton to the passing of any by-law which shall be passed under the provisions of this Act or to observe the formalities in relation thereto prescribed by *The Municipal Act*. Assent of electors not required.

**9.** It shall be the duty of the Treasurer from time to time of the said Town to keep, and it shall be the duty of each of the members from time to time of the said municipal council to procure such treasurer to keep and see that he does keep a proper book of account setting forth the full particulars of each debenture which shall from time to time be issued under the powers conferred by this Act, and the amounts derived from the sale thereof and such book of account shall be open to inspection by any ratepayers of the said Town at all reasonable hours. Books of account to be kept.

**10.** Nothing in this Act contained shall be held or taken to discharge the Corporation of the Town of Wiarton from any indebtedness or liability not included in the said floating debt of the said Town of Wiarton. Effect on other indebtedness of town.

**11** Any provisions in the Acts respecting municipal institutions in the Province of Ontario which are or may be deemed inconsistent with the provisions of this Act or any of them, shall not apply to the by-laws to be passed by the said corporation under the provisions of this Act, and no irregularity in form of the said debentures or any of them authorized to be issued by this Act or any of the by-laws authorizing the issue thereof shall render the same invalid or illegal or be allowed as a defence to any action brought against the corporation for the recovery of the amount of the said debentures and interest or any or either of them or any part thereof and the purchaser or holder thereof shall not be bound to inquire as to the necessity of passing such by-law or by-laws or issue of debentures or as to the application of the proceeds thereof. Irregularity in form not to invalidate.

No. 122.

3rd Session, 15th Legislature,  
12 George V, 1922.

BILL.

An Act respecting the Town of Warton.

1st Reading,	28th March, 1922.
2nd Reading,	1922.
3rd Reading,	1922.

*(Reprinted as amended by the Private  
Bills Committee.)*

MR. FENTON.

TORONTO:  
PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.

# BILL

## An Act to amend The Ontario Railway Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** This Act may be cited as *The Ontario Railway Act*. **Short title.**  
1922.

**2.** Subsection 1 of section 47 of *The Ontario Railway Act* is amended by striking out all the words after the word "elsewhere" in the seventeenth line thereof, and substituting the following words "as the Directors think proper, and may bear such rate of interest per annum as may be approved by the Board," so that the said subsection will now read as follows:—

Rev. Stat.  
c. 185, s. 47,  
subs. 1,  
amended.

- (1) The directors, under the authority of the shareholders, given at a special meeting called for the purpose or at any annual meeting for which like notice of intention to apply for such authority has been given as is required in the case of a special meeting, at which meeting, whether annual or special, shareholders representing at least two-thirds in value of the subscribed stock of the company and who have paid all calls due thereon are present in person or represented by proxy, may, subject to the provisions in this Act and the special Act contained, issue bonds, debentures, perpetual or terminating debenture stock, or other securities, signed by the president or other presiding officer and countersigned by the secretary, which countersignature

When issue  
of securities  
authorized.

and the signature to the coupons attached to the same may be engraved; and such securities may be made payable at such times and in such manner and at such place or places in Canada or elsewhere as the Directors think proper, and may bear such rate of interest per annum as may be approved by the Board.

Rev. Stat.  
c. 185, s. 272,  
subs. 3,  
amended.

**3.**—(1) Subsection 3 of section 272 of *The Ontario Railway Act* is amended by striking out the word “June” in the fifth line thereof and substituting therefor the word “December”.

Rev. Stat.  
c. 185, s. 272,  
subs. 4,  
amended.

(2) Subsection 4 of section 272 of the said Act is amended by striking out the words and figures “30th day of June” in the third and fourth lines thereof and submitting therefor the words and figures “30th day of November”.

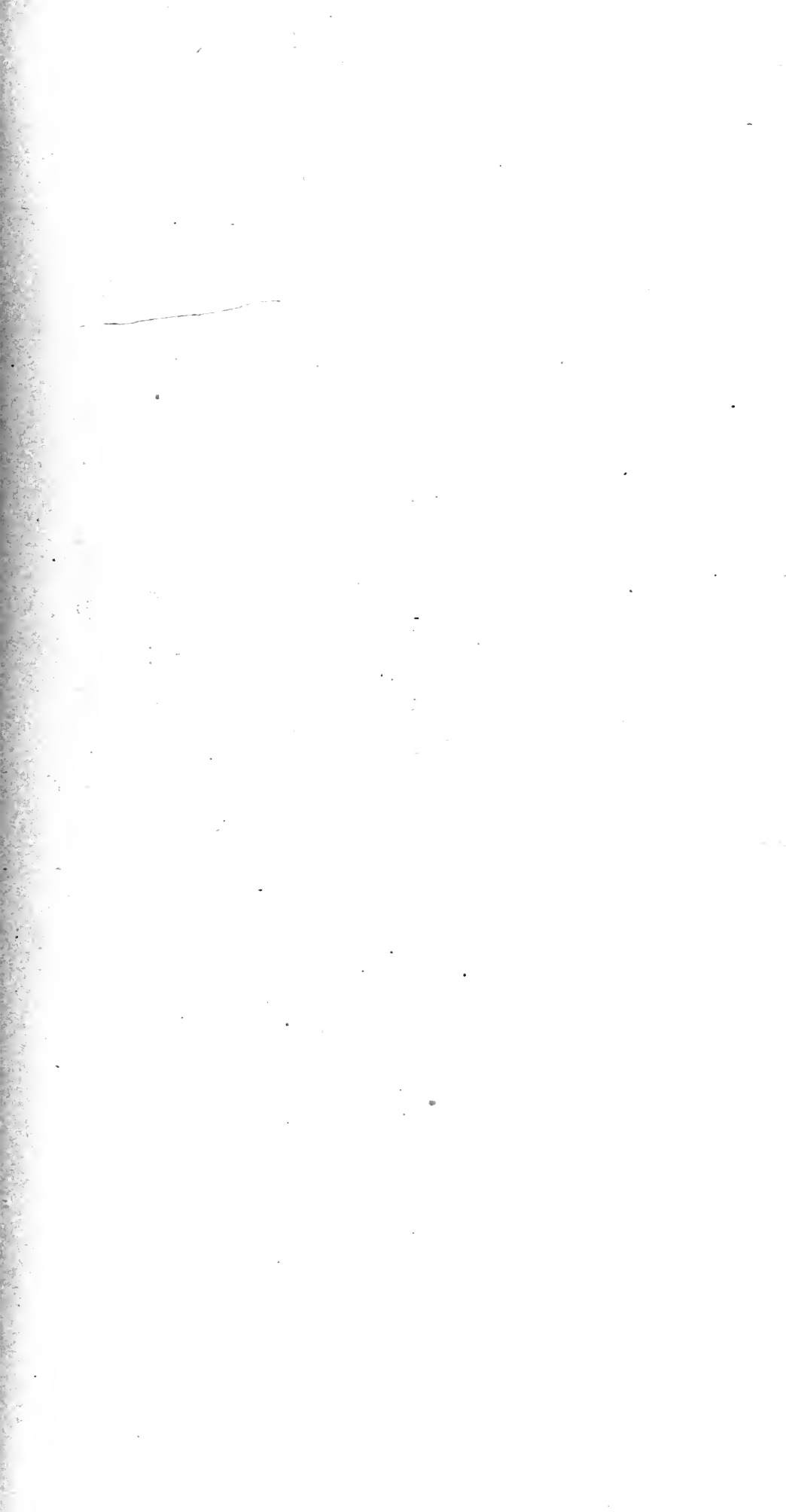
Rev. Stat.  
c. 185, s. 273,  
subs. 2,  
amended.

**4.** Subsection 2 of section 273 of *The Ontario Railway Act* is amended by striking out the word “June” in the last line thereof and substituting therefor the word “December”.

Commence-  
ment of Act.

**5.** This Act shall come into force and take effect on the day upon which it receives the Royal Assent.





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3rd Session, 15th Legislature,  
12 George V, 1922.

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BILL.

An Act to amend The Ontario  
Railway Act.

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1st Reading,	13th March, 1922.
2nd Reading,	1922.
3rd Reading,	1922.

---

Mr. RANNEY.

# BILL

## An Act to amend The Ontario Railway and Municipal Board Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**1.** This Act may be cited as *The Ontario Railway and Municipal Board Act, 1922.* Short title.

**2.** Subsection 1 of section 57 of *The Ontario Railway and Municipal Board Act* is amended by striking out the word "January" in the second line thereof, and substituting therefor the word "March". Rev. Stat. c. 186, s. 57, subs. 1, amended.

**3.** This Act shall come into force and take effect on the day upon which it receives the Royal Assent. Commencement of Act.

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3rd Session, 15th Legislature,  
12 George V, 1922.

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BILL

An Act to amend The Ontario Railway  
and Municipal Board Act.

---

1st Reading,	13th March, 1922.
2nd Reading,	1922.
3rd Reading,	1922.

---

MR. RANNEY.

TORONTO:  
PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.

No. 125.

1922.

# BILL

## An Act to amend The Municipal Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**1.** Subsection 2 of section 354 of *The Municipal Act* is amended by adding at the end thereof the following words “and two members elected by general vote at the annual municipal election” so that the subsection when so amended will read as follows:—

Rev. Stat.  
c. 192 s.  
354 (2)  
amended.

Addition of  
two additional members  
to Board.

(2) The board shall consist of the mayor, a judge of the county or district court of the county or district in which the city or town is situate, and the police magistrate, and two members elected by general vote at the annual municipal election.

Members of  
Board.

**2.** Section 54 of *The Municipal Act* is amended by inserting the following as subsection 6a :—

Rev. Stat.  
c. 192 s. 54  
amended.

(6a) If a vacancy occurs in the office of the elected members of the board, the council at a meeting called for that purpose shall elect a person to fill the vacancy for the unexpired term of the member whose seat has become vacant.

Vacancies.

No. 125.

3rd Session, 15th Legislature,  
12 George V, 1922.

BILL

An Act to amend The Municipal Act.

1st Reading	13th March, 1922.
2nd Reading,	1922.
3rd Reading,	1922.

MR. TOOMS.

TORONTO:  
PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.

# BILL

An Act respecting the Town of Oshawa.

**W**HEREAS the Municipal Corporation of the Town of Oshawa has by petition represented that the waterworks system of the said Town has been extended from time to time by the construction of watermains partly at the expense of the Corporation at large and partly under the local improvement system; that it is desirable to equalize the payment of the cost of watermains heretofore and hereafter constructed as extensions of the said waterworks system by assessing and charging properties abutting thereon or benefited thereby an annual rate of seven and one-half cents per foot frontage during a period not exceeding twenty years being the estimated lifetime of such works; and that if the annual rate of seven and one-half cents per foot frontage should produce more than the actual cost of any watermain in respect of which such rate is charged, the surplus should be used by the Town for general waterworks purpose; and whereas it is expedient to grant the prayer of the said petition.

Preamble.

Therefore, His Majesty, by and with the consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. Notwithstanding anything contained in *The Municipal Act*, *The Local Improvement Act* or any other Act, it shall be lawful for the Corporation of the Town of Oshawa when extending its waterworks system by the construction of watermains hereafter authorized or here tofore authorized but in respect of which no special assessment roll has been settled by a Court of Revision to charge lands abutting on or benefited by such watermains an annual rate of seven and one-half cents per foot frontage for

Authority  
to charge  
foot frontage  
rate of 7½ c.  
for water-  
mains not yet  
constructed.

a period of twenty years to pay and in full satisfaction of the property owners' share of the cost of such watermains and the interest thereon. The remainder of the cost of such watermains shall be borne by the Corporation of the Town of Oshawa at large and the said Corporation shall in each year during the period of twenty years impose, levy and raise such sum as may be necessary to meet the Corporation's share of the cost and interest thereon over and above the amount provided by the said frontage rate of seven and one-half cents per foot by a special rate sufficient therefor on all the rateable property in the said Corporation, and it shall not be necessary for any by-law hereafter passed authorizing the issue of debentures to pay for any watermains and levying the said rate of seven and one-half cents per foot frontage pursuant to this Act, to set out by recital or otherwise the Corporation's or property owner's share of the cost of any such watermains nor to set out or provide any specific sum to meet the Corporation's share of the cost of such work, and it shall be sufficient for any such by-law to provide for levying the said rate of seven and one-half cents per foot frontage on abutting or benefited properties and such further amount as may be necessary to meet the annual instalments of principal and interest in respect of any debt or debentures authorized by such by-law by special rate on all the rateable property in the Corporation.

Authority  
to charge  
7 1/2 c. rate for  
watermains  
heretofore  
constructed.

**2.** It shall be lawful for the said Corporation to charge lands abutting on or benefited by watermains heretofore constructed as a local improvement and in respect of which special assessment rolls have been settled by a Court of Revision, an annual frontage rate of seven and one-half cents per foot frontage for the remainder of a period of twenty years calculated from the year in which the first levy was made under such special assessment rolls in respect of such works respectively, notwithstanding anything contained in said assessment rolls or any by-law in respect of such works heretofore passed; the first of such annual rates of seven and one-half cents per foot frontage shall be imposed and collected in the year following the passing of this Act. The said annual rate of seven and one-half cents per foot frontage shall be for the purpose of paying and in full satisfaction of the owner's share of the cost of such watermains and in the interest thereon. The remainder of the cost of such watermains shall be borne by the Corporation of the Town of Oshawa at large and the said Corporation shall in each year during the remainder of



the period of twenty years calculated as aforesaid impose, levy and raise such sums as may be necessary to meet the Corporation's share of the said cost and interest thereon by a rate sufficient therefor on all the rateable property in the said Corporation.

3.—(1) It shall be lawful for the said Corporation to charge lands abutting directly on watermains heretofore constructed at the expense of the Corporation at large, an annual rate of seven and one-half cents per foot frontage for a period of twenty years from and including the year following the year in which this Act is passed. The remainder of the cost of such watermains shall be borne by the Corporation of the Town of Oshawa at large, and the said Corporation shall, in each year during said period of twenty years, impose, levy and raise such sum as may be necessary to meet the Corporation's share of the said cost and the interest thereon by a rate sufficient therefor on all the rateable property in the said Corporation.

Authority to charge 7 ½ c. rate against lands abutting on watermains heretofore constructed at corporations expense.

(2) A special assessment roll shall be prepared in respect of all works mentioned in the preceding subsection in which shall be entered—

Special Assessment Roll.

- (a) Every lot to be specially assessed, the name of the owner and the number of feet of its frontage to be so assessed;
- (b) Every lot which, but for the provisions of Section 48 of *The Local Improvement Act*, would be exempt from the special assessment and the number of feet of its frontage;
- (c) The proportion of the cost of such work per foot frontage with which each lot is so assessed based on the capital value of an annual payment of seven and one-half cents per foot frontage for the period of twenty years, calculated at the rate of interest borne by the debentures originally issued to pay for the cost of such work.

(3) Each special assessment roll prepared as required in the preceding subsection shall be submitted to a Court of Revision which shall be held in accordance with the provisions of *The Local Improvement Act*, and the Court of Revision shall have jurisdiction and power to review the proposed special assessment roll as to the following matters only:—

Court of Revision; its powers.

- (a) The names of the owners of the lots to be specially assessed;
- (b) The frontage or other measurements of said lots;
- (c) The amount of reduction, if any, to be made under Section 24 of the *Local Improvement Act* in respect to any lot;
- (d) As to the lots which, but for the provisions of Section 48 of *The Local Improvement Act*, would be exempt from special assessment.

(4) The Court of Revision shall not have jurisdiction or authority to review or alter any other matter or thing contained in the said special assessment roll.

Commutation  
of rates.

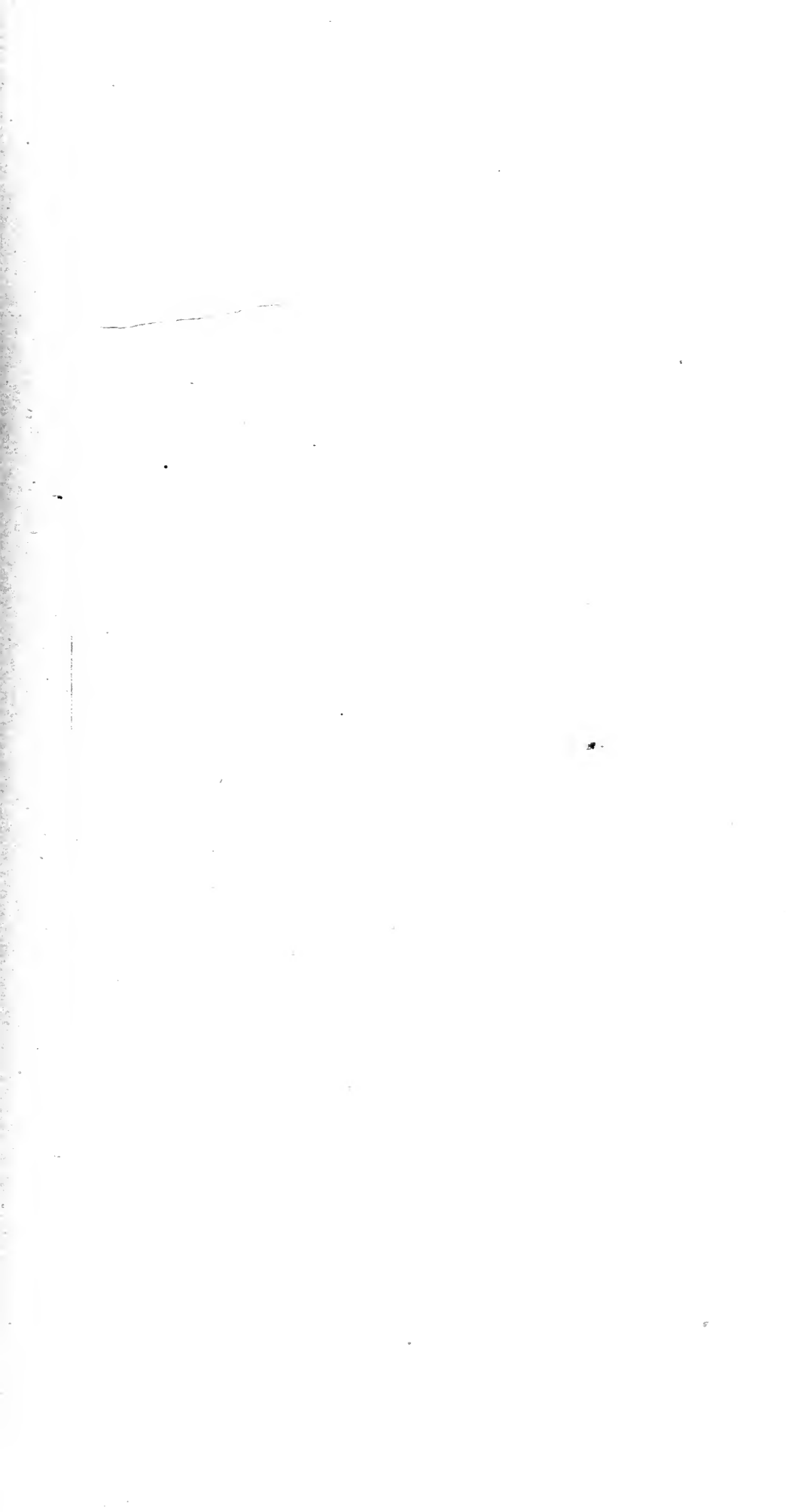
4. Any person whose lot is specially assessed pursuant to this Act and any proceedings taken thereunder may commute for a payment in cash, the special rates imposed thereon by paying the proportion of the cost assessed upon such lot without interest forthwith after the special assessment roll has been certified by the Clerk and at any time thereafter by the payment of such sum as when invested at four per cent. per annum will provide an annuity sufficient to pay the special rates for the unexpired portion of the term in which such rates are to be levied and collected as they fall due.

Any surplus  
to be used  
for general  
waterworks  
purposes.

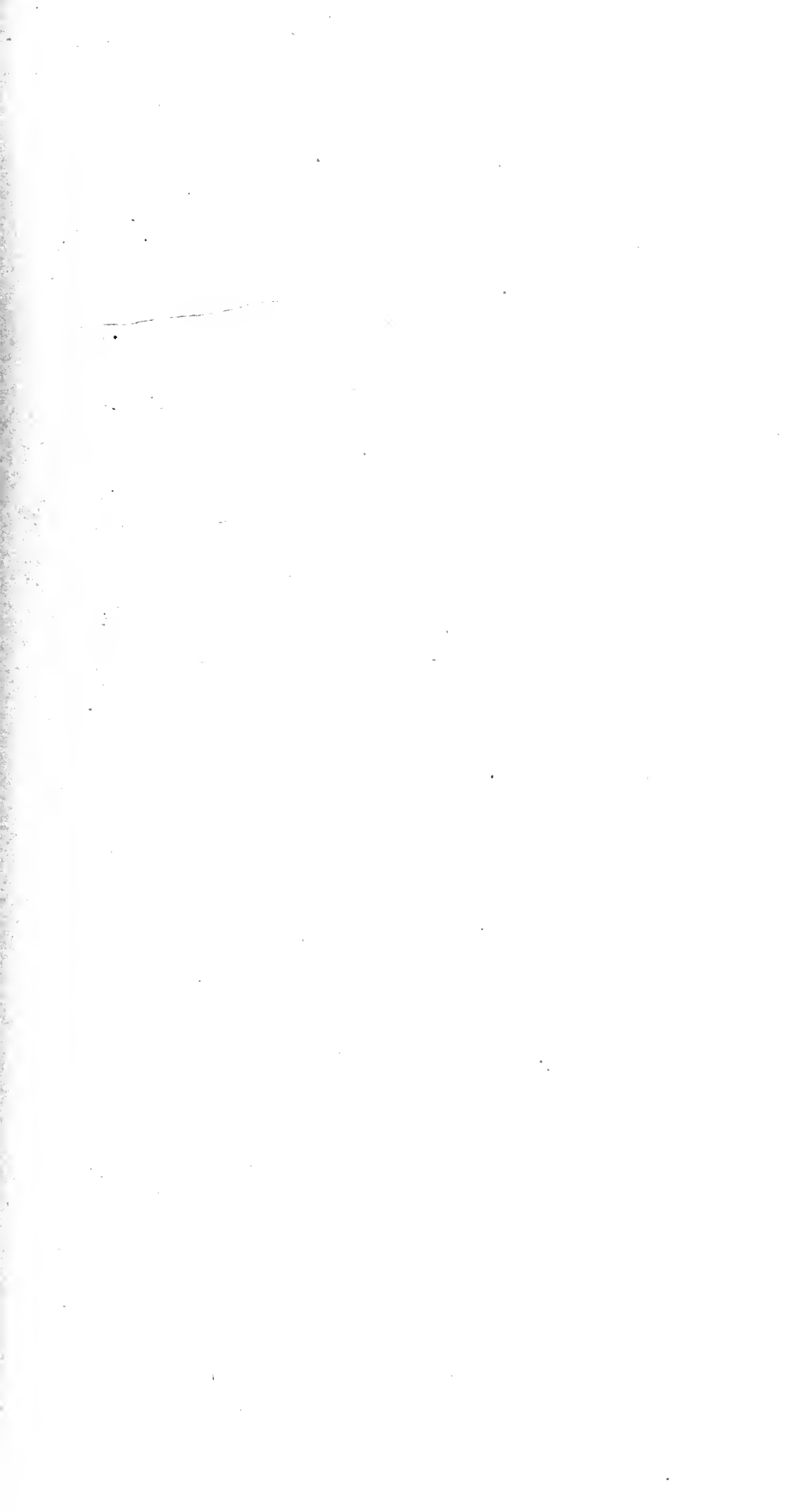
5. If in respect of any watermain heretofore or hereafter constructed by the said Corporation of the Town of Oshawa the annual rate of seven and one-half cents per foot frontage imposed for the periods aforesaid against the lands abutting on, or benefited by any such watermain shall produce more than the actual cost of such watermain, the surplus over and above the actual cost shall be used by the Town for the general waterworks purposes as the Council of the said Town may from time to time direct.

By-laws and  
debentures  
declared  
valid.

6. Every By-Law passed by the Town of Oshawa and all assessments and rates therein authorized pursuant to this Act, and all debentures issued pursuant to any such by-law, shall be legal, valid and binding upon the Corporation of the Town of Oshawa, and it shall not be necessary for any purchaser of any such debentures to inquire into the proceedings taken in connection with such by-law or the works authorized thereby, or the assessment made thereunder.







3rd Session, 15th Legislature,  
12 George V, 1922.

BILL.

An Act respecting the Town  
of Oshawa.

1st Reading,	1922.
2nd Reading,	1922.
3rd Reading,	1922.

(*Private Bill*)

MR. SINCLAIR.

# BILL

## An Act respecting the Town of Oshawa.



Preamble.

**W**HEREAS the Municipal Corporation of the Town of Oshawa has by petition represented that the Water Works System of the said Town has been constructed and extended from time to time partly at the expense of the Corporation at large and partly under the Local Improvement System, and that it is desirable to equalize the payment of the cost of water mains heretofore constructed and hereafter constructed as extensions of the said Water Works System by assessing and charging properties abutting thereon an equal annual rate of seven and one-half cents per foot frontage; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows.—

**1.** The Council of the Town of Oshawa is authorized and empowered by by-law to be passed by it to levy and charge a special frontage rate upon the several lands, lots or parts of lots, whether occupied or vacant, fronting or abutting upon all streets, lanes and alleys in the Municipality upon which water mains have been heretofore laid or upon which water mains may hereafter be laid, which special rate shall be an annual rate according to the frontage of the said lands, lots or parts of lots, and which frontage rate shall not, except as hereinafter provided, exceed seven and one-half cents per foot of such frontage, and that the Council may provide an equitable mode of assessing corner lots, triangular and other irregularly-shaped pieces of land or lands unfit for building purposes where the Council deems it inequitable to assess the full frontage thereof; pro-

Special rate  
of 7½ c.  
on land  
fronting  
on water  
mains.

vided that upon the production by the owner or occupant using water, of the receipt for the payment of the sum, rate or rent chargeable for the use thereof or such portion of such sum, rate or rent as shall equal such special frontage rate chargeable against the lands occupied or used in connection with the dwelling or other building in connection with which said sum rate or rent is paid for the same period, such owner or occupant shall be allowed the amount so paid as a payment on account of the special frontage rate authorized by this section and provided also that if the sum, rate or rent paid by the owner or occupant for the use of water as aforesaid as shown by the receipt therefor shall for the same period be greater than or equal to the said special frontage rate, there shall be remitted to such owner or occupant the amount of the said special frontage rate which would otherwise be chargeable against the lands occupied by or used in connection with the dwelling or other building in connection with which said sum, rate or rent is paid.

Special rate  
to be lien  
on land.

**2.** The said special frontage rate shall be payable at the same time as the general taxes of the Town, and until paid shall be a lien or charge upon the lands, tenements, lots or parts of lots against which the same is charged or assessed, and arrears of such special frontage rate may, with interest thereon at the rate of ten per cent. per annum from the time of default in payment, be collected in the same manner and by the same officials and by the same process as arrears of taxes are collected under the provisions of *The Assessment Act*.

Rate may be  
varied with  
approval of  
Municipal  
Board.

**3.** The special frontage rate of seven and one-half cents per foot authorized by section 1 hereof, may be varied from time to time by By-law of the Council of the Town of Oshawa approved by the Ontario Railway and Municipal Board.

Assessment  
under pro-  
visions Rev.  
Stat. c. 193,  
to be  
cancelled.

**4.** Upon the passing of a By-law under the provisions of section 1 hereof, imposing special frontage rate as therein authorized, all special frontage rates and assessments heretofore imposed under *The Local Improvement Act* in respect of the construction of water mains in the Town of Oshawa under the Local Improvement System, shall be cancelled and not thereafter be collected by the said Town, and no water mains or water works extensions shall thereafter be undertaken by the Town under *The Local Improvement Act*.



5. From and after the passing of a By-law under the provisions of section 1 hereof, the Council of the said Town may from time to time pass By-laws for undertaking the construction of water mains and the extension of the water works system and may when the work undertaken is completed pass By-laws for borrowing on the credit of the Corporation of the Town of Oshawa at large the entire cost of such works and issuing debentures for the sum so borrowed, provided that no By-law passed under the authority of this section shall come into force or effect until approved by the Ontario Railway and Municipal Board. It shall not be necessary to obtain the assent of the electors to any By-laws passed under this section.

Authority  
for new  
construction  
with approval  
of Municipal  
Board.

6. This Act shall come into force and take effect on the day upon which it receives the Royal Assent.

Commence-  
ment of Act.



3rd Session, 15th Legislature,  
12 George V, 1922.

BILL

An Act respecting the Town  
of Oshawa.

1st Reading,	28th March, 1922.
2nd Reading,	1922.
3rd Reading,	1922.

*Reprinted as amended by the Private  
Bills Committee.*

MR. SINCLAIR.

# BILL

An Act to secure Adequate Provision for the Maintenance of the Wife and Children of a Testator.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Testator's Family Maintenance Act, 1922.* Short title.

2. In this Act "Court" shall mean the Supreme Court or any Judge thereof. Interpretation "Court."

3. Notwithstanding the provisions of any law or statute to the contrary, where any person hereinafter called the testator, dies, leaving a will and without making adequate provision therein for the proper maintenance and support of his or her wife or husband or minor child, the Court may, in its discretion, on the application by or on behalf of such wife, husband or child, order that such provision as the Court thinks adequate, just and equitable in the circumstances, shall be made out of the estate of the testator for such wife, husband or child. Court may order provision for maintenance of wife etc. out of estate.

4. The Court may attach such conditions to the order as it thinks fit, or may refuse an order in favour of any person whose character is such as in the opinion of the Court to dis-entitle him or her to the benefit of an order under this Act. Court may make order subject to conditions.

5. In making an order the Court may, if it thinks fit, order that the provision may consist of a lump sum or a periodical or other payment. Provision may consist of lump sum or periodical payments.

6. The incidence of the payments ordered shall, unless the Court otherwise determines, fall rateably upon the whole estate of the testator, or in cases where the authority of the Court does not extend or cannot, directly or indirectly, be made to extend to the whole estate, then to so much thereof as is situate in the Province. Payments fall rateably on whole estate.

Power of Court to release part of testator's estate from order.

7. The Court shall have power to exonerate any part of the testator's estate from the incidence of the order after hearing such of the parties as may be affected by such exoneration as it thinks necessary, and may for that purpose direct any executor to represent, or appoint any person to represent, any such party.

Power of Court to allow commutation.

8. The Court shall have power at any time to fix a periodic payment or lump sum to be paid by any legatee or devisee, to represent, or in commutation of, such proportion of the sum ordered to be paid as falls upon the portion of the estate in which he is interested, and to exonerate such portion from further liability, and to direct in what manner such periodic payment shall be secured, and to whom such lump sum shall be paid, and in what manner it shall be invested for the benefit of the person to whom the commuted payment was payable.

Application to be deemed on behalf of all persons who might apply.

9. Where an application has been filed on behalf of any person, it may be treated by the Court as, and so far as regards the question of limitation shall be deemed to be, an application on behalf of all persons who might apply.

Registration of caution or *lis pendens*.

10. Every person filing an application shall, within ten days after the date of filing register a caution under *The Lands Titles Act* against any lands sought to be affected, where such lands are registered under that Act, and in other cases shall register a certificate of *lis pendens* in the Registry Office of the Registry Division in which the lands in question are situate, and such registration shall be notice of the application filed to any person not a party to the proceedings.

Effect of order.

11. Upon any order being made under this Act, the portion of the estate comprised therein or affected thereby shall be held subject to the provisions of the order, but the order shall not bind lands unless the same is registered as a charge against the lands affected in the proper Registry or Lands Titles Office.

Time within which application to be made.

12. No application shall be heard by the Crown at the instance of a party claiming the benefit of this Act unless the application is made within six months from the date of the granting or resealing in the Province of probate of the Will.

Estate not to be distributed until six months after probate.

13. Until the expiration of the said period of six months from the granting or resealing in the Province of probate of the Will, the executor shall not, without the consent of all

persons who would be entitled to apply or unless authorized thereto by order of the Court, distribute any portion of the estate to beneficiaries under the Will, and until the expiration of the same period no title passing by devise shall be registered in any Land Registry Office unless with the like consent or in pursuance of a like order, except subject to the liability of being charged by an order made under this Act.

**14.** The application may be made by an executor on behalf of any person entitled to apply or by any guardian or next friend of an infant. By whom application may be made.

**15.** No person for whom such provision is made shall anticipate the same, and no mortgage, charge or assignment of any kind whatsoever of or over such provision made before the order of the Court shall be of any force, validity, or effect; and no such mortgage, charge or assignment made after the order of the Court is made shall be of any force, validity or effect unless made with the permission of the Court. Mortgage etc. made in anticipation of order to be invalid.

**16.** Where the Court has ordered periodic payments, or has ordered a lump sum to be invested for the benefit of any person, it shall have power to inquire whether at any subsequent date the party benefitted by its order has become possessed of or entitled to provisions for his proper maintenance or support, and into the adequacy of such provisions, and may discharge, vary or suspend its order, or make such other order as is just in the circumstances. Court may discharge or vary order in certain case.

**17.—(1)** Where an order is made by the Court under this Act, all duties payable on the transmission of the estate under the Will of the testator shall be computed as if the provisions of the order had been part of the Will. Duties.

(2) Any duty paid in excess of the amount required to be paid under this section shall, on application be returned to the person entitled to receive the same. Return of excess duty.

**18.** An appeal shall lie to a Divisional Court from any order made under this Act. Appeal.

**19.** The Lieutenant-Governor in Council may make such regulations as he may deem necessary to govern the procedure under this Act. Rules of Court

**20.** This Act shall come into force on the day upon which it receives the Royal Assent. Commencement of Act.

3rd Session, 16th Legislature,  
12 George V, 1922.

BILL.

An Act to secure Adequate Provision for  
the Maintenance of the Wife and  
Children of a Testator.

1st Reading,	14th March,	1922.
2nd Reading,		1922.
3rd Reading,		1922.

MR. WATSON.

# BILL

## An Act to amend The Registry Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**1.** The Registry Act is amended by inserting after Section 45 the following as Section 45a: Rev. Stat.  
c. 124  
amended.

45a. Every deed or conveyance and every charge or mortgage registered under this Act shall by endorsement thereon show the full name and place of residence (giving the street number, if any) of the Grantee or Mortgagee, as the case may be, and the Registrar shall enter such information in the abstract index book. Address of  
grantee or  
mortgagee to  
be contained  
in instrument.

**2.** Section 100 of the said Act is amended by striking out the words "mortgages, discharges of mortgage, or other like instruments," in the ninth and tenth lines thereof, so that the section will now read as follows: Rev. Stat.  
c. 124, s. 100  
amended.

100. The registrar shall, upon request, furnish to the clerk, or to the assessment commissioner or assessor of any municipality, a list of all conveyances whereby land in the municipality has been transferred, which have been registered in his office during the next preceding year or any part thereof, and in such list shall include the names of the grantor, the grantee, the consideration shown in each transfer, and a short description of the land conveyed, but shall not include leases for less than twenty-one years, and the registrar shall be entitled therefor to a fee of five cents for every instrument included in the list.

3. Form 2 appended to the said Act as enacted by an Act passed in the 10th and 11th years of the reign of His Majesty King George the fifth, chaptered 59 is repealed and the following substituted therefor:—

#### FORM 2.

##### DECLARATION OF QUALIFICATION BY CANDIDATE.

I,—A. B., declare that

1. I am a householder residing in this municipality and am assessed as owner (or tenant) of a dwelling or apartment house or part of a dwelling or apartment house separately occupied as a dwelling or (am rated on the last revised assessment roll for land held in my own right for an amount sufficient to entitle me to be entered on the voters' list) and that I reside in (or within two miles of) the municipality.
2. I am entered on the last revised voters' list as qualified to vote at municipal elections;
3. I am a British subject and am not a citizen or a subject of any foreign country;
4. I am of the full age of twenty-one years;
5. I am not liable for any arrears of taxes to the corporation of this municipality.

And I make this solemn declaration conscientiously believing it to be true, and knowing that it is of the same force and effect as if made under oath and by virtue of *The Canada Evidence Act*.

Declared before me at

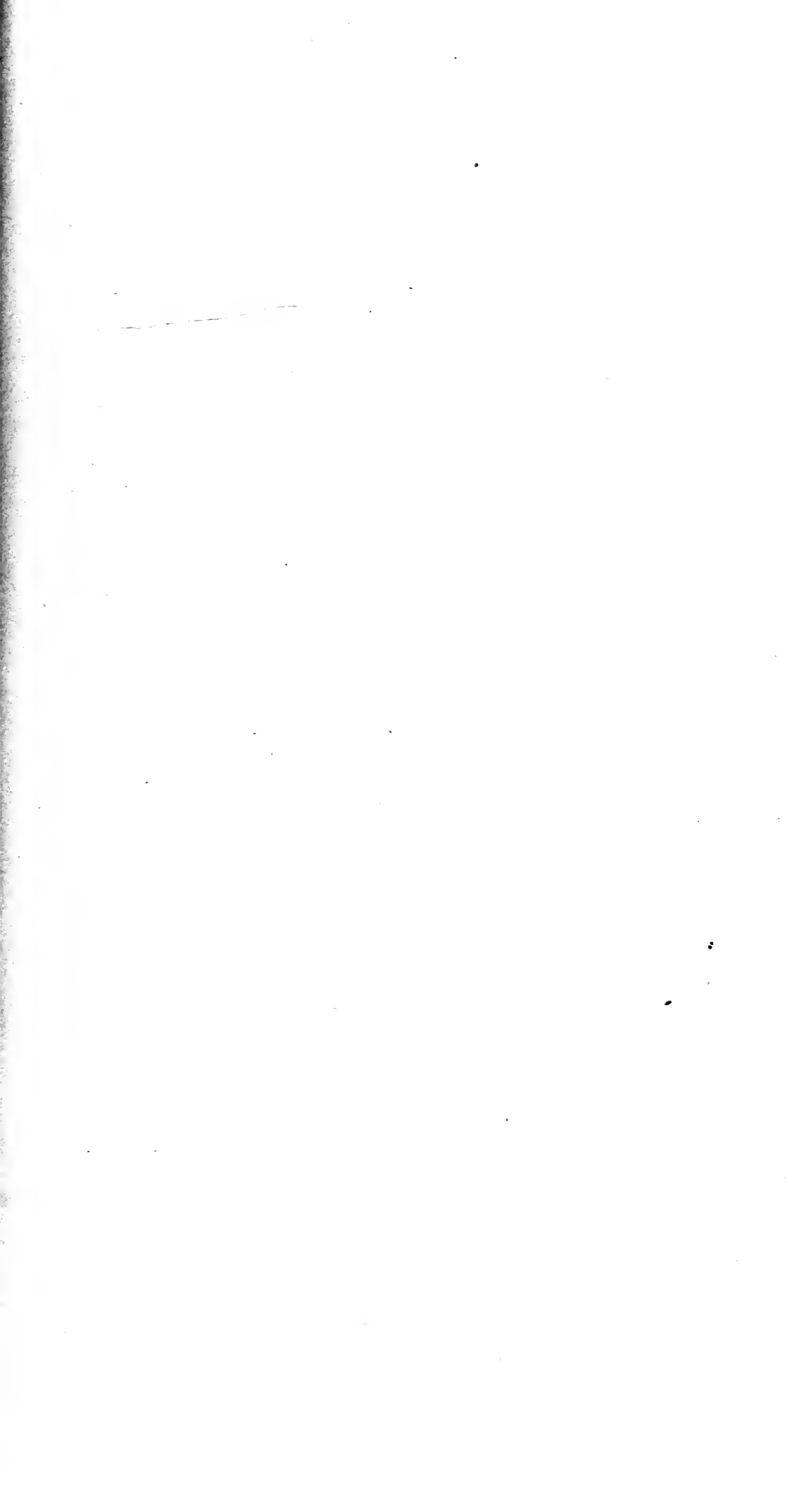
this

day of

19

A. B.





No. 129.

3rd Session, 15th Legislature,  
12 George V, 1922.

BILL

An Act to amend The Registry  
Act.

1st Reading,	14th March,	1922.
2nd Reading,		1922.
3rd Reading,		1922.

MR. PRICE.

TORONTO:  
PRINTED BY CLARKSON W. JAMES.  
Printer to the King's Most Excellent Majesty.

# BILL

## An Act to amend The Provincial Highway Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**1.** This Act may be cited as *The Provincial Highway Amendment Act, 1922*. Short title.

**2.** Section 21 of *The Provincial Highway Act*, as amended by section 4 of *The Provincial Highway Amendment Act, 1919*, and sections 4 and 5 of *The Provincial Highway Amendment Act, 1920*, is further amended by adding thereto the following subsection:— 1917, c. 16,  
s. 21,  
amended.

- (8) The Department may agree with the municipal corporation of a township for the grading of any public highway in the township to such an extent as will afford convenient access to a provincial highway crossed or intersected by a township highway, and the costs of any such work, or the proportion thereof, to be borne by the Department shall form part of the cost of the construction of the provincial highway and shall be borne and paid accordingly. Agreement with township for grading public highway.

**3.** Section 26 of *The Provincial Highway Act* as amended by section 7 of *The Provincial Highway Amendment Act, 1919*, and section 6 of *The Provincial Highway Amendment Act, 1920*, is further amended by adding thereto the following subsection:— 1917, c. 16,  
s. 26,  
amended.

- (4) Every person who being the owner of horses, cattle, swine, or sheep, suffers or permits the same or any of them to run at large within the limits of a provincial highway. Horses, cattle etc. on highway.

shall be guilty of an offence and shall incur a penalty to be recoverable under *The Ontario Summary Convictions Act*, not exceeding for every horse found at large upon the highway, \$5; for every head of cattle found at large upon the highway, not more than \$3; and for every hog, sheep or goat found at large upon the highway, not more than \$1.

1917, c. 16,  
repealed.

4. Section 27 of *The Provincial Highway Act* is repealed and the following substituted therefor:—

Department  
to maintain  
and repair.

27—(1) Every Provincial highway shall be maintained and kept in repair by the Department, and except as to the contribution towards such maintenance and repair provided for in this Act, the corporation of any municipality in which the highway is situate shall be relieved from any liability therefor, but this shall not apply to any side-walk or municipal undertaking or work constructed or in course of construction by the corporation of any municipality, or which a municipal corporation may lawfully do or construct upon the highway, and such municipal corporation shall be liable for want of repair of such side-walk, municipal undertaking or work, whether the same be the result of nonfeasance or misfeasance, in the same manner and to the same extent as in the case of any other like work constructed by such municipal corporation.

Liability  
for damages  
in case of  
default.

(2) In case of default by the Department to keep any provincial highway in repair, the Department shall be liable for all damages sustained by any person by reason of such default, and the amount recoverable by any person by reason of such default may be agreed upon with the Department before or after the commencement of any action for the recovery of such damages.

Limitation  
of action.

(3) No action shall be brought against the Department for the recovery of damages occasioned by such default, whether the want of repair was the result of nonfeasance or misfeasance, after the expiration of three months from the time when the damages were sustained.

- (4) No action shall be brought for the recovery of the damages mentioned in subsection 3, unless notice in writing of the claim and of the injury complained of has been served upon or sent by registered post to the Department, within ten days after the happening of the injury. Notice of claim.
- (5) The failure to give or the insufficiency of the notice shall not be a bar to the action, if the Court or Judge before whom the action is tried, is of the opinion that there is reasonable excuse for the want or insufficiency of the notice, and that the Department was not thereby prejudiced in its defence. When failure to give notice not to bar action.
- (6) All damages and costs recovered under this section and any amount payable as the result of an agreement in settlement of any claim for damages which has been approved of by counsel in writing, shall be payable in the same manner as in the case of a judgement recovered against the Crown in any other action. Judgment, how payable.
- (7) In any action under this section against the Department, the defendant may be described as "His Majesty the King in right of the Province of Ontario, represented by the Minister of Public Highways for the Province of Ontario" and it shall not be necessary to secure the consent of the Attorney General of the said Province before commencing said action. Style of action.
- (8) Actions against the Department for the recovery of the damages mentioned in subsection 3 shall be tried by a Judge without the intervention of a jury, and the trial shall take place in the county in which such default occurred. Action to be tried without jury.
- (9) The liability imposed by this section shall not extend to any case in which a municipal corporation owning or having jurisdiction over the highway would not have been liable for the injury sustained. Liability not to exceed that of municipality.

5. This Act shall come into force and take effect on the 1st day of July, 1922. Commencement of Act.

3rd Session, 15th Legislature,  
12 George V, 1922.

BILL

An Act to amend the Provincial  
Highway Act.

1st Reading	14th March, 1922
2nd Reading	1922
3rd Reading	1922

Mr. Briggs.

# BILL

## An Act to amend The Highway Improvement Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Highway Improvement Amendment Act, 1922*. Short title.

2. Subsection 1 of section 13 of *The Highway Improvement Act* is repealed and the following substituted therefor: Rev. Stat.  
c. 40, s. 13,  
subs. 1,  
repealed.

- (1) Where a plan of highway improvement approved by the Lieutenant-Governor in Council under this Act is being carried out, the County Council may submit to the Minister, annually or at any time during the progress of the work, in such form as the regulations of the Department may require, a statement containing,— Payment  
to county  
out of ap-  
propriation.
- (a) a classified return prepared by the County Road Superintendent showing the receipts and expenditures in carrying out such plan including the payment of grants authorized by this Act;
- (b) a declaration of the County Road Superintendent that such classified return is correct and that the work has been done in the manner prescribed by the regulations of the Department;
- (c) a declaration of the Treasurer of the County as to the correctness of the statement of receipts and expenditures shown in the Superintendent's return;
- (d) a certified copy of the resolution of the Council authorizing a petition for the payment of the grant;

- (e) A petition for the payment of the grant, and on receipt of such statement and certificates by the Treasurer of Ontario certified and approved by the proper officer of the Department the Minister may direct the payment to the corporation of the county of a sum equal to forty per cent. of the amount of such expenditure or such other proportion as may be authorized by this Act, *The Ontario Highways Act* or any other Statute.

Rev. Stat.  
c. 40, s. 15,  
(1920, c. 20,  
s. 5)  
amended.

3. Section 15 of *The Highway Improvement Act* as re-enacted by section 5 of *The Highway Improvement Act, 1920*, is amended by adding thereto the following subsection:

Limit  
of county  
debentures  
which may  
be issued.

- (6) Notwithstanding anything in this section contained, the limitation of county debentures which may be issued under subsection 1 to five per cent. of the equalized assessment of the county, shall apply only as to the amount of debentures outstanding at any time and such limitation shall be exclusive of debentures the proceeds of which are applied to expenditure within the limits of an urban municipality.

Rev. Stat.  
c. 40, s. 28,  
(1917, c. 18,  
s. 6)  
amended.

4. Section 28 of *The Highway Improvement Act* as re-enacted by section 6 of *The Highway Improvement Act, 1917*, is amended by striking out the words "provincial county road" in the second and third lines and substituting therefor the words "county road, Class 'B'," and by adding to the said section the following subsection:

How roads  
comprised  
in county  
road system  
to be  
designated.

- (2) The roads comprised in any county road system not designated as Class "B" may be known and designated as Class "A," except county suburban roads which may be designated as Class "C."

1920, c. 20,  
s. 3,  
amended.

5. Section 3 of *The Highway Improvement Act, 1920*, is amended by adding thereto the following subsection:—

Capitaliza-  
tion of  
further  
receipts  
for purposes  
of fund.

- (1a) Whenever directed so to do by the Lieutenant Governor in Council the Treasurer of Ontario shall place to the credit of the Highway Improvement Fund such additional amounts as may be required from time to time to meet the payments which may be authorized to be made out of the Fund, but such amounts shall not at any



time exceed in the whole the sum which might be repaid with interest and sinking fund charges by an annual payment for forty years of the sum of \$2,000,000, and an amount equal to that required to meet the said annual payments shall be deducted in each year from the amount to be credited to the Highway Improvement Fund under clause *c* of subsection 1 of this section.

6. *The Highway Improvement Act*, and *The Ontario Highways Act* and the amendments thereto, and every other Act relating to the construction and repair of public highways are amended by striking out the words "provincial county road" wherever they occur and substituting therefor the words "county road Class 'B'." Rev. Stat.  
c. 40;  
1915, c. 17;  
amended.

7.—(1) The Council of any township in which is situated a police village or the council of any town or incorporated village may enter into agreement with the council of the county, providing for wider pavement or other special construction upon a county road within such police village, town or incorporated village, and such agreement may provide that the cost of the work, over and above the amount paid by the county under the provisions of this Act, shall be assessed, under and according to the provisions of *The Local Improvement Act*, against the owners to be specially benefited, and against the township, police village, town or incorporated village, at large respectively, according to report of the township engineer.

(2) The council of the township, town or incorporated village may pass by-laws to raise by debentures payable in not more than twenty years such sums as may be necessary to meet such excess cost and such debentures shall be a debt payable by the corporation, but the rate for the payment of any debentures so issued shall be levied and collected upon and from the property liable to assessment in the said township, police village, town or incorporated village according to the assessment made by the said engineer.

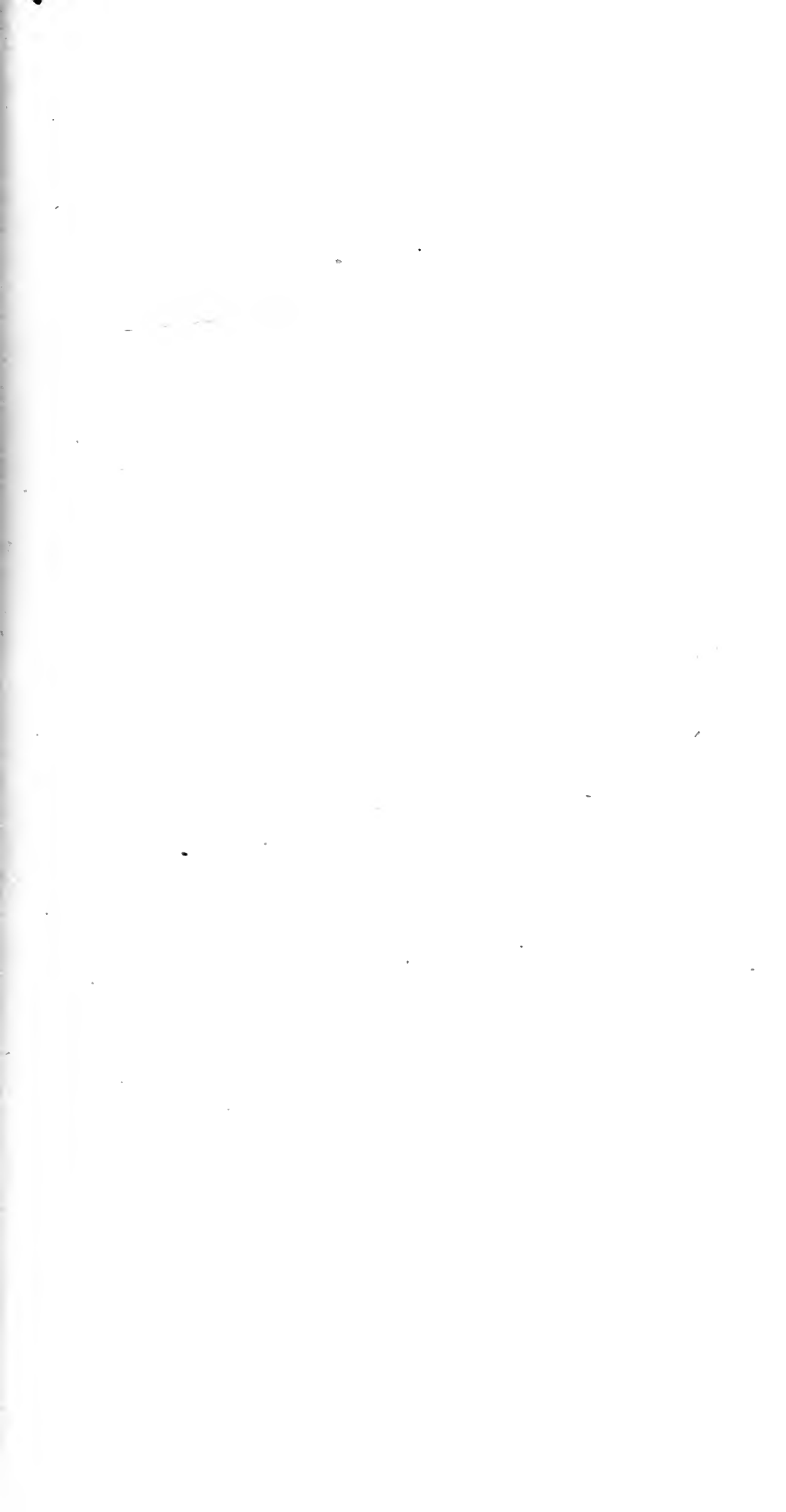
(3) The provisions of this section shall apply to any work in any police village already undertaken, to defray the cost of which it is proposed to issue debentures, and which may be approved of by the Minister.

(4) The excess cost of any widening or special construction, under this section, over and above the amount paid by the corporation of the county, shall not be deemed to form part of the expenditure for which the corporation of the county is entitled to aid under this Act, unless specifically agreed thereto in writing by the Minister before the work is commenced.

8. Expenditure for which the corporation of any county may be entitled to aid to Class "A" roads under *The Highway Improvement Act*, may include the maintenance by the county of a ferry service which forms a connecting link of a county road system, or forms a link between county road systems of adjacent counties, and may also include the cost of purchasing, establishing and equipping such ferry service, but when so aided, the equipment, service, and tolls therefor, shall be subject to the regulations and approval of the Department.

Commence-  
ment of Act.

9. This Act shall come into force and take effect on the 1st day of July, 1922.







3rd Session, 15th Legislature,  
12 George V, 1922.

BILL.

An Act to amend The Highway Improvement Act.

1st Reading,	14th March, 1922.
2nd Reading,	1922.
3rd Reading,	1922.

Mr. Biggs.

No. 132.

1922.

# BILL

An Act to amend The Ontario Insurance Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. Section 78*b* of *The Ontario Insurance Act* as enacted <sup>1921, c. 60,</sup> by *The Ontario Insurance Amendment Act, 1921*, is <sub>s. 3. amended.</sub> amended by adding thereto the following subsection:

- (4) In valuing or estimating the prospective liabilities of the Society under its certificates or contracts of insurance, the Actuary shall be governed by the Tables of Mortality of the National Fraternal Congress, and the rate of interest upon the funds from time to time in the hands of the Society as the contributions of the members thereof, shall be estimated by the Actuary at the average rate of interest so earned during the last preceding twenty years, but not exceeding five per cent. per annum.

No. 132.

3rd Session, 15th Legislature,  
12 George V, 1922.

BILL.

An Act to amend The Ontario Insurance  
Act.

1st Reading,	15th March.	1922.
2nd Reading,		1922.
3rd Reading,		1922.

MR. HORTON.

TORONTO:  
PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.



No. 133.

1922.

# BILL

## An Act to amend The Hydro-Electric Railway Act, 1914.

**H**IS MAJESTY, by and with the advice and consent of  
the Legislative Assembly of the Province of Ontario,  
enacts as follows:—

1. Section 5 of *The Hydro-Electric Railway Act, 1914*, 4 Geo. V. c. 31  
amended.  
is amended by adding thereto the following subsection:—

- (3) The maximum amount of the debentures to be Maximum  
amount of  
debentures  
on ballot.  
issued under the proposed by-law shall be stated  
upon the face of the ballot.

No. 134.

3rd Session, 15th Legislature,  
12 George V, 1922.

BILL.

An Act to amend The Municipal Act

1st Reading,	15th March,	1922.
2nd Reading,		1922.
3rd Reading,		1922.

MR. CURREY.

TORONTO:  
PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.

No. 135.

1922.

# BILL

An Act to amend The Municipal Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**1.** Paragraph 3 of section 400 of *The Municipal Act* is amended by inserting after the words “water-works” in the fourth line thereof the words “or an electric railway.” Rev. Stat. c. 192, s. 400, par. 3, amended.

**2.** Paragraph 6 of section 420 of *The Municipal Act* is amended by adding after the word “assessment” in the third and fourth lines thereof the following words “or as owner of real property.” Rev. Stat. c. 192, s. 420, par. 6, amended.

**3.** Paragraph 7 of section 420 of *The Municipal Act* is amended by adding after the word “assessment” in the third and fourth lines thereof the following words “or as owner of real property.” Rev. Stat. c. 192, s. 420, par. 7, amended.

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3rd Session, 15th Legislature,  
12 George V, 1922.

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**BILL.**

An Act to amend The Municipal Act.

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1st Reading,	15th March,	1922.
2nd Reading,		1922.
3rd Reading,		1922.

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MR. ASMUSSEN.

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TORONTO:  
PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.

# BILL

## An Act to amend The Statute Labour Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** This Act may be cited as *The Statute Labour Amendment Act, 1922.*

Short title.

**2.** Subsection 1 of section 29 of *The Statute Labour Act* is amended by inserting the word "occupier" after the word "owner" in the first line thereof, and by inserting the words "and each person holding a timber license" after the words "land" in the first line thereof so that the said subsection will now read as follows:

Rev. Stat.  
c. 196, s. 29,  
subs. 1,  
amended.

- (1) Each owner, occupier, or locatee of land and each person holding a timber license may be required each year to perform two day's labour for every one hundred acres he holds, and for the first ten acres which he has cleared after the first ten, he may be required to perform one day's additional labour, and for every twenty acres over and above the first ten, one additional day's labour, and each householder may be required each year to perform one day's labour.

Ratio for  
service by  
owners and  
location  
of land.

**3.** This Act shall come into force and take effect on the day upon which it receives the Royal Assent.

Commence-  
ment of Act.

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3rd Session, 15th Legislature,  
12 George V, 1922.

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BILL.

An Act to amend The Statute  
Labour Act.

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1st Reading,	15th March, 1922.
2nd Reading,	1922.
3rd Reading,	1922.

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MR. HALL.

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No. 137.

1922.

# BILL

An Act to amend The Municipal Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. Section 495 of *The Municipal Act* which reads as follows:—

Rev. Stat.  
c. 192, s. 495,  
repealed.

495. Stone, gravel or other material shall not be put on any highway for the purpose of rebuilding or repairing it during the winter months so as to interfere with the use of sleighs unless another convenient highway is provided while the rebuilding or repairing is being done.

is hereby repealed.

No. 137.

3rd Session, 15th Legislature,  
12 George V, 1922.

BILL.

An Act to amend The Municipal Act.

1st Reading,	15th March, 1922.
2nd Reading,	1922.
3rd Reading,	1922.

Mr. MURDOCH.

TORONTO:  
PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.



No. 138.

1922.

# BILL

## An Act to amend The Mothers' Allowances Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**1.** This Act may be cited as *The Mothers' Allowances Amendment Act, 1922.* Short title.

**2.** Section 8 of *The Mothers' Allowances Act* is amended 1920, c. 89, s. 8, amended by adding thereto the following subsection:—

- (7) Where the treasurer of a county has made payment as a contributor under subsection 5, to the Treasurer of Ontario, the local municipality, in which the person to whom the allowance is payable resides, shall reimburse the treasurer of the county for the amount so paid. Contribution by local municipality.

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3rd Session, 15th Legislature,  
12 George V, 1922.

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BILL.

An Act to amend The Mothers' Allowances  
Act

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1st Reading,	15th March, 1922.
2nd Reading,	1922.
3rd Reading,	1922.

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MR. CASSELMAN.

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TORONTO:  
PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.

# BILL

## An Act to amend The High Schools Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. Section 37 of *The High Schools Act*, as amended by section 7 of *The School Law Amendment Act, 1915*, is further amended by adding thereto the following words: Rev. Stat. c. 268, s. 37; 1915, c. 43, s. 7, amended.

“But the levy by such uniform rates shall be made in each municipality, in accordance with the equalized assessment as fixed by the county council for county purposes,”

so that the section will now read as follows:—

37. The council or councils having jurisdiction shall levy and collect each year in their respective municipalities or the parts thereof within the high school district such amount as the board may deem necessary for the maintenance of the high school in addition to that received from the county council and from other sources under this Act, and a further sum, not exceeding \$500 in any one year, if required by the board for permanent improvements, and such amount shall be levied by one uniform rate over the whole district unless one or more of the councils of the municipalities comprising the high school district assume greater obligations when the rate shall be such as may be mutually agreed to by the councils, but the levy by such uniform rates Councils to levy rates in high school districts.

shall be made in each municipality, in accordance with the equalized assessment as fixed by the county council for county purposes.

Rev. Stat.  
c. 268, s. 38;  
1915, c. 43,  
s. 8,  
amended.

**2.** Subsection 8 of section 38 of *The High Schools Act*, as amended by section 8 of *The School Law Amendment Act, 1915*, is further amended by adding thereto the following words:

“But the levy by a uniform rate shall be made in each municipality, in accordance with the equalized assessment, as fixed by the county council for county purposes,”

so that the subsection will now read as follows:—

Proportion-  
ate liability  
for debenture  
debt.

8. Where a high school district comprises more than one municipality or parts of more than one municipality, each municipality shall be liable for such proportion of the principal and interest payable under and of the expenses connected with the debentures as the equalized assessment of that part of the high school district which is within such municipality bears to the equalized assessment of the whole district, and the council of each of the other municipalities shall pay its proportion to the council of the municipality which has issued the debentures, unless one or more of the councils assume greater obligations when the proportion to be paid by each shall be such as the councils may mutually agree to, but the levy by a uniform rate shall be made on each municipality, in accordance with the equalized assessment, as fixed by the county council for county purposes.



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3rd Session, 15th Legislature,  
12 George V, 1922.

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BILL

An Act to amend The High Schools Act.

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1st Reading,	15th March,	1922.
2nd Reading,		1922.
3rd Reading,		1922.

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MR. GRAY.

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TORONTO:  
PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty

# BILL

## An Act to amend The Dog Tax and Sheep Protection Act

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Subsection 1 of section 3 of *The Dog Tax and Sheep Protection Act*, is amended by inserting after the word "section" in the third line the words "and of section 3a" so that the subsection when so amended will read as follows:

Rev. Stat.  
c. 246, s. 3,  
(1) amended.

3.—(1) Subject to the provisions of paragraph 9a of section 400 of *The Municipal Act*, and of subsection 3 of this section and and of section 3a there shall be levied annually, in every local municipality, upon the owner of each dog therein, an annual tax of at least \$2 for a dog, if only one, and \$4 for each additional dog owned by him, and \$4 for a bitch, if only one, and \$6 for each additional bitch owned by him; and any such local municipality may at any time increase such tax.

2. *The Dog Tax and Sheep Protection Act* is amended by adding the following as section 3a:

Rev. Stat.  
c. 246  
amended.

3a. Where the council of a township determines that it is not in the interest of the corporation to levy the tax required under the provisions of section 3 the council may pass a by-law declaring that section 3 shall not apply to the township, and thereafter while the by-law remains in force it shall not be necessary to levy any such tax, but all the other provisions of this Act shall continue to apply to and be in force in such township.

Authority  
to pass  
by-laws  
making  
section 3  
inapplicable.

3rd Session, 15th Legislature,  
12 George V, 1922.

BILL.

An Act to amend The Dog and Sheep Pro-  
tection Act.

1st Reading	March 15th. 1922.
2nd Reading	1922.
3rd Reading	1922

Mr. CASSELMAN.



# BILL

## An Act to amend The Rural Hydro-Electric Distribution Act

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**1.** This Act may be cited as *The Rural Hydro-Electric Distribution Act, 1922.* Short title.

**2.** *The Rural Hydro-Electric Distribution Act, 1921.* 1921, c. 21, amended.  
is amended by adding thereto the following section:—

**4a.** Upon petition of the corporation of a township or of the corporations of two or more townships setting forth that any individual or company named in the petition has the right to transmit and distribute electrical power or energy in the township or townships and is supplying and distributing electrical power or energy therein, or is ready and willing so to do, and that such individual or company has agreed, or is willing to agree, to supply electrical power or energy at the rates set forth in the petition, and praying that towards the capital cost of constructing and erecting primary transmission lines and cables required for the delivery of power by such individual or company in the townships, there may be granted out of the Fund established under this Act, aid towards defraying such capital cost, the Lieutenant-Governor in-Council may direct that a sum not exceeding fifty per cent. of such capital

Grants in aid of lines constructed by others than H. E. P. Commission.

cost be granted out of the Fund to be paid and applied in reduction of the cost of power to the users thereof in such township or townships in such manner and upon such terms and conditions as the Lieutenant-Governor in Council may see fit to direct.

**3.** This Act shall come into force and take effect on the <sup>Commence-</sup>  
day upon which it receives the Royal Assent. <sub>ment of Act.</sub>



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3rd Session, 15th Legislature,  
12 George V, 1922.

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BILL.

An Act to amend the Rural Hydro-  
Electric Distribution Act.

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1st Reading,	15th March, .	1922.
2nd Reading		1922.
3rd Reading		1922.

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MR. CASSELMAN.

No. 142.

1922.

# BILL

## An Act to amend The Municipal Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**1.** Paragraph 28a of section 398 of *The Municipal Act* as enacted by 10-11 George V, Chapter 58, section 10, is amended by inserting the word “monuments” after the word “windows” in the first line.

Rev. Stat.  
c. 192, s. 398,  
para. 28a  
amended.

No. 142.

3rd Session, 15th Legislature,  
12 George V, 1922.

BILL

An Act to amend The Municipal Act.

1st Reading,	16th March, 1922.
2nd Reading,	1922.
3rd Reading,	1922.

MR. CROCKETT.

TORONTO:  
PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.

# BILL

## An Act to amend The Municipal Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. Paragraph 1 of section 399a of *The Municipal Act* Rev. Stat. c. 192, s. 399a para. 1. as enacted by 1921, c. 63, s. 10, is repealed and the following substituted therefor:— repealed.

1. For providing that land within any defined area Residential areas. or areas or abutting on any defined highway or part of a highway shall be used only for the purpose of a detached private residence for one family or for such further or other purposes of a more general and less restricted nature as the by-law may provide, and prohibiting its use or the erection or use of buildings on it for any other purpose or purposes.

2. Clause (b) of paragraph 2 of section 399a of *The Municipal Act* as enacted by 1921, c. 63, s. 10, repealed Rev. Stat. c. 192, s. 399a, par. 2 (b) repealed. and the following substituted therefor:—

- (b) No by-law passed under this section nor any by-law to repeal or amend it, shall come into force without the approval of the municipal board: but such approval may be given, as to the whole or any part of an area or highway affected, if it is shown to the satisfaction of the board that it is proper and expedient in view of:
  - (i) The nature and class of occupancy and use of the land within the area or abutting on the highway at the time the by-law was passed;

- (ii) The desirability of the proposed by-law in the interests of the owners of the land in the district affected and of the community as a whole; and
- (iii) In the case of a repealing or amending by-law, the purpose for which the original by-law was passed and any change which may since have taken place affecting the suitability of the land for the particular use or uses therein provided.





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3rd Session, 15th Legislature,  
12 George V, 1922.

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BILL.

An Act to amend The Municipal Act.

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1st Reading,	16th March, 1922.
2nd Reading,	1922.
3rd Reading,	1922.

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MR. THOMPSON.

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TORONTO:  
PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.

No. 144.

1922.

# BILL

An Act to amend The Municipal Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**1.** Section 416 of *The Municipal Act* is amended by adding after the word “councils,” in the first line of the heading, the words “of townships in unorganized territory,” so that when so amended the heading will read:

Rev. Stat.  
c. 192, s. 416,  
amended.

416. By-laws may be passed by the councils of townships in unorganized territory, of counties and towns, and of cities having a population of less than 100,000 and by the Board of Commissioners of Police of cities having a population of not less than 100,000.

3rd Session, 15th Legislature,  
12 George V, 1922.

BILL.

An Act to amend The Municipal Act.

1st Reading,	16th March, 1922.
2nd Reading,	1922.
3rd Reading,	1922.

MR. ECCESTONE.

TORONTO:

PRINTED BY CLARKSON W. JAMES.

Printer to the King's Most Excellent Majesty.

# BILL

## [An Act to amend The Assessment Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. Section 5 of *The Assessment Act* is amended by adding thereto the following as subsection 2:—

Rev. Stat.  
c. 195, s. 5,  
amended.

- (2) The exemption of lands provided for by this section shall be limited to twenty-five acres in case of any one establishment or institution; provided that if any such institution or establishment makes application to the council of the municipality in which it is situate for exemption of a greater area than twenty-five acres, the council may, if it so decides, consent to the exemption of such additional area as it sees fit for the year in which the application is made; and further provided that upon application of any such institution or establishment for exemption of a greater area than twenty-five acres for a term of years, the council shall submit a by-law providing for such exemption, and stating the amount of land to be affected thereby, to the vote of the electors of the municipality entitled to vote on money by-laws, at the same time as the annual election for the municipal council, and in case a majority of the votes cast is in favor of such exemption, shall give effect to the by-law, but no such exemption shall exceed ten years in any one term.

Limitation  
of exemption  
on lands  
held by  
institutions.

No. 145.

3rd Session, 15th Legislature,  
12 George V, 1922.

BILL

An Act to amend The Assessment Act.

1st Reading, 16th March, 1922.  
2nd Reading, 1922.  
3rd Reading, 1922.

MR. HENRY.

TORONTO:  
PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.

# BILL

## An Act respecting Natural Gas.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Natural Gas Act, 1922*. Short title.

2. In this Act:

- (a) "Minister" shall mean the Minister of Interpretation.  
Mines; "Minister."
- (b) "Company" shall include any person, partnership or firm engaged in the production, "Company."  
transmission, distribution or supply of natural gas.

3.—(1) No natural gas produced in Ontario shall be sold or supplied for industrial purposes except with the consent in writing of the Minister, who may, from time to time, make regulations or orders for Sale of natural gas for industrial purposes must be approved by Minister.

- (a) Limiting the amount of natural gas which may be sold or supplied for such purpose;
- (b) Fixing the periods or times when natural gas may be so sold or supplied.

(2) In making such regulations or orders the Minister shall have regard to the extent to which consumers are being supplied with natural gas for domestic purposes, and shall not allow the sale or supply thereof for any industrial purpose if, in his opinion, such sale or supply will have the effect of rendering the supply for domestic purposes inadequate. Regulations to prevent supply for domestic purposes becoming inadequate.

Notwithstanding provisions of Rev. Stat. c. 186, and Rev. Stat. c. 204, natural gas works not to be deemed public utilities.

In case of dispute Minister may prohibit company cutting off supply of gas pending decision of Court.

Penalty for contravention of Order by Company.

1921, c. 17, repealed; orders made thereunder rescinded; rights of parties.

1918, c. 12  
1919, c. 13,  
1921 c. 17,

Right of company from which gas was withheld under 1918 c. 12; 1919 c. 13, or 1921, c. 17 to recover.

4. Notwithstanding the provisions of *The Ontario Railway and Municipal Board Act* or *The Public Utilities Act* works for the production, transmission and supply of natural gas shall not be deemed to be public utilities thereby conferring upon the Ontario Railway and Municipal Board jurisdiction respecting the same.

5.—(1) In the event of a dispute between a company and a municipal corporation or person with respect to any matter or thing arising out of any letters patent, deed, grant, contract, franchise, lease, agreement, bargain, or arrangement whatsoever, the Minister on the application of any party may make an order prohibiting the company from cutting off, diminishing or otherwise interfering with the supply of gas to any or all of the inhabitants of a municipality, or to any person, pending the final determination of the rights in dispute between the parties in a court of competent jurisdiction.

(2) Any company which cuts off, diminishes or otherwise interferes with the supply of gas in contravention of any order made by the Minister under subsection 1 shall incur a penalty not exceeding \$1,000 for each day during which such contravention continues, recoverable under *The Ontario Summary Convictions Act*.

6. *The Natural Gas Conservation Act, 1921* is hereby repealed and all orders or regulations made by the Minister or Referee thereunder, together with any orders or regulations theretofore made by the Ontario Railway and Municipal Board, or by the Minister of Mines, or by the Commissioners, under *The Natural Gas Act, 1918*, *The Natural Gas Act, 1919*, or *The Natural Gas Conservation Act, 1921*, are hereby rescinded; and it is hereby declared that all the rights of all parties under any letters patent, deed, grant, contract, franchise, lease, agreement, bargain or arrangement whatsoever and by and between whomsoever made shall stand and continue as if the above Act and the said regulations or orders made thereunder had not been passed.

7. Where, by reason of any order or regulation heretofore or hereafter made under the authority of *The Natural Gas Act, 1918*, *The Natural Gas Act, 1919*, *The Natural Gas Conservation Act, 1921*, or under this Act the natural gas which any company engaged in the production, transmission, distribution or supply of natural gas was entitled to purchase under the provisions of any contract or agreement has been diverted or withheld from such company,



and another company has been permitted to acquire or retain such natural gas and to dispose of the same at a price greater than the price which the company so entitled would have been required to pay, the company so entitled or any shareholder thereof suing on behalf of such company shall have the right to recover from the other company such sum as the court or judge before whom the action is brought may deem proper.

8. Where the right to the use and consumption of natural gas without charge has been conferred on any person under the provisions of any lease, grant, or agreement made to or with a company and by reason of any order or regulation heretofore or hereafter made under the authority of *The Natural Gas Act, 1918* or *The Natural Gas Act, 1919* or *The Natural Gas Conservation Act, 1921*, the right has been limited, restricted or taken away, such person shall have the right to recover from the company party to such lease, grant or agreement such compensation as the court or judge before whom the action is brought may deem proper.

Right of person entitled to gas without charge to recover from company where agreement was interfered with under 1918 c. 12; 1919 c. 13, or 1921 c. 17.

No. 146.

3rd Session, 15th Legislature,  
12 George V, 1922.

BILL.

An Act respecting Natural Gas.

1st Reading,	16th March,	1922.
2nd Reading,		1922.
3rd Reading,		1922.

MR. BRACKIN.

TORONTO:  
PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.

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No. 147.

1922.

# BILL

An Act to amend The Municipal Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**1.** The heading to section 400 of *The Municipal Act* is amended by adding at the end thereof the words “and by the councils of townships bordering on cities having a population of two hundred thousand or over.” Rev. Stat. c. 192, s. 400, amended.

3rd Session, 15th Legislature,  
12 George V, 1922.

BILL

An Act to amend The Municipal Act

1st Reading, 16th March, 1922.  
2nd Reading, 1922.  
3rd Reading, 1922.

MR HENRY.

# BILL

## An Act to amend The Municipal Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. Clause (d) of subsection 1 of section 472 of *The Municipal Act* is amended by striking out the word "and" in the fourth line after the word "sidewalk" and inserting in lieu thereof the words "safety zones"; and by adding at the end of the clause the words "and use," so that the clause as amended will read as follows:—

Rev. Stat.  
c. 192, s. 472,  
(1), cl. (d)  
amended.

Safety  
zones.

- (d) For setting apart and laying out such parts as may be deemed expedient of any highway for the purpose of carriage-ways, boulevards, sidewalks and safety zones, and for beautifying the same and making regulations for their protection and use.

3rd Session, 15th Legislature,  
12 George V, 1922.

BILL.

An Act to amend The Municipal Act

1st Reading,	17th March, 1922.
2nd Reading	1922
3rd Reading	1922

MR. SWAYZE.

No. 149.

1922.

# BILL

## An Act to amend The Northern and Northwestern Ontario Development Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**1.** This Act may be cited as *The Northern and Northwestern Ontario Development Amendment Act, 1922.* Short title.

**2.** Section 3 of *The Northern and Northwestern Ontario Development Act, 1915.* is amended by inserting after the word “seeds” in the fifth line thereof the words “and hay and other feed.” 1915, c. 6, s. 8, amended.

**3.—(1)** Subsection 1 of section 4 of *The Northern and Northwestern Ontario Development Act, 1915.* is amended by inserting after the word “seeds” wherever the same occurs in the said subsection, the words “and hay and other feed.” 1915, c. 6, s. 4, subs. 1, amended.

**(2)** Subsection 2 of the said section 4 is amended by inserting after the word “seed” in the fifth line thereof the words “or hay and other feed.” 1915, c. 6, s. 4, subs. 2, amended.

**4.** *The Northern and Northwestern Ontario Development Act, 1916,* is amended by adding thereto the following section: 1916, c. 11, amended.

Certificate  
of partial  
discharge.

9a.—(1) Upon payment or other satisfaction of a portion of the moneys secured by any lien or charge registered under this Act, the Commissioner may, by a certificate in writing under his hand and seal describing the lands so discharged, discharge part of the land comprised in such lien or charge.

Registration  
thereof.

(2) The certificate mentioned in subsection 1 may be registered in the Department of Lands and Forests, or the proper Registry Office or Land Titles Office as the case may be, and upon registration thereof the lands described in the certificate shall be free from such lien or charge.





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3rd Session, 15th Legislature,  
12 George V, 1922.

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BILL.

An Act to amend the Northern and  
Northwestern Ontario Develop-  
ment Act.

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1st Reading,	16th March,	1922.
2nd Reading,		1922.
3rd Reading,		1922.

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Mr. BOWMAN.

# BILL

## An Act respecting Presqu'ile Park.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** This Act may be cited as *The Presqu'ile Park Act*, Short title.  
1922.

**2.—**(1) The Lieutenant-Governor in Council may ap- Board of  
point a board of commissioners composed of five persons, Commissioners.  
which board shall be a body corporate by the name of "The Presqu'ile Park Commission."

(2) The members of the board shall hold office during Tenure of  
pleasure of the Lieutenant-Governor in Council. office.

(3) The commissioners shall receive such compensation Compensation.  
as shall be fixed by order of the Lieutenant-Governor in Council.

(4) The commissioners, at the first meeting of the com- Chairman.  
mission in each year, shall elect one of their members as chairman, who, for the purposes of this Act, shall possess all the rights and powers, and shall perform all the duties that pertain to the office of reeve of a village.

(5) The commissioners, at the first meeting of the com- Secretary.  
mission in each year, shall appoint a secretary, who, for the purposes of this Act, shall possess all the rights and powers and shall perform all duties that pertain to the offices of clerk and treasurer of a village.

(6) The chairman and secretary shall respectively pos- Further  
sess such other rights and powers and perform such other rights and  
duties as are consistent with the purposes and provisions powers of  
of this Act and as from time to time shall be prescribed by chairman  
the board of commissioners, and secre-  
tary.

What lands  
to be set  
apart for  
purposes  
of park.

3. The tract of land and marsh land hereinafter mentioned, that is to say: All that parcel or tract of land and marsh land in the Township of Brighton, in the County of Northumberland being composed of Presqu'ile Peninsula and High Bluff Island as shown on plans of survey by A. B. Perry, dated December 6th, 1869, on record in the Department of Lands and Forests, together with any small islands or bars and all marsh lands lying adjacent to the said peninsula and south of the Village of Brighton, and of Lots 4 and 5, in the broken front concession of Brighton Township, excepting from the above mentioned lands, the light-house reserve, containing some 125 acres, and two other small lots on the northerly shore of the Point, containing together 1.65 acres, more or less, and a strip, 30 feet wide adjoining the westerly boundary produced of the said light-house reserve to give connection with the public road, as described in the Report of the Committee of the Privy Council and approved November 6th, 1920, and shown on a plan attached to the said report containing an area of 875 acres, more or less, is hereby vested and set apart as a park, forest reservation and health resort for the benefit, advantage and enjoyment of the people of Ontario and shall be known as the "Presqu'ile Park".

Board to  
inquire into  
present  
leases and  
contracts.

4. It shall be the duty of the Commission, and it shall have power, to inquire into and ascertain the facts concerning all leases, and all other contracts or agreements, to, or with persons, in reference to any of the lands in the Presqu'ile Park, the names of the persons holding the same, the amounts of rents reserved or other payments provided for in the same, the terms and conditions under which such agreements or leases are made, and also other particulars in connection with the same.

Collection  
of arrears  
of rent.

5. The Commission shall have power to demand, collect and receive from any person in occupation or use of lands in the Presqu'ile Park, under any present or future lease, contract or agreement, any money due or unpaid, for rent, or otherwise in respect thereof.

Powers of  
Commission.

6. Subject to any direction of the Lieutenant-Governor in Council, the Commission shall have power:—

- (a) To lease, purchase, or otherwise acquire, and to construct and operate boats, vessels, motor cars and other means of transportation, to be used in connection with the Presqu'ile Park;

- (b) To pull down all houses or other erections, or buildings on said lands, or such of them, or such part of them, as the Commission may think proper to be pulled down, and to sell, or otherwise dispose of, or make use of, the material of the houses and other erections and buildings thus taken down and removed, or otherwise disposed of, or made use of;
- (c) To erect wharves, houses, and other erections, buildings and structures, on said lands, and the same and all other wharves, houses, and other erections, buildings, and structures, with their appurtenances, which now are, or hereafter may be, upon said lands, to lease or sublet to applicants therefor;
- (d) To lay out, build, improve, develop and enclose the park in such manner as it thinks fit;
- (e) To demand, collect, and receive tolls, rents, taxes, or other charges or money for the use of the lands, buildings, erections, structures, appliances, vessels, means of transportation, or works made, built or used, in, or in connection with, the operation of the Presqu'île Park, as well as for services rendered or to be rendered for the convenience or accommodation of visitors, and to expend so much of the money received therefrom as may in the opinion of the Commission be necessary or expedient in beautifying or otherwise improving the same as a park and place of public resort, and for all other purposes authorized by this Act, and, whenever required by an order of the Lieutenant-Governor in Council so to do, to remit to the Treasurer of Ontario any surplus remaining in the hands of the said Commission.

**7.** The Commission may appoint one or more constables, Constables. who shall have the same powers and perform the same duties in the Presqu'île Park as the constables appointed by the council of a village.

Powers of  
Commission.

**8.**—(1) The Commission shall have all the powers conferred by *The Municipal Act* on the municipal council of a town, together with all the powers conferred by *The Public Schools Act* upon a rural school board.

Regulations  
and by-laws.

(2) The Commission may make regulations and pass by-laws for fixing the sums to be paid for licenses required under the by-laws passed under subsection 1.

Effects of  
by-laws of  
Commission.

(3) After the passing of any such by-law no general by-law of the Township of Brighton for any of the purposes provided by such by-law shall apply.

Protection  
from fire.

**9.** The Commission may also make regulations and pass by-laws for protection from fire, and for providing such fire appliances as it may deem necessary for the protection of life and property within the limits of Presqu'île Park.

Sidewalks,  
roads, cul-  
verts, drains,  
etc.

**10.** The Commission may also make regulations and pass by-laws for letting contracts, or employing labour, or purchasing material for making roads, buildings, sidewalks, and culverts, putting in drains, planting trees, and otherwise improving and beautifying the Presqu'île Park as a park and place of public resort, and doing all things necessary for such purposes, and the Commission may pass by-laws for entering into, and may enter into, contracts for the supply of water, light or heat by any person or company to the Presqu'île Park or the residents therein, and doing all things necessary for such purposes within the limits of the Presqu'île Park.

Other  
regulations.

**11.** The Commission may also make such other regulations and pass such by-laws for the proper government of the Presqu'île Park as may be approved by the Lieutenant-Governor in Council, and, subject to such regulations and by-laws, said park shall be open to the public.

Park to be  
open to  
public.

Application  
of Rev. Stat.  
c. 204.

**12.** The provisions of *The Public Utilities Act*, except where inconsistent with the provisions of this Act, shall apply to the Commission.

Authentica-  
tion of  
by-laws.

**13.** By-laws passed by the Commission shall be authenticated by the signature of the chairman and secretary and the seal of the corporation, and a copy of any such by-law so authenticated shall have the same force and effect as a copy of a municipal by-law duly certified in the manner provided by *The Municipal Act*.

**14.**—(1) The Commission may in any by-law provide that any one contravening the by-laws shall incur a penalty not exceeding \$100 or be liable to imprisonment for a term not exceeding sixty days, and such penalty may be enforced by any justice of the peace having jurisdiction within the United Counties of Northumberland and Durham.

Penalty for  
violation  
of by-law.

(2) *The Ontario Summary Convictions Act* shall apply to every such prosecution under any such by-law.

Application  
of Rev. Stat.  
c. 90.

**15.** All sums collected for license fees or for penalties for offences against any by-law passed by the Commission shall be paid over to the Commission.

Application  
of license  
fees and  
penalties.

**16.** It shall be the duty of the Commission to keep the highways in the Presqu'ile Park in proper repair.

Repair and  
maintenance  
of highways.

**17.**—(1) The Commission may raise by loan the sum of \$50,000 for the purpose of acquiring or expropriating lands and for constructing, building, leasing, purchasing, improving, extending, holding, maintaining, managing and conducting waterworks and all buildings, material, machinery and appurtenances thereto belonging, and other permanent works for a waterworks system of the Commission, and for enlarging and improving the Presqu'ile Park, and for all other purposes and objects intended to be secured by this Act.

Power to  
borrow to  
amount of  
\$50,000.

(2) The Commission may pass by-laws for contracting debts for any of such purposes by borrowing money, and for issuing debentures therefor, and it shall not be necessary to levy any special rate therefor.

By-law for  
borrowing.

(3) The whole debt and the debentures to be issued therefor shall be made payable in thirty years at furthest from the time or times when the debentures are issued.

Term of  
debt.

(4) The amount falling due for principal and interest in each year on account of such debentures shall be payable out of the general revenues of the Commission.

Provision  
for  
payment.

(5) The holder of every debenture or other obligation issued under the authority of this Act shall have a preferential charge or lien on the revenues of the Commission, and the Commission shall pay such debts in priority to all other debts.

Security of  
debenture  
holders.

Approval  
of by-laws  
etc.

**18.** No by-law or regulation, and no tariff of tolls, rents or charges or payment to the Commission for the use of works, vessels, or of services, shall be acted upon or effective until approved of by the Lieutenant-Governor in Council.

Assessment  
and  
taxation.

**19.** The Commission may provide for the assessment of all lands situate within the Presqu'île Park, and, as to said assessment, and for the collection of all moneys due from the owners or occupants of such land, shall perform and possess all the duties and powers provided for by *The Assessment Act* and *The Ontario Voters' Lists Act* in the case of clerks, assessors and collectors in townships; and may expend money so collected for the purposes hereinbefore set forth, and for such other purposes as may from time to time be approved by the Lieutenant-Governor in Council.

Rev. Stat.  
c. 195.

Rev. Stat.  
c. 6.

Employment  
of officers,  
workmen,  
etc.

**20.** The Commission shall have power to employ such officers, workmen and other persons as may be deemed necessary for the purposes of this Act, and the salaries, wages or other compensation of such officers, workmen and other persons shall be payable out of the funds of the Commission.

Books and  
accounts.

**21.**—(1) The Commission shall cause books to be provided and true and accurate accounts to be entered therein of all sums of money received and paid out and of the several purposes for which the same were received and paid out; and such books shall be at all times open to the inspection of the Treasurer of Ontario, and of any person appointed by him or by the Lieutenant-Governor in Council, or by a majority of the ratepayers in the Presqu'île Park, for such purposes, and any such person may take copies or extracts from such books.

Application  
of Rev. Stat.  
c. 23, ss. 11,  
31 and 34.

(2) Sections 11, 31 and 34 of *The Audit Act* shall apply to the accounts of the Commissioners in respect of receipts and expenditures.

Annual  
report.

**22.** On or before the 1st day of December in each year the Commission shall report to the Lieutenant-Governor in Council the receipts and expenditures of the year and such other matters as may appear to it to be of public interest in relation to the government of the Presqu'île Park, or to anything arising out of this Act, and shall in all cases supply to the Lieutenant-Governor in Council such information relating thereto as he may direct.



**23.** Without the authority of the Lieutenant-Governor in Council no action shall be brought against the Commissioners personally for anything done or omitted to be done under this Act. Actions against Commissioners.

**24.** For municipal or school purposes the Presqu'ile Park shall be deemed to be separated from and shall not form part of the Township of Brighton or of the United Counties of Northumberland and Durham and shall cease to be subject to the jurisdiction thereof except for judicial purposes. Separation from Township of Brighton.

**25.** No action shall be maintainable against the corporation of the United Counties of Northumberland and Durham or the corporation of the Township of Brighton by reason of the non-repair of the highways, streets, sidewalks or bridges in the Presqu'ile Park, or by reason of any misfeasance or nonfeasance in relation to them. Municipalities relieved as to liability for non-repair of highway.

**26.** For purposes of election to the Legislative Assembly the Presqu'ile Park shall be and remain a portion of the Township of Brighton, and all persons in the Presqu'ile Park possessing the necessary qualifications shall be entitled to be placed on the voters' lists of that township and for such purposes the Commission shall, annually, before the 15th day of July, prepare and furnish to the clerk of said township a list of persons so qualified and, for the information of the clerk of said township, shall furnish all particulars required in preparing the lists under *The Ontario Voters' Lists Act*. Elections to Legislative Assembly. Voters' lists. Rev. Stat. c. 6.

**27.** For all judicial purposes the Presqu'ile Park shall be and remain a portion of the United Counties of Northumberland and Durham. Judicial purposes.

**28.** The Commission may make regulations as to the shooting, hunting, taking or killing in the Presqu'ile Park, and on the waters of Presqu'ile Harbour and of Lake Ontario adjacent to the said Park on the westerly, southerly and easterly sides thereof extending into said harbour and said lake a distance of ten chains from shore, of any bird or animal protected by the provisions of *The Provincial Parks Act*. Regulations as to game, etc. Rev. Stat. c. 52.

