
YUKON

LOCAL

ORDINANCES

1898-1901



CANADA

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.....YUKON LOCAL ORDINANCES.

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Amendments.

YUKON LOCAL ORDINANCE

No. 1 of 1898.

An Ordinance Respecting the Profession of Medicine and Surgery.

(Assented to September 24th, 1898.)

WHEREAS, it is desirable to regulate the practice of Medicine and Surgery in the Territory of the Yukon;

Therefore, the Commissioner of the said Yukon Territory with the advice and consent of the Council of the said Territory, enacts as follows:—

1st. This ordinance may be cited as "The Yukon Medical Ordinance, 1898."

2nd. The members of the Medical Profession shall be a body corporate under the name of "The College of Physicians and Surgeons of the Yukon Territory," and shall have perpetual succession as hereinafter provided, and a common seal with power to acquire, hold and dispose of chattle property and real estate, for the purposes of this Ordinance, and to sue and be sued.

3rd. Every person hereinafter registered under the provisions of this Ordinance shall be a member of the College.

4th. All persons duly licensed to practice at present as physicians and surgeons in the Yukon Territory and these latter will form the present college.

5th. There shall be a Council of the said College of Physicians and Surgeons of the Yukon Territory to be appointed in the manner hereinafter provided for in this Ordinance and hereinafter referred to as "The Council."

6th. The persons entitled to vote at elections of members of the Council, shall be, as at the first election, the persons who, at the time of the passing of this Ordinance, are duly and legally licensed to practice as physicians and surgeons in the said Yukon Territory, and as to subsequent elections, the persons entitled to vote at elections for members of the Council shall be registered as medical practitioners in pursuance of this Ordinance.

7th. No person shall be eligible to be elected a member of the Council at any election of the said Council, unless he be a member in good standing of the College aforesaid.

8th. The number of persons in good standing to be elected as members of said Council shall be five, and the mode of election shall be by voting papers as hereinafter mentioned.

9th. The charge and conduct of the first election shall be under the management of the clerk of the Executive Council of the Yukon Territory for the time being, and of subsequent elections under the management of the Registrar of the Council.

10th. The first election shall take place on the 5th day of October, 1898, at Dawson, and subsequent elections shall be held at such time and place as may be determined on by the Council.

11. Every person entitled to vote may vote for five persons.

3/98

2/99

8/99

13/1900.

12th. Such votes shall be given by closed voting papers, to be mailed to each registered practitioner by clerk or registrar as the case may be, at least days prior to the day of the election, in the form of Schedule 1 of this Ordinance, or to the like effect signed by the voter and delivered as in the first election of the clerk of the Executive Council of the Yukon Territory on any day of the days preceding the day of election, and as to subsequent elections, to the Registrar of such Council on any day of the days preceding the day of election. Any voting papers delivered to the clerk of the Executive Council or Registrar, as the case may be, during the respective times aforesaid, shall be deemed delivered to him.

13th. The said clerk of the Executive Council of the Yukon Territory shall on the following day of the first election, at the hour of twelve o'clock noon, at his office, at the Government buildings, and in the presence of three duly and legally licensed physicians as choose to attend by him, scrutinize and count the votes and keep a record thereof.

14th. In respect of every subsequent election, the members for the time being of the Council of the College of Physicians and Surgeons shall appoint two persons who shall, together with the Registrar of the Council, act as scrutineers at the election. On the day succeeding the day of the election, the voting papers shall be opened by the Registrar in the presence of the scrutineers, who shall scrutinize and count the votes and keep a record thereof in a proper book, to be provided for by said Council.

15th. The five persons who have the highest number of votes at the first election, shall hold office for one year; and those elected at all subsequent elections shall be the members of the Council for the two years following the date of such election and until their successors are appointed.

16th. Any persons entitled to vote at any election shall be entitled to be present at the opening of the voting papers at such election.

17th. In case of an equality of votes between two or more persons, which leaves the election of one or more of the members of the Council undecided, then, as to the first election, the clerk of the Executive Council of the Yukon Territory, and as to subsequent elections the scrutineers shall forthwith put into a ballot box a number of papers with the names of the candidates having such equality of votes written thereon, one for each candidate, and the clerk of the Executive Council of the said territory as to the first election, and the Registrar of the Council in the presence of the scrutineers, as to subsequent elections, shall draw by chance from such ballot one or more of such ballot papers, sufficient to make up the required number, and the persons whose names are upon such papers so drawn, shall be such members.

18th. No person shall be entitled to vote at any election other than the first unless his fees to the Council have been paid. No person shall be eligible for election unless qualified to vote at such election, and any votes cast for any person who is ineligible to be elected a member, shall be null and void, and the election shall be declared as if such votes had not been cast.

19th. In the event of any person placing more than five names on his voting paper, the first five that are eligible shall be counted.

20th. The clerk of the said Executive Council as to the first election, shall immediately, and the Registrar of the Council as to subsequent elections, shall one month prior to the day on which the election is held, make out an alphabetical list or register of the medical practitioners who are entitled to vote at the election thereabout to be held, and such register may then be examined at all reasonable times. In case any medical practitioner entitled to vote complains to the clerk of the Executive Council or the Registrar of the Council, as the case may be, in writing, of the improper

omission or insertion of any name in said list, it shall be the duty of said clerk or registrar, forthwith to examine into the complaint, and rectify such error if any there be; and in case any person is dissatisfied with the decision of the said clerk or registrar, he may appeal to a judge of the Supreme Court in a summary way, and the decision of such judge shall be final, and such list shall remain or be altered in accordance with such decision.

21st. The list or register so made out shall be held to be the register of persons entitled to vote.

22nd. The members of the Council may, as to elections, make such regulations as they consider expedient, not contrary to the provisions of this Ordinance, for regulating the procedure under this Ordinance.

23rd. The voting papers belonging to any election shall not be destroyed until after all petitions, in respect to such elections have been decided, but the same, together with all other papers in connection with the election, shall be returned by the clerk of the executive Council or Registrar, as the case may be.

24th. No petition against the return of any member shall be entertained unless such petition be filed, as to the first election, with the clerk of the Executive Council, and as to subsequent elections with the Registrar of the Council, within thirty days after the election, and shall contain a statement of the grounds on which such election is disputed, and unless a copy of such petition is served upon the member whose election is disputed within thirty days of the date of the election.

25th. In case of any doubt or dispute as to the legality of the election of any member of the Council, it shall be lawful for the Council to hold an inquiry, and decide who is the legally elected member of the Council; and the person whom they decide to have been elected shall be, and be deemed to be the member legally elected; and if the election is found to be illegal, the Council shall have power to order a new election.

26th. The Council shall annually appoint a President, Vice-President, Registrar, and such other officers as may from time to time be necessary for the working of this Ordinance, who shall hold office during the pleasure of the Council; and the said Council shall have power to fix by by-laws, or from time to time, the salaries or fees to be paid to such officers, and to a Board of Examiners hereinafter appointed.

27th. The Council shall appoint annually from among its members an "Executive Committee" to take cognizance of, and action upon, all such matters as may be delegated to it by the Council, or as may require immediate interference or attention between the adjournment of the Council and its next meeting; and all such elections shall be valid only till the next meeting of the Council; but the Committee shall have no power to alter, repeal or suspend any by-law of the Council.

28th. In the case of the failure in any instance to elect the requisite number of duly qualified members of the Council, or in case of any vacancy caused by the death or resignation of any member of the Council, or by any other cause, then it shall be the duty of the remaining members to supply the deficiency by appointing to such vacant place or places, as the same may occur, any person or persons duly qualified, according to the provisions of this Ordinance to be elected as a member or members of the Council.

29th. The first meeting of the Council shall be held at Dawson at such time as may be decided upon by the clerk of the Executive Council aforesaid.

- (1.) The Council may make such rules and regulations at its first meeting as to the times and places of the future meetings of the Council, and the mode of announcing the same, as to the Council seems expedient, which rules and regulations shall remain in force until altered at any subsequent meeting; and in the absence of any rule or regulation as to the summoning meetings of the Council, it shall be lawful for the president thereof, or in the event of his absence or death, for the Registrar to summon the same at such time and place as to him seems fit, by circular letter to be mailed to each member.
- (2.) In the event of the absence of the President from any meeting, the Vice-President, or in his absence, some other member to be chosen from among the members present, shall act as President.
- (3.) All acts of the Council shall be decided by the majority of the members present, not being less than three in number.
- (4.) At all meetings the President for the time being shall have a casting vote, but shall not have a deliberate vote.

30th. Every person who is now duly and legally licensed to practice shall be entitled to be registered under this Ordinance, without payment of any fee whatever.

31st. The Council shall cause to be kept by an officer appointed by them, and to be called the Registrar, a book or register, in which shall be entered the name of every person registered according to the provisions of this Ordinance, and from time to time the names of all persons who have complied with the enactments hereinafter contained, and with the rules and regulations made, or to be made, by the Council respecting the qualifications to be required from practitioners of medicine, surgery or midwifery in the territory, and those persons only whose names are inscribed in the book or register above mentioned shall be deemed to be qualified and licensed to practice medicine, surgery or midwifery in the said Yukon Territory, and such book or register shall at all times be open and subject to inspection of any person.