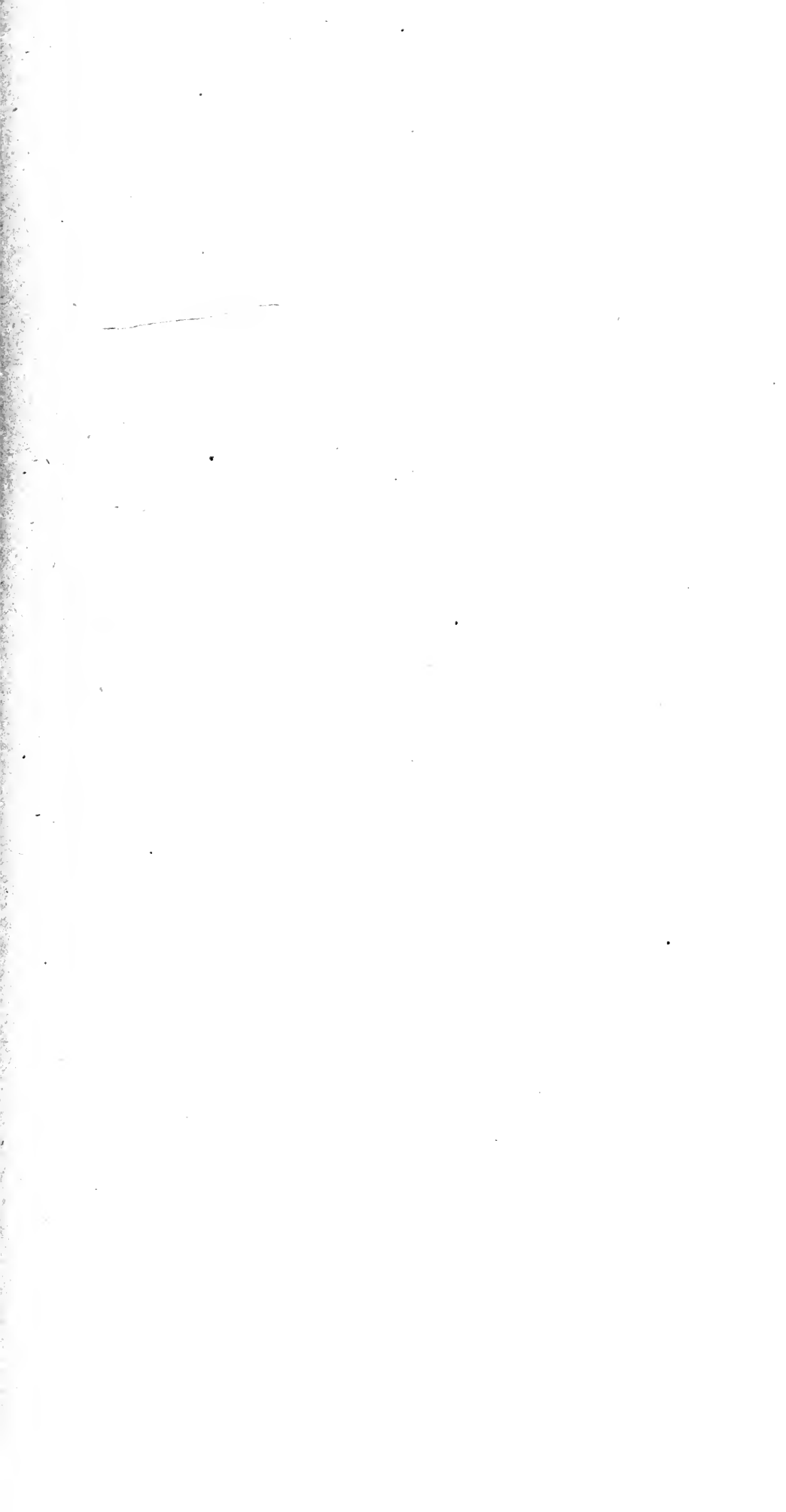
**29.**—(1) The Commissioners may acquire or appropriate lands, owned by owners as defined by section 321 of *The Municipal Act*, and situate within Presqu'ile Park. Application of Rev. Stat. c. 192, s. 321.

(2) For the purpose of acquiring or expropriating such lands the provisions of *The Municipal Act* in respect to appropriation shall apply.

(3) Until such lands shall have been so acquired or expropriated, the powers conferred by clauses *b* and *c* of section 6 hereof, shall not be exercised as to lands so owned.

Commence-  
ment of Act

**30.** This Act shall come into force and take effect on the day upon which it receives the Royal Assent.



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3rd Session, 15th Legislature,  
12 George V, 1922.

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BILL.

An Act respecting Presqu'ile Park.

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1st Reading	March 17th, 1922
2nd Reading	1922.
3rd Reading	1922.

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MR. BOWMAN.

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TORONTO:  
PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.

No. 151.

1922.

# BILL

An Act to amend The Assessment Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. Clause (c) of subsection 1 of section 10 of *The Assessment Act* is amended by striking out the words "of a wholesale merchant" in the first and second lines thereof. Rev. Stat. c. 195, s. 10 (1) clause (c) amended.

2. Subsection 1 of section 10 of *The Assessment Act* is amended by adding thereto the following clause: Rev. Stat. c. 195, s. 10, (1) amended.

(gg) Every person carrying on the business of a wholesale merchant for a sum equal to 30 per cent. of the said assessed value.

No. 151.

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3rd Session, 15th Legislature,  
12 George V, 1922.

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BILL.

An Act to amend The Assessment Act.

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1st Reading,	17th March,	1922.
2nd Reading,		1922.
3rd Reading,		1922.

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MR. MACVICAR.

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TORONTO:

PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.

# BILL

## An Act respecting the Registration of Nurses.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Registration of Nurses Act, 1922*. Short Title.

2. Subject to such rules and regulations as may be prescribed by the Lieutenant-Governor in Council for the purposes of this Act:

- (a) A training school for nurses may be established, maintained and conducted in any hospital, sanatorium or sanitarium. Training School.
- (b) A graduate nurse of such training school may be entitled to registration in a register kept for that purpose under the direction of the Provincial Secretary and a person, while so registered, may be designated "Registered Nurse." Registered Nurse. R.S.O. 1914, c. 300, s. 18.

3. Unless so registered no person shall use the title "Registered Nurse," either alone or in combination with any word or words or any name, title or description implying that he or she was registered under this Act, and any person contravening the provisions of this section shall incur a penalty not exceeding \$100, which shall be recoverable under *The Ontario Summary Convictions Act*. Penalty for unauthorized use of title.

Rules and  
regulations.

4. The Lieutenant-Governor in Council may, from time to time, make rules and regulations for the carrying out of the provisions of this Act; and may, if he deems advisable, appoint a Board and any officers to advise and assist in the administration of this Act and may prescribe their duties and powers and the period for which they shall continue in office.

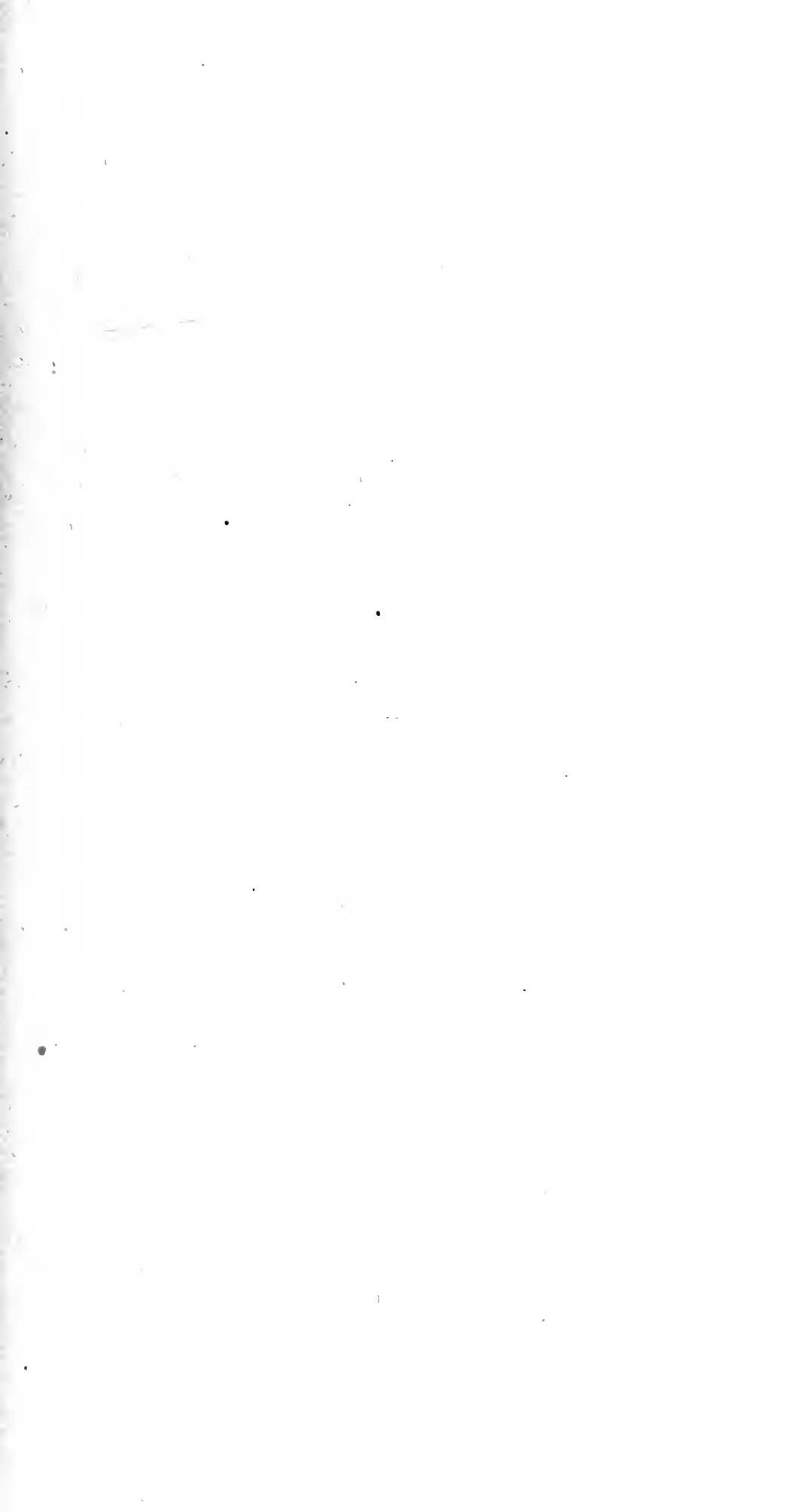
R.S.O. 1914,  
c. 300, s. 18,  
repealed.

5. Section 18 of *The Hospitals and Charitable Institutions Act* is hereby repealed.

Commence-  
ment of  
Act.

6. This Act shall come into force and take effect on a day to be named by the Lieutenant-Governor by his proclamation.





No. 152.

3rd Session, 15th Legislature,  
12 George V, 1922.

BILL.

An Act respecting the Registration  
of Nurses.

1st Reading,	17th March,	1922.
2nd Reading,		1922.
3rd Reading,		1922.

MR. NIXON.

TORONTO:  
PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.

No. 153.

1922.

# BILL

## An Act to amend The Motor Vehicles Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. Subsection 1 of section 4 of *The Motor Vehicles Act* is amended by striking out the words “for hire, pay or gain” in the first line thereof. Rev. Stat. c. 207, s. 4 (1) amended. Licenses for all drivers.

2. Section 4 of *The Motor Vehicles Act* is amended by adding thereto the following as subsection 5: Rev. Stat. c. 207, s. 4, amended.

(5) A license may be issued to any person over the age of eighteen years who does not drive a motor vehicle for hire, pay or gain, upon written application by such person to the Provincial Secretary, and upon such person paying such fee and complying with such regulations as the Lieutenant-Governor in Council may prescribe. Terms of license for other than paid drivers.

3. Section 5 of *The Motor Vehicles Act* is amended by striking out the words “for hire, pay or gain.” in the second line thereof.

No. 153.

3rd Session, 15th Legislature,  
12 George V, 1922.

BILL.

An Act to amend The Motor Vehicles Act

1st Reading,	17th March, 1922.
2nd Reading	1922
3rd Reading,	1922.

Mr. SWAYZE.

TORONTO:

PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.

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No. 154.

1922.

# BILL

## An Act to amend The Travel Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**1.** *The Highway Travel Act* is amended by adding the following as section 9c: Rev. Stat.  
c. 206,  
amended.

9c. Every vehicle while on a highway after dusk and before dawn shall carry a bright light in a conspicuous place on the left hand side of such vehicle, so placed as to be clearly visible at a distance of 200 yards to persons approaching or overtaking such vehicle. Lights on  
vehicles.

3rd Session, 15th Legislature,  
12 George V, 1922.

BILL.

An Act to amend The Highway Travel  
Act.

1st Reading,	17th March, 1922.
2nd Reading,	1922.
3rd Reading	1922

Mr. SWAYZE.

No. 155.

1922.

# BILL

An Act to amend The Assessment Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**1.** Section 19*a*, of the *The Assessment Act*, as enacted by 10-11 Geo. V, chapter 63, section 5, and amended by 11 Geo. V, chapter 67, section 5, is further amended by striking out the following words in the first and second lines:—

Rev. Stat.  
c. 195 s. 19*a*  
amended.

“having a population of not less than  
100,000.”

3rd Session, 15th Legislature,  
12 George V, 1922.

BILL.

An Act to amend The Assessment Act.

1st Reading,	20th March, 1922.
2nd Reading,	1922.
3rd Reading,	1922.

MR. LEWIS.



# BILL

## An Act to amend The Municipal Act.

**H**IS Majesty, by and with the advice and consent of the the Legislative Assembly of the Province of Ontario, enact as follows:—

1. *The Municipal Act* is amended by adding the following as section 325a;—

*“Deferred” Widening, Etc., of Highway.*

- 325a.—(1) A by-law for establishing or laying out, or for extending, widening or diverting a highway or part of a highway may provide that the corporation shall not enter immediately on the land required to be taken or proceed to carry out the work but that same shall be deferred until a day named therein not less than three nor more than fifteen years after the date of the passing of the by-law; and in this section the word “highway” shall include “street” as defined in *The Local Improvement Act*. By-law may fix future date for widening, etc.
- (2) The corporation shall not enter on any land required to be taken before the day named in such by-law unless by leave of the judge or by order of the Municipal Board made as hereinafter provided. Entry deferred accordingly.
- (3) Such by-law shall be binding upon the corporation and shall not be repealed or altered except by a vote of two-thirds of the members of council and with leave of the Municipal Board. By-law not to be repealed except with leave of Municipal Board.

icipal Board; such leave to be granted the corporation only for exceptional reasons not apparent or existing when the by-law was passed and after hearing the owners of the lands proposed to be taken and on such terms as the Board may determine in regard to the re-vesting of the land taken and the payment to each owner of the damages, if any, sustained by him in consequence of the passing of the by-law or of so much of the by-law as is proposed to be altered and his costs.

Registration  
of plan in  
advance.

- (4) Where the Council proposes to pass a by-law under this section it may register in the proper registry office a draft plan of the contemplated work with any supplementary memorandum which may be needed to show its substantial features and to furnish adequate local description to comply with *The Registry Act*, and the Registrar shall enter the same on the abstract index for each parcel of land required to be taken; but if the by-law is not passed within fifteen months after such registration the registration shall be deemed of no effect.

Land taken  
shall vest  
at once in  
corporation  
on condition.

- (5) After the passing of the by-law and subject to any order made by the Municipal Board under subsection 3 the land required to be taken for the work shall be deemed to be vested in the corporation for the purposes of a highway subject to the right of the owner or his assigns to remain in the possession and enjoyment thereof without impeachment of waste either wanton or permissive until entry by the corporation as aforesaid and to utilize the land and to erect buildings thereon during his or their occupancy (subject to the provisions contained in subsections 12 and 13 hereof as to compensation in respect of such buildings).
- (6) After the land is vested in the corporation it shall for all purposes of assessment and taxation, whether under said by-law or otherwise, be deemed to be a component part of the highway; but where a build-

ing stands partly on land taken for the work and partly on adjoining land it shall be assessed on the assessment roll of the municipality in the same manner as if it stood entirely on such adjoining land.

- (7) At the date named in the by-law for entry it shall be the duty of the corporation to enter and proceed with diligence and despatch to remove all buildings and obstructions from the land taken for the work and to put it in fit and proper condition and make it available for use as a highway. Corporation to enter at date named.
- (8) The by-law may be passed without the assent of the electors and without reference to the provisions of *The Local Improvement Act*. (or, if desired, it may express the intention of council as to the corporation's portion of the cost thereunder), and by a subsequent by-law passed in due course the cost of the work may be specially assessed in conformity with said Act, in which case the provisions of said Act shall apply *mutatis mutandis* and the owners of the lots liable to be specially assessed thereunder shall have all the rights and remedies in relation thereto which are given them by said Act so far as they are not inconsistent with the other provisions of this section and subject to the limitation that nothing done in exercise thereof or in giving effect thereto shall hinder or prevent the due carrying out of the work. Local Assessment may be made by later by-law.

*Compensation under "deferred" street-widening by-law.*

- (9) Except as may be otherwise ordered by the Municipal Board under subsection 13 compensation for land taken by a by-law passed under this section shall not become payable until the day fixed in the by-law for entry. Compensation, when payable and how estimated.
- (10) Compensation payable thereunder shall be ascertained and determined as hereinafter set out and shall be limited to

(a) the market value of the land itself exclusive of and without regard to any buildings or improvements thereon and

(b) the structural value of the buildings and improvements to the extent to which they increase the market value of the land as laid down and defined in *The Assessment Act*; and in all cases full account shall be taken of the worth of every advantage which the owner will derive from the work.

- (11)—(a) In this subsection the word “land” shall mean the land itself exclusive of and without regard to any buildings or improvements thereon;
- (b) Notwithstanding that entry is deferred the corporation or the owner may proceed at once after the passing of the by-law to have determined the compensation, if any, payable for any land taken;
- (c) The value of the land shall be fixed as of the date of the registration of the draft plan (or if no plan is registered, as of the date of the passing of the by-law);
- (d) Where a part only of an owner’s lot is taken the compensation shall be limited to the amount if any by which the value of the entire parcel of land exceeds the value of what will remain after the taking, considered as fronting on the new or altered highway;
- (e) The compensation shall be determined by a Board of three arbitrators, all of whom may be residents of the municipality, one to be appointed by the judge and one by the Municipal Board and the third to be chosen by the two so appointed.
- (f) The board of arbitrators may determine the compensation in a summary manner upon seven days’ notice in writing duly served; and after hearing what is alleged by the parties and without hearing any other evidence unless it decides to do so may forthwith make its award, and the award so made shall be final and shall not be subject to appeal;

Fixing  
compensation  
for land  
apart from  
buildings.

- (g) The board of arbitrators in its discretion may require all the claims for land taken under the by-law to be brought before it at one hearing, or it may divide the claims into groups and hold a separate hearing for each group.
- (12)—(a) Compensation shall be allowed in respect of buildings and improvements as they may exist at the date fixed for entry; and such compensation as well as damages in respect of any land injuriously affected by the work shall be ascertained as provided in other sections of this Act, and, where the same is applicable, in *The Municipal Arbitrations Act*; Fixing compensation for buildings.
- (b) But in respect of buildings or improvements erected or made after the date of the registration of the draft plan of the work (or if no plan is registered, after the date of the passing of the by-law) the compensation or damages shall be allowed and payable to the extent only of three-quarters of the proper cost of a structure one storey in height of such temporary character, conformable to the existing building by-laws and regulations, as may be reasonable in view of the limited time which is to elapse before entry. As to buildings erected after passing of by-law.
- (13) The Municipal Board may make an order at any time granting relief in the following cases: first, where part of an owner's lot is taken for the work and special circumstances exist in the matter of the location, size or shape of the lot which render it inequitable and unjust that the compensation to be allowed for buildings or improvements to be thereafter erected thereon should be limited as provided in subsection 12 and, secondly, where the work is deferred until a day more than five years after the date of the passing of the by-law and the whole of the owner's lot is taken or so much of it as to render the remainder, by reason of its size or shape, unfit for building purposes; Relief in special cases.

And the Board in the first case may approve of plans and specifications for appropriate buildings of improvements and fix the basis of compensation to be made therefor, and in the second case it may direct the corporation to enter and make compensation to the owner at an earlier day than the day named in the by-law or to make an immediate or periodical payment to the owner to compensate him for the delay; or it may make such further or other order in either case as may be required to afford due compensation to the owner for the exceptional and peculiar damage he would suffer by reason of the special circumstances affecting his lot.



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3rd Session, 15th Legislature,  
12 George V, 1922.

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BILL.

An Act to amend The Municipal Act

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1st Reading,	20th March,	1922.
2nd Reading,		1922.
3rd Reading,		1922.

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Mr. CURRY.

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TORONTO:  
PRINTED BY CLARKSON W. JAMES,  
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# BILL

## An Act to amend The Motor Vehicles Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly, of the Province of Ontario, enacts as follows:

**1.** This Act may be cited as *The Motor Vehicles Amendment Act, 1922*. Short title.

**2.** Subsection 4 of section 3 of *The Motor Vehicles Act* is repealed and the following substituted therefor: Rev. Stat. c. 207, s. 3 (4) repealed.

(4) The Lieutenant-Governor in Council may Regulations. on the recommendation of the Minister of Public Works and Highways appoint permanent, special or temporary constables for enforcing and carrying out the provisions of this Act.

**3.** Section 3 of *The Motor Vehicles Act* is amended by adding thereto the following subsections: Rev. Stat. c. 207, s. 3 amended.

(8) No permit shall be issued for a motor vehicle where the manufacturer's serial number or a similar identifying mark has been obliterated or defaced. No permit where serial number obliterated.

(9) Any person who has in his possession such motor vehicle shall forthwith file with the Minister of Public Works and Highways satisfactory proof of the ownership of the vehicle, and, if known, the reason for such obliteration or defacement. If satisfied as to the statements made, the Minister of Proof of ownership of vehicle where serial number is obliterated.

Public Works and Highways may grant permission to cut, impress, emboss or attach permanently to such vehicle a special identification number or mark which thereafter shall be deemed sufficient for the purpose of registration of such vehicle.

Rev. Stat.  
c. 207, s. 6,  
amended.

4. Section 6 of *The Motor Vehicles Act* is amended by adding the following subsections:

color of lamps.

(3) Subject to subsection 4 the lamps on the front of a motor vehicle shall cast a white or amber colored light only and the lamp on the back shall cast from its face a red light only and from the side shall cast on the rear number plate a white or amber colored light only.

Lights on  
fire engines.

(4) In the case of a motor vehicle belonging to a municipal fire department the lamps on the front shall cast a red light only or such other color of light as may be designated by by-law of the council.

Rev. Stat.  
c. 207, s. 13,  
amended.

5. Section 13 of *The Motor Vehicles Act* is amended by adding thereto the following subsection:

Minors.

(2) No person shall employ or permit anyone under the age of 16 years to operate a motor vehicle and no person shall employ or permit anyone over the age of 16 and under the age of 18 years to drive a motor vehicle unless and until he has passed an examination and obtained a license as above provided.

Rev. Stat.  
c. 207, s. 15a  
as enacted  
by 1918,  
c. 37, s. 7  
amended.

6. Section 15a of *The Motor Vehicles Act* as enacted by 8 George V, chapter 37, section 7, is amended by adding at the end thereof the words "but this shall not apply to a motor vehicle belonging to a municipal fire department while proceeding to a fire or answering a fire alarm call" so that the section when so amended will read as follows:

Prohibition as  
to passing  
street car  
on left.

15a. No person in charge of a motor vehicle overtaking a street car or the car of an electric railway, operated in or near the centre of the travelled portion of the highway, which is stationary or in motion, shall pass on the left-hand side of such car, having reference to the direction in which such

car is travelling, but this shall not apply to a motor vehicle belonging to a municipal fire department while proceeding to a fire or answering a fire alarm call.

7. Section 18b of *The Motor Vehicles Act* as enacted by 9 George V, chapter 57, section 4, is further amended by adding thereto the following subsections:

Rev. Stat.  
c. 207 s. 18b  
as enacted by  
1919 c. 57  
s. 4.  
amended.

- (6) Every person who stores or deals in motor vehicles or conducts a garage business without a license shall incur a penalty of not less than \$25 and not more than \$50 for the first offence; not less than \$50 and not more than \$100 for the second offence and not less than \$100 and not more than \$200 and shall also be liable to imprisonment for a term not exceeding three months for a third or any subsequent offence.
- (7) The Minister of Public Works and Highways may suspend or cancel the license issued for a garage business for misconduct or for non-compliance with or infraction of any of the provisions of this Act or of the regulations by the holder of such license or by any of his employees or for any other reason appearing to him to be sufficient.
- (8) The Lieutenant-Governor in Council may upon the recommendation of the Minister of Public Works and Highways make regulations controlling and governing the conduct of a garage business.

Penalty for  
conducting  
garage business without  
license.

Minister may  
suspend or  
cancel  
license.

Regulations.

8. *The Motor Vehicles Act* is amended by adding the following as Section 18c:

Rev. Stat.  
c. 207  
amended.

- 18c.—(1) Any constable or officer of the Department of Public Highways appointed for the enforcement of the provisions of this Act may enter into any place where motor vehicles are stored or dealt in or into any garage required to be licensed and make such investigation and inspection as he thinks proper in order to ascertain whether the provisions of this Act have been complied with.

Right of  
entry and  
inspection.

Penalty for  
interference.

- (2) Any person who obstructs, molests or interferes with any such constable or officer in the performance of his duty under subsection 1 shall incur a penalty of not less than \$25 and not more than \$100 for the first offence; not less than \$100 and not more than \$300 for the second offence; and not less than \$300 and not more than \$500 and shall also be liable to imprisonment for a term not exceeding six months for the third or any subsequent offence.
- (3) Any such constable or officer may remove from a motor vehicle the markers which were not issued for it or which although issued for it were obtained by a false statement of fact.

Rev. Stat.  
c. 207, s. 24,  
subs. 1  
amended.

**9.** Subsection 1 of section 24 of *The Motor Vehicles Act* as amended by 7 George V, chapter 49, section 17; 9 George V, chapter 57, section 5; 10-11 George V, chapter 74, section 4; and 11 George V, chapter 72, section 8, is further amended by adding after the word "penalty" in the fifth line thereof the words and figures "not less than \$10 and" so that the subsection when so amended will read as follows:

Penalty.

24.—(1) Any person who violates any of the provisions of subsections 1 or 2 of section 8, subsections 1, 5 and 6 of section 9, subsection 2 of section 11 or sections 12 or 18 shall be liable for the first offence to a penalty not exceeding \$50 or one week's imprisonment or both, for the second offence to a penalty not less than \$10 and not exceeding \$100 or one month's imprisonment or both, and for the third or any subsequent offence to imprisonment not exceeding six months.

Rev. Stat.  
c. 207 s. 31  
(1) amended.

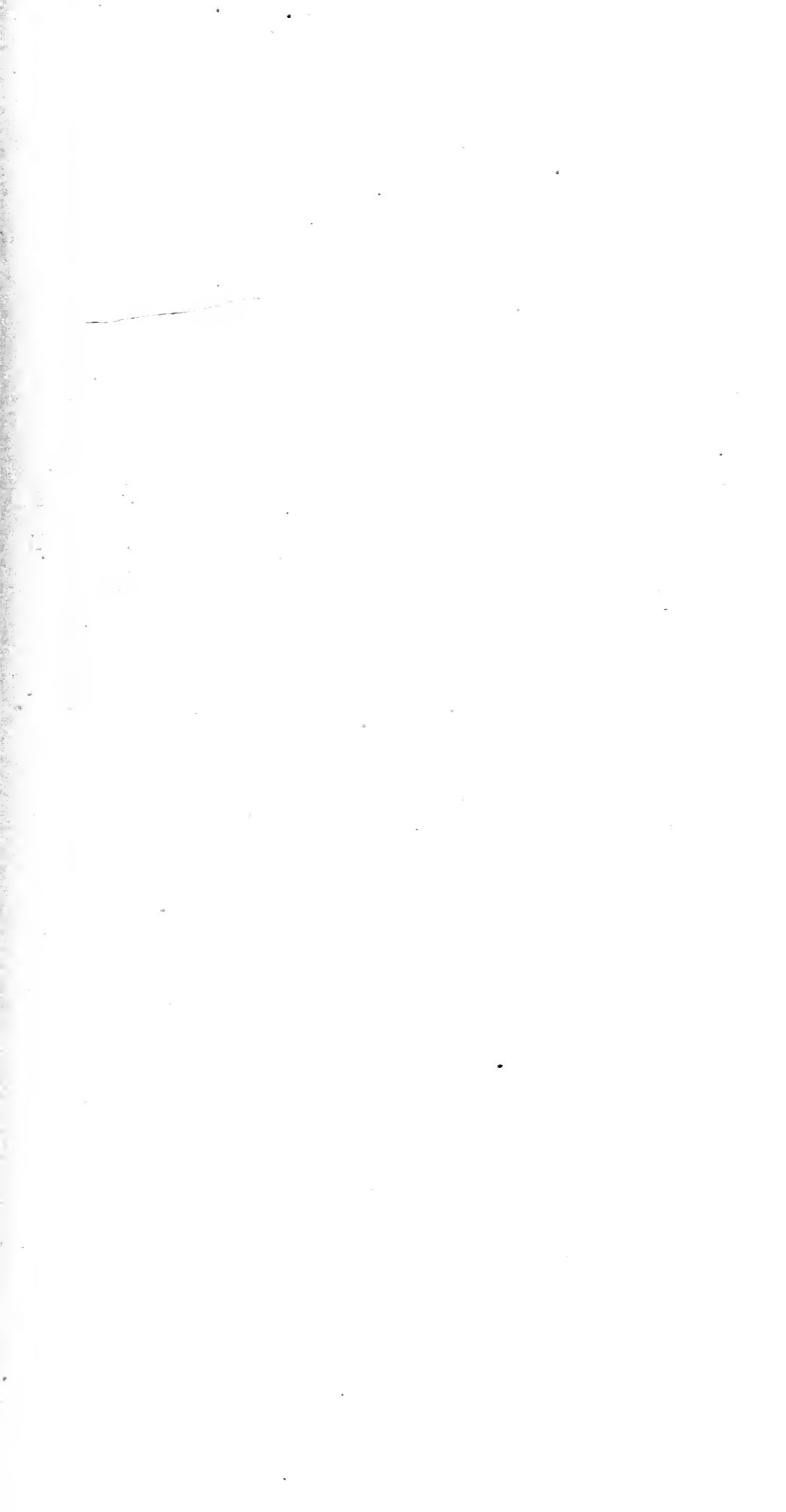
**10.** Subsection 1 of section 31 of *The Motor Vehicles Act* is amended by adding after the words "provisions of" in the third line thereof the words "section 3a, section 4a" so that the subsection when so amended will read as follows:

Arrest  
without  
warrant by  
peace officer.

31.—(1) Every peace officer who, on reasonable and probable grounds, believes that an offence against any of the provisions of section 3a,

section 4a, subsections 1 or 2 of section 8, subsection 1 of section 9, subsections 1 and 2 of section 11, or sections 12, 14 or 18 has been committed, whether it has been committed or not and who, on reasonable and probable grounds, believes that any person has committed that offence, may arrest such person without warrant whether such person is guilty or not.





No. 157.

3rd Session, 15th Legislature,  
12 George V, 1922.

BILL.

An Act to amend The Motor Vehicles  
Act.

1st Reading,	20th March, 1922.
2nd Reading,	1922.
3rd Reading,	1922.

Mr. Briggs.

TORONTO:  
PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.



# BILL

## An Act to regulate the Operation of Public Vehicles.

**H**IS Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**1.** This Act may be cited as *The Public Vehicle Act*, Short title.  
1922.

**2.** *The Public Vehicle Act, 1920*, is repealed and the 1920, c. 76, repealed. provisions of this Act are substituted therefor:—

**3.** In this Act,—

Interpre-  
tation.

- ° (a) "Department" shall mean Department of "Department." Public Highways;
- (b) "Fixed termini" and "stated route" shall "Fixed  
termini."  
"Stated  
route." mean the termini or route between or over which any public vehicle is usually or ordinarily operated though there may be periodical or irregular departures from the said termini or route;
- (c) "Public Highway" shall mean a highway "Public  
highway." maintained wholly or in part by the Province of Ontario under *The Highway Improvement Act, The Ontario Highways Act, The Toronto and Hamilton Highway Commission Act* or *The Provincial Highway Act*;

"Public vehicle."

(d) "Public vehicle" shall mean a vehicle operated by or on behalf of a person carrying on upon the public highway, the business of a public carrier of passengers or freight, and operating over a stated route or between fixed termini or at stated intervals, but shall not apply to the cars of electric or street railways operating on the public highway;

"Stated intervals."

(e) "Stated intervals" as used in this Act shall mean any running schedule whatsoever usually or ordinarily followed in the operation of a public vehicle although there may be periodical or irregular departures from the said schedule;

"Toll."

(f) "Toll" shall mean any fee or rate charged, levied or collected by any person for the carriage of passengers, express or freight by a public vehicle.

License required to conduct business.

4.—(1) No person shall conduct upon a public highway by means of a public vehicle the business of a public carrier of passengers or freight, except under license of the Department of Public Highways, and upon payment of such fees and observance of such regulations as may from time to time be fixed and made by the Lieutenant-Governor in Council.

License may confer exclusive rights.

(2) A license with respect to a public vehicle or vehicles operated under this Act may confer exclusive or limited rights with respect to public vehicles so licensed, and with respect to any highway or portion thereof named and described in the said license.

License,—what not to exclude.

(3) A license conferring exclusive rights for the operation of a public vehicle between any fixed termini or over any stated route shall not preclude the granting of a license for the operation of any public vehicle on the same highway or any portion thereof where the granting of such last mentioned license appears to the Department to be necessary in the public interest in order to enable passengers or freight to be carried to any terminal point from other areas or terminal points than those named in such exclusive license.

Payment of annual license.

5. The license fee for such public vehicle shall be in addition to any fee imposed under *The Motor Vehicles Act* or any other Act.

6.—(1) The Lieutenant-Governor in Council may make regulations regarding the issue, renewal and transfer of licenses, the amount and time of payment of such fees and the registration thereof.

Regulations  
as to  
transfer of  
licenses.

(2) The fee for a license for a public vehicle may be based upon the proportion of the receipts, mileage travelled, or number or amount of passengers or freight, or upon any other basis of payment which may be agreed upon with the licensee.

Fee for  
license,—  
how fixed.

7.—(1) A license shall be obtained annually from the Department, at the beginning of each calendar year, and a plate bearing suitable identification marks, and issued by the Department, shall be attached to each public vehicle, in a conspicuous place, and in compliance with such regulations in that regard as the Department may from time to time establish, and no public vehicle shall at any time be operated upon a public highway without having the identification plate so attached.

Identifica-  
tion plate.

(2) Where a license is granted under this Act conveying exclusive rights, the license may provide for annual renewal thereof upon payment of the license fee for a period not exceeding five years.

Renewal of  
license.

8. The license issued by the Department shall fix the number of passengers or tonnage of freight which each public vehicle shall at any time carry, and no vehicle shall at any time carry more passengers or more tonnage than is fixed by the license.

Number of  
passengers  
and tonnage.

9.—(1) No tolls shall be charged until a tariff of such tolls has been filed with and approved by the Department, nor shall any tolls be charged under any tariff or portion thereof disallowed by the Department, nor shall any person charge, levy and collect any toll for any service as a common carrier except under the provisions of this Act.

Tolls.

(2) A tariff of tolls approved by the Department shall be subject to revision by the Department at any time, and no tolls shall thereafter be charged except in accordance with such revised tariff.

Tariffs of  
tolls to  
be approved  
by Depart-  
ment.

Power to  
cancel  
or suspend  
license.

**10.** The Department may at any time cancel or suspend the license issued for any public vehicle by reason of a breach of *The Motor Vehicles Act*, *The Load of Vehicles Act*, *The Highway Travel Act* or this Act, or of the regulations made under this Act.

Department  
authorized  
to operate  
public  
vehicle  
service.

**11.**—(1) The Department may operate a public vehicle service on any public highway, may retain exclusive rights therefor, may purchase or acquire vehicles and equipment for such purpose, and collect toll for such service.

Cost and  
equipment,—  
how borne.

(2) The cost of such vehicles and equipment, and the cost of operation thereof by or on behalf of the Department shall be defrayed out of any moneys voted for that purpose by the Legislature, except that the amount of tolls received by the Department shall be utilized for the cost of any such service, and any surplus shall be paid into the Consolidated Revenue Fund and an amount equivalent thereto shall be placed to the credit of The Highway Improvement Fund.

Certificate  
required for  
issue of  
stocks and  
bonds.

**12.**—(1) No person obtaining a license or franchise under this Act shall issue any stock or stock certificate, or any bond, or any note or other evidence of indebtedness payable at a period of more than twelve months after the date thereof unless such person, in addition to other requirements of Law, shall first have secured from the Department a certificate authorizing such issue, and stating the amount thereof and the purposes to which the issue or the proceeds thereof are to be applied and that, in the opinion of the Department, the money, property or labour to be procured or paid for by such issue is reasonably required for the purpose or purposes specified in the order, and that such purposes are not in whole or in part reasonably chargeable to operating expenses or to income.

Penalty for  
violation

(2) Every person to whom a license or franchise is granted under this Act who violates or fails to comply with the provisions of this section, and any officer, agent employee of such person or any other person who aids or abets the violation of the provisions of this section, shall be subject to a penalty not exceeding \$1,000 or to imprisonment for one year, or both fine and imprisonment.

Approval of  
Department  
necessary  
for transfer  
of right,  
privilege, etc.

**13.** No right, privilege, franchise or license held, owned or obtained by any person under this Act shall be sold, assigned, leased or transferred except with the approval of the Department.

14. Every public vehicle shall be maintained in a safe <sup>Inspection.</sup> and sanitary condition at all times and shall be at all time subject to the inspection of the Department and its duly authorized representatives.

15. Every public vehicle shall be equipped with a stand- <sup>Speedometer.</sup> ard speedometer which shall be maintained in good working order.

16. Every public vehicle used in the transportation of <sup>Lights.</sup> passengers and having a covered top or top up, shall maintain a light or lights of not less than two candle power each within the vehicle and so arranged as to light up the whole of the interior of the vehicle, and such light or lights shall be kept constantly lighted between the hours of sunset and sunrise at all times when such vehicle is occupied by passengers.

17. Every public vehicle used in the transportation of <sup>Extra tire.</sup> passengers shall when leaving either terminus be equipped with at least one extra serviceable tire.

18. Every public vehicle shall be equipped with satis- <sup>Brakes.</sup> factory brakes and such brakes shall at all times be maintained in good condition and with a braking power sufficient to lock the rear wheels of said vehicle when brakes are fully applied and the vehicle is operated at a speed of ten miles per hour.

19. Every public vehicle used in the transportation of <sup>Chains.</sup> passengers shall at all times carry a set of skid chains which shall be applied to the rear wheels whenever necessary to prevent skidding.

20. Every public vehicle shall be equipped with a suit- <sup>Horn.</sup> able horn or other similar warning device.

21. Every public vehicle used for the transportation of <sup>Fire extinguisher.</sup> passengers shall be equipped with a liquid fire extinguisher of a design or type approved by the Department and such extinguisher shall be kept in satisfactory operative condition at all times.

Drivers,—  
qualification  
of.

**22.** Drivers of vehicles shall at least be twenty-one years of age, of good moral character, shall be fully competent to operate the vehicles under their charge and shall hold a license from the Department as required by section 4 of *The Motor Vehicles Act*.

Prohibition  
as to  
drinking.

**23.** No driver or operator of any public vehicle carrying passengers shall drink any intoxicating liquor during the time he is on duty or at any time use intoxicating liquor to excess.

As to  
smoking.

**24.** No driver or operator of any public vehicle carrying passengers shall smoke any cigar, cigarette, tobacco or other substance in such vehicle during the time he is driving the vehicle.

Maximum  
of working  
hours.

**25.** No person owning, controlling, operating or managing any public vehicle used in the transportation of persons or property as a common carrier for compensation shall cause or allow any driver or operator of such public vehicle to work as driver or operator for more than a maximum of ten hours in any twenty-four hour period.

Right of  
person to  
be  
transported.

**26.** No driver or operator of any public vehicle for passenger transportation shall refuse to carry any person offering himself or herself at any regular stopping place for carriage and who tenders the regular fare to any regular stopping place on the route of said motor vehicle or between the termini thereof, unless at the time of such offer the seats of said public vehicle are fully occupied, but the driver or operator of a public vehicle may refuse transportation to any person who is in an intoxicated condition or conducting himself in a boisterous or disorderly manner or is using profane or obscene language.

Passengers  
not to be  
allowed on  
running  
board, etc.

**27.—(1)** No driver or operator shall allow passengers to ride on the running boards, fenders or any other part of the vehicle than the seats thereof.

Restrictions  
as to  
seating.

**(2)** No driver or operator of a public vehicle used for passenger traffic shall permit or allow on the front seat of such public vehicle more passengers than the seat is designed to carry, exclusive of the driver, or permit or allow any passenger to occupy any other portion of the vehicle forward of the back of the driver's seat.

(3) No passenger shall be allowed to sit on the front Beside driver seat to the left of the driver if a left-hand drive motor vehicle, or to the right of the driver if a right-hand drive motor vehicle.

(4) No more than one passenger shall occupy the front Front seat. seat of any motor vehicle with a touring car body operated by a centre control.

**28.** Except when specially authorized by the Department, no public vehicle used in the transportation of passengers shall be operated or driven with any trailer or other vehicle attached thereto, except where a vehicle becomes disabled while on a trip and is unable to run from its own power when such disabled car may be towed to the Trailers forbidden. nearest point where repair facilities are available. Exception.

**29.** A public vehicle used for the carriage of passengers Luggage. shall not carry or transport any luggage, baggage, package, trunk, crate or other load which extends beyond the running board of such vehicle.

**30.** Every public vehicle for the carrying of passengers Exits. shall have at least two doors or exits, one of which shall be at or near the rear of the vehicle.

**31.** Every public vehicle shall have placed thereon such Insurance. amount of insurance and in a company approved by the Department as the Department may deem sufficient to safeguard claims of passengers respecting goods in case of collision, fire or other form of accident.

**32.** Every person owning or operating a public vehicle Bill of Lading. shall use a form of Bill of Lading to be determined and approved by the Department, giving such guarantee as the Department may deem reasonable and expedient.

**33.** Where a license confers exclusive rights with respect to the operation of any public vehicle over a highway or any portion thereof, every person who operates a vehicle on such highway in such manner as to prejudice the exclusive rights granted by the license shall be guilty of an offence under this Act and shall incur a penalty of not less than \$25 nor more than \$100 for each day upon which such vehicle has been operated. Penalty for violation of rights granted by license.

Offences  
and penalties.

**34.** Every person who contravenes any of the provisions of this Act for which no penalty is provided shall be guilty of an offence and shall incur a penalty for the first offence not exceeding \$10, for the second offence not exceeding \$20, for the third offence not exceeding \$30 and for every subsequent offence not exceeding \$50, and every penalty so imposed shall be paid over to the Treasurer of Ontario and shall form part of the Consolidated Revenue Fund and an equivalent amount shall be placed to the credit of The Highway Improvement Fund Account.

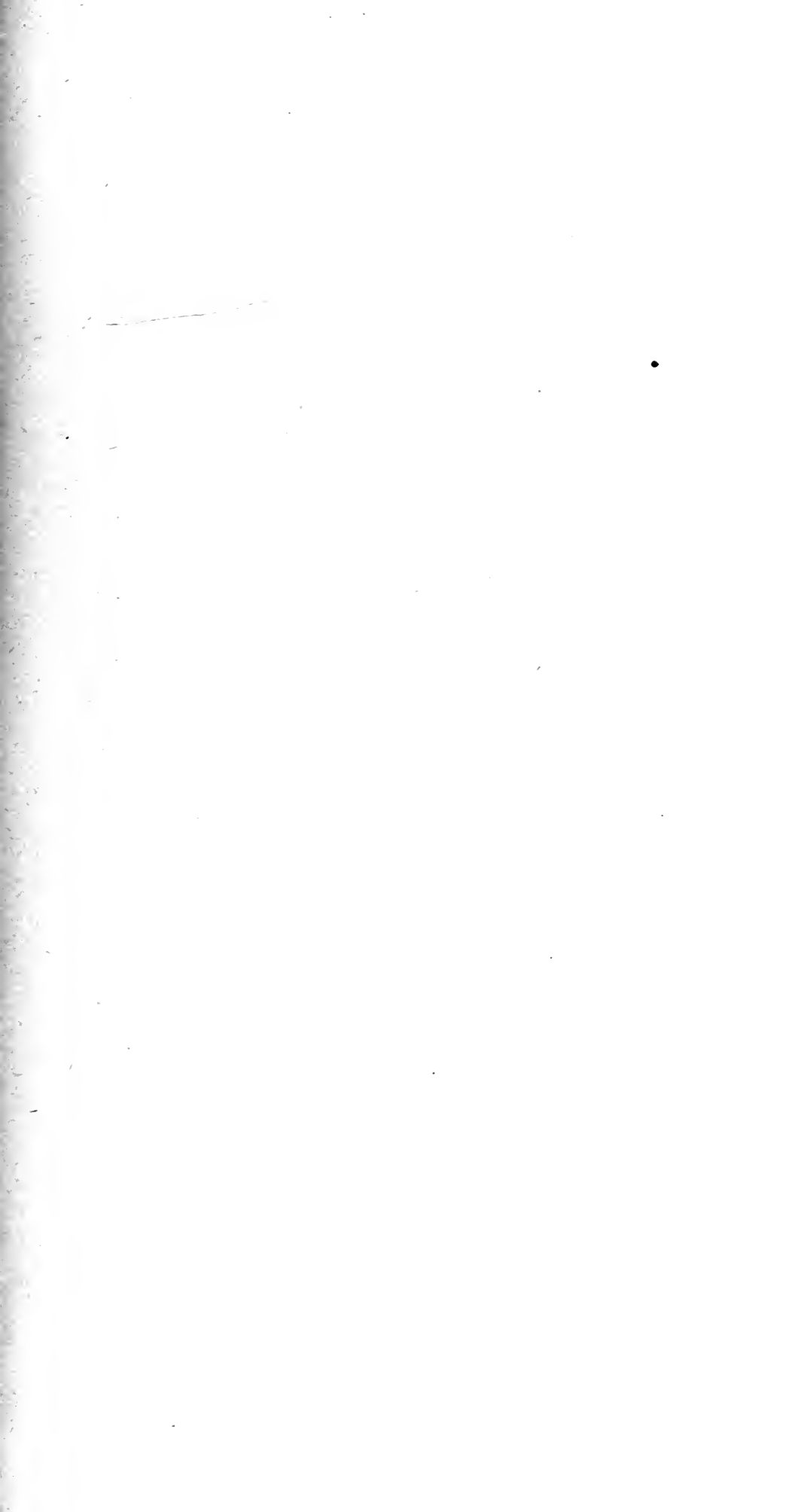
Rev. Stat.  
c. 90.

**35.** The penalties imposed by this Act shall be recoverable under *The Ontario Summary Convictions Act*.

Commence-  
ment of  
Act.

**36.** This Act shall come into force on the day upon which it receives the Royal Assent.





3rd Session, 15th Legislature,  
12 George V, 1922.

BILL.

An Act to regulate the Operation of  
Public Vehicles.

1st Reading,	20th March,	1922.
2nd Reading,		1922.
3rd Reading,		1922.

Mr. Biggs.

# BILL

An Act to promote the Public Health by providing for  
One Day of Rest in Seven for Employees  
in certain Employments.

**H**IS MAJESTY, by and with the advice and consent of  
the Legislative Assembly of the Province of Ontario,  
enacts as follows:—

**1.** This Act may be cited as *The Act for One Day of Rest in Seven, 1922.* Short title.

**2.** Except as hereinafter mentioned, every employer of labour, whether a person, partnership, or corporation engaged in carrying on any hotel business, restaurant or cafe shall allow every person, except those specified in clauses *a* and *b* of section 3, employed in any such hotel business, restaurant or cafe at least twenty-four consecutive hours of rest in every seven days, and wherever possible said twenty-four consecutive hours shall be on a Sunday, unless hereinafter excepted. Twenty-four hours' rest in every week.

**3.** Section 2 shall not apply to:—

Exceptions.

- (a) Watchmen, janitors, superintendents, foremen or employees in any such hotel business, restaurant or cafe where not more than two persons are employed;
- (b) Employees whose duties include not more than three hours work on Sundays, including:—
  - (i) Sponge setting;
  - (ii) Caring for live animals;
  - (iii) Maintaining fires; or
  - (iv) Necessary repairs to machinery;

but nothing in this Act shall authorize any work on Sunday now prohibited by law. Proviso.

Penalty.

4.—(1) Every employer, or employee who is guilty of a contravention of this Act shall incur a penalty not exceeding \$400, or in default thereof may be imprisoned in the common gaol for a period of not more than six months.

(2) *The Ontario Summary Convictions Act* shall apply to prosecutions under this Act.

Commence-  
ment of  
Act.

5. This Act shall come into force on a day to be named by the Lieutenant-Governor by his Proclamation.



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3rd Session, 15th Legislature,  
12 George V, 1922.

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BILL.

An Act to promote the Public Health  
by Providing for One Day of Rest  
in Seven for Employees in Cer-  
tain Employments.

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1st Reading,	20th March, 1922.
2nd Reading,	1922.
3rd Reading,	1922.

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MR. McNAMARA.

No. 159.

1922.

# BILL

An Act to promote the Public Health by providing for  
One Day of Rest in Seven for Employees  
in certain Employments.

**H**IS MAJESTY, by and with the advice and consent of  
the Legislative Assembly of the Province of Ontario,  
enacts as follows:—



**1.** This Act may be cited as *The One Day's Rest in Seven Act, 1922*, and shall be in force in every city and in every town having a population of 10,000 or over. Short title.

**2.** Except as hereinafter mentioned, every employer of labour, whether a person, partnership, or corporation engaged in carrying on any hotel business, restaurant or cafe shall allow every person, employed in any such hotel business, restaurant or cafe at least twenty-four consecutive hours of rest in every seven days, and wherever possible said twenty-four consecutive hours shall be on a Sunday. Twenty-four hours' rest in every week.

**3.** Section 2 shall not apply to:—

Exceptions.

- (a) Watchmen, janitors, superintendents, or foremen;
- (b) Employees in any other capacity in any such hotel business, restaurant or cafe where there are not more than two such employees;
- (c) Employees who are not employed for more than five hours in any one day;

but nothing in this Act shall authorize any work on Sunday now prohibited by law. Proviso.

Penalty.

**4.**—(1) Every employer, who is guilty of a contravention of this Act shall incur a penalty not exceeding \$100.

(2) *The Ontario Summary Convictions Act* shall apply to prosecutions under this Act.

Commence-  
ment of  
Act.

**5.** This Act shall come into force on the 1st day of August, 1922.







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3rd Session, 15th Legislature,  
12 George V, 1922.

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BILL.

An Act to promote the Public Health  
by Providing for One Day of Rest  
in Seven for Employees in Cer-  
tain Employments.

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1st Reading, 20th March, 1922.  
2nd Reading, 10th April, 1922.  
3rd Reading, 1922.

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*(Reprinted as amended by the Labour  
Committee).*

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MR. McNAMARA.

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TORONTO:  
PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.

No. 160.

1922.

# BILL

## An Act to amend The Assessment Act

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**1.** Clause *j* of subsection 1 of section 10 of *The Assessment Act* is amended by striking out the words “or a hotel in respect of which a tavern license has been granted” the sixth, seventh and eighth lines thereof.

Rev. Stat.  
c. 195, s. 10,  
(1), clause  
(j) amended.

**2.** Section 10 of *The Assessment Act* is amended by inserting the following as subsection *7a*:—

Rev. Stat.  
c. 195, s. 10  
amended.

(7a) Notwithstanding anything contained in this or any other Act, no standard hotel shall be liable to business assessment in respect of such hotel.

Assessment  
of standard  
hotels.

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3rd Session, 15th Legislature,  
12 George V, 1922.

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BILL.

An Act to amend The Assessment Act.

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1st Reading,	21st March, 1922.
2nd Reading,	1922.
3rd Reading,	1922.

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Mr. EVANTUREL.

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TORONTO:

PRINTED BY CLARKSON W. JAMES.

Printer to the King's Most Excellent Majesty.

# BILL

## An Act to amend The Municipal Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**1.** Subsection 1 of section 508 of *The Municipal Act* is amended by adding at the end thereof the words “and another of their number to be treasurer”. Rev. Stat. c. 192, s. 508 (1) amended.

**2.** Section 514 of *The Municipal Act* is hereby repealed and the following substituted therefor: Rev. Stat. c. 192, s. 514 repealed.

514.—(1) The treasurer of a township shall from time to time upon the request in writing of the inspecting trustee or of any two trustees pay over to the treasurer of the village all or any part of the money collected by the township pursuant to the provisions of section 509 or placed to the credit of the trustees as required by the provisions of this Part, or receive for license fees under any by-law of the trustees and for penalties for breaches of any such by-law or of sections 524, 525 and 526. Treasurer of township to pay over money to treasurer of village.

(2) The treasurer of the village shall deliver to the township treasurer annually on or before the 31st day of January in each year a statement of their receipts and expenditures for the year ended on the 15th day of December then last past, and such statement shall be audited by the township auditors appointed under section 232. Annual statement to be delivered to township treasurer.

- (3) Where the village comprises parts of two or more townships the statement referred to in the preceding subsection shall be forwarded to the treasurer of each township.

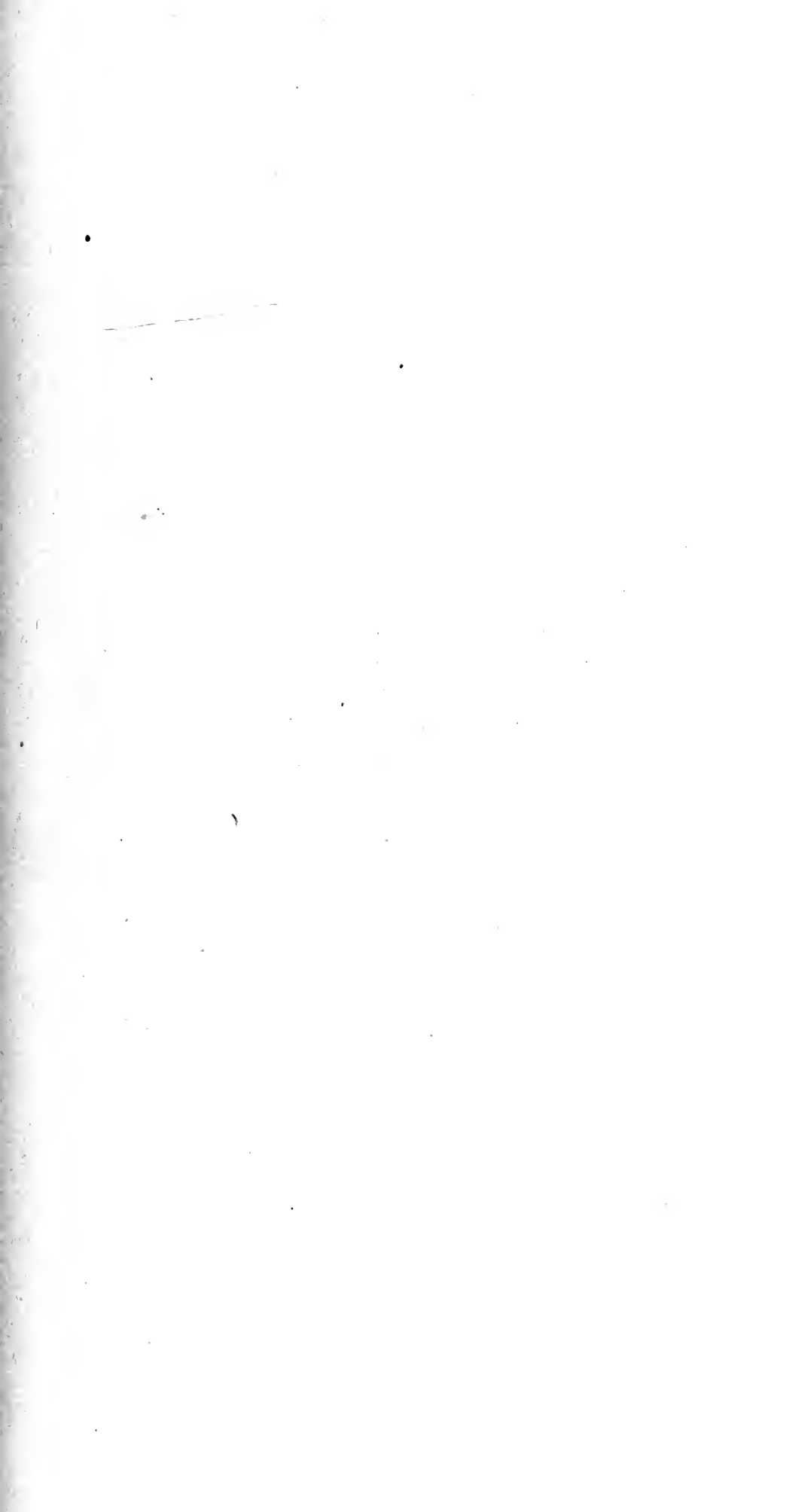
Case of village comprising parts of two townships.

**3.** *The Municipal Act* is amended by adding thereto the following as section 514a;

Rev. Stat. c. 192 amended.

514a. The treasurer of the village shall prepare an annual statement setting out the receipts and expenditures, assets and liabilities of the corporation of the village for the year ended on the 15th day of December then last past in such form as the trustees may direct, and said report shall be submitted at the regular annual meeting of the village.

Annual statement to be submitted at annual meeting.



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3rd Session, 15th Legislature,  
12 George V, 1922.

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BILL.

An Act to amend The Municipal Act.

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1st Reading,	21st March, 1922.
2nd Reading,	1922.
3rd Reading,	1922.

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MR. STRINGER.

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TORONTO:  
PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.



No. 162.

1922.

# BILL

## An Act to amend The Public Lands. Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. This Act may be cited as *The Public Lands Amendment Act, 1922.* Short title.

2. Subsection 1 of section 29 of *The Public Lands Act* is repealed and the following substituted therefor:— Rev. Stat. c. 28, s. 29, subs. 1, repealed.

- (1) Affidavits required under this Act or under *The Crown Timber Act*, or under any other Act relating to the affairs of the Department, and affidavits intended to be used in reference to any claim, business or transaction in the Department, or in respect of which the Department is interested, or which affects the revenue of Ontario under the control of the Department, may be taken before any person having authority to administer oaths, or before the Clerk of any County or District Court, or before the Minister or Deputy Minister or any agent of the Department under whatever Act or authority such agent may have been appointed an agent, or before any person appointed for that purpose by the Minister or Deputy Minister, or before an Ontario Land Surveyor appointed by the Minister or Deputy Minister to inquire into, take evidence in or report upon any matter pending in the Department. Before whom affidavits under this Act may be made.

1921, c. 15,  
s. 3,  
amended.

3. Subsection 2 of section 60 of *The Public Lands Act*, as enacted by section 3 of *The Public Lands Amendment Act, 1921*, is amended by inserting at the beginning thereof the words "Except by mortgage or charge thereon made in favour of the Crown," so that the subsection will now read as follows:—

Lands not  
to be  
liable for  
debts in-  
curred  
before  
patent.

- (2) Except by mortgage or charge thereon made in favour of the Crown, neither the land nor any interest or right therein shall, before the issue of letters patent, be liable for the satisfaction of any debt or liability contracted or incurred by the said purchaser, his widow, heirs or devisees.



No. 162.

3rd Session, 15th Legislature,  
12th George V, 1922.

BILL.

An Act to amend The Public Lands Act.

1st Reading,	21st March, 1922.
2nd Reading,	1922.
3rd Reading,	1922.

MR. BOWMAN.

TORONTO:

PRINTED BY CLARKSON W. JAMES.

Printer to the King's Most Excellent Majesty.

# BILL

## An Act to amend The Municipal Act

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. *The Municipal Act* is amended by inserting after section 73*a*, thereof the following as section 73*b*. Rev. Stat.  
c. 192,  
amended.

73*b*. Notwithstanding the provisions of sections 63, 71, 73 and 73*a*, the council of any local municipality may by by-law, passed not later in the year than the 1st day of November, provide that the meeting of electors for nomination of candidate for mayor, controllers, aldermen, reeves, deputy-reeves, councillors and in urban municipalities, the public school board, and the board of education shall be held on the last Monday in November, and that polling shall take place on the first Monday in December, and the by-law shall remain in force from year to year until repealed. Date of  
nomination  
and election.

No. 163.

3rd Session, 15th Legislature,  
12 George V, 1921.

BILL.

An Act to amend The Municipal Act.

1st Reading,	21st March,	1922.
3rd Reading,		1922.
2nd Reading,		1922.

MR. McALPINE.

TORONTO:  
PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.

No. 164.

1922.

# BILL

An Act to amend The Municipal Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** *The Municipal Act* is amended by adding the following as section 99a:

Rev. Stat.  
c. 192,  
amended.

99a. Where the election is by general vote it shall be the duty of the elector to vote for as many candidates for any office as there are offices to be filled, and where aldermen or councillors are elected by wards for as many candidates as there are offices to be filled in such ward, and in counting the votes the Returning Officer shall reject all ballot papers by which votes have not been given for the full number of candidates as required by this section.

Elector to  
vote for as  
many candi-  
dates as  
there are  
offices to  
be filled.

No. 164.

3rd Session, 15th Legislature,  
12 George V, 1922.

BILL.

An Act to amend The Municipal Act.

1st Reading,	21st March, 1922.
2nd Reading,	1922.
3rd Reading,	1922.

Mr. MARSHALL.

TORONTO:  
PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.



No. 165.

1922.

# BILL

## An Act to amend The Municipal Act

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** Paragraph 28a of section 398 of *The Municipal Act* as enacted by 10-11 George V, Chapter 58, section 10, is amended by inserting after the word "tablets" in the second line the words "monuments or like memorials."

Rev. Stat.  
c. 192, s. 398,  
par. 28a  
amended.

**2.** This Act shall come into force and take effect on the day upon which it receives the Royal Assent.

Commence-  
ment of Act.

No. 165.

3rd Session, 15th Legislature,  
12 George V, 1922.

BILL.

An Act to amend The Municipal Act.

1st Reading,	21st March, 1922.
2nd Reading,	1922.
3rd Reading,	1922.

Mr. HULL.

TORONTO:  
PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.

No. 166.

1922.

# BILL

## An Act to amend The Execution Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**1.** This Act may be cited as *The Execution Amendment Act, 1922.* Short title.

**2.** Subsection 3 of section 10 of *The Execution Act* is amended by adding thereto the following words: Rev. Stat. c. 80, s. 10, subs. 3, amended.

“Nor shall an execution bind the interest of an unpaid vendor of land whose agreement of sale has been registered unless and until the formalities provided for in sections 26a and 26b have been complied with.”

**3.** *The Execution Act* is amended by adding thereto the following sections:— Rev. Stat. c. 80, amended.

**26a.**—(1) If a sheriff is informed on behalf of the execution creditor that the execution debtor is interested as a vendor under an agreement of sale of land and that the said agreement of sale is registered, and if the sheriff is required on behalf of the execution creditor to seize the interest of the vendor in the land mentioned in the said agreement of sale, and is furnished in writing with the information necessary to enable him to give the notice hereinafter mentioned, he shall upon payment of the proper fees, forthwith deliver or transmit to Interest of vendor under agreement of sale.

the registrar or master of titles in whose office the agreement of sale is registered, who shall forthwith register the same, a notice in the form or to the effect following:—

Form of  
notice.

To the Registrar of (or as the case may be).

By virtue of an execution issued out of the Supreme Court of Ontario (or as the case may be) whereby I am commanded to levy of the goods and chattels of A.B. \$ for debt, and \$ for costs lately adjudged to be paid by A.B. to C.D. besides the costs of execution, I have this day seized and taken in execution all the estate, right, title and interest of A.B. in the sale made by X.Y. to A.B. bearing date the day of 19 , and registered in the registry office for the County of (or as the case may be) on the day of 19 , as numbered (or the said agreement of sale as described in any other manner by reference to dates, parties and the land covered as will enable the notice to be registered against the land therein described) and in the money secured thereby, and this notice is given for the purpose of binding the interest of A.B. under sections of the Execution Act.

Dated this day of 19 .

(Signed) M.N.  
Sheriff of the County of

Registration  
of notice,  
effect of

- (2) Upon registration of the notice the interest of the execution debtor in the said agreement of sale, and in the land therein described, and in the money thereby secured and in all covenants and stipulations for securing payment thereof, shall be bound by the execution and such registration shall be notice of the execution and seizure to all persons who may thereafter in any way acquire any interest in the said agreement of sale, land, money or covenants; and the right of the sheriff and of the execution creditor shall have priority over the rights of all such persons, subject, as regards the purchaser liable to pay the money secured by the agreement of sale, to the next following section.

Notice to  
purchaser.

- 26b.—(1) A notice similar to that mentioned in the next preceding section shall also be served upon the purchaser or the person who is liable to pay the money secured by the registered instrument; and after such

service the person served shall pay to the sheriff all money then payable and, as it becomes due, all money which may become payable to the execution debtor so far as may be necessary to satisfy the execution.

- (2) Service of the notice may be made personally, or by leaving it at the dwelling house of the person to be served with a grown person residing there, or by registered post to the proper address of the person to be served as set forth in the said agreement of sale. How serves.

- (3) Any payment made after service of the notice or after actual knowledge of the seizure shall be void as against the sheriff and the execution creditor. When payment void.

- (4) The provisions of section 27 of *The Execution Act* shall apply to the proceedings taken to enforce the execution mentioned in this section and the preceding section.

4. Section 28 of *The Execution Act* is amended by adding after the figures "25" in the second line thereof the words and figures following:— "and 26a". Rev. Stat. c. 80, s. 28, amended.

5. Section 29 of *The Execution Act* is repealed, and the following section substituted therefor: Rev. Stat. c. 80, s. 29, repealed.

29. For the registration under sections 25 and 26a or of a certificate under section 28 the registrar or master shall be entitled to a fee of 50 cents: and for every notice of seizure under section 25 and 26b the sheriff shall be entitled to a fee of \$1: and for every certificate under section 28 to a fee of 75 cents. Fees of Registrar and Sheriff.

6. This Act shall come into force on the first day of July, 1922. Commencement of Act.

3rd Session, 15th Legislature,  
12 George V, 1922.

BILL.

An Act to amend The Execution  
Act.

1st Reading,	21st March,	1922.
2nd Reading,		1922.
3rd Reading,		1922.

MR. HULL.

TORONTO:  
PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.

# BILL

## An Act to amend The Toronto and Hamilton Highway Commission Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. *The Toronto and Hamilton Highway Commission Act* <sup>1915, c.18, amended.</sup> is amended by adding the following as section 22 b;

22b.—(1) Notwithstanding anything to the contrary contained in this Act the cost of any work of construction or improvement hereafter undertaken and the cost of the maintenance and repair of such work in excess of the money received by the Commission under section 22a shall be paid out of The Highway Improvement Fund and shall be apportioned in the same manner as the cost of construction or of maintenance and repair of a Provincial Highway is apportioned under the provisions of *The Provincial Highway Act* except that in the case of bridges the amount to be borne by the municipal corporation shall be determined as provided by section 11.

(2) To meet such cost, accountable cheques may from time to time be issued by the Treasurer of Ontario in favour of the Commission upon the requisition of the Minister of Public Works and Highways.

Cost of future works and maintenance, to be paid out of Highway Improvement Fund.

1917, c. 16.

Issue of cheques by Provincial Treasurer.

No. 167.

3rd Session, 15th Legislature,  
12 George V, 1922.

BILL.

An Act to amend the Toronto and  
Hamilton Highway Commission Act.

1st Reading,	21st March, 1922.
2nd Reading,	1922.
3rd Reading,	1922.

Mr. Biggs.



# BILL

## An Act to amend The Public Lands Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** This Act may be cited as *The Public Lands Amendment Act, 1922.* Short title.

**2.**—(1) Subsection 2 of section 50 of *The Public Lands Act* is repealed and the following substituted therefor: Rev. Stat. c. 28, s. 50, subs. 2, repealed.

(2) Notwithstanding anything in this Act, *The Crown Timber Act* or any other Act contained, a purchaser or locatee prior to the issue of his patent and so long as he is not in arrears with settlement duties, may cut down and dispose of timber of all kinds on his lands so far as is necessary for the actual clearing and fencing of such lands for agricultural purposes in the performance of his settlement duties. Rights of settlers.

(2) Section 50 of *The Public Lands Act* is amended by adding thereto the following subsection: Rev. Stat. c. 28, s. 50, amended.

(4) A license of occupation and Letters Patent of land located or sold under the provisions of this Act, shall include the rights to all timber upon such lands, and every prior timber license thereon shall be deemed to be cancelled where such prior license is held by any person other than the licensee of occupation or the person to whom such Letters Patent are issued notwithstanding anything in *The Crown Timber Act* or in the regulations made thereunder. License to include timber rights.

**3.** This Act shall come into force and take effect on the day upon which it receives the Royal Assent. Commencement of Act.

No. 168.

3rd Session, 15th Legislature,  
12 George V, 1922.

BILL.

An Act to amend The Public Lands Act.

1st Reading,	21st March, 1922.
2nd Reading,	1922.
3rd Reading,	1922.

MR. HALL.

TORONTO:  
PRINTED BY CLARKSON W. JAMES.  
Printer to the King's Most Excellent Majesty.

No. 169.

1922.

# BILL

An Act to amend The Jurors' Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** This Act may be cited as *The Jurors' Amendment Act*, Short title. 1922.

**2.** Subsection 1 of section 69 of *The Jurors' Act* is amended by striking out the word "twelve" wherever it occurs therein and substituting therefor the word "thirteen." Rev. Stat. c. 64, s. 69, subs. 1, amended.

**3.** Section 69 of *The Jurors' Act* is further amended by adding the following as subsection 1a: Rev. Stat. c. 69, amended.

(1a) If no juror is prevented by illness, death or other cause from considering the issue to be tried or damages to be assessed, then upon the retirement of the jury, the clerk shall place the thirteen cards or papers in a separate box or urn which is then to be shaken and one card or paper withdrawn therefrom and the juror whose name is on the card or paper thus withdrawn shall be discharged; and if any juror is, for any cause, prevented from continuing to act before the jury retires, the remaining twelve jurors shall retire for the consideration of the issue to be tried or the damages to be assessed; but in no case shall more than twelve jurors retire for such consideration. Jurors, which to act.

No. 169.

3rd Session, 15th Legislature,  
12 George V, 1922.

BILL.

An Act to amend The Jurors' Act.

1st Reading,	22nd March, 1922.
2nd Reading,	1922.
3rd Reading,	1922.

MR. McLEOD.

TORONTO:  
PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.

# BILL

## An Act to amend The Separate School Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Separate Schools Amendment Act, 1922.* Short title.

2. Section 36 of *The Separate Schools Act* is amended by adding thereto the following subsections:— Rev. Stat. c. 270, s. 36, amended.

- (3) In towns divided into wards the board by resolution may limit the number of trustees to six, provided that at least one month's notice was given of the intention to consider a resolution to that effect, and such limitation shall not come into operation until the close of the current school year. Number of trustees may be limited to six by resolution.
- (4) When such resolution has been adopted the election shall thereafter be by vote of the separate school ratepayers of the whole municipality. Effect of adoption of resolution.
- (5) The board shall by lot determine what trustee or trustees shall retire in addition to the number retiring by annual rotation in order to admit of the election of three new trustees at the next annual election, and thereafter three trustees shall be elected annually by the separate school ratepayers of the whole municipality to fill the place of the same number retiring by rotation. Retirement.

No. 170.

3rd Session, 15th Legislature,  
12 George V, 1922.

BILL.

An Act to amend The Separate Schools  
Act.

1st Reading,	22nd March, 1922.
2nd Reading,	1922.
3rd Reading,	1922.

Mr. PINARD.

TORONTO:  
PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.

# BILL

## An Act to amend The Separate Schools Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**1.** This Act may be cited as *The Separate Schools Amendment Act, 1922*. Short title.

**2.** Section 19 of *The Separate Schools Act* is amended by inserting after the word "Catholics" in the fourth line thereof the words "or the parents or guardians of a Roman Catholic child of school age." Rev. Stat.  
c. 270, s. 19,  
amended.

**3.** Section 20 of *The Separate Schools Act* is amended by inserting after the word "Catholics" in the second line thereof the words "or the parents or guardians of a Roman Catholic child of school age." Rev. Stat.  
c. 270, s. 20,  
amended.

**4.—(1)** Subsection 1 of section 55 of *The Separate Schools Act* is amended by inserting after the word "Catholic" in the fourth line thereof the words "or the parent or guardian of a Roman Catholic child of school age." Rev. Stat.  
c. 270, s. 55,  
subs. 1,  
amended.

**(2)** Section 55 of the said Act is amended by adding thereto the following subsection:— Rev. Stat.  
c. 270, s. 55,  
amended.

**(7)** A non catholic guardian of Roman Catholic child of school age may be a supporter of a separate school only in respect of property belonging to or devolving upon the said child.

**5.** Subsection 1 of section 61 of *The Separate Schools Act* is amended by striking out in the first line thereof the words "Roman Catholic" and substituting therefor the word "person." Rev. Stat.  
c. 270, s. 61,  
subs. 1,  
amended.

**6.** Subsection 1 of section 63 of *The Separate Schools Act* is amended by inserting after the word "Catholic" in the fifth line thereof the words "or the parent or guardian of a Roman Catholic child of school age." Rev. Stat.  
c. 270, s. 62,  
subs. 1,  
amended.

3rd Session, 15th Legislature,  
12 George V, 1922.

BILL.

An Act to amend The Separate Schools  
Act.

1st Reading,	22nd March,	1922.
2nd Reading,		1922.
3rd Reading,		1922.

Mr. PINARD.

TORONTO:  
PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.



No. 172.

1922.

# BILL

## An Act to amend The Community Halls Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**1.** This Act may be cited as *The Community Halls Act*, Short Title.  
1922.

**2.** Subsection 1 of section 5 of *The Community Halls Act*, 1920, is amended by striking out all the words therein after the word "Act" at the commencement of the fourth line, down to and including the word "thereto" in the fifth line and substituting therefor the words "in the case of a township in the district or in an adjoining township or incorporated village."  
1920, c. 72, s. 5, subs. 1, amended.

**3.** This Act shall come into force on the day upon which it receives the Royal Assent.  
Commence-  
ment of  
Act.

No. 172.

3rd Session, 15th Legislature,  
12 George V, 1922.

BILL

An Act to amend The Community Halls  
Act.

1st Reading	22nd March, 1922.
2nd Reading,	1922.
3rd Reading,	1922.

Mr. EVANS.

TORONTO:  
PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.

# BILL

## An Act to amend The Dog Tax and Sheep Protection Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**1.** Sections 10 and 12 of *The Dog Tax and Sheep Protection Act* are repealed. 1918 c. 46  
sections 10  
and 12,  
repealed.

**2.** The heading "Compensation where owner unknown" above section 13 of *The Dog Tax and Sheep Protection Act* is repealed and the following substituted therefor: 1918, c. 46,  
amended.

### COMPENSATION BY MUNICIPALITY.

**3.** Section 13 of *The Dog Tax and Sheep Protection Act* is repealed and the following substituted: 1918 c. 46,  
section 13,  
repealed.

13. The municipality in which sheep are killed, injured, terrified or worried by any dog shall be liable for compensation to the full amount of the damage sustained, whether or not the owner of such dog is known or unknown, but no municipality shall be so liable unless application has been made for damages as herein provided within three months after such sheep have been so injured, terrified or worried. Compensation  
to be paid  
by Municipi-  
pality whe-  
ther owner  
of dog known  
or unknown.

3rd Session, 15th Legislature,  
12 George V, 1922.

BILL.

An Act to amend The Dog Tax and Sheep  
Protection Act.

1st Reading,	22nd March, 1922.
2nd Reading,	1922.
3rd Reading,	1922.

MR. SANDY.

No. 174.

1922.

# BILL

## An Act to amend The Disqualification Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**1.** This Act may be cited as *The Disqualification Act*, Short title.  
1922.

**2.** Subsection 1 of section 3 of *The Disqualification Act*, 1919, c. 6, 1919, is amended by inserting at the commencement thereof s. 3, subs. 1, amended. the words “subject to the provisions of section 3a.” so that the said subsection will now read as follows:—

(1) Subject to the provisions of section 3a Certain persons disqualified. notwithstanding anything contained in any other Act, defaulters under *The Military Service Act* and persons who have been convicted of treasonable or seditious offences shall for ten years from the passing of this Act be disqualified from holding any public office and shall be disqualified and incompetent to vote at an election of a member to serve in the Legislative Assembly or at a municipal election or at an election for school trustees or on any question or by-law submitted to the electors or ratepayers.

**3.** *The Disqualification Act, 1919*, is amended by adding 1919, c. 6, thereto the following section: amended.

- 3a.—(1) Where a person by reason of his conviction for the use of seditious language or for any other offence has become disqualified under the provisions of subsection 1 of section 3, he may apply to the judge of the county court in the county in which he resides for an order removing such disqualification and if the judge upon such application is satisfied by the evidence adduced that the applicant is of good character and reputation and that the offence of which he was convicted was of a minor character, that his conduct since such conviction has been in all respects that of a loyal British subject and good citizen, that there was no other cause of complaint in the conduct of the applicant during the Great War except that in respect of which he was convicted, and that the public interest will not suffer from the removal of the disqualification of the applicant, the judge may make an order declaring that the applicant is relieved from the disqualification imposed by subsection 1 of section 3, and from the date named in the order such disqualification shall cease and be removed accordingly.

Rev. Stat.,  
c. 79.

- (2) *The Judges' Orders Enforcement Act* shall apply to orders made under the provisions of this section.

Commence  
ment  
of Act.

4. This Act shall come into force on the day upon which it receives the Royal Assent.



No. 174.

3rd Session, 15th Legislature,  
12 George V, 1922.

BILL

An Act to amend The Disqualification  
Act.

1st Reading,	22nd March, 1922.
2nd Reading,	1922.
3rd Reading,	1922.

Mr. RENNIE.

TORONTO:  
PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.



# BILL

An Act to amend The Highway Improvement Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. *The Highway Improvement Act* is amended by adding the following as section 20a:

Rev. Stat.  
c. 40,  
amended.

20a. Where by reason of the laying out, construction or improvement of any road under the provisions of this Act, the means of access to and egress from the lands of any person is taken away or is interfered with it shall be the duty of the corporation of the county as part of the cost of the laying out, construction or improvement of such road to construct and lay out a suitable means of access to and egress from in place of the one either natural or artificial so interfered with or taken away.

Construction  
of new  
approaches  
where exist-  
ing interfered  
with.

3rd Session, 15th Legislature,  
12 George V, 1922.

BILL

An Act to amend The Highway Improvement Act.

1st Reading,	22nd March, 1922.
2nd Reading,	1922.
3rd Reading,	1922.

MR. TAYLOR.

No. 176.

1922.

# BILL

## An Act to amend The Travelling Shows Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**1.** This Act may be cited as *The Travelling Shows Act*, Short title.  
1922.

**2.** Section 2 of *The Travelling Shows Act* as amended by section 2 of *The Travelling Shows Amendment Act, 1920*, is further amended by striking out the words "Carnival Company," and inserting in lieu thereof the words "Carnival Show." Rev. Stat. c. 214, s. 2, 1920, c. 77, s. 2 amended.

**3.** Section 3 of *The Travelling Shows Act* as amended by section 20 of *The Statute Law Amendment Act, 1915*, is further amended by striking out the words "Carnival Company," and inserting in lieu thereof the words "Carnival Show," and by striking out the figures, "\$100.," "\$50.," and "\$15.," and inserting in lieu thereof the figures "\$150.," "\$75.," and "\$25.," so that the subsection will now read as follows:— Rev. Stat. c. 214, s. 3, 1915, c. 26 s. 20, amended.

**3.—(1)** Every applicant for a license shall make and file in the office of the Treasurer a statutory declaration setting forth the number of days upon which the show is to be exhibited in Ontario and the localities in which the performances or exhibitions are to be held, and for such license shall pay in advance to the Treasurer the sums following for every day upon which the show is to be exhibited in Ontario. License fee.

For every circus, menagerie, wild west show, carnival show, and not more than one side show, if travelling with over twenty cars ..... \$150.

With twenty cars or less ..... 75.

For every trained animal show .... 25.

For every additional side show .... 10.

And for every other show such sum as may be determined by the Treasurer for every day upon which the show is licensed to be exhibited.

Commence-  
ment of Act.

4. This Act shall come into force on the day upon which it receives the Royal Assent.



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3rd Session, 15th Legislature,  
12 George V, 1922.

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BILL.

An Act to amend The Travelling Shows  
Act

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1st Reading,	23rd March,	1922.
2nd Reading,		1922.
3rd Reading,		1922.

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MR. SMITH.

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TORONTO:  
PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.

No. 177.

1922.

# BILL

An Act to amend The Separate Schools Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. Subsection 1 of section 75 of *The Separate Schools Act* is amended by striking out all the words in the eighth line after the words "school rates" and substituting therefor the words "and all property subject to taxation at the time when the loan was affected on the security of the property or rates shall continue to be liable for the rate to be levied for the repayment of the money so secured." Rev. Stat. c. 270, s. 75, subs. 1, amended.

2. This Act shall come into force on the day upon which it receives the Royal Assent. Commencement of Act.

No. 177.

3rd Session, 15th Legislature,  
12 George V, 1922.

BILL.

An Act to amend The Separate Schools  
Act.

1st Reading,	23rd March,	1922.
2nd Reading,		1922.
3rd Reading		1922.

MR. MAGEAU.

TORONTO:  
PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.



No. 178.

1922.

# BILL

## An Act to amend The Children's Protection Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**1.** This Act may be cited as *The Children's Protection Amendment Act, 1922.* Short title.

**2.** Section 12 of *The Children's Protection Act* is amended by adding thereto the following subsection: Rev. Stat. c. 231, s. 12, amended.

(6) No such order for payment by the corporation of a municipality shall be made until notice of the intention to make such order has been served on such corporation in sufficient time to enable such corporation to attend before such Judge and be heard. Right of municipality to be heard as to order for contribution.

**3.** This Act shall come into force on the 1st day of July, 1922. Commencement of Act.

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3rd Session, 15th Legislature,  
12 George V, 1922.

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BILL.

An Act to amend The Children's  
Protection Act.

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1st Reading,	23rd March, 1922.
2nd Reading,	1922.
3rd Reading,	1922.

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MR. NICKLE.

No. 179.

1922.

# BILL

## An Act to amend The Municipal Drainage Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Section 80 of *The Municipal Drainage Act* is amended by adding thereto the following as subsection 3:

Rev. Stat.  
c. 198, s. 80,  
amended.

- (3) The corporation whose duty it is to maintain and keep in repair a drainage work shall not be liable in damages for any injury caused by reason of a drain on the highway being blocked by snow or ice and overflowing the lands of any person.

Corporation  
not liable  
where drain  
blocked by  
snow or ice.

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3rd Session, 15th Legislature,  
12 George V, 1922.

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BILL.

An Act to amend The Municipal  
Drainage Act.

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1st Reading,	23rd March, 1922.
2nd Reading,	1922.
3rd Reading,	1922.

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Mr. MEWHINNEY.

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TORONTO:  
PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.

# BILL

## An Act respecting the Registry Offices in the County of York.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** This Act may be cited as *The Toronto and York Registry Act, 1922.* Short title.

**2.** The registry divisions of East Toronto, West Toronto and the East and West Ridings of York shall cease to constitute separate registry divisions and shall constitute one registry division to be known as the registry division of Toronto and York. Registry divisions of Toronto and York united.

**3.** There shall be one registry office for the said registry division of Toronto and York and there shall be one registrar for the said registry division who shall be appointed by the Lieutenant-Governor in Council. One registry office for Toronto and East and West York.

**4.** The registrar of the registry division of Toronto and York shall also be registrar for the registry division of the North Riding of York. Registrar to be registrar of North York.

**5.** The registrar of Toronto and York shall appoint such number of deputies as may be prescribed by the regulations made under the authority of this Act, but every such appointment shall be subject to the approval of the Lieutenant-Governor in Council. Deputies.

**6.** The Corporation of the City of Toronto shall provide such accommodation as may be required in accordance with the provisions of *The Registry Act* or any regulations made thereunder, for the registry office of the registry division of Toronto and York. City to provide accommodation, etc.

Salaries.

**7.** The registrar, deputy registrars, clerks, officers and employees employed in the registry office for the registry division of Toronto and York shall be paid out of the receipts of the office, such salaries as may be approved by the Lieutenant-Governor in Council, and subject to the regulations the fees prescribed by *The Registry Act* shall be collected and accounted for by such persons and in such manner as the Inspector of Registry Offices may direct.

Adjustment  
of matters  
between city  
and county.

**8.—(1)** The proportions in which the Corporations of the City of Toronto and the County of York shall share in the receipts from the said office, and the proportion in which the Corporations of the City of Toronto and the County of York respectively shall be liable for the expenses of erecting, maintaining and furnishing the said registry office, and the payment of the salaries of the registrar, deputy registrars, clerks, officers and employees engaged therein and all other matters necessary to determine the rights and liabilities of the said City and County respectively or requiring adjustment as a result of the changes in the registry divisions effected by this Act, shall be adjusted and determined under *The Arbitration Act* by the award of three arbitrators, one of whom shall be nominated by the Corporation of the City of Toronto and another by the Corporation of the County of York each of which nominations shall be made within thirty days of the coming into force of this Act, and the third of whom shall be appointed by the Lieutenant-Governor in Council.

Appointment  
of arbitrators  
in default.

**(2)** If either of the said Corporations fails to appoint a member of the Board as required by subsection 1 within the time provided, the Lieutenant-Governor-in-Council may make such appointment.

Superannua-  
tion.

**9.** Any registrar, deputy registrar or other officer or employee who is retired as a result of the establishment of the registry division of Toronto and York may be paid a retiring allowance to be fixed by the Lieutenant-Governor in Council not exceeding a sum equal to three-fifths of his average annual net income from his office for the five years next preceding his retirement, and any such retiring allowance shall be a charge upon and shall be payable out of the fees received from the said office in monthly payments during the lifetime of the person so retiring as part of the expenses of the registry office.

**10.** The provisions of *The Registry Act* and amendments thereto, when the same do not conflict with the provisions of this Act, shall apply to the said registry division of Toronto and York. Application of Rev. Stat. c. 124.

**11.** The Lieutenant-Governor in Council may make Regulations. regulations:

- (a) respecting the transfer of registers, plans, instruments and other books, documents and records to the registry office for the registry division of Toronto and York;
- (b) prescribing the furnishing, equipment and accommodation to be provided in the said registry office;
- (c) for the organization of the office and the appointment of deputies, officers, clerks and employees and prescribing their respective duties;
- (d) prescribing the method in which fees and other receipts of the office shall be collected, kept and accounted for;
- (e) respecting any matter arising out of the changes in the registry division effected by this Act not expressly provided for herein;
- (f) generally for the better carrying out of the provisions of this Act.

(f) generally for the better carrying out of Commence-  
day to be named by the Lieutenant-Governor in Council by ment of Act  
his proclamation.

No. 180.

3rd Session, 15th Legislature,  
12 George V, 1922.

BILL.

An Act respecting the Registry Offices  
in the County of York.

1st Reading,	24th March, 1922.
2nd Reading,	1922.
3rd Reading,	1922.

Mr. RANNEY.

TORONTO:  
PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.



# BILL

## An Act to amend The Municipal Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Section 399 of *The Municipal Act* is amended by adding the following paragraph:—

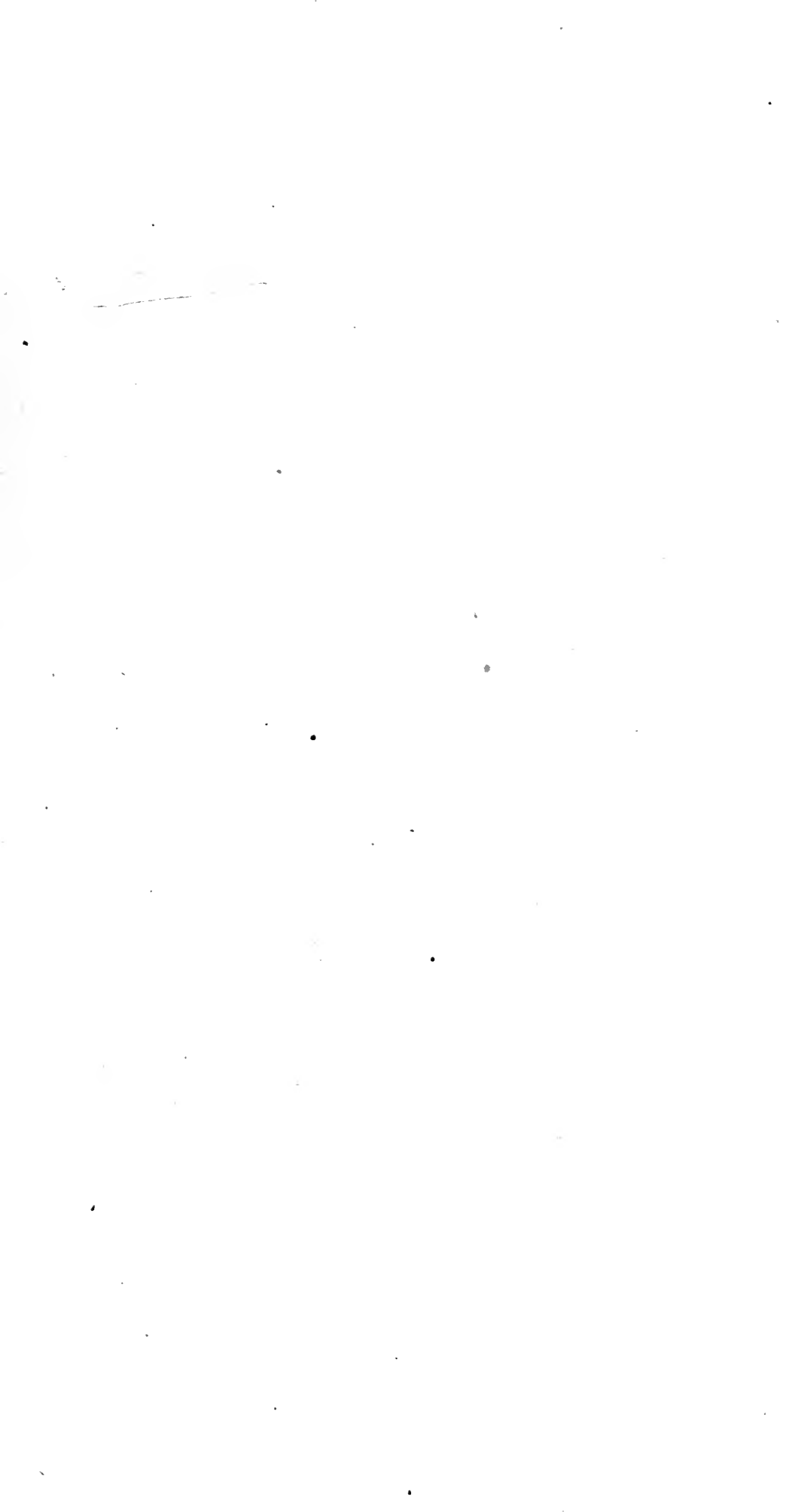
Rev. Stat.  
c. 192, s. 399,  
amended.