32nd. It shall be the duty of the Registrar to keep his register correct in accordance with the provisions of this Ordinance, and the rules, orders and regulations of the Council, and he shall from time to time make the necessary alterations in the addresses or qualifications of the person registered under this Ordinance, and the said Registrar shall perform such other duties as may be imposed upon him by the Council.

33rd. The Council shall admit upon the register:

(a) Any person who at the time of his application shall furnish proof that his name is on the register in Great Britain and Ireland.

#8/1899. (b) ~~The Council shall admit upon the register any member of the College of Physicians and Surgeons of Manitoba, Ontario and Quebec, and of the North West Territories, upon producing satisfactory evidence of the same and of identification.~~

(c) The Council shall admit upon the register any person who shall produce from any recognized college or school of medicine and surgery a certificate or certificates that he has taken a four year course of study, or a diploma of qualifications from such recognized college or school; provided also that the applicant shall furnish to the said Council satisfactory evidence of identification and pass before the members thereof, or such examiners as may be appointed for the purpose, a satisfactory examination touching his fitness and capacity to practice as a physician and surgeon, and provided that every applicant for such examination shall pay to the Registrar of the College of Physicians and Surgeons the sum of one hundred dollars towards defraying the expenses of the examining board.

(d) Vide Ord. #3-1898.

34th. Each member shall pay to the Registrar or to any person deputed by the Registrar to receive it, such annual fee as may be determined by by-law of the Council, not being less than ~~twenty~~ ²⁰ dollars and not more than ~~fifty~~ ⁵⁰, towards the general expenses of the College, which last mentioned fee shall be deemed to be a debt owed by each member of the College, and shall be recoverable with the costs of suit in the name of the College of Physicians and Surgeons of the Yukon Territory, in the district court in which the member resides.

#23/1900

35th. The members of the Council shall, from time to time, as occasion may require, make orders, regulations or by-laws for regulating the register to be kept under this Ordinance, and shall, from time to time, make rules and regulations for the guidance of the examiners, and may prescribe the subjects and modes of examinations, not contrary to the provisions of this Ordinance, as they may deem expedient and necessary.

36th. If any registered medical practitioner shall be convicted of any felony or misdemeanor, or shall after one inquiry be judged by the Council to have been guilty of infamous conduct in any professional respect, such Council may, if it sees fit, direct the Registrar to erase the name of such practitioner from the register, and the name of such person shall be erased from the register by the Registrar.

37th. Every person registered and duly licensed under the provisions of this Ordinance, shall be entitled to practice Medicine and Surgery, including Midwifery, or any one of them, as the case may be, in the Territory, and to demand and recover in any court in said Territory, with full cost of suit, reasonable charges for professional aid, advice and visits, and the cost of any medicine or surgical appliance rendered or supplied by him to his patients.

38th. No duly registered member of the College of Physicians and Surgeons of the Yukon Territory shall be liable to any action for negligence and malpractice, by reason of professional services requested or rendered, unless such action be commenced within one year from the date when in the matter complained of such professional services terminated.

39th. The Registrar of the Council shall, from time to time, under direction of the Council, cause to be printed and published a correct register of the names, in alphabetical order, according to the surnames, with their respective residences, in the form set forth in Schedule II of this Ordinance, or to the like effect, together with the medical titles, diplomas and qualifications, conferred by any college or body, of all persons appearing on the register, as existing on the day of publication, and such register shall be called "The Yukon Territory Medical Register," and a copy of the register for the time being, properly attested by the Registrar or President shall be *prima facie* evidence in all courts and before all justices of the peace, and all others, that the persons therein specified are registered according to the provisions of this Ordinance and subject to the provisions of subsection 1 of this section. The absence of the name of any person from such copy shall be *prima facie* evidence that such person is not registered according to the provisions of this Ordinance. (1.) In the case of any person whose name does not appear in such copy, a certified copy under the hand of the Registrar of the Council, of the entry of the name of such person on the register shall be evidence that such person is registered under this Ordinance.

OFFENCES AND PENALTIES.

40th. Any person entitled to be registered under this Ordinance, but neglects, or omits to be so registered, shall not be entitled to any of the rights or privileges conferred by the registration under the provisions of this Ordinance, so long as such neglect or omission continues, and he shall be liable to all the penalties imposed by this Ordinance or any other Ordinance in force against unqualified or unregistered practioners.

41st. It shall not be lawful for any person not registered to practice medicine or surgery or midwifery for hire or hope of reward; and if any person, not registered pursuant to this Ordinance for hire, gain or hope of reward practices or professes to practice medicine, surgery or midwifery, he shall upon a summary conviction thereof before any Justice of the Peace, for any and every such offence pay a penalty not exceeding ~~two~~ hundred dollars.

#2/1899.

42nd. Any person who wilfully or falsely, pretends to be a physician, doctor of medicine, surgeon or general practitioner, or assumes any titles, additions or description other than he possesses actually and is legally entitled to under this Ordinance, shall be liable, on conviction thereof, before a Justice of the Peace, to a penalty not exceeding one hundred dollars, nor less than fifty dollars.

43rd. Any person not registered pursuant to this Ordinance who takes or uses any name, title, addition or description, implying or calculating to lead people to infer that he is registered under this Ordinance or that he is recognized by law as a physician, surgeon or licentiate in medicine, surgery or midwifery, shall be liable upon a summary conviction thereof before any Justice of the Peace to pay any penalty not exceeding one hundred dollars nor less than twenty-five dollars.

44th. No person shall be entitled to recover any charge in any court of law for any medical or surgical advice, or for attendance, or for the performance of any operation, or for any medicine, which he may have prescribed, unless he is registered under this Ordinance.

amended by
#8/1899.

45. No person shall be appointed as medical officer, physician or surgeon in any branch of the public service of the Yukon Territory or in any hospital or other charitable institution, unless he is registered under the provisions of this Ordinance.

46th. No certificate required by any Ordinance in force, or that may hereafter be passed, from any physician or surgeon or medical practitioner, shall be valid, unless the person signing the same is registered under this Ordinance.

47th. Any prosecutions under this Ordinance may be brought or heard before any one or more of Her Majesty's justices of the peace, having jurisdiction where any such offence has been committed; and such justice or justices may award payment of costs in addition to the penalty; and in case the penalty and costs awarded by him, or them, are not upon conviction forthwith paid may commit the offender to the common gaol, there to be imprisoned for any term not exceeding one month, unless the penalty or costs are sooner paid.

amended by
#8/99.

48th. In any prosecution under this Ordinance, the burden of proof as to registration shall be upon the person charged.

49th. In all cases where proof of registration under this Ordinance referred to, be made, the production of a printed or other copy of the register certified under the hand of the Registrar of the Council for the time being shall be sufficient evidence of all persons, in lieu of the production of the original register; and any certificate on such printed or other copy of the register, signed by any person in his capacity of Registrar of the Council under this Ordinance shall be *prima facie* evidence that such person is such registrar, without any proof of his signature, or of his being, in fact, such registrar.

50th. Every prosecution under this Ordinance shall be commenced within six months from the date of the alleged offence.

51st. The Council by an order signed by the President, having the seal of the Council appended thereto, may stay proceedings in any prosecutions under this Ordinance where it is deemed expedient.

52nd. Any person may be prosecutor or complainant under this Ordinance.

53rd. All fines and penalties imposed under any of the provisions of this Ordinance, and all moneys to be received and levied thereunder, shall after the receipt thereof by the person authorized to receive the same, be forthwith paid by such person to the treasurer for the use of the College.

54th. The words "legally qualified medical practitioner" or other words implying legal recognition of any person as a medical practitioner, when used in any Ordinance or law applied to this territory shall be construed to mean a person registered under this Ordinance.

55th. The fee for registration under any clause of this Ordinance is one hundred dollars.

56th. The Council may by by-law delegate to the Registrar power to admit and to register any person having the necessary qualifications entitling him to be registered by said Council. The Council may at any time direct the name of any person improperly registered to be erased from the register and such name shall be erased by the Registrar.

57th. The members of the Council may from time to time, make, alter or amend and repeal rules and regulations for the well-being and discipline of the Council, the conduct of its affairs and the promotion of medical and surgical knowledge and the disposition of the funds of the Council, provided such rules and regulations are not repugnant to the provisions of this Ordinance.

58th. Homeopathic physicians may be registered under this Ordinance on complying with the terms mentioned in Sec. 34.

59th. The Council shall make a return to the Commissioner of the Yukon Territory in Council showing all orders, regulations, by-laws or other transactions relating to charges for professional services by members of the College, and such return shall be made forthwith after such order, regulation, by-law or other transaction is made or done.

60th. This Ordinance shall come in force forthwith after its enactment.

SCHEDULE I.

YUKON TERRITORY MEDICAL ACT.

Voting Paper, for Annual Election, 1898.

I, James Brown, a registered and medical practitioner, vote for the five persons hereafter named to form the members of the Medical Council of the Yukon Territory :—

1. GEO. SMITH, Dawson City.
- 2.
- 3.
- 4.
- 5.

And I declare that I am entitled to vote at this election and am not in default of payment of my fees to the Council.

Dated at this day of 1898.

Witness :

Signature.

SCHEDULE II.