27. For permitting the owners of land to erect, maintain and use gasoline pumps and tanks, or either of them, in boulevards or in such other portions of the highways, adjacent to the lands of such owner, as are not used for travel and whilst the same are not used for travel, as the council may see fit, for prescribing the terms and conditions upon which the same shall be erected, maintained and used, and for making such annual or other charge for the privilege conferred by the by-law as the council may deem reasonable;

Gasoline  
pumps.

- (a) Such annual or other charge shall be payable, and payment of it may be enforced, in like manner as taxes are payable and payment of them may be enforced.
- (b) The Corporation shall be liable for any want of repair of the highway which may result from the construction, maintenance and use of any such pump or tank, but shall be entitled to the remedy over provided for by section 464 against the person by whose act or omission the want of repair is caused.





3rd Session, 15th Legislature,  
1<sup>st</sup> George V, 1922.

BILL.

An Act to amend The Municipal Act.

1st Reading.	24th March,	1922.
2nd Reading.		1922.
3rd Reading.		1922.

Mr. STEVENSON.

# BILL

## An Act to amend The Sheriffs Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Sheriffs Act, 1922*

Short title.

2. Section 3 to 10 of *The Sheriffs Act* are repealed and hereafter there shall be one sheriff for the County of York, including the City of Toronto, who shall be known as the Sheriff of York.

Rev. Stat.  
c. 16, ss. 3-10,  
repealed.

3. The sheriff of York shall possess the same powers and perform the same duties within the County of York, including the City of Toronto, as the sheriff of any other county, and in addition shall perform such other duties in the administration of justice in his bailiwick as may be prescribed by regulations made under the authority of this Act.

Powers and  
duties.

4. All process directed to the sheriff of the City of Toronto or to the sheriff of the County of York and all other acts and duties required by law with respect to any matter in the hands of the sheriff of the City of Toronto or in the hands of the sheriff of the County of York at the date of the commencement of this Act may be served, executed, done, performed and exercised by the sheriff of York in the same manner and with the same effect as if the same had been served, executed, done, performed or exercised by the sheriff of the City of Toronto or by the sheriff of the County of York as the case may be, and this Act had not been passed.

Matters in  
hands of  
present  
sheriff.

5. The Lieutenant-Governor in Council may make Regulations, regulations,—

(a) for the organization of the office of the sheriff of York and the appointment of

deputies, officers, clerks and employees and prescribing their respective duties;

- (b) prescribing the method in which fees and other receipts shall be collected, kept and accounted for;
- (c) respecting any matter arising out of the abolition of the separate shrievalties of the City of Toronto and the County of York and the establishment of the office of sheriff of York under this Act where any such matter is not expressly provided for herein;
- (d) prescribing the duties of the sheriff of York and requiring the performance by him of special duties not incidental to the office of sheriff in other counties;
- (e) generally for the better carrying out of the provisions of this Act.

Commence-  
ment of Act.

**6.** This Act shall come into force on a day to be named by the Lieutenant-Governor in Council by his proclamation.



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3rd Session, 15th Legislature,  
12 George V, 1922.

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BILL.

An Act to amend The Sheriffs Act.

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1st Reading,	24th March,	1922.
2nd Reading,		1922.
3rd Reading,		1922.

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MR. RANNEY.

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# BILL

## An Act to amend The Sheriffs Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Sheriffs Act, 1922*

Short title.

2. Sections 3 to 10 of *The Sheriffs Act* are repealed and hereafter there shall be one sheriff for the County of York, including the City of Toronto, who shall be known as the Sheriff of York.

Rev. Stat.  
c. 16, ss. 3-10,  
repealed.

3. The Sheriff of York shall possess the same powers and perform the same duties within the County of York, including the City of Toronto, as the sheriff of any other county, and in addition shall perform such other duties in the administration of justice in his bailiwick as may be prescribed by regulations made under the authority of this Act.

Powers and  
duties.

4. All process directed to the sheriff of the City of Toronto or to the sheriff of the County of York and all other acts and duties required by law with respect to any matter in the hands of the sheriff of the City of Toronto or in the hands of the sheriff of the County of York at the date of the commencement of this Act may be served, executed, done, performed and exercised by the sheriff of York in the same manner and with the same effect as if the same had been served, executed, done, performed or exercised by the sheriff of the City of Toronto or by the sheriff of the County of York as the case may be, and this Act had not been passed.

Matters in  
hands of  
present  
sheriff.

5. The Lieutenant-Governor in Council may make regulations,—

(a) for the organization of the office of the sheriff of York and the appointment of

deputies, officers, clerks and employees and prescribing their respective duties;

- (b) prescribing the method in which fees and other receipts shall be collected, kept and accounted for;
- (c) respecting any matter arising out of the abolition of the separate shrievalties of the City of Toronto and the County of York and the establishment of the office of sheriff of York under this Act where any such matter is not expressly provided for herein;
- (d) prescribing the duties of the sheriff of York and requiring the performance by him of special duties not incidental to the office of sheriff in other counties;
- (e) generally for the better carrying out of the provisions of this Act.



Retiring  
allowances.

**6.**—(1) Any sheriff, deputy sheriff or other officer or employee who is retired as a result of the union of the offices of the Sheriff of the City of Toronto and the Sheriff of the County of York under this Act, may be paid a retiring allowance to be fixed by the Lieutenant-Governor in Council not exceeding a sum equal to three-fifths of his average annual net income from his office for the five years next preceding his retirement, and any such retiring allowance shall be a charge upon and shall be payable out of the fees received from the office of the Sheriff of York, in monthly payments during the lifetime of the person so retiring as part of the expenses of that office.

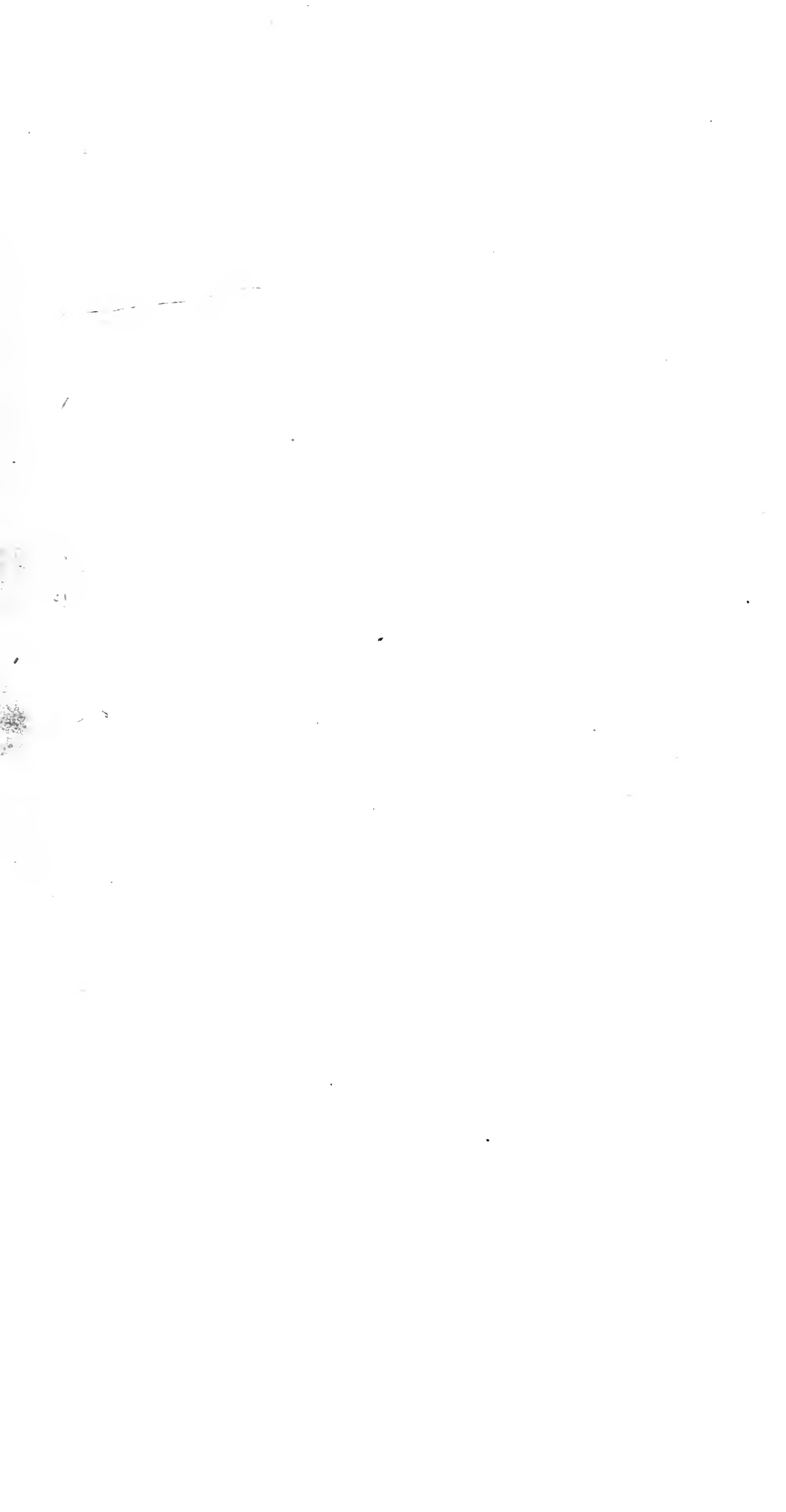
Exemption  
from exe-  
cution, etc.

(2) The interest of any such sheriff, deputy sheriff, officer or employee in any allowance granted to him under this section shall be exempt from provincial and municipal taxes and shall not be subject to garnishment or attachment or seizure or any legal process and shall be unassignable.



Commence-  
ment of Act.

**7.** This Act shall come into force on a day to be named by the Lieutenant-Governor in Council by his proclamation.



No. 182.

3rd Session, 15th Legislature,  
1<sup>st</sup> George V. 1922.

BILL.

An Act to amend The Sheriffs Act.

1st Reading.	24th March, 1922.
2nd Reading,	4th May, 1922.
3rd Reading,	1922.

*(Reprinted as amended by Committee of  
the Whole House.)*

Mr. RANBY.

TORONTO:  
PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.

No. 183.

1922.

# BILL

## An Act to amend The Wolf Bounty Act.

**H**IS Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. This Act may be cited as *The Wolf Bounty Act, 1922*. Short title.

2. Section 2 of *The Wolf Bounty Act* is amended by adding thereto the following clause: Rev. Stat. c. 264, s. 2, amended.

(aa) "Inspector" shall mean inspector of wolf skins appointed under the authority of this Act. "Inspector."

3. Section 4 of *The Wolf Bounty Act* as amended by section 2 of the Act passed in 1916, Chaptered 61, and by section 47 of *The Statute Law Amendment Act, 1918*, and by section 2 of *The Wolf Bounty Act, 1920*, is repealed and the following substituted therefor: Rev. Stat. c. 264, s. 4, repealed.

4. Upon the delivery of such certificate, with a certificate of the inspector, by the person named therein, to the treasurer of the county together with the skin of the wolf, the treasurer shall pay to such person the sum of \$10 as a bounty upon the killing of the wolf where the wolf is over three months old, and \$10 additional if Bounty payable by county.

such wolf is a grey timber wolf, or the sum of \$5 in all in the case of a wolf of any kind not over three months old.

Rev.Stat.  
c. 264,  
s. 5,  
amended.

4. Section 5 of *The Wolf Bounty Act* as amended by section 3 of the Act passed in 1916, Chaptered 61, is further amended by inserting after the word "certificate" in the first line the words "together with a certificate of the inspector," so that the section will now read as follows:

Part of  
bounty to  
be recouped  
to county  
by Province

5. Upon the delivery of such certificate together with a certificate of the inspector and the skin of the wolf to the Treasurer of Ontario, the corporation of the county shall be entitled to receive forty per cent of the sum so paid out of such money as may from time to time be appropriated by this Legislature for payment of wolf bounty.

Rev. Stat.  
c. 264,  
s. 6, subs. 3,  
repealed.

5. Subsection 3 of section 6 of *The Wolf Bounty Act* as amended by section 4 of the Act passed in 1916, Chaptered 61, and by section 48 of *The Statute Law Amendment Act, 1918*, and section 3 of *The Wolf Bounty Act, 1920*, is repealed and the following substituted therefor:

Bounty  
payable by  
Province.

(3) Upon like proof as set forth in section 3, the judge or officer before whom the skin is produced may give the certificate mentioned in section 3 and upon delivery of such certificate with the certificate of the inspector, together with the skin of the wolf, the person mentioned in the certificate shall be entitled to receive from the Treasurer of Ontario out of such money as may from time to time be appropriated by the Legislature for the payment of wolf bounty, the sum of \$10 for a bounty upon the killing of the wolf where the wolf is over three months old, and \$10 additional if such wolf is a grey timber wolf, or the sum of \$5 in all in the case of a wolf of any kind not over three months old

Rev. Stat.  
c. 264,  
amended.

6. *The Wolf Bounty Act* is amended by adding thereto the following section:

11a.—(1) The Lieutenant-Governor in Council may appoint an inspector of wolf skins whose duty it is to inspect the skins upon which bounty is claimed under this Act and to certify as to the kind and age of the wolf. Appointment of inspector of wolf skins.

(2) The certificate of the inspector shall be final and binding as to the facts stated therein. Certificate of inspector to be final.

**7.** This Act shall come into force on the 1st day of July, 1922. Commencement of Act.

No. 183.

3rd Session, 15th Legislature,  
12 George V, 1922.

BILL.

An Act to amend The Wolf Bountv Act.

1st Reading,	24th March, 1922.
2nd Reading,	1922.
3rd Reading,	1922.

MR. SMITH.

TORONTO:

PRINTED BY CLARKSON W. JAMES.

Printer to the King's Most Excellent Majesty.



# BILL

An Act to provide for the more equitable taxation of lands in certain Townships.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Township Taxation Zones Act, 1922.* Short title.

2. Notwithstanding anything in *The Municipal Act, The Assessment Act* or in any other Act contained, the municipal council of a township may by by-law divide the township into districts for the purposes hereinafter mentioned. By-law dividing township into district.

3.—(1) The by-law may provide for the levying of a special rate for the construction, maintenance and repair of highways, roads and bridges, or for other works or improvements upon the highways or for the establishment and maintenance of parks and for the application and expenditure of all sums so raised within the district in which they are raised, and that no general rate for any of the said purposes shall be levied or collected in the township and thereafter and so long as such by-law remains in force no general rates shall be levied for any of the purposes set forth in the by-law, but all the works mentioned therein shall be constructed, maintained and kept in repair out of the sums raised by such special rates. By-law may provide for levying of special rate.

(2) The by-law may provide for the abolition of statute labour in any or all of the districts and for the construction, maintenance and repair of roads and bridges only by general rate levied in the district, or for the doing of any work in the district as a local improvement under the provisions of *The Local Improvement Act.* By-law may provide for abolition of statute labour.

(3) A by-law passed under subsection 1 shall not be repealed until after the expiration of three years from the date of the final passing thereof. By-law not to be repealed for three years.

Approval  
of Board  
required.

4. No by-law passed under the provisions of subsection 1 of section 3 and no by-law repealing the same shall come into force or take effect until approved by order of the Ontario Railway and Municipal Board, to be made upon such application and notice thereof as the Board may direct.

Existing  
indebtedness  
not affected.

5. Nothing in this Act contained shall prevent or affect the levying of any rate required for the payment of debentures issued by the corporation of the township or the interest thereon where such debentures have been issued prior to the passing of the by-law under the provisions of subsection 1 of section 3.

Issue of  
debentures  
chargeable  
upon district.

6.—(1) Where the council of a township has passed a by-law under the provisions of subsection 1 of section 3, the council may pass by-laws for contracting debts and issuing debentures from time to time for any of the purposes set out in such first mentioned by-law, and it shall not be necessary to submit any such by-law for contracting a debt and issuing debentures to a general vote of the electors qualified to vote on money by-laws in the township, but no such by-law shall be finally passed until it has been submitted to and has received the assent of the majority of the electors in the district so qualified.

Debt to  
constitute  
debt of  
township.

(2) The debentures issued under the authority of subsection 1 shall constitute a debt of and shall be a charge upon all the rateable property in the township, and the amounts required for the payment of any debt so contracted shall be raised by special rate upon all the rateable property liable to taxation in the district in respect of which the debt is contracted.

Application  
of provisions  
of Rev. Stat.  
c. 192.

(3) Save as otherwise provided in this section all the provisions of *The Municipal Act* with respect to by-laws for contracting debts shall apply to a by-law passed under the provisions of subsection 1.

Commence-  
ment of Act.

7. This Act shall come into force on the day upon which it receives the Royal Assent.



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3rd Session, 15th Legislature,  
12 George V, 1922.

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BILL.

An Act to provide for the more equitable taxation of lands in certain Townships.

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1st Reading,	27th March, 1922.
2nd Reading,	1922.
3rd Reading,	1922.

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MR. WALKER.

No. 185.

1922.

# BILL

An Act to amend The Municipal Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Subsection 2 of section 53 of *The Municipal Act* is amended by adding thereto the following clause: Rev. Stat.  
c. 193,  
amended.

- (g) of his having himself or by or with or through another an interest in any contract with the corporation or person acting for the corporation for the supply of gravel or other road material for which the corporation pays or is liable directly or indirectly to pay.

No. 185.

3rd Session, 15th Legislature,  
12 George V, 1922.

BILL.

An Act to amend The Municipal Act.

1st Reading,	27th March, 1922.
2nd Reading,	1922.
3rd Reading,	1922.

MR. JOYNT.

TORONTO:  
PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.

No. 186.

1922.

# BILL

## An Act to amend The Assessment Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**1.** *The Assessment Act* is amended by adding the following as section 155a.

Rev. Stat.  
c. 195,  
amended.

155a. In cities and towns, where the whole of the taxes on any land built upon is in arrear for 5 years and such land has not been occupied during such period and the buildings on such land have become or are becoming delapidated and no repairs have been made thereto within said period, and the owner of the land cannot be found or does not reside in Ontario, the treasurer of the municipality may sell the whole parcel, both land and buildings, for the best price that may be offered by the bidders at the sale; and any money obtained by the treasurer as the price of such land and buildings shall be applied and paid by such treasurer in the manner set forth in subsection 1 of section 155 of this Act.

Sale of land  
and build-  
ings where  
unoccupied  
for five years.

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3rd Session, 15th Legislature,  
12 George V, 1922.

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BILL.

An Act to amend The Assessment Act.

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1st Reading,	28th March, 1922.
2nd Reading,	1922.
3rd Reading,	1922.

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MR. HARGROW.

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PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.  
TORONTO.



No. 187.

1922.

# BILL

## An Act to amend The Assessment Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**1.** Subsection 1 of section 109 of *The Assessment Act* is amended by adding at the end thereof the following words:—

Rev. Stat.  
c. 195,  
s. 109 (1)  
amended.

“Provided further that in cases of indigent persons in cities and towns, the council may by by-law enact that no distress be made for taxes upon the goods and chattels of such indigent owners upon their signing a declaration that they are unable to pay and agreeing that the taxes shall remain a lien upon the land with interest at 5% compounded yearly until such time as a settlement is arrived at by sale of the land or otherwise.”

Indigent  
persons.

3rd Session, 15th Legislature,  
12 George V. 1922.

BILL.

An Act to amend The Assessment Act.

1st Reading.	28th March.	1922.
2nd, Reading		1922.
3rd, Reading		1922.

Mr. Ross.  
(Oxford)

TORONTO:

PRINTED BY CLARKSON W. JAMES.

Printer to the King's Most Excellent Majesty.

# BILL

## An Act to amend The Municipal Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**1.** Section 21 of *The Municipal Act* is amended by adding the following as subsection 1a:—

Rev. Stat.  
c. 192,  
s. 21,  
amended.

(1a) In case there are no municipal electors in such part of the adjacent township, no petition shall be required, but notice of such resolution shall be given by the council of such city or town to the above-mentioned councils and also to the owners, if any, of lands in such part of the adjacent township.

Procedure  
when no  
municipal  
electors.

**2.** Section 73a of *The Municipal Act* is amended by striking out the figures "200,000" in the third line and inserting in lieu thereof the figures "100,000."

Rev. Stat.  
c. 192,  
s. 73a,  
amended.

Time for  
nomination  
and polling.

No. 188.

3rd Session, 15th Legislature,  
12 George V, 1922.

BILL.

An Act to amend The Municipal Act.

1st Reading,	28th March, 1922.
2nd Reading,	1922.
3rd Reading,	1922.

MR. HALCROW.

TORONTO:

PRINTED BY CLARKSON W. JAMES,

Printer to the King's Most Excellent Majesty

No. 189.

1922.

# BILL

## An Act respecting Rural School Elections in Police Villages.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**1.** This Act may be cited as *The Police Village School Elections Act, 1922.* Short title

**2.** *The Public Schools Act* is amended by adding thereto the following section: 1920, c. 100, amended.

55a.—(1) Where at a meeting of the electors of a school section which includes a police village it is declared that thereafter the election of school trustees shall be held at the same time and place, and in the same manner as the election of police trustees for a police village, the election of school trustees thereafter in the school section shall be by ballot and shall be held at the same time and in the same manner as nearly as may be, as the election of police trustees. Election of school trustees.

(2) The secretary or secretary-treasurer of the board shall be returning officer at such election and the election shall be conducted in the same manner as nearly as may be as a municipal election. Returning officer.

(3) If objection is taken to the right of any person to vote the oath to be administered shall be that provided in subsection 4 of section 57. Oath.

**3.** This Act shall come into force on the day upon which it receives the Royal Assent. Commencement of Act.

No. 189.

3rd Session, 15th Legislature,  
12 George V, 1922.

BILL.

An Act respecting Rural School Elections  
in Police Villages.

1st Reading,	28th March, 1922.
2nd Reading,	1922.
3rd Reading,	1922.

Mr. MURDOCK.

TORONTO:  
PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.

# BILL

## An Act to amend The Assessment Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**1.** Subsection 8 of section 10 of *The Assessment Act* is amended by adding at the end the following words:—

Rev. Stat.  
c. 195,  
s. 10 (s)  
amended.

“Nor shall any person be assessed in respect of dividends derived by him from shares in the stock of a corporation carrying on a mercantile or manufacturing business and which corporation is subject to assessment under subsection 1.”

**2.** Section 2 of *The Assessment Act* is amended by adding thereto the following as clause (q):—

Rev. Stat.  
c. 195,  
s. 2,  
amended.

(q) “Retail” for the purposes of “Business Assessment” shall include that portion of the premises owned or occupied by a manufacturer or wholesaler, in which sales are made to users or consumers.

**3.** Section 5 of *The Assessment Act* is amended by inserting after paragraph 18, the following paragraphs:—

Rev. Stat.  
c. 195, s. 5,  
amended.

18a. Carrying charges incurred by shareholders to the extent of interest paid on borrowed money on the stock or shares, which provided the dividends shall be allowed as a deduction from the amount of the dividends received.

Carrying  
charges.

Subscriptions  
to charity.

18*b*. Subscriptions to charitable and educational objects shall be allowed as deductions from income to the extent of 15% of such income per annum.

Rev. Stat.  
c. 195, s. 19,  
amended.

4. Section 19 of *The Assessment Act* is amended by striking out the words "within thirty days thereafter" in the fourth line and by substituting therefor the words "on or before the 1st day of February in each and every year"; and by striking out the words "on the day named for that purpose by the assessor or assessment commissioner in the notice" in the ninth and tenth lines; and by inserting after the word "forth" in the sixth line the words "as of the 31st December next preceding."

Returns by  
corporations  
as to  
shareholders.





No. 190.

3rd Session, 15th Legislature,  
12 George V, 1922.

BILL.

An Act to amend The Assessment Act.

1st Reading,	28th March, 1922.
3rd Reading,	1922.
2nd Reading,	1922.

MR. HILL.

TORONTO:  
PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.

# BILL

## An Act to amend The Highway Improvement Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**1.** This Act may be cited as *The Highway Improvement Amendment Act, 1922.* Short title.

**2.** Section 5 of *The Highway Improvement Act* as amended by section 5 of *The Highway Improvement Amendment Act, 1919*, and section 9 of *The Highway Improvement Act, 1920*, is further amended by adding thereto the following subsections: Rev. Stat. c. 40, s. 5; 1919 c. 18, s. 5; 1920, c. 20, s. 9, amended.

(9) The word "Village" as used in this section shall be deemed to have included and does include a police village, but with respect to a police village the by-law shall be passed and the agreement entered into by the township in which such police village is situated for and on its behalf and the cost of the work, over and above the amount paid by the county under the provisions of this Act, including the corporation's portion of the cost of the work, shall be assessed, under and according to the provisions of *The Local Improvement Act*, against the owners to be specially assessed, and against the village at large respectively, according to report of the township engineer. "Village," what to include. Rev. Stat. c. 193.

(10) The township may pass by-laws to raise debentures by debentures payable in not more than twenty years such sums as may be necessary

to meet such excess cost and such debentures shall be considered to be a debt payable by the corporation of the township to the holders of such debentures but the rate for the payment of any debentures so issued shall be levied and collected upon and from the property liable to assessment in the said police village according to the assessment made by the said engineer, and no part of such cost shall be assessed against the township at large.

Application.

- (11) The next preceding subsections shall apply to any work in any police village already undertaken to defray the cost of which it is proposed to issue debentures.

Where work  
passes  
through  
town or  
village.

- (12) Where any work of highway improvement under the provisions of this Act passes through a town or village, including a police village, such town or village and the township in which such police village is situate on behalf of such police village under the provisions of the next three preceding subsections, may, subject to the approval of the Minister and under the provisions of *The Local Improvement Act*, provide for the widening of the pavement to be constructed by the county but subject to the provisions of subsection 7 and the cost of such widening over and above that payable to the corporation under said subsection 7 shall be assessed, levied and collected in the said town, village or police village under the provisions of *The Local Improvement Act* and debentures may be issued for the cost thereof under the provisions of *The Local Improvement Act* and subsections 9, 10 and 11 of this section.

Rev. Stat.  
c. 193.

Commence-  
ment of  
Act.

3. This Act shall come into force on the day upon which it receives the Royal Assent.



No. 191.

3rd Session, 15th Legislature.  
12 George V, 1922.

BILL

An Act to amend The Highway Improvement Act.

1st Reading,	28th March, 1922.
2nd Reading,	1922.
3rd Reading,	1922.

MR. TOLMIE.

TORONTO:  
PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.

No. 192.

1922.

# BILL

An Act to amend The Local Improvement Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. *The Local Improvement Act* is amended by adding thereto the following as section 51a. Rev. Stat.  
c. 193,  
amended.

51a.—(1) The council of a township may undertake on petition only any work other than those referred to in section 51 as a local improvement and by the by-law for undertaking the work may provide that the whole cost shall be specially assessed against the land in any defined section or sections of the township, and that the annual cost of managing and maintaining the work shall be assessed against and levied upon such land, and in the event of such by-law being passed the amount of the reductions provided for by subsection 4 of section 24, and the amount of the exemptions provided for by section 48, shall be assessed against the land in such section or sections liable to be assessed and shall not be paid by the corporation. Township  
may under-  
take work  
and charge  
full cost  
against  
defined area.

(2) Subsection 1 shall apply to any work heretofore or hereafter undertaken by the council of a township. AppHeation  
of section.

No. 192.

3rd Session, 15th Legislature,  
12 George V, 1922.

BILL.

An Act to amend The Local Improvement Act.

1st Reading,	28th March, 1922.
2nd Reading,	1922.
3rd Reading,	1922.

MR. BRACKIN.

TORONTO:  
PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.




# BILL


## An Act to amend The Local Improvement Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

- 1.** *The Local Improvement Act* is amended by adding thereto the following as section 51a. Rev. Stat.  
c. 193,  
amended.

 51a.—(1) The council of a township on petition only may undertake as a local improvement the construction of any work other than those mentioned in section 51 and may in the by-law for undertaking the work provide that that part of the cost which would otherwise be the corporation's portion of the cost shall be levied and collected by a special rate on all the rateable property in any defined section or area and that the remainder of the cost of such work shall be specially assessed against the lots fronting or abutting on the work as provided by this Act, or where the work is the construction of a sidewalk, curb or pavement that the whole cost of it including that part which otherwise would be the corporation's portion of the cost shall be specially assessed on the lots fronting or abutting on the work.

Township  
may under-  
take work  
and charge  
full cost  
against  
defined area.

- (2) Subsection 1 shall apply to any work heretofore or hereafter undertaken by the council of a township.   
Application  
of section.

No. 192.

3rd Session, 15th Legislature,  
12 George V, 1922.

BILL.

An Act to amend The Local Improvement Act.

1st Reading,	28th March, 1922.
2nd Reading,	26th May, 1922.
3rd Reading,	1922.

(Re-printed as amended by the Municipal Committee.)

MR. BRACKIN.

TORONTO:  
PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.

No. 193.

1922.

# BILL

An Act to amend The Land Titles Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**1.** This Act may be cited as *The Land Titles Act, 1922*. Short title.

**2.** Section 148 of *The Land Titles Act* is amended by adding the following subsection:

Rev. Stat.  
c. 126,  
s. 148,  
amended.

(2) Where, however, the fees collected in any such Land Titles Office exceed the expenses thereof, the Treasurer of Ontario shall pay over to the Corporation or Corporations, who would have been liable to make up a deficit, the amount of such excess.

Surplus after  
payment of  
expenses  
of office  
to be  
paid to  
municipality.

No. 193.

3rd Session, 15th Legislature,  
12 George V, 1922.

BILL.

An Act to amend The Land Titles Act

1st Reading,	28th March, 1922.
2nd Reading,	1922.
3rd Reading,	1922.

MR. SMITH.

TORONTO:  
PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.

No. 194.

1922.

# BILL

An Act to amend The Assessment Act.

**H**IS MAJESTY, by and with the advice and consent of  
of the Legislative Assembly of the Province of Ontario,  
enacts as follows:—

1. Clause *a* of subsection 1 of section 10 of *The Assessment Act*, as enacted by section 2 of *The Assessment Amendment Act, 1921*, chapter 67, is hereby repealed.

Rev. Stat.  
c. 195,  
sec. 10, (1)  
cl. (a) as  
enacted by  
1921,  
c. 67, s. 2,  
repealed.

2. This Act shall come into force on the day upon which  
it receives the Royal Assent.

Commence-  
ment of  
Act.

No. 194.

3rd Session, 15th Legislature,  
12 George V, 1922.

BILL

An Act to amend The Assessment Act.

1st Reading,	28th March, 1922.
2nd Reading,	1922.
3rd Reading,	1922.

MR. BRACKIN.

TORONTO:  
PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.

No. 195.

1922.

# BILL

An Act to amend The Municipal Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. Section 291 of *The Municipal Act* is amended by striking out the word “an” in the first line and inserting in lieu thereof the words “a decline or an;” by inserting the words “a heavy premium or at” after the word “at” at the end of the fourth line; by striking out the words “an increased” in the ninth line and inserting in lieu thereof the words “a different;” and by striking out the word “increase” in the tenth line and inserting in lieu thereof the word “change,” so that the section when so amended will read as follows:—

Rev. Stat.  
c. 192.  
s. 291.  
amended.

291. Where, owing to a decline or an advance in the rate of interest between the passing of a money by-law heretofore or hereafter passed, and the sale or other disposal of the debentures, they or any of them cannot be sold or disposed of, except at a heavy premium or at a discount involving a substantial reduction in the amount required to be provided, the council may, with the approval of the Municipal Board, and without submitting the same for the assent of the electors, pass a by-law to amend the first-mentioned by-law, by providing for a different rate of interest, and for a corresponding change in the amount to be raised annually.

Authority  
to change  
rate of  
interest.

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3rd Session, 15th Legislature,  
12 George V, 1922.

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BILL

An Act to amend The Municipal Act.

---

1st Reading,	28th March, 1922.
2nd Reading,	1922.
3rd Reading,	1922.

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MR. CURRY.

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TORONTO:  
PRINTED BY CLARKSON W. JAMES.  
Printer to the King's Most Excellent Majesty.



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No. 196.

1922.

# BILL

An Act to amend The Local Improvement Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**1.** Subsection 1 of section 4 of *The Local Improvement Act* is amended by adding at the end thereof the words: “by an equal special rate per foot of the frontage of such lots sufficient to defray the cost of such private branch drains and connections.”

Rev. Stat.  
c. 193,  
s. 4 (1)  
amended.

No. 196.

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3rd Session, 15th Legislature,  
12 George V, 1922.

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BILL

An Act to amend The Local Improvement  
Act.

---

1st Reading,	28th March, 1922.
2nd Reading,	1922.
3rd Reading,	1922.

---

Mr. CURRY.

---

TORONTO:  
PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.

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No. 197.

1922.

# BILL

An Act to amend The Assessment Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

- 1.** Section 193 of *The Assessment Act* is amended by striking out the words “subject to the provisions of section 194” in the first line. Rev. Stat.  
c. 195,  
s. 193,  
amended.
- 2.** Section 194 of *The Assessment Act* is hereby repealed. Rev. Stat.  
c. 195,  
s. 194,  
repealed.

No. 197.

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3rd Session, 15th Legislature,  
12 George V, 1922.

---

BILL

An Act to amend The Assessment Act.

---

1st Reading,	28th March, 1922.
2nd Reading,	1922.
3rd Reading,	1922.

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Mr. HALL.

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TORONTO:  
PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.

# BILL

## An Act respecting the Town of Cobourg.

**W**HEREAS the Corporation of the Town of Cobourg has, Preamble.  
by its Petition, represented that it is desirable and necessary in the public interest to lay down and construct certain pavements in the said Town, including that part of King Street which forms part of The Provincial Highway known as the Kingston Road, under the provisions of *The Local Improvement Act*, and to pay for the same by the issue of debentures; and whereas, by 61 Vic., chapter 39, as amended by 1 Edw. VII. Chapter 49, the amount of Local Improvement Debentures which the said Corporation may have outstanding at any one time is limited to the sum of \$30,000; and whereas the said Corporation has prayed that an Act may be passed authorizing said work and the issue of debentures of the said Corporation to provide the funds for defraying the cost thereof, notwithstanding the provisions of the above-mentioned statutes; and whereas it is expedient to grant the prayer of the said petition:

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. Notwithstanding the provisions contained in 61 Viet., cap. 39 and 1 Edw. VII, cap. 49, limiting the amount of Local Improvement Debentures which the Corporation of the Town of Cobourg may have outstanding at any one time, the Council of the Town of Cobourg may lay out and construct certain pavements under the provisions of *The Local Improvement Act* and borrow money for defraying the cost thereof by the issue of debentures not exceeding the sum of \$150,000.

Authority to construct pavements and issue debentures for \$150,000 under provisions of Rev. Stat. c. 195.

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3rd Session, 15th Legislature,  
12 George V, 1922.

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BILL

An Act respecting the Town of Cobourg.

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1st Reading,	1922.
2nd Reading,	1922.
3rd Reading,	1922.

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(*Private Bill.*)

MR. CLARKE.

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TORONTO:  
PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.

# BILL

## An Act respecting the Town of Cobourg.

**W**HEREAS the Corporation of the Town of Cobourg has, Preamble.  
by its Petition, represented that it is desirable and necessary in the public interest to lay down and construct certain pavements in the said Town, including that part of King Street which forms part of The Provincial Highway known as the Kingston Road, under the provisions of *The Local Improvement Act*, and to pay for the same by the issue of debentures; and whereas, by 61 Vic., chapter 39, *section 3*, as amended by 1 Edw. VII, Chapter 49, *section 1*, the amount of Local Improvement Debentures which the said Corporation may have outstanding at any one time is limited to the sum of \$30,000; and whereas the said Corporation has prayed that an Act may be passed *repealing* the *said* provisions of the above mentioned statutes; and whereas it is expedient to grant the prayer of the said petition:

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

 **1.** Section 3 of *An Act respecting the Consolidated Debt of the Town of Cobourg* passed in the sixty-first year of the reign of Her late Majesty, Queen Victoria, chaptered 39, as amended by 1 Edw. VII, Chapter 49, *section 1*, is repealed. 61, V, c. 39,  
s. 3, as  
amended  
by 1 Edw. VII,  
c. 49, s. 1,  
repealed.



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3rd Session, 15th Legislature,  
12 George V, 1922.

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BILL

An Act respecting the Town of Cobourg.

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1st Reading.	April 7th, 1922.
2nd Reading.	1922.
3rd Reading.	1922.

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(*Reprinted as amended by the Private  
Bills Committee.*)

MR. CLARKE.

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TORONTO:  
PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty



No. 199.

1922

# BILL

An Act to amend The Pharmacy Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**1.** Clause (a) of section 28 of *The Pharmacy Act* is amended by inserting after the word “quinine” in the eleventh line thereof the words “hydrogen peroxide.” Rev. Stat. c. 164, s. 28, cl. (a), amended.

**2.** This Act shall come into force and take effect on the 1st day of July, 1922. Commencement of Act.

No. 199.

3rd Session, 15th Legislature,  
12 George V, 1922.

BILL

An Act to amend The Pharmacy Act.

1st Reading,	29th March, 1922.
2nd Reading,	1922.
3rd Reading,	1922.

MR. HONOUR.

TORONTO:  
PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.

No. 200.

1922

# BILL

An Act to amend The Municipal Drainage Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Subsection 1 of section 80 of *The Municipal Drainage Act* is amended by inserting after the word "affected," in the third line thereof, the words "or in respect of whose property injury is reasonably apprehended."

Rev. Stat.  
c. 198,  
s. 80, (1),  
amended.

3rd Session, 15th Legislature,  
12 George V. 1922.

BILL

An Act to amend The Municipal  
Drainage Act.

1st Reading,	29th March, 1922.
2nd Reading,	1922.
3rd Reading,	1922.

MR. TOLME.

No. 201.

1922.

# BILL

## An Act to amend The Assessment Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**1.** Subsection 1 of section 33 of *The Assessment Act* is repealed and the following substituted therefore:—

Rev. Stat.  
c. 195, s. 33,  
subs. 1,  
repealed.

- (1) The assessors of every municipality shall enter in a book, Form 4, to be provided by the clerk of the municipality the name, age and residence of every child between the age of 5 and 8 years, 8 and 14 years, 14 and 16 years, 16 and 18 years, resident in the municipality, the name and residence of such child's parent or guardian, with an indication as to whether such parent or guardian is a public or separate school supporter, and shall return said book to the clerk of the municipality with the assessment roll for the use of the school attendance officer and others.

School  
census.

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3rd Session, 15th Legislature,  
12 George V, 1922.

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BILL

An Act to amend The Assessment Act.

1st Reading,	29th March, 1922.
2nd Reading,	1922.
3rd Reading,	1922.

Mr. GRANT.

## BILL

An Act to amend The Upper Canada College Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**1.** This Act may be cited as *The Upper Canada College Short title Act, 1922.*

**2.** *The Upper Canada College Act*, is amended by adding at the end of clause (e) of section 18, the following words: 18 cl. e,  
Rev. Stat. c. 280, s. amended.

"and if the Board deem it necessary from time to time or at any time to borrow moneys to meet expenditures for the objects contemplated by this clause, borrow to the extent of \$100,000, upon the security of a mortgage or mortgages upon the lands and property of Upper Canada College, either as direct security for such borrowings or for security for any bonds or obligations representing the said borrowings which the Board may think proper to issue or secured in any other way which the Board may approve, and such moneys may be borrowed for such time or times and at such rates of interest as the Board shall approve."

**3.** This Act shall come into force on the day upon which it receives the Royal Assent.  
ment of Act. Commence-

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3rd Session, 15th Legislature,  
12 George V. 1922

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BILL

An Act to amend The Upper Canada  
College Act.

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1st Reading,	30th March, 1922.
2nd Reading,	1922.
3rd Reading,	1922.

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MR. GRANT.

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**TORONTO:**  
PRINTED BY CLARKSON W. JAMES.  
Printer to the King's Most Excellent Majesty.



# BILL

An Act to interpret and amend ~~the~~ The Veterans' Land Grant Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**1.** This Act may be cited as *The Veterans' Land Grant Act, 1922.* Short title.

**2.—(1)** It is declared that under and by virtue of *The Veterans' Land Grant Act* and amendments thereto,— Meaning of 1901, c. 6, declared.

- (a) where any of the persons mentioned in clauses *a, c, d, f* or *g* of section 2 of *The Veterans' Land Grant Act* are deceased, the next of kin, if any, of the person so deceased, are entitled to be located for lands under the said Act; Rights of next of kin.
- (b) where more than one person is so entitled as next of kin, a location may be made to any one of the next of kin to whom the other or others of the next of kin may have transferred his or their rights by instrument in writing; Where one of the next of kin is assignee.
- (c) where a location has been made under the provisions of the said Act and more persons than one have a vested interest in the lands so located, as next of kin as provided for in section 2 of the said Act, or as heirs, executors or administrators of a locatee, or as a devisee, if such devisee is one of the next of kin of the testator, upon a transfer by instrument in writing to any one or Transfer of claims of next of kin and issue of patent to transferee.

more of such persons, or the rights of the other or others of them, a patent may issue to the person or persons to whom such transfer has been made;

When unpatented lands to become subject to settlement duties.

(d) where upon the expiration of the period of ten years from the date of the location of lands located under the said Act, such lands remain unpatented they shall be subject to the performance of settlement duties and to taxes in the same manner as if they had been located under the provisions of *The Public Lands Act* and the regulations made thereunder.

Amendments 1901, c. 6, retroactive.

(2) *The Veterans' Land Grant Act* and amendments thereto shall be read and construed as if the provisions of subsection 1 had been expressly enacted at the time of the passing of the said Act.

1901, c. 6, amended.

**3.** *The Veterans' Land Grant Act* is amended by adding thereto the following sections:

Issue of patent not withstanding non-performance of settlement duties.

21. Notwithstanding the non-performance of settlement duties upon land located under this Act, a patent may, at any time before the 1st day of May, 1923, and without the performance of settlement duties, be issued to any person who would have been entitled to the issue of such patent within a period of ten years from the date of such location.

No location after 30th April, 1923.

22. No land shall be located under this Act after the 30th day of April, 1923.

Commencement of Act.

**4.** This Act shall come into force on the day upon which it receives the Royal Assent.



No. 204.

3rd Session, 15th Legislature,  
12 George V, 1922.

BILL

An Act to interpret and amend The  
Veterans' Land Grant Act.

1st Reading,	5th April, 1922.
2nd Reading,	1922.
3rd Reading,	1922.

Mr. Bowman.

# BILL

## An Act to amend The Motor Vehicles Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario enact as follows:

**1.** Subsection 3, of section 9, of *The Motor Vehicles Act*, as enacted by 11 Geo. V, Chap. 72. Sec. 3, is amended by inserting after the word "vehicle" in the fifth line the words "unless such lamp has an attachment which, when the lamp is adjusted to project the rays directly ahead of the vehicle, prevents any portion of the parallel beam of reflected light from being projected contrary to the provisions of subsection 4" so that the section when so amended will read as follows:

Rev. Stat.  
c. 207,  
s. 9, (3)  
as enacted  
by 11 Geo. V,  
c. 72,  
s. 3,  
amended.

- (3) It shall be unlawful to carry on any motor vehicle on a highway any lamp which revolves upon a pivot or other device so that the rays of such light may be projected in different directions by an occupant of the vehicle, unless such lamp has an attachment which, when the lamp is adjusted to project the rays directly ahead of the vehicle, prevents any portion of the parallel beam of the reflected light from being projected, contrary to the provisions of subsection 4, but this shall not prevent a motor vehicle of a municipal fire department from carrying such a lamp for use only at the actual scene of a fire.

Prohibition  
against  
lights  
revolving  
on pivot—  
exceptions.

No. 205.

3rd Session, 15th Legislature,  
12 George V, 1922.

BILL

An Act to amend The Motor Vehicles Act.

1st Reading	5th April,	1922.
2nd Reading,		1922.
3rd Reading,		1922.

Mr. BRACKIN.

# BILL

## An Act to amend The Constables Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**1.** This Act may be cited as *The Constables Act, 1922*. Short title.

**2.—(1)** Section 8 of *The Constables Act* is repealed and the following substituted therefor: Rev. Stat. c. 94, s. 8, repealed.

**8.—(1)** There shall be a High Constable for every county, and the council of the county shall appropriate such sums for the expenses of the office of High Constable and for supplying him with arms, accoutrements, clothing and other necessities as may be required by regulations prescribed under the authority of this Act. High Constable in every county.

**(2)** Except where there is a High Constable appointed under the provisions of subsection 3. the sheriff of the county shall be High Constable for the county, and where the sheriff is High Constable, in case of his absence or illness or during a vacancy in the office of sheriff, the deputy sheriff shall have all the powers and perform the duties of a High Constable. When sheriff to act.

**(3)** The council of every county may at the first meeting of the council in the year 1923, and at its first meeting in each year thereafter, appoint by by-law a High Constable for the county, and the council may provide for the remuneration of the High Constable by salary or otherwise. Appointment annually by county council.

Term of  
office.

- (4) A High Constable appointed under subsection 3 shall hold office for one year only but may be re-appointed in any subsequent year.

Vacancy  
in office.

- (5) Where a High Constable has been appointed by the council of a county and the person so appointed dies, or vacates his office, or becomes incapable of acting, the council of the county may at its first regular meeting thereafter appoint a successor who shall hold office for the remainder of the current year and until such appointment is made, or on failure to make such appointment the sheriff of the county shall act as High Constable for the remainder of the the year.

Remunera-  
tion of  
sheriff.

- (6) The Lieutenant-Governor in Council may direct the payment to a sheriff out of the Consolidated Revenue Fund of a sum not exceeding \$500 per annum as a remuneration for his duties as High Constable.

Commence-  
ment of  
section.

- (2) This section shall come into force on the 1st day of January, 1923.

Rev. Stat.  
c. 94,  
amended.

- 3.** *The Constables Act* is amended by adding thereto the following section:

Regulations  
as to High  
Constables  
and con-  
stables.

- 11a—(1) The Lieutenant-Governor in Council may make regulations.—

- (a) prescribing, subject to any general statute, the duties of High Constables and county constables;
- (b) respecting the arms, accoutrements, clothing and equipment to be furnished to High Constables;
- (c) respecting the location and regulation of the office of a High Constable and the accommodation to be furnished therein;
- (d) prescribing the records, returns, books and accounts to be kept and made by or in the office of the High Constable;
- (e) respecting the holding of investigations into charges against High Constables or constables;



(f) prescribing the method of accounting for the fees of High Constables or constables and the records to be kept by them of all fees and costs collected or taken;

(g) generally for the better carrying out of the provisions of this Act.

(2) Any regulation made under the authority of subsection 1 may be either general or particular in its application. Regulations may be general or particular.

4. Subsection 3 of section 17 of *The Constables Act* is repealed and the following substituted therefor: Rev. Stat. c. 94, s. 17, subs. 3, repealed.

(3) The force shall consist of such officers, clerks and members as may be prescribed by the regulations and every officer and member of such force shall have authority to act as a constable throughout Ontario and shall be deemed to be a provincial constable. Ontario Provincial Police Force.

5. Subsection 4 of section 17 of *The Constables Act* is amended by striking out all the words therein after the words "Ontario Provincial Police Force" in the seventh line. Rev. Stat. c. 94, s. 17, subs. 4, amended.

6. Section 17 of *The Constables Act* is amended by adding thereto the following subsections: Rev. Stat. c. 94, s. 17, amended.

(4a) Any money appropriated by the Legislature for the purpose of enforcing or preventing the contravention of the laws of the Province of Ontario or the Dominion of Canada, or of any regulation made thereunder shall be known as the "Law Enforcement Fund" and payments from the said Fund from time to time shall be made under the direction of the Attorney General to such officers and persons and for such purposes as he may think proper, to be expended in such law enforcement, including the salaries and expenses of the officers, members and clerks of the Provincial Police Force. Law Enforcement Fund.

Payments  
out of  
Fund.

(4b) The certificate or order of the Attorney General that any sum of money is required to be paid out of the said Fund shall be sufficient authority for the issue of a cheque by the Treasurer of Ontario for the amount named in such certificate or order, and the officer or other person to whom such cheque is issued shall account to the Attorney General for the proper disbursement of the amount received by such officer or other person whose approval of same shall be final.

Rev. Stat.  
c. 94, s. 17,  
subs. 6,  
amended.

**7.** Subsection 6 of section 17 of *The Constables Act* as re-enacted by section 5 of *The Provincial Police Force Act, 1921*, is amended by striking out the last line in the said subsection and substituting therefor the word and figures "section 15."

Rev. Stat.  
c. 94, s. 19,  
amended.

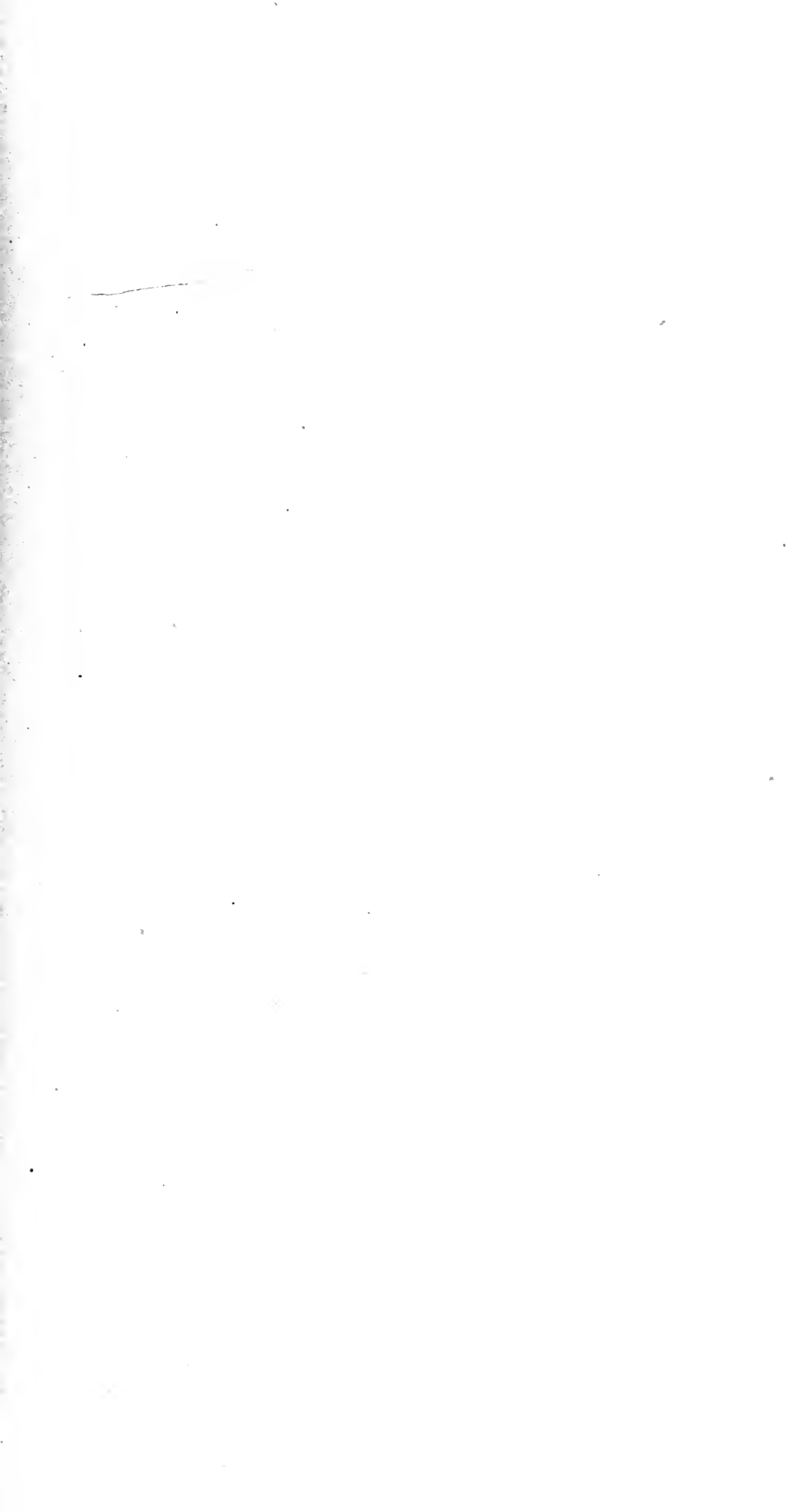
**8.** Section 19 of *The Constables Act* is amended by striking out the words "Superintendent of the Ontario Provincial Police Force" where they occur in the second and third lines thereof, and substituting therefor the words "Commissioner of Police for Ontario."

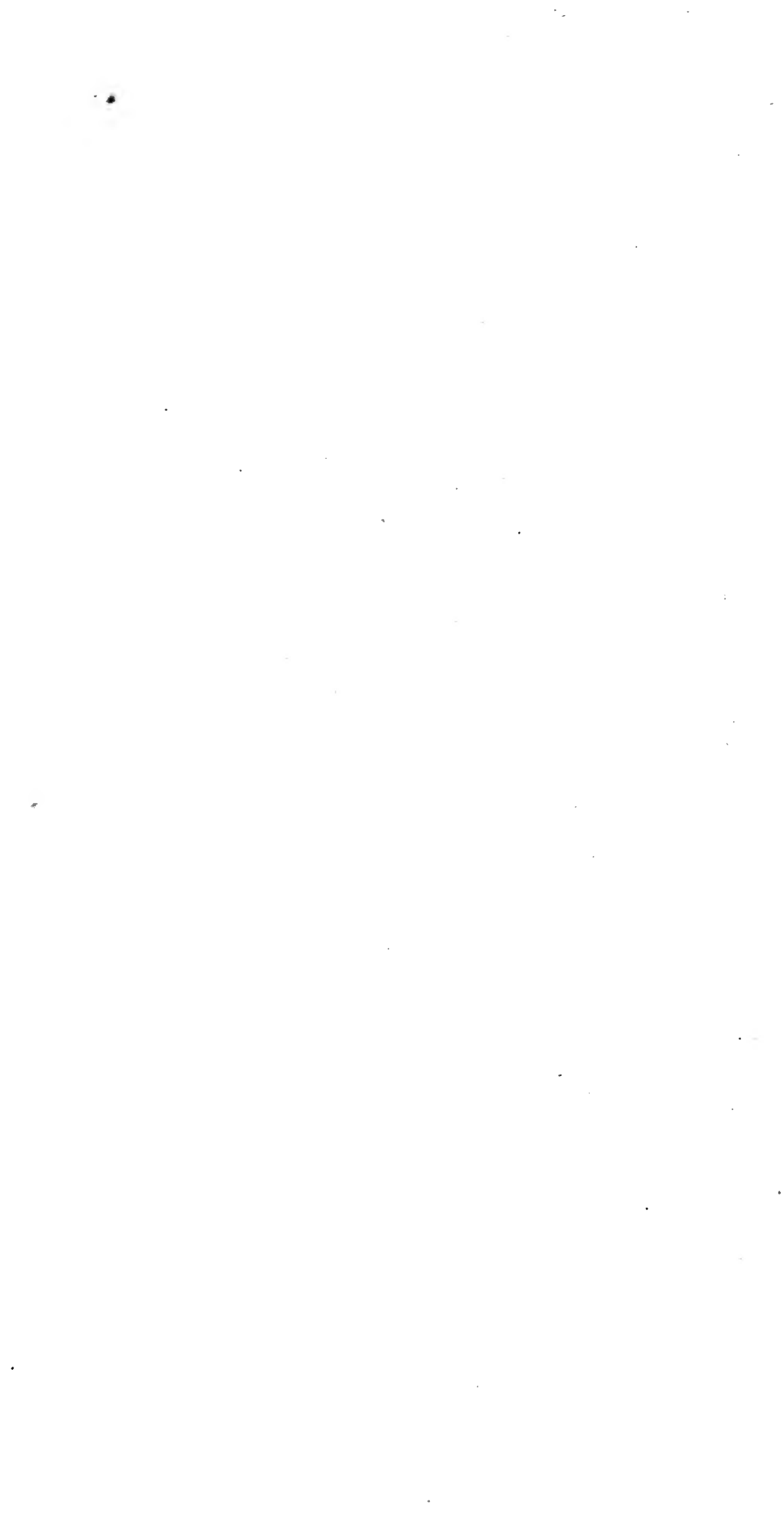
1916, c. 50,  
repealed.

**9.** Section 117 of *The Ontario Temperance Act* is repealed.

Commence-  
ment of Act.

**10.** Except as otherwise provided this Act shall come into force and take effect on the day upon which it receives the Royal Assent.







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3rd Session, 15th Legislature,  
12 George V, 1922.

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BILL

An Act to amend The  
Constables Act.

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1st Reading,	4th April, 1922.
2nd Reading,	1922.
3rd Reading,	1922.

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MR. RANNEY.

# BILL

## An Act for the Better Prevention of Certain Commercial Agreements.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**1.** This Act may be cited as *The Commercial Agreements Act, 1922.* Short title.

**2.** In this Act:

Interpreta-  
tion.

- (a) "Agreement" shall include contract, arrangement, understanding, combination and conspiracy whether written, verbal or tacit and the verb "agree" and its parts shall have a corresponding meaning. "Agreement"
- (b) "Article" shall mean and include any article or commodity which is, or may be, the subject of purchase, sale, barter, rent, hire or use in Ontario. "Article".
- (c) "Person" shall include firm, partnership, association and corporation. "Person".

**3.** Every agreement entered into between the vendor and purchaser of any article, or by either or both with any third person, the object or effect of which is to establish, set or maintain any stated, fixed or common re-sale price of such article, or re-sale price which may later become stated, fixed or common is hereby declared to be unlawful, and shall be null and void.

Agreements  
for re-sale at  
fixed prices.

Agreements  
as condition  
of purchase.

4. Every agreement entered into by any person engaged in trade, commerce or manufacture in Ontario with any other person as a condition of purchase of any article that such other person,

Fixing re-sale  
price.

(a) Shall not sell or lease such article except at or upon or at not less than any stated, fixed or common price, or price which may later become fixed or common;

Giving bonus.

(b) Shall receive or be or become entitled to any bonus, discount, rebate, reduction in price, prize, right or privilege, or any concession or reward whatsoever by reason of such other person undertaking to re-sell or having re-sold such article at any stated, fixed or common price, or price which may later become stated, fixed or common;

Providing  
penalty.

(c) Shall pay, or be subject to, or be or become liable for any penalty, increased cost, loss, expense, deduction, disadvantage or disability whatsoever by reason of such other person not undertaking to re-sell or not having re-sold such article at any stated, fixed or common price;

is hereby declared to be unlawful, and shall be null and void.

Agreements  
not to deal.

5 Every agreement entered into by any person engaged in trade, commerce or manufacture in Ontario that such person will not deal with any other person, or class of persons, for the reason, whether stated or not, that such last mentioned person has failed, or would or might fail to observe or maintain or abide by any stated, fixed or common re-sale price is hereby declared to be unlawful, and shall be null and void.

Threefold  
damages.

6.—(1) Any person entering into any agreement, declared by this Act to be unlawful, whether within or without Ontario, shall be liable to any other person not party thereto who is injured thereby or in consequence thereof within Ontario to three-fold the damages suffered by the person so injured.

Action for  
recovery of  
damages.

(2) An action for the recovery of such damages may be brought in any court of competent jurisdiction notwithstanding that the amount recovered may be within the competency of an inferior court.



**7.** Money owed as a result of any such agreement, or transactions in consequence thereof, and any money or money's worth received in compliance with or in consequence of any such agreement as is mentioned in clauses (b) and (c) of section 4, and shall be forfeited to the Crown as part of the Consolidated Revenue Fund of Ontario, and in any action or proceeding for the recovery thereof shall, with or without the intervention of the Attorney-General, be so declared by the court.

**8.** The Attorney-General may, at any stage of any such action or proceeding, as is mentioned in sections 6 and 7 hereof, be added as a party thereto claiming such forfeiture and the money forfeited and the penalties provided in section 9 hereof.

**9.** Every person who shall be a party to any such agreement shall forfeit to the Crown in an action by the Attorney-General, or by any person bringing action with the written consent of the Attorney-General, or under the direction of the court as provided in clause (b) of section 10, the sum of \$500 for every sale, rental, lease or other transaction arising out of such agreement or such lesser sum as the court in its discretion may award, and costs.

**10.** The court may in any action by whomsoever brought, including the Attorney-General, if any such agreement is found to exist or to have existed,—

- (a) Declare such agreement to be unlawful in accordance with this Act, and to be null and void from the making thereof; Declaring unlawful.
- (b) Direct an action to be taken against any party to such agreement who is not already before the court; Directing action.
- (c) Make such order as the circumstances may require to prevent the parties to such agreement, or any of them, entering into, undertaking or carrying out the terms of such agreement, or any similar agreement; Issuing injunction.
- (d) Order the payment to the Crown of any money, or of an amount equal to the value of any money's worth, which shall have been declared by the Court to be forfeited to the Crown in accordance with this Act; Payment of forfeit.
- (e) Make such order as to costs as it may deem proper. Costs.

**11.** This Act shall come into force on the 1st day of July, 1922. Commencement.

No. 207.

3rd Session, 15th Legislature,  
12 George V, 1922.

BILL

An Act for the Better Prevention of  
Certain Commercial Agreements.

1st Reading,	6th April,	1922.
2nd Reading,		1922.
3rd Reading,		1922.

Mr. RANEY.

TORONTO:  
PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.

# BILL

## An Act to amend The Town Sites Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**1.** This Act may be cited as *The Town Sites Amendment Act, 1922*. Short title.

**2.** Section 2 of *The Town Sites Act* is repealed and the following substituted therefor:— Rev. Stat. c. 34, s. 2, repealed.

(1) Subject to the provisions of subsection 2, where any lot or parcel of Crown Land sold, leased, located or staked out under any Act of this Legislature subsequent to the 19th day of March, 1910, is hereafter laid out as a town site or subdivided into lots or parcels for town village, park or summer resort purposes, one-quarter in acreage of all the lots or parcels shown on such plan or subdivision shall become the property of and be vested in the Crown. Right of Crown to one-quarter of lots.

(2) Where any land so laid out as a town site, or so subdivided had been sold, leased, located or staked out under *The Mining Act of Ontario*, the ores and minerals under the surface of the land thus vested in the Crown, shall remain the property of and be vested in the person by whom the said town site is laid out or land so subdivided and by all persons claiming under him. Ores and minerals.

**3.** This Act shall come into force on the 1st day of July, 1922. Commencement of Act.

No. 208.

3rd Session, 15th Legislature,  
12 George V, 1922.

BILL

An Act to amend The Town Sites Act.

1st Reading,	6th April,	1922.
2nd Reading,		1922.
3rd Reading,		1922.

Mr. BOWMAN.

TORONTO:  
PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.

# BILL

## An Act respecting the Sale of Securities.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

### SHORT TITLE.

**1.** This Act may be cited as *The Sale of Securities Act*, Short title.  
1922.

### INTERPRETATION.

**2.—(1)** In this Act,

Interpretation

- (a) "Broker" shall mean any person other than a salesman who engages, either for all or part of his time, directly or through an agent, in the business of offering for sale, selling or otherwise dealing in securities issued by another person, or of underwriting any issue of securities or of purchasing or otherwise acquiring such securities from another person with the purpose of reselling them or offering them for sale to the public for a commission or at a profit. "Broker."
- (b) "Commissioner" shall mean the Commissioner of Securities. "Commissioner."
- (c) "Director" shall include a provisional director or a proposed director of a company and, in the case of an issuer other than a company, shall include a trustee, governor, member of an executive committee, and any other person acting in a capacity similar to a director. "Director."

"fraud"  
"fraudulent  
act."

(d) "Fraud," "fraudulent" and "fraudulent act" shall include,

(i) Any fictitious or pretended purchase or sale of securities;

(ii) Any promise, representation or prediction as to the future not made in good faith;

(iii) The gaining or attempt to gain directly or indirectly through the sale of any securities of a commission, fee or profit so large that the solvency of the issuer of the securities is thereby endangered, and any scheme, device or artifice to obtain such a commission, fee or profit;

"Issuer."

(e) "Issuer" shall include every person who issues, or has issued or proposes to issue, any security sold or to be sold or offered or to be offered for sale to the public in Ontario;

"Minister."

(f) "Minister" shall mean that Member of the Executive Council to whom, for the time being, the administration of this Act is assigned by the Lieutenant-Governor in Council;

"Person."

(g) "Person" shall include a company, corporation, partnership, association, syndicate, trust and organization, incorporated or unincorporated, except a municipal or school corporation;

"Sale."

(h) "Sale" shall include an agreement for sale;

"Salesman."

(i) "Salesman" shall include every person employed, appointed or authorized by a broker to sell securities;

"Security."

(j) "Security" shall include any share, stock, bond, debenture, debenture stock, investment contract, certificate or other evidence of an interest in the property or undertaking of the issuer;

- (k) "Underwriter shall include a sub-underwriter and any other person who, acts or aids in the sale of securities to the public on behalf of the issuer, underwriter or sub-underwriter." "Underwriter."

(2) If an issuer or any officer, agent or broker or any person employed or authorized by the issuer for that purpose, directly or indirectly invites or solicits either orally or by a prospectus, advertisement, circular or other means, any other person to apply or subscribe for or to buy or otherwise acquire any securities of the issuer, or if any underwriter or broker or any person who has subscribed for or to whom has been assigned or allotted a substantial portion of any issue of securities invites or solicits, within a period of one year from the date of issue of the securities, any person to apply or subscribe for or to buy or otherwise acquire any of such securities, the securities shall for the purposes of this Act be deemed to be offered to the public. *See R.S.O. c. 178, s. 99, (3).* Definition of "Offer to the public."

## PART I.

### COMMISSIONER OF SECURITIES.

3.—(1) The Lieutenant-Governor in Council may appoint an officer to be known as the Commissioner of Securities and may appoint such other officers, clerks and employees as are necessary for the administration of this Act. Commissioner of Securities.

(2) The Commissioner shall act under the direction of the Minister. Administration of Act.

4.—(1) The Commissioner may institute and prosecute any action or proceeding for the enforcement of any provision of this Act and for the conviction of any persons guilty of fraud in connection with the issue, sale or offer for sale of any securities. Commissioner may take action.

(2) The Commissioner shall not incur any liability for anything done or not done in the performance or intended or suppose performance of his duties under this Act. Liability of Commissioner.

(3) No action shall be brought against the Commissioner without a fiat of the Attorney General. Fiat.

(4) Any person, who in good faith, communicates to the Commissioner any information respecting the issue or sale of securities, believing such information to be true, shall not incur any liability by reason of such communication. Communications made in good faith.

Investigation  
of securities.

**5.**—(1) The Commissioner may, in his discretion, investigate the issue, sale or offer for sale of any securities.

Powers of  
Commissioner.

(2) For the purpose of such investigation, the Commissioner shall have the same power to summon and enforce the attendance of witnesses, and to compel them to give evidence on oath and produce documents and things, as is vested in any court in civil cases.

Order pro-  
hibiting sale.

**6.**—(1) If it appears to the Commissioner that the issue sale or offer for sale of any securities is or may be fraudulent or that any person has committed or is about to commit a fraud in connection therewith, he may issue an order prohibiting the sale or offer for sale of such securities.

Service.

(2) A copy of the order may be served upon such persons as the Commissioner may direct.

Publication.

(3) Every order made under this section, and every order rescinding or varying any such order, shall be published forthwith in the *Ontario Gazette*, and in such newspapers or periodicals and otherwise as the Commissioner may direct.

Effect of  
order.

**7.**—(1) No person who has been served with a copy of an order made under the preceding section, or who has knowledge of the issue of such order, shall thereafter issue, sell or offer for sale any securities named in the order.

Voidance  
of sales.

(2) After the issue of the order, every sale of securities named in such order, made while such order is in force shall be voidable at the election of the purchaser.

Advertise-  
ments.

**8.** No printer, publisher, newspaper proprietor or other person shall print, publish or advertise in any newspaper, magazine or other periodical, printed or published in Ontario, or shall otherwise issue, put forth or distribute in Ontario, or shall otherwise issue put forth or distribute in Ontario, any advertisement, circular, letter or other document containing an offer to sell, or solicitation to purchase, or announcement of the issue of any security the sale of which has been prohibited by order of the Commissioner.



9. If the Commissioner is of opinion that any securities <sup>Advertising fraudulent securities.</sup> which are being issued, sold or offered for sale within Ontario are fraudulent, he may, in his discretion, publish by advertisement or in any other manner, information respecting such securities or warning against the purchase thereof or an invitation to any prospective purchaser to apply to the Commissioner for information in regard thereto.

10.—(1) Subject to subsection 2 hereof, all documents <sup>Inspection of documents.</sup> filed in the office of the Commissioner under the provision of this Act shall be open to public inspection.

(2) The Commissioner may, in his discretion, place on a <sup>Documents not open to inspection.</sup> separate file, not open to public inspection except on his special order, any document which, in his opinion, in justice to persons filing the same or concerned therein, should not be made public.

(3) The Commissioner shall, on application therefor and <sup>Copies of documents.</sup> on payment of the cost of making such copies, furnish copies of all documents open to public inspection.

11. A certificate or certified copy of any order or decision of the Commissioner, given under his hand and official <sup>Certificate and certified copy.</sup> seal shall be received in all courts as evidence of the facts stated in such certificate or certified copy.

## PART II

### STATEMENT

12.—(1) Every issuer of securities, before selling or <sup>Issuer to file statement with Commissioner</sup> offering for sale to the public any of such securities shall file with the Commissioner a statement, in duplicate, signed and verified as hereinafter required and dated, setting forth,

- (a) The name of the issuer and the address <sup>Name and address.</sup> of the principal and head office of the issuer;
- (b) If the issuer is an individual, his occupation <sup>Occupation or constitution.</sup> and if the issuer is not an individual particulars of the act or instrument under which the issuer is constituted;

Location of undertaking.	(c) The location or the proposed location of the undertaking of the issuer;
Names and addresses of directors.	(d) The names, addresses and occupations of the directors, principal officers, proposed principal officers or other persons acting in similar capacities;
Nature of business.	(e) The nature of the business or proposed business of the issuer and if the issuer is a corporation a concise statement of its powers and objects;
Capital.	(f) The authorized capital, the issued capital, the paid up capital and the amount and particulars of all securities which are a charge on the assets and undertaking of the issuer;
Classes of securities issued.	(g) The number and classes of securities into which the capital is divided; a description of the respective voting rights, preferences, rights to dividends, profits or capital of each class with respect to each other class;
Amount of issue and minimum subscription.	(h) The amount of the issue and the minimum subscription on which the issuer may proceed to allotment, which shall not be less than an amount stated by the signatories to the statement to be reasonably sufficient for the purpose of the issue;
Terms of subscription.	(i) The terms of the subscription agreement or application including the amount payable on application, on allotment and otherwise;
Purposes of issue.	(j) Details of the purposes and uses to which the proceeds of the issue will be principally applied;
Organization and other expenses.	(k) If the issuer has not been carrying on business for more than three years, the amount or the estimated amount of preliminary and organization expenses and the names and addresses of and the amounts paid or payable to any person in consideration of the organization or promotion of the undertaking of the issuer or for the sale of the securities, and particulars of the services rendered by such person;

- (l) If the issuer has been carrying on business for more than three years, the names and addresses of and the amounts paid or payable to any person in consideration of the issue, sale or offer for sale of the securities, and particulars of the services rendered by such persons: Particulars of expenses of issue and sale.
- (m) The amount and description of securities issued or proposed to be issued as fully or partly paid, for consideration other than cash, and particulars of such consideration; Securities issued for consideration other than cash.
- (n) The names and addresses of the vendors of any property purchased or acquired or proposed to be purchased or acquired, which is to be paid for wholly or partly out of the proceeds of the issue, or the purchase or acquisition of which has not been completed at the date of the statement, and details of the amount payable in cash, securities or otherwise to the vendor, and where there is more than one vendor or the issuer is a sub-purchaser, the amount so payable to each vendor; but where the vendors, or any of them, are a firm, the members of the firm shall not be treated as separate vendors: Vendors of property purchased.
- (o) The amount, if any, paid or payable as purchase money in cash, securities or otherwise for any property mentioned in the next preceding clause, specifying the amount, if any, paid or payable for good will and the nature of the interest of the issuer in such property, stating whether it is absolute or conditional ownership, under lease, option to purchase, or license of occupation: Amounts payable for property purchased.
- (p) The dates of and parties to every material contract, and a reasonable time and place at which any material contract or a copy thereof may be inspected: provided that this requirement shall not apply to a contract entered into in the ordinary course of the business carried on or intended to be carried on by the issuer, or to any contract entered into more than three years before the date of the statement: Material contracts.

Particulars  
of interest  
of Directors.

- (q) Full particulars of the nature and extent of the interest, if any, of every director in the promotion of or in the property proposed to be acquired by the issuer, or where the interest of such director consists in being a partner in a firm, the nature and extent of the interest of the firm, with a statement of all sums paid or agreed to be paid to him or to the firm in cash or shares or otherwise by any person either to induce him to become, or to qualify him as, a director or otherwise for services rendered by him or the firm in connection with the promotion or formation of the issuer;

Auditors.

- (r) The names and addresses of the auditors.

Copy of  
statement to  
Provincial  
Secretary

- (2) The Commissioner shall transmit one copy of the statement to the Provincial Secretary.

If issuer  
is not in  
Ontario  
statement may  
be filed by  
a broker.

- (3) If an issuer, not domiciled in Ontario, has failed to file the statement required by subsection 1, the statement may be filed by a broker who intends to sell or offer for sale the securities of the issuer.

Interpretation  
"Vendor"

- (4) For the purposes of this section, the word "vendor" shall include a person who has entered into a contract, absolute or conditional, for the sale or purchase, or for an option of purchase of any property to be acquired by the issuer where,

- (a) The purchase money is not fully paid at the date of the statement; or.

- (b) The purchase money is to be paid or satisfied wholly or partly out of the proceeds of the issue offered for sale; or.

- (c) The contract depends for its validity or fulfilment on the result of such issue.

"Vendor."

- (5) Where any of the property to be acquired by the issuer is to be taken on lease, this section shall apply as if the expression "vendor" included the lessor and the expression "purchase money" included the consideration for the lease, and the expression "sub-purchaser" included a sub-lessee. See R.S.O. c. 178, s. 104: See also *Imp. Act, 1908* c. 69, ss. 80, 81.

"Purchase  
money."  
"Sub-pur-  
chaser."

**13.**—(1) If the issuer is a corporation, the statement shall be signed by every director, named therein, and the facts set forth in the statement shall be verified by affidavit of a responsible officer, or a person having knowledge of the facts and having a substantial interest in the corporation or its undertaking. Verification of statement where issuer a corporation.

(2) If the issuer is a partnership, the statement shall be signed by every partner or proposed partner, and the facts set forth in the statement shall be verified by affidavit of at least one of such partners or proposed partners. Partnership.

(3) If the issuer is an individual, the statement shall be signed by the issuer, and the facts set forth in the statement shall be verified by affidavit of the issuer. Individual.

(4) If the issuer is not a corporation or a partnership or an individual, the statement shall be signed and the facts set forth in the statement shall be verified by affidavits of such persons, having knowledge of the facts and having substantial interests in the undertaking, as the Commissioner may direct. Other person.

(5) If the statement is filed by a broker pursuant to sub-section 3 of section 12, the statement shall be signed by the broker, and the facts set forth therein shall be verified by affidavit of the broker, and in such other manner as the Commissioner may direct. Broker.

(6) In case of the inability of a person required by this section to sign the statement, such inability being satisfactorily accounted for to the Commissioner, the statement may be signed on his behalf by his agent specifically authorized in writing; provided that such authority verified by affidavit is attached to the statement. Agent.

(7) The Commissioner may require such additional verification of the facts set forth in the statement as he may deem necessary or desirable. *See R.S.O., c. 178, s. 103; See also Imp. Act, 1908, c. 69, s. 80.* Additional verification.

### PART III

#### PROSPECTUS.

**14.**—(1) Every issuer of securities, before selling or offering for sale any of such securities, shall issue a prospectus. Prospectus to be issued

What to contain.

(2) The prospectus shall bear on its face the date of its issue and shall contain all relevant information that appears in the statement filed with the Commissioner under section 12 set out in a fair and unequivocal manner.

When broker to issue.

(3) If an issuer, not domiciled in Ontario, has failed to issue a prospectus, the prospectus may be issued by a broker who intends to sell or offer for sale the securities of the issuer.

Name and address of broker.

(4) Every prospectus used by a broker for the purpose of aiding in the sale of securities shall bear the name and address of such broker printed or stamped thereon in a conspicuous manner. *See R.S.O. c. 178, s. 101.*

Advertisements, etc., to contain information in prospectus.

**15.**—(1) Every advertisement, circular, or other document being used or to be used for the purpose of aiding in the sale of securities offered to the public shall contain a statement that the prospectus required by statute will be furnished on request by the issuer of the advertisement, circular or other document.

Prospectus, advertisements, etc., to be filed.

(2) Two copies of every prospectus and one copy of every advertisement, circular or other document being used or to be used for the purpose of aiding in the sale of securities offered to the public shall forthwith be filed with the Commissioner, who shall transmit one copy of the prospectus to the Provincial Secretary.

Delivery to subscribers.

**16.**—(1) A subscription for securities offered to the public shall not be binding upon the subscriber unless, before or at the time of the subscription, there is delivered to and left with the subscriber, a copy of the prospectus.

Withdrawal of subscription.

(2) A subscriber, in order to be entitled to the benefit of subsection 1, must elect to withdraw his subscription before or within fifteen days after notice of the allotment to him of the securities for which he has subscribed. *See R.S.O. c. 178, s. 101, (3-4).*

Subscription deemed to be induced by prospectus.

**17.** Every subscription for, or purchase or other acquisition of securities shall, as against the issuer, and the signatories to the statement mentioned in section 12, be deemed to be induced by the prospectus, notwithstanding any term, proviso or condition thereof to the contrary. *See R.S.O. c. 178, s. 104, (2).*

**18.** Any condition requiring or binding a subscriber or an applicant for securities to waive compliance with any requirement of this Part, or purporting to affect him with notice of any contract, document or matter not specifically referred to in the prospectus shall be void. *See R.S.O. c. 178, s. 104, (8). Imp. Act, 1908, c. 69, s. 81 (4).*

**19.—(1)** Every promoter and every person who signs the statement mentioned in section 12 or who has authorized the issue of the prospectus, shall be liable to pay compensation to all persons who subscribe for any securities on the faith of such prospectus for the loss or damage they may have sustained by reason of any untrue representation in the prospectus or statement, or in any report or memorandum appearing therein, or by reference incorporated therein or issued therewith, unless it is proved that,

- (a) After the issue of such prospectus and before allotment thereunder, he, on becoming aware of any untrue representation therein, withdrew his consent thereto, and gave notice of such withdrawal and of the reason therefor to the Commissioner, and such public notice thereof as the Commissioner then directed; or
- (b) With respect to every untrue representation not purporting to be made on the authority of an expert, or of a public official document or statement, that he had reasonable ground to believe and did up to the time of the allotment of the securities, believe that the representation was true; or
- (c) With respect to every untrue representation purporting to be a statement by or contained in what purports to be a copy of or extract from a report or valuation of an expert, that it fairly represented the statement, or was a correct and fair copy of or extract from the report or valuation, but the promoter or the person who signed the statement or authorized the issue of prospectus, shall be liable to pay compensation as aforesaid, if it is proved that he had no reasonable ground to believe that the person making the statement, report or valuation was competent to make it; or

- (d) With respect to every untrue representation purporting to be a statement made by an official person or contained in what purports to be a copy of or extract from a public official document, that it was a correct and fair representation of the statement or copy of or extract from the document.

Who to be  
deemed a  
promoter.

(2) A promoter in this section shall mean a promoter who was a party to the preparation of the statement or prospectus or of the portion thereof containing such untrue representation, but shall not include any person by reason of his acting solely in a professional capacity for persons engaged in procuring the issue of the securities. *See R.S.O. c. 178, s. 107; Imp. Act, 1908, c. 69, s. 84, (1), (5).*

Indemnity  
where name  
of person  
has been  
improperly  
inserted.

**20.** Where any prospectus contains the name of a person as a director or as having agreed to become a director, and such person has not consented to become a director, or has withdrawn his consent before the issue of the prospectus, and has not authorized or consented to the issue thereof the directors, except any without whose knowledge or consent the prospectus was issued, and any other person who authorized the issue of the prospectus, shall be liable to indemnify the person named as director, or as having agreed to become a director, against all damages, costs charges and expenses to which he may be made liable by reason of his name having been inserted in the prospectus, or in defending himself against any action or legal proceedings brought against him in respect thereof.

Contribution  
from co-  
director.

**21.** Every person who, by reason of his being a director or named as a director, or as having agreed to become a director, or of his having authorized the issue of the prospectus, has become liable to make any payment under the provisions of this Act shall be entitled to recover contribution, as in cases of contract, from any other person who, if sued separately, would have been liable to make the same payment, unless the person who has become so liable was, and that other person was not, guilty of a fraudulent misrepresentation.



## PART IV.

## BROKERS AND SALESMEN.

**22.**—(1) No broker or salesman, except a salesman resident in Ontario and acting only in the name and on behalf of a registered broker, shall carry on business in Ontario or sell or offer for sale any securities in Ontario unless he has been registered as a broker or salesman in the office of the Commissioner pursuant to the provisions of this section. Brokers and Salesmen to be registered.

(2) Every applicant for registration shall file in the office of the Commissioner an application in writing in such form as the Commissioner may prescribe, duly verified by oath, giving such particulars in reference to the applicant, his character, reputation, previous employment and the nature of his business as may be required by the Commissioner. Application for registration.

(3) The names and addresses of all persons approved for registration as brokers or salesmen shall be entered in a register kept in the office of the Commissioner which shall be open to public inspection. Names and addresses.

(4) Before registration of an applicant not domiciled in Ontario, the Commissioner shall require the applicant to furnish security in a form satisfactory to the Commissioner in the sum of \$10,000 that he will faithfully comply with the provisions of this Act. Security.

(5) Registration may be refused, or a registration granted under this section may be cancelled by the Commissioner, if, after due investigation and a hearing, he determines that the broker or salesman so registered Refusal or cancellation of registration.

(a) has violated any provision of this Act or of the regulations made hereunder; or

(b) has made a material mis-statement in the application for such registration; or.

(c) has been guilty of a fraudulent act; or

(d) has demonstrated his incompetency or untrustworthiness to transact the business of broker or salesman.

Partnership  
and cor-  
poration.

(6) Registration may be granted to a partnership or corporation carrying on the business of broker or salesman upon due application of the partnership or corporation giving the particulars in reference to the members of the partnership or the officers and directors of the corporation which are required in respect of the application of individuals.

Cancellation  
of  
registration.

(7) If a member of a duly registered partnership or an officer or director of a duly registered corporation has been guilty of any act or omission which, under the provisions of subsection 5 hereof would render the registration of an individual broker or salesman liable to cancellation, the registration of the partnership or corporation shall be cancelled by the Commissioner, and shall not be renewed while such person remains a member of the partnership or an officer, director or employee of the corporation.

Sale of  
securities  
without  
registration.

(8) Any broker or salesman who, within Ontario, sells or offers for sale any security without being registered as required by this section, or after such registration has been cancelled and not renewed, shall be guilty of an offence.

## PART V.

### GENERAL PROVISIONS.

Penalties.

**23.**—(1) Every person who contravenes any provision of this Act shall be guilty of an offence, and shall incur a penalty of not less than \$100 and not more than \$1,000, and for a second or any subsequent offence shall incur a penalty of not less than \$200, and not more than \$2,000, and in default of payment of any penalty so imposed shall be imprisoned for a period not exceeding six months.

Where  
intent to  
defraud.

(2) Every person who, with intent to defraud, contravenes any provision of this Act shall incur a penalty of not less than \$1,000 and not more than \$10,000, and may, in the discretion of the convicting magistrate be imprisoned for a period not exceeding two years, and for a second or any subsequent offence shall incur a penalty of not less than \$2,000 and not more than \$25,000, and shall be imprisoned

for a period not exceeding two years, and in default of payment of any pecuniary penalty shall be imprisoned for a period not exceeding six months in addition to any other term of imprisonment which may be imposed.

(3) Any penalty imposed by or under the authority of this Act shall be recoverable under *The Ontario Summary Convictions Act*. Recovery of penalties.

**24.** No prosecution or conviction under this Act shall be a bar to any proceeding for the recovery of penalties which may be imposed under any other Act, or to any action for the recovery of money or damages which may be brought by any person injured or defrauded by the sale of securities in violation of this Act, but all such penalties may be recoverable and all such actions may be brought as if this Act had not been passed. Prosecutions not to be a bar to other proceedings.

**25.** The depositing of any document in the office of the Commissioner shall be *prima facie* evidence of the knowledge on the part of the person signing such document of the falsity of any untrue statement or of any untrue representation therein contained. Depositing of documents prima facie evidence of contents.

**26.** The Lieutenant-Governor in Council may make regulations for carrying out the provisions of this Act and may fix the fees payable on the filing of the statement required by section 12 and for the registration of brokers and salesmen. Regulations.

**27.** This Act shall come into force on the 1st day of July, 1922. Commencement of Act.

No. 209.

3rd Session, 15th Legislature,  
12 George V, 1922.

BILL

An Act respecting the Sale of Securities.

1st Reading,	7th April, 1922.
2nd Reading,	1922.
3rd Reading,	1922.

Mr. KANEY.

TORONTO:  
PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty

# BILL

## An Act to amend The Provincial Loans Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**1.** This Act may be cited as *The Provincial Loans Amendment Act, 1922.* Short title.

**2.** Section 4 of *The Provincial Loans Act*, as amended by chapter 8 of the Statutes of 1914, is further amended by adding thereto the following subsections: Rev. Stat. c. 21, s. 4. (1914, c. 8, s. 1), amended.

- (5) All debentures, bonds, certificates for inscribed stock or annuities, exchequer bonds or treasury bills issued by the Lieutenant-Governor in Council upon the authority and credit of the Province for obtaining money by way of loan shall contain in the body of the debenture, bond or other document a statement of the particular Act or Legislative authority under which such loan has been authorized; and no bonds hereafter issued shall be valid unless such statement of the Legislative authority for the particular loan is contained in the body of the debenture, bond or other security. Debentures, bonds, etc. to contain authority.
- (6) In any advertisement for the sale of debentures, bonds or of other securities set out in the last preceding subsection, issued in the name of the Provincial Treasurer of the Province of Ontario or any other Provincial Officer there shall be contained a statement of the Legislative authority under which the said loan is authorized. Advertisement to contain authority.

**3.** This Act shall come into force on the 1st day of July, 1922. Commencement of Act.

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3rd Session, 15th Legislature,  
12 George V, 1922.

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BILL

An Act to amend The Provincial Loans  
Act.

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1st Reading,	7th April, 1922.
2nd Reading,	1922.
3rd Reading,	1922.

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MR. DEWART.

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TORONTO:  
PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.

# BILL

## An Act respecting Privileges to Cut Timber.

**W**HEREAS from time to time certain privileges in respect of the cutting of Crown Timber upon Crown and Patented Lands have been granted without public competition as required by section 3 of the Crown Timber Regulations; and whereas in the granting thereof the provisions with respect to ground rent and fire protection charges were not uniform; and whereas for the purposes of maintaining intact lumbering organizations and timbering operations the time in which to exercise such privileges has in certain cases been extended; and whereas serious doubts have arisen as to the validity of all such cutting privileges, and it is deemed expedient to remove the doubts by granting to the Minister of Lands and Forests the power so to do;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario enacts as follows:—

**1.** This Act may be cited as *The Timber Cutting Privileges Act, 1922*. Short title.

**2.** The Minister of Lands and Forests is authorized, where he deems it in the public interest so to do, to confirm, vary or cancel any timber cutting privileges heretofore granted on timber areas without public competition as required by the Crown Timber Regulations. Authority to confirm, vary or cancel timber cutting.

Power as  
to time  
limit for  
cutting.

**3.** Whenever a timber limit or area is offered for sale by public competition the Minister of Lands and Forests may stipulate a time limit in which the timber is to be cut and removed, subject to the acquiring by the operator of an annual license to cut as required by *The Crown Timber Act*, and may also, when he deems it in the public interest, extend the time of cutting beyond the time prescribed in the terms and conditions of any sale.

Commence-  
ment of Act.

**4.** This Act shall come into force on the day upon which it receives the Royal Assent.





3rd Session, 15th Legislature,  
12 George V, 1922.

BILL

An Act representing Privileges to Cut  
Timber.

1st Reading,	7th April, 1922.
2nd Reading,	1922.
3rd Reading,	1922.

Mr. Bowman.

# BILL

An Act respecting the Construction of Certain Works  
on Lakes and Streams in Ontario.

**H**IS MAJESTY, by and with the advice and consent of  
the Legislative Assembly of the Province of Ontario,  
enacts as follows:—

**1.** This Act may be cited as *The Rivers and Streams Act*, Short title.  
1922, and shall be read with, and as part of *The Rivers  
and Streams Act*, being Chapter 130 of the Revised Stat-  
utes of Ontario, 1914.

**2.** In this Act "Minister" shall mean the Minister of Interpreta-  
tion.  
"Minister."  
Lands and Forests for the Province of Ontario.

**3.** *The Rivers and Streams Act, 1915*, is repealed and 1915, c. 15,  
and incon-  
sistent  
provisions  
repealed.  
all Acts or portions of Acts, whether general or special in  
their application, which are inconsistent with the provisions  
of this Act, shall be deemed to be repealed to the extent  
necessary to give full effect to this Act.

## PART I.

**4.** The Lieutenant-Governor in Council may, by proclama-  
tion, declare that any river, stream or creek to which *The* Certain  
rivers, etc.,  
to be under  
control of  
Minister.  
*Rivers and Streams Act* is applicable shall, from a day  
to be named in the Proclamation, be subject to the provi-  
sions of this Part, and from and after that date sections  
5 to 7 shall apply to such river, stream or creek and the  
same shall be under the jurisdiction and control of the  
Minister.

Jurisdiction of  
Minister.

5.—(1) From and after a date to be named in the Proclamation, all questions arising in relation to such river, stream or creek,

- (a) As to the right to construct or use improvements thereon;
- (b) As to the respective rights of persons using the river, stream or creek for the purpose of floating timber thereon; and
- (c) As to the right to interfere with, alter or obstruct in any manner the flow of the water in such river, stream or creek,

shall be determined by the Minister upon application to him by any of the parties concerned, and after such notice to other parties interested as the Minister may direct, and no action or other proceeding shall lie or be taken in any court with respect to any matter over which the Minister has jurisdiction under this section.