Name.	Residence.	Qualification.
T. DYNON,	Dawson,	M.D.C.M.M.C.F.S. &c., Galt.
AB. LINCON,	Hunker Creek,	M.B., Tor. Selkirk.

(Signed) WILLIAM OGILVIE,
Commissioner

YUKON LOCAL ORDINANCE.

No. 2 of 1898.

Vide # 4/1900

An Ordinance to amend Ordinance No. 38 of the Revised Ordinances of the North-West Territories, respecting the Licensing of Billiard and other tables and for the prevention of gambling.

(Assented to October 8th, 1898.)

The Commissioner of the Yukon Territory, by and with the advice and consent of the Executive Council of said Yukon Territory, enacts as follows:—

Section 2 of said Ordinance No. 38 of the Revised Ordinances of the Northwest Territories of 1888, is hereby amended by striking out subsection 1 of said section 2 and substituting the following:—

(1) If the license be for a single billiard or pool table, one hundred dollars; and for every such additional billiard or pool table, seventy-five dollars.

(Signed) WILLIAM OGILVIE,
Commissioner.

*(This is practically repealed by
Ord. # 4/1900.)*

YUKON LOCAL ORDINANCE.

No. 3 of 1898.

Ordinance to Amend Ordinance No. 1 of 1898, Respecting the Medical Profession.

(Assented to October 11th, 1898.)

The Commissioner of the Yukon Territory, by and with the advice and consent of the Executive Council of the Territory, enacts as follows:

(1.) Section 34 of the said Ordinance No. 1 of 1898 is hereby amended by adding the following sub-section:

(d) All *bona fide* Medical practitioners practicing in the Yukon Territory at the date of the formation of the College of Physicians and Surgeons, who can produce certificates of having attended a recognized Medical College or School of Medicine for a term of three years and a diploma of qualification for the practice of medicine, surgery and midwifery, obtained from such Medical College or School of Medicine, shall be eligible for admission to the College of Physicians and Surgeons of the said Territory upon passing the prescribed examination of the said College and the payment of \$100.00 to the Registrar thereof.

This amendment shall hold good only until the close of such examination for such candidates, when it shall cease; and the original Ordinance shall have the same form and effect as if the amendment had not been passed.

Notification of the place where this examination shall be held and the date thereof, shall be given by publication of the same in the columns of the *Canadian Official Gazette* of the Yukon Territory for three consecutive issues; and the first notice of the same shall appear in the said *Gazette* on Saturday, October 15th, 1898.

(Signed) J. N. E. BROWN,
Clerk.

YUKON LOCAL ORDINANCE.

— — — — —
No. 4 of 1898.

Repealed.
vide. 21/1901.

(Assented to October 20th, 1898.)

The Commissioner by and with the advice and consent of the Council of the Yukon Territory enacts as follows:—

(1) For the purposes of this Ordinance. From the 1st Nov., 1898, the sittings of the Territorial Court of the Yukon Judicial District will be held for the hearing of Civil and Criminal cases, at Dawson City, or at any other place in the Yukon Territory, which the Judge or Judges may appoint, at 10 o'clock A.M., on every judicial day except on Saturdays, and between the 25th of every month and the first day of the succeeding month. The Judge and Judges, and in his or their absence, the Clerk of the Court may adjourn its sittings from time to time for any period not exceeding five days.

(2) There will be two vacations in each year, the first to extend from the 23rd day of December to the 4th day of January, and the other to extend from the last day of June to the 16th day of September.

Any disposition in the North-West Territory Ordinances contrary to the above are hereby repealed.

(Signed) J. N. E. BROWN.

YUKON LOCAL ORDINANCE.

(Disallowed by Order in Council of the 14th April, 1899, and another Ordinance substituted therefor, coming into effect on the 1st July, 1899. Copies of Order in Council and Ordinance substituted attached hereto).

No. 5 of 1898.

Repealed - Vide # 33/190

Ordinance concerning Legal Profession.

The Commissioner, by and with the advice and consent of the Council, enacts as follows:—

1. All Ordinances in force in the North-West Territories at the time of the coming into force of the Yukon Territory Act, June 1st, 1898, concerning the Legal Profession, shall, to all intents and purposes, *mutatis mutanda*, remain in force until otherwise ordered.

2. Provided that any person who has been duly called to the Bar, or who has been duly admitted to practice as a Barrister, Attorney, Advocate or Solicitor in any of Her Majesty's Superior Courts of Law in any of the Provinces of the Dominion of Canada, or in any of the North-West Territories of Canada, and who, at the time of the passing of this Ordinance, has been, and is, a resident of the Yukon Territory, and who produces sufficient evidence of such call, admission or residence, and such sufficient testimonials of his good character to the satisfaction of a Judge of the Territorial Court of the Yukon Judicial District, is declared to be to all intents and purposes an advocate, duly entitled to practice in the Yukon Territory with all the rights and privileges pertaining to the members of the Legal Profession under the North-West Territory Ordinances.

3. Provided that any such person shall take an Oath of Office similar to that contained in the said Ordinances, and produce a certificate from any said Judge, and be enrolled in a Register kept for that purpose by the Clerk of the Court, for which he shall pay an annual fee of Ten Dollars, if he is already an advocate of the North-West Territories; and if not, a fee of \$110.00, and an annual fee of ten dollars thereafter, which said fee shall be applied to the funds of the Yukon Territory.

4. IT IS HEREBY FURTHER ENACTED that all proceedings taken by any person practicing as an advocate in the Yukon Territory subsequent to the passing of the Yukon Territory Act on June 13th, 1898, are hereby confirmed and rendered valid:

Also that any oaths, affidavits, or affirmations taken before any such advocate, or any person styling himself a Commissioner shall be deemed as valid and sufficient as if such person had been duly qualified to administer the same;

Also that any papers, processes or other documents of any kind whatsoever which may have been signed by H. A. Bliss, Acting as Clerk of the Supreme Court of the North-West Territories, or as Clerk of the Territorial Court of the Yukon Territory, shall be deemed to be good and valid, and as of equal force and effect in all respects as if the said processes, papers or other documents were signed by a Clerk or Deputy Clerk of the said Courts, duly qualified to act as such, and who had affixed the proper seal of the said Courts to the said processes, papers or other documents.

5. No other person shall be allowed to practice at the Bar of the Territorial Court of the Yukon Territory or before a Magistrate or Justice of the Peace in the said Territory, or to act in any capacity as an advocate except those following who shall have personally qualified under this Ordinance and have obtained a Certificate of any said Judge entitling him to practice before such Courts, to wit:

- (a) Any person who has been duly called to the Bar of England, Ireland or Scotland, or who has been admitted to practice as an attorney or solicitor in any of Her Majesty's Courts of Law therein and any person who has been duly called to the Bar or who has been admitted to practice as a Barrister, Advocate, Attorney or Solicitor in any of Her Majesty's Superior Courts of Law in any of the Provinces of the Dominion, or in any of the North-West Territories, and who produces sufficient evidence of such call and admission, and testimonials of good character and standing in the Law Society of the place, Province or Territory, in which he is a Barrister, Attorney, Advocate or Solicitor to the satisfaction of any said Judge.
- (b) Any British subject of the age of twenty-one furnishing to any said Judge satisfactory evidence of good moral character; or his having pursued the study and practice of Law at least three years under articles with a duly enrolled Advocate in the Yukon Territory, and of his having passed the examination or examinations provided for by the North-West Territories Ordinances, *mutatis mutanda*.

6. Any applicant for admission to practice under such clause "a" of Section 5, must have been residents of this Territory for a term of not less than six months, during which they shall have been engaged in the practice of their profession in the office of some qualified Advocate who shall certify thereto, shall take the ordinary oath provided by Advocates, shall sign the ordinary roll kept by the Clerk of said Court for the purpose, and shall pay a fee of two hundred dollars, which sum shall form part of the funds of the Yukon Territory, and generally shall be subject to all laws, ordinances and dispositions to which the other advocates are subject.

(Approved Oct. 26th, 1898.)

(Signed) WM. OGILVIE,

Commissioner.

Extract from a Report of the Committee of the Honourable the Privy Council, approved by His Excellency on the 14th April, 1899.

The Committee of the Privy Council have had under consideration the annexed Report, dated 8th April, 1899, from the Minister of Justice with respect to Ordinance No. 4, of the Commissioner in Council of the Yukon Territory, entitled:

"An Ordinance respecting the Legal Profession," assented to on the 26th October, 1898, and received by the Clerk of the Privy Council for Canada on the 13th January, 1899.

The Committee concurring in the said Report of the Minister of Justice, which submits that it is expedient that the said Ordinance should not be allowed to remain in operation, recommend that it be disallowed, and that Your Excellency in Council, pursuant to the authority of Section

8 of the Yukon Territory Act, enact in lieu thereof the Ordinance a draft of which is hereunto attached.

(Signed) JOHN J. McGEE,
Clerk of the Privy Council.

NOTE.—Ordinance referred to as No. 4 should be No. 5

DEPARTMENT OF JUSTICE, CANADA,
OTTAWA, 8th April, 1899.

YUKON LEGISLATION.

To His Excellency the Governor-General in Council:

The undersigned has had under consideration Ordinance No. 4 of the Commissioner in Council of the Yukon Territory, entitled:

“An Ordinance respecting the Legal Profession;” assented to on 26th October, 1898, and received by the Clerk of the Privy Council for Canada on 13th January, 1899.