Decision to be final.

(2) The decision of the Minister shall be final and shall not be subject to appeal.

Enforcement of order of Minister.

(3) Any order made by the Minister under this section may be filed in the Central Office of the Supreme Court, or the office of the Local Registrar, Deputy Registrar, or Deputy Clerk of the Crown, and upon being so filed it shall become an order of the Supreme Court and may be enforced in the same manner and by the like process as if it had been made by that Court.

Fees on filing order.

(4) The like fees shall be payable as upon the filing and enforcement of an order made by the Judge of the Supreme Court in the exercise of his ordinary jurisdiction.

Entry on order.

(5) The order shall be made and entered in the same manner as a judgment of the court.

Moving logs across lakes, etc.

6.—(1) Where upon the course of a river, stream or creek it enters or widens into a lake or other considerable body of water, every person using the river, stream or creek for the purpose of floating timber or saw logs, shall provide proper and adequate means by a steam tug or otherwise to move his logs across the lake or body of water with expedition.

Minister may order use of power.

(2) The Minister may by his order in writing, direct what kind of power or appliance shall be used in bringing logs across such lake or body of water from the place of entrance to the outlet.

(3) An order made by the Minister under this section shall take effect upon its publication in the *Ontario Gazette*, and any person contravening or neglecting to obey the terms of the order shall be liable on summary conviction thereof to a penalty not exceeding \$500.

Enforcement  
of order.

7. Where improvements have been heretofore constructed under *The Timber Slide Companies Act* or under the authority of any other general or special Act, or it is proposed to construct further improvements upon any river, stream or creek, and the Minister deems that it is expedient in the public interest that the use of the water of the river, stream or creek shall be regulated so that all persons entitled to use it for lumbering, power or other purposes shall be given a reasonable and fair user, the Minister may appoint an inspector who shall visit such river, stream or creek and inspect the works upon it and report to the Minister upon their nature and extent and the purposes for which they are used.

Appointment  
and report  
of  
inspector.

## PART II.

8. *The Rivers and Streams Act*, being Chapter 130 of the Revised Statutes of Ontario, 1914, is amended by adding thereto the following sections:—

Rev. Stat.  
c. 130,  
amended.

### APPROVAL OF CONSTRUCTION OF DAMS AND OTHER WORKS ON LAKES AND STREAMS.

29a. In sections 29b to 29e, "owner" shall mean and include the owner of a dam or other work to which the said sections apply, and the person constructing, maintaining and operating the dam or other work.

"Owner"  
interpreta-  
tion of.

29b.—(1) A dam or other work impounding or holding back water, shall not be constructed in any lake or stream in Ontario unless and until the site of such dam or other work, and the plans and mode of construction thereof have been approved by the Lieutenant-Governor in Council in the manner herein after provided.

Plans for  
dams, etc.,  
to require  
approval  
of Lieutenant-  
Governor  
in Council.

(2) Application for such approval shall be made in writing to the Minister of Lands and Forests and shall be accompanied by:—

Application  
for ap-  
proval  
how made.

- (a) Complete copies of the plans and a report of the engineer in charge of the work showing full details of the construction of sluice-gates, spillways and other works connected with the dam or other work and the height at which the water is to be held;
- (b) A map of the watershed affected which shall show the area of the watershed above the dam or other work, with the estimated high water run off and over the section where the water level is raised by the dam or other work, and the submerged areas at low, normal and high water periods, in different colours;
- (c) Particulars as to the nature of the bottom or foundation on which the structure is to be raised with reports of all boring or test pits;
- (d) Such other particulars as the Minister of Lands and Forests shall require.

**Proviso.**

Provided that in the case of a temporary dam for lumbering erected or to be erected on a small stream or creek, the owner may apply to the Minister for permission to construct and maintain the same for a limited period giving such information relative to the structure as the Minister may require, and the Minister may thereupon in his discretion grant such permission if it is considered by him to be safe and advisable in the public interest so to do.

Engineer of  
Department  
of Public  
Works to  
examine  
plans.

- (3) The approval of the Lieutenant-Governor in Council shall not be given until an engineer designated by the Lieutenant-Governor in Council (hereinafter referred to as "the Engineer") shall have examined the plans, documents and other information and recommended the approval of the proposed work.

**Fishway.**

- (4) Every such dam or other work hereafter constructed shall be provided with a fishway which will permit the free and unobstructed passage of fish up and down the stream at any season of the year.

- 29c.—(1) Where a dam or other work has heretofore been or shall hereafter be constructed in any lake or stream impounding or holding back water, which, by the opening of gates or by the failure of the structure or otherwise, will be released in sufficient volume to cause personal injury or damage to property in the path of such water, the Minister of Lands and Forests may on his own motion, or at the instance of any person claiming to be interested or affected, or alleging that life or property is or may be endangered, require the owner of such dam or other work to furnish within a given time the plans and other particulars mentioned in subsection 2 of section 29b.
- (2) Upon failure on the part of the owner to furnish such plans and other particulars within the time specified, the Minister may require the Engineer to make an examination and report on such dam or other work, and the expenses incurred in making such examination and report shall be a debt due to the Crown, and the amount thereof as certified by the Minister shall be recoverable with costs at the suit of the Treasurer of Ontario in any court of competent jurisdiction.
- (3) For the purpose of making such report, the Engineer shall have free access to all parts of the dam and to the adjoining or neighbouring lands and to all plans, books, accounts, documents and reports relating to the construction of such dam or other work.
- (4) On the report of the Engineer, the Lieutenant-Governor in Council may make such order as he may deem necessary to ensure the safety of the public or of persons whose lands and property may be endangered by such work, and for such purpose may order the owner to repair, improve, open up or remove the dam or other work, and may fix the time within which such repairs, improvements, opening up or removal may be completed.
- (5) Upon non-compliance with such order within the time limited or, in case the Minister of
- Plans of dams, etc., already constructed to be submitted under what circumstances.
- Failure to furnish plans.
- Engineer to have free access.
- Order to repair improve, etc.
- Effect of non-compliance with order.

Lands and Forests deems that the repairs, improvements, opening up or removal ordered is immediately required in an emergency, the Minister shall have power to do whatever is necessary to comply with such order and the cost of any work done by or under the direction of the Minister as certified by him, shall be a debt due by the owner to the Crown and shall be recoverable with costs in any court of competent jurisdiction at the suit of the Treasurer of Ontario.

Direction  
for fishway  
to be  
provided.

- (6) Where any dam or other work heretofore constructed has not been provided with a fishway the Lieutenant-Governor in Council may at the request of the Department of Game and Fisheries, direct that the owner of such dam or other work shall forthwith provide a fishway to permit the free and unobstructed passage of fish up and down the stream at any season of the year.

Penalty  
for con-  
travention  
of Act.

29d.—(1) Every person who,—

- (a) Constructs or maintains any dam or other work in contravention of this Act; or
- (b) Refuses or neglects to carry out and obey any order of the Lieutenant-Governor in Council made under this Act; or
- (c) Hinders or obstructs the Engineer in the performance of his duties under this Act, or refuses or neglects to produce any plans, accounts, documents or report relating to the construction of a dam or other work when required by such Engineer, shall incur a penalty not exceeding \$500, and if after conviction such default continues, such person shall be liable to a further penalty of \$10 for each day upon which such default continues.

Liability  
of person  
not re-  
stricted by  
conviction  
under sub-  
section 1.

- (2) The conviction of any person under subsection 1 shall not affect the liability of such person for damages or otherwise either at common law or under any Statute in force in Ontario.

Plans, etc.,  
to be  
filed in  
Department  
of Lands  
and Forests.

29e. All plans, orders and reports furnished or made under this Act shall be kept on file in the Department of Lands and Forests.



29f. Every person making use of a river, stream or creek upon which works have been constructed under this Act or any other Act for the purpose of floating timber or saw logs shall comply with the requirements of *The Saw Logs Driving Act*. Application of Rev. Stat. c. 131.

29g. Where it appears expedient in the public interest, or where any conflict or dispute arises between persons having a right to use a river, stream or creek or any works or other improvements thereon for lumbering or other purposes, the Minister may appoint an officer or officers with such powers and duties as may be deemed expedient to be in charge of the river, stream or creek or improvements or other works, who shall have power to regulate the use of the river, stream or creek or any works or improvements thereon in such manner as shall seem best calculated to afford to persons having diverse interests on the river, stream or creek or in the works or improvements a fair and reasonable use of the waters of the river, stream or creek; provided that where any alterations of the level of international boundary waters is involved such regulation, powers and duties shall conform to any order or recommendation which the International Joint Commission may make under the terms and authority of the International Boundary Waters Treaty between Great Britain and the United States. Disputes as to user.

9. This Act shall come into force and take effect on the 1st day of July, 1922. Commencement of Act.

No. 212.

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3rd Session, 15th Legislature,  
12 George V, 1922.

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BILL

An Act respecting the Construction of  
Certain Works on Lakes and Streams in  
Ontario

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1st Reading,	11th April, 1922.
2nd Reading,	1922.
3rd Reading,	1922.

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Mr. Mills.

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TORONTO:  
PRINTED BY CLARKSON W. JAMES.  
Printer to the King's Most Excellent Majesty.

No. 213.

1922.

# BILL

An Act to amend The Local Improvement Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. The clause lettered *k* in subsection 1 of section 3 of *The Local Improvement Act* is repealed and the following substituted therefor:

Rev. Stat.  
c. 193,  
s. 3 (1)  
clause (k)  
repealed.

- (k) Constructing on petition only, retaining walls, dykes or breakwaters along the banks of rivers or the shores of lakes.

3rd Session, 15th Legislature,  
12 George V, 1922.

BILL.

An Act to amend The Local Improvement  
Act.

1st Reading.	11th April, 1922.
2nd Reading.	1922.
3rd Reading.	1922.

Mr. STEVENSON.

TORONTO:  
PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty

# BILL

## An Act to amend The Workmen's Compensation Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**1.** This Act may be cited as *The Workmen's Compensation Amendment Act, 1922*. Short title.

**2.** Subsection 4 of section 85 of *The Workmen's Compensation Act* as enacted by section 14 of the *The Workmen's Compensation Act, 1917*, is repealed and the following substituted therefor: 1917, c. 34, s. 14 repealed.

- (4) A merit rating system shall be conducted under which employers having a satisfactory accident experience shall receive a proper merit rating refund or credit and those with an unsatisfactory experience shall be charged an additional assesment, so that as far as possible each employer shall pay assessments to cover the cost of accidents to his own employees in addition to his proportion of a reasonable Disaster Reserve Fund, and of the administration expenses of the Board and the expense of Safety Associations.

**3.** This Act shall come into force on the 1st day of July, 1922. Commencement of Act.

No. 214.

3rd Session, 15th Legislature,  
12 George V, 1922.

BILL

An Act to amend The Workmen's  
Compensation Act.

1st Reading,	12th April, 1922.
2nd Reading,	1922.
3rd Reading,	1922.

Mr. TOINTE.

TORONTO:  
PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.

# BILL

## An Act to amend The Statute Labour Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** This Act may be cited as *The Statute Labour Amendment Act, 1922.* Short title.

**2.** Section 27 of *The Statute Labour Act* is amended by adding thereto the following subsections: Rev. Stat. c. 196, s. 27, amended.

- (3) Where the commissioners propose to lay out a road over land which has been either wholly or partly cleared prior to the laying out of the road, the locatee or purchaser, if any, or the person claiming under such locatee or purchaser, or the owner, of such land, shall be entitled to compensation in respect of such clearing, the amount of such compensation to be determined by the road commissions of the township.
- (4) The compensation to be paid under the provisions of the preceding subsection shall not exceed the cost of clearing the land, had the road been laid out over land which had not been cleared.
- (5) An appeal may be had to the Judge of the District Court of the District in which the proposed road is situate.

**3.** Section 31 of *The Statute Labour Act* is amended by striking out at the end thereof the following words "and the commissioners shall expend all commutation money upon the roads upon which the labour which is commuted for shall have been performed." Rev. Stat. c. 196, s. 31, amended.

Rev. Stat.  
c. 196, s. 31a,  
(1921, c. 69,  
s. 1),  
amended.

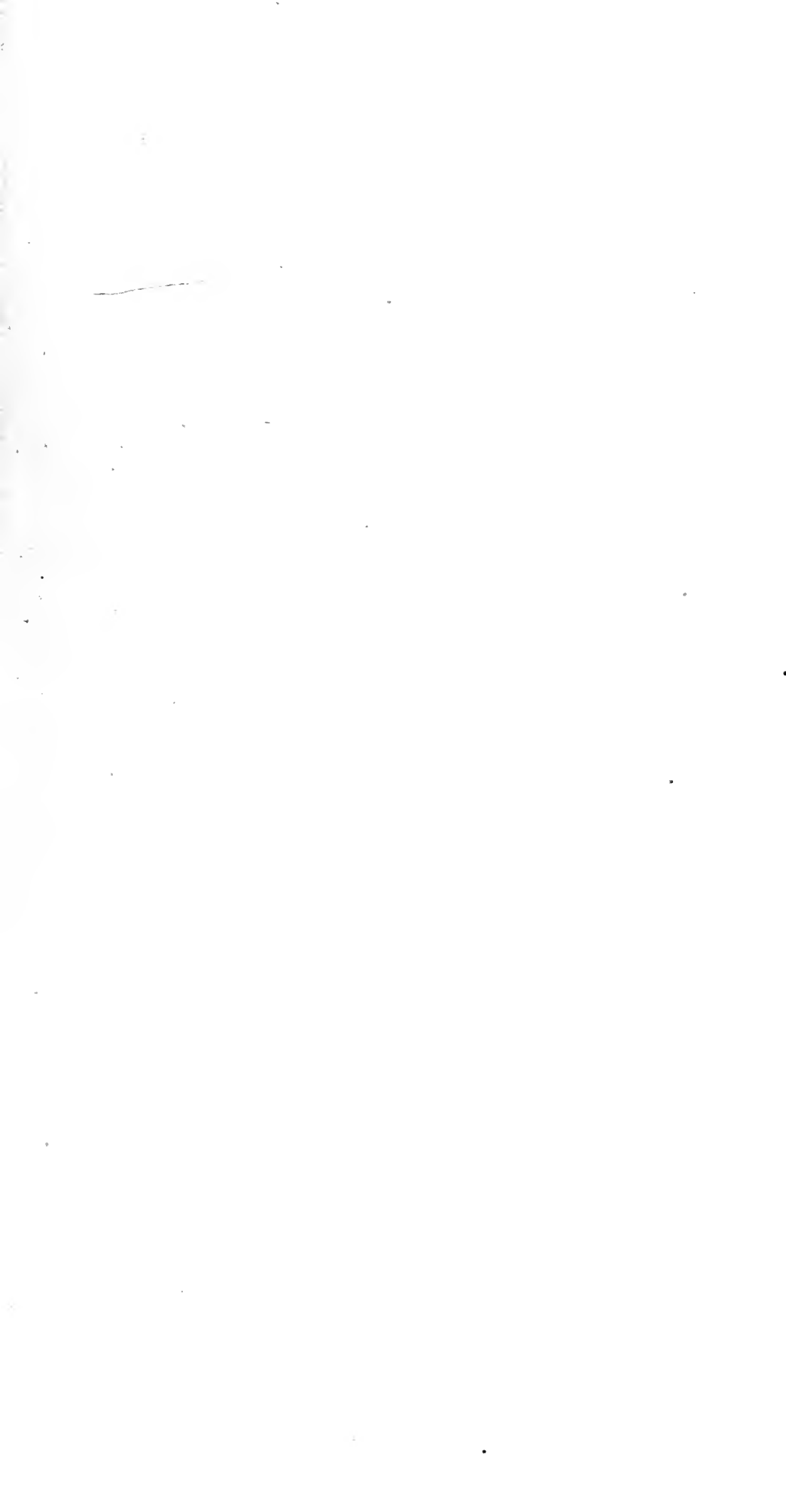
4. Subsection 2 of section 31a of *The Statute Labour Act* is amended by striking out at the end thereof the following words: "and the commissioners shall expend all commutation money upon the roads upon which the labour which is commuted for shall have been performed."

Rev. Stat.  
c. 196, s. 31a,  
(1921, c. 69,  
s. 1),  
amended.

5. Section 31a of *The Statute Labour Act* is amended by adding thereto the following subsection:

- (3) The commissioners shall apply the commutation money to the payment of compensation required by the provisions of section 27 and all commutation moneys not thus applied shall be expended by the commissioners on the roads upon which the statute labour which is commuted for, should have been performed.





No. 215.

3rd Session, 15th Legislature,  
12 George V, 1922.

BILL

An Act to amend The Statute Labour Act.

1st Reading,	19th April, 1922.
2nd Reading,	1922.
3rd Reading,	1922.

Mr. BOWMAN.

TORONTO:

PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.

No. 216.

1922.

# BILL

## An Act to amend The Steam Boiler Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**1.** This Act may be cited as *The Steam Boiler Amendment Act, 1922.* Short title.

**2.** *The Steam Boiler Act* is amended by adding thereto the following section: Rev. Stat. c. 252, amended.

12a. The owner or manufacturer of any steam boiler, and any other person who constructs, repairs, sells or exchanges a steam boiler, whether such steam boiler is a new one or second hand, without having first caused such boiler to be inspected by an inspector, or who neglects or refuses to transfer with any steam boiler the certificate of such inspection, shall incur a penalty of not less than \$50, and not more than \$200 for each offence. Boiler to be inspected on sale or exchange. Penalty.

**3.** This Act shall come into force on the 1st day of July, 1922. Commencement of Act.

No. 216.

3rd Session, 15th Legislature,  
12 George V, 1922.

BILL.

An Act to amend The Steam Boiler Act.

1st Reading.	19th April, 1922.
2nd Reading.	1922.
3rd Reading.	1922.

Mr. ROLLO.

**TORONTO:**  
PRINTED BY CLARKSON W. JAMES.  
Printer to the King's Most Excellent Majesty.

No. 217.

1922

# BILL

## An Act to amend The Factory, Shop and Office Building Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**1.** This Act may be cited as *The Factory, Shop and Office Building Amendment Act, 1922.* Short title.

**2.—(1)** The clause lettered *a* in subsection 1 of section 58 of *The Factory, Shop and Office Building Act* is repealed and the following substituted therefor: Rev. Stat. c. 229, s. 58, subs. 1, cl. a, repealed.

- (a) The openings of the hoistway, hatchway, Elevators. and wellhole used for every power elevator shall, at each floor, including the basement, be provided with, and protected by good and sufficient trap doors or self-closing hatches, and by gates or doors not less than five feet six inches high, which shall close automatically and which may be made in sections, and where practicable and necessary, the said gates or doors shall be equipped with an automatic, mechanical or electrical locking device, approved by the Chief Inspector which will prevent the elevator car from being moved from any floor, including the basement until the gates or doors on such floor or basement are closed and securely locked.

Rev. Stat.  
c. 229, s. 58,  
subs. 1, cl. *b*  
amended.

(2) The clause lettered *b* in the said subsection is amended by inserting the word "substantial" before the word "enclosures" in the third line, so that the subsection will now read as follows:

Shafts, how  
to be enclosed.

(*b*) The sides of the shafts on all floors, including the basement, not guarded by gates shall be protected by substantial enclosures at least six feet high, approved by the Inspector.

Rev. Stat.  
c. 229, s. 58,  
subs. 1, cl. *e*,  
repealed.

(3) The clause lettered *e* in the said subsection is repealed and the following substituted therefor:

Where elevator  
operated by  
hand-power.

(*e*) Where an elevator is operated by hand-power the gates or doors shall not be less than three feet in height and shall close automatically and where practicable and necessary the said gates and doors shall be equipped with an automatic or mechanical locking device approved by the Chief Inspector which will prevent the elevator car from being moved from any floor, including the basement, until the gates or doors on such floor or basement are closed and securely locked; the sides not protected by gates or doors shall be protected by substantial enclosures not less than four feet in height and approved by the Inspector.

Rev. Stat.  
c. 229, s. 58,  
subs. 1, cl. *h*,  
amended.

(4) The clause lettered *h* in the said subsection is amended by inserting the word "Chief" before the word "Inspector" in the third line, so that the said clause will now read as follows:

Safety devices.

(*h*) Every elevator, whether used for freight or passengers, shall be provided with some suitable mechanical device to be approved by the Chief Inspector whereby the car or cab will be stopped and held in case of accident to the elevator or to the machinery or appliances connected therewith.

3. Subsection 1 of section 58 of *The Factory, Shop and Office Building Act* is amended by adding thereto the following clause: Rev. Stat. c. 229, s. 58, subs. 1, amended.

- (i) The owner or employee when so required by the Inspector shall provide all necessary facilities for complete and detailed inspection of all elevators and hoists, including all appliances, appurtenances, equipment, machinery, structural and other enclosures; he shall promptly execute any additions, alterations, repairs and any other work which in the opinion of the Chief Inspector is necessary to protect life and limb from danger, and if the Chief Inspector so directs, shall not allow the elevator or hoist to be used until such additions, alterations, repairs or other works are satisfactorily completed. Owner to provide facilities for inspection.

4. This Act shall come into force on the 1st day of July, 1922, Commencement of Act.

No. 217.

3rd Session, 15th Legislature,  
12 George V, 1922.

BILL.

An Act to amend The Factory, Shop  
and Office Building Act.

1st Reading,	19th April, 1922.
2nd Reading,	1922.
3rd Reading,	1922.

MR. ROLLO.



No. 218.

1922

# BILL

An Act to amend The Ontario Companies Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. Clause *e* of subsection 1 of section 23 of *The Ontario Companies Act* is amended by adding at the end thereof the following words: Rev. Stat. c. 173, s. 23, subs. 1, cl. (e) amended.

“but, notwithstanding anything contained in any Letters Patent or Supplementary Letters Patent, in any case where a part of the shares or stock of one company is held by another company the Attorney-General may, upon application of any shareholder in the company, the shares or stock of which is in part or in whole held as aforesaid, direct and require the holding company to distribute and divide such stock or shares amongst the shareholders of the holding company according to their rights and holdings and in the proper proportions”

2. This Act shall come into force on the 1st day of July, 1922. Commencement of Act.

No. 218.

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3rd Session, 15th Legislature,  
12 George V, 1922.

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BILL

An Act to amend The Ontario  
Companies Act.

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1st Reading,	19th April, 1922.
3rd Reading,	1922.
2nd Reading,	1922.

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MR. BRACKIN.

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TORONTO:

PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.

# BILL

## An Act respecting Works and Measures to relieve Unemployment.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** Where a municipal corporation undertakes relief work, solely for the purpose of providing employment in conformity with the provisions of the Order of the Lieutenant-Governor in Council dated the 13th day of December, 1921, or prior to the passing of such Order in Council during the year 1921 and the work undertaken is not one the cost of which has been met or intended to be met by the issue and sale of debentures, under the powers conferred by any general or special Act the corporation may nevertheless without the assent of the electors borrow money by the issue of debentures payable within five years from the date of issue to meet its share of the expenditures incurred in respect of the work so undertaken.

Authority to issue debentures to meet expenditures on relief work not otherwise payable by debentures.

**2.** Where the work undertaken is one, the cost of which may be met by the issue and sale of debentures, the corporation may without the assent of the electors borrow money by the issue of debentures payable within the time prescribed by the general or special Act relating thereto to meet the normal cost and its share of the excess cost over the normal cost of the work and in case the work is undertaken as a local improvement under the provision of *The Local Improvement Act* the share of the corporation of the excess cost over the normal cost shall not be specially assessed against the properties fronting or abutting on the work but shall be assumed and paid by the corporation at large.

Debentures to meet normal cost and excess cost may be issued.

Authority to  
issue debentures to meet  
expenditures incurred for  
relief  
measures.

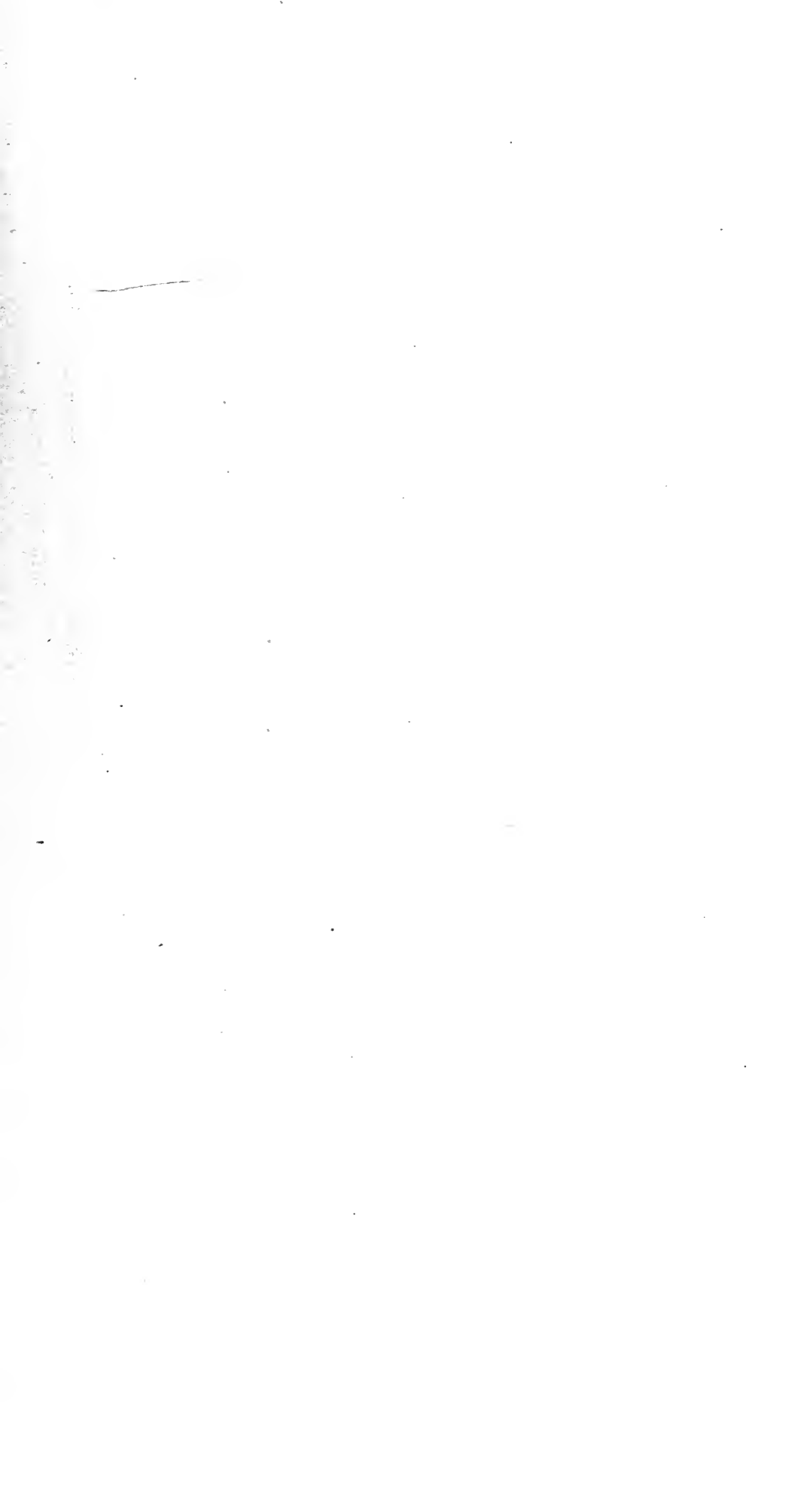
3. Where a municipal corporation distributes or has distributed relief due to unemployment, in conformity with the Orders in Council dated the 25th day of January, 1922, and the 3rd day of February, 1922, and of the regulations forming part thereof, or prior to the passing of such Orders in Council during the year 1921, such corporation may without the assent of the electors borrow money by the issue of debentures payable within five years to meet its share of the expenditures incurred for relief measures.

Approval of  
Ontario Rail-  
way and  
Municipal  
Board.

4. No by-law passed under the provisions of this Act shall come into force or take effect until it has been approved of by the Ontario Railway and Municipal Board, and when so approved the by-law and all debentures issued thereunder shall be legal, valid and binding on the municipal corporation and on the ratepayers thereof.

Commence-  
ment of Act.

5. This Act shall come into force and take effect on the day upon which it receives the Royal Assent.



No. 219.

3rd Session, 15th Legislature,  
12 George V, 1922.

BILL.

An Act respecting Works and Measures  
to relieve Unemployment.

1st Reading,	19th April, 1922.
2nd Reading,	1922.
3rd Reading,	1922.

MR. ROLLO.

TORONTO:  
PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.

No. 220.

1922.

# BILL

## An Act to extend the Right to Vote at Municipal Elections.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows,—

**1.** This Act may be cited as *The Municipal Franchise Act, 1922.* Short title.

**2.** Subsection 1 of section 56 of *The Municipal Act*, as amended by 7 Geo. V. Chapter 43, section 2, is further amended by adding at the end of clause *c* the following words “or who is the wife or husband of the person so rated or entitled to be rated for land” so that the clause, when so amended, will read as follows:

Rev. Stat.  
c. 192,  
s. 56 (1),  
amended.

- (*e*) Rated, or entitled to be rated to the amount hereinafter mentioned on the last revised assessment roll of the local municipality for land held in his or her own right, or so rated or entitled to be so rated for income, or who is entered or was entitled to be entered on such roll as a farmer's son or who is the wife or husband of the person so rated or entitled to be rated for land.

**3.** Subsection 2 of section 51 of *The Municipal Act* is amended by adding at the end thereof the following words “and the name of a person who is a municipal elector by reason of being the wife or husband of the person so rated or entitled to be rated for land as mentioned in clause *c* of subsection 1 of section 56 shall not be counted” so that the subsection when so amended will read as follows:

Rev. Stat.  
c. 192,  
s. 51(2),  
amended.

- (2) The number of municipal electors shall be determined by the last revised voters' list but in counting the names, the name of the same person shall not be counted more than once, and the name of a person who is a municipal elector by reason of being the wife or husband of the person so rated or entitled to be rated for land as mentioned in clause *e* of subsection 1 of section 56 shall not be counted.

Rev. Stat.  
c. 192,  
s. 265(1),  
amended.

4. Subsection 1 of section 265 of *The Municipal Act* is amended by adding the following as clause *d*:

- (*d*) A person who is entitled to vote at an election only by reason of being the wife or husband of the person rated or entitled to be rated for land as provided by clause *e* of subsection 1 of section 56.

Rev. Stat.  
c. 6, s. 6,  
amended.

5. Section 6 of *The Ontario Voters Lists Act* is amended by adding the following as subsection 7*a*:

- (7*a*) In the case of a person entitled to vote at municipal elections under the provisions of *The Municipal Franchise Act, 1922*, the clerk shall after the number on the roll or after the name of such person insert the letters "N.C." meaning not to be counted for representation in the county council.

Rev. Stat.  
c. 195,  
s. 22(3),  
amended.

6. Subsection 3 of section 22 of *The Assessment Act* is amended by adding at the end of Column 3 the words "and where the name of a person is not to be counted under the provisions of section 3 of *The Municipal Franchise Act, 1922*, there shall be entered in this Column the letters "N.C." meaning not to be counted for representation in the county council."





No. 220.

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3rd Session, 15th Legislature,  
12 George V, 1922.

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BILL

An Act to extend the Right to Vote at  
Municipal Elections.

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1st Reading,	21st April, 1922.
2nd Reading,	1922.
3rd Reading,	1922.

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MR. NIXON.

TORONTO:  
PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.

# BILL

An Act to amend The Ontario Game and Fisheries Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**1.** This Act may be cited as *The Ontario Game and Fisheries Amendment Act, 1922.* Short title.

**2.** Clause *a* of subsection 1 of section 10 of *The Ontario Game and Fisheries Act*, as enacted by subsection 1 of section 3 of *The Ontario Game and Fisheries Act, 1921*, is amended by striking out the words "except from the first day of October to the 30th day of November" in the fifth and sixth lines thereof, and substituting therefor the words "except from the 15th day of September to the 15th day of November," so that the clause will now read as follows:—

Rev. Stat.  
c. 262, s. 10,  
subs. 1, cl. a;  
1921, c. 87,  
s. 3, subs. 1,  
amended.

(a) Any moose, deer, reindeer or caribou in that part of Ontario lying north of the main line of the Canadian Government Railway, formerly the Grand Trunk Pacific Railway, from Quebec to the Manitoba boundary line, except from the 15th day of September to the 15th day of November, both days inclusive. Deer.

**3.** Clause *d* of subsection 1 of section 10 of *The Ontario Game and Fisheries Act*, as enacted by subsection 2 of section 3 of *The Ontario Game and Fisheries Act, 1921*, is amended by inserting after the word "inclusive" in the fourth line, the words "provided that in that part of the Province lying north and west of the French and Mattawa Rivers the open season shall be from the 15th day of October to the 20th day of November, both days inclusive" so that the subsection will now read as follows:—

Rev. Stat.  
c. 262, s. 10,  
subs. 1, cl. d;  
1921, c. 87,  
s. 3, subs. 2,  
amended.

Grouse.

- (d) Any ruffed grouse, commonly known as partridge except from the 5th day of November to the 20th day of November in each year, both days inclusive, provided that in that part of the Province lying north and west of the French and Mattawa Rivers the open season shall be from the 15th day of October to the 20th day of November, both days inclusive, and no person shall take, kill or have in possession any more than ten partridge in any one year;

Rev. Stat.  
c. 262, s. 14,  
subs. 4; 1914,  
c. 46, s. 1,  
amended.

4. Subsection 4 of section 14 of *The Ontario Game and Fisheries Act* as enacted by section 1 of *The Ontario Game and Fisheries Act, 1914*, is amended by inserting after the word "kill" in the first line, the words "more than twenty-five wild ducks in any one day and not," so that the subsection will now read as follows:—

Limit of number of duck.

- (4) No person shall take or kill more than twenty-five wild ducks in any one day, and not more than two hundred wild ducks in any one year.

5. Section 15 of *The Ontario Game and Fisheries Act* is amended by adding thereto the following subsection:—

Trapping,  
snaring,  
etc.

- (2) No deer, moose, reindeer, caribou or any game bird protected by this Act shall be trapped or taken by means of traps, nets, snares, baited line or other similar contrivances, nor shall such traps, nets, snares, baited lines or contrivances be set for them or any of them at any time, and if so set may be destroyed by any person without incurring any liability for so doing.

Rev. Stat.  
c. 262, s. 38,  
amended.

6. Section 38 of *The Ontario Game and Fisheries Act*, is amended by adding thereto the following subsections:—

License for  
seine nets.

- (2) No license or permit shall be granted authorizing the use of seine nets for commercial purposes in any of the rivers or streams of the Province other than rivers and streams that are international or inter-provincial.

- (3) No license or permit shall be granted Pound nets.  
authorizing the use of pound nets for commercial purposes in any of the waters of the Province other than in the waters that are international or interprovincial, and in Georgian Bay.

7. Subsection 11 of section 65 of *The Ontario Game and Fisheries Act* is repealed, and the following substituted therefor:— Rev. Stat. c. 262, s. 64, subs. 11, repealed.

- (11) Every license or permit held by any person convicted of an offence against this Act shall be deemed to be cancelled upon conviction without further action or notice given by any officer of the Department of Game and Fisheries, but the Minister may authorize the reinstatement of any license or permit, where the cancellation thereof has been made by reason of a first conviction for an offence against the provisions of this Act or the regulations during a period of two years. Conviction to cancel license.

8. This Act shall come into force on the day upon which it receives the Royal Assent. Commencement of Act.

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3rd Session, 15th Legislature,  
12 George V, 1922.

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BILL

An Act to amend The Ontario Game and  
Fisheries Act.

1st Reading,	24th April, 1922.
2nd Reading,	1922.
3rd Reading,	1922.

MR. MILLS.

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TORONTO:  
PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.

# BILL

## An Act to incorporate the Ontario Co-operative Dairy Products, Limited.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**1.** Edward Heath Stonehouse, Weston, Township of Etobicoke, Farmer; John Andrew McFeeters of the City of Toronto, Creamery Man; James Harold Clarke, Mountain, Township of Mountain, Farmer; William Newman, Lorneville, Township of Elgin, Creamery Man; James Redner Anderson, Mountain View, Township of Ameliasburg, Farmer; William Wallace Ballantyne, Stratford, Township of Downie, Farmer; David Zealand Gibson, Caledonia, Township of Oneida, Farmer and such other persons as become shareholders in the company hereby incorporated, are hereby constituted a body corporate and politic under the name of Ontario Co-operative Dairy Products, Limited, hereinafter called the "Company".

**2.** The persons named in section 1 of this Act shall be the first Directors of the Company, a majority of whom shall form a quorum for the transaction of business.

**3.** The head office of the Company shall be at the City of Toronto, in the County of York, but the Directors may establish offices and places of business elsewhere, and the location of the head office may be changed by a majority vote of the shareholders of the Company at a meeting duly called to consider the same.

Meetings.

4. Meetings of the Company shall be held at the head office or at such other places as the Directors from time to time may decide.

Votes.

5. No shareholder shall have more than one vote or vote by proxy.

Objects and purposes.

6. The objects or purposes of the company shall be as follows:—

To produce, grade, buy, sell, manufacture, own and control and deal in milk (and its products and all other products of the farm), to act as manufacturers, wholesale or retail merchants, shippers, brokers, importers, exporters, distributors, commission agents, dealers and traders, for the shareholders and others, in milk and its products and all other farm products; to buy, sell, manufacture, own and control and deal in packages, feeds, fertilizers, machinery and all other dairy and factory supplies and all other farm supplies; to erect, buy, sell, lease, own and control buildings, machinery, real estate and all other materials as needed in the business; and to do all things incidental or conducive to the attainment of the aforesaid objects or any of them.

Capital stock.

7. The capital stock of the company shall be one million dollars divided into shares of one hundred dollars each.

Co-operative company or association may hold shares.

8. Any co-operative company or co-operative association of farmers or co-operative dairy company, creamery or cheese factory, and such other dairy products manufacturers as may be approved by the Board of Directors or Executive shall be eligible to hold shares in the company.

Representative of company.

9. Such company, association, factory or manufacturer shall by vote of its shareholders or members designate some person to act on its behalf in the company who shall at all meetings of the company exercise all the duties and powers of a shareholder.

Allotment of shares.

10. Until a by-law for that purpose has been duly passed by the company under section 15, the Directors shall have power to determine the basis on which shares may be taken but no allotment of shares shall be made until after the signing of a contract by the applicant for the sale of his products by the company.



**11.** The Directors shall have power to divide the share- Division of  
holders into groups and to define the number of such shareholders  
shareholders in each group. into groups.

**12.** The shareholders in each group so defined shall elect Representative  
a member of the Board of Directors at a meeting to be of group to be  
called by the Executive or by the Directors for the group on Board of  
with the approval of the Executive. Directors.

**13.** Out of any profits the Executive may set aside such Reserve fund.  
sums as it may see fit up to twenty per centum in any one  
year as a reserve fund for meeting contingencies, for main-  
taining or repairing any property of the company or for  
any other such purposes as the Executive shall think con-  
ducive to the interests of the company.

**14.** Dividends payable on the capital stock of the com- Dividends  
pany shall not exceed seven per centum per annum. not to exceed  
7%.

**15.** The Company may pass by-laws, rules and regula- By-laws, rules  
tions governing the conduct of the affairs of the company, and regula-  
applications for shares, restrictions on transfer of shares, tions.  
bases and conditions upon which shares may be subscribed  
for or allotted, the rights, privileges, duties and obliga-  
tions of the shareholders in respect of shares held by them,  
and of contracts, undertakings or engagements entered into  
by the shareholders with the company for the sale, delivery,  
marketing, grading, pooling or otherwise handling of all  
and any dairy products produced, manufactured or other-  
wise dealt in by the shareholders, and the terms, conditions  
and stipulations thereof; and from time to time repeal,  
amend and vary such by-laws, rules and regulations.

**16.** The company shall be managed by a Board of Di- Board of  
rectors which shall consist of such number and be elected Directors.  
in such manner as the Company shall by by-law determine.

**17.** The Board of Directors shall elect a President, Executive  
Vice-President, and five other members, who shall constitute Committee.  
an Executive Committee, to which may be delegated such  
duties and authorities in the management of the company  
as the Board may direct.

**18.**—(1) The Directors of the Company may make by- By-laws.  
laws for:

- (a) Borrowing money;
- (b) Issuing bonds, debentures, debenture stock, both perpetual and terminable, or other securities;
- (c) Pledging or selling such bonds, debentures or debenture stock, or other securities for such sum and at such prices as may be deemed expedient or be necessary.

Borrowing  
money.

(2) Nothing in this section shall limit or restrict the power of the company to borrow money on bills of exchange, promissory notes, bills of lading, warehouse receipts or other securities of a commercial nature issued in the ordinary course of business.

Confirmation  
of by-laws.

**19.** No by-law for any of the purposes mentioned in the next preceding section shall take effect until it has been confirmed by a vote of shareholders present at a meeting duly called for considering the same.

Powers of  
company.

**20.** For the objects and purposes set forth in section 6, the company may exercise and do all such powers and things as may be necessary, incidental or conducive to the attainments thereof, and may exercise all and any of the powers incidental or ancillary to a company incorporated under *The Ontario Companies Act*, Part I and Part XI A, and amendments thereto.

Application  
of Rev. Stat.  
c. 178.

**21.** *The Ontario Companies Act* and amendments thereto shall, so far as the same are not inconsistent with the special provisions of this Act, apply to the company.

Commence-  
ment of Act.

**22.** This Act shall come into force on the day upon which it receives the Royal Assent.







3rd Session, 15th Legislature,  
12 George V, 1921.

BILL

An Act to incorporate the Ontario  
Co-operative Dairy Products, Limited.

1st Reading,	25th April, 1922.
2nd Reading,	1922.
3rd Reading,	1922.

MR. DOHERTY.

No. 223.

1922.

# BILL

## An Act to amend The Coroners Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**1.** This Act may be cited as *The Coroners Amendment Act, 1922.* Short title.

**2.** *The Coroners Act* is amended by inserting the following section immediately after section 15: Rev.Stat.  
c. 92,  
amended.

### WITNESSES.

15a. Every person who attends an inquest on summons, or on the request of the Crown Attorney, to give evidence, or who gives evidence, shall be entitled to \$1 for every day of such attendance, and mileage, at the rate of fifteen cents per mile for each mile necessarily travelled from his last place of residence to the place where the inquest is held, one way; and the amount payable to witnesses shall be certified by the Coroner, who shall make his order for the payment thereof. Witnesses  
at inquest.

**3.** This Act shall come into force on the day on which it receives the Royal Assent. Commence-  
ment of Act.

No. 223.

3rd Session, 15th Legislature,  
12 George V, 1922.

BILL.

An Act to amend The Coroners Act.

1st Reading.	25th April, 1922.
2nd Reading,	1922.
3rd Reading,	1922.

MR. RANEY.

TORONTO:  
PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.



No. 224.

1922.

# BILL

[An Act to amend The Crown Witnesses Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Crown Witnesses Amendment Act, 1922.* Short title.

2. Section 2 of *The Crown Witnesses Act* is amended by adding thereto the words “and a Police Magistrate or Justice of the Peace, holding a preliminary enquiry” so that the section when so amended will read as follows; Rev. Stat. c. 97, s. 2, amended.

2. In this Act,

Interpretation

“Court” shall mean and include the High Court Division, the Court of General Sessions of the Peace, the County or District Court Judge’s Criminal Court, Courts for the Summary trial of indictable offences under The Criminal Code, and a Police Magistrate or Justice of the Peace holding a preliminary enquiry. “Court.”

3. Subsection 1 of section 3 of *The Crown Witnesses Act*, is amended by adding the words “or a Police Magistrate or Justice of the Peace holding a preliminary enquiry” after the word “place” in the second line and by adding the words “Police Magistrate or Justice of the Peace” after the word “Judge” in the sixth line so that the section when so amended will read as follows; Rev. Stat. c. 97, s. 3, subs. (1), amended.

Compensation  
to crown  
witnesses  
in certain  
cases for  
attendance  
on prosecu-  
tion or  
trial.

3. The Judge who holds the Court before which a prosecution or trial for an indictable offence takes place or a Police Magistrate or Justice of the Peace holding a preliminary enquiry may grant to any person who attends on recognizance or subpoena or on the request of the Crown Counsel to give evidence or who gives evidence on the part of the Crown, an order for payment of such sum as to the Judge, Police Magistrate or Justice of the Peace seems reasonable and sufficient to compensate the witness for his costs and charges in attending as such witness; but in no case other than that of an expert witness shall such sum exceed the amount payable in civil cases in the Supreme Court.

Rev. Stat.  
c. 97, s. 5,  
amended.

4. Section 5 of *The Crown Witnesses Act* is amended by adding thereto the following subsection;

When  
certificate  
unnecessary.

- (3) When the Crown Attorney is not present at a preliminary inquiry before a Police Magistrate, or Justice of the Peace, no certificate shall be necessary.

Rev. Stat.  
c. 97, s. 8,  
amended.

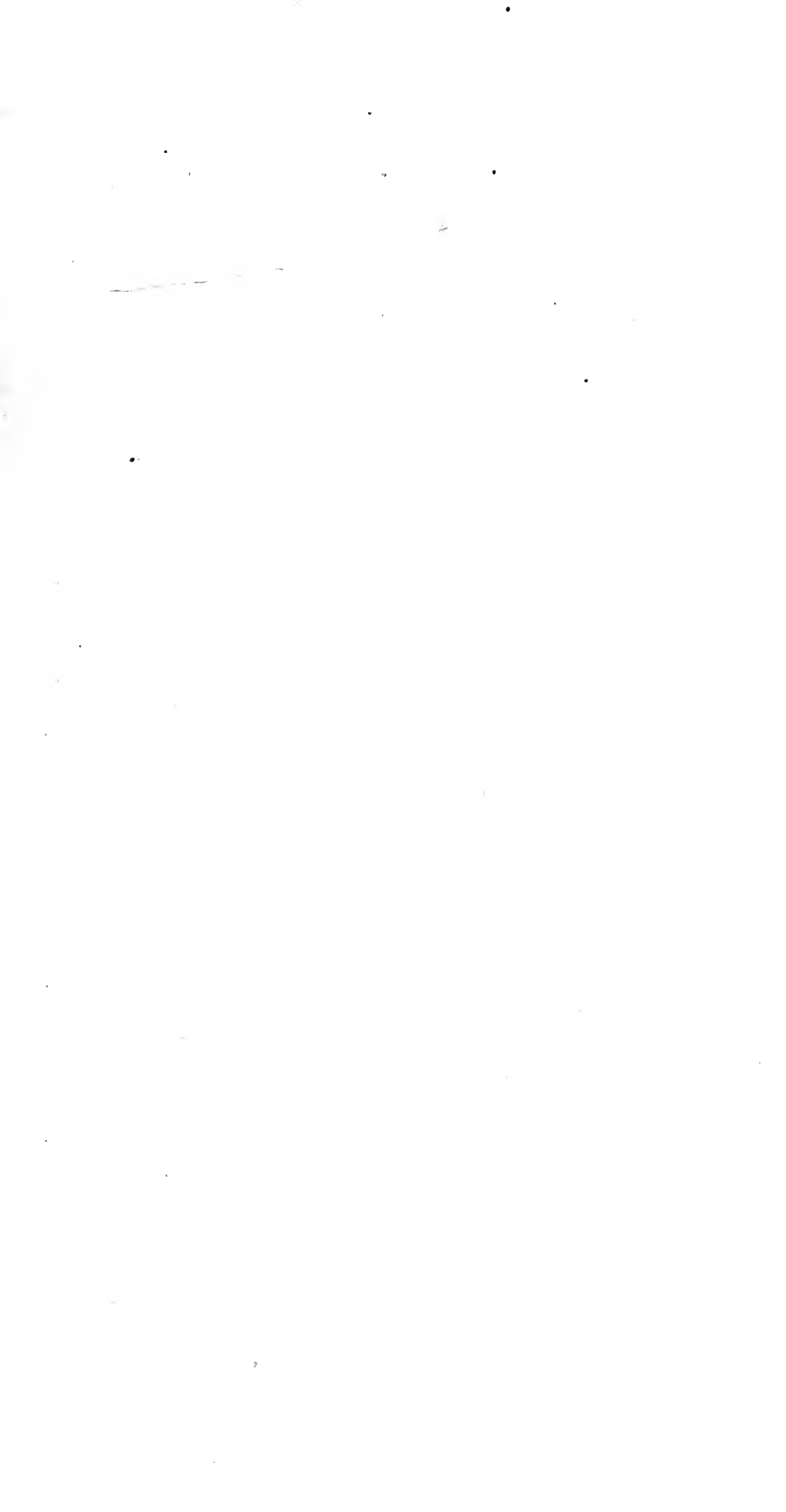
5. Section 8 of *The Crown Witnesses Act* is amended by adding after the word "trial" where it occurs in the first and third lines thereof, the words "prosecution or preliminary enquiry" so that the section when so amended will read as follows;

Payment  
by a  
treasurer  
on whom  
order is  
not made.

8. Where the trial, prosecution, or preliminary enquiry takes place in a county other than the county in which the offence was committed, the treasurer of the county in which trial, prosecution or preliminary enquiry takes place, if applied to by the witness, shall forthwith pay the money in the first instance out of the funds of the municipality in his hands, and shall forthwith be reimbursed by the treasurer to whom the order is directed.

Commence-  
ment of Act.

6. This Act shall come into force on the day on which it receives the Royal Assent.



3rd Session, 15th Legislature,  
12 George V, 1922.

BILL.

An Act to amend The Crown Witnesses  
Act.

1st Reading,	25th April, 1922.
2nd Reading,	1922.
3rd Reading,	1922.

Mr. RANNEY.

# BILL

## An Act respecting the Carriage of Liquor on Highways.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** This Act may be cited as *The Carriage of Liquor Act*, Short title.  
1922.

**2.** In this Act "Board" and "liquor" shall have respectively the same meaning as in *The Ontario Temperance Act*. Interpretation  
"Board"  
"Liquor"

**3.**—(1) Except as hereinafter provided, every person who by himself, his servant, agent or employee, and every person who as such servant, agent or employee transports or carries liquor in any vehicle, or in any other manner, over, along or upon a highway in Ontario shall be guilty of an offence, and such liquor, wherever the same may be found, may be seized and dealt with in the manner provided in section 70 of *The Ontario Temperance Act*, and every person guilty of such offence shall incur a penalty of not less than \$200 and not more than \$2,000, and in addition thereto may in the discretion of the convicting magistrate be imprisoned for a period not exceeding three months, and in default of immediate payment of such penalty shall be imprisoned for a period of not less than three nor more than six months, and for a second or any subsequent offence shall incur the like pecuniary penalty as in the case of a first offence and shall be imprisoned for a period of not less than three nor more than six months. Carriage of liquor on highway prohibited.  
Penalty.

(2) In any prosecution under this Act the burden of proof that the liquor transported or carried was not so transported or carried contrary to the provisions of this Act shall be upon the defendant. Burden of proof.

2.

Application of  
1916, c. 50.

(3) The provisions of *The Ontario Temperance Act* respecting the recovery of penalties, and the procedure upon prosecutions and appeals shall so far as the same are applicable, apply *mutatis mutandis* to prosecutions under this Act.

Regulations of  
board for  
transportation  
and carriage  
of liquor.

4. The Board may make regulations and give directions permitting the transportation and carriage of liquor over any highway under such terms and conditions as the Board may impose, from any place where liquor may be lawfully manufactured or stored to a railway station, freight shed, dock or other place from which the same is to be shipped for any lawful purpose.

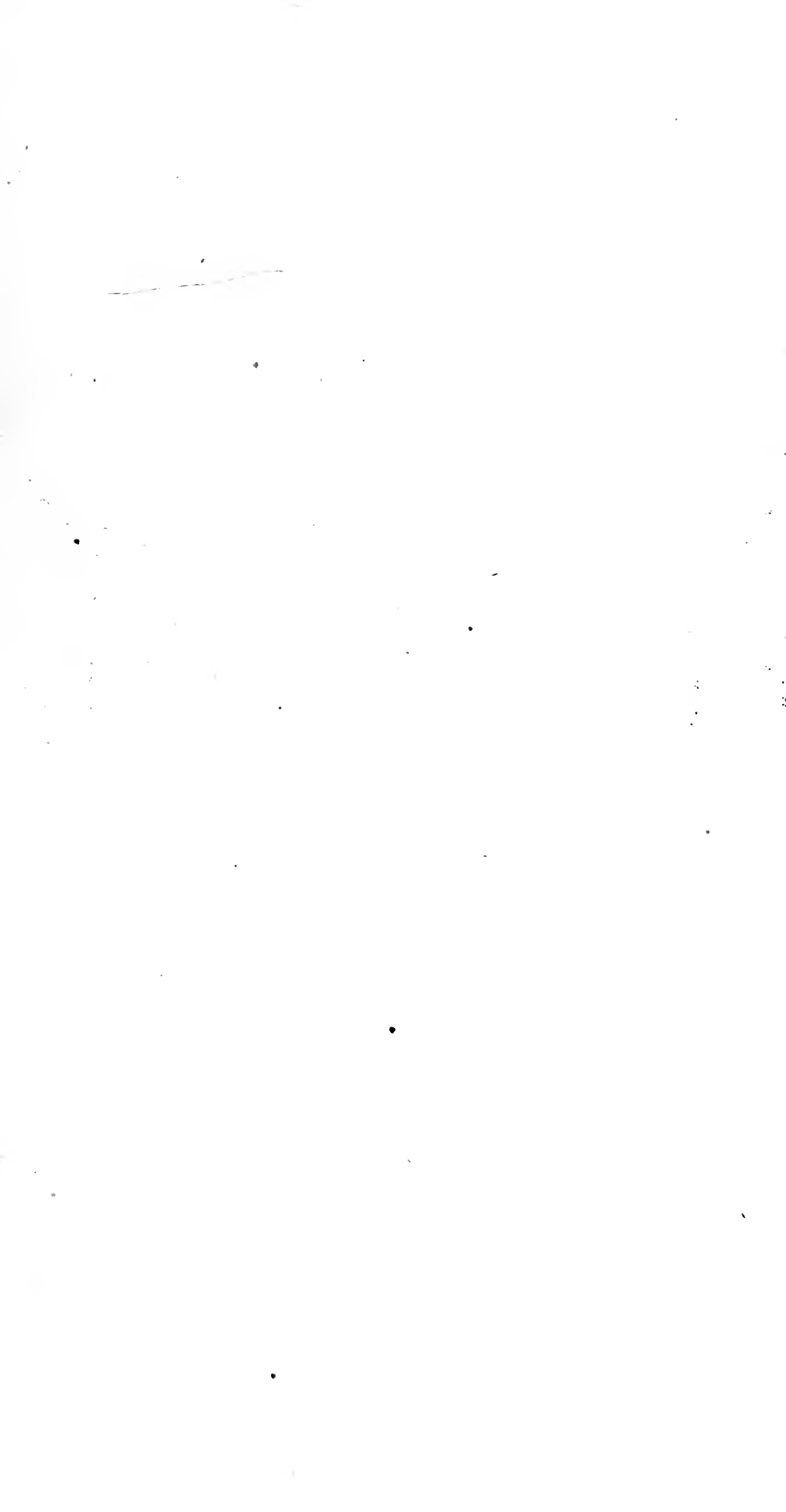
Exceptions.

5. Nothing in this Act contained shall prevent or apply to:—

- (a) the sale, carriage, transportation or delivery of liquor under the order or direction, or with the permission of the Board;
- (b) the carrying, transporting, receiving or taking delivery of liquor which may be lawfully sold, carried, transported or delivered under section 43 of *The Ontario Temperance Act* or under clause a of section 30 of *The Ontario Temperance Amendment Act, 1918*;
- (c) the rights and powers of the Board to purchase, import, sell, supply or deliver liquor for any purpose permitted by *The Ontario Temperance Act*.

Commence-  
ment of Act.

6. This Act shall come into force on the day upon which it receives the Royal Assent.



3rd Session, 15th Legislature,  
12 George V, 1922.

BILL.

An Act respecting the Carriage of Liquor  
on Highways.

1st Reading.	25th April, 1922.
2nd Reading.	1922.
3rd Reading.	1922.

MR. RANNEY.



# BILL

## An Act to amend The Ontario Temperance Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**1.** This Act may be cited as *The Ontario Temperance Amendment Act, 1922*. Short title.

**2.** *The Ontario Temperance Act* is amended by adding 1916, c. 50, amended. immediately after section 40 thereof the following as section 40a.

40a.—(1) Every person who uses or permits False labels. to be used any sign or label upon any bottle, cask or other vessel in which liquor is kept which does not correctly and truly state the nature of the contents of such bottle, cask, or other vessel, or which is in any manner calculated to mislead any person as to the nature, description, or quality of such contents, and every person other than the lawful manufacturer of the liquor or person acting under his authorization, who attaches or causes to be attached to any bottle, flask, cask or other vessel, or package of liquor, any label, stamp or other device containing any statement or information as to the name of the manufacturer of the liquor, shall be guilty of an offence against this Act and shall upon conviction Penalty. be subject to the penalties provided in subsection 1 of section 58 hereof. (new.)

**3.** Subsection 5 of section 55 of *The Ontario Temperance Act*, as enacted by the Statutes of 1920, chap. 78, section 9, 1920, c. 78, s. 9., amended. is amended by striking out the words “found drunk or disorderly” in the first and second lines and substituting therefor the word “intoxicated” so that the subsection as amended shall read as follows:

Conviction for  
intoxication  
after two  
previous con-  
victions.

- (5) Where a person is convicted of being intoxicated in a public place and such person has within three months been twice convicted of any such offence, he may be committed by the magistrate by whom he was so convicted, to jail or to an industrial farm for a period not exceeding three months. (1920, c. 78, s. 9. amended.)

1916, c. 50, s.  
58; 1917, c.  
50, s. 21 re-  
pealed.

4. Section 58 of *The Ontario Temperance Act*, and section 21 of *The Ontario Temperance Amendment Act, 1917*, are repealed and the following substituted therefor:

First offence.  
Penalty for  
breach of  
sections 7, 37,  
40a, 49, 53  
and 55a.

- 58.—(1) Every person guilty of a contravention of any of the provisions contained in sections, 7, 37, 40a, 49, 53, and 55a of this Act, shall for a first offence incur a penalty of not less than \$200 nor more than \$1,000, and in default of immediate payment shall be imprisoned for a period of not less than three, nor more than six months unless the penalty and costs are sooner paid, and for a second or any subsequent offence, shall incur the like penalty as for a first offence, and in addition thereto shall be imprisoned for a period of not less than two, nor more than four months. 1916, c. 50, s. 58; 1917, c. 50, s. 21, amended.

Second  
Offence.

First offence.  
Penalty for  
breach ss. 40.  
and 41.

- (2) (a) Except as otherwise provided in this subsection, every person guilty of a contravention of any of the provisions of sections 40 and 41 of this Act, shall for a first offence incur a penalty of not less than \$200 and not more than \$2,000, and in addition thereto shall, in the discretion of the convicting magistrate, be imprisoned for a period of not more than three months; and for a second or any subsequent offence shall incur the like penalty as for a first offence, and in addition thereto shall be imprisoned for a period of not less than three, nor more than six months. 1916, c. 50, s. 58; 1917, c. 50, s. 21; amended.

Second  
Offence.

First offence.  
Penalty for  
breach s. 41  
(1) (a)

- (b) Every person guilty of a contravention of paragraph (a) of subsection 1 of section 41 shall incur a penalty of not less than \$100, nor more than \$1,000 and in de-

fault of immediate payment shall be imprisoned for a period of not more than six months unless the penalty and costs are sooner paid; and for a second or any subsequent offence shall incur the like penalty as for a first offence and in addition thereto shall be imprisoned for a period of not less than two months nor more than six months. 1920, c. 78, s. 11, amended. Second  
Offence.

- (3) Where any person is convicted of an offence against section 40 of this Act, and the magistrate finds upon the evidence that the liquor in respect of which such conviction is had, is liquor which has not been lawfully manufactured or which has been lawfully manufactured, but has since been adulterated with some deleterious substance, he shall in addition to any other penalty which may be imposed under subsection 2 of this section be imprisoned for a period of not less than three months, nor more than eighteen months. (New.) Liquor not  
lawfully man-  
ufactured, and  
adulterated  
liquor.

5. *The Ontario Temperance Act* is amended by adding 1916, c. 50, immediately after section 60a thereof, the following as sections 60b and 60c: amended.

- 60b. Every person who aids or abets, counsels or procures any other person to commit an offence against any of the provisions of this Act shall be deemed to be guilty of such offence and shall incur the same penalty and be liable to the same punishment as the person actually committing the offence, and at the prosecutor's option may be prosecuted jointly with or separately from the person actually committing the offence and both or all such persons may be convicted of the same offence and the conviction of one of them shall not be a bar to the conviction of the other or others of them therefor. (New.) Aiding and  
abetting.

- 60c. Every person who being an officer or otherwise employed in the enforcement of this Act, or who being a police constable or peace officer, is guilty of a contravention Officers guilty  
of an Offence

#### 4.

of any of the provisions of this Act, shall upon conviction, in addition to any other penalty, be imprisoned for a period of not less than one month, nor more than six months. (new).

1916, c. 50, s. 68 (1); 1917, c. 50, s. 24, amended.

6. Subsection 1 of section 68 of *The Ontario Temperance Act*, as amended by the Statutes of 1917, chap. 50, section 24, is repealed and the following substituted therefor:

Seizure of liquor found on unlicensed premises.

68.—(1) Where any inspector, policeman, constable, or officer in making or attempting to make any search under or in pursuance of the authority conferred by the next preceding two sections or under the warrant mentioned in the next preceding section, finds in an unlicensed house or place any liquor which in his opinion is unlawfully kept for sale or disposal or otherwise contrary to this Act, he may forthwith seize and remove the same and the vessels in which the same is kept, and upon the conviction of the occupant of such house or place, or of any other person for keeping liquor for sale in such house or place without license or otherwise in contravention of this Act, or for any other offence against this Act, the magistrate making such conviction, may in and by such conviction, or by a separate or subsequent order, declare such liquor and vessels, or any part thereof to be forfeited to His Majesty, to be destroyed or otherwise dealt with in such manner as the Minister may direct. 1916, c. 50, s. 68 (1); 1917, c. 50, s. 24, amended.

Forfeiture.

1921, c. 73, s. 6, amended.

7.—(1) Subsection 1 of section 92 of *The Ontario Temperance Act*, as enacted by the Statutes of 1921, c. 73, s. 6, is amended by adding thereto the following paragraph (a):

Notice to set forth grounds and give address for service.

(a) Such notice shall set forth the grounds on which the appeal is made and shall have endorsed thereon the address at which the appellant may be served with any notice or process in connection with any proceeding under this section or under section 95 of this Act. (new).

(2) Subsection 4 of the said section 92 is amended by adding thereto the following as paragraph (a):

5.

- (a) The deposit of \$100 referred to in this subsection shall be made at the time of the delivery of the notice of appeal. (new). Deposit to be made with notice of appeal.

(3) Subsection 8 of the said section 92 is repealed and the following substituted therefor: 1912, c. 73, s. 6, repealed.

- (8)—(a) Upon the recognizance being entered into or deposit made, the magistrate shall liberate such person if in custody. Liberation of appellant on completing security.

- (b) The Magistrate shall immediately after such liberation, or if the appellant remains in custody, shall immediately after service of the notice of appeal upon the magistrate deliver or transmit by registered post to the clerk of the County or District Court to be delivered after filing to the judge appealed to, the depositions and all other papers in the case including the notice of appeal and affidavit of the appellant, with a certificate signed by the magistrate in the form hereinafter mentioned, and such certificate shall be deemed to be part of the record. Transmission of papers to County Court Clerk.  
1921, c. 73, s. 6, amended.

(4) Subsection 12 of the said section 92 is amended by adding thereto the following as paragraph (b): 1921, c. 73, s. 6, amended.

- (b) The order of the judge shall not take effect until fifteen days from the date thereof, provided, however, that if the release of a person from custody has been ordered, the judge may, with the approval of the Crown Attorney, grant bail to the prisoner in such sum and with such surety or sureties as the judge, with the approval of the Crown Attorney, may deem sufficient, and may take the recognizance of the accused accordingly, conditioned to await and abide by the decision of the Appellate Division, to which an appeal may be taken as provided by section 95 of this Act. (new). Stay of 15 days.

8. Section 94 of *The Ontario Temperance Act*, as enacted by chap. 73 of the Statutes of 1921 is amended by adding thereto the following as paragraph (a): 1921, c. 73, s. 6, amended.

## 6.

Affidavit on  
behalf of  
Corporation.

- (a) If the party appealing be a corporation the affidavit referred to in this section may be made by the President, Secretary or General Manager thereof.

1921, c. 73, s.  
6, amended.

**9.** Subsection 2 of section 95 of *The Ontario Temperance Act*, as enacted by chap. 73 of the Statutes of 1921, is amended by adding thereto the following as paragraph (a):

Service.

- (a) Service of the Notice of Appeal upon the solicitor for the opposite party or upon a grown up person at the last known place of residence or business of the opposite party, or the sending of such notice by registered mail, to the last known address of such party shall be deemed good and sufficient service. (new).

1916, c. 50, s.  
118; 1917, c.  
50, s. 35;  
1918, c. 40,  
s. 22.

**10.** Section 118 of *The Ontario Temperance Act*, as amended by the Statutes of 1917, c. 50, s. 35, and 1918, c. 40, s. 22, is further amended by adding thereto the following as subsection 8:

Enquiry—  
powers of  
Chairman of  
Board, and  
Commissioner  
of Police.

- (8) The Chairman of the Board of License Commissioners for Ontario and the Commissioner of Police for Ontario may, acting together or separately, hold an enquiry into the conduct of any license inspector, constable, provincial officer, special officer or employee engaged in the enforcement of *The Ontario Temperance Act* and for the purposes of such enquiry shall have and may exercise the like powers and authority as may be conferred upon a Commissioner or Commissioners under *The Public Inquiries Act*.

R. S. O. 1914,  
c. 18.

1916, c. 50, s.  
125; 1918, c.  
40, s. 25,  
amended.

**11.** Section 125 of *The Ontario Temperance Act*, as amended by the Statutes of 1918, c. 40, s. 25, is further amended by adding thereto the following as subsection 2:

Unreasonable  
quantity.

- (2) If in any prosecution for selling any of the products mentioned in this section, the magistrate hearing the complaint is of opinion that an unreasonable quantity of any such product, having regard to the purposes for which the same was legitimately

manufactured, was sold or otherwise disposed of to any person either at one time or at intervals and proof is also given that such product was used for beverage purposes, the person selling or otherwise disposing of the same may be convicted of an offence under section 40 of this Act. (new).

**12.** Subsection 6 of section 52 of *The Ontario Temperance Amendment Act, 1917*, as re-enacted by the Statutes of 1921, c. 73, s. 4, is amended by striking out the figures "1921" in the second line and substituting therefor the figures "1922."

**13.** This Act shall come into force on the day upon which it receives the Royal Assent.

3rd Session, 15th Legislature,  
12 George V, 1922.

BILL.

An Act to amend The Ontario  
Temperance Act.

1st Reading,	25th April, 1922.
2nd Reading,	1922.
3rd Reading,	1922.

Mr. RANEY.



No. 227.

1922.

# BILL

## An Act to amend The School Sites Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**1.** This Act may be cited as *The School Sites Amendment Act, 1922.* Short title.

**2.** Clause *a* of section 2 of *The School Sites Act* is amended by inserting the words “or separate school” after the words “public school” in the fourth line of the said subsection. Rev. Stat.  
c. 277. s. 2.  
cl. (a).  
amended.

**3.** This Act shall come into force on the day upon which it receives the Royal Assent. Commence.  
ment of Act.

3rd Session, 15th Legislature.  
12 George V, 1922.

BILL.

An Act to amend The School Sites  
Act.

1st Reading,	25th April, 1922.
2nd Reading,	1922.
3rd Reading,	1922.

Mr. BRACKIN.

TORONTO:  
PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.

No. 227.

1922.

# BILL

## An Act to amend The School Sites Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**1.** This Act may be cited as *The School Sites Amendment Act, 1922*.

Short title.

**2.** Clause *a* of section 2 of *The School Sites Act* is amended by inserting the words “or separate school” after the words “public school” in the *second and fourth* lines of the said subsection.

Rev. Stat.  
c. 277, s. 2,  
cl. (a),  
amended.



**3.** Nothing in this Act shall apply to or affect the rights of parties in any action or litigation now pending, but the same may be proceeded with and finally adjudicated upon in all respects as if this Act had not been passed.

Pending litigation not affected.



**4.** This Act shall come into force on the day upon which it receives the Royal Assent.

Commencement of Act.

3rd Session, 15th Legislature.  
12 George V, 1922.

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BILL.

An Act to amend The School Sites  
Act.

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1st Reading,	25th April, 1922.
2nd Reading,	26th May, 1922.
3rd Reading,	1922.

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(*Re-printed as amended by the Municipal Committee.*)

MR. BRACKIN.

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TORONTO:  
PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.

No. 228.

1922.

# BILL

## An Act to amend The Motor Vehicles Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. Subsection 3 of section 9 of *The Motor Vehicles Act*, Rev. Stat. c. 207, s. 9 (3) (1921, c. 72, s. 3.) as enacted by 1921, chapter 72, section 3 is amended by inserting the words “known to the trade as a spotlight or searchlight, or any lamp” after the word “lamp” in the second line, so that the subsection as amended will read as follows:

- (3) It shall be unlawful to carry on any motor vehicle on a highway any lamp known to the trade as a spotlight, or searchlight, or any lamp which revolves upon a pivot or other device so that the rays of such light may be projected in different directions by an occupant of the vehicle, but this shall not prevent a motor vehicle of a municipal fire department from carrying such a lamp for use only at the actual scene of a fire.
- Prohibition against light revolving or pivot.

No. 228.

3rd Session, 15th Legislature,  
12 George V, 1922.

BILL.

An Act to amend The Motor Vehicles Act.

1st Reading,	25th April, 1922.
2nd Reading,	1922.
3rd Reading,	1922.

MR. FERGUSON.

TORONTO:  
PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.

No. 229.

1922.

# BILL

An Act to amend The Mining Act of Ontario.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**1.** This Act may be cited as *The Mining Amendment Act, 1922*. Short title.

**2.** Subsection 1 of section 78 of *The Mining Act* of Ontario as enacted by subsection 1 of section 11 of *The Mining Amendment Act, 1921*, is hereby repealed. 1921. c. 16, s. 11, subs. (1) repealed.

**3.** This Act shall come into force on the 1st day of July, 1922. Commencement of Act.

No. 229.

3rd Session, 15th Legislature,  
12 George V, 1922.

BILL.

An Act to amend The Mining Act of  
Ontario.

1st Reading,	25th April, 1922.
2nd Reading,	1922.
3rd Reading,	1922.

Mr. FERGUSON.

TORONTO:  
PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.



No. 230.

1922.

# BILL

An Act to amend The Suburban Area Development Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** This Act may be cited as *The Suburban Area Development Act, 1922*. Short title

**2.** Section 2 of *The Suburban Area Development Act* is amended by adding thereto the following clause; 1921, c. 66,  
s. 2, amended.

(c) "Urban Municipality" shall mean and include a city, town, village, or police village in which has been established a municipal service. "Urban Municipality."

**3.** Section 3 of *The Suburban Area Development Act* is amended by striking out the words "a city" in the first line and substituting therefor the words "a city, town, village, or police village in which a municipal service has been established," and by striking out the words "city" in the third line thereof and substituting therefor the words "the said urban municipality." 1921, c. 66,  
s. 3., amended  
Setting Aside  
Suburban  
Area.

**4.** Section 6 of *The Suburban Area Development Act* is amended by striking out the word "city" in the first line; and in the third line of clause *a*; and the fifth and eighth lines of clause *d*; and substituting therefor the words "urban municipality." 1921, c. 66,  
s. 6., amended

No. 230.

3rd Session, 15th Legislature,  
12 George V, 1922.

BILL.

An Act to amend The Suburban Area  
Development Act.

1st Reading,	25th April, 1922.
2nd Reading,	1922.
3rd Reading,	1922.

MR. HENRY.

TORONTO:

PRINTED BY CLARKSON W. JAMES,

Printer to the King's Most Excellent Majesty.

# BILL

## An Act respecting the Purchase by the County of York of the Assets of Certain Companies.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** This Act may be cited as *The County of York Radial Railway Act, 1922.* Short title.

**2.** The Municipal Corporation of the County of York is authorized to purchase all tracks, poles, lines, works, distribution systems, shares, securities, property and other assets of the Toronto Power Company, Limited, (formerly called the Toronto and Mimico Railway Company), The Toronto and York Radial Railway Company, The Schomberg and Aurora Railway Company, The Toronto and Scarboro Electric Railway, Light and Power Company and the Metropolitan Railway Company. County authorized to purchase distribution plants and certain railways.

**3.** The agreements or agreements for the purchase of the properties mentioned shall be subject to approval by by-law of the Council of the Municipal Corporation of the County of York and when so approved shall be signed by the warden of the said county and by the treasurer thereof and the said treasurer shall affix the seal of the said corporation thereto. Approval of Agreement.

**4.** The Municipal Corporation of the County of York is authorized to issue debentures of the said county to a total amount not exceeding four million dollars dated and payable in forty years from the said date with interest thereon half yearly at the rate of five and one-half per cent. per annum, and to deliver the same in payment of the price of the properties purchased. Debentures for four million dollars authorized

2.

Application  
of revenue  
to sinking  
fund for  
retirement  
of  
debentures.

5. For the purpose of providing for the payment of such debentures and the interest thereon the corporation shall in each year after the expiration of ten years from the said date out of the revenue of the railway after payment of working or operating expenses including the supply of electrical power or energy and the cost of administration and annual charges for interest set aside annually such sums as may be necessary to provide a sinking fund on a basis of not more than thirty years, which shall be held for and applied for the payment of such debentures or any renewals thereof at maturity and the corporation shall have power from time to time to issue debentures under the provisions of this Act for the purpose of providing for such additional monies as may be necessary with the accumulating sinking fund on hand to repay the debentures previously issued when the same respectively mature; provided that the sum so set aside for sinking fund shall be sufficient to provide for payment of all the debentures issued on account of the said Railway within forty years from the said date.

Assent of  
electors  
not required.

6. It shall not be necessary to submit any by-law for the issue of debentures under this Act to the electors of the said county qualified to vote on money by-laws or to observe any of the formalities in relation thereto prescribed by *The Municipal Act* and the said debentures shall not be included as part of the debt of the Municipal Corporation of the County of York under section 1 shall be controlled rowing powers.

Operation of  
property by  
Municipality.

7. The property acquired by the Municipal Corporation of the County of York under section 1 shall be controlled and operated by the said municipal corporation.

Commence-  
ment of Act.

8. This Act shall come into force on the day upon which it receives the Royal Assent.



3rd Session, 15th Legislature,  
12 George V, 1922.

BILL

An Act respecting the Purchase by the  
County of York of the Assets of  
Certain Companies.

1st Reading,	26th April, 1922.
2nd Reading,	1922.
3rd Reading,	1922.

(*Private Bill.*)

Mr. HENRY.

No. 232.

1922.

# BILL

## An Act to amend The Division Courts Act.

IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**1.** This Act may be cited as *The Division Courts Amendment Act, 1922.* Short title.

**2.** Section 145 of *The Division Courts Act* as amended by section 6 of chapter 38 of the Statutes of 1921, is further amended by adding thereto the following subsection:— Rev. Stat.  
c. 63, s. 145,  
amended.

(6a) Payments made under subsection 6 shall be certified to by the Judge and the treasurer of the county shall, upon presentation of the certificate, pay to the clerk the amount which the certificate shows to have been paid to the jurors. Certifying  
payment of  
jurors and  
refund to  
Clerk.

**3.** This Act shall come into force on the day upon which it receives the Royal Assent and shall have effect as from the 3rd day of May, 1921. Commence-  
ment of Act.

No. 232.

3rd Session, 15th Legislature,  
12 George V, 1922.

BILL

An Act to amend The Division  
Courts Act.

1st Reading,	28th April, 1922.
2nd Reading,	1922.
3rd Reading,	1922.

Mr. WATSON.

TORONTO:  
PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.



# BILL

## An Act to amend The Obstructions on Highways Removal Act, 1920.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario enacts as follows:—

1. This Act may be cited as *The Obstructions on Highways Removal Act, 1922*. Short title.

2. *The Obstructions on Highways Removal Act, 1920*, 1920, c. 21, amended. is amended by adding thereto the following section:—

7. Where any person, company, corporation or commission have telephone poles and wires in, upon or crossing a highway under the jurisdiction of a township council or a county council, the township council or the road superintendent appointed by a county council under *The Highways Improvement Act* as the case may be, shall have authority to require or make such alterations in the location of such poles and wires as may be necessary to the proper construction of the highway, and may agree with such person, company, corporation or commission upon an apportionment of the cost of such alteration of location, and failing agreement The Ontario Railway and Municipal Board may, upon the application of any party interested, apportion such cost between the parties, and the apportionment of the Board shall be final and shall not be subject to appeal: Provided that the township council or the road superintendent, as the case may be, before making any alteration of location

of any telephone poles or wires, shall give to the person, company, corporation or commission owning such poles or wires one week's previous notice of his intention to make such alteration.

Commence-  
ment of Act.

**3.** This Act shall come into force on the day upon which it receives the Royal Assent.



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3rd Session, 15th Legislature,  
12 George V, 1922.

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BILL.

An Act to amend The Obstructions on  
Highways Removal Act, 1920.

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1st Reading,	28th April, 1922.
2nd Reading,	1922.
3rd Reading,	1922.

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Mr. BIGGS.

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TORONTO:

PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.

# BILL

## An Act to amend The Administration of Justice Expenses Act.

**H**IS MAJESTY by and with the advice and consent of the Legislative Assembly of the Province of Ontario enacts as follows:—

**1.** This Act may be cited as *The Administration of Justice Expenses Amendment Act, 1922*. Short title.

**2.** The tariff of fees provided for crown attorneys in Schedule "A" to *An Act to amend The Administration of Justice Expenses Act, 1917*, chapter 29, is amended by adding thereto the following item: 1917, c. 29, sched. "A" amended.

18. General fee as an allowance to cover all services for which no fee is provided, including departmental reports, under any Statute, Order in Council, departmental direction, or otherwise, and including advising police magistrates and justices of the peace in the discharge of their duties and the public generally on criminal matters, per quarter.....\$50. Fee to Crown Attorney as general allowance.

**3.** The tariff of crown attorneys fees in Schedule "B" to *An Act to amend The Administration of Justice Expenses Act, 1917*, chapter 29, is amended by adding the following item: 1917, c. 29, sched. "B" amended.

One half of  
fee as general  
allowance,  
payable by  
Province.

13. One half of general fee as an allowance to cover all services for which no fee is provided, including departmental reports, under any Statute, Order in Council, departmental direction, or otherwise, and including advising police magistrates and justices of the peace in the discharge of their duties and the public generally on criminal matters, per quarter (Tariff item Number 18).

Commence-  
ment of Act.

4. This Act shall come into force on the 1st day of July, 1922.



3rd Session, 15th Legislature,  
12 George V, 1922.

BILL.

An Act to amend The Administration of  
Justice Expenses Act.

1st Reading,	2nd May, 1922.
2nd Reading,	1922.
3rd Reading,	1922.

Mr. RANNEY.



# BILL

## An Act to amend The Public Officers' Fees Act.

**H**IS MAJESTY, by and with the advice and consent of  
 the Legislative Assembly of the Province of Ontario,  
 enacts as follows:—

**1.** This Act may be cited as *The Public Officers' Fees Amendment Act, 1922.* Short title.

**2.** Section 3 of *The Public Officers' Fees Act* is repealed and the following substituted therefor: Rev. Stat. c. 17, s. 3, repealed.

**3.—**(1) Every Crown Attorney, whether he is or is not Clerk of the Peace, and every Clerk of the Peace, shall be entitled to retain to his own use in each year his net income up to \$3,500 but shall pay to the Treasurer of Ontario fifty per cent. of the excess over that sum. Percentages payable by Crown Attorney and Clerk of the Peace to Province.

**3.** Section 7 of *The Public Officers' Fees Act*, as amended by section 5 of *The Statute Law Amendment Act, 1914*, is repealed and the following substituted therefor:— Rev. Stat. c. 17, s. 7, 1914, c. 21, s. 5, repealed.

**7.—**(1) Every Division Court Clerk shall be entitled to retain to his own use in each year all the fees and emoluments earned by him in that year up to \$2,000. Percentages payable to Province by division court clerks.

**(2)** Of the fees and emoluments earned by any Division Court Clerk in each year he shall pay to the Treasurer of Ontario the following percentages: Scale of percentages.

**(a)** On the excess over \$2,000 up to \$3,500, twenty per cent.;

(b) On the excess over \$3,500 up to \$6,000, thirty per cent.;

(c) On the excess over \$6,000 up to \$10,000, forty per cent.;

(d) On the excess over \$10,000, seventy-five per cent.

By bailiffs.

(3) Every Division Court Bailiff shall be entitled to retain to his own use in each year all the fees and emoluments earned by him in that year up to \$4,000.

Scale of percentages.

(4) On all the fees and emoluments earned by any Division Court Bailiff in each year he shall pay to the Treasurer of Ontario the following percentages:

(a) On the excess over \$4,000 to \$10,000, twenty per cent.;

(b) On the excess over \$10,000, forty per cent.

Rev. Stat.  
c. 17, s. 8,  
subs. 1,  
amended.

Return of  
fees.

4. Subsection 1 of section 8 of *The Public Officers' Fees Act* is amended by striking out the words "Treasurer of Ontario" in the third line thereof and substituting therefor "Inspectors" and by inserting after the word "transmit" in the eighth line thereof the words "by cheque payable to the Treasurer of Ontario."

Rev. Stat.  
c. 17, s. 11,  
Disburse-  
ments, regula-  
tion of.

5. Section 11 of *The Public Officers' Fees Act* is amended by inserting after the word "revision" in the second line thereof the words "and determination."

Rev. Stat.  
c. 17, s. 12,  
subs. 2; 1917,  
c. 27, s. 5,  
repealed.

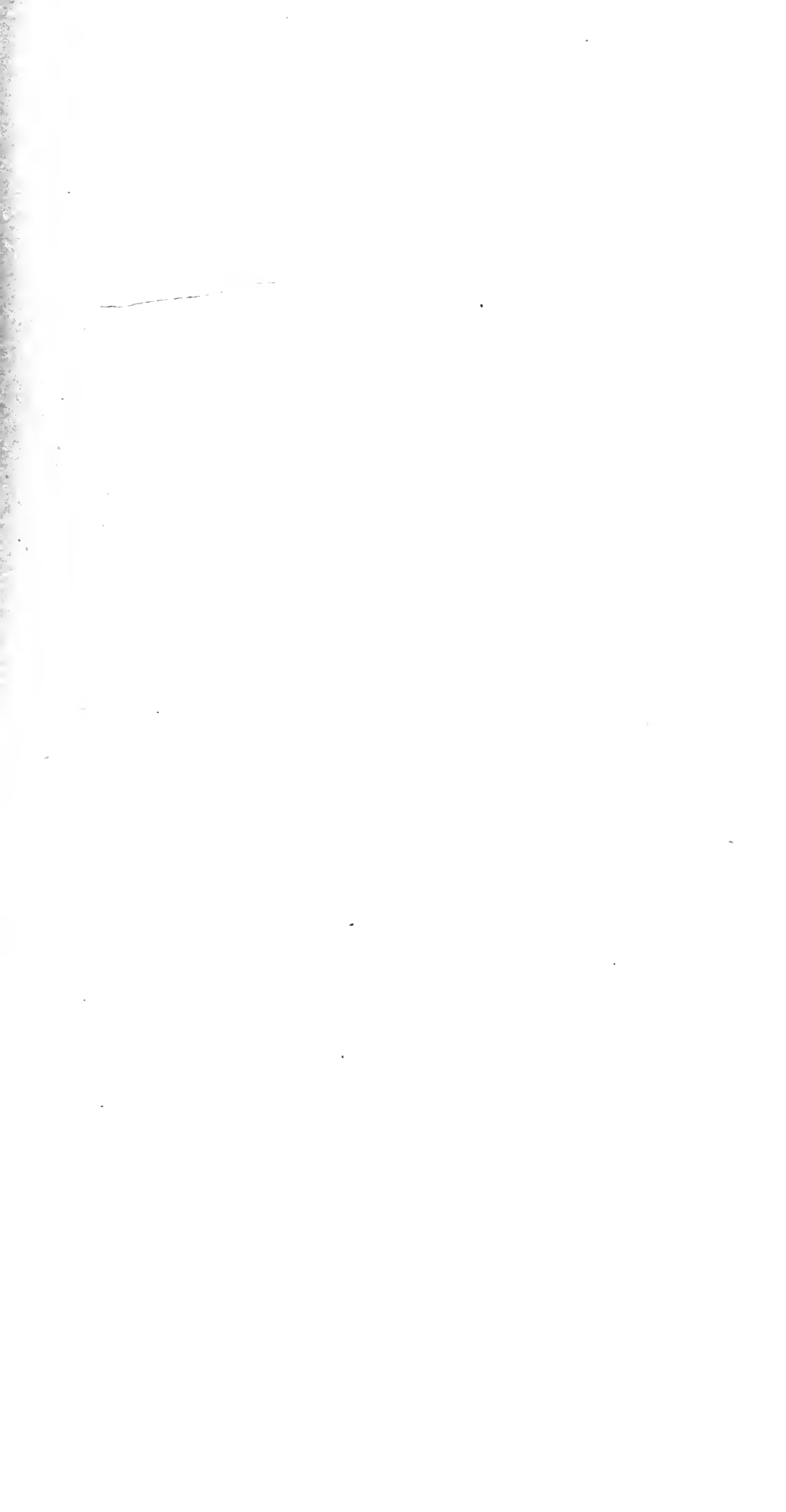
6. Subsection 2 of section 12 of *The Public Officers' Fees Act* as enacted by section 5 of chapter 27. of the statutes of 1917, is repealed and the following substituted therefor:

Where office  
held by more  
than one in  
same year.

(2) Where more than one person has held the office or offices in any calendar year each of such persons shall pay a proportionate part of the percentage payable for the year based upon the net income to which he is entitled.

Commence-  
ment of Act.

7. This Act shall come into force on the day upon which it receives the Royal Assent and shall have effect as from the 1st of January, 1922.



No. 235.

3rd Session, 15th Legislature,  
12 George V, 1922.

BILL.

An Act to amend The Public Officers'  
Fees Act.

1st Reading	2nd May, 1922.
2nd Reading,	1922.
3rd Reading,	1922.

Mr. RANNEY.

TORONTO:  
PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.

# BILL

An Act to amend The University Act.

**W**HEREAS the lands hereinafter described and other lands were vested in the University Residence Trustees for the purposes mentioned in the Act passed in the fifth year of the reign of His late Majesty King Edward the Seventh, chaptered 35 and intituled *An Act to Incorporate the University Residence Trustees*; and whereas under the authority conferred by clause 1 of section 32 of *The University Act* the University Residence Trustees have conveyed to the Governors of the University of Toronto the said lands upon the trusts and for the purposes upon and for which the same were held by the University Residence Trustees and subject as to part of the said lands to the terms of the lease thereof to Kappa Alpha Residence Limited; and whereas the lands hereinafter described are no longer needed for University residence purposes and a portion of them has been set apart for the use of Trinity College:

Preamble.

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The University Act, 1922*. Short title.

2. The lands described as follows: *First*, All and singular those certain parcels of land and premises situate lying and being in the City of Toronto, in the County of York and Province of Ontario, and comprising lots 41, 42, 43, 44 and 45 and parts of lots 40 and 46, as shown upon a plan registered in the registry office for the registry division of East Toronto as plan 101-E and part of park lot 13 in concession 1 from the bay, and more particularly described as follows: **Commencing at a point** in the easterly limit of Devonshire Place where a wooden stake has been planted.

Certain lands discharged from trusts to University Residence Trustees or Governors.

said point being a distance of thirty-two feet (32') north from the south-west angle of the said lot forty-six (46'); thence northerly along the easterly limit of Devonshire Place two hundred and ninety feet (290') to a point in the same, said point being a distance of twenty-two feet (22') north from the south-west angle of said lot forty (40'); thence easterly parallel to the northerly limit of Hoskin Avenue two hundred feet (200'); thence southerly parallel to the easterly limit of Devonshire place two hundred and ninety feet (290') to a point where a wooden stake has been planted distant three hundred and ten feet (310') from the northerly limit of Hoskin Avenue; thence westerly parallel to the northerly limit of Hoskin Avenue two hundred feet (200') to the point of commencement; *Second*, All and singular those certain parcels of land and premises situate lying and being in the City of Toronto, in the County of York and Province of Ontario, and Comprising lots 1, 2, 3, 7 and part of lot 8 as shown upon a plan registered in the registry office for the registry division of East Toronto as plan 101-E, and more particularly described as follows: Commencing at the intersection of the northerly limit of Hoskin Avenue with the westerly limit of Devonshire Place said point being the south-east angle of said lot three (3); thence northerly along the said westerly limit of Devonshire Place two hundred and forty feet (240') to a point in the same; thence westerly parallel to the northerly limit of Hoskin Avenue one hundred and fifty feet (150') to the westerly limit of said lot eight (8); thence southerly parallel to the westerly limit of Devonshire Place two hundred and forty feet (240') to the northerly limit of Hoskin Avenue aforesaid; thence easterly along the northerly limit of Hoskin Avenue one hundred and fifty feet (150') to the point of commencement, shall hereafter be free of and discharged from the trusts upon which the same were held by the University Residence Trustees or are now held by the Governors of the University of Toronto, and shall be and are hereby vested in the last-named body in the same manner as other lands vested in it for the purposes of *The University Act* are vested in it, but subject to the terms of the agreements bearing date the 15th day of November, 1910, and the 10th day of March, 1917, between the Governors of the University of Toronto and Trinity College.

Property  
to be  
deemed  
Crown  
property.  
for what  
purposes.

3. The Governors of the University shall have and enjoy in respect of all property, real and personal, vested in them for the purposes of *The University Act* the like exemptions, immunities and privileges as appertain to property vested

in the Crown for the use of the Province and such real and personal property shall be deemed to be for those purposes Crown property.

4. —(1) The Governors of the University may erect upon the lands vested in them an arena for the purpose of winter games, primarily for the use of undergraduates and graduates of the University, and may borrow for that purpose a sum not exceeding \$150,000, and issue debentures therefor, the payment of which and of the interest thereon shall form a charge upon the property vested in the Governors.

Erection  
of arena.

(2) The powers conferred by the next preceding subsection shall not be exercised unless a sum of not less than \$300,000 has been subscribed for the purpose of assisting in the erection of the arena and its equipment.

Amount to  
be sub-  
scribed.

(3) The Governors may agree with the persons making such subscriptions that they shall have such privileges as to attending when games are going on in the arena as may be deemed proper, and may agree as to the repayment of such subscriptions out of the profits of the arena in such manner, and at such times as the Governors may see fit or may make such other or additional agreement with the subscribers as the Governors may deem proper and as shall be approved by the Lieutenant-Governor in Council.

Agreement  
with sub-  
scribers,  
what it may  
include.

5. The agreement between the Minister of Education and the Governors of the University of Toronto, a copy of which forms a schedule to this Act, is hereby ratified and confirmed.

Ratifica-  
tion of  
agreement.

6. It is hereby declared that section 12 of *The University Act* was not intended to make and does not make the police regulations or by-laws of the corporation of the City of Toronto or of its Council operative as to any lands vested in the Governors of the University of Toronto which lie to the west of the park or any lands which are or may hereafter be used for the purposes of the University or of University College or of any university or college now or hereafter federated with the University, but such regulations and by-laws shall not be applicable thereto.

By-laws of  
City and  
police  
regulations  
not applic-  
able to  
lands west  
of Park.

7.—(1) Clause *c* of section 32 of *The University Act* is amended by substituting for the word and figure "subsection 2" in the third line thereof the word and letter "clause *b*" so that the clause will now read as follows:

Rev. Stat.  
c. 279,  
s. 32 (c),  
amended.  
Super-  
annuation  
and re-  
tirement.

- (c) make regulations respecting and provide for the retirement and superannuation of any of the persons mentioned in clause *b*, or the payment of a gratuity to any of them upon retirement and provide that any superannuation or retiring allowance or gratuity shall be paid out of a fund which may be created for that purpose either with the moneys of the board or by contributions from such persons, or partly by both;

(2) Clause *g* of section 32 of the said Act is amended by inserting in the seventh line after the word "University" the words "or hospital in which clinical facilities are provided for the medical faculty of the University" and by inserting in the eighth line after the word "college" the words "or hospital" so that the clause will now read as follows:—

- (g) without the consent of the owner or of any person interested therein enter upon, take, use and expropriate all such real property as the board may deem necessary for the purposes of the university and university college, or either of them, or of any other university or college federated with the university, or hospital in which clinical facilities are provided for the medical faculty of the university, at the cost and expense of such federated university or college, or hospital, making due compensation for any such real property to the owners and occupiers thereof, and all persons having any interest therein; 6 Edw. VII, c. 55, s. 39 (7); 10 Edw. VII, c. 26, s. 15.

1916, c. 63,  
s. 32, cl. (u)  
subcl. (i),  
repealed.

(3) Subclause *i* of clause *u* of section 32 of the said Act as enacted by the Act passed in the sixth year of His Majesty's reign, chaptered 63, and intituled *An Act to amend The University Act*, is repealed.

Rev. Stat.  
c. 279,  
s. 41, cl. (b),  
amended.

8. —(1) Clause *b* of section 41 of *The University Act* is amended by adding after the words "the Faculty of Arts of Trinity College by three members" the words "the Faculty of Arts of St. Michael's College by three members to be chosen by the members of that Faculty" so that the clause will now read as follows:—



- (b) The Faculties shall be entitled to representation as follows:— Faculties, representation of.

The Faculty of Arts of the University by the professors (not including associate professors) of the faculty, each of whom shall be a member of the Senate;

The Faculty of Medicine by five members;

The Faculty of Applied Science and Engineering by five members;

The Faculty of University College by three members;

The Faculty of Arts of Victoria University by three members;

The Faculty of Arts of Trinity College by three members;

The Faculty of Arts of St. Michael's College by three members to be chosen by the members of that Faculty; and

The Faculty of Arts of every university hereafter federated with the university by three members;

(2) Clause *c* of section 41 of the said Act is amended by inserting after the words "federated college" in the third line the words "except St. Michael's College" so that the clause will now read as follows:— Rev. Stat. c. 279, s. 41, cl. (c), amended.

- (c) One member shall be appointed by each federated university, two members shall be appointed by each federated college, except St. Michael's College, one member shall be appointed by the Law Society of Upper Canada, and subject to any statute, one member shall be appointed by the governing body of every affiliated college which now is or shall hereafter be entitled to appoint a representative; Federated universities and colleges, law society and affiliated colleges, representation of.

Rev. Stat.  
c. 279,  
s. 41, cl. (d),  
amended.

(3) Clause *d* of section 41 of the said Act is amended by inserting after the word "Engineering" in the fifteenth line, the words, "and such persons other than graduates as hold the diploma of the School of Practical Science," and by inserting after the word "Agriculture" in the seventeenth line, the words, "two members elected by the graduates in Dentistry" so that the clause will now read as follows:

Graduates,  
representation  
of.

- (*d*) Twelve members shall be elected by the graduates in Arts in the university who at the time of graduation were enrolled in University College; five members shall be elected by the graduates in Arts and Science of Victoria University, and the graduates in Arts of the university who at the time of graduation were enrolled in Victoria College; five members shall be elected by the graduates in Arts and Science of Trinity College and the graduates in Arts of the university who at the time of graduation were enrolled in Trinity College; four members shall be elected by the graduates in Medicine; two members shall be elected by the graduates in Applied Science and Engineering, and such persons other than graduates as hold the diploma of the School of Practical Science; two members shall be elected by the graduates in Law; two members shall be elected by the graduates in Agriculture; two members elected by the graduates in Dentistry; and four members shall be elected by such persons as hold certificates as principals of collegiate institutes or high schools or assistants therein, and are actually engaged in teaching in a collegiate institute or a high school;

Rev. Stat.  
c. 279, s. 41,  
amended.

(4) Section 41 of the said Act is amended by adding after clause *d*, the following subclause:

Doctors of  
Philosophy,  
Masters of  
Arts, etc.,  
representation  
of.

- (*i*) Non Collegiate Bachelors of Arts of the University and Masters of Arts and Doctors of Philosophy of the University whose Bachelor's degree was obtained in another

University, shall be entitled to appoint one member for each one hundred of such graduates, but not exceeding in all two members.

**9.** Section 60 of the said Act is amended by inserting after the word "thereof" in the second line, the words "and such other persons as are entitled to vote at the election of representatives upon the Senate," so that the section will now read as follows:—

Rev. Stat.  
c. 279, s. 60,  
amended.

60. There shall be a Chancellor of the university, who shall be elected by the graduates thereof, and such other persons as are entitled to vote at the election of representatives upon the Senate, at the time and in the manner hereinafter mentioned. 6 Edw. VII. c. 55, s. 67.

Chancellor.

**10.** Section 90 of the said Act is amended by adding thereto the following subsection:—

Rev. Stat.  
c. 279, s. 90,  
amended.

(2) Where a card catalogue containing the names and known addresses of such graduates is kept, it shall not be necessary to prepare the alphabetical list mentioned in subsection 1.

Card cata-  
logue.

**11.** Section 91 of the said Act is amended by adding in the first line after the words "posted up" the words "or the card catalogue shall be kept."

Rev. Stat.  
c. 279, s. 91,  
amended.  
Register to be  
posted up in  
offices of  
Registrar.

**12.** Subsection 1 of section 96 of the said Act is amended by adding at the end thereof the words "and of such other persons as are entitled to separate representation upon the Senate," and by striking out the word "and" before the letter "(h)", so that the section will now read as follows:—

Rev. Stat.  
c. 279, s. 96,  
subs. (1),  
amended.

96.—(1) The Registrar, in preparing the election register, shall make separate lists of (a) the graduates in Arts of the University enrolled in University College; (b) the graduates in Arts of each federated university, including graduates of the University who were at the time of graduation enrolled in the federated university; (c) the graduates in Medicine; (d) the graduates in Law;

Separate lists  
of different  
classes of per-  
sons entitled  
to vote.

- (*e*) the graduates in Applied Science and Engineering; (*f*) the graduates of each other faculty in the University, the graduates of which are entitled to elect representatives; (*g*) the graduates in Agriculture; (*h*) the principals of and assistants in collegiate institutes and high schools actually engaged in teaching in a collegiate institute or high school, and of such other persons as are entitled to separate representation upon the Senate.

Rev. Stat.  
c. 279, s. 114,  
amended.

**13.** Section 114 of the said *Act* is amended by adding the following as subsections 2 and 3:—

When Senate  
may appoint  
members.

- (2) If the full number of members which any body is entitled to elect is not elected, instead of holding an election, the Senate may appoint the number of members which such body has failed to elect.

Special  
meeting.

- (3) The appointment shall be made at a special meeting called for the purpose.

Rev. Stat.  
c. 279,  
amended.

**14.** The said *Act* is amended by adding the following as section 114*a*:—

Twenty  
members may  
exercise  
powers.

- 114*a*. Notwithstanding any vacancy in the membership of the Senate, however caused, as long as there are at least 20 members, it shall be competent for the Senate to exercise all or any of its powers.

Commence-  
ment of *Act*.

**15.** This *Act* shall come into force on the day upon which it receives the Royal Assent.

## SCHEDULE "A."

## MEMORANDUM OF AGREEMENT

In the matter of the training of teachers, the Minister of Education of Ontario and the Governors of the University of Toronto agree as follows:—

1. The Governors of the University of Toronto shall establish and maintain, subject to the provisions hereinafter mentioned, a college to be known as the Ontario College of Education.
2. The Ontario College of Education shall provide for: (1) Graduate courses of instruction in education; (2) Courses for certificates as high school assistants and specialists; and (3) Such other courses for certificates of the Department of Education as may be required by the Minister of Education and agreed to by the Governors. It shall also co-operate, so far as may be deemed practicable by both parties to this agreement, both in instruction and in practice-teaching, with other provincial training schools in the training of teachers for provincial certificates.
3. The courses of study for students in training for certificates of the Department of Education and all proposed regulations affecting the training, conduct, and health of such students shall be approved by the Lieutenant-Governor in Council on the report of the Minister.
4. The names of all persons to be appointed to the college staff of instructors in courses for certificates of the Department shall be submitted to the Minister for approval, and the appointments shall be subject to the approval of the Lieutenant-Governor in Council.
5. By arrangement between the Minister and the President of the University, the work done in the college, and in the observation and practice schools in connection therewith, shall be open at any time to the visitation and inspection of the Provincial Director of Professional Training Schools, or such other person or persons as may be designated by the Minister of Education.
6. The governors shall submit to the Minister of Education, before the 31st of December of each year, detailed estimates of the proposed expenditure upon the college upon capital account and for maintenance for the following academic year, and, if approved by the Minister of Education, these shall be submitted to the Legislative Assembly as a part of the estimates of the Department of Education.
7. All tuition, examinations, graduation, or other fees imposed upon students in training for certificates of the Department shall be subject to the approval of the Minister of Education.
8. The certificates of the Department of Education shall be awarded to students in training upon the report of the Dean of the College and the Provincial Director of Professional Training Schools, approved by the Minister, in whose name the certificates shall be issued.
9. This agreement shall remain in force from year to year subject to cancellation by notice in writing from either party to the other at least one year before the cancellation becomes effective.

10. All former provisions respecting the training of public school teachers and of high school teachers at the Faculty of Education and all courses for certificates of the Department of Education in connection with the Department of Household Science shall be cancelled, when the regulations made, as provided by paragraph 2, come into force.

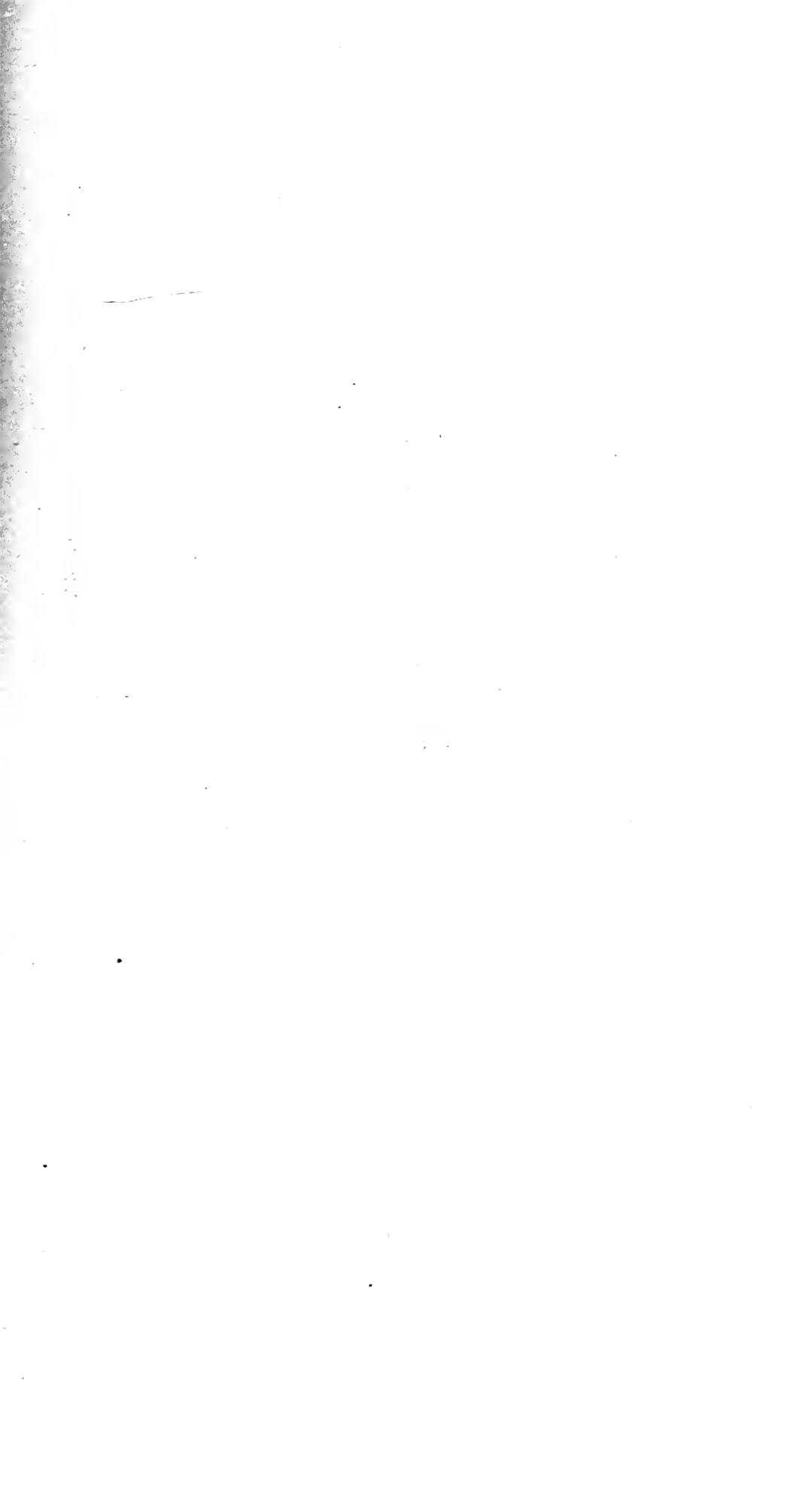
Dated the 30th day of June, 1920.

THE MINISTER OF EDUCATION FOR ONTARIO.

THE GOVERNORS OF THE UNIVERSITY OF TORONTO.

*Chairman.*

*Bursar.*



No. 236.

3rd Session, 15th Legislature,  
12 George V, 1922.

BILL

An Act to amend The University Act.

1st Reading,	3rd May, 1922.
2nd Reading,	1922.
3rd Reading,	1922.

Mr. GRANT.

TORONTO:  
PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.



# BILL

## The Municipal Amendment Act, 1922.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**1.** Section 21 of *The Municipal Act* is amended by adding the following as subsection 1a:—

Rev. Stat.  
c. 192,  
s. 21,  
amended.

(1a) In case there are no municipal electors in such part of the adjacent township, no petition shall be required, but notice of such resolution shall be given by the council of such city or town to the above-mentioned councils and also to the owners, if any, of lands in such part of the adjacent township.

Procedure  
when no  
municipal  
electors.

**2.** Section 73a of *The Municipal Act* is amended by striking out the figures "200,000" in the third line and inserting in lieu thereof the figures "100,000."

Rev. Stat.  
c. 192,  
s. 73a,  
amended.  
Time for  
nomination  
and polling.

**3.** *The Municipal Act* is amended by inserting after section 73a, thereof the following as section 73b.

Rev. Stat.  
c. 192,  
amended.

**73b.** Notwithstanding the provisions of sections 63, 71, 73 and 73a, the council of any local municipality may by by-law, passed not later in the year than the 1st day of November, provide that the meeting of electors for nomination of candidates for mayor, controllers, aldermen, reeves, deputy-reeves, councillors and in urban municipalities, the public school board, and the board of education shall be held on the last Monday in November, and that polling shall take place on the first Monday in December, and the by-law shall remain in force from year to year until repealed.

Date of  
nomination  
and election.

Rev. Stat.  
c. 192,  
s. 101(2),  
amended.

4. Subsection 2 of section 101 of *The Municipal Act* is amended by striking out the word "city" in the first line and inserting in lieu thereof the word "municipality", and by striking out the words "until seven o'clock in the afternoon" in the third line and inserting in lieu thereof the words "from eight o'clock in the forenoon until six o'clock in the afternoon" so that the subsection as so amended will read as follows:

Hours of  
polling.

(2) The council of a municipality may by by-law passed before the 15th day of November in any year extend the time for keeping open the polls from eight o'clock in the forenoon until six o'clock in the afternoon.

Rev. Stat.  
c. 192, s. 146,  
amended.  
Ballot papers  
to be de-  
stroyed after  
six weeks  
instead of  
one month.

5. Section 146 of *The Municipal Act* is amended by striking out the words "one month" in the first and second lines thereof and inserting in lieu thereof the words "six weeks."

Rev. Stat.  
c. 192, s. 237,  
amended.

6. Section 237 of *The Municipal Act* is amended by adding the following as subsection 12a:—

Holding meet-  
ing and pub-  
lishing state-  
ment when  
nomination  
meeting is  
held  
on last Monday  
in November.

12a. The council of every town, village and township in which the nomination meeting is held on the last Monday in November, and polling on the first Monday in December as provided by section 73b shall hold a meeting on the 15th day of November in each year and shall immediately thereafter publish the detailed statement provided for by subsection 9 and a similar statement respecting the last 46 days of the next preceding year and the time for publishing, posting up, printing and transmitting the statements as provided by subsections 11 and 12 shall be the 24th day of November.

Rev. Stat.  
c. 192,  
s. 237 (13),  
amended.

7. Subsection 13 of section 237 of *The Municipal Act* is amended by striking out the word "four" in the first line and substituting therefor the word "five."

Rev. Stat.  
c. 192,  
s. 242 (4),  
repealed.

8. Subsection 4 of section 242 of *The Municipal Act* is repealed and the following substituted therefor:—

Declaration  
of constable.

(4) Every constable, before entering upon the duties of his office, shall make and subscribe a declaration, Form 17.

**9.** Section 242 of *The Municipal Act* is amended by inserting the following as subsection 4a:— Rev. Stat. c. 192, s. 242, amended.

- (4a) Every returning officer, deputy returning officer and poll clerk before entering upon the duties of his office shall take the oath of office, Form 17a. Oath of Office.

**10.** Section 255 of *The Municipal Act* is amended by adding thereto the following as subsection 3:— Rev. Stat. c. 192, s. 255, amended.

(3) The council may, Power to control and collect fee.

- (a) Regulate and control the type of construction of such boxes and from time to time vary and change the locations thereof.
- (b) Allow the painting of advertisements thereon and regulate the wording thereof and prohibit the placing of objectionable matter thereon.
- (c) Fix and collect an annual fee from the owner thereof for the privilege granted.
- (d) Keep such boxes clean and undertake the removal of the waste deposited therein.

**11.** Section 269 of *The Municipal Act* is repealed and the following substituted therefor:— Rev. Stat. c. 192, s. 269, repealed.

269. An elector shall be entitled to vote once only on any by-law or question submitted and where he is qualified to vote in more than one ward or polling subdivision he shall vote only in that in which he resides if qualified to vote there, or if not qualified to vote there or if he is not a resident of the municipality, he may elect at which of such wards or polling subdivisions he will vote and shall vote there only. Where ratepayers qualified in more than one ward.

**12.** Section 291 of *The Municipal Act* is amended by striking out the word "an" in the first line and inserting in lieu thereof the words "a decline or an;" by inserting the words "a heavy premium or at" after the word "at" at the end of the fourth line; by striking out the words "an increased" in the ninth line and inserting in lieu thereof the words "a different," and by striking out the word "increase" in the tenth line and inserting in lieu thereof the word "change." so that the section when so amended will read as follows:— Rev. Stat. c. 192, s. 291, amended.

Authority  
to change  
rate of  
interest.

291. Where, owing to a decline or an advance in the rate of interest between the passing of a money by-law heretofore or hereafter passed, and the sale or other disposal of the debentures, they or any of them cannot be sold or disposed of, except at a heavy premium or at a discount involving a substantial reduction in the amount required to be provided, the council may, with the approval of the Municipal Board, and without submitting the same for the assent of the electors, pass a by-law to amend the first-mentioned by-law, by providing for a different rate of interest, and for a corresponding change in the amount to be raised annually.

Rev. Stat.  
c. 192,  
amended.

**13.** *The Municipal Act* is amended by adding the following as section 325a;—

*“Deferred” Widening, Etc., of Highway.*

By-law may  
fix future  
date for  
widening, etc.

325a.—(1) A by-law of the council of a city having a population of not less than 50,000 or a municipality bordering on such a city for establishing or laying out, or for extending, widening or diverting a highway or part of a highway may provide that the corporation shall not enter immediately on the land required to be taken or proceed to carry out the work but that same shall be deferred until a day named therein not less than three nor more than ten years after the date of the passing of the by-law: and in this section the word “highway” shall include “street” as defined in *The Local Improvement Act*.

Entry  
deferred  
accordingly.

(2) The corporation shall not enter on any land required to be taken before the day named in such by-law unless by leave of a judge of the county court of the county in which the land is situate or by order of the Municipal Board made as hereinafter provided.

By-law not  
to be  
repealed  
except with  
leave of Mun-  
icipal Board.

(3) Such by-law shall be binding upon the corporation and shall not be repealed or altered except by a vote of two-thirds of the mem-

bers of council and with leave of the Municipal Board; such leave to be granted the corporation only for exceptional reasons not apparent or existing when the by-law was passed and after hearing the owners of the lands proposed to be taken and on such terms as the Board may determine in regard to the re-vesting of the land taken and the payment to each owner of the damages, if any, sustained by him in consequence of the passing of the by-law or of so much of the by-law as is proposed to be altered and his costs.

- (4) Where the Council proposes to pass a by-law under this section it may register in the proper registry office a draft plan of the contemplated work with any supplementary memorandum which may be needed to show its substantial features and to furnish adequate local description to comply with *The Registry Act*, and the Registrar shall enter the same on the abstract index for each parcel of land required to be taken; but if the by-law is not passed within six months after such registration the registration shall be deemed of no effect and the corporation shall forthwith cause a certificate signed by the mayor or reeve and clerk and sealed with the corporation's seal, stating that no by-law was passed, to be registered in like manner in the registry office. Registration of plan in advance.
- (5) After the passing of the by-law and subject to any order made by the Municipal Board under subsection 3 the land required to be taken for the work shall be deemed to be vested in the corporation for the purposes of a highway subject to the right of the owner or his assigns to remain in the possession and enjoyment thereof without impeachment of waste either wanton or permissive until entry by the corporation as aforesaid and to utilize the land and to erect buildings thereon during his or their occupancy (subject to the provisions contained in subsections 12 and 13 hereof as to compensation in respect of such buildings). Land taken shall vest at once in corporation on conditions.

- (6) After the land is vested in the corporation it shall for all purposes of assessment and taxation, whether under said by-law or otherwise, be deemed to be a component part of the highway; but where a building stands partly on land taken for the work and partly on adjoining land it shall be assessed on the assessment roll of the municipality in the same manner as if it stood entirely on such adjoining land.

Corporation  
to enter at  
date named.

- (7) At the date named in the by-law for entry it shall be the duty of the corporation to enter and proceed with diligence and despatch to remove all buildings and obstructions from the land taken for the work and to put it in fit and proper condition and make it available for use as a highway.

Subsequent  
by-law for  
undertaking  
work as  
a local  
improvement.

- (8) The by-law may be passed without the assent of the electors and without regard to the provisions of *The Local Improvement Act* and shall express the intention of council as to the corporation's portion of the cost thereunder, and the council may thereafter by a majority vote, pass a by-law for undertaking the work as a local improvement and such by-law shall have the same force and effect as if passed under section 9 of *The Local Improvement Act* and the provisions of that Act shall apply thereafter to such work, but the Municipal Board shall have no power under sections 7 and 9 of said Act, either by making an order or by withholding its approval to prevent the due carrying out of the work.

*Compensation under "deferred" street-widening by-law.*

Compensa-  
tion, when  
payable and  
how  
estimated.

- (9) Except as may be otherwise ordered by the Municipal Board under subsection 13 compensation for land taken by a by-law passed under this section shall not become payable until the day fixed in the by-law for entry.
- (10) Compensation payable thereunder shall be ascertained and determined as hereinafter set out and shall be limited to

(a) the market value of the land itself exclusive of and without regard to any buildings or improvements thereon and

(b) the value of the buildings and improvements; and in all cases full account shall be taken of the worth of every advantage which the owner will derive from the work.

- (11)—(a) In this subsection the word “land” shall mean the land itself exclusive of and without regard to any buildings or improvements thereon;
- (b) Notwithstanding that entry is deferred the corporation or the owner may proceed at once after the passing of the by-law to have determined the compensation, if any, payable for any land taken; Fixing compensation for land apart from buildings.
- (c) The value of the land shall be fixed as of the date of the registration of the draft plan (or if no plan is registered, as of the date of the passing of the by-law);
- (d) The compensation shall be determined by a Board of three arbitrators, all of whom may be residents of the municipality, one to be appointed by the judge and one by the Municipal Board and the third to be chosen by the two so appointed, and in the event of their failure to agree, the third to be appointed by the Chief Justice of Ontario.
- (e) The board of arbitrators may determine the compensation in a summary manner upon seven days’ notice in writing duly served; and after hearing what is alleged by the parties and without hearing any other evidence unless it decides to do so may forthwith make its award, and the award so made shall be final and shall not be subject to appeal, except as to questions of law on which there shall be an appeal to

the Appellate Division of the Supreme Court of Ontario, whose decision shall be binding and final and without appeal.

- (f) The board of arbitrators in its discretion may require all the claims for land taken under the by-law to be brought before it at one hearing, or it may divide the claims into groups and hold a separate hearing for each group.

- (12)—(a) Compensation shall be allowed in respect of buildings and improvements as they may exist at the date fixed for entry; and such compensation as well as damages in respect of any land injuriously affected by the work shall be determined by said board of arbitrators in the manner above set out.

- (b) But in respect of buildings or improvements erected or made after the date of the registration of the draft plan of the work (or if no plan is registered, after the date of the passing of the by-law) the compensation or damages shall be allowed and payable to the extent only of three-quarters of the proper cost of a structure one storey in height of such temporary character, conformable to the existing building by-laws and regulations, as may be reasonable in view of the limited time which is to elapse before entry.

- (13) The Municipal Board may make an order at any time granting relief in the following cases: first, where part of an owner's lot is taken for the work and special circumstances exist in the matter of the location, size or shape of the lot which render it inequitable and unjust that the compensation to be allowed for buildings or improvements to be thereafter erected thereon should be limited as provided in subsection 12 and, secondly, where the work is deferred until a day more than five years after the date of the passing of the by-law and the whole of the owner's lot is taken or so much of it as to render the remainder, by reason of its size or shape, unfit for building purposes;

Fixing  
compensation  
for buildings.

As to  
buildings  
erected after  
passing of  
by-law.

Relief in  
special cases.



And the Board in the first case may approve of plans and specifications for appropriate buildings or improvements and fix the basis of compensation to be made therefor, and in the second case it may direct the corporation to enter and make compensation to the owner at an earlier day than the day named in the by-law or to make an immediate or periodical payment to the owner to compensate him for the delay: or it may make such further or other order in either case as may be required to afford due compensation to the owner for the exceptional and peculiar damage he would suffer by reason of the special circumstances affecting his lot.

- (14) The council may agree with any bank or person for temporary advances to meet any costs or liabilities incurred under the by-law prior to the completion of the work. Temporary advances.
- (15) This Section shall come into force and take effect on the day upon which it receives the Royal Assent.

**14.** Section 391 of *The Municipal Act* is amended by adding thereto the following as clause (m):— Rev. Stat. c. 192, s. 391 amended.

- (m) Notwithstanding the provisions of the foregoing clauses (k) and (l) in the case of a city having a population of not less than 100,000 where it is impracticable to subdivide any polling subdivision so as to comply therewith, an election shall not be irregular or void or voidable for the reason that any polling subdivision contains more than the prescribed number of electors. Polling subdivision in city over 100,000.

**15.** Clause a of section 395 of *The Municipal Act* which reads "A grant of money as a gift or a loan, either conditionally or unconditionally" is repealed. Rev. Stat. c. 192, s. 395(a), repealed.

**16.** Paragraph 28a of section 398 of *The Municipal Act* as enacted by 10-11 George V. Chapter 58, section 10, is amended by inserting the word "monuments" after the word "windows" in the first line. Rev. Stat. c. 192, s. 398, para. 28a, amended.

Rev. Stat.  
c. 192, s. 398,  
amended.

**17.** (1) Section 398 of *The Municipal Act* is amended by adding the following as paragraph 31b;

*Ontario Safety League.*

Grants to  
Ontario Safety  
League.

31b. For making contributions towards the expenses incurred by the Ontario Safety League in carrying out the purposes for which it was organized.

(2) All contributions heretofore made for such purposes are confirmed and declared to be legal, valid and binding.

Rev. Stat.  
c. 192, s. 399,  
par. 57,  
amended.

**18.** Paragraph 57 of section 399 of *The Municipal Act* is amended by adding thereto the following words: "within any defined area or areas or on land abutting on any defined highway or part of a highway."

Rev. Stat.  
c. 192, s. 416,  
amended.

**19.** Section 416 of *The Municipal Act* is amended by adding after the word "councils," in the first line of the heading, the words "of townships in unorganized territory," so that the heading, when so amended, will read as follows:

416. By-laws may be passed by the councils of townships in unorganized territory, of counties and towns, and of cities having a population of less than 100,000 and by the Board of Commissioners of Police of cities having a population of not less than 100,000.

Rev. Stat.  
c. 192, s. 419,  
par. 1,  
amended.

**20.** Paragraph 1 of section 419 of *The Municipal Act* as enacted by 8 George V, Chapter 32, section 13, is amended by inserting the words "and of fresh fish" after the word "meats" in the first line and after the word "carcass" in the sixth and tenth lines, so that the paragraph when so amended will read as follows;

Regulation,  
Storage and  
Sale of  
Fresh Meats  
and Fish.

(1) For regulating the storage, handling and sale of fresh meats and of fresh fish and prescribing the equipment and appliances necessary to conduct such business under sanitary conditions, and for granting annually or oftener licenses for the sale of fresh meat in quantities less than by the quarter carcass and of fresh fish, and fixing and regulating the places where such sale shall be allowed, and for prohibiting the sale of fresh meat in less quantities than the quarter carcass and of fresh fish unless by

a licensed person and in a place authorized by the council.

- (a) The power conferred by paragraph 1 shall not be affected or restricted by anything in section 402.
- (b) Nothing in paragraph 1 shall affect the powers conferred by paragraphs 3 and 4 of section 401.
- (c) The fee to be paid for the license shall not exceed \$50 in a city and \$25 in a town or village.

**21.** Section 495 of *The Municipal Act* which reads as follows: Rev. Stat.  
c. 192, s. 495,  
repealed.

495. Stone, gravel or other material shall not be put on any highway for the purpose of rebuilding or repairing it during the winter months so as to interfere with the use of sleighs unless another convenient highway is provided while the rebuilding or repairing is being done.

is hereby repealed.

**22.** Form 2 appended to *The Municipal Act* as enacted by an Act passed in the 10th and 11th years of the reign of His Majesty King George the Fifth, chaptered 59 is repealed and the following substituted therefor:— Rev. Stat.  
c. 192,  
Form 2,  
amended.

#### FORM 2,

##### DECLARATION OF QUALIFICATION BY CANDIDATE.

I, A. B. declare that

1. I am a householder residing in this municipality and am assessed as owner (or tenant) of a dwelling or apartment house (or part of a dwelling) or apartment house separately occupied as a dwelling) or (am rated on the last revised assessment roll for land held in my own right for an amount sufficient to entitle me to be entered on the voters' list) and that I reside in (or within two miles of) the municipality.
2. I am entered on the last revised voters' list as qualified to vote at municipal elections;
3. I am a British subject and am not a citizen or a subject of any foreign country;
4. I am of the full age of twenty-one years;
5. I am not liable for any arrears of taxes to the corporation of this municipality.





3rd Session, 15th Legislature,  
12 George V, 1922.

BILL

The Municipal Amendment Act, 1922

1st Reading,	3rd May, 1922.
2nd Reading,	1922.
3rd Reading,	1922.

MR. NIXON.

# BILL

## An Act to amend The Soldiers' Aid Commission Act.

**W**HEREAS the Soldiers' Aid Commission of Ontario Preamble. was incorporated by chapter 3 of an Act passed in the sixth year of the reign of His Majesty King George the Fifth; and whereas by section 60 of chapter 27 of an Act passed in the seventh year of the reign of His Majesty King George the Fifth, and section 34 of chapter 25 of an Act passed in the ninth year of the reign of His Majesty King George the Fifth, and by chapter 29 of an Act passed in the tenth and eleventh years of the reign of His Majesty King George the Fifth, further powers and duties were imposed upon the said Commission; and whereas since the inception of the said Commission a great part of its work has consisted in giving assistance, financial or otherwise, to the wives, widows, children and dependent relatives of the classes mentioned in section 4 of *The Soldiers' Aid Commission Act*, and particularly to young war widows who were left widows by the war and need help; and whereas doubts have arisen as to the power of the Commission to grant such assistance and it is desirable to have such doubts removed; and whereas certain litigation has been in progress between the Soldiers' Aid Commission and the National Trust Company Limited, agent for Harold de Pass, of London, England, one of the executors named in the Will of Kathleen Saunders Hammond, deceased, late of the City of Toronto, in the County of York, relative to the construction of clause 26 of the said Will of Kathleen Saunders Hammond, deceased, whereby she bequeathed the residue of her estate to war charities; and whereas a settlement has been reached between the Soldiers' Aid Commission and National Trust Company, Limited, aforesaid, and it is desirable to give effect by Legislative sanction to the settlement,

Therefore His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Short title.

1. This Act may be cited as *The Soldiers' Aid Commission Amendment Act, 1922*.

Powers of Commission as to granting aid to dependents of soldiers.

2. It is, was, and always has been lawful for the Soldiers' Aid Commission to grant assistance, financial or otherwise, to the wives, widows, children and dependent relatives of the classes mentioned in section 4 of *The Soldiers' Aid Commission Act*, being chapter 3 of an Act passed in the sixth year of the reign of His Majesty King George the Fifth, and particularly to young war widows who were left widows by the war and need help, and all assistance, financial or otherwise, heretofore given by the said Commission is legal and valid for all intents and purposes.

Executor of K. S. Hammond authorized to erect and maintain monument.

3. It shall be lawful for the executor named in the said Will of Kathleen Saunders Hammond out of the residuary moneys bequeathed by clause 26 of the said Will of the said Kathleen Saunders Hammond, to purchase and erect to her memory a suitable monument in the cemetery in which she is buried, at a cost not exceeding \$1,000, and to pay a further sum not exceeding \$500 for the maintenance and upkeep of the grave of the said Kathleen Saunders Hammond.

Application of residuary bequest for benefit of young war widows.

4. After payment of the expenses of administration, including all proper costs and charges incurred by the executors and trustees of the said Will in connection with any application for the construction thereof by the Court, and any expenses properly incurred by the said executors and trustees in connection with this legislation, and after deducting the moneys provided for in the next preceding paragraph, the residue of the moneys bequeathed by the said clause 26 of the Will of the said deceased, shall be divided into two parts, and as to one of such parts the Soldiers' Aid Commission of Ontario shall be the beneficiary, and the said executor shall pay over to the Soldiers' Aid Commission of Ontario one of such parts; provided, however, that the Soldiers' Aid Commission of Ontario shall administer and distribute the moneys so received for the benefit of young war widows who were left widows by the war and need help.



5. Out of the residue remaining in the hands of the said executor, after making the deductions provided for by sections 3 and 4, it shall be lawful for the said executor to pay over to Mrs. Fannie Parker, sister of the deceased husband of the said Testatrix, the sum of \$15,000, and all moneys remaining in the hands of the executor after making all payments as aforesaid shall be held by him upon the trusts declared in clause 26 of the said Will of the said Kathleen Saunders Hammond.

Payment out  
of estate of  
K. S. Ham-  
mond to  
Fannie  
Parker.

6. This Act shall come into force on the day upon which it receives the Royal Assent.

Commence-  
ment of Act.

3rd Session, 15th Legislature,  
12 George V, 1921.

BILL.

An Act to amend The Soldiers' Aid  
Commission Act.

1st Reading,	3rd May, 1922.
2nd Reading,	1922.
3rd Reading,	1922.

MR. CARMICHAEL.

No. 239.

1922.

# BILL

An Act to amend The Ontario Highways Act, 1915

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Ontario Highways Amendment Act, 1922.* Short title.

2.—(1) Subsection 1 of section 17 of *The Ontario Highways Act, 1915*, is amended by inserting the words “subject to the provisions of subsection 2 a” after the word “whom” in the fifth line thereof, so that the subsection will now read as follows:—

1915, c. 17, s. 17, subs. 1, amended.

17.—(1) The laying out, construction, maintenance and repair of county roads within the suburban area outside of any city or town and the expenditure thereon, shall be directed by a commission representing the county and the city or town, and consisting of persons each of whom subject to the provisions of subsection 2a shall hold office for the term of five years from the date of his appointment and until his successor is appointed.

Commission.

(2) Subsection 2 of section 17 of the said Act is amended by striking out the words “to be agreed upon by the two members so appointed and in default of such agreement,” so that the subsection will now read as follows:—

1915, c. 17, s. 17, subs. 2, amended.

How composed in case of city or town of less than 50,000.

- (2) Where a city or town has a population of less than 50,000, the commission shall be composed of three persons, one to be appointed by the council of the city or town, one by the **council of the county**, and the third to be appointed by the Lieutenant-Governor in Council.

1915, c. 17, s. 17, amended.

- (3) Section 17 of the said Act, is amended by adding thereto the following subsection:—

Tenure of office of third commissioner.

- (2a) The third member of the commission, appointed under the provisions of subsection 2 shall hold office for the term of two years from the date of his appointment, and until his successor is appointed.

1915, c. 17, s. 17, subs. 3, amended.

- (4) Subsection 3 of section 17 of the said Act is amended by striking out the words “to be agreed upon by the members so appointed, and in default of such agreement” in the fourth and fifth lines thereof, so that the subsection will now read as follows:—

City of 50,000 or over.

- (3) In the case of a city having a population of 50,000 or over, the commission shall be composed of two members to be appointed by the council of the city, two by the council of the county and one to be appointed by the Lieutenant-Governor in Council.

Commencement of Act.

- 3.** This Act shall come into force on the day upon which it receives the Royal Assent, and shall take effect as from the 1st day of **June, 1922.**



No. 239.

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3rd Session, 16th Legislature,  
12 George V, 1922.

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BILL.

An Act to amend The Ontario Highways  
Act, 1915.

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1st Reading,	4th May, 1922.
2nd Reading,	1922.
3rd Reading,	1922.

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MR. TAYLOR.

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TORONTO:  
PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.

# BILL

## An Act to amend The Jurors' Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**1.** This Act may be cited as *The Jurors' Amendment Act, 1922.* Short title.

**2.** Subsection 1 of section 63 of *The Jurors' Act* is amended by striking out the words "by delivering to him or in case of his absence from his usual place of abode, by leaving with some grown-up person there residing," and substituting therefor the words "by sending to him by registered mail," so that the subsection will now read as follows:—

- (1) The sheriff shall summon every person drafted to serve on grand juries or on petit juries, not being special juries, twelve days at least before the day on which the juror is to attend by sending to him by registered mail a notice in writing, Form 2, Schedule "D," under the hand of the sheriff, but when the sheriff is directed to draft and summon additional jurors under the provisions of this Act, such twelve days' service shall not be necessary.

**3.** The item numbered 4 in the tariff set out in section 102 of *The Jurors' Act* as enacted by section 7 of *An Act to amend The Jurors' Act*, passed in 1918, chaptered 23, is repealed.

Rev. Stat.  
c. 64, s. 63,  
subs. 1,  
amended.

Jurors to  
be summon  
ed twelve  
days before  
attendance  
required.

1918, c.  
23, s. 7,  
amended.

Rev. Stat.  
c. 64, s. 104,  
subs. 2,  
repealed.

**4.** Subsection 2 of section 104 of *The Jurors' Act* is repealed.

Commence-  
ment of  
Act.

**5.** This Act shall come into force on the 1st day of July, 1922.





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3rd Session, 15th Legislature,  
12 George V, 1922.

---

BILL.

An Act to amend The Jurors' Act.

---

1st Reading,	4th May, 1922.
2nd Reading,	1922.
3rd Reading,	1922.

---

MR. LETHBRIDGE.

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TORONTO:  
PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.

# BILL

## An Act to amend The Jurors' Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Jurors' Amendment Act, 1922*. Short title.



2. Subsection 1 of section 63 of *The Jurors' Act* is repealed and the following substituted therefor:— Rev. Stat.  
c. 64, s. 63,  
subs. 1,  
repealed.

(1) The sheriff shall summon every person drafted to serve on grand juries or petit juries not being special juries, twenty days at least before the day upon which the juror is to attend,— Jurors to  
be summon-  
ed twenty  
days before  
attendance  
required.

(a) in the case of a juror residing in a city or in a town or village in which the court house is situate, by delivering to the juror, or in case of his absence from his usual place of abode, by leaving with some grown-up person there residing; or

(b) in the case of a juror residing in any other municipality or in territory without municipal organization by sending to him by registered mail,

a notice in writing, Form 2, Schedule "D", under the hand of the sheriff, but when the sheriff is directed to draft and summon additional jurors under the provisions of

this Act, such twenty days' service shall not be necessary.



1918, c.  
23, s. 7,  
amended.

**3.** The item numbered 4 in the tariff set out in section 102 of *The Jurors' Act* as enacted by section 7 of *An Act to amend The Jurors' Act*, passed in 1918, chaptered 23, shall not apply where the summons to jurors are mailed to them under the provisions of *The Jurors' Act* as amended by this Act.



Commence-  
ment of  
Act.

**4.** This Act shall come into force on the 1st day of July, 1922.



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3rd Session, 15th Legislature,  
12 George V, 1922.

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BILL.

An Act to amend The Jurors' Act.

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1st Reading,	4th May, 1922.
2nd Reading,	12th May, 1922.
3rd Reading,	1922.

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*(Reprinted as amended by the Legal  
Committee.)*

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MR. LETHBRIDGE.

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TORONTO:  
PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.

No. 241.

1922.

# BILL

## An Act to amend The Queen Victoria Niagara Falls Park Act

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**1.** This Act may be cited as *The Queen Victoria Niagara Falls Park Amendment Act, 1922.* Short title.

**2.** *The Queen Victoria Niagara Falls Park Act,* is amended by adding thereto the following section:— Rev. Stat.  
c. 50,  
amended.

17a.—(1) *The Public Vehicles Act, 1922,* Application  
of Public  
Vehicles  
Act. shall apply to the highways, roads, boulevards and public places vested in the Commission over which the commissioners have control except that as to such highways, roads, boulevards and public places the commissioners shall be deemed to be substituted for the Department of Public Highways and for the Lieutenant-Governor in Council, and the license fees and tolls collected by the commissioners shall be payable to the Commissioner and shall be accounted and dealt with in the manner provided by section 23 and following sections of this Act.

(2) The regulations made by the commissioners under the authority of subsection 1 shall be subject to the approval of the Lieutenant-Governor in Council. Regulations,  
approval of.

Rev. Stat.  
c. 50, s. 26,  
amended.

**3.** Section 26 of *The Queen Victoria Niagara Falls Park Act* is amended by adding at the end thereof the words "and interest shall be allowed upon all sums so received, to be calculated at the rate of four and one-half per cent. per annum and compounded half yearly" so that the said section as so amended will read as follows:—

Interest to  
be allowed  
on sinking  
fund moneys.

26. The annual sums for the sinking fund shall be remitted by the commissioners to the Treasurer of Ontario by half yearly payments in such manner as the Lieutenant-Governor in Council may direct, and interest shall be allowed upon all sums so received, to be calculated at the rate of four and one-half per cent. per annum and compounded half yearly.

Commence-  
ment of  
Act.

**4.** This Act shall come into force on the 1st day of July, 1922.





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3rd Session, 15th Legislature,  
12 George V, 1922.

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BILL.

An Act to amend The Queen Victoria  
Niagara Falls Park Act.

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1st Reading,	4th May, 1922.
2nd Reading,	1922.
3rd Reading,	1922.

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Mr. Biggs.

# BILL

## An Act to amend The District Houses of Refuge Act.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. Subsection 1 of section 6 of *The District Houses of Refuge Act* is amended by striking out the word "two" in the second line and inserting in lieu thereof the word "five" and by striking out the word "two" in the sixth line and inserting in lieu thereof the word "three," so that the subsection when so amended will read as follows:—

Rev. Stat.  
c. 291,  
s. 6 (1),  
amended.

6.—(1) The Board of Management shall be a corporation and shall consist of five persons resident in the District, and shall be appointed by the Lieutenant-Governor in Council for a term of three years, and in the case of contiguous Districts agreeing to join in a joint House of Refuge, the Board shall consist of three persons resident in each of the Districts appointed by the Lieutenant-Governor in Council for a term of three years.

Board of  
management.

3rd Session, 15th Legislature,  
12 George V, 1922.

BILL.

An Act to amend The District Houses  
of Refuge Act.

1st Reading,	4th May,	1922.
2nd Reading,		1922.
3rd Reading,		1922.

MR CUNNINGHAM.

TORONTO:

PRINTED BY CLARKSON W. JAMES.

Printer to the King's Most Excellent Majesty.

No. 243.

1922.

# BILL

## An Act to amend The Load of Vehicles Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**1.** This Act may be cited as *The Load Vehicles Amendment Act, 1922.* Short title.

**2.** Section 3 of *The Load of Vehicles Act* is amended by 1916 c. 49 s. 3 amended. adding thereto the following subsection:—

- (10) Every motor vehicle having a permit issued under *The Motor Vehicles Act*, the fee for which is based upon the weight of the vehicle and the load, shall have printed or painted on both sides of the body of the vehicle, in a clearly visible position, the weight of the load for which the permit was issued, such weight to be stated in tons or fraction thereof and to be preceded by the words "maximum load." the letters and figures to be not less than one and one-half inches in height. "Maximum load" to be painted on vehicle.

No. 243.

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3rd Session, 15th Legislature,  
12 George V, 1922.

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BILL.

An Act to amend The Load of Vehicles  
Act.

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1st Reading,	4th May,	1922.
2nd Reading,		1922.
3rd Reading,		1922.

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Mr. BIGGS.

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TORONTO:

PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.

# BILL

## An Act to amend The Registry Act and The Land Titles Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Land Titles Act, 1922.* Short title.
2. Section 4 of *The Registry Act* is amended by adding the following subsection:—

Rev. Stat.  
c. 124, s. 4,  
amended.

  - (4) Notwithstanding anything to the contrary in subsection 2, on and after the first day of July, 1922, no patent, Provincial or Dominion, or conveyance by virtue whereof there is conferred or completed a title to land under which an application for First Registration as owner may be made under *The Land Titles Act*, shall be registered in the Registry Office for any of the following Registry Divisions: Kenora, Muskoka, Nipissing, Parry Sound, Rainy River, Sudbury, Thunder Bay, Temiskaming, and Fort William, but an application, by any person deriving title under such conveyance, to be registered as owner under subsection 4 of section 6 of *The Land Titles Act* as amended, shall have the same legal effect as to priority of Registration as if registered under this Act in addition to its effect under *The Land Titles Act*.

Lands to be  
registered  
in land titles  
office in  
certain  
districts.

Rev. Stat.  
c. 124, s. 95,  
amended.

3. Section 95 of *The Registry Act* is amended by striking out all the words after the word "Master" in the fifth line thereof.

Rev. Stat.  
c. 126, s. 6,  
amended.

4. Section 6 of *The Land Titles Act* is amended by adding the following subsection thereto:—

Application  
for registry  
under Land  
Titles Act.

- (4) Any person deriving title under a patent or conveyance which, owing to the provisions of subsection 4 of section 4 of *The Registry Act*, cannot be registered in the Registry Office, may apply in the prescribed manner to the proper Master of Titles to be registered as owner with an Absolute Title, provided that on the filing of an application under this subsection, the proper Master of Titles may, forthwith or on the serving of such notice, if any, as he may direct, enter the applicant as owner with a Possessory Title, and if on examination of the title, as provided in this Act, it appears that the applicant is entitled to be registered as owner with an Absolute or Qualified Title, as the case may be, he shall amend the Register accordingly.

Registry  
under Land  
Titles Act  
where owner  
in possession.

5.—(1) Where land the the title of which is registered under the provisions of subsection 2 of section 4 of *The Registry Act* is not in actual possession of some person other than the registered owner thereof or some person claiming under him, the proper Master of Titles, with the approval of the Inspector in writing, may of his own motion, after an examination of the title as provided in this Act, bring such lands under *The Land Titles Act* by entering the party entitled thereto as registered owner under this Act.

Application  
of Rev. Stat.  
c. 126, s. 152.

(2) The provisions of section 152 of *The Land Titles Act* shall apply to registration under this section.

Fees on  
registry of  
title to be  
entered as  
a charge.

(3) Where a title has been registered under subsection 1 the fees which would have been payable if an application had been made shall be entered in the register as a charge on the land and no subsequent registration shall be made until the amount of such charge has been paid.

Rev. Stat.  
c. 126, s. 22,  
amended.

6. Section 22 of *The Land Titles Act* is amended by adding the following clause thereto:



- (g) The Master may also act on his own personal knowledge of material facts affecting the title, upon making and filing an affidavit stating his knowledge of the particular facts and the means he had of acquiring such knowledge.

Master acting on personal knowledge.

**7.** Section 23 of *The Land Titles Act* is amended by adding the word "proper" before the words "Master of Titles" in the second line and by striking out the word "the" before the word "Master" in the fourth and fifth lines and substituting therefor the word "such."

Rev. Stat. c. 126, s. 23, amended.

**8.** Subsection 5 of section 129 of *The Land Titles Act* is amended by adding at the end thereof the following words: "nor to land registered under an application made under subsection 4 of section 6."

Rev. Stat. c. 126, s. 129, subs. 5, amended.

**9.** Clause *d* of subsection 1 of section 138 of *The Land Titles Act* is amended by inserting after the words "Local Masters" in the second line thereof the words "the Inspector."

Rev. Stat. c. 126, s. 138, subs. 1, cl. d, amended.

**10.** Section 138 of *The Land Titles Act* is amended by striking out the word "General" in the fourth line of subsection 1 and by adding the following subsection:—

Rev. Stat. c. 126, s. 138, amended.

- (3) Any such regulation may be general or particular in its application.

Regulations may be general or particular.

**11.** Subsection 1 of section 151 of *The Land Titles Act* is amended by striking out the word "transmit" in the fifth line thereof and substituting therefor the word "submit."

Rev. Stat. c. 126, s. 151, subs. 1, amended.

**12.** Subsection 2 of section 151 of *The Land Titles Act* is amended by striking out the word "transmitted" in the third line thereof and substituting therefor the word "submitted."

Rev. Stat. c. 126, s. 151, subs. 2, amended.

**13.** Section 151 of *The Land Titles Act* is further amended by adding the following subsection:—

Rev. Stat. c. 126, s. 151, amended.

- (5) This section shall not, except as provided in section 152, apply to applications made under subsection 4 of section 6 of this Act.

**14.** Section 152 of *The Land Titles Act* is repealed and the following substituted therefor:

Rev. Stat. c. 126, s. 152, repealed.

Application  
for first  
registration.

When appli-  
cant not to  
be registered.

152. Where an application for first registration is made under subsection 4 of section 6 of this Act, it shall be made to the proper Master of Titles, who, upon finding that the applicant is entitled to be registered as owner with an absolute or qualified title, shall enter him on the register as such owner, or if he has already registered him with a possessory title, shall amend the register accordingly, but, unless and until the finding of the Local Master is approved by the Inspector or by Court on appeal in the manner provided in section 151, the applicant, or his nominee, shall not be registered as such owner in any case where (a) the proper Master of Titles in the examination of the title, acts on his own personal knowledge of material facts under clause (g) of section 22; or (b) the value of the land, including improvements, exceeds \$10,000; or (c) the proper Master of Titles is not a barrister or solicitor, and the applicant cannot show that he is a grantee from the Crown or that he has derived his title from such grantee through a regular chain of registered conveyances, or that he has obtained or has derived title through such regular chain of registered conveyances from some person whose title has been declared valid by the Courts or by the Legislature.

Rev. Stat.  
c. 126, s. 154,  
subs. 1,  
amended.

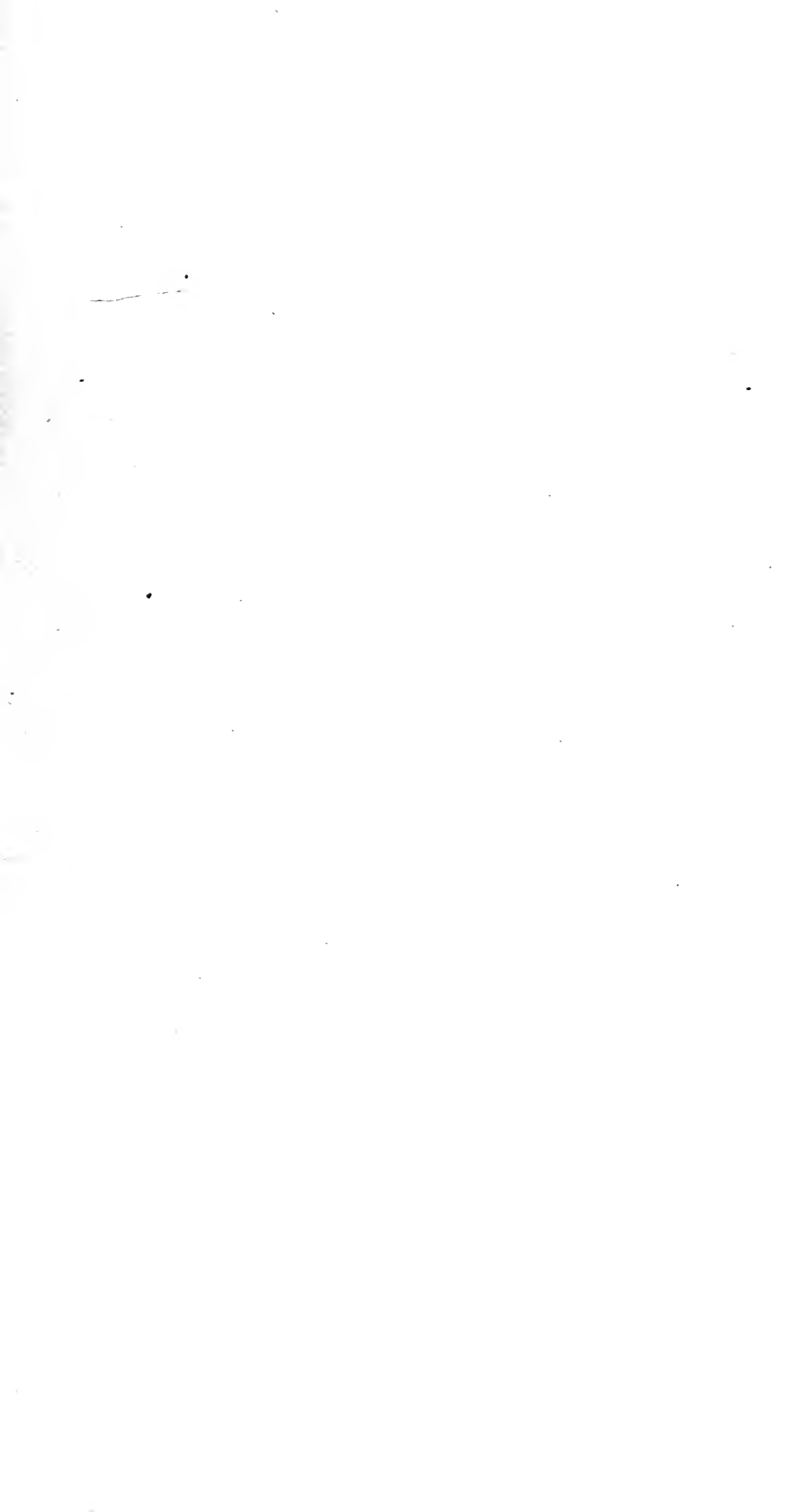
15. Subsection 1 of section 154 of *The Land Titles Act* as amended by subsection 2 of section 14 of chapter 20 of the statutes of 1915, is further amended by inserting the word "proper" before the word "Master" in the second line thereof.

Rev. Stat.  
c. 126, s. 155,  
amended.

16. Section 155 of *The Land Titles Act* is amended by adding at the beginning thereof the following words "if on an application for first registration under subsection 4 of section 6, or."

Commence-  
ment of Act.

17. This Act shall come into force on the 1st day of July, 1922.



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3rd Session, 15th Legislature,  
12 George V, 1922.

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BILL.

An Act to amend The Registry Act and  
The Land Titles Act.

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1st Reading,	5th May, 1922.
2nd Reading,	1922.
3rd Reading,	1922.

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MR. MCCREA.

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TORONTO:  
PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.

# BILL

## An Act respecting Natural Gas.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Natural Gas Conservation Act, 1922*. Short title.

2.—(1) There shall be a Board of Reference, (hereinafter called “the Board”), for the purposes of *The Natural Gas Conservation Act, 1921*, and the Board shall be composed of three members to be appointed by the Lieutenant-Governor in Council. Board of reference for purpose of 1921, c. 40.

(2) One of such members on behalf of the companies producing and distributing natural gas shall be nominated at a meeting to be held at such time and place as the Minister of Mines may appoint, of representatives of such companies, and such meeting shall be called by the said Minister by registered letter mailed to each of such companies at least seven days previous to the day so appointed. Representative of producing and distributing companies.

(a) Every company may be represented by one person appointed for that purpose in writing under the hands of the President or Chief Executive Officer of the company.

(3) A second member on behalf of the consumers of natural gas shall be nominated at a meeting of the members of the Assembly representing the electoral districts named in Schedule “A” to this Act, called in the manner prescribed in subsection 2. Representative of consumers.

(4) A third member shall be a disinterested person, agreed upon by the members so nominated on behalf of the producing and distributing companies and the consumers respectively, and in default of agreement within one month after the date named by the Minister, the third member shall be nominated by the Minister of Mines. Third member.

Chairman.

(5) The third member shall be the Chairman of the Board.

Procedure at meetings to elect representative.

(6) The Minister of Mines may give such directions as to the procedure at the meetings to be held under this section and as to the manner in which a nomination shall be evidenced as he may deem proper.

Board substituted for Referee in 1921, c. 40.

3. Wherever in *The Natural Gas Conservation Act, 1921*, the Referee is named, the Board appointed under this Act shall be deemed to be substituted for the Referee and the Board shall have all the powers of the Referee and shall perform the duties of the Referee.

Quorum of Board.

4. Two members of the Board shall form a quorum.

Attestation of Acts of Board.

5. Every Act, order, decision, report or direction of the Board shall be attested by the signature of the Chairman and one other member of the Board.

Existing contracts and agreements between owners and operators.

6. Nothing in *The Natural Gas Conservation Act, 1921*, or in this Act shall affect any existing contract or agreement between the owner of land on which a producing gas well is situated and the person operating the same.

Commencement of Act.

7. This Act shall come into force on the 1st day of July, 1922.

## SCHEDULE "A"

The Electoral District of				North Essex.
"	"	"	"	South Essex.
"	"	"	"	East Elgin.
"	"	"	"	West Elgin.
"	"	"	"	East Kent.
"	"	"	"	West Kent.
"	"	"	"	East Lambton.
"	"	"	"	West Lambton.
"	"	"	"	East Middlesex.
"	"	"	"	North Middlesex.
"	"	"	"	West Middlesex.
"	"	"	"	London.
"	"	"	"	North Oxford.
"	"	"	"	South Oxford.
"	"	"	"	North Norfolk.
"	"	"	"	South Norfolk.
"	"	"	"	North Brant.
"	"	"	"	South Brant.
"	"	"	"	South Waterloo.
"	"	"	"	North Wentworth.
"	"	"	"	South Wentworth.
"	"	"	"	Haldimand.
"	"	"	"	Welland.
"	"	"	"	Lincoln.
"	"	"	"	Windsor.
"	"	"	"	East Hamilton.
"	"	"	"	West Hamilton.
"	"	"	"	St. Catharines.
"	"	"	"	Niagara Falls.



No. 245.

3rd Session, 15th Legislature,  
12 George V, 1922.

BILL.

An Act respecting Natural Gas

1st Reading,	5th May,	1922.
2nd Reading,		1922.
3rd Reading,		1922.

MR. MILLS.

TORONTO:  
PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.



# BILL

An Act to amend The Ontario Telephone Act, 1918.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. Section 29 of *The Ontario Telephone Act, 1918*, is <sup>1918, c. 31,</sup> repealed and the following are substituted in lieu thereof: <sup>s. 29,</sup> <sup>repealed.</sup>

29. The cost of the establishment of a system, <sup>Cost to be borne by subscribers.</sup> and of any extension thereof, shall be defrayed by the subscribers thereto in equal proportions, or in such other proportions as may be fixed by the council of the initiating municipality, with the approval of the board, and in case of default in payment by any subscriber of the amount so fixed, the same may be collected as an ordinary debt by action against the person liable therefor, or may be added to the collector's roll as taxes due from him, and may be collected in the same manner as other taxes.

29a. Where the subscribers have prayed that <sup>Special rate</sup> debentures of the initiating municipality <sup>a charge</sup> be issued to pay the cost of the work, the <sup>on land.</sup> annual special rates assessed against the land of a subscriber shall be a charge upon the land designated by such subscriber in the petition for the establishment or extension of a system (and being land owned by such subscriber when he signed the

petition). and shall, notwithstanding a change in the ownership of such land, continue to be a charge thereon until such rates have been fully paid, and such special rates may, as they become payable, be collected as an ordinary debt by action against the person liable therefor, or may be placed upon the collector's roll against the said land as taxes due from the owner of the same and may be collected in the same manner as other taxes; this section shall apply to all special rates heretofore and hereafter assessed against any lands under this Act.

Commutation  
of special  
rate.

29b. Any subscriber where property is liable to be specially assessed to discharge debentures issued to meet the cost of such work may commute for a payment in cash the special rates assessable against his property forthwith after the actual cost of the work and the proportion of such cost payable by such subscriber have been ascertained.

Cost of  
maintenance.

29c. The cost of maintenance of a system shall be defrayed by the subscribers in equal proportions or in such other proportions as may be fixed by the council of the municipality with the approval of the board and shall be a charge on the lands of the several subscribers apportioned as above, and may be collected in the same manner and with the same remedies as the cost of the establishment or extension of a system or as any special rate assessed against the land of a subscriber in respect of such cost.

Release from  
liability on  
payment of  
debentures.

29d. Where the period for which debentures have been issued for the establishment of a system or any extension of the same has expired, and the said debentures and interest thereon have been fully paid, any

subscriber who has fully paid all rates and charges payable by him in respect of the establishment of such system or of such extension, shall thereafter be released and discharged from all liability in respect of the establishment of such system or of such extension, except in respect of any liability which may arise under any further or other contract made by him for telephone service.

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3rd Session, 15th Legislature,  
12 George V, 1922.

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BILL.

An Act to amend The Ontario Telephone  
Act, 1918.

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1st Reading,	8th May, 1922.
2nd Reading,	1922.
3rd Reading,	1922.

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MR. RANNEY.

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TORONTO:  
PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.

No. 247.

1922.

# BILL

An Act respecting Albert College at Belleville.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. Section 2 of the Act passed in the forty-seventh year <sup>47 Vic. c. 93,</sup> of the reign of Her late Majesty Queen Victoria, chaptered <sup>s. 2, repealed,</sup> 93, is repealed and the following substituted therefor:—

2. The number of members constituting the <sup>Board of</sup> Board of Trustees of Albert College shall <sup>Trustees.</sup> not exceed thirty and shall be appointed dist Church in Canada.  
by the General Conference of the Metho-

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3rd Session, 15th Legislature,  
12 George V, 1922.

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BILL

An Act respecting Albert College at  
Belleville.

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1st Reading,	8th May, 1922.
2nd Reading,	1922.
3rd Reading,	1922.

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MR. RANNEY.

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TORONTO:  
PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.

# BILL

An Act to provide for the Training of Boys Committed to Institutions.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**1.** This Act may be cited as *The Training Ships Act*, Short title.  
1922.

**2.** In any case in which a Judge may make an order that a boy be sent to an Industrial School, under the provisions of sections 10 and 11 of *The Industrial Schools Act*, Judge may order boy to training ship. Rev. Stat. c. 271. the Judge of a Supreme Court, or of a County or District Court, or of a Juvenile Court, or a police magistrate or justice of the peace may, upon the request of the boy, his parents, or guardian, or upon the request of an officer of the Children's Aid Society, submit the case of the boy to a board of supervisors, appointed by the Navy League of Canada, and approved by the Lieutenant-Governor in Council, and upon the report of such board that the boy is physically and mentally sound, and fitted for training in the navy or mercantile marine, the Judge may make an order committing the boy to a training ship, provided by the Navy League of Canada for training in the navy or mercantile marine, but the period of detention of any boy on such training ship shall not exceed the period for which he might be sent to an Industrial School.

**3.** This Act shall come into force on the day upon which it receives the Royal Assent. Commencement of Act.

No. 248.

3rd Session, 15th Legislature,  
12 George V, 1922.

BILL.

An Act to provide for the Training  
of Boys Committed to Institutions.

1st Reading,	9th May, 1922.
2nd Reading,	1922.
3rd Reading,	1922.

Mr. STEVENSON.

TORONTO:

PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.



# BILL

## An Act respecting Water Rights.

**H**IS MAJESTY, by and with the advice and consent of  
of the Legislative Assembly of the Province of On-  
tario, enacts as follows:—

1. This Act may be cited as *The Water Act, 1922.*

Short title.

2. In this Act,—

Interpretation

- (a) "Board" shall mean Board of Investigation "Board"  
under this Act;
- (b) "Company" shall mean any incorporated "Company"  
company having the right to do business  
in Ontario, the object and powers of which  
extend to or include the construction or  
operation of works or the supply or utiliza-  
tion of water, but shall not include a water  
users' community organized under this Act;
- (c) "Comptroller" shall mean comptroller of "Comptroller"  
water rights appointed under the authority  
of this Act and shall include any person  
for the time being lawfully acting in that  
capacity;
- (d) "Department" shall mean Department of "Department"  
Lands and Forests;
- (e) "District" shall mean any one of the geo- "District"  
graphical divisions into which the Minister  
may divide the Province under the  
authority of this Act for the purposes of  
water administration;
- (f) "Engineer" shall mean any engineer "Engineer"  
appointed under the provisions of this Act;

"License"

- (g) "License" shall mean license issued under the authority of this Act;

"Memorandum of association of a company"

- (h) "Memorandum of association of a company" shall include this Act or other provisions of law, by or under which the company is incorporated and any amendments thereto applying to such company whether of this or any other Province or of the Dominion or of the United Kingdom or of any colony or dependency thereof, or of any foreign state or country, the memorandum of association or agreement or deed of settlement of a company and the letters patent or charter of incorporation and the license or certificate of registration of the company as the case may be;

"Mine"

- (i) "Mine" shall include any placer or mineral claim or any land held or occupied under the mining laws of the Province for the purpose of procuring therefrom any minerals, whether precious or base, including coal, and whether held in fee simple or by virtue of a record, lease, license or application;

"Mineral water"

- (j) "Mineral Water" shall mean and include water so impregnated with foreign ingredients as to give it medicinal properties, or water of such temperature as to give it a commercial value in respect thereof;

"Minister"

- (k) "Minister" shall mean Minister of Lands and Forests and shall include any person for the time being lawfully acting in that capacity;

"Officer."

- (l) "Officer" shall include a member of the Board, comptroller or engineer;

"Owner"

- (m) "Owner" shall include,—
- (i) Any registered owner in any Land Registry Office or Land Titles Office in the Province;
  - (ii) Any purchaser or lessee in a registered agreement for purchase or lease;

- (iii) Any applicant to register his title as owner or his agreement for purchase or lease;
- (iv) Any locatee, or purchaser from the Crown in the right of either the Dominion or the Province, or any applicant to so locate, or purchase;
- (v) Any timber licensee or lessee;
- (vi) Any other lawful occupant of land or of a mine;
- (vii) Any legal representative of an owner as herein defined, who has died, become insolvent, is a minor, is of unsound mind, or is otherwise under disability;
- (viii) Any receiver or liquidator of a company which is the owner, as herein defined, of land;
- (n) "Power Company" shall mean a company authorized to have and exercise the powers and privileges conferred by Division 3 of Part V; "Power Company"
- (o) "Public Utility Company" shall mean any company which owns or operates, whether lawfully or unlawfully, works for floating purposes, or for the diversion, storage, carriage or delivery of water for irrigation purposes or waterworks purposes and which charges or collects tolls or rentals for its services, or for the use of its works, or which sells water, and shall include any municipality or improvement district which owns or operates works for the diversion, storage, carriage or delivery of water for irrigation purposes; "Public Utility Company"
- (p) "Purposes,"— "Purposes"
  - (i) "Floating purpose" means the clearing and improving of the bed and the banks of streams, and the use of the water for the better driving, fluming and booming of timber and timber products, and the use of the water of

of the streams for such driving, fluming and booming;

- (ii) "Conveying purpose" means the diversion, carriage and distribution of water for licensees by a company or body corporate;
- (iii) "Domestic purpose" means household, sanitary and fire requirements, the watering of cattle and poultry, and the irrigation of any garden not exceeding one-half an acre adjoining and occupied with any dwelling-house;
- (iv) "Hydraulicking purpose" means the use of water under head to move earth, sand, gravel or rock with the object of filling, levelling or excavating, or for washing gravel or coal, except in connection with mining operations;
- (v) "Irrigation purpose" means the beneficial use of water on arable lands and meadows for nourishing crops;
- (vi) "Land and Water Company" shall mean a company incorporated, licensed or registered under *The Ontario Companies Act*, the object of which includes the acquisition and settlement of tracts or areas of land and the acquisition of water rights and which takes advantage of the provisions of Division 3 of Part VI.
- (vii) "Lowering-water purpose" means and shall include the lowering of the low-water level of any standing body of water with the object only of reducing the same;
- (viii) "Mineral-trading purpose" means the sale, barter, or exchange of water in bottles or other containers, or the utilization of mineral water;
- (ix) "Mining purpose" means the use of water in connection with a mine, whether by hydraulicking or otherwise, but shall not include the use of water in the generation of power, ex-

cept where such use is an incidental one and is specially mentioned in the license;

- (x) "Miscellaneous purpose" means the use of water for any purpose other than the purposes hereinbefore or hereinafter set out and defined;
- (xi) "Power purpose" means the use of water in the development of power including the use of steam power;
- (xii) "Storage purpose" means the storing and conserving of water which is to be used beneficially for any of the purposes herein named;
- (xiii) "Waterworks purpose" means the supply of water by a municipality or company to any municipality or unincorporated locality for "domestic purpose" as herein defined, and, within the boundaries of any such municipality or unincorporated locality, the supply of water to railways, manufacturers and others for industrial or business use;
- (q) "Regulations" shall mean regulations made "Regulations" by the Lieutenant-Governor in Council under the authority of this Act;
- (r) "Right" shall include power, benefit, privilege and remedy; "Right"
- (s) "Streams" shall include all natural water "Streams" courses or sources of water supply, whether usually containing water or not, and all streams, rivers, lakes, creeks, springs, ravines, gulches, swamps, marshes and other bodies of water;
- (t) "Tribunal" shall mean the Minister, Board, "Tribunal" Comptroller or other officer having authority under this Act;
- (u) "Water-users' Community" shall mean an "Waterusers' Community" association of licensees formed under Division I of Part VII.:

"Works "

- (v) "**Works**" shall mean and include any and all dams, aprons, spillways, headworks, gates, locks, wasteways, canals, ditches, flumes, aqueducts, pipes, tunnels, weirs, and other measuring-devices, reservoirs, basins, cribs, dykes, embankments, drains, booms, slides, pumps, culverts, bridges, and any and all constructions and contrivances for utilizing, holding, carrying, or conducting water or power; the stumping, clearing and levelling of land which is necessary for the utilization of the water; the removal of earth, rocks, brush or timber, and other works or things which are authorized to be constructed or removed by any applicant or licensee under this Act.

## PART II.

### *Ownership of Water and Water Privileges.*

Confirming  
to the Crown  
the ownership  
of all water.

**3.** The right to the use of water in any stream within the Province of Ontario is hereby declared to be vested in the Crown in the right of the Province, and to be subject to control under the provisions of this Act, provided nevertheless, that, until such water has been brought under control by the exercise of powers granted under this Act every person shall be entitled,—

- (a) to the use for domestic purposes of water to which there is lawful access; and
- (b) to the use of water for purposes other than domestic, the right to the use of which is lawfully held by such person at the time of the coming into force of this Act.

After June  
1st, 1922,  
water to be  
used only  
under Act.

**4.** Subject to the proviso contained in section 3 after the first day of June, 1922, no person shall obstruct or disturb the natural flow of, or divert, use or appropriate any water from any stream except under the provisions of this Act.

Application  
to Comptroller.

**5.** All applications under this Act for the use or diversion of water shall be made to the Comptroller and, save as otherwise provided in this Act, shall be heard and determined by him.

Claimants to  
file claims.

**6.** Every person claiming any right to divert or use water for any purpose, except domestic purposes, shall, on or before the first day of October, 1922, file in duplicate in

the office of the Comptroller, a statement of claim setting forth the particulars of the right claimed by him, and every such person failing to file such statement of claim shall be deemed to have abandoned his right.

7.—As between two or more pending and conflicting applications for the use of water from the same source, the following order and priority, while not intended to interfere with the discretion of the Comptroller, is recommended:—

Priorities recommended.

- 1st Domestic purpose.
- 2nd Rights in existence at the time of the enactment of this Act.
- 3rd Waterworks purpose.
- 4th Mineral trading purpose.
- 5th Power purpose.
- 6th Floating purpose.
- 7th Mining purpose.
- 8th Storage purpose.
- 9th Conveying purpose.
- 10th Irrigation purpose.
- 11th Hydraulicking purpose.
- 12th Lowering water purpose.
- 13th Miscellaneous purpose.

8. Licenses may be issued authorizing the beneficial use of water for any one or more of the purposes mentioned in section 7, and authorizing the beneficial use of water in a manner incidental to any purpose for which the license is issued, and such licenses shall remain in force for such period of time as (subject to regulations made hereunder) the tribunal issuing the same may fix.

Fixed limit to certain licenses.

9.—(1) The classification of licenses shall be as follows:

Who may acquire licenses. Class "A".

- (a) Class "A" shall apply to licenses for domestic, mineral trading, power, mining or miscellaneous purpose, where the water is to be used in quantities not exceeding 100,000 gallons per day; or for irrigation purpose where the acreage to be irrigated does not exceed 640 acres; or for power purpose where the power to be developed does not exceed 100 horsepower and is to be used by the applicant only, provided that if in the opinion of the Comptroller the nature of the work intended is such as to require the submission of detailed plans he may

place application which might come within the foregoing classification into Class "B" notwithstanding the foregoing limitations.

Class "B"

- (b) Class "B" shall apply to any license for mining or miscellaneous purpose where the water is to be used in quantities exceeding 100,000 gallons per day; for irrigation purpose where the acreage to be irrigated exceeds 640 acres, or for storage, traffic or floating purpose where the water is to be used by the applicant only; or for power purpose where the power which is to be developed exceeds 100 horsepower and is to be used by the applicant only; or for lowering water purpose, provided that if, in the opinion of the Comptroller, any of the work is such as not to require the submission of detailed plans, he may place any application for license which might come within the above classification into Class "A", notwithstanding the foregoing limitations.

Class "C"

- (c) Class "C" shall apply to any license by virtue of which water is held in gross, whether by special suit or otherwise or for power for hydraulic purpose where tolls are to be charged, or for water purpose or conveying purpose.

Period of license.

(2) Any license hereafter issued to a company for "waterworks purpose," or "power purpose," or to any person for "storage purpose," or "mineral trading purpose," shall be limited to a period not exceeding 50 years, and any license for "floating purpose," to a period not exceeding 20 years, except that a license "power purpose" for operating a railway may be granted for a period not exceeding 99 years.

Acre foot per second

**10.**—(1) The unit for measuring water shall be an "acre foot," which is the quantity of water that will cover one acre of land one foot deep.

Cubic foot.

(2) The unit of measurement for flowing water shall be a cubic foot per second, which shall mean a flow or discharge of water that will deliver one cubic foot of water in one second.



(3) A miner's inch shall mean twenty-eight one thou. Miner's inch. sandths of a cubic foot per second.

**11.**—(1) Save as hereinafter specified and subject to Who may acquire license. the provisions of this Act, any person who is an owner may acquire one or more licenses for any of the various purposes set out in section 8.

(2) Upon the application of a registered owner of land, Transfer of license. with the consent in writing of the licensee, the Comptroller may transfer the privilege conferred in any existing license, in whole or in part, from the land to which such license has become appurtenant to the land of such owner, whereupon the former license shall be surrendered and cancelled and a new license issued in substitution therefor.

(3) No license and no permit to make surveys shall issue to any "Class C" applicant, unless it is shown to the satisfaction of the Minister that the applicant is financially able to carry out the undertaking, and, in the case of a company, that the authorized capital of the company is equal to or exceeds the estimated cost of the proposed works, and that of the authorized capital at least twenty-five per cent. (25%) is subscribed and ten per cent. (10%) is actually paid in cash. Satisfactory financial position of Class "C" applicant requisite.

**12.** In the issuance of every license, the Comptroller shall specify therein the particular portion of any land or mine, or the particular undertaking to which such license is to be appurtenant and such license and all easements acquired and works constructed thereunder shall thereupon, save as hereinafter provided, be appurtenant to such portion of such land or mine or to such undertaking, and, unless the consent of the Lieutenant-Governor in Council is first obtained, shall be inseparable therefrom, and shall pass with any demise, devise, alienation, transfer, or other disposition of the same, whether by the operation of law or otherwise. License to be appurtenant to undertaking

**13.**—(1) No "Class C" license, and no undertaking connected therewith, shall be assigned or transferred except under the authority of an order made by the Lieutenant-Governor in Council. Assignment of Class "C" licenses.

(2) No license of any municipality and no undertaking connected therewith shall be taken over or purchased by any other municipality or by any company under this Act, except under the authority of an order made by the Lieutenant-Governor in Council. Assignment of licenses to Municipality.

Prohibition  
of operation  
by purchaser  
unless  
authorized.

(3) If the property or undertaking of any company holding a "Class C" license is purchased by any person not having power to acquire or hold a "Class C" license, the purchaser shall not operate or carry on the undertaking of the company until authority therefor has been obtained from the Minister, who may prescribe the terms upon which such operation may be carried on, and who, upon failure by the purchaser to comply with such terms, may declare the records, license and authority held by the former company to be null and void.

Effect of  
abandonment  
of land or  
mine.

**14.** Whenever a mine is worked out or abandoned, or a mining claim or a location of land or application to purchase Crown land is abandoned or cancelled, or whenever the occasion for the use of water upon or in connection with such mine or land has permanently ceased, any license to use water in respect of such mine or land shall be void and the tribunal granting the license, on proof of the facts in any case, may order the cancellation of the license.

Cancellation  
of license  
granted under  
this Act.

**15.—(1)** Where the tribunal which granted a license finds:

- (a) That the licensee has wilfully disobeyed the order of a tribunal; or
- (b) That the water rentals due to the Crown in respect of a license are two years or more in arrears; or
- (c) That a license or other authority to use water has not been acted upon or has ceased to be acted upon; or
- (d) That water has been wasted; or
- (e) That a term or condition of the use of the water has not been complied with; the tribunal may order the cancellation of the license or other authority and any interest in the holder thereof in respect of which such act or default has occurred or may make such other order in the premises as may seem just.

Under former  
Acts.

(2) The Board shall, as to licenses or other authority or right granted or held under a former Act, have all the powers which by subsection (1) of this section, are conferred upon a tribunal as to licenses granted under this Act.

(3) The provisions of this section shall extend to and include default by a licensee or other holder of a right in the exercise of the power granted or held, whether such default began or after the enactment of this Act. Application of section.

**16.** In the event of the cancellation of a license, any works constructed by the licensee upon the lands of another person, shall, if not removed by the licensee within one year from the date of the cancellation, become the property of such other person. Removal of works on cancellation.

**17.—**(1) Where the Crown in right of the Province acquires land, no license appurtenant to such land at the time of its acquisition shall be or become merged, extinguished, or void, or in any way affected by reason of such acquisition. Licenses not affected by forfeiture of lands to Crown or by subsequent non-user.

(2) Every license appurtenant to the land at the time it is so acquired shall continue to be appurtenant thereto, during the time such land is held by or on behalf of the Crown, and, unless otherwise directed by the Lieutenant-Governor in Council, shall pass with any alienation or disposition of the land, and any Minister of the Crown, Commission, or Board, in whom or in which the control or administration of the land is vested by or under any statute, or any Minister who is designated for the purpose by the Lieutenant-Governor in Council, shall have and may exercise all rights and powers which, pursuant to this Act might be had or exercised by a licensee in respect of such license. Appurtenancy of license and power to exercise rights thereunder preserved.

**18.** Any licensee may, by notice in writing to the Comptroller, abandon the whole, or any part capable of separation of the rights acquired; provided however, that where any land, mine, or undertaking to which a license to take and use water is appurtenant, is mortgaged or charged, no abandonment of such license or rights shall be effective without consent in writing of the mortgagee or chargee. Provided, also, that, notwithstanding the provisions of this or any other undertaking to the contrary, the Comptroller shall not be deemed to have notice of any mortgage or charge unless a copy of such mortgage or charge has been filed with him. Licensee may abandon. But not to prejudice of mortgagee.

**19.** Every license shall be subject to subsequent amendment or cancellation by the tribunal granting the same. Amendment or cancellation of licenses.

## PART III.

*The Rights and Obligations of Licensees.*

License to set forth rights conferred therein.

**20.** Every license shall set forth specifically, or by reference to the sections of this Act, the rights conferred by such license upon the licensee.

Licensee may use natural channel.

**21.** The Comptroller may authorize a licensee from time to time to turn water used under his license into the natural course of any stream, change the place of diversion of water, or the location of his works.

Apportionment.

**22.** The tribunal by which a license was granted, upon an application by the owner of the whole or of a segregated portion of the land to which a license is appurtenant, may:

- (a) Apportion among the several parcels into which the lands in respect of which the license was originally granted, have been divided, the rights, privileges and obligations conferred or imposed by the license.
- (b) Authorize any license holding two or more licenses, appurtenant to the lands or mines of such licensee to mingle the waters held under such licenses and to construct works to carry the waters so mingled.
- (c) Authorize any two or more licensees to mingle the waters held under their respective licenses, and to co-operate in constructing or using works necessary for or incident to such purposes.

License for beneficial use.

**23.** Every license issued under this Act shall be for the beneficial use of the quantity of water permitted to be taken and used and, notwithstanding the quantity of water granted by his license, no licensee shall, to the prejudice of others divert more water than can for the time being be by him beneficially used.

Interim license to new applicant.

**24.** When water is not being beneficially used by any licensee, the Comptroller may grant an interim license to any other person to take and use so much thereof as in the opinion of the Comptroller may be just to all parties.

*Maintenance of Works by Licensees.*

**25.** Every licensee shall, at his own expense, construct, secure and maintain all works authorized by his license, or used by him for the purpose of diverting the water and conveying it to the place of user, and for the passage of waste and superfluous water flowing from such works, and, except where circumstances under which the licensee has no control to render it impossible, return the water to the same stream unpolluted and undefiled.

Licensee to provide for superfluous water and return.

**26.** Upon the termination of the rights of the licensee, the Comptroller shall have the power to order that the water be returned to its natural channel and condition and to enforce compliance with said order by and at the expense of the licensee.

Effect of termination of license.

**27.** For all loss, damage or injury caused by the construction, maintenance, or operation of his works, or by the entrance upon any lands by reason of the rights granted to him under this Act, the licensee shall make full compensation to the persons entitled thereto, which compensation shall, failing agreement between the persons interested, be fixed by the Board.

Licensee to make compensation.

**28.** Save where the license is issued for "power purpose," if, as a result of the construction of any works by a licensee under this Act, any water power is created, the licensee shall not, by reason of such construction only, have any right, title or claim to use the power so created.

No right to power by construction of works only.

**29.** Any officer of the Public Works Department engaged in the construction of any highway or public work may, upon due notice to the licensee, cross, divert, or otherwise interfere with the works of such licensee, whether on Crown or on private lands, and for such reasonable period as may be necessary; provided, that he shall do as little damage as possible and shall restore the works to their original position as speedily as possible.

Authority to Public Health Department to interfere with works.

**30.** Every licensee, upon the written order of the Comptroller, shall produce for inspection any licenses, records, certificates, maps, plans, specifications, drawings, and other documents relating to the works or to the undertaking of such licensee or to the flow of water.

Production of documents on order of Comptroller.

Licensee's  
rights subject  
to Rev.  
Stat. c. 218.

**31.** The rights of any licensee shall be subject to and conditioned upon compliance with the provisions of *The Public Health Act*.

Actions for  
damages to be  
brought within  
twelve months.

**32.** No person shall bring action against any licensee, or holder of a permit to survey, for any damage sustained by reason of the exercise of any powers conferred under such license or permit, unless a notice is given to the Attorney-General within six months and action commenced within twelve months after the cause of action first occurred.

#### *Indian Rights.*

Indian Agent  
may acquire  
licenses for  
reserve.

**33.** An Indian agent may acquire, in trust for all or any Indians located on any Indian reserve, one or more licenses to use or divert water.

#### *Penalties.*

Offences.

**34.**—(1) Any person who:—

- (a) Wilfully or maliciously hinders, interrupts, or causes or procures to be interrupted or hindered any licensee or his managers, contractors, servants, agent, workman, or any of them, in the lawful exercise of any of the powers and authorities by this Act conferred;
- (b) Wilfully or maliciously lets off or discharges water from the works of any licensee so that such licensee loses the use of such water;
- (c) Not being in the employ of the licensee, and not being a member of the fire brigade and duly authorized in that behalf, wilfully or maliciously opens or closes any hydrant stop-cock used for fire-protection, or obstructs free access to any such hydrant stop-cock or to any hydrant accessory by placing on it any building material or rubbish, or damage such hydrant stop-cock or other hydrant accessory: or
- (d) Lays or causes to be laid any pipe, or constructs or causes to be constructed any ditch or conduit, to communicate with the works of any licensee, without the consent of said licensee, and with the intention of drawing water from the said works; or

- (e) Unlawfully interferes with the works of any licensee; or
- (f) Being a licensee and having received any order from a Tribunal, which such Tribunal is authorized under this Act to make, wilfully disobeys such order: or
- (g) Molests, interferes with, delays, obstructs, or otherwise impedes any officer in the discharge or performance of any duty or the exercise of any authority, under this Act, or
- (h) Injures, molests, or interferes with any gauge, bench, mark, weir, other measuring-device, structure, or appliance, cable, boat, instrument, or tool belonging to or placed in position by any applicant, licensee or official of the Provincial or Dominion Government, or who moors, makes fast, or in any other way attaches any raft, vessel, boat, barge, timber, or other floating body to any of the aforesaid devices: or
- (i) Unlawfully obstructs the flow of any stream; or
- (j) Wilfully performs, commits, or does any act or thing by this Act prohibited, or forbidden, or wilfully neglects, fails, or omits to do or perform any act or thing required by this Act to be done or performed by him: or
- (k) Engages in the business of operating works for the carriage and delivery of water for irrigation purpose, or charges tolls or rentals for his services or the use of his works, without holding a license or other authority applied for and granted under this Act in that behalf: or
- (l) Wilfully interferes with any headgate, ditch, or controlling works which a Comptroller or Engineer has regulated, or wilfully destroys any notice posted by a Comptroller or Engineer: Penalty.

shall be guilty of an offence against this Act and for each such offence, shall be liable, on summary conviction, to a penalty not exceeding two hundred and fifty

dollars and costs, and, in default of payment, to imprisonment not exceeding one year.

Penalty for unlawful diversion.

(2) Any person who wilfully, without authority, diverts any water from any stream or works, and any licensee or other person who diverts any greater quantity of water than he is entitled to shall be liable, upon summary conviction, on a complaint laid by the Engineer or Comptroller, to a fine not exceeding five dollars per day or fraction of a day for each cubic foot per second or fraction of a cubic foot per second of water improperly diverted, or to imprisonment for a term not exceeding thirty days or to both.

Unlawful to obstruct water-courses.

(3) Subject to any jurisdiction of the Dominion in this behalf and to any Acts passed in the exercise of such jurisdiction, no person shall throw, and no owner or occupier of a mill shall suffer or permit to be thrown into any stream, slabs, bark, sawdust, waste stuff, or other refuse of any saw-mill, or stumps, roots, shrubs, tan bark, driftwood or waste wood, or leached ashes, and no person shall fell or cause to be felled, in or across such stream, timber, or growing or standing trees, or allow the same to remain in or across such stream, and any person contravening any of the provisions of this subsection shall be guilty of an offence against this Act.

General penalty clause.