This Ordinance provides in effect that barristers, advocates or solicitors of any of the Provinces of Canada or of the North-West Territories who on 26th October, 1898, were residents of the Yukon Territory may, upon producing evidence of good character and taking the oath of office, be entitled to practice the legal profession in the said Territory. They are, however, required to pay a fee of \$110.00 and an annual fee of \$10.00 thereafter unless they happen to be advocates of the North-West Territories, in which case an annual fee of \$10.00 only is required. In other cases the Ordinance provides for the admission of barristers or solicitors of England, Ireland or Scotland or any of the Provinces of Canada or of the North-West Territories upon production of evidence of admission and of good moral character, provided they have first been residents of the Territory for a term of not less than six months during which they shall have been engaged in the practice of their profession in the office of some qualified advocate and shall pay a fee of \$200.00.

The undersigned considers that a term of residence in the Yukon Territory ought not to be required as a condition to the right to practise there of any barrister or solicitor entitled to practise in any Court in the United Kingdom or in any of the Provinces or the North-West Territories of Canada, who produces satisfactory evidence of such qualification. The present Ordinance requires six months' residence and it may be intended to exclude such barristers and solicitors altogether, because the Ordinance seems to require that a person shall be admitted to practise before practising, and that before being admitted to practise he shall have practised in the Yukon Territory for a term of not less than six months, a condition impossible of performance.

The undersigned can scarcely suppose that the Ordinance, although perhaps so expressed, was intended to have the effect of entirely excluding these gentlemen, but since it would operate at least to postpone the right of a man, otherwise perfectly qualified, for a period of six months after his arrival in the Territory, the undersigned considers it expedient that the Ordinance should not be allowed to remain in operation. He recommends, therefore, that it be disallowed, and that Your Excellency in Council, pursuant to the authority of Section 8 of the Yukon Territory Act, enact in lieu thereof the Ordinance, a draft of which is hereunto attached.

Respectfully submitted,

(Signed) DAVID MILLS,
Minister of Justice.

NOTE.—Ordinance referred to as No. 4 should be No. 5.

Ordinance, 1899.

An Ordinance respecting Barristers and Solicitors within the Yukon Territory.

His Excellency the Governor General of Canada, by and with the advice and consent of the Privy Council of Canada, enacts as follows:—

1. Except as hereinafter otherwise provided no one shall practise as an advocate within the Yukon Territory unless he shall have been duly admitted by order of the Territorial Court.

2. Every person who at the time of the disallowance of Ordinance No. 4, entitled "An Ordinance respecting the Legal Profession," assented to by the Commissioner of the said Territory in Council on 26th October, 1898, was entitled to practise within the said Territory, as an advocate under the provisions of the said Ordinance, shall continue to be entitled to practise as such advocate.

3. The disallowance of the said last mentioned Ordinance shall not affect nor be deemed to have affected the right or qualification to practise of any person who shall have been admitted to practise pursuant to the provisions of the said Ordinance previous to the First day of July, 1899.

4. The following persons and no others shall hereafter be entitled to be admitted to practise as advocates within the said Territory, viz.:—

(a) Every barrister, advocate, solicitor or attorney of any Court in Great Britain and Ireland, or of any Court in any Province of Canada or of the North-West Territories upon filing a satisfactory certificate of his being such barrister, advocate, solicitor or attorney at the time of application and of his good moral character, and upon payment of a fee of fifty dollars;

(b) Any law student of the full age of twenty-one years who shall have served under articles of clerkship for a period of three years within the said Territory with an advocate practising there, and shall have passed such preliminary and final examinations as may be prescribed by competent authority, and who shall have filed satisfactory certificates to that effect, and of his good moral character from the advocate with whom he shall have served upon payment of a fee of twenty-five dollars.

5. Every person hereafter admitted to practise within the said Territory shall be required to take the following oath:—

"I, A.B., do swear that I will truly and honestly demean myself in
"the practice of an advocate in all and every of the Courts of the
"Yukon Territory in which I shall be employed as such according
"to the best of my knowledge and ability, so help me God."

6. Within the first fifteen days of January in each year a fee of ten dollars shall be payable by each advocate practising within the said Territory. Such annual fee, together with the other fees, payment of which is hereinbefore provided for, shall be paid into and form part of the territorial funds.

7. Advocates of the Territorial Court shall be counsel, advocates and solicitors of all the Courts within the Territory, and as such shall be

entitled to prosecute and defend all cases therein, and shall have such seniority and precedence therein as they are entitled to in the Territorial Court, but nothing herein contained shall interfere with or affect the wholesome control which Her Majesty's Courts are authorized to exercise over the several practitioners therein or to prevent the Court from suspending, silencing, dismissing or striking off the roll any advocate for malpractice or misconduct.

8. The several proceedings mentioned in the fourth section of the said disallowed Ordinance are hereby confirmed and made good and valid to the same extent as they were intended to be confirmed and made good and valid by the said fourth section.

9. This Ordinance shall come into effect on the first day of July, 1899.

NOTE.—Ordinance referred to as No. 4 should be No. 5.

PRIVY COUNCIL, CANADA.

AT THE GOVERNMENT HOUSE AT OTTAWA.

FRIDAY, 14th day of April, 1899.

PRESENT :

HIS EXCELLENCY IN COUNCIL.

His Excellency, in virtue of the authority of Section 8 of the Act of the Parliament of Canada, passed in the 61st year of Her Majesty's reign, Chaptered 6, and intituled "An Act to provide for the Government of the Yukon District," and by and with the advice of the Queen's Privy Council for Canada, is pleased to enact the following Ordinance respecting Barristers and Solicitors within the Yukon Territory, and the same is hereby enacted accordingly, namely:—

An Ordinance respecting Barristers and Solicitors within the Yukon Territory.

1. Except as hereinafter otherwise provided no one shall practise as an advocate within the Yukon Territory unless he shall have been duly admitted by order of the Territorial Court.

2. Every person who at the time of the disallowance of Ordinance No. 4, entitled "An Ordinance respecting the Legal Profession," assented to by the Commissioner of the said Territory in Council on the 26th October, 1898, was entitled to practise within the said Territory as an advocate under the provisions of the said Ordinance shall continue to be entitled to practise as such advocate.

3. The disallowance of the said last mentioned Ordinance shall not affect nor be deemed to have affected the right or qualification to practise of any person who shall have been admitted to practise pursuant to the provisions of the said Ordinance previous to the First day of July, 1899.

4. The following persons and no others shall hereafter be entitled to be admitted to practise as advocates within the said Territory, viz.:—

(a) Every barrister, advocate, solicitor or attorney of any Court in Great Britain and Ireland, or of any Court in any Province of Canada, or of the North-West Territories upon filing a satisfactory certificate of his being such barrister, advocate, solicitor or attorney at the time of application, and of his good moral character, and upon a payment of a fee of fifty dollars;

(b) Any law student of the full age of twenty-one years who shall have served under articles of clerkship for a period of three years within the said Territory with an advocate practising there, and shall have passed such preliminary and final examinations as may be prescribed by competent authority, and who shall have filed satisfactory certificates to that effect, and of his good moral character from the advocate with whom he shall have served upon payment of a fee of twenty-five dollars.

5. Every person hereafter admitted to practise within the said Territory shall be required to take the following oath:—

“I, A.B., do swear that I will truly and honestly demean myself in
“the practice of an advocate in all and every of the Courts of the
“Yukon Territory in which I shall be employed, as such according
“to the best of my knowledge and ability, so help me God.”

6. Within the first fifteen days of January in each year a fee of ten dollars shall be payable by each advocate practising within the said Territory. Such annual fee, together with the other fees, payment of which is hereinbefore provided for, shall be paid into and form part of the Territorial funds.

7. Advocates of the Territorial Courts shall be counsel advocates and solicitors of all the Courts within the Territory, and as such shall be entitled to prosecute and defend all cases therein, and shall have such seniority and precedence therein as they are entitled to in the Territorial Court, but nothing herein contained shall interfere with or affect the wholesome control which Her Majesty's Courts are authorized to exercise over the several practitioners therein or to prevent the Court from suspending, silencing, dismissing or striking off the roll any advocate for malpractice or misconduct.

8. The several proceedings mentioned in the fourth section of the said disallowed Ordinance are hereby confirmed and made good and valid to the same extent as they were intended to be confirmed and made good and valid by the said fourth section.

9. This Ordinance shall come into effect on the first day of July, 1899.

(Signed) JOHN J. MCGEE,

Clerk of the Privy Council.

NOTE.—Ordinance referred to as No. 4 should be No. 5.

AT THE GOVERNMENT HOUSE AT OTTAWA.

FRIDAY, 14th day of April, 1899.

PRESENT:

HIS EXCELLENCY THE GOVERNOR GENERAL IN COUNCIL.

Whereas the Commissioner of the Yukon Territory in Council, did on the 26th day of October, 1898, assent to an Ordinance which has been transmitted numbered 4, and entitled “An Ordinance respecting the Legal Profession;”

And whereas the said Ordinance has been laid before His Excellency the Governor General in Council, together with a Report from the Minister of Justice, recommending that the said Ordinance be disallowed.