(4) Any person guilty of an offence against this Act for which no penalty is provided shall, upon summary conviction, be liable to a penalty not exceeding two hundred and fifty dollars and costs, and, in default of payment, to imprisonment for a term not exceeding one year.

Conviction not to relieve from remedy for civil wrong.

**35.**—(1) The conviction of any person as in the last preceding section mentioned shall not relieve him from any liability to answer in damages to any person injured by the wrongful acts aforesaid or any of them; nor shall such conviction be a bar to proceedings by injunction or mandamus.

Forfeiture of license.

(2) Every licensee who wilfully violates any of the provisions of this Act or of the rules, or of the terms or conditions of his license or certificate, shall, in addition to all other penalties, be liable to have his license or certificate cancelled.

### *Appeals.*

Appeal from order.

**36.** An appeal shall lie from every order or decision of the Engineer, the Comptroller, or the Board, unless otherwise provided in this Act.



**37.**—(1) All appeals from orders of the Board respecting the direction to issue licenses to replace former licenses or rights, or the amendment or cancellation of licenses, or any order affecting the validity of a license, shall be to an Appellate Division of the Supreme Court of Ontario, from the judgment of which Court there shall be no appeal. Appeals.

(2) All appeals from the Board other than those provided for under subsection 1 hereof, shall be to the Minister. From Board.

(3) An appeal from the Engineer shall be to the Comptroller. From Engineer

(4) An appeal from the Comptroller shall be to the Minister. From Comptroller.

(5) Upon an appeal the appeal tribunal may receive further evidence. Evidence.

## PART IV.

### *Organization and Administration.*

**38.** It shall be lawful for the Minister to divide the Province or such parts thereof as may be convenient, into districts to be called "water districts," and to define the boundaries thereof. Water districts.

**39.**—(1) The Lieutenant-Governor in Council may appoint a Comptroller of water rights, the members of the Board. (which shall consist of three persons, of whom the Comptroller shall be one), and such Engineers and other officers and persons as may be necessary, and fix the remuneration of such officers and persons who shall have the powers and perform the duties given to them by this Act or by the regulations. Officers.

(2) The Lieutenant-Governor in Council or the Minister may refer any matter, question, or thing to the Board, or to any person whatsoever for the purpose of obtaining information or making any inquiry or taking any account, upon oath or otherwise, and may act upon the report of such referee if deemed expedient. Power to refer.

(3) In addition to the powers specially given him, the Comptroller shall have all the powers and authority given the Engineer by this Act or the regulations. Powers of Comptrollers.

District  
Engineer's  
powers.

(4) The Engineer, in the district or districts for which he is appointed, shall have authority to inspect the works of any licensee whether such works are constructed under this or any former Act, and shall have the direction and control of the use, diversion, storage and distribution of the water.

General  
powers of  
the Board.

**40.** In dealing with any matter referred to it under any provision of this Act, the tribunal shall have all the powers conferred upon it for any purpose by this Act or the regulations.

Shall have  
powers of  
Justice of  
the Peace.

**41.** For the purposes of this Act, the Board, or any member thereof, the Comptroller and the Engineer shall have all the powers and jurisdiction of a Justice of the Peace under *The Ontario Summary Convictions Act*, which said powers are, for the purpose of this Act, hereby extended to; and may be exercised by such officers within, any and all parts of the Province of Ontario.

Affidavits and  
declarations.

**42.** Affidavits and declarations authorized to be made by this Act, or the regulations may be made before any of the following officials having jurisdiction in the Province or the part thereof where such affidavits or declarations may be sworn or made, that is to say: A Supreme or County Court Judge, a Registrar of a Court of Record, a member of the Board, the Comptroller, an Engineer, the Mayor of a City, the Reeve of a Municipality, a Commissioner for taking affidavits, or any person authorized by *The Public Lands Act*, or by *The Interpretation Act*, to take affidavits and declarations.

Lieutenant-  
Governor in  
Council may  
reserve water.

**43.—(1)** The Lieutenant-Governor in Council may at any time, by notice signed by the Minister and published in four consecutive issues of the *Ontario Gazette*, reserve from being taken or used or acquired under this Act, any water in any stream or any portion thereof.

May reserve  
for special  
purposes.

(2) Where any reservation of water is made as aforesaid, the Lieutenant-Governor in Council may, in the order making such reservation or in any subsequent order or orders, declare that the water is reserved for the use of the Crown or for municipal purposes, or as a source of supply for a water-works system, irrigation system, or power system, or for the purpose of storing water, or for such other purpose as may be deemed advisable, and may specify and declare the terms and conditions under which the water so reserved shall be available and may be acquired under this Act from the Crown for use in respect of the purposes for which it has been so reserved.

(3) If such reservation is made for a specified purpose, the reservation thereof shall not prevent the issuing and acquiring of licenses subject thereto for the purpose of taking and using the water in the interim prior to the establishment of a system for such purpose; but no rights to compensation shall be acquired by virtue of any license issued pursuant to this subsection. Interim license permissible.

(4) The Lieutenant-Governor in Council may cancel any reservation of water made under this section, but the order in council providing for the cancellation shall not take effect until notice thereof shall have been published for three months in the *Ontario Gazette*, and in one issue each month of some newspaper published, or, if none is published, circulating, in the district in which the water proposed to be affected is situate. Power to cancel.

**44.**—(1) Any licensee and any other person residing upon or owning land in the neighborhood of any works, who complains of the unlawful or excessive diversion or storage or the waste of water, or non-compliance otherwise with the terms of this Act on the part of any person whatsoever, or non-compliance by a licensee with the terms and conditions of any license or certificate issued under this Act, or the faulty construction or insecure or unstable condition of any works, or the variance of such works from the approved plan, may file a complaint with the Engineer, setting forth the grounds of the complaint. Complaints to be filed with Engineer.

(2) The Engineer may require the person making the complaint to make a deposit of such sum of money as the Engineer thinks necessary to pay the expenses of any investigation that may be necessary. Deposits.

(3) The Engineer, upon such complaint as aforesaid, may Conduct of hearing and powers of Engineer.

(a) Pending the hearing, make any order in writing in connection with the matter that to him may seem just.

(b) Make an order in writing wholly or partially restraining or regulating the diversion or storage or waste of water, determining the quantity to be diverted or stored, and the days and hours when such diversion or storage will be permitted, that the person charged with the offence do comply with the terms and conditions of his license or certificate, or that he shall repair or alter

or make secure or add to the works complained of to secure the stability and suitability thereof, and fix the time within which such addition or alteration shall be made.

- (c) Recommend to the Comptroller that the license or certificate be cancelled.
- (d) Direct by whom the whole or any portion of the costs of the hearing or investigation of such complaint shall be paid, payment of which costs may be enforced as a debt due the Crown.

Powers of Engineer to act on own motion.

**45.** The Engineer may, also, in the matters that appear to him to be urgent, exercise the powers conferred upon him under clause *b* of subsection 3 of section 44 hereof, notwithstanding that no complaint has been filed with him nor any hearing held.

Engineer may order repairs.

**46.** Notwithstanding the construction of works in accordance with the approved plans, the Engineer shall have power from time to time and at all times to order any repairs, alterations, and improvements in such works as may be necessary to prevent loss of water by leakage or seepage, or to secure stability.

Engineer may enter on land to make measurements.

**47.** The Engineer may enter upon the lands or works of any person and make measurements to determine any matter relating to the use of water.

Right of officers to free access to lands, books, etc.

**48.** For the purpose of ascertaining the quantity of water or power used or developed or capable of being used or developed or for the collection of data for the purpose of carrying out the provisions of this Act or the regulations made thereunder, the Comptroller, the Board, and any Engineer appointed by the Minister for the purpose, shall have free access to all land, work, books, plans, or records connected with any undertaking; and may make measurements, take observations and do such other things as may be deemed expedient for such purpose.

Lieutenant-Governor in Council may fix rents, etc.

**49.** The Lieutenant-Governor in Council may, from time to time, by order in council, reserve and fix such rents, royalties, tolls, and charges in respect of the waters used or taken and of the lands of the Crown used, and of the rights, powers, and privileges acquired by any licensee under this

Act, and may establish a scale of fees payable on any proceeding under this Act, and make regulations enforcing the collection of such rents, royalties, tolls, charges and fees.

(2) The Lieutenant-Governor in Council may repeal any order in council reserving and fixing rents, tolls, charges, or fees, or enforcing the collection thereof, or may alter the same as may be deemed expedient; provided that if such repeal or alteration is passed within three years after the passing of the order in council, fixing such rents, tolls, charges or fees, it shall not effect licenses then in existence until the expiration of the said three years.

Repeal of  
order limited.

**50.** It shall be lawful for the Minister to enter into an agreement or agreements with any company holding water privileges or licenses by or under which agreement or agreements, on the erection and completion by the company of a pulp mill or paper mill, such licenses and water privileges held by the company shall be reserved to the company for a period not exceeding 21 years from the date of such agreement, and providing for the payment of fees to the Government of the Province for the said period of 21 years and such agreement may contain such other terms and conditions as the Lieutenant-Governor in Council may deem advisable.

Fees for water  
rights to be  
paid by com-  
panies erect-  
ing pulp or  
paper mills.

**51.** It shall be lawful for the Minister to enter into an agreement with any company holding or being an applicant for water license, by and under which agreement, on the erection and completion by the company of a power plant of such a character and capacity as is therein provided for, an annual fee at the rate specified in the agreement shall, for a period not exceeding 21 years from the date of the agreement, be paid to the Crown in the right of the Province in respect of the license, in lieu of the fees and rentals due the Crown pursuant to this Act. The agreement may also provide for the renewal of the agreement for a further period not exceeding 21 years, subject to the payment during such further period of such fees as may be determined by the Lieutenant-Governor in Council, and that application for such renewal (if any), shall be made by the company during the last two years of the term of the agreement and such agreement shall provide that all waters stored, taken, or used under the water license in respect of which the agreement is made, shall be used for the purposes set out in the water license and for no other purpose, and the agreement shall contain such other terms and conditions as the Lieutenant-Governor in Council by regulation may prescribe

Minister may  
make special  
agreement as  
to rentals of  
power  
companies.

Board may  
authorize use  
of water on  
other lands.

**52.** The holder of a "Class B" license for "miscellaneous purpose" or "power purpose" may, by leave of the Minister, apply to the Board for permission to use the water on lands adjacent to the lands to which the license is appurtenant, and the Board may amend the license by an endorsement thereon authorizing such use.

Class "B"  
license may  
get authority  
to sell power.

**53.** The holder of a "Class B" license, which authorizes the construction of works for the generation of power, may apply to the Minister to have his license amended to allow him to sell power, and the Minister, upon the report of the Comptroller, may direct the Comptroller to amend the license by an endorsement thereon, allowing the licensee to sell, for such term and upon such conditions as the Minister may determine, that part of the power generated not immediately required for carrying out the purpose for which the license was granted, and to charge such tolls therefor as the Board may, on the application of the licensee approve.

Transfers to  
be under this  
Act only.

**54.** No license shall be transferred, except as provided by this Act.

No entry on  
land without  
authorization  
and security.

**55.** No applicant under this Act shall enter upon Crown lands, public highways, or the lands of private owners, to make surveys for the purposes of this Act, without first obtaining a permit in writing for that purpose from the Comptroller and without first having given security to the satisfaction of the Comptroller for compensation to the owners of land entered upon.

Compensation  
for damage.

**56.** Subject as aforesaid, for the purpose of making surveys of the works proposed in his application, an applicant may enter upon Crown lands, public highways, and lands of private owners specified in such permit, and if the amount of compensation for the damage done thereby cannot be agreed upon between the parties it shall be determined by the Board.

Permit to enter  
Crown Lands.

**57.** For the purpose of constructing, maintaining and operating his works in, upon, over, through or under the Crown lands held in the right of the Province, whether such lands are occupied or unoccupied, the Minister may issue a permit authorizing a licensee to enter thereupon for such purpose and the licensee may forthwith exercise the authority granted under such permit.

**58.** The Comptroller may issue a permit authorizing a licensee to enter upon the lands of private owners for the purpose of constructing, maintaining or operating his works in, upon, over, through, or under such lands and the licensee, subject to the direction of the Engineer, may, without the consent of the owners upon the issue of such permit, exercise the authority granted thereunder.

Permit to enter private lands.

**59.** All tenants in tail or for life, guardians, executors, administrators, trustees, and all persons whomsoever, for themselves as well as for and on behalf of those whom they represent, whether infants, issue unborn, lunatics, idiots, femmes couvertes or other persons, seized or possessed of or interested in any lands, may contract, sell and convey to a licensee all or any part thereof.

Owners, etc. may convey to licensee.

**60.** Where such persons have no right in law to sell or convey the rights of property in such land, they may obtain from a Judge of the Supreme Court, after due notice to the persons interested, the right to sell such land.

Court may give power.

**61.** The Judge shall give such orders as are necessary to secure the investment of the purchase money in such manner as he deems necessary to secure the interests of the owner of the said land, and for vesting in the licensee the land in respect whereof the compensation has been paid into Court.

Court shall give orders.

**62.** Any contract, agreement, sale, conveyance, or assurance made under the authority of the last three preceding sections shall be valid and effectual in law, to all intents and purposes whatsoever; and any conveyance so authorized shall vest in the licensee receiving the same the fee-simple in the lands therein described, freed and discharged from all trusts, restrictions and limitations whatsoever.

Contracts valid.

**63.** The person so conveying is hereby relieved from liability for what he does by virtue of or in pursuance of this Act.

No liability on grantee.

**64.** The licensee shall not be responsible for the disposition of any purchase money paid to the owner of land or into court under this Act for his benefit for lands taken by the licensee.

Responsibility of licensee.

## PART V.

SPECIAL RIGHTS AND OBLIGATIONS OF PARTICULAR  
CLASSES OF LICENSEES.

## DIVISION 1

*Storage.*

Cost of works  
where joint  
storage.

**65.** Where any two or more licensees have acquired the right to store water on the same site, and they cannot agree as to the nature of the works to be constructed or as to the cost thereof or as to the share of such cost to be borne by each of such licensees, then the matters in dispute shall, subject to and in accordance with the regulations be determined by the Board.

Disputes as to  
quantity to be  
withdrawn.

**66.** Where any two or more licensees using the same reservoir for storing water, cannot agree upon the quantity to be withdrawn by each, the quantity to which each is entitled shall be settled by the Engineer.

## DIVISION 2

*Waterworks.*

Special powers  
of licensee for  
"waterworks  
purpose".

**67.**—(1) In addition to the general powers conferred upon licensees, a municipality or company, being a licensee for "waterworks purpose," shall, subject to the terms of its license and certificate and to the provisions of this Act (and to the rules and regulations made hereunder) and, in the case of a municipality to *The Municipal Act*, and, in the case of a company, if authorized by its memorandum of association, have the powers hereinafter set forth.

Right to  
entry.

(2) Such licensee shall have the power to enter upon such lands as may be necessary for

- (a) Constructing, maintaining, altering, improving or repairing its works:
- (b) Opening new highways required for its works:
- (c) Protecting its works:
- (d) Preserving the purity of the water supplied by it to the inhabitants:
- (e) Providing for the efficient distribution of the water to inhabitants.



*Obligations.*

**68.**—(1) It shall be the duty of every licensee supplying a municipality under a license for “waterworks purpose” to provide a sufficient supply of water for the prevention and extinguishment of fire, and for such purpose to provide, equip, place, and maintain a sufficient number of hydrants of such type and in such places as may be directed by the municipality, and to keep the same supplied with such sufficient quantity and force of water as the pressure at the head of the works will permit.

Prevention and  
extinguishment  
of fire.

(2) The provisions of the last preceding subsection may, on the order of the Minister, be made to extend to a company or municipality supplying any unincorporated locality under a license for “waterworks purpose.”

Extent of  
order.

## DIVISION 3

*“Class C” Licenses for Power Purposes.*

**69.** In addition to the general powers conferred upon licensees, any “Class C” licensee having a license for “power purpose” shall, subject to the terms of his license and certificate and to the provisions of this Act, and the regulations and, in the case of a municipality, to *The Municipal Act*, and, in the case of a company, if authorized by its memorandum of association have the powers hereinafter set out:—

Additional  
powers of  
“Class C”  
licensees.

- (a) To construct, operate, maintain, alter, and improve houses, factories, warehouses, shops, wharves, buildings, erections, works, and conveniences of all kinds:
- (b) To construct, operate, and maintain electric works, power works, generating plant, and such other conveniences as may be necessary for generating electricity or other power:
- (c) Producing power in any manner and of any kind, and using such power for all purposes:
- (d) Generating electricity for light, heat, power, the operation of motors, engines, and machinery of all kinds, propelling tramways, driving, hauling, lifting, crushing, smelting, drilling, milling, or for any other purpose for which it can be used, either alone or in connection with any other power:

- (e) Transmitting electricity or any form of developed power; so that the same may be used by any person.
- (f) Placing, sinking, laying, fitting, maintaining, and repairing electric lines, accumulators, storage batteries, electric cables, mains, wires, pipes, switches, connections, branches, electric motors, dynamos, engines, machines, or other apparatus or devices, cuts, drains, watercourses, pipes, poles, buildings, and other erections and works, and erecting and placing any electric lines, cables, mains, wires, or other electric or power apparatus above or below ground:
- (g) To erect, maintain, and repair poles, posts, pillars, lamps, globes, or other apparatus, wires, and lines for the purpose of transmitting electricity or any other power, or telephone or telegraph messages, upon along, across, or above any Crown lands, highways, roads, streets, bridges, or against any wall erected on the same or adjoining thereto, and for these or any other purposes to open or break up highways, roads, streets, and sewers, drains, or tunnels within or upon any such highways, roads, and streets:
- (h) To fell and remove any trees which are liable to fall across any pole-line:
- (i) To dig trenches and drains and therein to lay cables, lines, and wires, and to put electric cables, lines, wires, switches and connecting boards from any cables, lines, and wires in, under, along, or across all roads, highways, streets, and bridges, and from time to time to cut, alter, remove, replace, repair, and relay all or any such cables, lines, wires, switches, and connecting-boards or other apparatus:
- (j) To acquire by purchase or otherwise the right to use and enjoy electric or any other power already developed by others at any point or points:

- (k) To construct, maintain, alter, repair, and renew devices for measuring light, heat, and power:
- (l) To sell or let for use, light, heat, compressed air or other power, whether now known or afterwards discovered, and any and all devices and apparatus used for measuring the same, or otherwise used in connection with the licensee's business and works:
- (m) To require all persons supplied with electric light to place and use only such lamps and appliances as are approved by such licensee.

**70.** Where any electric lines, accumulators, transformers, motors, meters, generators, distribution-boards, lamps, fittings, works, or apparatus belonging to such licensee are placed in or upon any premises, not being in possession of such licensee, for the purpose of supplying electricity, light, heat, or power, then such electric lines, accumulators, transformers, motors, meters, generators, distribution-boards, lamps, fittings, works, or apparatus shall not be subject to distress for rent for the premises where the same may be, nor be taken in execution under any process of law or equity against the person in whose possession the same may be.

Fittings, apparatus, etc., in premises for supplying electricity not liable to execution, etc.

#### DIVISION 4

#### *Municipalities.*

**71.** No license issued for "waterworks purpose" to a municipality shall become void or be cancelled by reason of non-user either in whole or in part, but, in so far as the quantity of water licenses to be diverted by a municipality is not required for its present purposes, an interim license may be issued to any person upon application under this Act.

Municipal license not void for non-user.

**72.**—(1) In cases where a sufficient supply of water is not available within reasonable limits of distance and expenditure and save as to a license held for "domestic purpose" by an individual whose entire works are, or will be, when constructed, situate without the boundaries of the municipality, and save as to a license for "waterworks purpose," every municipality may for "waterworks purpose" expropriate any license and the works constructed thereunder or any part thereof, and acquire a license in substitution therefor.

Municipality may expropriate for "waterworks" purpose.

Expropriation  
of license of  
company  
supplying  
municipality  
with water.

(2) Any municipality may for "waterworks purpose" expropriate the license and the works constructed thereunder, or any part thereof, of a company supplying the municipality or any part thereof with water, and may also expropriate so much of the said company's land as is used in connection with the said works and essential to their proper operation and management, whether the works or land are within or without the municipality.

Municipality  
may purchase  
license  
expropriated.

(3) Any municipality may, with the approval of the Board, acquire by purchase, for any of the purposes mentioned in the last two preceding subsections, any license which it may under the said subsections, expropriate, together with the works and undertaking connected therewith.

Municipality  
may acquire  
irrigation  
license.

**73.**—(1) Notwithstanding anything in this Act to the contrary, any municipality may, with the consent of the licensee and upon the approval of the Board, acquire any license for "irrigation purpose," when the land to which the license is appurtenant is situate wholly within the boundaries of such municipality, for such consideration and upon such terms as may be mutually agreed upon.

Substituted  
license.

(2) Any municipality which has acquired any license under the last preceding subsection may surrender any license so acquired to the Comptroller, and obtain from him in substitution therefor a license of the same priority and for the same quantity of water, wherein the terms respecting the use of the water may remain as under the surrendered license, or may be altered so as to extend the use of the water to any part of the municipality.

Shall assume  
obligations.

(3) Such municipality shall, in arranging the terms of purchase with the said licensee assume obligations of the said licensee with respect to the distribution of water.

Submit by-law.

(4) Before acquiring any rights or assuming any obligations under the last two preceding sections, the municipality shall submit a by-law to the voters of the municipality as in the case of a by-law to authorize the borrowing of money, unless a by-law authorizing the expenditure of the monies necessary to acquire the rights and to assume the obligations has been submitted to and approved by the voters.

Submit and  
fulfil  
obligations.

(5) After the passing of the by-law authorizing the purchase of the water rights hereinbefore referred to, and the completions of the purchase, the municipality shall fulfil all the obligations whatsoever of the licensee whose rights have been purchased, control and regulate the distribution of the water, and, subject to the regulations, fix the price thereof.

## DIVISION 5

*Flouting.*

**74.** A licensee under a license for a floating purpose shall not interfere with any dam, weir, or bridge already lawfully erected in or over any stream, or with anything done *bona fide* in or for the erection thereof; nor shall he interfere with any tree cut down or felled across any stream for the purpose of being used as a bridge, unless in the opinion of the Engineer the flow of water or the passing of timber or timber products is seriously impeded.

Clearing streams, licensee not to damage works.

**75.** All persons driving saw-logs or other timber, rafts, or crafts down any stream shall have the right to go along the bank of such stream, and, subject to this Act, to assist in the passage of the timber over the same by all means usual among lumbermen, provided that no unnecessary damage to the banks of such stream is done.

Right of person driving logs, etc., to use banks of river, etc.

**76.** A licensee shall not have the exclusive right to the use of that portion of the stream to which his license extends or to any works established under his license, but all persons shall have the right to float and transmit saw-logs and other timber, rafts, and crafts down such stream, provided that no unnecessary damage to the said works or to the banks of the stream is done and subject, however to the payment to the licensee of any tolls to be fixed as hereinafter provided.

When licensee improves stream, can collect tolls.

**77.** Any person who may desire to use the said portion of the stream or the works may apply to the Board for the fixing of the amounts which the licensee shall be at liberty to charge for tolls, boomage, rafting, driving of logs, timber, lumber, rafts, and for taking care thereof until delivery, and the Board shall fix the tolls as provided in Division 7 of this Part.

Board of Investigation to fix rates.

**78.** Every such licensee shall, in addition to all other remedies, have a lien upon the saw-logs or other timber passing through or over such constructions, improvements and works for the amount of the toll, such lien to rank next after the lien (if any) of the Crown for dues in respect to such logs or timber, and the lien which any person may have under *The Woodman's Lien for Wages Act*; and if the tolls are not paid, any Justice of the Peace having jurisdiction within or adjoining any locality in which the constructions, improvements, or works are shall, upon oath of the owner of

Licensee to have lien on logs, etc., for tolls.

the construction, improvements, and works, or upon the oath of his agent, that the just tolls have not been paid within thirty days of the passage of the logs or timber through or over any of such constructions, improvements, or works, issue a warrant for the seizure of such logs or timber, or so much thereof as will be sufficient to satisfy the tolls, which warrant shall be directed to any constable or any person sworn in as a special constable for that purpose, at the discretion of the Magistrate, and shall authorize the person to whom it is directed, if the tolls are not paid within fourteen days from the date thereof, to sell, subject to the lien of the Crown (if any) for dues or otherwise and the lien which any person may have under *The Woodman's Lien for Wages Act*, the said logs or timber, and out of the proceeds to pay such tolls, together with the cost of the warrant and sale, rendering the surplus on demand to the owner.

Licensee may make regulations, subject to Board.

**79.** Every such licensee may, subject to the approval of the Board, make regulations for the purpose of regulating the safe and orderly transmission of saw-logs, timber, rafts, and crafts over or through such constructions, improvements, and works; but no such regulations shall have any force or effect until approved of by the Board, and the Board may revoke and cancel such regulations so made and approved by the Board, and the Board may revoke and cancel such regulations so made and approved, and from time to time approve of new regulations.

#### DIVISION 7

#### "Class C" Licensees.

Powers of class "C" licensees.

**80.** In addition to the general powers conferred upon licensees, and to the special powers heretofore conferred upon particular classes of licensees, every "Class C" licensee shall, subject to the terms of his license and certificate, and to the provisions of this Act, and, in the case of a municipality, to *The Municipal Act*, and, in the case of a company, if authorized by its memorandum of association, have the powers hereinafter set forth.

Additional power conferred.

**81.** Such licensees may from time to time make and enforce by-laws, and regulations, not inconsistent with this Act, providing for

- (a) The general maintenance, management, and conduct of the undertaking, business and works;

- (b) The conduct of all persons employed in connection with the undertaking and works;
- (c) Fixing tolls for the use of water, power light, heat, electricity, appliances, or works, or for the conveyance of water or power, or for establishing other tolls to be paid by consumers or users.
- (d) The mode of collection of tolls and the enforcement thereof;
- (e) The time when and the place where the tolls shall be payable;
- (f) Shutting off the supply for the non-payment of tolls;
- (g) The establishing of the nature, extent, and mode of supply;
- (h) Preventing waste;
- (i) Discovering and preventing dishonesty and fraud with respect to the supply of water to consumers;
- (j) Allowing a reduced toll or rate for prompt payment;
- (k) All other purposes within the scope of the undertaking;

**82.** All tolls due to a municipality under any license and all costs and charges in connection therewith shall be a charge on the lands upon which the water, power, or electricity is supplied or used, and may be levied and collected in the same manner as municipal rates and taxes are by law recoverable. Water rate a charge on land.

**83.** If any person neglects to pay any legal or proper charge for water, electricity, light, heat, or power, in any form whatsoever generated, or for the carriage of water, or any other sum due from him to the licensee, either in respect of such matters or in respect of the rent reserved by the licensee for the use of electric lines, meters, accumulators, transformers, motors, distribution-boards, lamps, fittings, works, or apparatus lent or supplied for hire to such person, the licensee may cut off or disconnect any water-main, electric line, or other work through which water, power, or electricity may be supplied, and remove such articles and works above mentioned as were let for hire to such person. Cutting or disconnecting lines on non-payment of charges.

**Actions for damages to be brought in twelve months.**

**84.** All actions or suits for indemnity for any damage or injury sustained by reason of the undertaking, operations, or works of any such licensee shall be commenced within twelve months next after the time when such supposed damage is sustained, or, if there is continuance of damage, within twelve months next after doing or committing of such damage ceases, and not afterwards; and the licensee and any other defendant may plead the general issue and give this Act and the special matter in evidence at any trial to be had thereupon and may prove that the same was done in pursuance of and by authority of this Act;

**Proviso.**

Provided that no such action or suit shall be maintained unless notice of action has been given to the Attorney-General within six months next after the time when such supposed damage is sustained, or, if there is a continuance of damage, within six months next after the doing or committing of such damage ceases.

**Power to sell property not required.**

**85.**—(1) Any licensee may when the same is no longer required, lease, sell or otherwise dispose of any real or personal property acquired in connection with the utilization of his license, and any property so sold shall be free from any charge or lien on account of any debentures issued by such licensee; but the proceeds of the sale shall be added to and form part of the fund for the redemption and payment of any debentures constituting a charge thereon, or should no such debentures then exist, then the said proceeds shall form part of the general funds of such licensee and may be applied accordingly.

**Mortgage as security.**

(2) Where credit is given for any portion of the purchase money of property, such licensee may take security by way of mortgage to secure the same; and such licensee shall have all the rights, powers and remedies as fully as if such mortgage had been granted to a private person, and every such mortgage and the proceeds thereof shall stand as security for any debentures constituting a charge on such real property at the time of sale.

**Right of entry.**

**86.**—(1) Any person authorized by such licensee for that purpose shall have free access at all reasonable hours for entering any lands or premises in order to inspect, repair, maintain, or operate any works used in connection with the license.



(2) Any person appointed by such licensee may at all reasonable times enter every building or other premises to which water, electricity, light, heat, or power is or has been supplied by such licensee in order to inspect or repair mains, taps, electric lines, accumulators, fittings, works and apparatus for the supply of water, light, heat, or the application of power and electricity therein, and for the purpose of ascertaining the quantity of water, electricity, or power consumed or supplied, or where the supply of water, electricity, or power is no longer required, or where such licensee is authorized to take away or cut off the supply of water, electricity, or power from any premises, for the purpose of removing any electric lines, accumulators, transformers, motors, distribution-boards, meters, pipes, fittings, lamps, **works, or other apparatus** belonging to the licensee.

Rights of  
appointee.

**87.**—(1) Any company supplying the inhabitants of a municipality with water may be required by the municipality to make as far as is applicable to the license:—

Power to com-  
pel company to  
extend works,  
etc.

- (a) Any reasonable extension of the company's works to other parts of the municipality;
- (b) Such repairs and alterations as are reasonably necessary for supplying all the inhabitants with water and their reasonable protection from fire;
- (c) The works of the company reasonably capable of sustaining a pressure of water adequate for use in the event of fire;

(2) The municipality shall give the company reasonable notice of the matters in the last preceding subsection mentioned, and shall in such notice state:—

Notice to  
be given.

- (a) The parts of the municipality to be supplied with water;
- (b) The description and duration of the **further means of supply**;
- (c) Details of the improvements required to make the company's works conform to item (c) of the said subsection;
- (d) The character, nature, and extent of any **repairs and alterations**;

(e) The time within which the matters and things specified in the said notice are to be begun and completed.

Notice of compliance to be given.

(3) Upon receipt of such notice as aforesaid, the company shall, within fourteen days, inform the municipality whether or not it is intended to comply therewith.

Enforcement of demand.

(4) In the event of the company refusing or neglecting to comply with the terms of the notice aforesaid, or negligently or inefficiently carrying out the requirements of the said notice, the municipality may by petition apply to the Board to enforce the request contained in the said notice.

Powers of Board.

(5) On the hearing of the petition, the Board may determine the reasonableness of every matter and thing brought before it, and shall make such order thereon consistent with this Act as shall in its opinion be just.

Appeal.

(6) Without limiting in any way the power of the Board to enforce any order it may make, any such order may be enforced by a writ of sequestration.

Appeal from order.

(7) Any order so made as aforesaid shall be subject to appeal.

## PART VI.

### COMPANIES AND ASSOCIATIONS FOR THE STORAGE OR DISTRIBUTION OF WATER.

#### DIVISION 1.

##### *Water-Users' Communities.*

Co-operative partnership.

**88.**—(1) When four or more persons who are owners of lands to which licenses are appurtenant desire to co-operate in constructing, reconstructing, maintaining, and operating works for the diversion, storage, and delivery of water, they may form an association, to be known as "The (naming it) Water-Users' Community," upon subscribing and filing with the Board, articles of association in duplicate, in a form approved by the Board and in which shall be named a person or persons who consent to act as manager or as a committee of management of the proposed water-users' community. The expression "manager" as used in the following subsections of this section shall include a committee of management.

Certificates of incorporation.

(2) The Board may issue a certificate of incorporation to such of the subscribers of the articles of the association as are the owners of the lands to which the licenses set out in the said article are appurtenant, and may confirm the ap-

pointment of the person named in the articles as manager. From the date of the certificate of incorporation the owners of the said lands shall be a body corporate and politic by the name contained in the said certificate.

**89.** It shall be lawful for the Lieutenant-Governor in Council, by Order in Council, to disincorporate a water users' community if a petition to that effect signed by a majority in interest of the members thereof is presented to him, provided it is proved to his satisfaction that due provision has been made for the payment and discharge of all debts and obligations of the water-users' community and for an equitable distribution of its assets (if any).

Disincorporation.

**90.** The Lieutenant-Governor in Council may make regulations determining the liability and methods of procedure of such association.

Liability and procedure.

#### DIVISION 2.

##### *Land and Water Company.*

**91.** The Lieutenant-Governor in Council, in the case of a company authorized to carry or supply water for irrigation purpose or in the case of a public utility company, may,

Lieutenant-Governor in Council may declare appurtenances of works of carrying companies.

- (a) Declare, that all reservoirs, dams, ditches, flumes, water systems, pipe-lines works and all other structures of whatsoever kind used for storing or conveying water for the purpose of irrigating lands to which the water licenses in connection with which such works have been constructed are appurtenant, are and have been since the construction of the same, appurtenances of such lands, or, in the event of a company not having provided adequate means for conserving a sufficient water-supply to the whole of such lands, are and have been since the construction of the same, appurtenances of the several portions of the lands which can be served from the existing works;
- (b) Authorize any person or persons to make an inquiry or report, and make regulations determining the powers and procedure of such person or persons in connection with such inquiry or report;

- (c) Make regulations in reference to the maintenance, repair, construction or reconstruction of any water system of any such company and the costs of such maintenance.

### DIVISION 3.

#### *Improvement Districts.*

**Interpretation.** **92.** In the construction of this Division the following expressions shall, unless the context requires otherwise, have the following meanings respectively:—

**“Acquisition”.** “Acquisition” with reference to the works of an improvement district means obtaining of any such works by virtue of any grant, gift, application, lease, license, purchase, transfer, assignment, expropriation, construction, reconstruction, or by force or effect of law:

**“Improvement district”.** “Improvement district” means the corporate body incorporated by the Letters Patent issued or the tract of land under its jurisdiction constituted an improvement district pursuant to the provisions of this Division, as the context may require;

**“Letters Patent”.** “Letters Patent” means the Letters Patent creating the body corporate of an improvement district, and includes any Letters Patent altering the same:

**“Operation”.** “Operation” with reference to the works of an improvement district includes the maintenance, repair, alteration, management, operation, and control of works, the collection of the revenue, the expenditure and accounting of the moneys, and the carrying out of the objects of the improvement district:

**“Owner”.** “Owner” means any of the following:—

- (a) Any person registered as the owner of the fee-simple in the books of the Land Registry Office or Land Titles Office;
- (b) Any purchaser in a registered agreement for purchase or assignment thereof;
- (c) Any locatee or purchaser from the Crown;
- (d) Any person who has made and filed with the Board or the Secretary of the Trustees, as the case may be, a statutory declaration proving that he is in actual occupation of

land under the last agreement to purchase by the terms of which agreement such person is liable to pay the taxes, in respect of any parcel of land which is the subject of separate ownership within the territorial limits;

“Territorial limits” means the tract of land by the Letters Patent constituted an improvement district, and with reference to a proposed improvement district the tract of land proposed to be so constituted: “Territorial limits”.

“Tract of land” means an area of land consisting of one or more parcels, whether contiguous or not: “Tract of land.”

“Trustee” means Trustee of an improvement district. “Trustee”.

**93.** A petition or petitions praying that a certain tract of land be constituted into an improvement district may be addressed to the Lieutenant-Governor in Council and filed in the office of the Comptroller of Water Rights. Petition.

**94.**—(1) It shall be lawful for the Lieutenant-Governor in Council, on the recommendation of the Minister of Lands and Forests, by Letters Patent to constitute a tract of land an improvement district, and the owners of the lands situate within such tract, a body corporate under such name as he deems proper, and with such objects, rights, powers, privileges, duties, and authorities as by this Act are conferred on improvement districts and such Letters Patent constituting an improvement district may provide that specified sections or subsections of this Act shall not apply to such improvement district. Incorporation.

(2) Where a tract of land includes portions of any then existing improvement district, such portions shall not cease to be part of the then existing district, unless the Letters Patent so provide. Portions of existing improvement districts, how affected.

**95.**—(1) The Letters Patent of an improvement district shall specify:— Letters Patent, contents of.

- (a) The name and territorial limits of the improvement district;
- (b) The object or objects of the corporate body;
- (c) The qualifications of voters for the first election;

- (d) The qualification of Trustees to be elected at the first election;
- (e) The number of Trustees;
- (f) The procedure to determine which of the first Trustees shall serve for one, for two, or for three years respectively;
- (g) The day on which the first Trustees shall first meet;
- (h) The name of the person appointed as Returning Officer and his instructions relating to the election of the first Trustees;
- (i) The method of grading land for the first assessment;
- (j) The date on which the Letters Patent takes effect;
- (k) The terms (if any) upon which an owner may commute for a payment in cash the taxes levied or to be levied on his lands in respect of the cost of acquisition of any specified works to be acquired by the improvement district;
- (l) The classes of works to be constructed by or at the expense of the improvement district and by or at the expense of the owners respectively;
- (m) Such other provisions and conditions as the Lieutenant-Governor may deem necessary.

Basis of first  
assessment.

(2) Where an examination and report made by the Comptroller have been sufficient to determine the probable benefits which would accrue to the land within the territorial limits, and it appears that such benefits will be approximately uniform to all the said lands, the Letters Patent may provide that in the first assessment roll the several parcels of land shall be entered as deriving a uniform benefit; but if it appears from the said examinations and

reports that all the said lands will not derive benefits approximately uniform, but that they can be classified in grades wherein the lands of each grade will derive benefits approximately uniform, the Letters Patent may provide that in the first assessment roll the several parcels of land shall be classified in grades as shown by the said examination and report and so entered.

**96.** The objects of an improvement district may be one or more of the following, that is to say:— Objects of district.

- (a) The acquisition and operation of works and licenses for the storage, delivery, and carriage of water for irrigation and such incidental purposes as are authorized by the water licenses it acquires;
- (b) The acquisition and operation of works and licenses for the storage, delivery, and carriage of water for waterworks purpose and such incidental purposes as are authorized by the water licenses it acquires;
- (c) The acquisition and operation of works for the reclamation and development of lands by dyking and incidental means;
- (d) The acquisition and operation of works for the improvement and development of lands by drainage and incidental means;
- (e) The acquisition and operation of works for the carriage and disposal of domestic and industrial refuse matter and filth, as distinguished from drainage for the development of lands;
- (f) The acquisition and operation of works and licenses for the storage, diversion, and use of water for generating power and for the distribution, delivery, and sale of electric energy and incidental purposes.

Letters Patent  
may be  
amended.

**97.** The Lieutenant-Governor in Council, by Letters Patent, may increase, decrease, or re-define the territorial limits of an improvement district.

Or recalled.

**98.** The Lieutenant-Governor in Council may, without impairing the existing obligations of the improvement district, re-call the Letters Patent of an improvement district and issue in their place Letters Patent varying in whole or in part from the Letters Patent formerly issued.

Uniting  
districts.

**99.** Upon the trustees of each of two or more improvement districts passing a by-law affirming the expediency of the union of such districts, the Lieutenant-Governor in Council may, by Letters Patent, issued in accordance with the provisions of section 94, unite such districts.

Dissolution of  
Corporation.

**100.** Upon the petition of owners representing sixty-six per centum or more of the total assessments against the lands in an improvement district, and upon proof to the satisfaction of the Lieutenant-Governor in council that due provision has been made for the payment and discharge of all corporate debts and obligations of the improvement district and for the equitable distribution of the corporate assets (if any), and upon such conditions and subject to such provisions as the Lieutenant-Governor in Council may deem proper, the Lieutenant-Governor in Council may, by order published in the *Ontario Gazette*, recall the Letters Patent of the improvement district and declare the corporate body of the improvement district to be dissolved.

Powers and  
obligations  
of District.

**101.** Every corporate body constituted pursuant to the provisions of this Division shall have the power to levy taxes, and, save as in this Act provided, have all the rights and be subject to all the liabilities of a corporation, and especially shall have full power to acquire, hold, and sell real and personal property.

Regulations.

**102.** The Lieutenant-Governor in Council may make regulations relating to the officers of such improvement districts, the method of their election, their powers, duties, and procedure, the qualifications of electors in such improvement districts, and the powers and duties of such electors; which regulations shall not come into effect until approved by the Legislature.



## PART VIII.

*The Board of Investigation, its Powers and Procedure.***103.** The Board shall:—

The Board of  
Investigation,  
its duties  
and powers.

(a) Hear and determine all applications made under this Act for the use or diversion of water for purposes other than domestic, the right to which use or diversion is held lawfully by the applicant at the time of the coming into force of this Act.

(b) Discharge such other duties as may be imposed upon the Board.

**104.** Whenever it is made to appear to the Board upon the complaint of any person having an interest present or contingent in the matter respecting which the complaint is made, or upon the report of an engineer in the employment of the Department, that there is reason to believe that any public utility company has made an agreement for the delivery of water, which agreement is unjust, unreasonable, unduly restrictive, arbitrary, discriminatory, or in violation of law, or that the tolls or charges chargeable under such agreement or demanded by any such company exceed what is just and reasonable, or that the quantity of water to be delivered by virtue of such agreement is unreasonably restricted, or that any such company has entered into an agreement or agreements to furnish and deliver more water than it has power or ability to furnish or deliver, or that any such company is operating its works without having complied with the provisions of this Act regarding the diversion, carriage, or storage of water and the obtaining of licenses therefor, or that the tolls and charges payable to any such company under any agreement for the delivery of water are not adequate to maintain and operate the works of the public utility company, provide for future depreciation and, in the case of a company, to allow a reasonable return on the amount considered by the Board to be the physical value of the works, and in the case of a municipality to provide for the payment of the interest on the outstanding liabilities and of the amount required from year to year for sinking fund in respect of the debt incurred for or in connection with the works for the diversion, storage, carriage, or delivery of water for irrigation purpose, the Board may proceed to hold such investigation as it sees fit into the circumstances under which the said agreement was made, the effect of the covenants contained in the agree-

Board may  
readjust tolls,  
etc.

ment, the nature, quality, and cost of the service rendered, the tolls and charges demanded therefor, and the ability of the company to fulfil its covenants; and may:—

Order im-  
provement of  
service.

(a) Make such order, which shall be binding on the company and all other parties to the agreement, respecting the improvement of the service, the quantity of water to be delivered, the setting aside of sufficient moneys or securities to provide an adequate depreciation fund, and the tolls or charges to be paid therefor, as the Board considers just and reasonable.

Direct issue  
of license.

(b) Direct the Comptroller to issue to the company a license for conveying purpose on terms and conditions determined by the Board; or

Report to  
Minister.

(c) Report to the Minister its findings in the matter and the reasons why it considers that it is in the public interest that the matter should be considered by the Lieutenant-Governor in Council under the provisions of this Act.

Order joint  
user of works.

**105.** Where it is made to appear to the Board, upon the report of an engineer in the employment of the Department or on the application of any person affected, that the joint user of any reservoir-site, dam, intake, flume, ditch, slide, or boom would save expense or would conserve water, or would reduce the damage to property, or would avoid a multiplicity of ditches, the Board may, after a hearing, order such joint user and determine the terms thereof, and by such order or by a subsequent order make such provisions as may be necessary for the convenient and effectual construction and operation of the works so to be used jointly.

Order public  
utility com-  
pany to  
deliver water.

**106.** Where an owner of land complains to the Board that a public utility company will not enter into a just and reasonable agreement for the delivery of water to the land owner by him, the Board may order the company to deliver the water on such terms as the Board may consider just and reasonable.

Amend license

**107.** Where a licensee applies to the Board for permission to enter into an agreement with a public utility company for the diversion, carriage, storage, and delivery of the water, the use of which is authorized by his license, or

when a public utility company applies for the approval of any water agreement made or contemplated by it, the Board may order that the license for conveying purpose held by the public utility company be amended by adding to the list of licenses therein contained the license or apportionment of the license set out in such agreement or amended agreement.

**108.** Upon the application of any person interested, if the Board considers that it is necessary that a depreciation account should be carried by a public utility company for the protection of its bond-holders, creditors, or water-users, the Board may by an order in writing order the company to set aside sufficient moneys or securities and keep a proper and adequate depreciation account in accordance with such regulations and forms of account as the Board may prescribe, and the Board shall from time to time ascertain and determine and by order in writing fix proper and adequate rates of depreciation of the company's works in accordance with such regulations, which rates shall be sufficient to provide the amounts required over and above the expense of ordinary repairs and operations to keep such works in a state of efficiency and the public utility company shall conform its depreciation account to the rates so ascertained, determined, and fixed, and shall set aside the moneys or securities so required and carry the same in a depreciation fund, and the income from investment of moneys in the depreciation fund shall be added to the fund, and no part of the fund shall be expended otherwise than to meet the depreciation of the company's system and works.

Order a depreciation account.

**109.** The Board may from time to time order any public utility company to furnish to the Board periodically and at such other times as the Board may require, and in such form and containing such matters and verified in such manner as the Board may prescribe, a detailed report of the company's finances and operations.

Report of company.

**110.**—(1) Except on the information of the Attorney General of the Province, no Provincial court shall by injunction, or other process of the court, restrain or interfere with any claimant seeking to establish his claim before the Board.

Injunction, mandamus, prohibition or certiorari.

(2) No injunction, mandamus, prohibition or certiorari shall be granted, directed to the Board or any member thereof save for excess or want of jurisdiction.

When may be granted

*Examination and Surveys.*

Flow of  
streams may  
be measured.

**111.** The Minister may cause to be made on any stream a proper measurement of the water and an examination of all the works constructed for storing, carrying or utilizing water from such stream, an examination of the extent to which the water has been used, and in case of rights for irrigation, an examination of the lands on which the water may be used and the report of such measurement or examination may be used by the tribunal when inquiring into and determining rights and claims upon any stream.

Board may  
make personal  
examination  
and act  
thereon.

**112.** The tribunal may make a personal examination of any stream or works and may act upon such examination in determining rights and claims.

## PART IX.

*Miscellaneous.*

Transfer of  
powers from  
tribunals ap-  
pointed under  
other Acts to  
tribunals  
constituted  
under this  
Act.

**113.** Notwithstanding the provisions contained in any Act to the contrary, all powers, except the powers conferred under *The Power Commission Act*, conferred upon Corporations, Commissions, Boards, or other tribunals under any Act of this Legislature heretofore passed, so far as such powers relate to the acquisition, expropriation, occupancy, control, or use of water, are hereby transferred from such Corporations, Commissions, Boards, and tribunals to and vested in the officers, Board and tribunals constituted or appointed under this Act, which shall have exclusive jurisdiction in such matter.

Adjudication  
on former  
applications.

**114.** All applications for water rights which have been made but not granted prior to the passing of this Act shall be deemed to have been abandoned unless the applicant shall before the first day of October, 1922, apply in writing to the Comptroller for an adjudication which said adjudication shall thereupon be made subject to and under the provisions of this Act.

Abandonment  
of rights.

**115.** All rights which are abandoned, or under the provisions of this Act are deemed to have been abandoned, shall, *ipso facto*, be void.

**116.** Any notice given or any application or petition filed before or within three months after the passage of this Act which would have been sufficient before the passage of this Act, and is not inconsistent with this Act but which does not contain all the information required by this Act may be amended to conform with the requirements of this Act on such terms as the tribunal adjudicating may deem just. Amendment of providing.

**117.** In case default is made in the doing of any act, matter, or thing which the tribunal may direct to be done, the tribunal may authorize such other person as it may deem fit to do the act, matter, or thing, and in every case the person so authorized may do such act, matter or thing, and the expense incurred in the doing of the same may be recovered by him from the person in default as money paid for and at the request of such person, and the certificate of the tribunal of the amount so expended shall be conclusive evidence thereof. Upon default tribunal may have work done at expense of licensee.

**118.** No order of a tribunal need show upon its face that any proceeding or notice was had or given or any circumstance existed necessary to give it jurisdiction to make such order. Jurisdiction need not appear on order.

**119.** A substantial compliance with the requirements of this Act, shall be sufficient to make effective all the rules, orders, acts and regulations of a tribunal, none of which shall be declared inoperative, illegal, or void for any omission or defect of a technical nature only. Substantial compliance with Act sufficient.

**120.** A tribunal at any time may order a re-hearing and extend, revoke or modify any order made by it. Re-hearing

**121.** The tribunal may, among other things, with respect to any claim properly before it: Powers of Board.

- (a) Determine the source from which the water shall be taken;
- (b) Determine the point of diversion or penning back;
- (c) Determine the time from which the right shall take precedence or priority;
- (d) Determine the purpose or purposes for which the water is to be used;

- (e) Determine the maximum quantity or flow of water which may be used;
- (f) Determine the period of the year during which the water may be used or penned back;
- (g) Determine the area and description of the land, mine, or undertaking to which the license is appurtenant, or the territory within which the water or the power generated from water may be sold, bartered, or exchanged;
- (h) Direct and establish the character of the works to be constructed by each claimant, and from time to time give such directions and make such orders as it may think necessary for the improvement of any works to prevent waste and ensure stability;
- (i) Determine the other terms and conditions respecting the use of the water and the rights of the claimant;
- (j) Determine, if necessary, the date of the commencement, resumption, and completion of the works required for the diversion, carriage, storage, and use of the water;
- (k) Determine the date when proof of the completion of such works and the putting of the water to beneficial use shall be filed in the office of the Comptroller;
- (l) Direct that works be improved or altered according to plans which shall be submitted to the Comptroller;
- (m) Order the cancellation of the former record.

Certified copy  
of instrument  
to be evidence.

**122.** A copy of any instrument made or issued under the authority of this Act or under authority of regulations purporting to be certified by the Comptroller or by such other person as may be appointed by the Minister for that purpose, as a true copy of such instrument, shall be *prima*

*facie* evidence of the instrument and of its contents in all courts, and before all officers and persons having by law or by the consent of parties, authority to hear, receive, and examine evidence.

**123.** Where, under the exercise of any power granted by this Act, any alteration of the level of the international boundary of waters is involved, such alteration shall conform and be subject to any order or recommendation which The International Joint Commission may make under the terms and authority of The International Boundary Waters Treaty between Great Britain and the United States.

Water levels to conform to recommendation of International Joint Commission.

**124.** Any order of a tribunal may, by leave of a Supreme Court or a Judge thereof, be enforced in the same manner as a judgment or order of a court to the same effect.

Enforcement of decisions.

**125.** The Supreme Court or a Judge thereof may, on petition signed by the tribunal setting out the facts, make any order necessary in the opinion of the court or a judge thereof to assist and enable the tribunal to discharge the duties imposed upon the Board by this Act.

Supreme Court may make orders to assist.

**126.** Every person who contravenes any of the provisions of this Act, or any order of a tribunal made thereunder, or who obstructs any person in the discharge of any duty or authority imposed or given by any such order, shall be guilty of an offence against this Act.

Contravention of this Act an offence against the Act.

**127.** The Lieutenant-Governor in Council, may from time to time make, amend, or repeal regulations for carrying the intent of this Act into effect, including matters in respect whereof no express, or only partial or imperfect, provision has been made, and, without restricting the generality of the foregoing, in respect of the following matters and things:

Lieutenant Governor in Council may make regulations.

- (a) The examination of streams, and of all works constructed thereon for storing, carrying or utilizing the water therefrom and the use made of water taken therefrom and of the land on which water may be used for irrigation purposes, and providing for the measurement of water on any stream;

- (b) The construction, maintenance, and operation of works, and use of water, by a licensee, and matters incidental thereto and the obligation of the licensee arising therefrom;
- (c) The powers, duties, and jurisdiction, of officers administering this law;
- (d) The organization and procedure of the Board;
- (e) The procedure to acquire a water license;
- (f) The cancellation of licenses and other rights;
- (g) The procedure to be followed on any proceeding, application, complaint, or appeal;
- (h) The obtaining of information, making of inquiries by or on behalf of a tribunal, and the powers and authority of persons making such inquiries, and the use of such information as evidence;
- (i) The forms to be used;
- (j) The books to be kept by Officers;
- (k) The collection of rents, royalties, tolls, fees, and other charges due to the Crown;
- (l) The works and devices required for diverting, storing, carrying and measuring water;
- (m) The entry upon Crown lands;
- (n) The enforcement of orders made by the tribunal;
- (o) Generally, for regulating any matters relating to the practice and procedure of tribunals or to the duties of officers thereof, or to the cost of proceedings therein, and and every other matter deemed expedient for the carrying into effect of the provisions of this Act.



**128.** The costs of the administration of this Act, shall <sup>Costs of ad-  
ministration.</sup> be borne by the Province of Ontario, and shall be payable out of the Consolidated Revenue Fund.

**129.** The following Acts and all amendments thereto <sup>Repeal.</sup> respectively are hereby repealed:

- (a) *The Damage by Flooding Act*, being chapter 86 of the Revised Statutes of Ontario, 1914.
- (b) *The Water Privileges Act*, being chapter 129 of the Revised Statutes of Ontario, 1914.
- (c) *The Rivers and Streams Act*, being chapter 130 of the Revised Statutes of Ontario, 1914.
- (d) *The Saw Logs Driving Act*, being chapter 131 of the Revised Statutes of Ontario, 1914.
- (e) *The Timber Slide Companies Act*, being chapter 181 of the Revised Statutes of Ontario, 1914.
- (f) *The Rivers and Streams Act*, being chapter 15 of the Ontario Statutes, 1915.
- (g) *The Water Powers Regulation Act*, being chapter 21 of the Ontario Statutes, 1916.

**130.** This Act shall come into force on the day of , 1922.

<sup>Commence-  
ment of Act.</sup>

No. 249.

3rd Session, 15th Legislature,  
12 George V, 1922.

BILL.

An Act respecting Water Rights.

1st Reading,	9th May, 1922.
2nd Reading,	1922.
3rd Reading,	1922.

Mr. BOWMAN.

# BILL

An Act respecting Co-operative Credit Societies.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

## *Short Title.*

**1.** This Act may be cited as *The Co-operative Credit Societies Act.* Short title.

## *Interpretation.*

**2.** In this Act,—

- (a) "Minister" shall mean the Provincial Secretary; Interpretation clause.  
"Minister."
- (b) "Department" shall mean the Department of the Provincial Secretary; "Department."
- (c) "Society" shall mean a society incorporated under the provisions of this Act; "Society."
- (d) "Land" shall include hereditaments and chattels real, and any interest therein; "Land."
- (e) "Property" shall include all real and personal estate, including books and papers; "Property."
- (f) "Amendment of rule" shall include a new rule and a resolution rescinding a rule; "Amendment of rule."
- (g) "Rules" shall mean the rules approved of by the Minister, and shall include any amendment of a rule approved of by the Minister; "Rules."

"The Committee."

(h) "The Committee" shall mean the committee of management or other directing body of a society;

"Persons claiming through a member."

(i) "Persons claiming through a member" shall include the heirs, executors, administrators, or assigns of a member:

"Officer."

(j) "Officer" shall include any treasurer, secretary, member of the committee, manager, or servant, other than a servant appointed by the committee, of a society;

"Meeting."

(k) "Meeting" shall include (where the rules of a society so allow) a meeting of delegates appointed by members;

"Office."

(l) "Office" shall mean the registered office for the time being of a society.

### *Applications*

Applications to be subject to approval of Minister.

3. All applications under this Act shall be subject to the approval of the Minister after consideration of the compliance of such application with the provisions of this Act and of all circumstances connected therewith, and the Minister or any officer of the Department to whom an application is referred may, for the purpose of any enquiry into such circumstances and the sufficiency and regularity of the application, take evidence in writing under oath or affirmation.

Application to be by way of petition.

4. All applications to the Minister under this Act for incorporation, or for his approval of any Act which requires his approval, shall be by petition, verified by affidavit or declaration.

### *Incorporation.*

Object of incorporation.

5. Under this Act, societies may be incorporated having for their object or purpose the receiving of moneys on deposit from members and the making of loans to members with or without security, as defined by the petition signed on application for incorporation.

Number of persons necessary to incorporate.

6.—(1) Any number of persons not less than ten, capable of contracting, may be incorporated as a society.

Petition to be in duplicate.

(2) Such persons shall sign in duplicate, before two witnesses, a petition in the form of Schedule "A" to this Act, and one of such petitions, with a copy of the rules,

### 3.

shall be forwarded by registered letter or otherwise delivered to the Minister, and the other, with a copy of the rules, shall remain on record in the archives of the society.

7. The rules of every society shall contain provisions regarding the several matters mentioned in Schedule "B" to this Act, together with such other provisions as are deemed necessary for the management of the affairs of the society, provided that the rules shall not be contrary to law, and may set forth the form of any instrument necessary for carrying the purposes of the society into effect.

Rules of society.

8. The Minister on approving of the rules, may issue to the society a certificate of incorporation and give notice thereof in *The Ontario Gazette*, and thereupon such society shall be a corporation under the name described in the certificate and notice, and all property, for the time being, vested in any person in trust for the society shall be vested in the society, and the said certificate of incorporation and the rules of the society, together with this Act, shall constitute the charter of the society.

Certificate of incorporation.

9. The production of *The Ontario Gazette* containing the said notice shall be conclusive evidence that the society therein mentioned is duly incorporated.

Evidence of incorporation, what to be deemed.

10. A person under the age of twenty-one, subject to the limitations of the rules, may be a member of a society, and such persons may enjoy all the rights of a member (except as herein provided), and execute all instruments and give all acquittances necessary to be executed or given under the rules, but shall not be a member of the committee, trustee, manager or treasurer of the society.

Persons under twenty-one may be members of society.

#### *Registered Office.*

11. Every society shall have a registered office, to which all communications and notices shall be addressed, and the society shall send to the Minister written notice of the situation of such registered office and of every change of such situation.

Registered office of society.

#### *Land.*

12. —(1) A society may, for the purposes of its undertaking (if its rules do not otherwise direct), hold, purchase or take on lease in its own name any land, and may sell, exchange, lease or build thereon.

Power to hold land

Limit of  
value of  
land.

(2) The annual value of the land so acquired or held shall not exceed five thousand dollars.

### *Name.*

Name.

**13.** The corporate name of the society shall not be that of any other known society or company incorporated or unincorporated, or so nearly resembling such name as to be likely, in the opinion of the Minister, to be confounded therewith, or otherwise on public grounds objectionable, and no society shall change its name except as hereinafter provided: Provided, however, that the Minister may, at any time, change the name of a society if it appears to him that such name is that of any other society or company incorporated or unincorporated or nearly resembles the same, or is on any grounds objectionable, and such change shall be made in the like manner and with the like consequences as if it were changed on the application of the society.

"Co-operative"  
and  
"limited"  
to be  
included  
in name.

**14.** The word "co-operative" shall be included in, and the word "limited" shall be the last word of the name of every society.

Change of  
name..

**15.** A society may, by resolution approved of by two-thirds of its members and adopted at a general meeting called for that purpose, and with the approval of the Minister, change its name, and from the date of a notice of such change, to be published by the Minister in *The Ontario Gazette*, the society shall be known and designated under the new name, but no such change of name shall effect any right or obligation of the society, or of any member thereof, and any pending legal proceedings may be continued by or against the society notwithstanding its new name.

### *Rules.*

Copy of  
rules to be  
given to  
every mem-  
ber on  
demand.

**16.** A copy of the rules of the society shall be delivered by the society to every member on demand, on payment of a sum fixed by the rules.

Amend-  
ments to  
rules, when  
valid.

**17.**—(1) An amendment of a rule of a society shall not be valid until it has been approved of by the Minister, for which purpose two copies thereof, signed by three members and the secretary, or by the president and the secretary, shall be sent to the Minister.

(2) The Minister, on being satisfied that an amendment of a rule has been duly sanctioned by the society, may approve of it, and may issue to the society an acknowledgment of the deposit of such amendment, which shall be conclusive evidence that it is in force. Approval of amendment by Minister, effect of

**18.** The rules of the society shall bind the society and all members thereof and all persons claiming through them, respectively, to the same extent as if such member had subscribed his name and affixed his seal thereto, and as if there were contained in such rules a covenant on the part of such member, his heirs, executors, administrators and assigns, to conform thereto subject to the provisions of the Act. Rules binding, to what extent.

**19.** Every officer of a society who receives or has charge of money, shall, before taking upon himself the duties of his office, become bound, either with or without a surety, as the committee may require, in a bond of such form as the committee approves, or shall give the security of a guarantee society, in such sum as the committee directs, conditioned for his rendering a just and true account of all moneys received and paid by him on account of the society, at such times as its rules appoint, or as the society or the committee thereof requires him to do, and for the payment by him of all sums due from him to the society. Where officers to give bond

**20.** The rules of every society shall provide for the profits being appropriated to any purposes stated therein. Profits.

**21.** A society may make rules respecting the maximum number of shares which may be held by a member of the society and the maximum amount which may be deposited by or loaned to a member, and the maximum amount which the society may receive on deposit. Rules as to maximum number of shares, etc.

### *Capital, Shares and Business.*

**22.** A society may create a capital divided into shares, and the amount thereof, the number of shares and the calls or other payments thereon, shall be determined by its rules, but the amount of each share shall not be less than one dollar. Shares.

**23.** The capital of the society may, subject to the rules, be increased by subscriptions for new shares or the admission of new members, and it may be diminished by withdrawals. Capital, how increased

Other  
society may  
hold shares.

**24.** Any other corporation may, if its constating instruments permit, hold shares in a society, but the society shall not lend any part of its funds to such other corporation until the Minister has given his consent to such loan.

Votes.

**25.** No member shall have more than one vote, and voting by proxy shall be allowed only when shares are held by an agricultural association, a municipal body, a school board, or other corporation existing under the law of Canada or of some province thereof.

Residence  
restrictions  
when  
applying  
for shares.

**26.** A member, at the time of making application for shares, must be domiciled within twenty miles of the registered office or within a lesser distance if so determined by the rules of the society.

List of  
members  
and shares  
to be kept  
by society.

**27.** Every society shall keep a register or list of members or shares which shall be *prima facie* evidence of any of the following particulars entered therein:—

- (a) The names, addresses and occupations of the members, the number of shares held by them respectively, the numbers of such shares, if they are distinguished by numbers, and the amount paid or agreed to be considered as paid on any such shares;
- (b) The date at which the name of any such person or corporation was entered in such register or list as a member;
- (c) The date at which any such person or corporation ceased to be a member.

Moneys  
payable by  
member to  
society  
shall be a  
debt due.

**28.**—(1) All moneys payable by a member to a society shall be a debt due from such a member to the society and shall be recoverable as such in any court of competent jurisdiction.

Society to  
have lien  
on shares.

(2) A society shall have a lien on the shares of any member for any debt due to it by him, and may set off any sum credited to the member therein in or towards the payment of such debt.

Guarantee  
fund.

**29.** Every society shall lay aside at least ten per cent. of its yearly net profits in order to establish a guarantee fund to meet losses, and until the said guarantee fund is equal to the maximum amount at any time of the paid-up share.



capital and deposits, and if the maximum amount of paid-up capital and deposits is reduced by withdrawals the said fund shall be maintained at the said maximum amount notwithstanding such subsequent reduction, and the said yearly addition to net profits shall continue to be laid aside until the said guarantee fund has reached the aforesaid maximum amount of paid-up share capital and deposits, or in case the said fund is impaired by losses, after it has reached the said maximum, the said yearly addition shall be again laid aside until the said fund is completed.

**30.** No society shall advance money by discount, loan or otherwise to, nor accept deposits from, any person other than members thereof. Advances to be made to members only.

#### *Board of Administration.*

**31.**—(1) Every society shall, at its first general meeting, and annually thereafter, elect from its members a board of administration herein called the committee of at least five members and the president of the society shall be an *ex-officio* member of such board. Board of administration.

(2) The duties of the board shall be such as are required by this Act and by the rules of the society. Duties of board.

#### *Board of Credit.*

**32.**—(1) Every society shall, at its first general meeting, and annually thereafter, elect from its members a board of credit of at least three members, who shall not be members of the committee or board of supervision or officers of the society, and the president of the society shall be an *ex-officio* member of such board. Board of credit.

(2) The members of the board shall hold office for one year and until their successors are appointed. Tenure of office.

(3) No member of the board shall borrow from or be in any way liable to the society. Members of board not to borrow from society.

(4) It shall be the duty of the board to consider and approve of all loans and investments of funds of the society. Duties of board.

#### *Board of Supervision.*

**33.**—(1) Every society shall at each annual general meeting, elect from its members a board of supervision of at least two members, who shall not be members of the committee or board of credit or officers of the society. Board of supervision, how composed.

Tenure of  
office.

(2) The members of the board shall hold office for one year and until their successors are appointed.

Duties.

(3) The board shall, from time to time, examine and audit the books of the society and deposit books of the members; shall supervise the operations of the committee and board of credit; and shall check the cash investments and securities of the society.

Misappropri-  
ation of  
funds.

(4) In the event of any of the funds, securities or other property of the society being misappropriated or otherwise misdirected from their proper use, or in the event of any of the rules of the society being contravened by the committee or board of credit, or any member thereof, or by any officer, the board shall forthwith call a general meeting of the society.

Appointment  
pending  
general  
meeting.

(5) Pending the holding of such meeting the board may suspend any member of the committee or board of credit, or any officer, and may appoint members of the society to perform the duties of any person so suspended, until the said meeting of the society.

General  
meeting.

(6) The board shall report to the meeting all circumstances relating to any misappropriation of funds, securities or other property or any improper diversion thereof, and the causes of suspension of any member of the committee, board of credit or officer, and the society, at the meeting so called or at any adjournment thereof, may dismiss from office or reinstate any member of the committee or board of credit or officer suspended by the board.

Member of  
board not  
to borrow.

(7) No member of the board shall borrow from or be in any way liable to the society.

Annual  
report.

(8) The board shall submit a written report to each annual general meeting.

Payments  
to officers.

**34.** All payments to officers of the society for services rendered must be approved by a majority vote of the shareholders at the annual general meeting.

### *Investment.*

Invest-  
ments.

**35.**—(1) A society may invest any part of its funds in or upon any security authorized by its rules.

When  
society  
to be  
represented  
by proxy.

(2) A society which has invested any part of its funds in the shares or on the security of any other corporation may appoint as proxy any one of its members, though such member is not personally a shareholder of such other corporation.

(3) The proxy shall, during the continuance of his appointment, be taken by virtue thereof as holding the number of shares held by the society by whom he is appointed, for all purposes except the transfer of such shares, or the giving of receipts for any dividend thereon.

Extent of  
power of  
proxy.

### *Borrowing Powers.*

**36.** The committee of a society may pass resolutions for borrowing money: Provided, however, that nothing in this or the following sections hereof shall apply to promissory notes, bills of exchange, or other securities of a commercial nature issued in the ordinary course of business.

Resolutions  
of committee  
for  
borrowing  
money.

**37.** No resolution referred to in section 36 of this Act shall take effect until it has been confirmed by a vote of not less than two-thirds of the members present or represented by proxy at a general meeting of the society, duly called for considering such resolution, by notice specifying the terms of the resolution to be confirmed, or until unanimously sanctioned in writing by the members of the society.

Must be by  
two-thirds  
vote.

**38.** The committee may charge, hypothecate, mortgage, or pledge the real or personal property, rights and powers, undertaking, franchises, including book debts and unpaid calls of the society, to secure any liability of the society authorized by resolution and confirmed as hereinbefore provided.

Powers of  
committee  
as to  
charging,  
hypothecating,  
mortgaging,  
etc.

**39.** No assignee, mortgagee, pledgee, charge or hypothec holder shall be bound to inquire as to the authority for any such assignment, mortgage, pledge, charge or hypothecation by a society, and the receipt of the society shall be a discharge for all moneys arising from or in connection with such assignment, mortgage, pledge, charge, hypothec or other security.

Effect of  
receipt of  
society.

### *Contracts.*

**40.**—(1) Contracts on behalf of a society may be made, varied, or discharged as follows:—

Contracts,  
how made.

- (a) Any contract which, if made between private persons, would be by law required to be in writing and to be under seal, may be made on behalf of the society, in writing under the common seal of the society, and may in the same manner be varied or discharged;

When to be  
in writing.

May be  
signed by  
agent.

- (b) Any contract which, if made between private persons would be by law required to be in writing and signed by the persons to be charged therewith, may be made on behalf of the society in writing by any person acting under the express or implied authority of the society, and may in the same manner be varied or discharged;

Contract  
under seal.

- (c) Any contract under seal which, if made between private persons, might be varied or discharged by a writing not under seal, signed by any person interested therein, may be similarly varied or discharged on behalf of the society by a writing not under seal, signed by any person acting under the express or implied authority of the society;

Oral  
contracts.

- (d) Any contract which, if made between private persons, would be by law valid though made by parol only and not reduced into writing, may be made by parol on behalf of the society by any person acting under the express or implied authority of the society, and may in the same manner be varied or discharged;

Signature  
of officer.

- (e) A signature, purporting to be made by a person holding any office in the society, attached to a writing whereby any contract purports to be made, varied or discharged by or on behalf of the society, shall *prima facie* be taken to be the signature of a person holding, at the time when the signature was made, the office so stated.

Form of  
contract,  
how far  
binding.

(2) All contracts which may be or have been made, varied or discharged according to the provisions of this section, shall, so far as concerns the form thereof, be effectual in law and binding on the society and all other parties thereto, their heirs, executors or administrators, as the case may be.

Promissory  
notes and  
bills of  
exchange.

**41.** A promissory note or bill of exchange shall be deemed to have been made, accepted or endorsed on behalf of the society if made, accepted or endorsed in the name of the society, or by or on behalf or on account of the society, by any person acting under the authority of the society.

*Accounts and Inspections.*

**42.**—(1) The annual meeting of the society shall be held at such time and place in each year as the rules of the society provide, and in default of such provisions in that behalf the annual meeting shall be held at the registered office of the society on the fourth Wednesday in January in each year. Annual meeting.

(2) At such meeting the committee shall lay before the society:— Business to be dealt with.

- (a) A balance sheet made up to date not more than three months before such annual meeting;
- (b) A statement of income and expenditure for the financial period ending upon the date of such balance sheet;
- (c) The report of the board of supervision;
- (d) Such further information respecting the society's financial position as the rules require.

(3) Every balance sheet shall be drawn up to so as to distinguish at least the following classes of assets and liabilities, namely:—

- (a) Cash;
- (b) Debts owing to the society from members;
- (c) Land and buildings;
- (d) Debts owing by the society secured by mortgage or other lien upon the property of the society;
- (e) Debts owing by the society but not secured;
- (f) Amount received on shares;
- (g) Amount owing on shares;
- (h) Amount paid on withdrawal of shares;
- (i) Indirect and contingent liabilities.

**43.** Every society shall supply gratuitously to every member or other person interested in the funds of the society, on his application, or as provided by the rules of the society, a copy of the last annual balance sheet and return of the society. Copy of annual balance sheet to be supplied to members.

**44.**—(1) Save as provided in this Act, no member or person shall have any right to inspect the books of the society. Inspection of books.

Rules as to inspection.

(2) Any member or other person having an interest in the funds of the society may inspect his own account and the books containing the names of the members at all reasonable hours at the registered office of the society, or at such other place where they are kept, subject to such regulations as to time and manner of such inspection as are made by the rules.

As to loan or deposit accounts of members.

(3) The society may, by its rules, authorize the inspection of any of its books therein mentioned, in addition to the said books containing the names of members, under such conditions as are thereby imposed, so that no person, unless he is an officer of the society or is specially authorized by a resolution thereof, shall have the right to inspect the loan or deposit account of any other member without his written consent.

Disputes.

**45.** Every dispute not of a pecuniary character, and every dispute of a pecuniary character in which the amount involved or in dispute does not exceed one hundred dollars, between a member of a society or any person aggrieved who has for not more than six months ceased to be a member of the society, or any person claiming through such member or person aggrieved, or claiming under the rules of the society, and the society or an officer thereof, shall be decided in the manner directed by the rules of the society, if they contain any such directions, and the decision so made shall be binding and conclusive on all parties without appeal, and shall not be removable into any court of law or restrainable by injunction. and application for the enforcement thereof may be made before any court of competent jurisdiction.

When application may be made to Minister,

**46.**—(1) Upon the application of one-tenth of the whole number of members of a society, or of one hundred members in the case of a society exceeding one thousand members, the Minister may:—

for appointment of inspector.

(a) Appoint an inspector or inspectors to examine into and report upon the affairs of such society;

For calling of special meeting.

(b) Call a special meeting of the society;

Notice.

(2) Such application shall be supported by such evidence as the Minister requires before taking action, and the Minister may require that such notice as he deems necessary be given to the society.

Security for costs.

(3) The Minister may require the applicants to furnish security for the costs of such inspection or meeting.

(4) All expenses of and incidental to any such inspection or meeting shall be defrayed by the members applying for the same, or out of the funds of the society, or by the members or officers or former members or officers of the society, in such proportion as the Minister shall direct. Expenses, how defrayed.

(5) An inspector appointed under this section may require the production of all or any of the books, accounts, securities, and documents of the society, and may examine on oath its officers, members, agents and servants in relation to its business, and may administer an oath accordingly. Powers of inspector.

(6) The Minister may direct at what time and place a special meeting under this section is to be held, and what matters are to be discussed and determined at the meeting, and the meeting shall have all the powers of a meeting called according to the rules of the society, and shall in all cases have power to appoint its own chairman, any rules of the society to the contrary notwithstanding. Special meeting.

### *Returns.*

**47.**—(1) The society shall, within one month after the annual general meeting, make out a summary, verified as hereinafter required, containing, correctly stated, the following particulars— Summary to be made within one month after general meeting.

- (a) The corporate name of the society and the date of incorporation;
- (b) The name, residence and post office address of the officers and of the members of the Boards of Credit and Supervision;
- (c) The date upon which the last annual meeting of the society was held;
- (d) The place of the registered office, giving street and number when possible;
- (e) The amount of subscribed capital of the society and the number of shares into which it is divided;
- (f) The number of shares, if any, issued as fully paid up, as consideration for any transfer of assets, or otherwise; if none are so issued, this fact to be stated;
- (g) The amount of calls made on each share;
- (h) The total amount of calls received;

- (i) The number of shares subscribed for and allotted during the preceding year;
- (j) The number of shares withdrawn during the preceding year;
- (k) The amount on deposit;
- (l) The amount on loan;
- (m) The total amount loaned during the year;
- (n) The amount of the guarantee fund;
- (o) A statement of the receipts and expenditure of the society during the year in respect of the several objects of the society;
- (p) The number of members of the society.

Summary  
to be  
transmitted  
to Minister.

(2) The summary, verified by the certificate of the president and secretary, together with the last balance-sheet signed by the members of the board of supervision, shall, on or before the first day of March next after the time hereinbefore fixed for making the summary, be transmitted to the Minister.

#### *Cancellation and Suspension of Charter.*

Cancellation  
of charter,  
under what  
circum-  
stances.

**48.**—(1) The Minister may, at any time, upon notice in writing, cancel the charter of a society:—

- (a) If it is shown that the number of the members of the society has been reduced to less than ten, or that the charter of a society has been obtained by fraud, or mistake, or that the society has ceased to carry on business;
- (b) If he thinks fit, at the request of a society, to be evidenced in such manner as he shall from time to time direct;
- (c) On proof to his satisfaction that the society exists for an illegal purpose, or has wilfully, and after notice from the Minister, violated any of the provisions of this Act.

Suspension  
of charter.

(2) The Minister, in any case in which he might cancel the charter of the society, may suspend the charter, by writing under his hand or seal, for any term not exceeding three months, and may renew such suspension from time to time for a like period.



(3) Before such cancellation or suspension the Minister shall give the society a notice of not less than two months, specifying the ground of any proposed cancellation or suspension (except in the case of a request by the society itself), and notice of such cancellation or suspension shall be published in the *Ontario Gazette* and in a newspaper published at or near the place where such society last had its head office.

Notice to be given by Minister at least two months before cancellation or suspension.

(4) Such society shall, from the date of publication in the *Ontario Gazette* of the said notice of cancellation or suspension, absolutely cease to enjoy the privileges of a society, but without prejudice to any liability actually incurred by such society, which liability may be enforced as if such cancellation or suspension had not taken place.

Effect of publication of notice.

49. A society organized under this Act may be dissolved by the consent of three-fourths of the members, testified by their signatures to an instrument of dissolution and with the approval of the Minister.

Dissolution, how effected.

50. Officers, members of administrative boards and other members entrusted with or participating in the direct management of the society's affairs shall not withdraw or transfer their shares during the exercise of their functions, and in case of the society's insolvency any such withdrawal or transfer made by them, within four months preceding such insolvency shall be null and void, and such member shall remain liable to the creditors of the society to the extent of such shares so withdrawn or transferred.

Shares not to be drawn out by officers or members of administrative boards.

51. Where a society is terminated by an instrument of dissolution:—

Instrument of dissolution.

(a) The instrument of dissolution shall set forth the liabilities and assets of the society in detail, the number of members and the nature of their interests in the society respectively, the claims of the creditors, if any, and the provisions to be made for their payment, and the intended appropriation or division of the funds and property of the society, unless the same be stated in the instrument of dissolution to be left to the award of the Minister;

(b) Alterations in the instrument of dissolution may be made with the like consents, as hereinbefore provided, and testified in the same manner:

- (c) A statutory declaration shall be made by three members and the secretary of the society that the provisions of this Act have been complied with, and shall be sent to the Minister with the instrument of dissolution and any alterations thereof;
- (d) The instrument of dissolution and all alterations therein shall be binding upon all the members of the society;
- (e) The Minister shall cause a notice of dissolution to be advertised at the expense of the society in the *Ontario Gazette* and in some newspaper at or near the place of registered office of the society, and unless, within three months from the date of the *Ontario Gazette* in which such advertisement appears, a member or other person interested in or having any claim on the funds of the society commences proceedings to set aside the dissolution of the society in the county court of the County where the registered office of the society is situated, and such dissolution is set aside accordingly, the society shall be dissolved from the date of such advertisement, and the requisite consents to the instrument of dissolution shall be considered to have been duly obtained without proof of the signatures thereto;
- (f) Notice shall be sent to the Minister of any proceeding to set aside the dissolution of a society, not less than seven days before it is commenced, by the person by whom it is taken or of any order setting it aside, within seven days after it is made by the society;
- (g) The instrument of dissolution shall fix a time within which such dissolution shall be completed, and on the expiration thereof the person or persons named therein to conduct the completion of such dissolution shall forward to the Minister all books, papers, letters, memoranda, and other documents in any way relating to such dissolution, together with all sums of money in his or their hands undistributed, and the said person or persons having conduct of the dissolution as aforesaid shall be deemed to be an officer or officers of the society for the purposes of this Act.

*Offences and Penalties.*

**52.** It shall be an offence under this Act if a society,— Offences, what shall be considered.

- (a) Fails to give any notice, send any return or document, or to do or allow to be done any act or thing which the society is, by this Act, required to give, send, do or allow to be done; or,
- (b) Wilfully neglects or refuses to do any act or to furnish any information required for the purpose of this Act by the Minister or any other person authorized under this Act, or does any act or thing forbidden by this Act; or,
- (c) Makes a return or wilfully furnishes information in any respect false or insufficient; or,
- (d) Fails to make out and keep continuously hung up the annual return and balance-sheet required by this Act.

**53.** Every offence by a society under this Act shall be deemed to have been also committed by every officer of the society who is bound by the rules thereof to fulfil the duty whereof such offence is a breach, or, if there be no such officer, then by every member of the committee unless such member is found to have been ignorant of, or to have attempted to prevent the commission of such offence; and every act or default under this Act constituting an offence, if continued, shall constitute a new offence in every week during which it continues. Liability of officers for offences committed by society.

**54.** If any person obtains possession by false representation or imposition of any property of a society, or, having it in his possession, withholds or misapplies it or wilfully applies any part thereof to purposes other than those expressed or directed by the rules of the society, and authorized by this Act, he shall, on the complaint of the society, or any member authorized by the society, or by the committee thereof or by the Minister, be liable, on summary conviction, to a fine not exceeding fifty dollars and costs, and to be ordered to deliver up such property or to repay all moneys applied improperly and, in default of such delivery or repayment, or of the payment of such fine, to be imprisoned, with or without hard labour, for a term not exceeding three months; but nothing herein shall prevent any such person from being proceeded against if not previously convicted under this Act of the same offence or of an offence which includes the offence with respect to which he is so proceeded against. Where property of society obtained by false representation.

Falsification  
of books.

**55.** If any person wilfully makes, orders or allows to be made any entry or erasure in, or omission from, any balance-sheet of a society, or any contribution or collection book, or any return or document required to be sent, produced or delivered under this Act, with intent to falsify the same, or to evade any provision of this Act, he shall be liable, on summary conviction, to a fine not exceeding one hundred dollars.

False representation as  
to rules of  
society.

**56.** It shall be an offence under this Act, punishable on summary conviction by a fine not exceeding two hundred dollars and not less than fifty dollars, if any person, with intent to mislead or defraud, gives to any other person a copy of any rules other than the rules for the time being approved of by the Minister under this Act, on the pretence that they are the existing rules of a society, or that there are no rules of such society, or gives to any person any rules on the pretence that such rules are the rules of an existing society, when such society is not really a society incorporated under this Act.

### *Regulations.*

Regulations.

**57.** The Lieutenant-Governor in Council may make regulations respecting the procedure and forms to be adopted in carrying out the provisions of this Act, and generally for carrying this Act into effect, and by such regulations may impose fines not exceeding twenty-five dollars for an infraction of the provisions thereof, and such fines shall be recoverable on summary conviction; and such regulations shall apply as soon as they have been published in the *Ontario Gazette*.

**58.** Such regulations shall be laid before the Legislative Assembly within ten days after the making thereof, if the Legislative Assembly is then sitting, or, if not then sitting, then during the first ten days of the next session thereof.

Commence-  
ment of Act.

**59.** This Act shall come into force on the 1st day of July, 1922.

# SCHEDULE "A."

## PETITION FOR INCORPORATION.

### Co-OPERATIVE CREDIT SOCIETIES ACT.

To the.....

The petition of.....

Sheweth.

1. That the undersigned desire to be incorporated as a society under the provisions of *The Co-operative Credit Societies Act*, under the name "....., Limited."

2. That the objects of incorporation are as follows:—

(Set out objects, in detail).

3. That the undersigned have prepared rules in accordance with the said Act for the management of the said society, a copy of which is herewith attached.

Your petitioners therefore pray that they may be incorporated as a society under the said Act.

Dated at..... this..... day of..... 19  
Witness.

# SCHEDULE "B."

## MATTERS TO BE CONTAINED IN RULES

Matters to be provided for by the rules of societies incorporated under *The Co-operative Credit Societies Act*:—

1. Object, name and head office or chief place of business of the society.

2. Terms of admission of the members, including societies or companies taking shares in the society under the provisions of this Act.

3. Mode of holding meetings, right of voting and of making altering and rescinding rules.

4. Appointment and removal of the committee or officers, and their respective powers.

5. Determination whether the shares or any of them shall be transferable, and regulations of the form of transfer and registration of the shares and the consent of the committee thereto; determination whether the shares or any of them shall be withdrawable and the payment of the balance due thereon withdrawing from the society.

6. Determination whether or how members may withdraw from the society.

7. Mode of application of profits.

8. Provision for custody of seal and certifying of documents issued by the society.

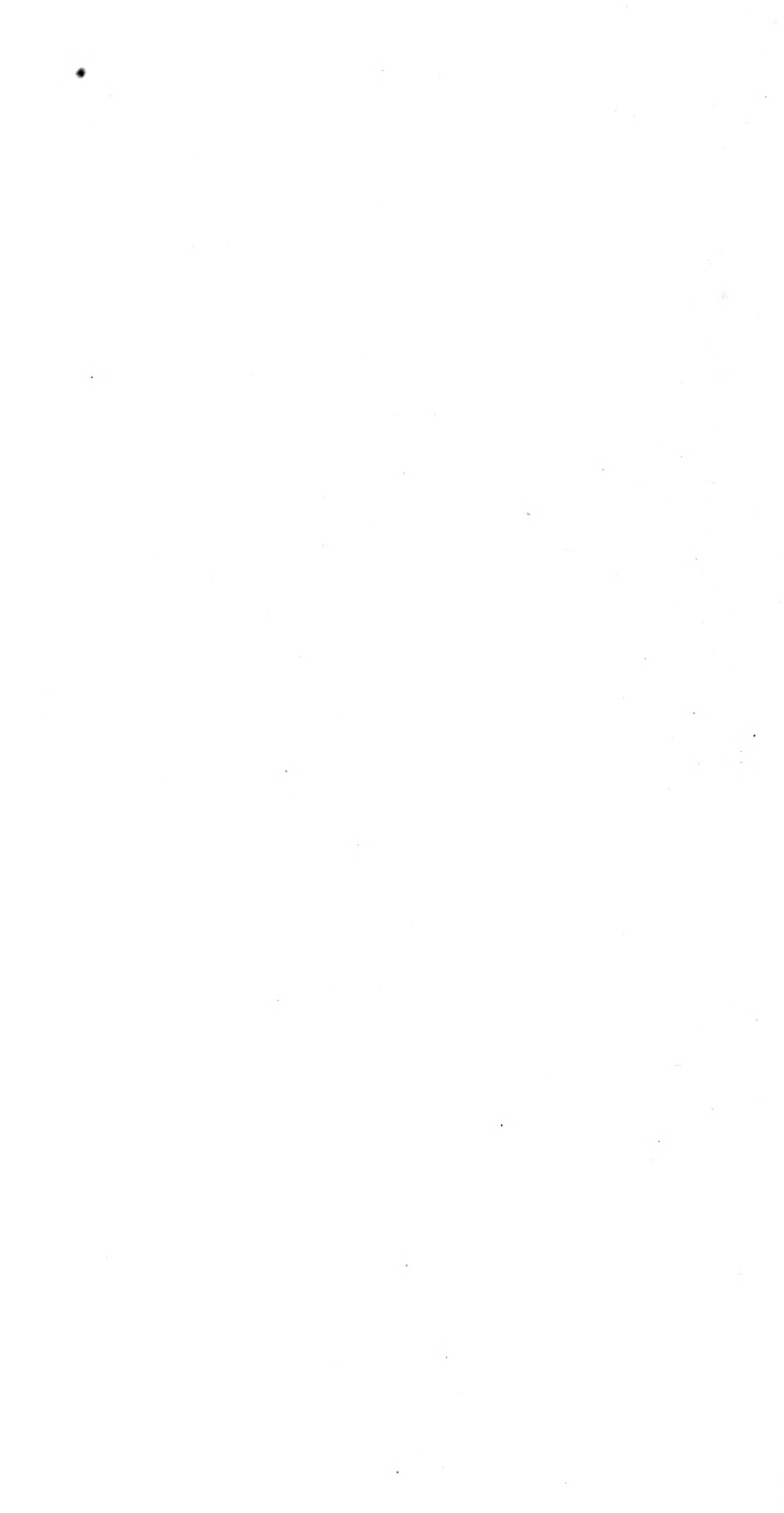
9. Determination whether and by what authority and in what manner any part of the capital may be invested.

10. The maximum number of shares that may be held by a member.

11. The maximum amount which may be received by the society on deposit.

12. The maximum amount which may be received from, or loaned to, a member.









No. 250.

3rd Session, 15th Legislature,  
12 George V, 1922.

BILL

An Act respecting Co-operative Credit  
Societies.

1st Reading,	22nd February,	1921.
2nd Reading,	7th March,	1921.
3rd Reading,		1922.

*(Reprinted as amended by special  
committee.)*

MR. HULL.

TORONTO:

PRINTED BY CLARKSON W. JAMES,

Printer to the King's Most Excellent Majesty.

# BILL

An Act for raising money on the credit of the Consolidated Revenue Fund.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**1.** The Lieutenant-Governor in Council is hereby authorized to raise by way of loan a sum of money not exceeding Forty million dollars (\$40,000,000) for all or any of the purposes following, that is to say: For the public service, for works carried on by the commissioners on behalf of Ontario, for the covering of any debt of Ontario on open account, for paying any floating indebtedness of Ontario, for the carrying on of the public works authorized by the Legislature and for redeeming in whole or in part the outstanding debentures of the Province of Ontario that have been issued free of Succession Duty.

Loan of  
\$40,000,000.  
authorized.

**2.** The aforesaid sum of money may be borrowed for any term or terms not exceeding forty years, at such rate as may be fixed by the Lieutenant-Governor in Council, and shall be raised upon the credit of the Consolidated Revenue Fund of Ontario, and shall be chargeable thereupon.

Terms to be  
fixed by  
Lieutenant-  
Governor.

**3.** The Lieutenant-Governor in Council may provide for a special sinking fund with respect to the issue herein authorized, and such sinking fund may be at a greater rate than the one-half of one per centum per annum specified in subsection 2 of section 4 of *The Provincial Loans Act*.

Sinking fund.

**4.** This Act shall come into force on the day upon which it receives the Royal Assent.

Rev. Stat.  
c. 21.

Commence-  
ment of Act.

No. 251.

3rd Session, 15th Legislature,  
12 George V, 1922.

BILL.

An Act for raising money on the credit  
of the Consolidated Revenue Fund.

1st Reading,	9th May, 1922.
2nd Reading,	1922.
3rd Reading,	1922.

MR. SMITH.

TORONTO:  
PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.

# BILL

## An Act to amend the School Laws.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**1.** This Act may be cited as *The School Law Amendment Act, 1922.* Short title.

**2.** The clause lettered *g* in subsection 1 of section 6 of *The Department of Education Act* is amended by adding at the end thereof the words “and the special circumstances of any particular school,” so that the clause will now read as follows:— Rev. Stat. c. 265, s. 6, subs. 1, cl. g. amended.

(*g*) Subject to the Regulations, to apportion Apportionment of special school grants. all sums of money appropriated as a general grant for the rural public and separate schools amongst such rural schools on the basis of the salaries paid to the teachers, the value of the equipment, the character of the accommodation, the grade of the teachers’ professional certificates, the length of their successful experience and the amount of the municipal or school assessments and the special circumstances of any particular school.

**3.** The clause lettered *jj* in section 6 of *The Department of Education Act* as enacted by section 2 of *The School Law Amendment Act, 1921*, is repealed and the following substituted therefor:— 1921, c. 89, s. 2, repealed.

When town  
and village  
schools may  
be deemed  
rural schools.

- (jj) Subject to the Regulations and when approved by the Lieutenant-Governor in Council, to declare that for the purpose of the apportionment of the grants under this section the public and separate schools in any village, or in a town having a population of not more than 1,500 shall be deemed rural public and separate schools.

1921, c. 89,  
s. 5,  
amended.

4. Section 15a of *The Public Schools Act, 1920*, as enacted by *The School Law Amendment Act, 1921*, is amended by adding thereto the following subsection:—

Board re-  
sponsible for  
obligations of  
each school in  
township  
school area.

- (6a) The Board of the township school area shall be responsible for and shall discharge all liabilities and obligations of each of the school sections included in the township school area, and the indebtedness of the board of any school section shall be provided for by a general rate levied upon all property liable to taxation for public school purposes in the township school area.

1920, c. 100,  
s. 19, subs. 1,  
amended.

5. Subsection 1 of section 19 of *The Public Schools Act, 1920*, is amended by adding thereto the following clauses:

When award  
may be  
cancelled

- (a) Provided that where the boundaries of one or more school sections have been altered by the award of a board of arbitrators under the provisions of this Act and such award has not been acted upon for a period of two years, the Minister may cancel such award and may direct the appointment of new arbitrators or may himself appoint arbitrators for the reconsideration of the matter and where the arbitrators are appointed by the Minister their award shall not be subject to any appeal.

When can-  
cellation to  
take effect.

- (b) Where an award is cancelled by the Minister as provided in clause a such cancellation shall be deemed to have had effect from the time of the making of the award.

1920, c. 100,  
s. 20,  
amended.

6. Section 20 of *The Public Schools Act, 1920*, is amended by adding thereto the following subsections:—

(1a) A union school section may be formed consisting of a part of a township or parts of two or more townships and an adjoining city or separated town where the suburban school section or sections concerned, by a majority vote at a meeting of the ratepayers in such section or in each of such sections regularly called, approves of such annexation, and such union is also approved by the urban board and the union shall take effect on the 25th day of December next following the expiration of six months after the union is so approved.

How union school section to be formed.

(1b) Where a union school section is established under subsection 1a the assessment for school purposes of all property liable to taxation in the rural portion of the union school section, shall be fixed from year to year by a board of three arbitrators, one of whom shall be appointed by each of the townships interested, one by the council of the city or town and one by the Minister.

Assessment in such cases.

7. Subsection 17 of section 20 of *The Public Schools Act, 1920*, is amended by adding thereto the following clause:

1920, c. 100, s. 20, subs. 17 amended.

(a) Where the arbitrators appointed by the councils of the municipalities interested have failed to establish a union school section in accordance with the petition, or where the arbitrators appointed by the council of a county have set aside an award made by the arbitrators appointed by the councils of the local municipalities, the council of each of the local municipalities on the petition of at least five ratepayers resident in the municipality asking for reconsideration of the award after the expiration of two years from the date of the award may appoint arbitrators and take all other necessary proceedings as provided by this section for the establishment of such union school section.

Failure to act on award changing school boundaries.— Cancellation of award.

8. Subsection 1 of section 42 of *The Public Schools Act* is amended by adding thereto the following clause:—

1920, c. 100, s. 42, subs. 1, amended.

- (aa) The purchase or enlargement of a site and the erection thereon of a building for the use of the board for administration or office purposes.

1920, c. 100,  
s. 43,  
amended.

**9.** Section 43 of *The Public Schools Act, 1920*, is amended by adding thereto the following subsection:—

Application  
of proceeds  
of debentures  
for school  
buildings.

- (3a) Where the by-law authorizes the issue of debentures for the erection of a building such proportion of the proceeds of the debentures as may be necessary may be applied for the purchase or enlargement of a school site upon which such buildings are to be erected.

1920, c. 100,  
s. 55,  
amended.

**10.** Section 55 of *The Public Schools Act, 1920*, is amended by adding thereto the following subsection:—

Special  
meeting,—  
when to be  
held.

- (9) Where a special meeting of the electors of a school section is called the meeting shall be held at the hour of ten o'clock in the forenoon, or if the board by resolution so directs at the hour of one o'clock in the afternoon or eight o'clock in the afternoon, at such place as the board shall by resolution determine, or in the absence of such resolution at the school house of the section.

1920, c. 100,  
s. 64,  
subs. 1,  
amended.

**11.**—(1) Subsection 1 of section 64 of *The Public Schools Act, 1920*, is amended by adding after the word "board" in the second line the words "or the board of a school section having a population of five hundred or over" and by adding at the end thereof the following clause:

Notice  
requiring  
election  
by ballot.

- (a) In the case of a union school section the notice shall be given to the clerk of the municipality in which the school house is situate, who shall take all necessary proceedings for the holding of the election in the union school section and he shall be furnished by the clerk of each of the other municipalities interested with a list of the voters residing in the portion of such other municipality included in the union school section;

so that the subsection will now read as follows:

Elections  
of trustees  
on same  
day as  
municipal  
elections.

- (1) The board of an urban municipality or a township board, or the board of a school section having a population of five hun-



dred or over may, by resolution of which written notice shall be given to the clerk of the municipality on or before the first day of October in any year, require the election of school trustees for such urban municipality or township to be held by ballot on the same day as municipal councillors or aldermen are elected as the case may be.

- (a) In the case of a union school section the notice shall be given to the clerk of the municipality in which the school house is situate who shall take all necessary proceedings for the holding of the election in the union school section, and he shall be furnished by the clerk of each of the other municipalities interested with a list of the voters residing in the portion of such other municipality included in the union school section.

Notice  
requiring  
election by  
ballot.

**12.** Subsection 1 of section 73 of *The Public Schools Act, 1920*, is repealed and the following substituted therefor:

1920, c. 100,  
s. 73, subs. 1,  
repealed.

- (1) The board shall admit to the school any non-resident pupil to whom the school is more accessible than the school in his own section if the inspector reports that the accommodation is sufficient for the admission of such pupil and that the school is more accessible for him than the school in the section in which the pupil resides.

Admission  
of non-  
resident  
pupils.

**13.** Subsection 3 of section 73 of *The Public Schools Act, 1920*, is amended by striking out all the words therein after the word "resides" in the third line and substituting therefor the words "but the board of that section shall remit to the parent or guardian any rates so payable to the extent of the amount of the fees so paid to the board of the neighbouring section," so that the section will now read as follows:

1920, c. 100,  
s. 73, subs. 3,  
amended.

- (3) The parent or guardian shall be liable for the payment of all rates assessed on his taxable property for the purposes of the section in which he resides, but the board of that section shall remit to the parent or guardian any rates so payable to the extent of the amount of the fees so paid to the board of the neighbouring section.

A resident  
of one  
section  
sending his  
children to  
another  
section.

1920, c. 100,  
s. 75, subs. 1,  
(1921, c. 89,  
s. 8),  
amended.

14. Subsection 1 of section 75 of *The Public Schools Act*, as enacted by section 8 of *The School Law Amendment Act, 1921*, is amended by adding at the end thereof the following clause:

Equalization  
of  
assessment  
in case of  
agreement  
between  
urban board  
and township  
school area.

- (a) Where any such agreement heretofore or hereafter made provides that the proportion of the annual expenditure for maintenance and the payment of the debenture debt which each board is required to pay shall be at a stated rate of assessment, the assessment shall be equalized annually by a board of three arbitrators, one of whom shall be appointed by the urban board, one by the council of the township and the third by the two arbitrators so appointed.

1920, c. 100,  
s. 99,  
amended.

15. Section 99 of *The Public Schools Act, 1920*, as amended by section 10 of *The School Law Amendment Act, 1921*, is further amended by adding thereto the following subsection:

Township  
grant not  
to be pay-  
able to  
consolidated  
school  
section  
including  
urban  
municipality.

- (5) Where a consolidated school section includes an urban municipality the consolidated school section shall not share in the township grant to be levied and applied under section 96, and the portion of the township included in the consolidated school area shall be exempt from taxation for the purpose of raising the amount necessary for the payment of such township grant.

1919, c. 75,  
s. 2,  
amended.

16. Subsection 20 of section 16 of *The Public Schools Act* as enacted by section 2 of *The Consolidated Schools Act, 1919*, is amended by adding thereto the following clause:

Regulations  
as to con-  
solidated  
schools.

- (i) for determining all questions which may arise as to the rights, powers and duties of the board of trustees of a consolidated school section with respect to any matter as to which no express provision is made by this Act.

1919, c. 75,  
s. 2,  
amended.

17. Section 16 of *The Public Schools Act* as enacted by section 2 of *The Consolidated Schools Act, 1919*, is amended by adding thereto the following subsection:

Where union  
school section  
in two or more  
townships in-  
cluded in con-  
solidated  
school section.

- (23) The councils of two or more townships, portions of which constitute a union school section, on the petition of five ratepayers

resident in each of the municipalities concerned may, with the approval of the Minister, pass by-laws for dividing such union school section into two or more provisional school sections, and for the purpose of entering into an agreement under subsection 1, each part of the union school section so divided shall be deemed a school section, but such division shall not have effect or apply for any other school purpose until a consolidated school section has been established.

- (a) Upon the establishment of a consolidated school section including part of a union school section so divided the remaining portion of the school section may constitute a union school section or may be annexed to any contiguous school section or union school section.
- Where part only of union section is included.

**18.** *The Consolidated Schools Act, 1919*, is amended by adding thereto the following sections: 1919, c. 75, amended.

- 2a. Subject to the terms of the agreement for the establishment of a consolidated school, where a consolidated school area includes an urban municipality and a rural school section or rural school sections or parts thereof, application for the issue of debentures shall be made by the board of the consolidated school area to the council of such urban municipality, and subsections 5 and 6 of section 42 of *The Public Schools Act, 1920*, shall apply *mutatis mutandis*.
- Council of urban municipality to issue consolidated school debentures.
- 2b. Subject to the terms of the agreement for the establishment of a consolidated school, where a consolidated school area consists of school sections or parts of school sections situate in two or more districts, any debentures which may be issued upon the requisition of the board of the consolidated school area shall be issued by the council of the township in which the school is situate and the provisions of section 43 of *The Public Schools Act, 1920*, shall apply *mutatis mutandis*.
- Issue of debentures by township in which school is situate.

Where consolidated school section includes parts of two or more municipalities.

- 2c. Where a consolidated school section includes portions of two or more municipalities lying in the same county or in different counties, subject to the terms of the agreement for the establishment of a consolidated school, the money required to be raised for the purposes of the school shall be raised in the like manner, and the assessment upon which rates are levied for consolidated school purposes shall be equalized in the like manner as nearly as may be as in the case of a union school section similarly composed.

Rev. Stat. c. 268, s. 6, subs. 1, amended.

**19.** Subsection 1 of section 6 of *The High Schools Act* is amended by striking out the words "situate within" in the third line and substituting therefor the words "not separated from" and by striking out the words "containing less than three thousand inhabitants" in the fourth and fifth lines, so that the subsection will now read as follows:

Unions of municipalities or portions thereof for high school purposes.

- (1) The council of any county on the petition of two-thirds of the ratepayers of any municipality or part thereof not separated from such county and contiguous to any high school district or village or to a town in such county, may by by-law unite such municipality or part thereof to such district, village or town for high school purposes, and the union shall take effect on the 1st day of January next following the expiration of six months after the passing of the by-law.

Rev. Stat. c. 268, s. 7, amended.

**20.** Section 7 of *The High Schools Act* is amended by adding thereto the following subsections:

High school district in township in provisional judicial district.

- (3) In a provisional judicial district the council of a township may by by-law, with the approval of the Minister, establish the township as a high school district.

Board of trustees.

- (4) The board of trustees shall be composed of six members who shall be appointed by the council of the township annually at the first meeting of the council in each year and shall hold office until their successors are appointed.

**21.** Section 42 of *The High Schools Act* as amended by section 15 of *The School Law Amendment Act, 1921*, is further amended by adding thereto the following subsection: 1921, c. 89, s. 15, amended.

- (4) The council of a municipality not included or not wholly included in a high school district shall provide by assessment for the payment of the maintenance, calculated in accordance with the provisions of section 34, of any pupils attending a high school in the county or in the district who reside in such municipality, but in the case of a municipality not wholly included in a high school district such assessment shall be confined to the part which is not included within the high school district, provided that such maintenance shall not be payable where the county council pays a maintenance grant instead of the equivalent apportioned out of the amount of the Legislative grant.

**22.** Notwithstanding anything contained in *The Vocational Education Act, 1921*, sections 17 and 20 of Part II. of *The Industrial Education Act* as enacted by *The Technical Education Act, 1920*, are declared to be in force and to have been in force from the time of the commencement thereof, and the said sections shall be deemed to be incorporated, and shall be read as part of *The Vocational Education Act, 1921*. Rev. Stat. c. 276, ss. 17 and 20 (1920, c. 102, s. 2), to be read as part of 1921, c. 90.

**23.** Section 9 of *The Boards of Education Act* is amended by striking out the words "all members of the new board have been appointed and" in the first and second lines, so that the section will now read as follows: Rev. Stat. c. 269, s. 9, amended.

9. Unless a date for the first meeting has been decided upon by the old board the first meeting of every municipal board in each year shall be held at the hour of eight o'clock in the afternoon of the first Wednesday in February.

First meeting each year.

**24.** Subsection 3 of section 9 of *The School Attendance Act, 1919*, is amended by striking out the words "heretofore appointed" in the seventh line and substituting therefor the words "or hereafter appointed as provided in subsection 4" so that the said subsection will now read as follows: 1919, c. 77, s. 9, subs. 3, amended.

Appointment  
of officers of  
school boards.

- (3) The council of every township shall appoint a school attendance officer or two or more school attendance officers who shall have the same powers and perform the same duties of a school attendance officer heretofore in an urban municipality, but the appointment of a school attendance officer by the council of a township shall not affect the powers and duties of a school attendance officer heretofore or hereafter appointed as provided in subsection 4 by the board of public school trustees of a school section or by a rural separate school board.

1917, c. 58,  
s. 2, cl. c,  
sub-cl. iii,  
amended.

**25.** The sub-clause numbered iii of clause *c* in section 2 of *The Teachers' and Inspectors' Superannuation Act* is amended by adding at the end thereof the words "or as an officer of any association or body of teachers approved by the Minister of Education as engaged in advancing the interests of education." so that the subsection will now read as follows:—

- iii. Engaged by the Minister, or by the Government as an inspector or a supervisor of any grade or department, or class of such schools, or as Superintendent of Education, or as any other officer designated by the Minister as being engaged in work in connection with the administration of the Ontario Department of Education requiring the professional qualifications and experience of a teacher, or as an officer of any association or body of teachers approved by the Minister of Education as engaged in advancing the interests of education.

1917, c. 58,  
s. 11, subs. 1,  
cl. b,  
amended.

**26.** The clause lettered (*b*) in subsection 1 of section 11 of *The Teachers' and Inspectors' Superannuation Act* is amended by striking out the words "such contributions" in the first and second lines and substituting therefor the words "the 1st day of April, 1917" so that the said clause will now read as follows:

- (*b*) The years of employment completed prior to the 1st day of April, 1917, shall count each as a half year of employment.

**27.** Subsection 5 of section 11 of *The Teachers' and Inspectors' Superannuation Act* is amended by adding at the end thereof the words "with interest" so that the said subsection will now read as follows: 1917, c. 58,  
s. 11, subs. 5,  
amended.

- (5) Upon the death of a teacher or inspector, Death.  
while engaged in the profession, his personal representatives shall be entitled to receive a sum equal to the total amount contributed by him to the Fund during his lifetime with interest.

**28.** Section 17 of *The Teachers' and Inspectors' Superannuation Act* is amended by adding thereto the following clause: 1917, c. 58,  
s. 17,  
amended.

- (dd) Providing that teachers from overseas engaged in teaching in Ontario under arrangement with the British Empire League and approved by the Minister shall not be required to contribute to the Fund, and that teachers from Ontario engaged in teaching overseas shall, at their option, have the right to contribute to the Fund while so engaged and that the period of such engagement while making such contribution shall be counted for the purposes of this Act as employment in Ontario.

**29.** The Act shall come into force on the first day of July, 1922. Commence-  
ment of Act.

No. 252.

3rd Session, 15th Legislature,  
12 George V, 1922.

BILL.

An Act to amend The School Laws.

1st Reading,	9th May, 1922.
2nd Reading,	1922.
3rd Reading,	1922.

MR. GRANT.

TORONTO:

PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.



# BILL

## An Act to amend the School Laws.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**1.** This Act may be cited as *The School Law Amendment Act, 1922.* Short title.

**2.** The clause lettered *g* in subsection 1 of section 6 of *The Department of Education Act* is repealed and the following substituted therefor:—

Rev. Stat.  
c. 265, s. 6,  
subs. 1,  
cl. *g*.  
amended.

(*g*) Subject to the Regulations to apportion all sums of money appropriated as a general grant for the rural public and separate schools amongst such rural schools on the basis of the salaries paid to the teachers, the value of the equipment, the character of the accommodation, the grade of the teachers' professional certificates, the length of their successful experience, the assessment of the sections and in the case of a separate school, the assessment of the property of the separate school supporters and any other circumstances which according to the Regulations should affect such apportionment.

Apportionment  
of public and  
separate  
school grants.

(*i*) A statement showing the amount apportioned to every rural public school and to every separate school under this clause *g* shall be laid before the Assembly within ten days after the commencement of the session held in the year next after that in which the apportionment takes place.

1921, c. 89,  
s. 2, repealed.

**3.** The clause lettered *jj* in section 6 of *The Department of Education Act* as enacted by section 2 of *The School Law Amendment Act, 1921*, is repealed and the following substituted therefor:—

When town  
and village  
schools may  
be deemed  
rural schools.

(*jj*) Subject to the Regulations and when approved by the Lieutenant-Governor in Council, to declare that for the purpose of the apportionment of the grants under this section the public and separate schools in any village, or in a town having a population of not more than 2,000 shall be deemed rural public and separate schools.

1920, c. 100,  
s. 15, subs. 4,  
amended.

**4.** Subsection 4 of section 15 of *The Public Schools Act, 1920*, is amended by striking out all the words therein after the word “boundaries” in the seventh and eighth lines and inserting in lieu thereof the following words “of such school section or remaining part of the school section notwithstanding the passing of a by-law or the publication of an award within five years affecting the limits of such section or part of the section or adjoining sections.”

Readjustment  
of school  
boundaries.

1921, c. 89,  
s. 5,  
amended.

Township  
school  
areas.

**5.**—(1) Subsection 1 of section 15*a* of *The Public Schools Act, 1920*, as enacted by section 5 of *The School Law Amendment Act, 1921*, is amended by striking out the words “four fifths” in the second line and inserting in lieu thereof the words “a majority.”

1921, c. 89,  
s. 5,  
amended.

(2) Section 15*a* of *The Public Schools Act, 1920*, as enacted by *The School Law Amendment Act, 1921*, is amended by adding thereto the following subsection:—

Board re-  
sponsible for  
obligations of  
each school in  
township  
school area.

(6*a*) The Board of the township school area shall be responsible for and shall discharge all liabilities and obligations of each of the school sections included in the township school area, and the indebtedness of the board of any school section shall be provided for by a general rate levied upon all property liable to taxation for public school purposes in the township school area.

1920, c. 100,  
s. 19, subs. 1,  
amended.

**6.** Subsection 1 of section 19 of *The Public Schools Act, 1920*, is amended by adding thereto the following clauses:

When award  
may be  
cancelled

(*a*) Provided that where the boundaries of one or more school sections have been altered

by the award of a board of arbitrators under the provisions of this Act and such award has not been acted upon for a period of two years, the Minister may cancel such award and may direct the appointment of new arbitrators or may himself appoint arbitrators for the reconsideration of the matter and where the arbitrators are appointed by the Minister their award shall not be subject to any appeal.

- (b) Where an award is cancelled by the Minister as provided in clause *a* such cancellation shall be deemed to have had effect from the time of the making of the award. When cancellation to take effect.

**7.** Section 20 of *The Public Schools Act, 1920*, is 1920, c. 100.  
amended by adding thereto the following subsections:— s. 20, amended.

- (1a) A union school section may be formed consisting of a part of a township or parts of two or more townships and an adjoining city or separated town where the suburban school section or sections concerned, by a majority vote at a meeting of the ratepayers in such section or in each of such sections regularly called, approves of such annexation, and such union is also approved by the urban board and the union shall take effect on the 25th day of December next after the union has been confirmed by by-laws passed by the councils of the township and the city or separated town respectively at the request of the boards of the suburban school section or sections and of the city or separated town. How union school section to be formed.

- (1b) Where a union school section is established under subsection 1a the assessment for school purposes of all property liable to taxation in the rural portion of the union school section, shall be fixed from year to year by a board of three arbitrators, one of whom shall be appointed by each of the townships interested, one by the council of the city or town and one by the Minister. Assessment in such cases.

- (1c) For the purpose of subsection 1b the assessor of the township in which the rural Assessment roll.

portion of the union school section is situate shall deliver a copy of the assessor's roll or so much of it as may be necessary, to the board of arbitrators who shall within two weeks thereafter return the same to the assessor with the assessment required for school purposes.

Award.

- (1d) The board of arbitrators shall, after they have completed the revision and before the 1st day of June, meet and determine what proportion of the annual requisition made by the board for school purposes shall be levied upon and collected from the taxable property of the public school supporters in the rural portion of the union section.

Rates.

- (1e) The council of the township in which the rural portion of the union school section lies shall levy in each year on all the property liable for assessment for school purposes in the rural portion of the union school section according to the assessment fixed as provided in subsection 1b, a rate equal to the rate imposed by the corporation of the city or town for public school purposes.

1920, c. 100.  
s. 20, subs. 17  
amended.

8. Subsection 1<sup>4</sup> of section 20 of *The Public Schools Act, 1920*, is amended by adding thereto the following clause:

Failure to act  
on award  
changing  
school bound-  
aries,—  
Cancellation  
of award.

- (a) Where the arbitrators appointed by the councils of the municipalities interested have failed to establish a union school section in accordance with the petition, or where the arbitrators appointed by the council of a county have set aside an award made by the arbitrators appointed by the councils of the local municipalities, the council of each of the local municipalities on the petition of at least five ratepayers resident in the municipality asking for reconsideration of the award after the expiration of two years from the date of the award may appoint arbitrators and take all other necessary proceedings as provided by this section for the establishment of such union school section.

**9.** Subsection 1 of section 42 of *The Public Schools Act* 1920, c. 100, s. 42, subs. 1, amended, is amended by adding thereto the following clause:—

- (aa) The purchase or enlargement of a site and the erection thereon of a building for the use of the board for administration or office purposes.

**10.** Section 43 of *The Public Schools Act, 1920*, is 1920, c. 100, s. 43, amended, amended by adding thereto the following subsection:—

- (3a) Where the by-law authorizes the issue of debentures for the erection of buildings such proportion of the proceeds of the debentures as may be necessary may be applied for the purchase or enlargement of a school site upon which such buildings are to be erected. Application of proceeds of debentures for school buildings.

**11.** Section 55 of *The Public Schools Act, 1920*, is 1920, c. 100, s. 55, amended, amended by adding thereto the following subsection:—

- (9) Where a special meeting of the electors of a school section is called the meeting shall be held at the hour of ten o'clock in the forenoon, or if the board by resolution so directs at the hour of one o'clock in the afternoon or eight o'clock in the afternoon, at such place as the board shall by resolution determine, or in the absence of such resolution at the school house of the section. Special meeting,—when to be held.

**12.** Subsection 1 of section 73 of *The Public Schools Act, 1920*, is repealed and the following substituted therefor: 1920, c. 100, s. 73, subs. 1, repealed.

- (1) The board shall admit to the school any non-resident pupil if the inspector reports that the accommodation is sufficient for the admission of such pupil and that the school is more accessible for him than the school in the section in which the pupil resides. Admission of non-resident pupils.

**13.** Subsection 3 of section 73 of *The Public Schools Act, 1920*, is amended by striking out all the words therein after the word "resides" in the third line and substituting therefor the words "but the board of that section shall remit to the parent or guardian any rates so payable to the extent of the amount of the fees so paid to the board of the neighbouring section," so that the section will now read as follows: 1920, c. 100, s. 73, subs. 3, amended.

A resident of one section sending his children to another section.

- (3) The parent or guardian shall be liable for the payment of all rates assessed on his taxable property for the purposes of the section in which he resides, but the board of that section shall remit to the parent or guardian any rates so payable to the extent of the amount of the fees so paid to the board of the neighbouring section.

1920, c. 100, s. 75, subs. 1, (1921, c. 89, s. 8), amended.

**14.** Subsection 1 of section 75 of *The Public Schools Act*, as enacted by section 8 of *The School Law Amendment Act, 1921*, is amended by adding at the end thereof the following clause:—

Agreements between urban and rural boards. Assessment.

- (a) Where any such agreement heretofore or hereafter made provides that a part of the annual expenditure for maintenance and for the payment of the debenture debt shall be borne by each board, the assessment shall be equalized annually by a board of three arbitrators one of whom shall be appointed by the urban board, one by the council of the township and the third by the two arbitrators so appointed.

1920, c. 100, s. 99, amended.

**15.** Section 99 of *The Public Schools Act, 1920*, as amended by section 10 of *The School Law Amendment Act, 1921*, is further amended by adding thereto the following subsection:

Township grant not to be payable to consolidated school section including urban municipality.

- (5) Where a consolidated school section includes an urban municipality the consolidated school section shall not share in the township grant to be levied and applied under section 96, and the portion of the township included in the consolidated school area shall be exempt from taxation for the purpose of raising the amount necessary for the payment of such township grant.

1919, c. 75, s. 2, amended.

**16.** Subsection 20 of section 16 of *The Public Schools Act* as enacted by section 2 of *The Consolidated Schools Act, 1919*, is amended by adding thereto the following clause:

Regulations as to consolidated schools.

- (i) for determining all questions which may arise as to the rights, powers and duties of the board of trustees of a consolidated school section with respect to any matter as to which no express provision is made by this **Act**.

**17.** Section 16 of *The Public Schools Act* as enacted by 1919, c. 75, s. 2, section 2 of *The Consolidated Schools Act, 1919*, is amended amended. by adding thereto the following subsection:

(23) The councils of two or more townships, Where union school section in two or more townships included in consolidated school section. portions of which constitute a union school section, on the petition of five ratepayers resident in each of the municipalities concerned may, with the approval of the Minister, pass by-laws for dividing such union school section into two or more provisional school sections, and for the purpose of entering into an agreement under subsection 1, each part of the union school section so divided shall be deemed a school section, but such division shall not have effect or apply for any other school purpose until a consolidated school section has been established.

(a) Upon the establishment of a consolidated school section including part of a union school section so divided the remaining portion of the school section may constitute a school section or a union school section as the case may be or may be annexed to any contiguous school section or union school section. Where part only of union section is included.

**18.** *The Consolidated Schools Act, 1919*, is amended by 1919, c. 75, amended. adding thereto the following sections:

2a. Subject to the terms of the agreement for the establishment of a consolidated school, where a consolidated school area includes an urban municipality and a rural school section or rural school sections or parts thereof, application for the issue of debentures shall be made by the board of the consolidated school area to the council of such urban municipality, and subsections 5 and 6 of section 42 of *The Public Schools Act, 1920*, shall apply *mutatis mutandis*. Council of urban municipality to issue consolidated school debentures.

Issue of debentures by township in which school is situate.

2b. Subject to the terms of the agreement for the establishment of a consolidated school, where a consolidated school area consists of school sections or parts of school sections situate in two or more districts, any debentures which may be issued upon the requisition of the board of the consolidated school area shall be issued by the council of the township in which the school is situate and the provisions of section 43 of *The Public Schools Act, 1920*, shall apply *mutatis mutandis*.

Where consolidated school section includes parts of two or more municipalities.

2c. Where a consolidated school section includes portions of two or more municipalities lying in the same county or in different counties, subject to the terms of the agreement for the establishment of a consolidated school, the money required to be raised for the purposes of the school shall be raised in the like manner, and the assessment upon which rates are levied for consolidated school purposes shall be equalized in the like manner as nearly as may be as in the case of a union school section similarly composed.

Rev. Stat. c. 268, s. 6, subs. 1, amended.

**19.** Subsection 1 of section 6 of *The High Schools Act* is amended by striking out the words "situate within" in the third line and substituting therefor the words "not separated from" and by striking out the words "containing less than three thousand inhabitants" in the fourth and fifth lines, so that the subsection will now read as follows:

Unions of municipalities or portions thereof for high school purposes.

(1) The council of any county on the petition of two-thirds of the ratepayers of any municipality or part thereof not separated from such county and contiguous to any high school district or village or to a town in such county, may by by-law unite such municipality or part thereof to such district, village or town for high school purposes, and the union shall take effect on the 1st day of January next following the expiration of six months after the passing of the by-law.

Rev. Stat. c. 268, s. 7, amended.

**20.** Section 7 of *The High Schools Act* is amended by adding thereto the following subsections:



- (3) In a provisional judicial district the council of a township may by by-law, with the approval of the Minister establish the township as a high school district. High school district in township in provisional judicial district.
- (4) The board of trustees shall be composed of six members who shall be appointed by the council of the township annually at the first meeting of the council in each year and shall hold office until their successors are appointed. Board of trustees.

**21.** Section 42 of *The High Schools Act* as amended by section 15 of *The School Law Amendment Act, 1921*, is further amended by adding thereto the following subsection: 1921, c. 89, s. 15, amended.

- (4) The council of a municipality not included or not wholly included in a high school district shall provide by assessment for the payment of the maintenance, calculated in accordance with the provisions of section 34, of any pupils attending a high school in the county or in the district who reside in such municipality, but in the case of a municipality not wholly included in a high school district such assessment shall be confined to the part which is not included within the high school district, provided that such maintenance shall not be payable where the county council pays a maintenance grant instead of the equivalent apportioned out of the amount of the Legislative grant.

**22.** Notwithstanding anything contained in *The Vocational Education Act, 1921*, sections 17 and 20 of Part II. of *The Industrial Education Act* as enacted by *The Technical Education Act, 1920*, are declared to be in force and to have been in force from the time of the commencement thereof, and the said sections shall be deemed to be incorporated, and shall be read as part of *The Vocational Education Act, 1921*. Rev. Stat. c. 276, ss. 17 and 20 (1920, c. 102, s. 2), to be read as part of 1921, c. 90.

**23.** Section 9 of *The Boards of Education Act* is amended by striking out the words "all members of the new board have been appointed and" in the first and second lines, so that the section will now read as follows: Rev. Stat. c. 269, s. 9, amended.

First meeting  
each year.

9. Unless a date for the first meeting has been decided upon by the old board the first meeting of every municipal board in each year shall be held at the hour of eight o'clock in the afternoon of the first Wednesday in February.

1919, c. 77,  
s. 9, subs. 3,  
amended.

**24.** Subsections 3 and 4 of section 9 of *The School Attendance Act, 1919*, are repealed and the following substituted therefor:—

Appointment  
of attendance  
officers in  
Townships.

- (3) The council of every township shall appoint a school attendance officer or school attendance officers who shall have the same powers and perform the same duties as school attendance officers in an urban municipality, but the appointment of a school attendance officer by the council of a township shall not affect the powers and duties of a school attendance officer heretofore or hereafter appointed as provided in subsection 4.

In territory  
without  
municipal  
organization  
or unsurveyed.

- (4) In territory without municipal organization or in unsurveyed territory a board of public school trustees, or a board of separate school trustees may appoint a school attendance officer and in the case of any public or separate school in which not less than five teachers are employed the board of school trustees of the public school section or the board of separate school trustees may appoint a school attendance officer.

1917, c. 58,  
s. 2, cl. c,  
sub-cl. iii,  
amended.

**25.** The sub-clause numbered iii of clause *c* in section 2 of *The Teachers' and Inspectors' Superannuation Act* is amended by adding at the end thereof the words "or as an officer of any association or body of teachers approved by the Minister of Education as engaged in advancing the interests of education," so that the subsection will now read as follows:—

- iii. Engaged by the Minister, or by the Government as an inspector or a supervisor of any grade or department, or class of such

schools, or as Superintendent of Education, or as any other officer designated by the Minister as being engaged in work in connection with the administration of the Ontario Department of Education requiring the professional qualifications and experience of a teacher, or as an officer of any association or body of teachers approved by the Minister of Education as engaged in advancing the interests of education.

**26.** The clause lettered (b) in subsection 1 of section 11 of *The Teachers' and Inspectors' Superannuation Act* is amended by striking out the words "such contributions" in the first and second lines and substituting therefor the words "the 1st day of April, 1917" so that the said clause will now read as follows: 1917, c. 58,  
s. 11, subs. 1,  
cl. b,  
amended.

- (b) The years of employment completed prior to the 1st day of April, 1917, shall count each as a half year of employment.

**27.** Subsection 5 of section 11 of *The Teachers' and Inspectors' Superannuation Act* is amended by adding at the end thereof the words "with interest" so that the said subsection will now read as follows: 1917, c. 58,  
s. 11, subs. 5,  
amended.

- (5) Upon the death of a teacher or inspector, Death.  
while engaged in the profession, his personal representatives shall be entitled to receive a sum equal to the total amount contributed by him to the Fund during his lifetime with interest at five per cent.

**28.** Section 17 of *The Teachers' and Inspectors' Superannuation Act* is amended by adding thereto the following clause: 1917, c. 58,  
s. 17,  
amended.

- (dd) Providing that teachers from overseas engaged in teaching in Ontario under arrangement with the British Empire League and approved by the Minister shall not be required to contribute to the Fund, and that teachers from Ontario engaged in teaching overseas shall, at their option, have the right to contribute to the Fund while so engaged and that the period of such engage-

ment while making such contribution shall be counted for the purposes of this Act as employment in Ontario.

Rev. Stat.  
c. 273, s. 6.  
amended.

**29.** Section 6 of *The Schools for The Deaf and Blind Act* is amended by adding thereto the following subsection:

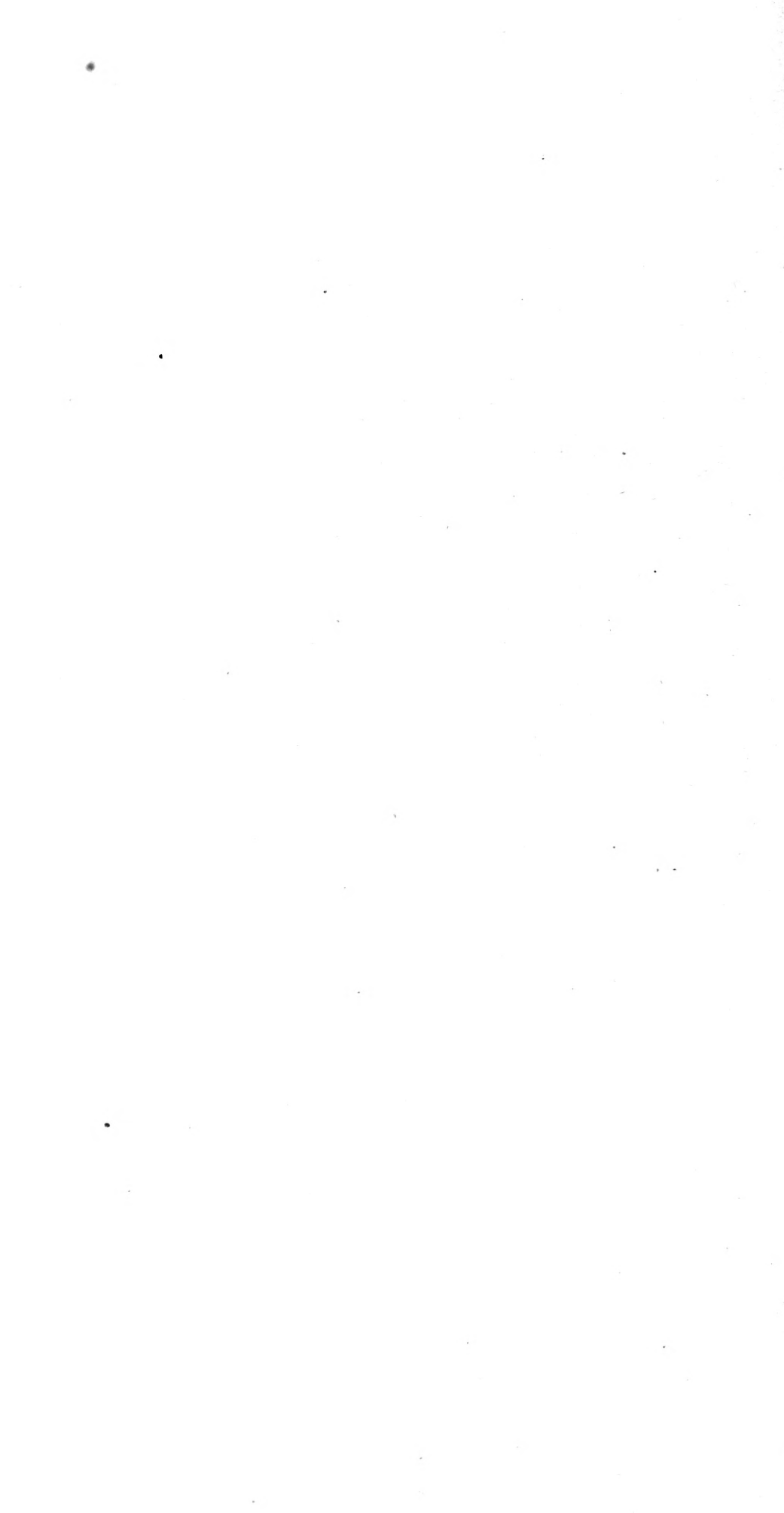
Expenses in  
connection  
with indigent  
pupils.

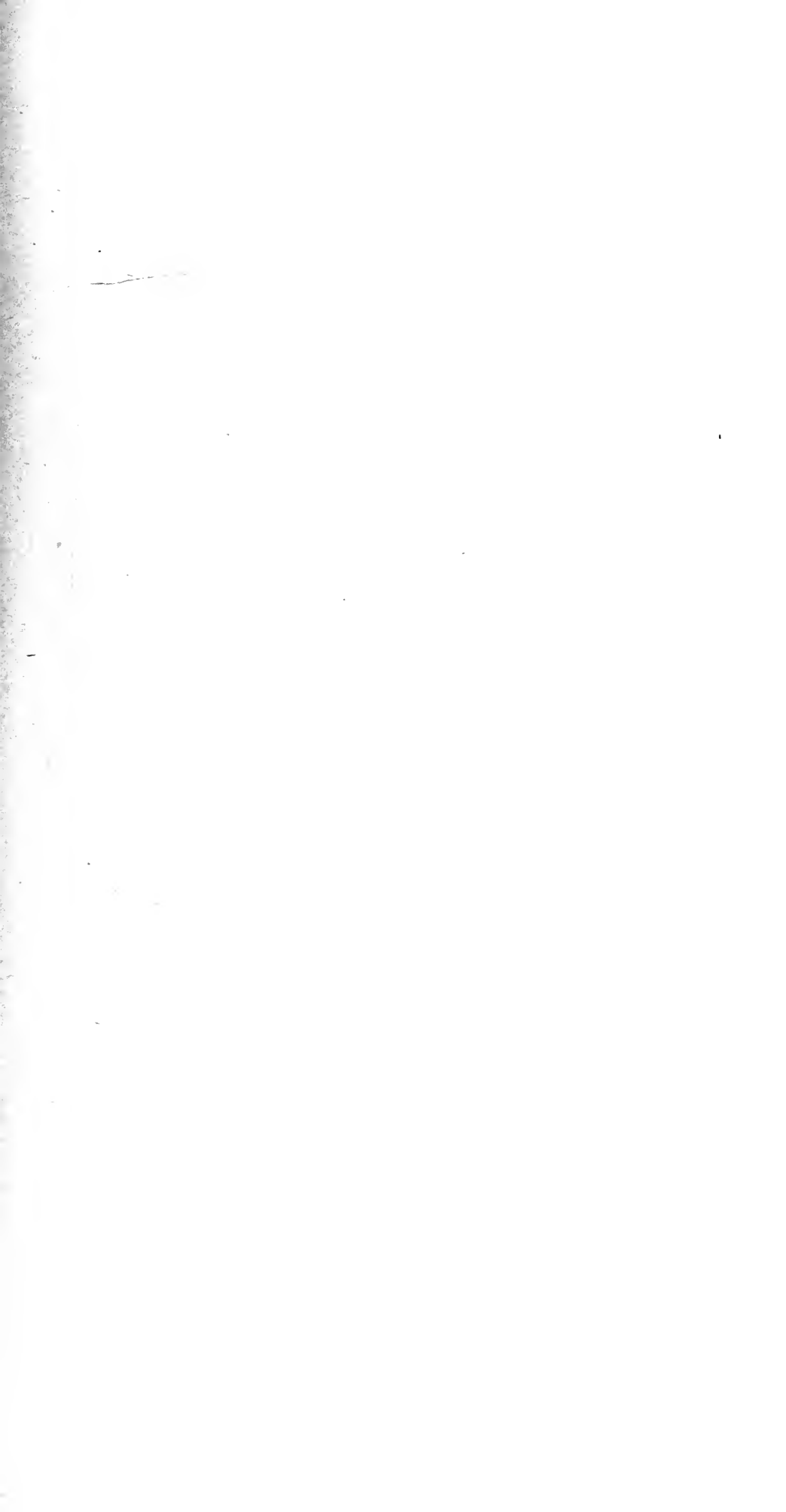
(1a) The Regulations shall provide for the transportation to and from the school, for clothing and for other necessary expenses and for the residence elsewhere than at the school during the vacation, of persons admitted to the school who are without means of support, and for the payment of all expenses so incurred by the treasurer of the municipality in which such pupils resides or was domiciled at the time of his admittance to the school out of the funds of the municipality and the municipality may recover the same from the persons responsible therefor.

Commence-  
ment of Act.

**30.** The Act shall come into force on the first day of July, 1922.







3rd Session, 15th Legislature,  
12 George V, 1922.

BILL.

An Act to amend The School Laws.

1st Reading,	9th May, 1922.
2nd Reading,	25th May, 1922.
3rd Reading,	1922.

*(Reprinted as amended in Committee of  
the whole House.)*

MR. GRANT.

TORONTO:  
PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.



# BILL

## An Act to amend The Corporations Tax Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**1.** This Act may be cited as *The Corporations Tax Act*, Short title. 1922.

**2.** Section 2 of *The Corporations Tax Act* is amended by adding thereto the following clause:—

Rev. Stat.  
c. 27, s. 2,  
amended.

(k) "Liquor Export Company" shall mean and include every individual, firm or corporation storing for export, liquor as defined by *The Ontario Temperance Act* in any place, or on any premises not being premises owned or occupied by the manufacturer of such liquor.

"Liquor  
Export  
Company"

**3.**—(1) Subsection 11 of section 4 of *The Corporations Tax Act* as enacted by section 2 of *The Corporations Tax Act, 1914*, and amended by section 5 of *The Corporations Tax Act, 1915*, is further amended by striking out the figures "\$20,000" where they occur in the said subsection and substituting therefor the figures "\$100,000", so that the subsection will now read as follows:—

1914, c. 11,  
s. 2, amended.

(11) Every company, owning, operating or using a telephone line or part thereof in Ontario for gain and having a paid-up capital of \$100,000 or over, shall pay a tax of one quarter of one per cent. upon the paid-up capital thereof.

Telephone  
companies.

(2) Subsection 15 of the said section 4 as enacted by section 6 of *The Corporations Tax Act, 1920*, is amended by adding immediately before the proviso in the said subsection the following words: "and in addition thereto every incorporated company, association or club becoming the custodian or depository of any money, bet or stakes during

1920, c. 9, s. 6,  
amended.

the actual progress of a race meeting conducted by and on a race-course of such company, association or club upon races being run thereon, shall deduct and pay to His Majesty, for the uses of Ontario five per cent. of the amount so bet or staked to be deducted in respect of each race from the total amount of money so deposited or of which the club or association becomes the custodian under the pari-mutuel system, the amount so deducted to be forwarded to the Treasurer of Ontario at the close of each day's racing."

Rev. Stat.  
c. 27, s. 4,  
amended.

(3) The said section 4 is further amended by adding thereto the following subsection:—

(18) Every liquor export company shall pay a tax of \$15,000 per annum.

Commence-  
ment of Act.

4. This Act shall come into force and take effect on the day upon which it receives the Royal Assent.



No. 253.

3rd Session, 15th Legislature,  
12 George V, 1922.

BILL

An Act to amend The Corporations  
Tax Act.

1st Reading,	12th May, 1922.
2nd Reading,	1922.
3rd Reading,	1922.

Mr. SMITH.

# BILL

## An Act to amend The Children's Protection Act of Ontario.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**1.** This Act may be cited as *The Children's Protection Act, 1922.* Short title.

**2.** The clause lettered *c* in subsection 1 of section 2 of *The Children's Protection Act of Ontario* is amended by inserting after the word "include" in the second line thereof the words "a Juvenile Court." Rev. Stat.  
c. 231, s. 2,  
subs. 1, cl. *c*,  
amended.

**3.** The clause lettered *e* in subsection 1 of section 2 of *The Children's Protection Act of Ontario* is amended by inserting after the word "court" in the third line thereof the words "or a Juvenile Court." Rev. Stat.  
c. 231, s. 2,  
subs. 1, cl. *e*,  
amended.  
"Judge"

**4.** The clause lettered *h* in subsection 1 of section 2 of *The Children's Protection Act of Ontario* is amended by inserting after the word "truant" in the sixth line thereof the words "or an habitual delinquent or incorrigible." and by inserting after the word "parents" in the fifteenth line thereof the words "or who is deserted by either parent the other being unable to maintain the child." Rev. Stat.  
c. 231, s. 2,  
subs. 1, cl. *h*,  
amended.  
"Neglected  
child"

**5.** Subsection 1 of section 2 of *The Children's Protection Act of Ontario* is amended by adding as clause *m* thereof the following:— Rev. Stat.  
c. 231, s. 2,  
subs. 1,  
amended.

(*m*) "Board" shall mean the Board of Directors or the Executive Committee of a Children's Aid Society. "Board"

Rev. Stat.  
c. 231, s. 3,  
amended.  
Jurisdiction.

**6.** Section 3 of *The Children's Protection Act of Ontario* is amended by inserting after the word "and" in the third line thereof, the words "a Judge of a Juvenile Court."

Rev. Stat.  
c. 231, s. 9,  
subs. 1,  
repealed.

**7.** Subsection 1 of section 9 of *The Children's Protection Act of Ontario* is repealed and the following substituted therefor:—

Apprehension  
of child with-  
out warrant.

(1) A local superintendent or probation officer or any other officer of a Juvenile Court or a constable may apprehend without warrant and take to a place of safety, any child who appears to be a neglected child.

Rev. Stat.  
c. 231, s. 9,  
subs. 5,  
amended.  
Place of  
shelter.

**8.** Subsection 5 of section 9 of *The Children's Protection Act of Ontario* is amended by inserting after the word "shelter" in the fourth line thereof, the words "or other suitable place."

Rev. Stat.  
c. 231, s. 9,  
subs. 7,  
amended.  
Expenses of  
conveying  
child to  
shelter or  
industrial  
school.

**9.** Subsection 7 of section 9 of *The Children's Protection Act of Ontario* is amended by striking out the words "is committed" in the fourth line and substituting therefor the words "is domiciled."

Rev. Stat.  
c. 231, s. 10,  
amended.

**10.** Section 10 of *The Children's Protection Act of Ontario* is amended by inserting after the word "authority" in the second line thereof the words "or a local Superintendent."

Rev. Stat.  
c. 231, s. 12,  
subs. 1,  
amended.

**11.** Subsection 1 of section 12 of *The Children's Protection Act of Ontario*, as amended by section 4 of Chapter 65 of the Statutes of Ontario, 1919, is further amended by striking out the word "fifty" and substituting therefor the word "seventy-five," so that the said subsection will now read as follows:—

Expenses of  
supporting  
child by  
Children's  
Aid Society.

12.—(1) When committing a child to the custody or control of a Children's Aid Society the Judge shall make an order for the payment by the corporation of the municipality to which the child belongs of a reasonable sum, not less than seventy-five cents a day, for the expense of supporting the child by the Society or in a temporary home, or in a foster home where children are not cared for without compensation."

**12.** Subsection 1 of section 12 of *The Children's Protection Act of Ontario* is further amended by adding the following clause:—

Rev. Stat.  
c. 231, s. 12,  
subs. 1,  
amended.

- (a) The Council of every municipality shall have power to pass by-laws for the levying of such amounts as it may be necessary or desirable to raise for the purpose of complying with any obligation imposed on such municipality by any provision of this Act or for the purpose of affording to a Children's Aid Society such other assistance as may be deemed desirable.

Municipal  
by-laws in aid.

**13.** Section 12 of *The Children's Protection Act of Ontario* is amended by adding thereto the following subsections:—

Rev. Stat.  
c. 231, s. 12,  
amended.

- (6) A copy of the order with a copy of the depositions shall be forwarded by registered letter to the clerk of the municipality so declared liable for the expense of supporting the child.
- (7) Unless within one month after the mailing of the order the corporation of the municipality applies to the Judge making the order, to vary such order by having some other municipality declared liable for the expense of supporting the child, the corporation shall be stopped from denying liability thereunder.
- (8) For the purposes of this Act stay as an inmate in a maternity boarding house, an infants' or children's boarding home, a correctional or charitable institution, a hospital or any similar home or institution for custodial, medical or other care or supervision, shall not be deemed residence or domicile in any municipality."

Order for  
maintenance  
to be sent to  
clerk of  
municipality  
liable.

Liability  
must be dis-  
puted within  
one month.

Stay in certain  
institutions  
not to be  
residence or  
domicile.

**14.** Subsection 1 of section 14 of *The Children's Protection Act of Ontario* is amended by inserting after the word "child" in the third line thereof, the following words: "until such child has attained the age of twenty-one years or is adopted under the provisions of *The Adoption Act, 1921*, or some other legal guardian is appointed, or the guardianship is renounced by the Children's Aid Society with the approval of the Superintendent."

Rev. Stat.  
c. 231, s. 14,  
subs. 1,  
amended

Rev. Stat.  
c. 231, s. 15,  
amended.  
Liability  
for neglect.

**15.** Section 15 of *The Children's Protection Act of Ontario* is amended by inserting after the word "child" in the second line thereof "or any parent."

Rev. Stat.  
c. 231, s. 16,  
amended.

**16.** Section 16 of *The Children's Protection Act of Ontario* is amended by adding thereto the following subsection:—

- (2) "No child shall engage in any street trade or occupation between the hours of 10 o'clock in afternoon and 6 o'clock in the forenoon of the following day.

Rev. Stat.  
c. 231,  
amended.

**17.** *The Children's Protection Act of Ontario* is amended by adding thereto the following sections:—

Government  
and officers of  
Children's  
Aid Society.

36. A Children's Aid Society shall be governed by a Board of Directors or Executive Committee composed of a president, one or more vice-presidents, a secretary, a treasurer, a local superintendent, and such other officers and members as may be determined, elected in such manner and for such period as is provided by the constitution or by-laws of the Society.

Local super-  
intendents.

37. Two or more Children's Aid Societies may appoint the same local superintendent.

Powers of  
local super-  
intendents.

38. Every local Superintendent of a Children's Aid Society shall for the purposes of this Act be vested with the powers of a Peace Officer or a School Attendance Officer under *The School Attendance Act, 1919*, and he shall be deemed an officer within the meaning of section 12 of *The Public Authorities Protection Act* and the said section and other provisions of the said Act shall apply to him in the same manner and to the same extent as to the other officers mentioned in the said section 12.



39. Any Children's Aid Society may furnish temporary shelter to any child with the consent of the parents or parent or person in charge of the child and may charge the municipality in which such child is resident with the maintenance thereof at a rate not exceeding \$1 *per diem* on the written requisition of the mayor or reeve of such municipality.

18. This Act shall come into force on the 1st day of July, 1922.

Temporary  
shelter of  
child by  
Children's  
Aid Society.

Commence-  
ment of Act.





No. 254.

3rd Session, 15th Legislature,  
12 George V, 1922.

BILL.

An Act to amend The Children's Protection Act of Ontario.

1st Reading,	12th May, 1922.
2nd Reading,	1922.
3rd Reading,	1922.

Mr. NIXON.

TORONTO:  
PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.

# BILL

## An Act to amend The Minimum Wage Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** This Act may be cited as *The Minimum Wage Amendment Act, 1922.* Short title.

**2.** Section 11 of *The Minimum Wage Act* is repealed and the following substituted therefor: 1920, c. 87, s. 11, repealed.

11. The Board shall have authority to conduct such investigations as it may deem necessary for the purpose of ascertaining the wages, hours and conditions prevailing in any class of employment, and for this purpose shall possess all powers that may be conferred upon a Commissioner under *The Public Inquiries Act*. Investigations by Board.

**3.** Subsection 1 of section 12 of *The Minimum Wage Act* is amended by adding after the word "wage" in the second line thereof the words "and the maximum hours," so that the subsection will now read as follows: 1920, c. 87, s. 12, subs. 1, amended.

(1) After due inquiry the board may establish a minimum wage and the maximum hours for employees in any trade, occupation or calling in Ontario, but a wage lower than the minimum wage may also be established by the board of employees classified as handicapped, or part time employees or as apprentices. Establishment of minimum wage board.

1920, c. 87,  
s. 12, (1921,  
c. 78, s. 2),  
amended.

4. Section 12 of *The Minimum Wage Act* as amended by section 2 of *The Minimum Wage Amendment Act, 1921*, is further amended by adding thereto the following subsection:

When order  
of Board  
to prevail.

- (4) Where the maximum hours established by the board for a trade, occupation or calling in Ontario, is lower than that permitted by *The Factory, Shop and Office Building Act*, the order of the board shall prevail.

1920, c. 87,  
s. 22, subs. 1,  
amended.

5. Subsection 1 of section 22 *The Minimum Wage Act* is amended by inserting after the word "board" in the third line thereof the words "or by permitting any employee to work for any time in excess of the maximum working hours fixed by the board," so that the subsection will now read as follows:

Penalties.

- (1) Every employer who contravenes an order of the board by the payment of wages of less amount than that fixed by the board or by permitting any employee to work for any time in excess of the maximum working hours fixed by the board shall be guilty of an offence and shall incur a penalty not exceeding \$500 and not less than \$50 for each employee affected, and in addition thereto shall upon conviction be ordered to pay to such employees the difference between the wages actually received and the minimum wage fixed by the board.

Commence-  
ment of Act.

6. This Act shall come into force on the day upon which it receives the Royal Assent.



3rd Session, 15th Legislature,  
12 George V. 1922.

BILL.

An Act to amend The Minimum  
Wage Act.

1st Reading,	16th May, 1922.
2nd Reading,	1922.
3rd Reading,	1922.

MR. ROULO.



# BILL

## An Act to amend The Ontario Temperance Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**1.** This Act may be cited as *The Ontario Temperance Amendment Act, 1922*. Short title.

**2.** Section 146 of *The Ontario Temperance Act*, as amended by section 48 of *The Ontario Temperance Amendment Act, 1917*, section 31 of *The Ontario Temperance Amendment Act, 1918*, and section 17 of *The Ontario Temperance Amendment Act, 1920*, is further amended by adding thereto the following subsection:—

(6a) Keepers of Standard Hotels shall have the exclusive right to sell malt products, commonly called temperance beers.

Granting exclusive right to standard hotels.

(a) Any person who sells any malt products, contrary to the provisions of this subsection, shall be guilty of an offence under this Act, and liable to a penalty not exceeding \$50.

Offence.

**3.** This Act shall come into force on the first day of September, 1922.

Commencement of Act.

No. 256.

3rd Session, 15th Legislature,  
12 George V, 1922.

BILL

An Act to amend The Ontario Temper-  
ance Act.

1st Reading,	16th May, 1922.
2nd Reading,	1922.
3rd Reading,	1922.

MR. CRIDLAND.

TORONTO:  
PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.

# BILL

## An Act to amend The Power Commission Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**1.** This Act may be cited as *The Power Commission Act*, Short title. 1922.

**2.** Section 19 of *The Power Commission Act* as amended by subsection 1 of section 7 of *The Power Commission Act, 1917*, is further amended by adding thereto the following subsections:—

(5) The trustees of a police village shall be a commission for the control and management of works established for the distribution of electrical power or energy in the police village, and shall have and may exercise and perform the like powers and duties as nearly as may be as a commission formed under *The Public Utilities Act* in an incorporated village.

Trustees,  
duties and  
powers of.

Rev. Stat.  
c. 204.

(6) The trustees of a police village shall appoint a competent person to act as secretary-treasurer for the purpose of keeping the accounts of the trustees for the distribution and supply of electrical power or energy and acting as custodian of funds collected by the trustees or received by them from the treasurer of the township for the establishment of works in connection with the distribution of power.

Secretary-  
treasurer

## Security.

- (7) The secretary-treasurer shall give security for the due accounting of all sums of money coming to his hands and for the payment over to the township treasurer of the sums required from time to time to meet payments coming due for interest and to provide a sinking fund for the payment of any debentures issued for the works undertaken by the trustees under contract with the Commission.

## Auditing of accounts.

- (8) The accounts of the secretary-treasurer shall be audited by the auditor of the township in which the police village is situate, or if the police village includes parts of two or more townships, then by the auditor of that township having the highest assessment in the police village.

Rev. Stat.  
c. 39, s. 19a,  
(1917,  
c. 20, s. 8)  
amended.

3. Subsection 4 of section 19a of *The Power Commission Act* as enacted by section 8 of *The Power Commission Act, 1917*, is amended by striking out the word "appoint" in the first line and substituting therefor the word "establish," and by striking out the word "appointed" in the sixth line and substituting the word "elected," so that the subsection will now read as follows:

- (4) The council may establish a commission for the purpose of the construction of the works and the control and management of the same for the district so set apart, in the manner provided by section 34 of *The Public Utilities Act*, but the commissioners elected shall be residents of such district and it shall not be necessary to obtain the assent of the electors to the establishment of the commission.

Rev. Stat.  
c. 204.

4.—(1) Section 30e of *The Power Commission Act* as enacted by section 5 of *The Power Commission Act, 1920*, is repealed and the following substituted therefor:

Rev. Stat.  
c. 39,  
s. 30e (1920,  
c. 18, s. 5)  
repealed.

Contracts for  
construction  
and opera-  
tion of distri-  
bution works  
in town-  
ships.

30e. Subject to the approval of the Lieutenant-Governor in Council the Commission may enter into a contract with the municipal corporation of a township, or with the municipal corporations of two or more townships, for the supply or distribution of electrical power or energy in the township or townships, and the Commission may with the approval of the municipal corporation and in pursuance of such contract lay out and define areas hereinafter called "rural power districts" in the township or townships

for the distribution of electrical power or energy, and may construct and operate all works necessary for the transmission of electrical power or energy to a rural power district and for the transforming and distributing of such electrical power or energy to the premises of persons within the rural power district, and the Commission may from time to time with the approval of the municipal corporation enlarge, alter or vary the boundaries of any rural power district.

(2) The amendment made by this section shall have effect as from the 4th day of June, 1920.

**5.** By-law No. 737 of the Corporation of the Township of Elizabethtown; By-law No. 678 of the Corporation of the Township of Beverley; By-law No. 990 of the Corporation of the Township of Yarmouth; By-law No. 1482 of the Corporation of the Township of Raleigh; By-law No. 591 of the Corporation of the Township of North Dorchester; By-law No. 810 of the Corporation of the Township of Westminster; By-law No. 18 of the Corporation of the Township of Charlottenburg; By-law No. 381 of the Corporation of the Township of West Nissouri; By-law No. 211a of the Corporation of the Township of South Dorchester; By-law No. 789 of the Corporation of the Township of Brantford; By-law No. 675 of the Corporation of the Township of Nottawasaga; By-law No. 18 of 1921 of the Corporation of the Township of Howard; By-law No. 200 of the Corporation of the Township of Thorold; By-law No. 701 of the Corporation of the Township of Orford; By-law No. 916 of the Corporation of the Township of Nepean; By-law No. 952 of the Corporation of the Township of Edwardsburg; By-law No. 861 of the Corporation of the Township of Augusta; By-law No. 8 of the Corporation of the Township of North Oxford; By-law No. 815 of the Corporation of the Township of Willoughby; By-law No. 95 of the Corporation of the Township of East Nissouri; By-law No. 46 of the Corporation of the Township of Crowland; By-law No. 2350 of the Corporation of the Township of Harwich; By-law No. 17 of 1921 of the Corporation of the Township of Artemesia; By-law No. 952 of the Corporation of the Township of Bertie; By-law No. 56 of 1921 of the Corporation of the Township of Stamford; By-law No. 118 of 1921 of the Corporation of the Township of Kinloss; By-law No. 1012 of the Corporation of the Township of Chatham; By-law No. 875 of the Cor-

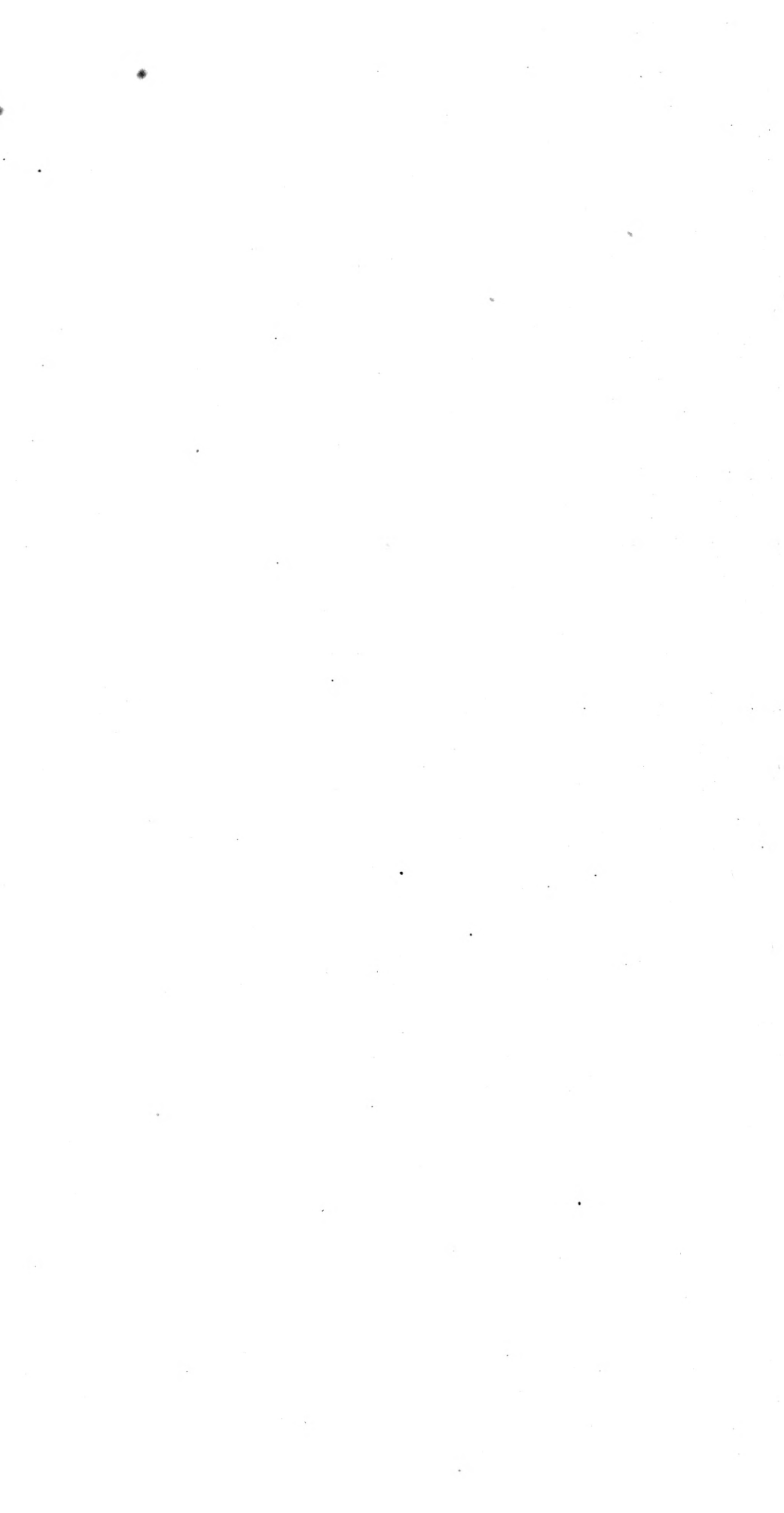
By-laws confirmed.

poration of the Township of Sandwich East; By-laws Nos. 388 and 412 of the Corporation of the Village of Kemptville; By-law No. 174 of the Corporation of the Village of Port Dover; By-laws Nos. 241 and 242 of the Corporation of the Village of Wardsville; By-laws Nos. 167 and 168 of the Corporation of the Village of Thedford; By-laws Nos. 3 and 4 of 1921 of the Corporation of the Village of Alvinston; By-laws Nos. 558 and 562 of the Corporation of the Township of Niagara; By-laws Nos. 934 and 937 of the Corporation of the Township of Toronto; By-laws Nos. 1090, 1091, 1092, 1093 and 1094 of the Corporation of the Township of Scarborough; By-law No. 104 of the Corporation of the Town of Tilbury; By-law No. 2 of the Police Village of Merlin; and By-law No. 392 of the Corporation of the Town of Mimico, and all debentures issued or to be issued or purporting to be issued, under any of the said by-laws which authorize the issue of debentures, are confirmed and declared to be legal, valid and binding upon such corporations and the ratepayers thereof, respectively, and shall not be open to question upon any ground whatsoever, notwithstanding the requirements of *The Power Commission Act*, or the amendments thereto, or any other Act of this Legislature.

Commence-  
ment of  
Act.

**6.** This Act shall come into force on the day upon which it receives the Royal Assent.









3rd Session, 15th Legislature,  
12 George V, 1922.

BILL

An Act to amend The Power Commission  
Act.

1st Reading,	18th May, 1922.
2nd Reading,	. 1922.
3rd Reading,	1922.

MR. CARLICHAEI.

TORONTO:  
PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.

# BILL

An Act to amend The Workmen's Compensation Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario enacts as follows:

**1.** This Act may be cited as *The Workmen's Compensation Act, 1922*. Short title.

**2.** Section 8 of *The Workmen's Compensation Act* as amended by section 3 of Chapter 24 of the Statutes of 1915, and by section 3 of *The Workmen's Compensation Act, 1919*, is further amended by adding thereto the following sub-section: 1914, c. 25, s. 8, (1915, c. 24, s. 3; 1919, c. 34, s. 3) amended.

- (4) Notwithstanding any provision elsewhere contained, where a workman in the employ of a railway company has been obliged by the nature of his work to change his residence from Ontario to a place outside of Ontario, the dependents of such workman, who have become non-residents of Ontario by reason thereof, shall in respect of an accident to such workman happening in Ontario, be entitled to the same compensation as if they were residents of Ontario and this provision shall apply to all pension payments to dependents accruing after the coming into effect of this Act, whether the accident happened before or after that date, and whether the award of compensation has been heretofore or is hereafter made, but shall not entitle any person to claim additional compensation for any period prior to the coming into effect of this Act. Where dependents non resident.

1914, c.25,  
s. 33, subs. 1,  
cl. c. (1917,  
c. 34, s. 6,  
subs. 1;  
1919, c. 34,  
s. 5, subs. 1,  
cl. b; 1920,  
c. 43, s. 4)  
amended.

3. Clause *c* of subsection 1 of section 33 of *The Workmen's Compensation Act* as amended by subsection 1 of section 6 of *The Workmen's Compensation Act, 1917*, and by clause *b* of subsection 1 of section 5 of *The Workmen's Compensation Act, 1919*, and by section 4 of *The Workmen's Compensation Act, 1920*, is further amended by inserting after the figures "\$10" in the fourth line thereof, the words "to be increased upon the death of the widow or invalid husband to \$15," so that the clause will now read as follows:

- (c) Where the dependents are a widow or an invalid husband and one or more children, a monthly payment of \$40, with an additional monthly payment of \$10, to be increased upon the death of the widow or invalid husband to \$15, for each child under the age of sixteen years.

Commence-  
ment of Act.

4. This Act shall come into force on the day upon which it receives the Royal Assent.



No. 258.

3rd Session, 15th Legislature,  
12 George V, 1922.

BILL

An Act to amend The Workmen's  
Compensation Act.

1st Reading,	19th May, 1922.
2nd Reading,	1922.
3rd Reading,	1922.

Mr. ROLLO.

TORONTO:  
PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.

# BILL

## An Act to amend The Ontario Public Service Superannuation Act, 1920

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** This Act may be cited as *The Ontario Public Service Superannuation Act, 1922*. Short title.

**2.** Clause *b* of section 2 of *The Ontario Public Service Superannuation Act, 1920*, is amended by inserting after the word "person" in the ninth line, the words "employed in a part time capacity or." 1920 c. 4, s. 2, cl. (b), amended.

**3.** Clause *b* of section 5 of *The Ontario Public Service Superannuation Act, 1920* is amended by striking out the words "for any cause other than misconduct or improper behaviour on his part" in the third and fourth lines, and inserting in lieu thereof the words "on account of ill health or physical incapacity," and by adding the following sub-clauses: 1920, c. 4, s. 5, cl. (b), amended.

- (i) The Board shall have power to review from time to time the case of an employee who is superannuated on account of ill-health or physical incapacity and, where such employee recovers, the Board shall report his case to the Government who may offer him further employment.
- (ii) Where an employee, who has been superannuated on account of ill-health or physical incapacity, upon recovery is offered re-employment by the Gov-

ernment, but does not accept such re-employment, the Board may, on the approval of the Lieutenant-Governor in Council, discontinue the superannuation allowance granted to such employee.

- (iii) Where an employee who has been superannuated on account of ill-health or physical incapacity is re-employed by the Government, his superannuation allowance shall be suspended during the time of his re-employment, and the period of such further employment shall be counted in determining the superannuation allowance to which he is entitled at his final retirement.

1920, c. 4,  
s. 6,  
amended.

4. Section 6 of *The Ontario Public Service Superannuation Act, 1920*, is amended by adding after the word "insured" in the fifth line, the words "in favour of his dependent or dependents being within the class of preferred beneficiaries within the meaning of *The Ontario Insurance Act*" and by striking out the figures "\$5,000" in the sixth line and inserting in lieu thereof the figures "\$2,000," so that the section will now read as follows:

Married  
employees  
required  
to carry  
life  
insurance.

6. Every male employee, if married at the date of his entering the service, or if married subsequently and before he has been for ten years in the service, shall furnish to the Board from time to time as required, a certificate that his life is insured in favour of his dependent or dependents being within the class of preferred beneficiaries within the meaning of *The Ontario Insurance Act*, in some reliable insurance company for an amount of not less than \$2,000 and for a period of at least ten years from the date of his entering the service, and in default of his furnishing such certificate, the Board may insure the life of such employee and the cost of such insurance shall be deducted from his salary.

1920, c. 4,  
s. 8,  
amended.

5. Section 8 of *The Ontario Public Service Superannuation Act, 1920*, is amended by adding at the end thereof the words "per annum" so that the section will read as follows:



8. Where an employee dies while in the public service before having served for ten years, there shall be granted to his personal representatives, or to a member of his family, a lump sum not exceeding the total of the contributions made by such employee under this Act with interest at five per cent. per annum.
- Death before having served ten years.

6. Section 9 of *The Ontario Public Service Superannuation Act, 1920* is amended by adding at the end thereof the words "per annum" so that the section will read as follows:

1920, c. 4, s. 9, amended.

9. Where an employee retires voluntarily from the service, or his office is abolished before the time when a superannuation allowance could be granted to him, the sums which have been deducted from his salary under this Act shall be forthwith returned to him with interest at the rate of five per cent. per annum.
- Retirement before being entitled to annual allowance.

7. Subsection 2 of section 11 of *The Ontario Public Service Superannuation Act, 1920*, is amended by striking out the words "nor more" where they occur in the third, fourth and seventh lines of clause *b*, and in the third and seventh lines of clause *c*, and in the third and seventh lines of clause *d*, and in the third and sixth lines of clause *e*, and in the third and sixth lines of clause *f*, and in the third, sixth and seventh lines of clause *g*, and in the third and sixth lines of clause *h*, and in the third and sixth lines of clause *i*, and in the third and sixth lines of clause *j*, and substituting therefor in each case respectively the words "but less," and by striking out the words "more than" in the second, third and fifth lines of clause *k*, and by inserting after the word "age" in the third and sixth lines respectively the words "or more" so that the said subsection will read as follows:

1920, c. 4, s. 11, subs. 2 amended.

- (2) The percentage to be deducted from the salary of an employee shall be as follows:
- Rate of percentage of deductions.

- (a) If the employee is in the public service at the time of the commencement of this Act and is less than twenty-one years of age, or enters the service after the commencement of this Act when he is less than twenty-one years of age, two and one-half per cent. ;

- (b) If the employee is in the public service at the time of the commencement of this Act and is not less than twenty-one years of age but less than twenty-six years of age, or enters the service after the commencement of this Act when he is not less than twenty-one years of age but less than twenty-six years of age, two and three-quarters per cent.;
- (c) If the employee is in the public service at the time of the commencement of this Act and is not less than twenty-six years of age but less than twenty-nine years of age, or enters the service after the commencement of this Act when he is not less than twenty-six years of age but less than twenty-nine years of age, three per cent.;
- (d) If the employee is in the public service at the time of the commencement of this Act and is not less than twenty-nine years of age, but less than thirty-two years of age, or enters the public service after the commencement of this Act when he is not less than twenty-nine years of age but less than thirty-two years of age, three and one-quarter per cent.;
- (e) If the employee is in the public service at the time of the commencement of this Act and is not less than thirty-two years of age but less than thirty-five years of age, or enters the service after the commencement of this Act when he is not less than thirty-two years of age but less than thirty-five years of age, three and one-half per cent.;
- (f) If the employee is in the public service at the time of the commencement of this Act and is not less than thirty-five years of age, but less than thirty-seven years of age, or enters the service after the commencement of this Act when he is not less than thirty-five years of age but less than thirty-seven years of age, three and three-quarters per cent.;
- (g) If the employee is in the public service at the time of the commencement of this Act and is not less than thirty-seven years of age but less than thirty-nine years of age,

or enters the service after the commencement of this Act when he is not less than thirty-seven years of age but less than thirty-nine years of age, four per cent.;

- (h) If the employee is in the public service at the time of the commencement of this Act and is not less than thirty-nine years of age but less than forty-one years of age, or enters the service after the commencement of this Act when he is not less than thirty-nine years of age but less than forty-one years of age, four and one-quarter per cent.;
- (i) If the employee is in the public service at the time of the commencement of this Act and is not less than forty-one years of age but less than forty-three years of age, or enters the service after the commencement of this Act when he is not less than forty-one years of age but less than forty-three years of age, four and one-half per cent.;
- (j) If the employee is in the public service at the time of the commencement of this Act and is not less than forty-three years of age but less than forty-five years of age, or enters the service after the commencement of this Act when he is not less than forty-three years of age but less than forty-five years of age, four and three-quarters per cent.;
- (k) If the employee is in the public service at the time of the commencement of this Act and is forty-five years of age or more, or enters the service after the commencement of this Act when he is forty-five years of age or more, five per cent.

8. Section 11 of *The Ontario Public Service Superannuation Act, 1920*, is amended by adding thereto the following subsections: 1920, c. 4,  
s. 11,  
amended.

- (3) A person who before the first day of November, 1920, was temporarily employed in the public service, and who has been subsequently or is hereafter appointed to a permanent position in the public service and whose service in such temporary employment has been continuous up to the date Employees  
appointed to  
permanent  
positions  
after holding  
temporary  
positions.

of such permanent appointment, shall have deductions made from his salary in accordance with the provisions of subsection 2 as from the first day of November, 1920.

- (4) A person who has been appointed temporarily to the public service on or after the first day of November, 1920, and who is subsequently appointed to a permanent position in the service and whose temporary employment has been continuous up to the date of such permanent employment may within one month after his permanent appointment give notice in writing to the Board to deduct from his salary an amount sufficient to cover the amount which would have been payable by him had he been appointed permanently at the date of his temporary appointment, and in the event of his so doing he shall be entitled to credit for the period of his temporary employment in reckoning the amount of any annual allowance subsequently payable to him under this Act, but in the event of his failing to give such notice, the period of such temporary employment shall not be included in determining the length of the period of his employment.

9. Section 12 of *The Ontario Public Service Superannuation Act, 1920*, is amended by adding at the end thereof the following words "but any refunds made under section 9 shall be credited to the Government as part of and shall be deducted from the contribution of the Government under this section" so that the section will read as follows:

12. Whenever any amount is credited to the fund by way of deductions from the salaries of the employees an equivalent amount shall be credited to the fund as the contribution of the Government thereto, but any refunds made under section 9 shall be credited to the Government as part of and shall be deducted from the contribution of the Government under this section.

10. Section 16 of *The Ontario Public Service Superannuation Act, 1920*, is repealed and the following substituted therefor:

Employee  
to give  
notice to  
Board.

1920, c. 4,  
s. 12,  
amended.

Government  
equivalent  
contribution

1920, c. 4,  
s. 16,  
repealed.

7.

16.—(1) The superannuation allowance payable to any employee shall be calculated upon the average yearly salary of the employee during the last three years of his service and shall not exceed one-fiftieth part of such annual salary multiplied by the total number of full years of service and any fraction of a year of continuous service, and including service previous to appointment by Order-in-Council where such service has been continuous and the employee has contributed as provided by subsections 3 and 4 of section 11, but no more than thirty years of service shall be reckoned nor shall the yearly superannuation allowance exceed in any case the sum of \$2,000, nor in the case of an employee superannuated under section 17 shall such superannuation allowance be less than \$360, but in no case shall the annual allowance exceed the final annual salary of the employee.

How super-  
annuation  
to be  
calculated

(2) The amendment made by subsection 1 shall take effect as from the 15th day of June, 1920.

When to  
take effect.

11. Subsection 1 of section 17 of *The Ontario Public Service Superannuation Act, 1920*, is amended by striking out the words "Except as provided in subsection 3 of this section and" at the commencement thereof so that the subsection will now read as follows:

1920, c. 4,  
s. 17,  
subs. (1),  
amended.

(1) Subject to the provisions of sections 26 and 27 and notwithstanding anything contained in any Act relating to any department, branch or office in the public service or in any other Act of this Legislature, every employee, no matter by what tenure he holds office, shall retire from the service of the Government upon attaining the age of seventy years.

Compulsory  
retirement  
at 70 years  
of age.

12. Subsection 3 of section 17 of *The Ontario Public Service Superannuation Act, 1920*, is repealed. (Note:—The repealed subsection is as follows:)

1920, c. 4,  
s. 17,  
subs. (3),  
repealed

Power to  
make excep-  
tions as to  
compulsory  
retirement

- (3) Where the Lieutenant-Governor in Council decides that it is in the public interest to retain the services of an employee who has attained the age of seventy years before or after the commencement of this Act, the Lieutenant-Governor in Council may, with the consent of such employee, direct that he be continued in the service for a further period upon such terms as to remuneration during service and as to superannuation or retiring allowance upon retirement as the Lieutenant-Governor in Council may deem expedient.

1920, c. 4,  
s. 19,  
amended.

**13.** Section 19 of *The Ontario Public Service Superannuation Act, 1920*, is amended by adding at the end thereof the words "but such amount shall in no case exceed \$2,000," so that the section will now read as follows:

Employees  
over age  
retiring  
before  
reaching ten  
years  
service.

19. An employee who is in the service of the Government at the commencement of this Act and who retires on account of having reached the age of retirement before he has been ten years in the service shall be paid out of the Consolidated Revenue Fund an amount equal to one-tenth of his annual salary multiplied by the number of years he has been in the service, but such amount shall in no case exceed \$2,000.

1920, c. 4,  
s. 30,  
repealed.

**14.** Section 30 of *The Ontario Public Service Superannuation Act, 1920*, is repealed. *Note:*—The repealed section is as follows:)

Widows  
benefitting  
not to  
receive  
mothers'  
allowance.

30. Any widow or child receiving benefits under this Act shall not be eligible for benefits under any Act of this Legislature providing for the payment of allowances to mothers of infant children.

Sheriff to be  
deemed  
employee.

**15.**—(1) *The Ontario Public Service Superannuation Act, 1920*, shall extend and apply to any person holding the office of sheriff of a county or district in Ontario whether such sheriff is paid by fees or salary, or partly by fees and partly by salary, and a sheriff shall be deemed to be an "employee" within the meaning of this Act, but any amount payable on account of superannuation allowances under this

section granted to sheriffs who have, at the time of the commencement of this Act, attained the age of seventy years, or who shall attain the age of seventy years before November 1, 1930, shall be added to the contribution of the Government to the Ontario Public Service Superannuation Fund and shall be chargeable to the Consolidated Revenue Fund.

(2) The contribution to be made to the Public Service Superannuation Fund by a sheriff shall be the same percentage of his net income from fees and other emoluments and any salary or allowance paid to him by the Province for the fiscal year next preceding that in which the contribution is made, as the percentage to be deducted from the salary of an employee under subsection 2 of section 11 of the said Act. Contribution to be made by sheriff.

(a) In this sub-section "net income" shall have the same meaning as in *The Public Officers Fees Act*. Rev. Stat. c. 17.

(3) The Lieutenant-Governor in Council upon the recommendation of The Public Service Superannuation Board may make regulations respecting the time and manner in which contributions to the said fund shall be made by sheriffs, and generally for the better carrying out of the provisions of this section. Regulations.

**16.** The Lieutenant-Governor in Council, upon recommendation of the Board, may extend the operation of the said *The Ontario Public Service Superannuation Act, 1920*, to any other class of public officers employed in connection with the administration of justice whether such officers are paid by fees or salary or partly by fees and partly by salary, and upon the passing of any Order-in-Council under this section the provisions of the next preceding section shall *mutatis mutandis* apply to any class of officers named in the Order-in-Council. { Extending operation of 1920, c. 4, to other classes.

**17.** The Lieutenant-Governor in Council, upon the recommendation of the Board, may extend the operation of the said *The Ontario Public Service Superannuation Act, 1920*, to cover the permanent staff employed by any board or commission under the Government. Permanent staff of board or commission.

**18.** This Act shall come into force on the first day of July, A.D. 1922. Commencement of Act

No. 259.

3rd Session, 15th Legislature,  
12 George V, 1922.

BILL.

An Act to amend The Ontario Public  
Service Superannuation Act, 1920.

1st Reading,	19th May, 1922.
2nd Reading,	1922.
3rd Reading,	1922.

MR. DRURY.



No. 260

1922

# BILL

## An Act to amend The Motor Vehicles Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario enacts as follows:

**1.**—(1) Subsection 2 of section 6 of *The Motor Vehicles Act* as enacted by 1918, Chapter 37, section 4, is amended by adding at the commencement thereof the words “subject to the provisions of subsection 3.” Rev. Stat. c. 207, s. 6. (2) amended.

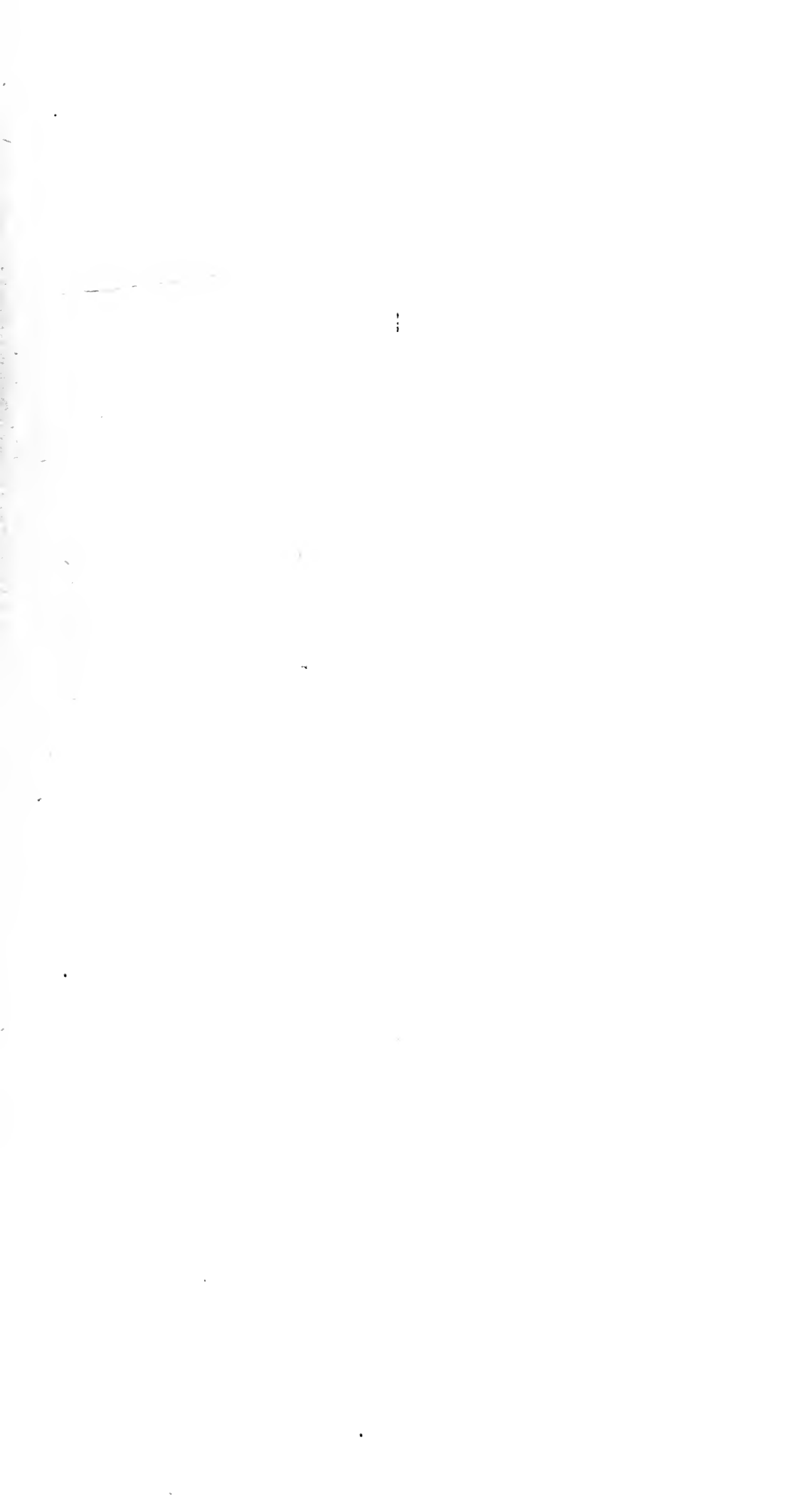
(2) Section 6 of the said Act is amended by adding thereto the following as subsection 3; Rev. Stat. c. 207, s. 6, amended.

- (3) When a motor vehicle is stopped on a highway to the right of the centre of the road after dusk and before dawn it shall be sufficient compliance with the provisions of subsection 2 if it carries a lighted parking lamp on the left rear fender clearly visible at a distance of at least two hundred feet from the front or rear.

**2.** Subsection 1 of section 11 of *The Motor Vehicles Act* as enacted by 1919, Chapter 57, section 3, as amended by 1921, Chapter 72, section 5, is further amended by striking out the figures “25” in the 6th line and inserting in lieu thereof the figures “30,” and by striking out the words and figures “or 12½ miles per hour outside of a city, town or Rev. Stat. c. 207, s. 11 (1) as amended by 1921, c. 72, s. 5, amended.

village" in the 10th and 11th lines, and by inserting the words "within any public park or exhibition ground or from being driven" after the word "driven" in the 20th line, so that the said subsection when so amended will read as follows:

- (1) No motor shall be driven upon any highway within a city, town or village at a greater rate of speed than twenty miles per hour; nor upon any highway outside of a city, town or village at a greater rate of speed than 30 miles per hour, nor at a street intersection or curve where the driver of the vehicle has not a clear view of approaching traffic at a greater rate of speed than 10 miles per hour in a city, town or village, but the council of a city, town or village may by by-law set apart any highway or any part thereof on which motor vehicles may be driven at a greater rate of speed for the purpose of testing the same, and may pass by-laws for regulating and governing the use of any such highway or part thereof for such purpose. The council of any city, town or village may pass a by-law prohibiting a motor vehicle from being driven within any public park or exhibition ground or from being driven at a greater rate of speed than fifteen miles an hour within any public park or exhibition ground, provided that this subsection shall not apply to a motor vehicle of a municipal fire department while proceeding to a fire or answering a fire alarm call.



No. 260.

3rd Session, 15th Legislature,  
12 George V, 1922.

BILL.

An Act to amend The Motor  
Vehicles Act.

1st Reading,	19th May, 1922.
2nd Reading,	1922.
3rd Reading,	1922.

Mr. STEVENSON.

TORONTO:  
PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.

# BILL

## An Act respecting The Lake of the Woods Control Board.

**W**HEREAS it has been agreed by and between the Gov- Preamble.  
ernment of the Dominion of Canada and the Govern-  
ment of the Province of Ontario that the powers hereinafter  
mentioned shall be vested in a Board consisting of four  
members, two to be appointed by the Governor-General in  
Council and two by the Lieutenant-Governor in Council, and  
that the necessary legislation to authorize the same shall be  
enacted by the Parliament of Canada and the Legislature of  
Ontario respectively.

Therefore, His Majesty, by and with the advice and con-  
sent of the Legislative Assembly of the Province of Ontario,  
enacts as follows:

**1.** This Act may be cited as *The Lake of the Woods Con-* Short title.  
*trol Board Act, 1922.*

**2.** There shall be a Board to be called "The Lake of the Control  
Woods Control Board," which shall consist of four members, Board, how  
who shall be duly qualified engineers, two of whom shall be appointed.  
appointed by the Governor-General in Council and two of  
whom shall be appointed by the Lieutenant-Governor in  
Council of Ontario, and each of the persons so appointed  
shall hold office during the pleasure of the Governor-General  
in Council or the Lieutenant-Governor in Council, respec-  
tively, and any vacancy on the said Board shall be filled by  
the Governor-General in Council or the Lieutenant-Governor  
in Council, according as the previous appointment to such  
position was made by the Governor-General in Council or the  
Lieutenant-Governor in Council.

Duty of Board to secure most dependable flow of certain waters.