Now therefore His Excellency in virtue of the powers conferred upon him by the Act 61 Victoria, chapter 6, intituled “An Act to provide for

the Government of the Yukon District," and by and with the advice of the Queen's Privy Council for Canada, has this day been pleased to declare his Disallowance of the said Ordinance, and the same is hereby disallowed accordingly.

Whereof the Commissioner of the Yukon Territory and all other persons whom it may concern are to take notice and govern themselves accordingly.

(Signed) JOHN J. MCGEE,

Clerk of the Privy Council.

— — — — —
I, Sir Gilbert John Elliot Murray Kynynmond, Earl of Minto, Governor General of Canada, do hereby certify that the Ordinance passed by the Commissioner of the Yukon Territory in Council on the 26th day of October, 1898, numbered 4, and entitled "An Ordinance respecting the Legal Profession" was received by me on the 13th day of January, 1899.

Given under my hand and seal this 14th day of April, 1899.

(Seal.)

(Signed) MINTO

NOTE.—Ordinance referred to as No. 4 should be No. 5.

YUKON LOCAL ORDINANCE.

Ordinance No. 6 of 1898.

An Ordinance Respecting Notaries Public.

(Approved October 26th, 1898.)

The Commissioner, by and with the advice and consent of the Council of the Yukon Territory, enacts as follows:

All Advocates entitled to practice in the Yukon Territory will be *de facto* and *ex officio* Notaries Public, and no other person will be allowed to act as such unless he receives from the Commissioner of this Territory a Certificate to that effect, after such an examination as the Commissioner shall deem to be sufficient; and that he be enrolled in a register kept for that purpose by the Clerk of the Court, and pay an annual fee of fifty dollars, such sum to form part of the Funds of the Yukon Territory.

The Ordinances of the North West Territories of the Ordinances of 1898, ch. 40, entitled "An Ordinance authorizing the appointment of "Notaries Public."

(Signed) WM. OGILVIE,
Commissioner.

YUKON LOCAL ORDINANCE.

No. 7 of 1898.

Repealed. Vide 22/1901

The Commissioner, by and with the consent of the Council of the Yukon Territory, enacts as follows:—

1st. In all towns, villages or assemblages of dwellings within the meaning of the North-West Ordinance, every dog not under harness or tied up shall be muzzled in such a way as to prevent it from biting or do any mischief by biting.

2nd. Any dog which after the 10th of November next (1898) found within any such towns, villages or assemblages of dwellings, not muzzled, as hereby ordered, may be impounded by any Constable or Peace Officer of the Territory at the nearest Barracks, Police quarters, or other place provided by the Commanding Officer of the N. W. M. P. in the Yukon Territory where such a dog is so found.

3rd. To obtain re-possession of the same any person claiming to be either proprietor, master or guardian thereof, will have to pay a sum of seventy-five cents for each day during which the said dog shall be so kept impounded, and shall besides be subject to pay a fine of not more than \$25.00 and not less than \$10.00 and costs and expenses, connected with the impounding duty as hereby fined for each dog, which he may neglect to muzzle as hereby provided, and in default of payment shall be condemned to an imprisonment not exceeding thirty days; each action to be taken and dealt with summarily before a Justice of the Peace under the Summary Conviction Act of the Federal Parliament.

4th. Should such a dog not be reclaimed nor redeemed as here aforesaid, within ten days after it has been so impounded, the sheriff, deputy sheriff, acting sheriff, or any other head officer, will have the right to sell or have sold the same at public auction after such a notice as is provided for by the Ordinance in this Territory to proceed to the sale of goods or chattels under seizure; which sale will confer a legal title to the dog to whomsoever becomes the purchaser thereof. The proceeds of such a sale will be after deduction of the costs and the charges for having kept the dog impounded until the date of sale, be refunded to any one proving to the satisfaction of the officer who may order the sale, by affidavit or oath that he was the proprietor, master or guardian of the said dog.

5th. The prosecution against any party liable under this Ordinance shall be taken within one month after he has been found responsible for the said dog in the manner above mentioned.

6th. Should no person be found within one year after the sale of such a dog, who can prove his ownership or title to same; then whatever may remain of the proceeds thereof shall form part of the fund of the Yukon Territory, the same being in the meantime deposited in the hands of the Commissioner and Comptroller of the Yukon Territory.

(Signed) WILLIAM OGILVIE,

Commissioner.

YUKON LOCAL ORDINANCE

No. 8 of 1898.

Repealed - Vide # 22/19

An Ordinance Amending Ordinance No. 7 of 1898 Respecting the Muzzling and Transporting of Dogs.

(Assented to November 2nd, 1898.)

The Commissioner of the Yukon Territory, by and with the advice and consent of the Executive Council of the Territory, enacts as follows:

The said Ordinance No. 7 of 1898 is hereby amended by adding the following section:

7th. Any Constable is hereby authorized to shoot and kill any dog found unmuzzled and showing a vicious disposition; and the owner of any dog that is known to be vicious and to have done any mischief by biting or otherwise, may be brought before a magistrate who shall either order the immediate destruction of the dog, or give such other orders as he may think fit, to protect the public against it and fix a fine on the owner or guardian thereof within the limits of this Ordinance.

8th. The costs will include the expenses of having kept any dog impounded or any other expenses incurred in bringing the case before a magistrate.

(Signed) WILLIAM OGILVIE.

YUKON LOCAL ORDINANCE.

No. 9 of 1898.

Amended by # 24/1900.

An Ordinance to amend Ordinance No. 37 of the Revised Ordinances of the North-West Territories, respecting Auctioneers, etc.

(Assented to November 4th, 1898.)

The Commissioner, by and with the consent of the Executive Council of the Yukon Territory, enacts as follows:—

1st. Section 3 of said Ordinance No. 37 of the Revised Ordinances of the N. W. T. is hereby repealed and the following substituted:

2nd. The applicant of every such license shall pay therefor the sum of \$100.00 when the application is made on or before the 20th day of June in any year, and the sum of \$50.00 when such application is made after such date.

(Signed) WILLIAM OGILVIE.

(Practically repealed by # 24/1900 -)
CANADA.

VICTORIA, by the grace of God, of the United Kingdom of Great Britain and Ireland, Queen, Defender of the Faith, etc., etc., etc.

To all to whom these presents shall come or whom the same may in any way concern.

GREETING:

A PROCLAMATION.

WM. OGILVIE, *Commissioner of the Yukon Territory.* { Whereas by an Ordinance of the Executive Committee of the Yukon Territory, dated 14th day of November, 1898, the establishment of a License District in the said Yukon Territory was authorized to be known as the "License District of the Yukon Territory."

Now, know ye, that we do hereby and by virtue of the authority vested in us by the said Ordinance, establish a "License District" of and in the Yukon Territory, which will compose the whole Yukon Territory, as constituted by chap. 6, Victoria 61.

Of all which our loyal subjects and all others whom these presents may concern, are hereby required to take notice and govern themselves accordingly.

IN TESTIMONY WHEREOF, we have caused these our Letters to be made Patent and the Seal of the Yukon Territory to be hereunto affixed, at the Commissioner's Office at Dawson, Yukon Territory, in the Dominion of Canada, this 14th day of November, 1898.

(Signed) WILLIAM OGILVIE.

YUKON LOCAL ORDINANCE.

No. 10 of 1898.

Repealed - Vide 20/11

An Ordinance respecting the suppression of fires.

(Assented to November 25th, 1898.)

The Commissioner, by and with the consent of the Council of the Yukon Territory, enacts as follows:—

Whenever there is any fire at any building, buildings, or materials whatsoever, within cities, towns, villages or other places, whether incorporated or not, the chief, or any one acting as such in his place, of any fire brigade duly recognized by any public, civic or government authorities, called to extinguish any such fire, is hereby empowered to give any such order as he may think fit to obtain from any person or persons there present, whether he or they belong to the said brigade or not, whatever assistance may be needed to help in the extinguishing of said fire, or to remove, or have removed or ordered away any person or persons who, by being too near or otherwise, might be an obstacle in properly extinguishing said fire or saving the properties threatened thereby; and any one refusing such help or disobeying such instructions by not immediately moving away and keeping at such distance as the said chief or his representative may direct, shall be liable to be arrested on the spot by any constable or constables, be brought before a Justice of the Peace, convicted in a summary way, and sentenced to a fine not exceeding twenty-five dollars, and in default of payment to an imprisonment not exceeding one month.

The said chief of the fire brigade, or his representative, is also hereby empowered to order the destruction of any building or materials whatsoever, whether the fire has originated or is burning therein, or whether they are in the vicinity, and which, in his honest opinion, could not be saved from the fire, and the eventual burning of which would expose other buildings or materials to the destruction by fire.

AND IT IS HEREBY DECLARED that in acting so, the said chief of the fire brigade, or his representative, will not in any way be held liable for any damages suffered through the destruction of any such buildings or materials.

Every member of any fire brigade is hereby declared to be a special constable for the purpose of carrying out the provisions of this Ordinance; and in the event of any fire taking place where no regular fire brigade is organized or is not present, then any Mounted Police or fire constable will have the same power to all intents and purposes as the chief of the fire brigade or his representative has in virtue of this Ordinance. This authority will lie in the constable who is senior by appointment, should there be more than one present.

Authority is hereby given to the Commissioner to appoint from time to time any person or persons as may be deemed necessary to act as firemen, with all the power and authority hereinbefore given to fire constables.

(Signed) WILLIAM OGILVIE.

*Disallowed by Order in Council, 14th April, 1899,
copy of which is attached hereto.*

YUKON ORDINANCE.

No. 11 of 1898.

Repealed - Vide # 29/18

**An Ordinance respecting the Sale of Intoxicating Liquors and the
Issue of Licenses therefor.**

(Assented to December 7th, 1898.)

The Commissioner, by and with the advice and consent of the Council of
the Yukon Territory, enacts as follows:—

1. This Ordinance may be cited as "The Liquor License Ordinance." Short Title.

2. In this Ordinance and in the Schedule thereto, the words and Interpretation.
expressions following shall, unless such interpretation be repugnant to
the subject or inconsistent with the context, be construed as follows:

1. "Board" means the Board of License Commissioners. "Board."
2. "District" means a License District. "District."
3. "Householder" means: "Householder."

(a) The owner or owners of any house or place of business
not actually occupied by any other person under lease for a year
or any longer term;

(b) The tenant or tenants in actual occupation of any house
or place of business under a lease for a year or any longer term.
Husband and wife living together shall not be considered as
separate householders, and the husband shall have the right to
act in this respect.

4. "Dwelling House" means an actual separate dwelling, with a "Dwelling House."
separate door for ingress and egress.

5. "Justice" means a justice of the peace. "Justice."

6. "Hotel License" means and includes every license granted for "Hotel License."
the sale by retail of fermented, spirituous or other liquors, which may
be consumed on the premises on which the same is sold, whether
"hotel" premises or not.

7. "Saloon License" means and includes every license granted "Saloon License."
for the sale by retail of fermented, spirituous or other liquors, which
may be consumed on the premises on which the same is sold, or
where meals may be dispensed.

8. "Licensee" means a person holding a license under this "Licensee."
Ordinance.

- " Person. 9. " Person " includes every member of a firm and the servant, office holder, agent of a company or body of persons, whether incorporated or not under special ordinance or by letters patent under the seal of the Yukon Territory.
- " Licensed Premises." 10. " Licensed Premises " means the premises in respect of which a license under this ordinance has been granted and is in force, and extends to every room, closet, cellar, yard, stable, outhouse, shed or any other place whatsoever of, belonging, or in any manner appertaining to such house or place.
- " Liquor," " Liquors." 11. " Liquor " or " Liquors " means and comprehends all spirituous and malt liquors, and all combinations of liquors and drinkable liquors which are intoxicating.
- " Public Bar." 12. " Public Bar " and " Bar " means and includes any room, passage or lobby in any licensed premises into which the public may enter and purchase liquors.
- " Sub-Inspector." 13. " Sub-Inspector " means an inspector for a district, and " Inspector " means the inspector of licenses.
- " Sale by Retail." 14. " Sale by Retail " means the sale of a quantity not to exceed half a gallon at any one time of ale, beer or porter, or one quart of wine or spirits.
- " Judge." 15. " Judge " means a judge of the Territorial court usually exercising jurisdiction in the Territory.
- Application of Ordinance Limited. 3. Nothing in this Ordinance shall apply :—
- Manufacturers of Native Wine. 1. To manufacturers of native wine from fruits grown and produced in Canada, and who sell such wines in quantities of not less than one gallon and not less than two bottles of three half pints each at one time at the place of manufacture.
- Auctioneer selling liquor forming part of an insolvent debtor's estate. 2. To any person who holds a license as auctioneer selling liquor at public auction, provided that the liquor being sold forms part of an insolvent debtor's estate and is named in the inventory thereof, and offered for sale under instruction from the creditor or creditors of such estate or his or their assignee, agent or trustee, and that the stock of such liquors is not broken for the purpose of such sale, and is not removed from the place in which such liquors were originally exposed under license.
- Sale of beer in N.W.M.P. canteens. 3. To the sale of beer in any canteen of the Northwest Mounted Police and the permanent military force established under proper authority; such sale to be restricted to members of the Northwest Mounted Police and the permanent military force.
4. To the sale of any liquor by virtue of an execution or any other judicial process.
- LICENSE DISTRICTS.
- License Districts. 4. The Commissioner in Council shall establish a district and sub-district, if necessary, for the purpose of this Ordinance, to be called license districts and license sub-districts, and may, from time to time, alter and re-define the same, and the license district and sub-districts when so established and when altered shall be announced by proclamation in the Official Gazette of the Yukon Territory.
- Board of License Commissioners. 5. There shall be a Board of License Commissioners, to be composed of three persons to be appointed from time to time by the Commissioner in Council for each license district, and each of them shall cease to hold office on the 21st day of December in each year, subject, however, to

removal at any time before that date at the pleasure of the Commissioner in Council, but he may be re-appointed, and the said office shall be honorary and without any remuneration, except that such Commissioners may be allowed for their travelling and other expenses while attending meetings of the Board the sum of \$25 per day and their actual cost of transportation; and each of such Boards may elect one of their number to act as chairman and one to act as secretary.

(2) Every Commissioner shall forthwith, after his appointment and before performing any of the duties of his office, take and subscribe the following oath or affirmation: Oath of Office of Commissioner.

"I (*name in full*) do hereby solemnly swear (*or affirm*) that I will faithfully perform my duty as a License Commissioner for License District No. —. So help me God."

Sworn (*or affirmed*) before me, A. B., at _____, in the Yukon Territory, _____ day of _____, A.D. 18 _____

J.P., or, etc., etc.

(*In the case of an affirmation the words "So help me God" shall be omitted.*)

(3) The said oath or affirmation shall be forthwith returned by the Commissioner to the Commissioner of the Yukon Territory.

LICENSE INSPECTORS.

6. The Commissioner in Council may appoint, prescribe the duties and fix the salary of an inspector of licenses for the territory, who shall hold office during pleasure, and shall give such security for the due performance of his duties as may be prescribed by order in Council. Appointment of Chief License Inspector.

7. The Commissioner in Council may appoint one or more license sub-inspectors for any license district or for the Territory, and shall fix their salaries or fees and prescribe their duties. Appointment of License Inspectors.

8. All sums of money payable as license money or fees under this Ordinance shall be paid to the Territorial Comptroller. Money payable to Territorial Treasurer.

KINDS OF LICENSES.

9. Licenses, which shall be either,— Form of License.

- (a) "Hotel," or
- (b) "Wholesale," or
- (c) "Saloon."

2. Licenses shall be signed by the chairman of the board, and shall be in form as in Schedule F.

3. Under a wholesale license the licensee may sell and dispose of liquors in the warehouse, store, shop or place defined in the license in quantities of not less than one-half gallon in each cask or vessel, and in case of such selling by the wholesale as in respect of bottled ale, beer, porter, wine or other fermented or spirituous liquors, each such sale shall be in quantities not less than one reputed quart bottle or two reputed pint bottles, and the liquor thus sold shall not be consumed in or upon the house and premises in respect of which the license is granted, and the holders of liquor permits whose liquor is now in the Territory, will be allowed to sell according to the wording of the permit until the first of May, 1899. Provided, that in case of any conviction against a wholesale licensee for allowing liquors to be Wholesale License.

consumed in or upon such house or premises such licensee shall absolutely forfeit his license or licenses, and no new license shall be granted thereafter to such licensee in the license district in which such licensed premises are situate for the balance of the year.

APPLICATIONS FOR LICENSES.

- Meetings of Board.** 10. The board shall meet at the call of the chairman at such place and at such date as may be arranged to receive and dispose of applications for license.
- Board may adjourn meeting.** 11. At such meeting the board may adjourn the hearing of any application to any other time and place if they see fit. The board may be called together at any time by the chairman, and the board may meet at any time of their own motion.
- Board may adjourn meeting if quorum not present.** 2. If from any cause a quorum of the board fails to be present on the day fixed for the meeting, or at any adjournment of a meeting, the said meeting or adjourned meeting shall stand adjourned from day to day until a quorum shall be present to hold such meeting.
12. Every application for a license shall be sent to the chairman of the board along with the sum of fifty dollars. On the receipt of the same it shall be the duty of the chairman of the board to sign a receipt for the sum of fifty dollars and send it to the applicant.
- Application for renewal of License for same premises.** 13. Any existing licensee may apply for the renewal of his license for the same premises for another term.
- Application fees to be paid into General Revenue Fund.** 14. All application fees shall, on receipt, be paid into the general revenue fund. In the case of license fees the Comptroller shall retain the same in trust until the question of granting the license has been decided by the board. In case the license is refused, the license fee shall be refunded to the applicant; in case the license is granted the license fee shall be paid into the general revenue fund. The chairman shall, without delay, inform the Territorial Comptroller as to the granting or refusal of licenses.
- Protest.** 15. The board will consider any reasonable protest against the granting of licenses.
- Applications and protests to be determined in summary manner. Hearing of application open to the public.** 16. Every application for a license and all protests, if any, against every such application shall be heard and determined by the board in a summary manner.
2. Every such hearing of an application or protest shall be open to the public, or held privately, as the board may decide, and every applicant for a license shall attend personally at such hearing, unless hindered by sickness or infirmity, and the board may summon and examine on oath such witnesses as they may think necessary, and as nearly as may be in the manner directed by any Act now or hereafter in force relating to the duties of justices in relation to summary convictions and orders, and any one member of the board may administer such oath.
- Powers of Board.** 3. Every such hearing may, at the discretion of the board, be adjourned from time to time
4. At all hearings under this Ordinance, the individuals composing the board shall have the same powers as justices of the peace.
- Inspector to report on application for hotel licenses. Contents of report.** 17. On every application for a license, except for a wholesale license, the Inspector shall report in writing to the board, and such report shall contain:
1. A description of the house, premises and furniture.