3. It shall be the duty of the Board to secure severally and at all times the most dependable flow and the most advantageous and beneficial use of:—

- (a) The waters of the Winnipeg river; and
- (b) The waters of the English river;

Powers of Board.

and for these purposes the Board shall have power

- (a) To regulate and control the outflow of the waters of the Lake of the Woods so as to maintain the level of the lake between the elevations that have been recommended by the International Joint Commission in their final report of the 12th June, 1917, or between such elevations as may be agreed upon by the United States and Canada;
- (b) To regulate and control the outflow of the waters of Lac Seul so as to maintain the level of the Lake between such elevations as the Board may from time to time recommend and which shall be approved by the Governor-General in Council and the Lieutenant-Governor in Council;
- (c) To regulate and control the flow of the waters of the Winnipeg river between its junction with the English river and the Lake of the Woods, and also the flow of the water in the English river between its junction with the Winnipeg river and Lac Seul;
- (d) To regulate and control the level and flow of such other waters of the watershed of the Winnipeg river as the Governor-General in Council and the Lieutenant-Governor in Council may both agree to place under the jurisdiction of the said Board. Save and excepting the control and operation of all dams and regulating works extending across the International Boundary and the dam and regulating works across the Canadian channel at Kettle Falls.

Penalty for violation of order of Board.

4. In addition to any other legal or other proceedings that may be taken to enforce any order of the said Board, every person violating or refusing to obey any order of the said Board, or obstructing or preventing the carrying out and enforcement of any order made by the said Board shall be liable, upon summary conviction, to a fine not exceeding \$1,000, or to imprisonment for a period not exceeding three months, or to both such fine and imprisonment and to a further penalty not exceeding \$500 for each day on or during which any such offence shall continue or be repeated.

**5.** The said Board shall have all the powers necessary for effectively carrying out the authority and control vested in it by this Act and by any Act passed by the Parliament of the Dominion of Canada and any order made by the said Board may be made a rule, order or decree of the Exchequer Court of Canada or of the Supreme Court of Ontario, and shall be enforced in the same manner as any rule, order or decree may be enforced in the court in which such proceeding is taken.

Enforcement of order.

**6.—(1)** Where any person or corporation neglects or refuses to obey or carry out any order of the Board, the Board in addition to any other remedy provided by this Act, may from time to time enter upon and take such complete or partial possession of any mill, dam, plant, works, machinery, land, waters or premises, and may do all such acts and things as the Board may deem necessary for the due enforcement and carrying out of such order, and may retain possession and control of any such mill, dam, plant, works, machinery, land, waters or premises for such period as the Board may deem necessary for that purpose.

Neglect or refusal of any person or corporation to carry out order.

(2) All expenses incurred by the Board under subsection 1 of this section shall constitute a debt due from such person or corporation to the Board, and shall be recoverable by the Board with costs in any court of competent jurisdiction.

**7.—(1)** The Board shall have power to appoint such inspectors and other officers and employees as the Board may deem necessary for the purposes of this Act.

Power of Board to appoint inspectors, officers, etc.

(2) Any inspector or other officer when so authorized by the Board, may enter upon any land, works or plant constructed or installed upon any of the waters mentioned in section 3, or in or by which any such waters are used or diverted, and take all such measurements and do all such acts and things as may be necessary for the information of the Board as to the use or diversion of such waters by the person or corporation owning or controlling such land, works or plant.

(3) Every person who hinders or obstructs any such inspector or officer in the performance of his duties under subsection 2 of this section shall incur the penalties mentioned in section 4.

Penalty for hindering inspector in performance of his duties.

**8.** The Board and the members thereof and its officers and employees shall not be liable to any action for acts done by them or any of them under the authority of this Act.

Liability of Board.

Expenses.

**9.** The expenses of the Board, including the remuneration of the members of the Board, shall be paid out of such funds as may be appropriated by the Parliament of Canada and the Legislature of Ontario respectively for paying expenses incurred for the purposes of this Act in such proportions as the Governor-General in Council and the Lieutenant-Governor in Council may agree.

Regulations.

**10.**—(1) The Governor-General in Council and the Lieutenant-Governor in Council may make such regulations (including provisions as to what shall constitute a quorum of the Board, and how orders of the Board shall be signed), as they may agree to be necessary for carrying out the provisions of this Act.

To be published in  
"Ontario  
Gazette."

(2) All regulations made hereunder shall be published in *The Ontario Gazette*.

Commence-  
ment of Act.

**11.** This Act shall come into force on a day to be named by the Lieutenant-Governor by his proclamation after the repeal by the Parliament of Canada of *The Lake of the Woods Regulation Act, 1921*, being chapter 38 of the Statutes of Canada, 1921.









No. 261.

3rd Session, 15th Legislature,  
12 George V, 1922.

BILL.

An Act respecting The Lake of the Woods  
Control Board.

1st Reading,	22nd May, 1922.
2nd Reading,	1922.
3rd Reading,	1922.

MR. DRURY.

TORONTO:  
PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.

# BILL

An Act to declare the Law with respect to proceedings against the Crown and its Officers and concerning The Corporations Tax Act, 1922.

**W**HEREAS by *The Corporations Tax Act, 1922*, passed at the present Session of the Legislature, it is provided among other things that every incorporated company, association or club conducting a race meeting and becoming the custodian or depository of money, bets or stakes shall deduct and pay to the Treasurer of Ontario for the uses of the Province, five per centum of the amount, bet or staked and shall pay the amount so deducted to the Treasurer of Ontario; and whereas the true intent and meaning of the said recited provision is that every holder of a winning ticket under the pari-mutuel system of betting or wagering on any race at a race meeting shall pay a tax of five per centum upon the amount which would be payable to him were no percentage deducted and retained by the company, association or club in respect of such race, and that the said tax shall be collected by such company, association or club as the agent of the Treasurer of Ontario, by deducting from the total amount bet or wagered on every race a sum equal to five per centum of the amount so bet or wagered and that the company, association or club shall pay such sum over to the Treasurer of Ontario at the close of each day's racing; and whereas proceedings have been taken by way of injunction to prevent the enforcement of the collection of the said tax; and whereas it is inexpedient in the public interest that proceedings should be taken to restrain a Minister of the Crown in the performance of his statutory duty as such Minister or that an action should be brought or any other proceedings taken against the Crown or any Minister thereof, or any officer of the Crown acting on the instructions of the Minister for anything done or omitted or proposed to be done or omitted in the exercise of his office, including any authority conferred or purporting to be conferred upon him by any Act of this

Legislature subject always to the right of any person to proceed by Petition of Right; and whereas it is desirable to declare the law with respect to proceedings against the Crown or any such Minister or officer as well as the true intent and meaning of the said enactment in *The Corporations Tax Act, 1922*;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

**1.** This Act may be cited as *The Declaratory Act, 1922*.

Remedy by way of injunction, mandamus, etc., not to lie against Crown.

**2.** It is declared that the law is and always has been that no extraordinary remedy by way of injunction, mandamus or otherwise lies against the Crown or against any Minister thereof or any officer acting upon the instructions of any Minister for anything done or omitted or proposed to be done or omitted in the exercise of his office including the exercise of any authority conferred or purporting to be conferred upon him by any Act of this Legislature.

No action to be brought against Crown.

**3.** No action shall be brought nor shall any other proceeding be taken against the Crown or any Minister thereof or any officer of the Crown acting on the instructions of a Minister for anything done or omitted or proposed to be done or omitted in the exercise of his office including the exercise of any authority conferred or purporting to be conferred upon him by any Act of this Legislature, but this shall not be taken as effecting or intending to affect the right of any person to proceed by Petition of Right.

Pending proceedings stayed.

**4.** Any action heretofore commenced or any proceedings heretofore taken in respect of *The Corporations Tax Act, 1922*, and still pending, and any order by way of injunction heretofore made in any such action or proceedings against the Crown or against any Minister thereof or any officer authorized to act upon the instructions of any Minister shall be and is hereby forever stayed and the Crown or any such Minister or officer is hereby declared to be entitled to proceed as if no such action had been commenced or proceedings taken or order made, but such stay shall not deprive the parties to any such action or proceeding or order of any right they may have to proceed by way of Petition of Right.

Declaration as to payment of five per centum on amounts bet or wagered.

**5.** It is further declared that the true intent and meaning of the said recited provision of *The Corporations Tax Act, 1922*, is that every holder of a winning ticket issued under the pari-mutuel system upon a race run at any race-

meeting conducted by an incorporated company, association or club shall pay a tax of five per centum upon the amount which would be payable to him if no percentage were deducted and retained by the company, association or club in respect of such race, and that the said tax shall be collected by such incorporated company, association or club as the agent of the Treasurer of Ontario by deducting from the total amount bet or wagered on every such race a sum equal to five per centum of the amount so bet or wagered and that the company, association or club shall pay such sum over to the Treasurer of Ontario at the close of each day's racing.

**6.** This Act shall be read with and as part of *The Corporations Tax Act, 1922.* Application of Act.

**7.** This Act shall come into force on the day upon which it receives the Royal Assent. Commencement of Act.

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3rd Session, 15th Legislature,  
12 George V, 1922.

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BILL.

An Act to declare the Law with respect to  
Proceedings against the Crown and its  
Officers and concerning The Corpora-  
tions Tax Act, 1922.

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1st Reading,	22nd May, 1922.
2nd Reading,	1922.
3rd Reading,	1922.

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MR. RANEY.



No. 262.

1922.

# BILL

An Act to declare the Law with respect to proceedings  
against the Crown and its Officers and concerning The  
Corporations Tax Act, 1922.

**W**HEREAS by *The Corporations Tax Act, 1922*, passed Preamble.  
at the present Session of the Legislature, it is provided among other things that every incorporated company, association or club conducting a race meeting and becoming the custodian or depository of money, bets or stakes shall deduct and pay to the Treasurer of Ontario for the uses of the Province, five per centum of the amount, bet or staked and shall pay the amount so deducted to the Treasurer of Ontario; and whereas the true intent and meaning of the said recited provision is that every holder of a winning ticket under the pari-mutuel system of betting or wagering on any race at a race meeting shall pay a tax of five per centum upon the amount which would be payable to him were no percentage deducted and retained by the company, association or club in respect of such race, and that the said tax shall be collected by such company, association or club as the agent of the Treasurer of Ontario, by deducting from the total amount bet or wagered on every race a sum equal to five per centum of the amount so bet or wagered and that the company, association or club shall pay such sum over to the Treasurer of Ontario at the close of each day's racing; and whereas proceedings have been taken by way of injunction to prevent the enforcement of the collection of the said tax; and whereas it is inexpedient in the public interest that proceedings should be taken to restrain a Minister of the Crown in the performance of his duty as such Minister; and whereas it is desirable to declare the law with respect to proceedings against the Crown or any such Minister or officer as well as the true intent and meaning of the said enactment in *The Corporations Tax Act, 1922*;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Declaratory Act, 1922*.

Remedy by way of injunction, mandamus, etc., not to lie against Crown.

2. It is declared that the law is and always has been that no extraordinary remedy by way of injunction, mandamus or otherwise lies against the Crown or against any Minister thereof or any officer acting upon the instructions of any Minister for anything done or omitted or proposed to be done or omitted in the exercise of his office including the exercise of any authority conferred or purporting to be conferred upon him by any Act of this Legislature.

Pending proceedings stayed.

3. Any action heretofore commenced or any proceedings heretofore taken in respect of *The Corporations Tax Act, 1922*, and still pending, and any order by way of injunction heretofore made in any such action or proceedings against the Crown or against any Minister thereof or any officer authorized to act upon the instructions of any Minister shall be and is hereby forever stayed. ~~But~~ save for the purposes of an application or applications for the payment out of Court of any moneys that may have been paid into Court in any such action or proceedings, ~~and~~ the Crown or any such Minister or officer is hereby declared to be entitled to proceed as if no such action had been commenced or proceedings taken or order made, but such stay shall not deprive the parties to any such action or proceeding or order of any right they may have to proceed by way of Petition of Right.

Declaration as to payment of five per centum on amounts bet or wagered.

4. It is further declared that the true intent and meaning of the said recited provision of *The Corporations Tax Act, 1922*, is that *each* holder of a winning ticket issued under the pari-mutuel system upon a race run at any race-meeting conducted by an incorporated company, association or club shall pay a tax of five per centum upon the amount which would be payable to him if no percentage were deducted and retained by the company, association or club in respect of such race, and that the said tax shall be collected by such incorporated company, association or club as the agent of the Treasurer of Ontario by deducting from the total amount bet or wagered on every such race a sum equal to five per centum of the amount so bet or wagered and that the company, association or club shall pay such sum over to the Treasurer of Ontario at the close of each day's racing.

**5.** *Section 4 of this Act shall be read with and as part* Application  
of Act.  
*of The Corporations Tax Act, 1922.*

**6.** This Act shall come into force on the day upon which Commence-  
ment of Act.  
it receives the Royal Assent.

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3rd Session, 15th Legislature,  
12 George V, 1922.

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BILL.

An Act to declare the Law with respect to  
Proceedings against the Crown and its  
Officers and concerning The Corpora-  
tions Tax Act, 1922.

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1st Reading,	22nd May, 1922.
2nd Reading,	25th May, 1922.
3rd Reading,	1922.

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*(Reprinted as amended in Committee of  
the Whole House.)*

MR. RANNEY.

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TORONTO:  
PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.

# BILL

An Act to authorize the purchase and operation of the Toronto Suburban Railway Company by the Hydro-Electric Power Commission of Ontario on behalf of the City of Toronto.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may cited as *The Toronto Suburban Railway Company Act, 1922.* Short title.

2. In this Act;—

Interpretation.

- (a) "Commission" shall mean The Hydro-Electric Power Commission of Ontario. "Commission"
- (b) "Corporation" shall mean the Municipal Corporation of the City of Toronto. "Corporation"
- (c) "Railway" shall mean the Toronto Suburban Railway Company. "Railway"

3. On behalf of the Corporation and any other Municipal Corporations which may become parties to any agreement entered into for that purpose the Commission may purchase and acquire and the Railway may sell the property and rights of the Railway and / or the Commission may purchase and acquire the shares and securities of the Railway from the owner or holder thereof and all the powers, rights and privileges of the Railway shall continue and shall be enjoyed and exercisable by the Commission acting on behalf of the Corporation and / or the said other Municipal Corporations. Power of Commission to purchase Railway.

4. Upon the completion of the said purchase the Railway shall be vested in the Commission on behalf of the Corporation, free from encumbrances, charges and liabilities, subject only to the agreement to be entered into under the authority of Section 5 and to a Mortgage Deed of Trust from the Railway to the British Empire Trust Company, Limited, dated 15th July, 1911 securing debenture stock of the Railway. Vesting of the railway in Commission.

Powers of  
Commission  
and Corpora-  
tion to make  
agreement.

5. The Commission and the Corporation are authorized to enter into an agreement as of 1st January, 1922, in the form set out in Schedule "A" to this Act or with such variations thereof as may be approved by the Lieutenant-Governor in Council, and to execute the same, and the said agreement shall be approved of by by-law of the Municipal Council of the Corporation, and when so approved, shall be signed by the Mayor of the Corporation and by the Clerk thereof, and the Clerk shall affix the Seal of the Corporation thereto, and when so executed the said agreement shall be legal, valid and binding upon the Corporation and the rate-payers thereof, and upon the Commission, anything in any general or special Act of this Legislature or in any by-law passed under any such Act to the contrary notwithstanding.

Railway to be  
controlled,  
equipped, etc.,  
by Commis-  
sion.

6. The Railway so acquired shall be equipped, maintained and operated by the Commission on behalf of the Corporation of the City of Toronto and such other Municipal Corporations as may become parties to such agreement, and the Commission shall have and may exercise the like powers and shall be under the same duties and obligations with respect to the said properties as in the case of a railway acquired, constructed, equipped and operated by the Commission under *The Hydro-Electric Railway Act, 1914*, provided that the Commission may dispose of any property not required for the purpose of the said Railway, and may use or dispose of the whole or part of the proceeds thereof in expenditures on capital account.

Agreements  
with municipal  
corporations.

7.—(1) The Commission and the Corporation may agree with any municipal corporation through which the said railway passes or in which a part of the said railway is situate, for the admission of such municipal corporation as a party to the agreement for the acquisition and operation of the said railway or for the extension thereof in or through the territory of such municipal corporation upon such terms and conditions and subject to such contributions as if it were a party to the agreement mentioned in Section 5 at the date hereof, but no such agreement shall be entered into until the same shall have been approved by the Lieutenant-Governor in Council and submitted to the municipal electors of the municipal corporation or corporations to be added as parties to the said agreement as provided by *The Hydro-Electric Railway Act, 1914*, with respect to an agreement for the construction or acquisition and operation of a railway by the Commission.

(2) Every such agreement shall provide for the issue of debentures by any such municipal corporation either in substitution for, or in addition to the debentures deposited with the Commission by the Corporation under Section 10 hereof, and upon the execution thereof the agreement mentioned in section 5 shall be modified accordingly and shall remain in full force and effect subject only to such modifications.

Agreements  
to provide  
for issue of  
debentures.

(3) It shall not be necessary to submit any by-law for the issue of such debentures for the assent of the electors or observe any of the formalities provided by *The Municipal Act*.

**8.**—(1) The purchase price for the railway so to be acquired by the Commission shall not exceed \$2,778,000. and the Commission is authorized to issue bonds dated the 1st day of January, 1922, bearing interest at a rate not exceeding six per cent. per annum, payable half-yearly and maturing fifty years from said date.

Limit of  
purchase price.

(2) The Commission may transfer to the Corporation and the Corporation may purchase those portions of the railway within the limits of the Corporation and for such purpose the Corporation may issue and deliver to the Commission its debentures to the amount of \$202,800. dated 1st January, 1922, bearing interest at a rate not to exceed six per cent. per annum, payable half-yearly and maturing fifty years from the said date, as provided in the said agreement, and the Commission may apply the said debentures or the proceeds thereof for betterments on and additional equipment for said Railway.

Bond issue.

(3) With the approval of the Lieutenant-Governor in Council the Commission may dispose of any other property not required for the purposes of the said Railway and apply the whole or part of the proceeds thereof in expenditure on capital account or may invest the whole or part thereof in securities of the Province of Ontario.

(4) The Commission, with the consent of the Corporation, may from time to time increase the said bond issue as deemed necessary to cover the capital cost of extensions or improvements or additional works or equipment of any kind required for the railway.

(5) For the purpose of providing for the payment of such bonds and the interest thereon the Commission shall, in each year after the expiration of ten years from the said date, out of the revenue of the railway, after payment

Application  
of revenue to  
sinking fund  
for retirement  
of bonds.

of working or operating expenses, including the supply of electrical power or energy and the cost of administration and annual charges for interest set aside annually such sums as may be necessary to provide a sinking fund, on the basis of not more than forty years for the payment of all the bonds which shall be held for and applied toward the payment of such bonds or any renewals thereof, at maturity and the Commission shall have power from time to time to issue bonds, under the provisions of this Act, for the purpose of providing for such additional moneys as may be necessary with the accumulated sinking fund on hand, to repay the bonds previously issued, when the same respectively mature. Provided that the sum so set aside for sinking fund shall be sufficient to provide for payment of all the bonds issued on account of the said railway within fifty years from the first day of January, 1922.

Application of 1914, c. 31 as to acquisition, construction, etc. of the railway.

**9.** Subject to the provisions of this Act and to the terms of the said agreement, the provisions of *The Hydro-Electric Railway Act, 1914*, and amendments thereto, except section 8 of the said Act shall, *mutatis mutandis* apply to the acquisition, construction, equipment and operation of the said railway, as in the case of a railway constructed or acquired by the Hydro-Electric Power Commission of Ontario under the provisions of *The Hydro-Electric Railway Act, 1914*.

Debentures, how payable.

**10.**—(1) The Corporation is authorized to issue debentures to the amount required by paragraph 2(b) of the said agreement, payable in fifty years from the 1st day of January, 1922, and bearing interest at a rate not exceeding six per cent. per annum payable half-yearly.

Deposit of debentures with the Commission.

(2) Upon the execution of the said agreement the Corporation shall issue and deposit the said debentures with the Commission, and is further authorized to and shall, from time to time thereafter, upon the requisition in writing of the Commission, issue and deposit with the Commission further similar debentures for the same amount as any increase of the bond issue of the Commission to cover the capital cost of extensions, improvements or additional works or equipment of the said railway, as provided in subsection 4 of section 8.

Where revenue insufficient.

(3) In the event of the revenue derived from the operation of the railway being insufficient in any year to meet the operating or working expenses, including electric power or energy and the cost of administration and the annual charges for the interest and sinking fund on the bonds



and of the renewal of any works belonging in whole or in part to the railway, such deficit shall be paid on demand of the Commission by the Corporation. Any arrears of the Corporation shall bear interest at a rate not exceeding six per cent. per annum. If the Corporation shall make default in payment of any such deficit the Commission shall thereupon subject to subsection (5) hereof, sell or otherwise dispose of so much of the debentures of the Corporation as shall be necessary to supply such deficiency at such rates of discount or premium and on such terms and conditions as the Commission in its sole discretion shall deem to be in the interests of the railway, the proceeds of such debentures being used solely for the purposes herein contained.

(4) If the remaining debentures are insufficient in the opinion of the Commission to meet all payments required to be made by the Corporation under this Act or the said agreement, the Corporation is hereby authorized to and shall issue and deposit forthwith with the Commission similar debentures to an amount sufficient in the opinion of the Commission to make up the deficiency.

Deposit of  
debentures  
to make up  
deficiency.

(5) All debentures issued and deposited with the Commission under this section shall be held by the Commission as collateral security for the bonds issued by the Commission under section 8, and for any payments required to be made by the Corporation under this Act or the said agreement, or the Commission may lodge the said debentures, or any of them with and / or hypothecate the same to a Trust Company as Trustee for the holders of bonds of the Commission and for such purpose the Commission may enter into, execute and deliver any agreement, charge, trust indenture or other document containing such powers, terms and conditions as the Commission in its sole discretion shall deem to be in the best interests of the railway, anything contained herein or in any Statute or agreement to the contrary notwithstanding.

Debentures  
to be collateral  
security for  
bonds.

(6) It shall not be necessary to obtain the assent of the electors to any by-law for the issue of any debentures authorized to be issued by the Corporation under this Act, and such debentures shall not be included as part of the debt of the Corporation in estimating the limits of its borrowing powers.

Assent of  
electors to  
by-law not  
necessary.

Debentures  
not to be  
included in  
debt of  
Corporation.

11. The Commission with the consent of the Corporation expressed by by-law which may be passed without the assent of the electors may enter into an agreement with

Agreement  
for extensions.

the Corporation of any adjacent municipality for the extension of the railway into such adjacent municipality and the council of such adjacent municipality shall submit to the vote of the electors qualified to vote on money by-laws a by-law approving of the agreement and directing its execution and for borrowing the money by the issue of debentures to pay its share of the cost of such extension.

**12.** This Act shall come into force on the day upon which it receives the Royal Assent. Commence-  
ment of Act.

### SCHEDULE "A"

This Indenture made the       day of       in the year of our Lord, one thousand nine hundred and       ,  
Between:

The Hydro-Electric Power Commission of Ontario, herein-  
after called the "Commission," of the first part,  
and

The Corporation of the City of Toronto, hereinafter called  
the "Corporation," of the second part.

Whereas, the Commission has acquired for and on behalf of the Corporation the shares, securities and / or property and rights of the Toronto Suburban Railway Company and hereinafter called the "Railway" to be controlled, equipped, improved and operated under the terms of The Hydro-Electric Railway Act, 1914.

And whereas the Corporation has requested the Commission to equip, improve and operate and the Commission has agreed with the Corporation on behalf of the Corporation to equip, improve and operate the railway upon the terms and conditions and in the manner herein set forth; but upon the express condition that the Commission shall not in any way be liable for any financial or other obligation or loss whatsoever by virtue of this agreement or arising out of the performance of the terms thereof;

And whereas the Corporation has issued debentures for the amount set forth in clause 2(b) hereof, and has deposited the said debentures with the Commission;

Now, therefore, this debenture witnesseth:

1. In consideration of the premises and of the agreement of the Corporation herein contained, and subject to the provisions of the said Act and amendments thereto, the Commission agrees with the Corporation.

(a) To acquire, equip, improve and operate the railway on behalf of the corporation, subject to paragraph (a) of Clause 1 and to clauses 11 and 12 hereof, and it is hereby declared that it shall be lawful and the Commission is hereby authorized, as part of and incidental to the operation of the said railway;

(b) To issue bonds, as provided in clause 3 hereof, to cover the cost of acquiring the railway;

(c) To furnish as far as possible first-class modern and standard equipment for use on the railway, to operate this equipment so as to give the best service and accommodation possible, having regard to the district served, the type of construction and equipment adopted and all other equitable conditions, and to exercise all due skill and diligence so as to secure the most effective operation and service of the railway consistent with good management;

(d) To regulate and fix the fares and rates of toll to be collected by the railway for all classes of service;

(e) To utilize the routes and property of the railway for all purposes from which it is possible to obtain a profit;

(f) To combine the property and works of the railway and the power lines of the Commission where combination is feasible and may prove economical to both the railway and users of the power lines;

(g) To permit and obtain interchange of traffic with other railways wherever possible and profitable; provided, always, and it is hereby agreed, that the Commission will not operate any of the trams, cars or other rolling stock of the said railway on any highway within the limits of the City of Toronto without first obtaining the consent of the Corporation;

(h) To supply electrical power or energy for operation of the railway at rates consistent with those charged to municipal corporations;

(i) To apportion annually the capital costs and the operating expenses of all works, apparatus and plant used by the railway in common with the Commission's transmission lines, in a fair manner, having regard to the services furnished by the expenditure under consideration;

(j) To apply the revenue derived from operation of the railway and any other revenue derived from the undertaking to the payment of operating or working expenses, including the supply of electrical power or energy, and the cost of administration and annual charges for interest and sinking fund on the money invested, and such other deductions as are herein provided for;

(k) To set aside from any revenue thereafter remaining an annual sum for the renewal of any works belonging in whole or in part to the undertaking;

(l) To take active steps for the purpose of taking over, equipping and operating the railway at the earliest possible date after the execution of this agreement by the Corporation and the deposit of the debentures as called for under clause 2(b) hereof;

(m) To pay over annually to the Corporation, if deemed advisable by the Commission in the interests of the undertaking, any surplus that may remain after providing for the items above mentioned;

(n) To transfer to the Corporation those portions of the said railway within the limits of the Corporation upon the Corporation issuing and delivering to the Commission debentures to the amount of \$202,800. as provided by paragraph (f) of clause 2 hereof;

2. In consideration of the premises and of the agreements herein set forth the Corporation agrees with the Commission;

(a) To bear as hereinafter provided the cost of acquiring, equipping, operating, maintaining, repairing, renewing, improving and insuring the railway and its property and works as established by the Commission;

(b) To issue debentures to an amount of \$2,778,000. maturing in 50 years from January 1st, 1922, and bearing interest at a rate not exceeding 6 per centum per annum payable half-yearly at the office of the City Treasurer in the City of Toronto, Ontario, which shall be deposited with the Commission previous to the issuing of the bonds hereinafter mentioned;

(c) To make no agreement or arrangement with, and to grant no bonus, license or other inducement to any other railway or transportation company without the written consent of the Commission.

(d) To keep, observe and perform the covenants, provisos and conditions set forth in this agreement intended to be kept and observed and performed by the Corporation, and to execute such further or other documents, and to pass such by-laws as may be requested by the Commission for the purpose of fully effectuating the objects and intent of this agreement;

(e) To furnish a free right of way for the railway and for the power lines of the Commission over any property of the Corporation upon being requested by the Commission, and to execute such conveyance thereof or agreement with regard thereto as may be desired by the Commission;

(f) To issue debentures to the amount of \$202,800, maturing in 50 years from January 1st, 1922, and bearing interest at a rate not exceeding 6 per centum per annum payable half-yearly at the office of the City Treasurer in the City of Toronto, Ontario which shall be delivered to the Commission in payment for the transfer of those portions of the said railway within the limits of the Corporation as provided in paragraph (a) of clause 1 hereof;

3. It shall be lawful and the Commission is hereby authorized to create or cause to be created an issue of bonds to be charged upon and secured by the railway and its undertaking, and all the assets, rights, privileges, revenue, works, property and effects belonging thereto and to be for the amount of \$2,778,000. and the Commission may, upon obtaining the consent as herein defined of the Corporation, increase the said bond issue by any amount necessary to cover the capital cost of extensions, improvements and additional works or equipment of any kind for use of the railway; provided that the Commission may transfer to the Corporation those portions of the Railway within the limits of the Corporation and provided that with the approval of the Lieutenant-Governor in Council the Commission may dispose of any property not required for the purpose of the Railway and use or dispose of the whole or part of the proceeds thereof in expenditure on capital account or invest the whole or part thereof in securities of the Province of Ontario for the retirement of the said bonds at maturity.

4. In order to meet and pay such bonds and interest as the same become due and payable the Commission shall in each year after the expiration of ten years from the date of the issue of the bonds out of the revenue of the railway after payment of operating or working expenses, including the supply of electrical power or energy and the cost of administration and annual charge for interest, set aside annually such sums as may be necessary to provide a sinking fund, on the basis of not more than forty years for the payment of all the said bonds which shall be held for and applied towards the payment of such bonds or any renewal thereof at maturity, and the Commission shall have power from time to time to issue bonds for the purpose of providing for such additional money as may be necessary with the accumulated sinking fund on hand to repay the bonds so issued when the same respectively mature, provided that the sum so set aside for sinking fund shall be sufficient to provide for payment of all the bonds issued on account of the said railway within fifty years from the said 1st day of January, A. D., 1922.

5.—(a) Upon the execution of the said agreement the Corporation shall issue and deposit with the Commission the debentures included in paragraph 2 (b) hereof; and is further authorized to

and shall from time to time thereafter upon the requisition in writing of the Commission issue and deposit with the Commission further similar debentures for the same amount of any increase as provided in section 3 of the bond issue of the Commission to cover the capital cost of extensions or improvements of the railway.

(b) In the event of the revenue derived from the operation of the railway being insufficient in any year to meet the operating or working expenses, including electric power or energy and the cost of administration and the annual charges for interest and sinking funds on the bonds and for the renewal of any works belonging in whole or in part to the railway, such deficits shall be paid upon demand of the Commission by the Corporation. Any arrears of the Corporation shall bear interest at the rate of six per cent. per annum. If the Corporation shall make defaults in payment of such deficit the Commission shall thereupon subject as provided in paragraph (d) of this clause sell or otherwise dispose of so much of the debentures of the Corporation as shall be necessary to supply such deficiency at such rates of discount or premium and such terms and conditions as the Commission in its sole discretion shall deem to be in the interests of the railway, the proceeds of such debentures being used solely for the purposes herein contained.

(c) If the remaining debentures are insufficient in the opinion of the Commission to meet all payments required to be made by the Corporation under the said Act or the said Agreement, the Corporation is hereby authorized to and shall issue and deposit forthwith with the Commission similar debentures to an amount sufficient in the opinion of the Commission to make up the deficiency.

(d) All debentures from time to time issued and deposited with the Commission under this clause shall be held by the Commission as collateral security for the bonds issued by the Commission under clause 3 and for any payment required to be made by the Corporation under this agreement or the said Act, or the Commission may lodge the said debentures or any of them with and / or hypothecate the same to a Trust Company as trustee for the holders of bonds of the Commission, and for such purpose the Commission may enter into, execute and deliver any agreement, charge, trust indenture, or other document containing such powers, terms and conditions as the Commission in its sole discretion shall deem to be in the best interests of the railway anything contained herein or in any statute or agreement to the contrary notwithstanding.

6. In case the Commission shall at any time or times be prevented from operating the railway, or any part thereof, by strike, lockout, riot, fire, invasion, explosion, act of God, or the King's enemies, or any other cause reasonably beyond its control, then the Commission shall not be bound to operate the railway or such part thereof, during such time, but the Corporation shall not be relieved from any liability or payment under this agreement, and as soon as the cause of interruption is removed, the Commission shall, without any delay, continue full operation of the railway, and the Corporation shall be prompt and diligent in doing everything in its power to remove and overcome any such cause or causes of interruption.

7. It shall be lawful for and the Corporation hereby authorizes the Commission to unite the business of the Railway with that of any other railway system operated in whole or in part by the Commission, and to exchange equipment and operators from one system to the other, proper provisions being made so that each system shall pay its proportionate share of the cost of any equipment used in common.

8. If at any time the corporation of any adjacent municipality applies to the Commission for an extension of the railway into its municipality, the Commission shall notify the applicant and the Corporation in writing of a time and place to hear all representations that may be made as to the terms and conditions relating to such proposed extension. If, on the recommendation of the Commission, such extension shall be authorized, without discrimination to the applicant, as to the cost incurred or to be incurred for or by reason of any extension, the Commission may extend the railway upon such terms and conditions as may appear equitable to the Commission.

No such application for an extension of the railway into any municipality shall be granted if it is estimated by the Commission that the cost of service of the railway to the Corporation will thereby be increased or the revenue and accommodation be injuriously affected without the consent of the Corporation.

9. The consent of the Corporation required under this agreement shall mean the consent of the Council of such Corporation, such consent being in the form of a municipal by-law duly passed by the Council of the Corporation.

10. The railway and all the works, property and effects held and used in connection therewith, constructed, acquired, operated and maintained by the Commission under this Agreement and the said Act shall be vested in the Commission on behalf of the Corporation, subject to the terms of this Agreement, but the Commission shall be entitled to a lien upon the same, for all money expended by the Commission under this Agreement and not repaid.

11. If at any time one or more of the municipalities through which the railway now passes or serves or in which a part of the railway is situate applies to the Commission for admission as a party to this Agreement for the acquisition and operation of the railway for the extension thereof in or through the territory of such municipality upon such terms and conditions and subject to such contributions as if it had been a party to this Agreement at the date thereof for the acquisition and operation of the said railway, the Commission shall take such steps and permit such votes to be taken as are necessary under the provisions of the said Act to authorize such municipality or municipalities to enter into an agreement under the Act to acquire such an interest.

The Corporation shall thereafter upon the request of the Commission enter into a new agreement with the Commission and the applying municipality or municipalities in the form, so far as applicable, of this agreement and containing paragraphs 5, 10, 12 and 13 of the standard form of agreement set out in *The Hydro-Electric Railway Act, 1914*, and such other provisions as may be approved by the Lieutenant-Governor in Council, and this agreement shall be deemed to be modified accordingly, and shall remain in full force and effect, subject to such modifications.

12. This agreement shall continue and extend for a period of fifty years from the date thereof, and at the expiration thereof be subject to renewal, with the consent of the Corporation from time to time for like periods of fifty years. At the expiration of this Agreement the Commission shall determine and adjust the rights of the Corporation, having regard to the amount paid or assumed by the Corporation under the terms of this Agreement, and such other considerations as may appear equitable to the Commission, and are approved by the Lieutenant-Governor in Council.

In witness whereof the Commission and the Corporation have respectively affixed their corporate Seals under the hands of their proper officers.



3rd Session, 15th Legislature,  
12 George V, 1922.

BILL.

An Act to authorize the purchase and  
operation of the Toronto Suburban Rail-  
way Company by the Hydro-Electric  
Power Commission of Ontario on behalf  
of the City of Toronto.

1st Reading,	26th May, 1922.
2nd Reading,	1922.
3rd Reading,	1922.

MR. DRURY.

TORONTO:  
PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.



# BILL

## The Assessment Amendment Act, 1922

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**1.** Clause *e* of section 2 of *The Assessment Act* is repealed and the following substituted therefor; Rev. Stat.  
c. 195, s. 2,  
amended.

(*e*) "Income" shall mean the profit or gain or "Income"  
gratuity, wages, salary, bonus or commis-  
sion, or other fixed amount, or fees or  
emoluments, or profits from a trade or  
commercial or financial or other business  
or calling directly or indirectly received  
by a person from any office or employment,  
or from any profession or calling, or from  
any trade, manufacture or business, as the  
case may be; and shall include the interest,  
dividends or profits directly or indirectly  
received from money at interest upon any  
security or without security, or from  
stocks, or from any other investment, and  
also profit or gain from any other source.

**2.** Section 2 of *The Assessment Act* is amended by Rev. Stat.  
c. 195 s. 2  
amended. inserting after clause (*k*) the following clause (*ka*):—

(*ka*) "Person" shall include any partnership, "Person"  
any body corporate or politic and the heirs,  
executors, administrators or other legal  
representatives of a person to whom the con-  
text can apply according to law.

**3.** Paragraph 11 of section 5 of *The Assessment Act* Rev. Stat.  
c. 195, s. 5,  
par. 11,  
amended. is amended by adding thereto the following words:—

“or the income arising from any gift or bequest to any charitable institution conducted on philanthropic principles and not for the purpose of profit or gain or to a public hospital receiving aid under *The Hospitals and Charitable Institutions Act.*”

Rev. Stat.  
c. 300.

Rev. Stat.  
c. 195, s. 5,  
para. 20,  
amended.

4. Paragraph 20 of section 5 of *The Assessment Act* is amended by adding at the end thereof the words “or in the case of a widow or of any person over 60 years of age to the amount of \$2,000 where the income of such widow or of any person over 60 years of age from all sources does not exceed \$2,000.” so that the paragraph when so amended will read as follows;

Exemption  
of income.

20. The annual income derived from personal earnings or from any pension, gratuity, or retiring allowance in respect of personal services by any person assessable directly in respect of income under this Act to the amount of \$2,000, where such person is resident in a city or town, or to the amount of \$1,700, where such person is resident in any other municipality, if such person is a householder in the municipality and assessed as such, or being the head of a family, occupies with his family any portion of a dwelling house, although not assessed therefor, and the annual income derived from personal earnings or from any pension, gratuity or retiring allowance in respect of personal services of every person not being such householder or head of a family to the amount of \$1,000, where he is resident in a city or town, and to the amount of \$800, where he is resident in any other municipality, and the income of any person derived from any investment, or from money on deposit in any bank or other financial institution or loaned upon mortgages, promissory notes or other securities to the amount of \$800, where the income of such person from all sources does not exceed \$1,500, or in the case of a widow or of any person over 60 years of age to the amount of \$2,000 where the income of such widow or of any person over 60 years of age from all sources does not exceed \$2,000.

5. Paragraph 20a of section 5 of *The Assessment Act* as enacted by subsection 2 of section 1 of chapter 63 of 10-11 George V, is amended by striking out the words "for each child under 18 years of age" in the fourth and fifth lines and substituting therefor the words "for each child and also for any father or mother" so that the paragraph when amended will read as follows:—

20a. \$200 of the income derived from personal earnings or from any pension, gratuity or retiring allowance in respect of personal services of the householder or head of a family mentioned in paragraph 20 for each dependent child and also for any father or mother who is dependent upon such householder or head of a family for support.

6.—(1) The clause lettered (b) in subsection 1 of section 10 of *The Assessment Act* is amended by striking out the figures and words "75 per cent." in the second line of the said clause and inserting in lieu thereof the figures and words "25 per cent." and by striking out the figures and words "60 per cent." in the sixth line and inserting in lieu thereof the figures and words "25 per cent." so that the said clause will read,—

(b) Every person carrying on the business of a brewer for a sum equal to 25 per cent. of the assessed value of the land occupied or used by him for such business exclusive of any portion of such land occupied and used by him as a malting house and for a sum equal to 25 per cent. of the assessed value as to such last mentioned portion.

(2) Subsection 1 shall have effect as to any business assessment of a brewer made in the year 1922 and thereafter.

7. Clause (f) of subsection 1 of section 10 of *The Assessment Act* is amended by striking out the word "only" in the twelfth line.

8.—(1) Subsection 3 of section 10 of *The Assessment Act* is amended by adding at the beginning the words "Subject to the provisions of subsection 3a."

(2) Section 10 of *The Assessment Act* is amended by adding the following as subsection 3a:—

Retailing by  
manufacturer.

- (3a) Where a manufacturer also carries on the business of a retail merchant he shall be assessed as a retail merchant in respect of any premises or of any portion of any premises which are occupied and used by him solely and only for the purpose of such business.

Rev. Stat.  
c. 195 s.  
10, (8)  
amended.

9. Subsection 8 of section 10 of *The Assessment Act* is amended by striking out the words "Except as provided in clause (c) of subsection 1 of section 11, every person liable to assessment in respect of a business shall not be assessed in respect of income derived from such business nor shall the premiums or assessments of an insurance company be assessable" at the commencement thereof, and substituting the following:—

"The premiums or assessments of an insurance company shall not be assessable."

Rev. Stat.  
c. 195  
s. 11 (1)  
repealed.

10. Clause (c) of subsection 1 of section 11 of *The Assessment Act* is repealed and the following substituted therefor:—

- (c) Every person liable to business assessment under section 10 shall also be assessed in respect of the income derived by him from his business, profession or calling, to the extent to which such income exceeds the amount of such business assessment excepting incorporated companies and commissions, or trustees assessable under section 45a, but the income assessed against a partnership shall not be again assessed when the same has been distributed and received by the individual partner.

Rev. Stat.  
c. 195  
s. 11  
amended.

11. Section 11 of *The Assessment Act* is amended by adding thereto the following as subsection 3:—

Adjustment  
of taxes in  
following  
year.

- (3) Where any person has been assessed for income during the year 1922 but does not receive the whole or any part of such income during that year, or receives a larger amount than that for which he is assessed, he, or the assessor, or the Assessment Commissioner may apply to the Court of Revision in the following year for a

remission, reduction or adjustment of his taxes and the court shall have power to remit, reduce or adjust his taxes according to the facts proved on such application.

**12.** Subsection 2 of section 11 of *The Assessment Act* is repealed and the following substituted therefor:— Rev. Stat.  
c. 195  
s. 11 (2)  
repealed.

- (2) The income to be assessed shall be the amount of the income received during the year ending on the 31st of December then last past. Assessment of  
how fixed.

**13.** Section 13 of *The Assessment Act* is amended by adding thereto the following subsections:— Rev. Stat.  
c. 195  
s. 13,  
amended.

- (3) Notwithstanding anything contained in this section or any other section of this Act, every agent, administrator, trustee, executor or person who collects or receives or is in any way in possession or control of income for or on behalf of an estate and which income is not wholly distributed annually shall be assessed, in respect of the income not so distributed, on behalf of the estate in the municipality wherein the testator was domiciled at the time of his death. Undistributed  
income of  
estate.
- (4) Income which has been assessed against any agent, administrator, trustee, executor or other person on behalf of an estate under the foregoing subsection 3 shall not be again assessed, when received by the beneficiary or person entitled thereto. Assessment  
of beneficiary.

**14.** Subsection 1 of section 19 of *The Assessment Act*, except clause (a) is repealed and the following substituted therefor:— Rev. Stat.  
c. 195  
s. 19 (1)  
repealed.

- (1) Every corporation whose dividends are liable to taxation against the shareholders as income, which has received a notice from any assessor or assessment commissioner requiring it to do so, shall within thirty days thereafter deliver or mail to such assessor or assessment commissioner a statement, in writing, setting forth the names and addresses of all shareholders who are Returns by  
corporations  
as to share-  
holders.

resident in the municipality for which he is appointed or who ought to be assessed for their income therein, the amount of stock held by every shareholder, as of the 31st of December next preceding, and the amount of dividends and bonuses paid to each during the twelve months next preceding.

Rev. Stat.  
c. 195,  
s. 19 (2)  
repealed.

**15.** Subsection 2 of section 19 of *The Assessment Act* is repealed and the following substituted therefor:—

- (2) The notice shall be addressed to the corporation and delivered or mailed by registered post to the head office of the corporation in Ontario or to any branch or agency of such corporation in Ontario, or be left at the principal office or the office of the manager, cashier or other chief officer of the corporation, and the notice shall be deemed to have been received when it was so delivered, mailed or left.

Rev. Stat.  
c. 195,  
s. 19a,  
amended.

**16.** Section 19a of *The Assessment Act*, as enacted by 10-11 Geo. V, chapter 63, section 5, and amended by 11 Geo. V, chapter 67, section 5, is further amended by striking out the following words in the first and second lines:—

“having a population of not less than 100,000.”

Rev. Stat.  
c. 195,  
s. 19b,  
amended.

**17.** Section 19b of *The Assessment Act* as enacted by section 6 of chapter 67 of the Statutes of 1921, is amended by striking out all the words in the section after the word “income” in the twelfth line, and substituting therefor the words “paid during the year ending on the 31st day of December then last past.”

Rev. Stat.  
c. 195,  
s. 20 (1)  
amended.

**18.** Subsection 1 of section 20 of *The Assessment Act* is amended by striking out the word “four” in the second line and inserting in lieu thereof the word “six.”

Rev. Stat.  
c. 195,  
s. 20, (2)  
amended.

**19.** Subsection 2 of section 20 of *The Assessment Act* is amended by inserting the letter “b” after the figures “19” in the seventh line, and by striking out the words and figures “or 19” in the ninth line and inserting in lieu thereof the word and figures “to 19b.”

**20.** Subsection 1 of section 21 of *The Assessment Act* is amended by striking out the word "five" in the third line and inserting in lieu thereof the word "seven." Rev. Stat. c. 195, s. 21 (1), amended.

**21.** Section 33 of *The Assessment Act* is repealed and the following substituted therefor:— Rev. Stat. c. 195, s. 33, repealed.

33.—(1) The assessors or assistant assessors of every municipality shall enter in a book, Form 4, to be provided by the clerk of the municipality the name, age and residence of every child between the ages of 5 and 8 years, 8 and 14 years, 14 and 16 years, 16 and 18 years, resident in the municipality, the name and residence of such child's parent or guardian, with an indication as to whether such parent or guardian is a public or separate school supporter, and shall return said book to the clerk of the municipality with the assessment roll for the use of the school attendance officer and others. School census.

(2) In cities having a population of over 100,000 such book need not be returned with the assessment roll, but shall be returned to the clerk of the municipality not later than the first day of October in each year. In cities over 100,000.

**22.** Section 34 of *The Assessment Act* is repealed. Rev. Stat. c. 195, s. 34, repealed.

**23.** Subsection 2 of section 54 of *The Assessment Act* is repealed and the following substituted therefor:— Rev. Stat. c. 195 s. 54 (2) repealed.

(2) If at any time during the year in which an assessment has been made and taxes levied on that assessment in the same year or, if at any time during the year in which an assessment has been adopted under the provisions of sections 56 or 57, it appears to any assessor or any officer of the municipality that any income or business assessment has been omitted from such assess- Omission of income or business assessment.

ment roll either in whole or in part or that the amount thereof has been incorrectly stated, he shall forthwith report the same to the clerk of the municipality who shall forthwith enter the same on the assessment and collector's rolls for the current year and the party so assessed and taxed shall have the right of appeal as provided in section 118.

Rev. Stat.  
c. 195, s. 84,  
amended.

**24.** Section 84 of *The Assessment Act* is repealed and the following substituted therefor:—

Summarized  
statement of  
roll to be  
transmitted  
to county  
clerk.

84.—(1) When, after the appeal provided by this Act the assessment roll has been finally revised and corrected, the clerk of the municipality shall within ninety days transmit to the county clerk a summarized statement of the contents of the roll showing the total population of the municipality and the total assessment of each of the various classes of property liable to assessment, and when required to do so by the county judge or by resolution of the county council for the purpose of equalization or otherwise produce the original assessment roll of the municipality.

Penalty.

(2) For default in the performance of his duties under this section the clerk of the municipality shall incur a penalty of not less than \$10 and not more than \$20.

Rev. Stat.  
c. 195,  
s. 109, (11)  
amended.

**25.** Subsection 11 of section 109 of *The Assessment Act* as enacted by section 10 of the Act passed in the seventh year of the reign of His Majesty King George the fifth, chaptered 45, is repealed and the following substituted therefor:—

Notice of  
taxes where  
goods under  
seizure.

(11) Where personal property liable to seizure for taxes as hereinbefore provided is under seizure or attachment or has been seized by the sheriff or by a bailiff of any court or is claimed by or in possession of any assignee for the benefit



of creditors or liquidator or of any trustee or authorized trustee in bankruptcy or where such property has been converted into cash and is undistributed, it shall be sufficient for the tax collector to give to the sheriff, bailiff, assignee or liquidator or trustee or authorized trustee in bankruptcy, notice of the amount due for taxes, and in such case the sheriff, bailiff, assignee or liquidator or trustee or authorized trustee in bankruptcy shall pay the amount of the same to the collector in preference and priority to any other and all other fees, charges, liens or claims whatsoever.

**26.** Subsection 1 of section 115 of *The Assessment Act* is amended by inserting after the word "February" in the fifth line the words, "or in the case of the Township of Pelee Island, not later than the 1st of June."

Rev. Stat.  
c. 195,  
115 (1)  
amended.  
Date of re-  
turn of  
collectors' re-  
in Township  
of Pelee  
Island.

**27.** Subsection 1 of section 118 of *The Assessment Act* is repealed and the following substituted therefor:—

Rev. Stat.  
c. 195  
s. 118, (1)  
repealed.

- (1) The Court of Revision shall, at any time during the year for which an assessment has been adopted by the council or before the first day of July in the following year and with or without notice receive and decide upon the petition from any person assessed for a tenement which has remained vacant during more than three months in the year for which an assessment has been so adopted; or from any person who declares himself from sickness or extreme poverty unable to pay the taxes or who by reason of any gross or manifest error in the roll has been overcharged or who has been assessed in respect of land income or business assessment under section 54; or who has been assessed for business but has not carried on business for the whole year in which the assessment was made, and the Court of Revision may (subject to the provisions of any by-law in this behalf) remit or reduce the taxes of any such person or reject the petition; and the council may from time to time make such by-laws and repeal or amend the same.

Remission  
reduction of  
taxes by  
Court of  
Revision.

Rev. Stat.  
c. 195,  
s. 118, (2)  
amended.

**28.** Subsection 2 of section 118 of *The Assessment Act* is amended by inserting after the word "had" in the first line the words "to the county judge."

Rev. Stat.  
c. 195  
amended.

**29.** *The Assessment Act* is amended by adding the following section:—

Borrowing on  
security of  
land pur-  
chased by  
municipality  
at tax sales.

196a.—(1) The council of any municipality whose officers have power to sell lands for arrears of taxes, may from time to time with the assent of the ratepayers, by by-law authorize the Mayor or other head of the municipality to issue, under the corporate seal, upon the credit and security of the lands in the municipality purchased by such municipality at tax sales, debentures payable not later than 8 years after the date thereof, and for sums not less than \$100 each, so that the whole of the debentures at any time issued and unpaid do not exceed the amount paid by the municipality for such lands including the costs of sale together with the money standing to the credit of the special fund hereinafter provided.

Special fund.

(2) Such debentures shall be negotiated by the Mayor or other head of the municipality and treasurer and all money received in payment for lands upon the security of which such debentures are issued shall be set apart as a special fund out of which to pay the debentures and interest thereon.

Deficiency in  
special fund.

(3) If at any time there is not to the credit of such special fund sufficient money to redeem the debentures due and accrued interest, such debentures and interest shall be payable out of the general funds of the municipality, and the payment thereof may be enforced in the same manner as is by law provided in the case of other debentures.

Rev. Stat.  
c. 195,  
form 4,  
repealed.

**30.** Form 4 appended to *The Assessment Act* is repealed and the following substituted therefor:—

Census of all children between the ages of five and eighteen in the city, town, village or township (as the case may be) of

Assessor.

264.

No. 264.

3rd Session, 15th Legislature,  
12 George V, 1922.

BILL.

The Assessment Amendment Act, 1922.

1st Reading,	29th May, 1922.
2nd Reading,	1922.
3rd Reading,	1922.

MR. NIXON.

TORONTO:  
PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.

# BILL

## An Act to amend The Rural Hydro-Electric Distribution Act, 1921.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**1.** This Act may be cited as *The Rural Hydro-Electric Distribution Act, 1922*. Short title.

**2.** *The Rural Hydro-Electric Distribution Act, 1921* is 1921, c. 21. amended by adding the following as section 4a; amended.

**4a.** Where the corporation of a township or of an urban municipality supplies or distributes electrical power or energy within any such Rural Power District there may be paid to such corporation upon the recommendation of the Hydro-Electric Power Commission of Ontario, and the Order of the Lieutenant-Governor in Council a sum not exceeding fifty per cent. of the capital cost of constructing and erecting in the Rural Power District primary transmission lines and cables required for the delivery of power or energy in such Rural Power District. Payment of grant where municipality is distributor of power.

**3.** This Act shall come into force and take effect on the day upon which it receives the Royal Assent. Commencement of Act.

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3rd Session, 15th Legislature,  
12 George V, 1922.

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BILL

An Act to amend The Rural Hydro-  
Electric Distribution Act, 1921.

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1st Reading,	30th May, 1922.
2nd Reading,	1922.
3rd Reading,	1922.

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Mr. CARMICHAEL.

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TORONTO:

PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.

No. 266.

1922.

# BILL

An Act to amend The Loan and Trust Corporations Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario enacts as follows:—

**1.** Subsection 2 of section 139*b* of *The Loan and Trust Corporations Act*, as enacted by section 11 of *The Loan and Trust Corporations Act, 1921*, is hereby repealed. 1921, c. 61,  
s. 139*b*  
subs. 2,  
repealed

**2.** This Act shall come into force on the 1st day of July, 1922. Commence-  
ment of  
Act.

3rd Session, 15th Legislature,  
12 George V, 1922.

BILL

An Act to amend The Loan and Trust  
Corporations Act.

1st Reading,	30th May,	1922.
2nd Reading,		1922.
3rd Reading,		1922.

Mr. RANNEY.

TORONTO:

PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.



No. 267.

1922.

## BILL

An Act to amend The Venereal Diseases Prevention Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Venereal Diseases Prevention Act, 1922.* Short title.

2. Subsection 2 of section 13 of *The Venereal Diseases Prevention Act* is amended by inserting after the words 1918, c. 42, s. 13, (2), amended. “provide for” in the third line thereof the words “the payment of the expenses incurred in carrying out any regulations made under subsection 1 for the prevention, treatment or cure of venereal diseases, including.” so that the subsection will now read as follows:—

- (2) The Board, with the approval of the Lieutenant-Governor in Council may, out of any moneys appropriated by the Legislature for the purpose of the Board, provide for the payment of the expenses incurred in carrying out any regulations made under subsection 1 for the prevention, treatment or cure of venereal diseases, including the manufacture and free distribution to local boards and to medical practitioners and hospitals of any drug, medicine, appliance or instruments which the Board may deem useful or necessary for the alleviation, treatment or cure of venereal disease or the prevention of infection therefrom. Expenses of free distribution.

1918, c. 42,  
s. 14, (2),  
repealed.

**3.** Subsection 2 of section 14 of *The Venereal Diseases Prevention Act* is repealed and the following subsections are substituted therefor.

Secrecy as  
to name.

- (2) The name of any person suffering or suspected to be suffering from any venereal disease shall not appear on any account for services rendered in connection with the treatment therefor by any local board or medical officer of health or other officer or person, but the case may be designated by a number or otherwise and it shall be the duty of every board to see that secrecy is preserved so far as possible.

Penalty.

- (3) Every person contravening the provisions of subsection 2 shall be guilty of an offence and shall incur the penalties provided by sections 9 and 12.

Expenses.

- (4) Where it appears to the local board or to the medical officer of health that the person treated in respect of whom expense has been incurred is unable to pay such expense, the medical officer of health shall certify the fact to the Provincial Board, which shall thereupon make an order directing the payment of the account by the treasurer of the municipality and the same shall be payable accordingly.

Commence-  
ment of  
Act.

**4.** This Act shall come into force on the day upon which it receives the Royal Assent.



No. 267.

3rd Session, 15th Legislature,  
12 George V, 1922.

BILL.

An Act to amend The Venereal Diseases  
Prevention Act.

1st Reading,	31st May, 1922.
2nd Reading,	1922.
3rd Reading,	1922.

Mr. Rolio.

No. 268.

1922.

# BILL

## An Act to amend The Public Health Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario enacts as follows;—

**1.** This Act may be cited as *The Public Health Amendment Act, 1922*. Short title.

**2.** Section 35 of *The Public Health Act* is amended by adding thereto the following subsection:— Rev. Stat. c. 218, s. 35, amended.

(5) The council of a city, town, township or village or a local board of health may appoint one or more public health nurses, and one or more duly qualified physicians and engage such other services as may, in the opinion of the council or local board, be required for carrying out the provisions of this or any other Act or the regulations made thereunder for the prevention or treatment of disease. Appointment of nurses and physicians by council or local board.

**3.** This Act shall come into force and take effect on the day upon which it receives the Royal Assent. Commencement of Act.

3rd Session, 15th Legislature,  
12 George V, 1922.

BILL.

An Act to amend The Public Health  
Act.

1st Reading,	31st May, 1922.
2nd Reading,	1922.
3rd Reading,	1922.

Mr. ROLLO.

TORONTO:  
PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.

# BILL

## An Act to create the Territorial and Provisional Judicial District of Cochrane.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The District of Cochrane Act, 1922.* Short title.

2. The following parts of the Territorial Districts of Temiskaming, Algoma and Thunder Bay are hereby detached from the said Districts respectively and shall form a Territorial District to be known as the Territorial District of Cochrane:— District of Cochrane, formed of

*Firstly:—*

That part of the District of Temiskaming included within the following limits:— Part of Temiskaming and

Commencing at a point on the south shore of James Bay where the same is intersected by the Interprovincial Boundary Line between the Provinces of Ontario and Quebec; thence south along said district boundary to the southeast angle of the Township of Dokis; thence west along the south boundaries of the Townships of Dokis, Tannahill, Elliott, Thackeray, Barnet, Cook, Playfair, McCann, Egan, Sheraton, Thomas, Carman, Shaw, Deloro, Ogden, Bristol, Carscallen and Whitesides to the southwest angle of the last mentioned Township; thence north along the west boundary of the Township of Whitesides to the northwest angle thereof; thence west along the south boundaries of the Townships of Park, Strachan, Nova and Ossin to the southwest angle of the last mentioned Township; thence north along the west boundaries of the Townships of Ossin, Wadsworth, Lisgar, Seaton, Fenton and Staples to the northwest angle of the last mentioned Township; thence west along the

south boundary of the Township of Sulman to the southwest angle thereof; said point being also in the district line between the Districts of Temiskaming and Algoma; thence north along said district line and the west boundaries of the Townships of Sulman, Owens, Williamson and Nixon and continuing North astronomically along said district line to the middle thread of the Albany River or the northern boundary of the District of Temiskaming; thence northeasterly along the middle thread of the said river with the stream to James Bay and easterly, southeasterly, along the shore of said bay to the place of beginning.

*Secondly:—*

That part of the District of Algoma included within the following limits:—

Commencing at a point in the middle thread of the Albany River where it is intersected by the district line between the Districts of Algoma and Temiskaming; thence south astronomically along said district line to the northeast angle of the township of Burritt; thence continuing south along said district line and along the east boundaries of the Townships of Burritt, Neely, Idington, Cumming and Cargill to the southeast angle of the last mentioned Township; thence west along the south boundaries of the Townships of Cargill, Ecclestone, Fergus, Rykert and Caithness to the southwest angle of the last mentioned Township; thence north along the west boundaries of the Townships of Caithness and Orkney to the northwest angle of the last mentioned Township; thence west along the south Boundaries of Shetland, Lowther, Landry, Verdun and Langemark to the southwest angle of the last mentioned Township; thence north along the west boundaries of the Townships of Langemark and Storey to the northwest angle of the last mentioned Township; thence west along the south boundaries of the Townships of McMillan, McCoig, Kohler and Clavet to a point in the district line between the Districts of Algoma and Thunder Bay, said point being the southwest angle of the last mentioned Township; thence north along the west boundaries of the Townships of Clavet, Boyce and Bicknell to the northwest angle of the last mentioned Township and continuing north astronomically along said district line to the middle thread of the Albany River or the northern boundary of the District of Algoma; thence southeasterly, easterly and northeasterly along the middle thread of the said river with the stream to the point of commencement.

Part of  
Algoma  
and



*Thirdly;—*

That part of the District of Thunder Bay included within the following limits, that is to say:—

Part of  
Thunder  
Bay.

Commencing at a point in the middle thread of the Albany River where it is intersected by the district line between the Districts of Thunder Bay and Algoma; thence south astronomically along the said district line to the southeast angle of the Township of Henderson; thence west along the south boundaries of the Townships of Henderson, Selvin, Barlow, Goodwin, Chipman and Raynar to the southwest angle of the last mentioned Township; thence north along the west boundary of the Township of Raynar and continuing north astronomically to the middle thread of the Albany River or the northern boundary of the District of Thunder Bay; thence northeasterly, easterly and southeasterly following the middle thread of the Albany River to the point of commencement.

3. The territory comprised within the said Territorial District of Cochrane shall constitute a provisional judicial district by the name of the Provisional Judicial District of Cochrane.

District of  
Cochrane,  
of what  
territory  
comprised.

4. The Town of Cochrane shall be the district town of the Provisional Judicial District of Cochrane.

District  
town.

5. The sittings of the District Court and of the General Sessions of the Peace shall be held in each year at the district town on the first Tuesday in the month of June and the fourth Tuesday in the month of November.

Sittings of  
District  
Court.

6. The sittings of the High Court Division for trials without a jury shall be held twice a year at the said district town on such days as may be from time to time appointed therefor by the Judges of the Supreme Court.

High Court  
Division.

7. Subject to the provisions of this Act the statutes of Ontario relating to the administration of justice, the construction of courts and the officers thereof shall apply to the said Provisional Judicial District of Cochrane.

Application  
of certain  
Acts.

8. Until another appointment is made the person holding the office of Clerk of the Sixth Division Court of the Provisional Judicial District of Temiskaming at the time of the coming into force of this Act shall be Clerk of the District Court of the Provisional Judicial District of Cochrane.

Clerk of  
Sixth Division  
Court to  
act until  
clerk of  
District  
Court is  
appointed

Registry  
Division.

Rev. Stat.  
c. 124, sched.  
"A", Part I,  
amended.

**9.** The Provisional Judicial District of Cochrane shall constitute a separate registry division for the purposes of *The Registry Act* and Schedule "A" to the said Act is amended by adding at the end of Part I of the said Schedule "47b—Cochrane."

Appointments  
etc., may be  
made before  
Act comes  
into force.

**10.** Any appointment to be made under this Act or any other statute of Ontario, and any security to be given or oaths taken may be made, given or taken at any time after the passing hereof and shall have effect from the date to be named in the Proclamation of the Lieutenant-Governor in Council hereinafter provided for.

Local  
Masters of  
Titles at  
Port Arthur,  
Sault Ste.  
Marie and  
Haileybury  
to deliver  
all books  
to Local  
Master of  
Titles at  
Cochrane.

**11.**—(1) Upon the date named in the said Proclamation or as soon thereafter as practicable the Local Masters of Titles at Port Arthur, Sault Ste. Marie and Haileybury shall deliver to the Local Master of Titles at Cochrane the books which have been kept exclusively for any territory included in the District of Cochrane, and shall whenever so instructed by the Master of Titles, re-enter from the registers for the said Districts into separate registers, all subsisting entries of titles of lands and all mortgages on lands which are situate in the District of Cochrane.

Transfer of  
entries of  
cautions.

Rev. Stat.  
c. 126.

(2) Each of the Local Masters at Port Arthur, Sault Ste. Marie and Haileybury shall whenever instructed so to do, transfer to a separate book all subsisting entries of cautions lodged with the Master under section 81 of *The Land Titles Act* and amendments thereto which affect lands included in the District of Cochrane, and shall also enter into the proper books such entries in his procedure book and other books or registers as the Master of Titles may deem requisite for the proper conduct of the Land Titles Office at the Town of Cochrane and the said books shall likewise be delivered at the same time to the Local Master of Titles, at Cochrane.

Delivery of  
all original  
instruments.

(3) Each of the said Local Masters at Port Arthur, Sault Ste. Marie and Haileybury shall also deliver to the Local Master of Titles at Cochrane all original instruments filed or registered with them which relate exclusively to lands included within the District of Cochrane and are mentioned in the registers which are being transferred to Cochrane, and certify copies of all such instruments relating to lands in the District of Cochrane as well as lands in the remaining parts of the Districts of Thunder Bay, Algoma and Temiskaming.

(4) The Local Master of Titles at Cochrane may enter in the register all instruments so delivered to him which have not been entered in the register and may complete the entries which have not been completed in respect of any such instrument and may date such entries as they would have been dated if the entries had been made and completed by the Local Masters of Titles at Port Arthur, Sault Ste. Marie and Haileybury respectively, and may continue and complete all applications, proceedings and matters pending before the Local Masters of Titles at Port Arthur, Sault Ste. Marie and Haileybury respecting lands in the District of Cochrane.

Entries to be made by Local Master of Titles at Cochrane.

(5) The Local Masters of Titles at Port Arthur, Sault Ste. Marie and Haileybury shall also deliver to the Local Master of Titles at the Town of Cochrane certified copies of all writs and executions in force in their hands, and every such copy shall have written thereon a memorandum of the receipt thereof by the Local Master of Titles at Port Arthur, Sault Ste. Marie or Haileybury as the case may be.

Delivery of certified copies of writs and executions.

(6) Such copies shall have the same effect and shall be dealt with in the same manner as if they had been furnished by the Sheriff to the Local Master of Titles at Cochrane and shall at the time of their delivery as aforesaid have the same priority as at the time of their delivery as aforesaid they respectively held in the office at Port Arthur, Sault Ste. Marie or Haileybury as the case may be.

Effect of delivery-priority.

(7) Where the effect of the copy of a writ has been varied by a subsequent certificate of the Sheriff or by an order of the Court, the Local Masters of Titles at Port Arthur, Sault Ste. Marie and Haileybury shall also deliver as aforesaid a certified copy of such certificate or order to the Local Master of Titles at Cochrane.

Variance of writ to be certified to Local Masters of Titles.

(8) In case the Local Masters of Titles at Port Arthur, Sault Ste. Marie and Haileybury shall at any time ascertain that through oversight or otherwise any parcel of land within the District of Cochrane has been erroneously omitted from the register or registers prepared under subsection 3, he shall prepare a true copy of the subsisting register of any such parcel and shall append thereto a certificate stating that such copy is a true copy of the register of the land therein described and shall also state in such certificate whether or not there is in his office a copy of any execution which affects such land, and if there is any such execution shall give the particulars thereof and shall deliver the copies so prepared to the Local Master at Cochrane.

Correction of errors in registers.

Where title  
has been  
registered  
in wrong  
district.

(9) Where through an oversight the title of any land is registered in the wrong district the Local Master of Titles for the district in which such land is registered shall prepare a true copy of the subsisting register of such land and shall append thereto a certificate as in the next preceding subsection mentioned and shall deliver the same to the Local Master of Titles of the district in which the land is situate.

Varying  
certificates  
when lands  
in another  
district.

(10) Where a Local Master of Titles delivers a certified copy of the register of any parcel of land he shall, when the parcel in his register includes land in another district vary his certificate by stating that the said copy is a true copy of the register so far as the same relates to the land in such other district, naming it, and shall vary the copy accordingly.

Entry of  
transfer  
of lands  
to another  
district.

(11) The Local Master of Titles shall thereupon note in the register of the parcel that the land affected by his certificate has been transferred to the other district.

Registering  
owner of  
land subject  
to charges.

(12) The Local Master of Titles receiving a copy pursuant to the provisions of subsections 8, 9 and 10 shall thereupon register as owner of such parcel of land the person who by such copy appears to be the owner thereof subject to the various charges, cautions, inhibitions, qualifications and other incumbrances affecting the same and appearing in the said copy, and shall also enter as an incumbrance in the register of the parcel any execution affecting the land mentioned in such certificate delivered to him under the foregoing provisions of this section.

Regulations.

**12.** The Lieutenant-Governor in Council may make regulations:—

- (a) Providing for any matter consequent upon the establishment of the Provisional Judicial District of Cochrane and as to which no other statutory provision is made;
- (b) For the appointment of officers in the Provisional Judicial District of Cochrane required by statute to be appointed for a provisional judicial district;

- (c) Generally for the better carrying out of the provisions of this Act.

**13.** *The Temiskaming Courts Act, 1921*, is repealed. 1921, c. 39,  
repealed.

**14.** This Act shall come into force and take effect on a Commence-  
day to be named by the Lieutenant-Governor in Council by ment of Act.  
his Proclamation.

3rd Session, 15th Legislature,  
12 George V, 1922.

BILL

An Act to create the Territorial and  
Provisional Judicial District  
of Cochrane.

1st Reading,	2nd June, 1922.
2nd Reading,	1922.
3rd Reading,	1922.

MR. RANNEY.

# BILL

## An Act to further amend The Corporation Tax Act.

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**1.** This Act may be cited as *The Corporations Tax Act*, Short title. 1922, (2).

**2.** Where under any agreement or arrangement heretofore or hereafter entered into an incorporated company, association or club conducting a race meeting upon a race-course of such company, association or club has leased, assigned or otherwise disposed of or suffers or permits the enjoyment of the betting privileges or the operation of pari-mutuel machines upon or in connection with the race-course of such company, association or club to or by any person or company, such person or company shall deduct and pay over to the Treasurer of Ontario the tax imposed by subsection 16a of section 4 of *The Corporations Tax Act* as amended by *The Corporations Tax Act, 1920*, and further amended by section 3 of *The Corporations Tax Act, 1922*, passed at the present session of the Legislature, in the manner provided by the said *The Corporations Tax Act, 1922*, and by section 4 of *The Declaratory Act* passed at the present session of the Legislature, and subsection 17 of section 4 of *The Corporations Tax Act* as enacted by section 6 of *The Corporations Tax Act, 1920*, and amended by *The Corporations Tax Act, 1922*, shall apply to such person or company as well as to the incorporated company, association or club owning or operating or using the race-course.

Collection of tax through issuing tickets where betting rights assigned, etc.

Penalties.

**3.** In the event of the neglect, refusal or failure of any such person or company to deduct and pay over the said tax and to comply with the provisions of the said subsection 17 the incorporated company, association or club conducting the race meeting in respect of which such default occurs as well as such person or company shall incur the penalties provided by *The Corporations Tax Act* and the amendments thereto in the case of a contravention of section 4 of the said Act as so amended, by any such incorporated company, association or club, and the Provincial Police acting under the instructions of the Treasurer of Ontario may stop all racing upon the track of such incorporated company, association or club or the holding of any further race meeting by such incorporated company, association or club.

Act to be read  
with 1922 cc.

**4.** The foregoing provisions of this Act shall be read with and as part of *The Corporations Tax Act*, *The Corporations Tax Act, 1922*, and *The Declaratory Act, 1922*,

Tax on holders  
of winning  
tickets.

**5.—(1)** Every holder of a winning ticket issued under the pari-mutuel system upon a race run at any race meeting conducted by any incorporated company, association or club shall pay to His Majesty for the use of Ontario a tax of five cents upon each dollar or fraction of a dollar payable to him in respect of such ticket to be collected as herein provided.

Regulations  
for collection  
of tax by  
stamps, etc.

**(2)** The Lieutenant-Governor in Council may make regulations,—

- (a) For the collection of the tax imposed by subsection 1 by means of stamps to be affixed to every winning ticket, or by other means;
- (b) For the sale and distribution of such stamps by the incorporated company, association or club conducting the race meeting, or by any person being the custodian or depository of the funds out of which bets or wagers placed at such race meeting are to be paid, or by any other person;
- (c) For the cancellation of such stamps;
- (d) Generally for the better carrying into effect of the provisions of this Act.



(3) Every person who being liable for the payment of said tax neglects or refuses to pay the same, or to affix any stamps required by the regulations made under subsection 2, shall incur a penalty not exceeding \$200 to be recoverable under the provisions of *The Ontario Summary Convictions Act*. Penalty on holder in default.

(4) Every incorporated company, association or club and every person being the custodian or depository of moneys paid or wagered as aforesaid, and every employee of such incorporated company, association or club or of any such person who pays over any moneys to the holder of a winning ticket as aforesaid to which a stamp or stamps have not been affixed to the proper amount payable by the holder of such winning ticket, or in respect of which the tax imposed by subsection 1 of this section has not been paid, or who contravenes any regulation made under subsection 2 shall be guilty of an offence and shall incur a penalty not exceeding \$1,000 for every such offence recoverable under the provisions of *The Ontario Summary Convictions Act*, and where it appears to the Treasurer of Ontario that the tax imposed by subsection 1 is not being collected in the manner hereinbefore provided the Treasurer of Ontario may stop all racing upon the track of such incorporated company, association or club or the holding of any race meeting by such incorporated company, association or club. Penalty for failure to collect.

(5) This section shall come into force on a day to be named by the Lieutenant-Governor in Council by his Proclamation and upon such Proclamation being issued subsections 2, 3 and 4 of section 3 of *The Corporations Tax Act, 1922*, and section 4 of *The Declaratory Act, 1922*, shall be deemed to be repealed, and sections 2, 3 and 4 of this Act shall cease to have effect. Commencement of section.

**6.** This Act, except section 5 hereof shall come into force on the day upon which it receives the Royal Assent, and shall have effect as from the sixth day of June, 1922. Commencement of Act.

3rd Session, 15th Legislature,  
12 George V, 1922.

BILL

An Act to further amend The Corpora-  
tions Tax Act.

1st Reading,	6th June, 1922.
2nd Reading,	1922.
3rd Reading,	1922.

MR. RANNEY.

TORONTO:  
PRINTED BY CLARKSON W. JAMES,  
Printer to the King's Most Excellent Majesty.

# BILL

An Act for granting to His Majesty certain sums of money for the Public Service of the financial year ending on the 31st day of October, 1922, and for the Public Service of the financial year ending the 31st day of October, 1923.

MOST GRACIOUS SOVEREIGN:

**W**HEREAS it appears by message from His Honour Preamble.  
Henry Cockshutt, Esq., Lieutenant-Governor of the Province of Ontario, and the estimates accompanying the same, that the sums hereinafter mentioned in the schedules to this Act are required to defray certain expenses of the public service of this Province, not otherwise provided for, for the financial year ending the 31st day of October, 1922, and for the financial year ending the 31st day of October, 1923, and for other purposes connected with the public service; May it therefore please Your Majesty that it may be enacted, and it is hereby enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, as follows:

1. From and out of the Consolidated Revenue Fund of this Province, there may be paid and applied a sum not exceeding in the whole Twenty-three million, two hundred and forty-eight thousand, four hundred and eighty-nine dollars and fifteen cents towards defraying the several charges and expenses of the public service of this Province, not otherwise provided for, from the first day of November, 1921, to the thirty-first day of October, 1922, as set forth in Schedule "A" to this Act.

\$23,248,489.15  
granted  
for year  
ending 31st  
October, 1922.

\$30,135,-  
175.35  
granted  
for fiscal  
year 1922-23.

2. From and out of the Consolidated Revenue Fund of this Province, there may be paid and applied a sum not exceeding in the whole Thirty million, one hundred and thirty-five thousand, one hundred and seventy-five dollars and thirty-five cents towards defraying the several charges and expenses of the public service of this Province, not otherwise provided for, from the first day of November, 1922, to the thirty-first day of October, 1923, as set forth in Schedule "B" to this Act.

Accounts  
to be laid  
before  
Assembly.

3. Accounts in detail of all moneys received on account of this Province during the said financial year 1921-1922, and of all expenditures under Schedule "A" of this Act, shall be laid before the Legislative Assembly at its first sitting after the completion of the said period; and accounts in detail of all moneys received on account of this Province during the financial year 1922-1923 and of all expenditures under Schedule "B" of this Act shall be laid before the Legislative Assembly at the first sitting after the completion of the said financial year.

Appropriations  
for  
1921-1922  
unexpended  
to lapse.

4. Any part of the money under Schedule "A" appropriated by this Act out of the Consolidated Revenue, which may be unexpended on the thirty-first day of October, 1922, shall not be expended thereafter, except in the payment of accounts and expenses incurred on or prior to the said day; and all balances remaining unexpended after the said date or at such subsequent date as may be fixed by the Lieutenant-Governor in Council under the provisions of *The Audit Act* shall lapse and be written off.

Appropriations  
for  
1922-1923  
unexpended  
to lapse.

5. Any part of the money under Schedule "B" appropriated by this Act out of the Consolidated Revenue, which may be unexpended on the thirty-first day of October, 1923, shall not be expended thereafter, except in the payment of accounts and expenses incurred on or prior to the said day; and all balances remaining unexpended after the said date or after a date fixed by the Lieutenant-Governor in Council as mentioned in section 4 shall lapse and be written off.

Accounting  
for ex-  
penditure.

6. The due application of all moneys expended under this Act out of the Consolidated Revenue shall be accounted for to His Majesty.

Commence-  
ment of  
Act.

7. This Act shall come into force on the day upon which it receives the Royal Assent.

## SCHEDULE "A."

Sums granted to His Majesty by this Act for the financial year ending on the thirty-first day of October, one thousand nine hundred and twenty-two and the purposes for which they are granted:

## CIVIL GOVERNMENT.

To defray the expenses of the several Departments at Toronto:

Department of the Prime Minister and President of the Council . . . . .	\$1,000 00	
Attorney-General's Department	35,175 00	
Education Department . . . . .	1,200 00	
Lands and Forests Department	4,600 00	
Mines Department . . . . .	7,300 00	
Department of Labour . . . . .	27,500 00	
Department of Public Highways . . . . .	30,400 00	
Treasury Department . . . . .	25,975 00	
Audit Office . . . . .	8,225 00	
Provincial Secretary's Department . . . . .	18,325 00	
Department of Agriculture . . . . .	1,750 00	
Miscellaneous . . . . .	6,100 00	
	<hr/>	\$167,550 00

## LEGISLATION.

To defray expenses of Legislation . . . . . \$115,615 00

## ADMINISTRATION OF JUSTICE.

To defray expenses of Administration of Justice . . . . . \$444,186 19

## EDUCATION.

To defray expenses of:

Public and Separate Schools Education . . . . .	\$1,220,623 60
Normal and Model Schools, Toronto . . . . .	11,000 00
Normal and Model Schools, Ottawa . . . . .	10,275 00
Normal School, London . . . . .	4,400 00
Normal School, Hamilton . . . . .	1,200 00

Normal School, Stratford ...	1,500 00
Normal School, North Bay ..	12,000 00
English-French Professional Training Schools .....	28,305 00
High Schools and Collegiate Institutes .....	17,000 00
Departmental Library and Mu- seum .....	650 00
Public Libraries, Art Schools, Historical, Literary and Scientific Societies .....	15,200 00
Technical Education .....	119,850 30
Provincial and other Univer- sities .....	2,186,405 42
The Ontario School for the Deaf, Belleville .....	10,775 00
The Ontario School for the Blind, Brantford .....	2,505 00
Northern Academy, Monteith	17,852 00
Miscellaneous .....	12,433 00
	<hr/> \$3,671,974 32

## PUBLIC INSTITUTIONS.

To defray expenses of:

Ontario Hospital, Brockville .	\$80,850 00
Ontario Hospital, Cobourg ...	11,600 00
Ontario Hospital, Hamilton .	91,600 00
Ontario Hospital, Kingston .	78,200 00
Ontario Hospital, London ...	138,900 00
Ontario Hospital, Mimico ...	51,700 00
Ontario Hospital, Orillia ....	57,300 00
Ontario Hospital, Penetan- guishene .....	35,200 00
Ontario Hospital, Toronto ...	67,100 00
Ontario Hospital, Whitby ...	60,375 00
Ontario Hospital, Woodstock .	15,800 00
Ontario Reformatory, Guelph	162,700 00
Ontario Reformatory, Indus- tries .....	25,000 00
Ontario Brick and Tile Plant, Mimico .....	7,000 00
Andrew Mercer Reformatory for Females .....	11,500 00
Industrial Farm, Burwash ..	59,750 00
Industrial Farm, Fort William	7,850 00
Miscellaneous .....	12,433 32
	<hr/> \$974,858 32

## AGRICULTURE.

To defray expenses of a grant in aid of Agriculture . . . . .	\$238,296 00
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## HOSPITALS AND CHARITIES.

To defray expenses of a grant in aid of Hospitals and Charities . . . . .	\$270,257 40
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MAINTENANCE AND REPAIRS OF GOVERNMENT AND  
DEPARTMENTAL BUILDINGS.

To defray expenses of:

Parliament and Departmental Buildings . . . . .	11,030 55	
Osgoode Hall . . . . .	3,400 00	
Miscellaneous . . . . .	3,400 00	
	<hr/>	\$17,830 55

## PUBLIC BUILDINGS.

To defray expenses of:

Parliament and Departmental Buildings . . . . .	\$100,000 00
Osgoode Hall . . . . .	10,000 00
Public Institutions:	
Ontario Hospital, Brockville .	16,950 00
Ontario Hospital, Hamilton ..	450 00
Ontario Hospital, Kingston ..	15,600 00
Ontario Hospital, London ...	601 00
Ontario Hospital, Mimico ...	15,000 00
Ontario Hospital, Orillia ....	1,500 00
Ontario Hospital, Whitby ...	150,000 00
Industrial Farm, Burwash ...	40,000 00

Educational:

Normal and Model Schools, Toronto . . . . .	6,700 00
Normal and Model Schools, Ottawa . . . . .	580 00
Normal School, London ....	1,780 00
Normal School, Hamilton ....	500 00
Normal School, Peterborough.	600 00
Normal School, Stratford ....	650 00
Normal School, North Bay ..	1,750 00

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Training Schools .....	1,900 00
The Ontario School for the Deaf, Belleville .....	165,500 00
The Ontario School for the Blind, Brantford .....	4,850 00
Northern Academy, Monteith	81,000 00

Agriculture:

Ontario Agricultural College .	341,300 00
Ontario Experimental Farm, Ridgetown .....	12,000 00
Eastern Ontario Dairy School	25,000 00
Horticultural Experimental Station, Vineland .....	1,000 00

Districts:

Algoma . . . . .	28,150 00
Kenora . . . . .	1,200 00
Manitoulin . . . . .	2,500 00
Muskoka . . . . .	400 00
Nipissing . . . . .	1,850 00
Parry Sound . . . . .	10,700 00
Rainy River . . . . .	1,600 00
Sudbury . . . . .	36,550 00
Temiskaming . . . . .	29,850 00
Thunder Bay . . . . .	25,500 00
Miscellaneous . . . . .	63,642 00

Total Public Buildings .....\$1,197,153 00

PUBLIC WORKS.

To defray expenses of Public Works ..... \$733,538 00

DEPARTMENT OF LABOUR.

To defray expenses of Department of Labour \$1,043,022 00

COLONIZATION ROADS.

To defray expenses of Construction and  
Repairs . . . . . \$750,000 00

DEPARTMENT OF PUBLIC HIGHWAYS.

To defray expenses of Department of Public  
Highways . . . . . \$28,678 00



## GAME AND FISHERIES.

To defray expenses of Game and Fisheries \$86,600 00

## TREASURY DEPARTMENT—MISCELLANEOUS.

To defray expenses of Treasury Department,  
Miscellaneous . . . . . \$110,580 00

## PROVINCIAL SECRETARY'S DEPARTMENT—MISCELLANEOUS.

To defray expenses of Provincial Secretary's  
Department, Miscellaneous . . . . . \$108,452 13

## LANDS AND FORESTS.

To defray expenses on account of Lands and  
Forests . . . . . \$417,000 00

## MINES.

To defray expenses on account of Mines.. \$79,863 50

## REFUNDS.

To defray expenses on account of Refunds.. \$16,809 73

## MISCELLANEOUS EXPENDITURE.

To defray Miscellaneous Expenditure . . . . . \$43,836 00

## THE HYDRO-ELECTRIC POWER COMMISSION OF ONTARIO.

To defray expenses on account of the Hydro-  
Electric Power Commission of Ontario ..\$10,366,769 00

THE TEMISKAMING AND NORTHERN ONTARIO RAILWAY  
COMMISSION.

To defray expenses on account of the Temis-  
kaming and Northern Ontario Railway  
Commission . . . . . \$2,365,620 01

Total Estimates for Expenditure of 1921-  
1922 . . . . . \$23,248,489 15

## SCHEDULE "B."

Sums granted to His Majesty by this Act for the financial year ending on the thirty-first day of October, one thousand nine hundred and twenty-three, and the purposes for which they are granted:

## CIVIL GOVERNMENT.

To defray the expenses of the several Departments at Toronto:

Lieutenant-Governor's Office .	\$5,450 00
Department of the Prime Minister and President of the Council . . . . .	33,250 00
Attorney-General's Department	189,450 00
Education Department . . . . .	78,075 00
Lands and Forests Department	222,400 00
Mines Department . . . . .	128,600 00
Public Works Department . . .	80,250 00
Department of Labour . . . . .	361,800 00
Department of Public Highways . . . . .	247,425 00
Game and Fisheries Department . . . . .	43,175 00
Treasury Department . . . . .	125,200 00
Audit Office . . . . .	53,225 00
Provincial Secretary's Department . . . . .	255,575 00
Department of Agriculture . . .	119,100 00
Miscellaneous . . . . .	31,275 00
	<hr/> \$1,974,250 00

## LEGISLATION.

To defray the expenses of Legislation . . . . . \$330,610 00

## ADMINISTRATION OF JUSTICE.

To defray expenses of Administration of Justice . . . . . \$1,770,315 00

## EDUCATION.

To defray expenses of:

Public and Separate Schools, Education . . . . .	\$4,016,555 00
Normal and Model Schools, Toronto . . . . .	127,095 00
Normal and Model Schools, Ottawa . . . . .	91,660 00
Normal School, London . . . .	45,140 00
Normal School, Hamilton . . .	38,570 00
Normal School, Peterborough . .	38,250 00
Normal School, Stratford . . .	38,500 00
Normal School, North Bay . .	68,950 00
English-French Professional Training Schools . . . . .	87,020 00
High Schools and Collegiate Institutes . . . . .	228,000 00
Departmental Museum . . . .	11,500 00
Public Libraries, Art Schools, Historical, Literary and Scientific Societies . . . . .	133,950 00
Technical Education . . . . .	877,775 00
Superannuated Public and High School Teachers . . . .	60,150 00
Provincial and other Univer- sities . . . . .	439,605 00
The Ontario School for the Deaf, Belleville . . . . .	143,153 00
The Ontario School for the Blind, Brantford . . . . .	98,139 00
Northern Academy, Monteith . .	68,020 00
Miscellaneous . . . . .	40,200 00
	<hr/> \$6,652,232 00

## PUBLIC INSTITUTIONS.

To defray expenses of:

Ontario Hospital, Brockville.	\$295,272 00
Ontario Hospital, Cobourg . . .	127,600 00
Ontario Hospital, Hamilton . .	362,865 00
Ontario Hospital, Kingston . .	238,505 00
Ontario Hospital, London . . .	401,787 00
Ontario Hospital, Mimico . . .	239,180 00
Ontario Hospital, Orillia . . .	251,227 00
Ontario Hospital, Penetan- guishene . . . . .	124,340 00

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Ontario Hospital, Toronto . . .	252,467 00
Ontario Hospital, Whitby . . .	403,969 00
Ontario Hospital, Woodstock .	85,106 00
Ontario Reformatory . . . . .	278,750 00
Ontario Reformatory Indus- tries . . . . .	195,400 00
Mercer Reformatory, Toronto.	68,750 00
Mercer Reformatory, Indus- tries . . . . .	10,000 00
Industrial Farm, Burwash . . .	230,000 00
Industrial Farm, Fort William	28,820 00
Miscellaneous . . . . .	63,500 00
	<hr/> \$3,657,538 00

AGRICULTURE.

To defray expenses of a grant in aid of Agriculture . . . . .	\$1,529,340 00
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COLONIZATION AND IMMIGRATION.

To defray expenses of Colonization and Im- migration . . . . .	\$143,100 00
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HOSPITALS AND CHARITIES.

To defray expenses of a grant in aid of Hospitals and Charities . . . . .	\$1,212,450 00
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MAINTENANCE AND REPAIRS OF GOVERNMENT AND  
DEPARTMENTAL BUILDINGS.

To defray expenses of:

Government House . . . . .	\$26,800 00
Parliament and Departmental Buildings . . . . .	357,511 35
Osgoode Hall . . . . .	51,975 00
Miscellaneous . . . . .	65,000 00
	<hr/> \$501,286 35

PUBLIC BUILDINGS.

To defray expenses of:

Parliament and Departmental Buildings . . . . .	\$100,000 00
Osgoode Hall . . . . .	7,000 00

Public Institutions . . . . .	237,000 00	
Educational . . . . .	190,250 00	
Agriculture . . . . .	5,000 00	
Districts . . . . .	38,200 00	
Miscellaneous . . . . .	181,000 00	
	<hr/>	\$758,450 00

## PUBLIC WORKS.

To defray expenses of Public Works . . . . . \$161,500 00

## DEPARTMENT OF LABOUR.

To defray expenses of Department of Labour \$2,075,515 00

## COLONIZATION ROADS.

To defray expenses of Construction and Repairs . . . . . \$107,300 00

## DEPARTMENT OF PUBLIC HIGHWAYS.

To defray expenses of Department of Public Highways . . . . . \$181,120 00

## GAME AND FISHERIES.

To defray expenses of Game and Fisheries . . \$246,600 00

## ATTORNEY-GENERAL'S DEPARTMENT, MISCELLANEOUS.

To defray expenses of Attorney-General's Department, Miscellaneous . . . . . \$50,500 00

## TREASURY DEPARTMENT, MISCELLANEOUS.

To defray expenses of Treasury Department, Miscellaneous . . . . . \$424,619 00

## PROVINCIAL SECRETARY'S DEPARTMENT, MISCELLANEOUS.

To defray expenses of Provincial's Secretary's Department, Miscellaneous . . . . . \$7,450 00

## LANDS AND FORESTS.

To defray expenses on account of Crown Lands . . . . . \$1,619,550 00

## DEPARTMENT OF MINES.

To defray expenses of Department of Mines \$143,950 00

## REFUNDS.

To defray expenses of:

Education . . . . .	\$1,500 00	
Lands and Forests . . . . .	25,000 00	
Mines . . . . .	2,500 00	
Game and Fisheries . . . . .	15,000 00	
Succession Duty . . . . .	45,000 00	
Miscellaneous . . . . .	37,000 00	
	<hr/>	\$126,000 00

## MISCELLANEOUS EXPENDITURE.

To defray Miscellaneous Expenditure . . . . . \$82,500 00

## THE HYDRO-ELECTRIC POWER COMMISSION OF ONTARIO.

To defray expenses on account of the Hydro-  
Electric Power Commission of Ontario..\$6,379,000 00

Total Estimates for Expenditure of 1922-  
23 . . . . .30,135,175 35









3rd Session, 15th Legislature,  
12 George V, 1922.

BILL.

An Act for granting to His Majesty certain sums of money for the Public Service of the financial year ending on the 31st day of October, 1922, and for the Public Service of the financial year ending the 31st day of October, 1923.

1st Reading,	8th June, 1922.
2nd Reading,	8th June, 1922.
3rd Reading,	8th June, 1922.

MR. SMITH.