2. And if the application be by a person who held a license for the same premises during the preceding year, a statement as to the manner in which the house has been conducted during the existence of the previous license.

3. A statement of the number, position and distance from the house in respect of which a license is applied for, of the licensed houses in the neighbourhood.

4. A statement whether the applicant is a fit and proper person to have a license, and is known to be of good character and repute.

5. A statement whether the premises sought to be licensed are or are not, in his opinion, required for public convenience.

6. Statement whether the applicant is or is not the true owner of the business of the hotel proposed to be licensed.

18. In every application for a wholesale license the inspector shall report to the board in writing, and such report shall contain :

Inspectors to report on applications for wholesale licenses.

1. A description of the house and outbuildings.

Contents of report.

2. If the applicant be a person who held a license in the same district or sub-district during the preceding year, a statement as to the manner in which the business was conducted during the existence of the previous license.

3. A statement showing :

(a) Whether the applicant is or is not a fit and proper person to have a license, and is known to be of good character and repute ; and

(b) Whether the business sought to be licensed is or is not, in his opinion, required for public convenience ; and

(c) Whether the applicant is or is not the true owner of the business proposed to be licensed.

19. Any incorporated company may become a licensee or licensees in any district or sub-district under the provisions of this Ordinance and in such cases all Acts required under the provisions of this Ordinance to be done by any person or licensee, whether prior to or after granting a license, may be done in the name of the company by the officer or agent of the said company in charge of the particular premises for which the license is to be or shall have been granted.

Incorporated Company may become licensee.

20. The report of the inspector shall be for the information of the board, who shall, nevertheless, exercise their own discretion on each application.

Discretion of Board.

21. Every hotel authorized to be licensed under the provisions of this Ordinance shall contain, in addition to what may be needed for the use of the family and servant or servants of the hotel keeper, in incorporated cities or towns, not less than ten bedrooms, to be of suitable capacity, and should any question thereto arise the decision of the board to be final, and in other places proper sleeping accommodation for not less than ten travellers, together with, in every case, a suitable complement of bedding and furniture.

Hotel accommodation.

(2.) Every licensed hotel shall have a public sitting room, separate and distinct from the bar room.

Separate public sitting room.

(3.) Every licensed hotel shall be shown to the satisfaction of the commissioners to be well appointed and with sufficient appliances for serving meals daily to travellers.

Well appointed eating house.

(4) Every licensed hotel shall be provided with a suitable privy and a urinal, which shall at all times be kept properly cleaned and ventilated.

LICENSE FEES.

License fees.

22. Every person to whom a license to sell intoxicating liquor shall hereafter be granted shall, before receiving such license, be required to pay as a fee for such license, in addition to any fee required to be paid to the incorporated city or town in which such license has been or is required to be granted, the following duties, that is to say:

For hotel license.

1. For each hotel license, the sum of \$2,000 per annum.

For wholesale license.

2. For each wholesale license, the sum of \$2,000 per annum.

For ale or lager beer bottling works—

Provided in the case of bottling works where ale or lager beer is only bottled, the fee shall be one half of the fee payable for the wholesale license.

For hotels in unincorporated cities or towns, villages or hamlets the license fee shall be fixed by the commissioners as the circumstances of the case warrant, and shall not exceed \$2,000 per annum, or be less than \$500 per annum. Provided always that the Commissioners in Council of the Territory may fix the fee in any locality in which they deem it necessary.

For saloons \$2,500 per annum in cities and towns incorporated or unincorporated.

A saloon must be a good substantial building, with well appointed bar and ample furniture for the comfort of customers, with a suitable privy and urinal, which shall at all times be clean.

Theatres and concert halls running a bar in connection shall obtain a saloon license.

Fee to incorporated city or town fixed by by-law.

2. Incorporated cities or towns may, by by-law, require each licensee to pay towards their municipal revenue such sums as they may determine, not exceeding one-fifth of the amount of the territorial license, and such one-fifth shall not be collected until after the territorial license as aforesaid has been paid.

By-laws to be sent to Chairman.

(a) Such by-law, and every substituted and amended by-law, shall be promptly certified and forwarded to the chairman of the Board of License Commissioners.

(b) Such by-law shall continue in force until amended, altered or repealed, without being re-enacted each year.

Hearing and determining applications.

23. The board will hear and determine all objections which may be made against applicants for licenses, and will also hear and determine all complaints against those who are holders of licenses according to the evidence which may be submitted to them.

Objections from inspector to be stated in report.

1. No objection from an inspector or sub-inspector shall be entered unless the nature of the objection shall have been stated in the report furnished to the board.

Board may of its own motion take notice of any objection.

2. Notwithstanding anything in this Ordinance, the board may of its own motion, whether complaint or objection has been filed or not, take notice of any matter or thing which in their opinion would be an objection to the granting of a license. In any such case the board will notify the applicant and shall adjourn the hearing of the application, if requested by him, for any period not exceeding one

month and not less than seven days, or any time fixed with the consent of the applicant, in order that any person affected by the objection may have an opportunity of answering the same.

3. Where the applicant for a hotel license resides in a remote part of the district, or when, for any other reason the board sees fit, they may dispense with the report of the inspector or sub-inspector and act upon such information as may satisfy them in the premises. When the inspector's report may be dispensed with.

24. The decision of the board, when once announced by the chairman, shall not be questioned or reconsidered. Decision of Board final.

25. Licenses may be issued in the name of a co-partnership when two or more persons are carrying on business in the same name, but a separate license shall be required in every separate place of business of such firm. License may issue in name of co-partnership.

2. A license granted to any firm or partnership shall, without any formality, enure to the benefit of the remaining partner or partners in the event of the withdrawal or removal of any of them by dissolution or any other determination of the partnership. Dissolution of partnership.

26. In case any person gives to the inspector or sub-inspector information justifying the prosecution of any person for offences against this Ordinance, such inspector or sub-inspector may, when he is satisfied that such charge is well founded, proceed to prosecute in his own name such offender or offenders. Inspector to lay information and prosecute.

27. The board shall at any time cancel any license upon proof that the conditions necessary to the granting of such license do not exist, and also in case it is shown that the licensee is not keeping his premises in accordance with the provisions of this Ordinance and any rules and regulations made thereunder. Cancellations of licenses.

28. Subject to the provisions of this Ordinance as to removals and the transfer of licenses, every license for the sale of liquor shall be held to be a license only to the person named therein and for the premises therein mentioned, and shall remain valid only as long as such person continues to be the occupant of the said premises and the true owner of the business there carried on. License held to be a license only to person named therein.

TRANSFER OF LICENSES.

29. A license under the provisions of this Ordinance shall not become void by Transfer of licenses.

(a) The death of the licensee;

(b) Or, a transfer of the licensee's business to some other person by operation of law;

unless in case of the licensee's death his legal representatives or their assignees, or, in the case of the licensee's transfer as above stated, his assignees, fail within two months from such death or transfer to obtain the written consent of the chairman for the continuance of the business or the transfer of the license in the house or place in which the same issued, and subject to the duties and obligations of the licensee named in the said license for the residue of the term named therein, otherwise the same shall become void.

2. In every case of transfer of an hotel or wholesale license, the person in whose favour any such transfer is to be made shall send to the chairman a report of the inspector similar to that mentioned in sections 17 or 18, as the case may be, of this Ordinance. Report of Inspector to be sent.

30. When a licensee has been legally ejected from any licensed premises, the board may, notwithstanding the non-production of the license, Licensee legally ejected.

on the application in writing of the owner of the premises and the proposed new tenant, if they cannot produce the license, grant a special license to such new tenant in such form as they shall think applicable, such special license to be signed by the chairman: Provided always, that the board shall be satisfied that actual value has been received from said owner by said licensee.

Balance of term.

31. The board may, by order, authorize any person they may think fit, entitled to the benefit of any license, to carry on the business in the licensed premises for the remainder of the term for which the license was granted, in the same manner as if such license had been formally transferred to such person, provided proof of value received be given, as provided in the next preceding section, in the following cases:—

Desertion of premises.

1. Whenever any person to whom a license has been granted deserts the licensed premises, or refuses or neglects to transfer the license when justly required to do so; or,

Vacancy.

2. If, during the currency of any such license, the holder thereof ceases to occupy the premises in respect whereof the license is held, or his tenancy of such premises is determined by effluxion of time, or by notice to quit, or by any other process whatsoever.

After disqualification may treat matter as in case of transfer.

32. Where any licensed person is convicted of any offence, and in consequence either becomes personally disqualified or has his license forfeited, the board, upon application by or on behalf of the owner of the premises or his lessee, other than the licensee in respect of which the license was granted (where the owner is not the occupier), and upon being satisfied that such owner or his lessee, as above stated, was not privy nor a consenting party to the act of his tenant, and that he has legal power to eject the tenant of such premises, may, by order, authorize an agent to carry on the business specified in the license relating to such premises until the end of the period for which such license was granted, in the same manner as if such license had been formally transferred to such agent: Provided always such owner or his lessee, as aforesaid, shall pay as fee for the balance of the term of the license unexpired a proportionate amount of the amount required for one year.

Proviso.

Marriage of female licensee.

33. In case of the marriage of any woman being a licensee, the license held by her shall confer on her husband the same privileges, and shall impose on him the same duties, obligations and liabilities as if such license had been granted to him originally: Provided that the chairman, on application of the husband of any such licensee, unless satisfied that no objection can be made to the character of the husband, may confirm to him his wife's license for the remainder of the term of the duration thereof, of which confirmation a certificate signed by the chairman shall be conclusive evidence.

REMOVAL OF LICENSEES.

Removal to other premises.

34. The chairman may, after order allowing the same by the board, endorse on any hotel or wholesale license permission to the holder thereof to remove from the house in which his said license applies to another house, to be described in the endorsement to be made by the said chairman on the said license: Provided always, that the house to which the licensee proposes to remove has all the accommodation required by law, and subject to the requirements in the case of an original application for the same kind of a license.

Effect of such permission.

2. Such permission, when the approval of the said chairman is endorsed on said license, shall authorize the holder of the said license to sell liquors in the house mentioned in the endorsement during the unexpired portion of the term for which the said license was granted, in the same manner and upon the same terms and conditions as he

might do in the premises to which the license originally applied; but such permission shall not entitle him to sell at any other than such one place.

35. In all cases provided for in sections 29 to 36, both inclusive, of transfer, removal, or change in a license, application shall be made in the same manner as if for an original application for a license. The amount of money to be sent with said application shall be the sum of \$50. The chairman, upon receiving the application from the board, shall proceed as in cases where persons apply at other times for licenses, and the same additional fees must be paid. ^{Application to be made for transfer or removal.}

36. If within sixty days from the granting of a license, or a transfer of a license, any person deposits with the clerk of the Territorial Court of the judicial district wherein the licensed premises are situated \$100 as security for costs, together with a complaint (verified by affidavit) that the said license or transfer has been obtained by fraud or in violation of any of the provisions respecting licenses, on application the judge may, by means of an originating summons, investigate and summarily hear and dispose of the complaint, and may direct the cancellation of the license or dismiss the complaint, and award costs in the same way as costs are awarded in proceedings in the Supreme Court. ^{Powers of Judge where improperly obtained.}

37. All licenses shall be constantly and conspicuously exposed in the warehouses and shops, in the bar-rooms of hotels or other places of public entertainment to which the licenses respectively relate, under a penalty of \$50 and costs for every day's wilful or negligent omission so to expose them, and in default of payment one week's imprisonment for every day of such omission. ^{License to be exposed.}

38. Every person keeping a licensed hotel or wholesale liquor store shall, during the continuance in force of such license, exhibit and keep exhibited on the outside and over a front door of the licensed premises, in large letters, the words, "Licensed to sell spirituous or fermented liquors." Penalty same as 37. ^{Placard above door.}

39. Not more than one bar shall be kept in any house or premises under this ordinance. ^{One bar only.}

40. In all places where intoxicating liquors are licensed to be sold by retail, no sale or other disposal of liquors shall take place therein or on the premises thereof, or out of or from the same, to any person or persons whomsoever save as hereinafter provided for, from the hour of twelve of the clock on Saturday night till six of the clock on Monday morning thereafter. As respects all places where liquors are licensed to be sold by wholesale, no sale or other disposal of liquor shall take place therein or on the premises thereof, or from or out of the same, to any person or persons whomsoever, nor shall the premises in respect of which the license is issued be kept open from or after the hour of seven o'clock on Saturday night until seven o'clock on Monday morning thereafter, save and except as to both retail and wholesale places in cases where a requisition for medical purposes, signed by a licensed medical practitioner, or by a licensed druggist, or by a justice of the peace, is furnished the licensee or his agent; nor shall any liquor, whether sold or not, be permitted or allowed to be drunk in any such places during the time prohibited by this ordinance for the sale of same. Provided always, that in hotels compelled by law to give meals liquor may be sold during meals on Sundays to the guests *bona fide* residing or boarding in such houses between the hours of one and three and five and seven respectively, to be drunk at their meals at the table; but this provision shall not permit the furnishing of liquor at the bar or place where liquor is usually sold in such houses. ^{Hours for sale of liquor.}

PENAL CLAUSES.

41. Unless otherwise specified therein, every license issued by the board of license commissioners shall expire and cease twelve months after

the date of its issuance, and will have to be renewed by the licensee therein named on or before the date of expiration, and the fees as hereinbefore set forth paid at every such renewal.

42. Every licensed hotel keeper or saloon keeper who habitually dispenses meals, who either personally or through any one acting on his behalf, except for some valid reason, refuses to supply meals, lodging or accommodation to travellers at a reasonable rate, shall be guilty of an offence, and on summary conviction thereof liable to a penalty of \$50 and costs, and in default of payment one month's imprisonment.

Disorderly conduct,
etc., prohibited
under penalty.

43. Any licensee who permits drunkenness, or any violent, quarrelsome, riotous or disorderly conduct to take place on his premises, or sells or delivers any intoxicating liquor to any drunken person, or permits and suffers any drunken person to consume any intoxicating liquor on his premises, or permits or suffers persons of notoriously bad character to assemble or meet on his premises for improper or unlawful purposes, shall, in addition to any other punishment provided by law be guilty of an offence, and on summary conviction thereof be liable to a penalty of not less than \$50 and costs nor more than \$100 and costs, and in default of payment forthwith after conviction to not less than one or more than two months' imprisonment.

Intoxicated persons
may be refused
admittance or
expelled.

44. Any licensee may refuse to admit to the premises in respect of which his license is granted any person who is intoxicated, and may refuse to admit and may turn out of the premises any person who is violent or quarrelsome or disorderly, and any person whose presence on his premises would subject the licensee to a penalty under this ordinance; and any such person who upon being requested in pursuance of this section by such licensee or his agent or servant, or any constable to quit such premises, refuses or fails to do so, shall be guilty of an offence and on summary conviction thereof be liable to a penalty of not more than \$50 and costs, and in default of payment, forthwith after conviction to one week's imprisonment; and all constables are required on demand of such licensee, his agent or servant, to expel, or assist in expelling, every such person from such premises, and may use such force as may be necessary for that purpose.

Liquor supplied to
minors prohibited,
penalty therefor.

45. Any licensee who knowingly allows to be supplied in his licensed premises, by purchase or otherwise, any description whatever of liquor to any person under the age of eighteen years, of either sex, shall, as well as the person who actually gives or supplies the the liquor, be guilty of an offence, and on summary conviction thereof be liable to pay a penalty of \$25 (dollars) and costs, for a first offence and in default of payment forthwith after conviction to one month's imprisonment, and for a second like offence a penalty of \$50 and costs, with absolute forfeiture of license, and in default of payment forthwith after conviction to two months' imprisonment and absolute forfeiture of license.

Females serving
liquor.

2. Any hotel licensee who knowingly allows any male under the age of eighteen years or any female to dispose of any form of intoxicants on the premises for which such license is granted shall be liable to all the penalties provided for in this section.

Proviso.

Provided that this shall not apply to female licensees or the wife of a licensee.

Charge for liquors
in quantity less than
one gallon cannot
be recovered.

46. No person shall recover or be allowed to set-off any charge for intoxicating liquors in any quantity less than one gallon, delivered at one and the same time; and specialties, bill notes, agreements or accounts stated, given, or made in whole or in part for or to secure any such charge shall be void; but nothing herein shall extend to any charge made by a hotel licensee against any boarder or traveller. It shall not be necessary for any person taking advantage of this section to plead the same specially,

but may raise the objection at any stage of the case. No person resident within one mile of such hotel or licensed premises shall be considered as a traveller within the meaning of this section.

47. Whenever, in any hotel or saloon, or other house or place where intoxicating liquors of any kind are sold, whether legally or illegally, any person has drunk to excess of intoxicating liquor of any kind therein furnished to him, and while in a state of intoxication from such drinking has come to his death by suicide or drowning or perchance from cold or other accident occasioned by such intoxication, the person, whether the keeper or the employee of such hotel, house or other place who delivered such person the liquor whereby such intoxication was caused, shall be liable to an action as for personal wrong at the suit of the legal representatives of the deceased person, if such action be brought within three months after such decease, but not otherwise; and such action may recover such sum not less than \$100 nor more than \$1,000 as may therein be assessed by the court or judge or jury as damages. The keeper of such hotel, or other house or place, and also any other person or persons who, for him, or in his employ, delivered to such person the liquor whereby such intoxication was caused, shall be jointly and severally liable to an action as for personal wrong at the suit of the legal representatives of the deceased person, if such action be brought within three months after such decease, but not otherwise, and such legal representatives may bring either a joint and several action against them, or a several action against any or either of them, and by such action or actions may recover such sum, not less than \$100 nor more than \$1,000 in the aggregate of any such actions as may therein be assessed as damages; and in the event of final judgment being recovered against any licensee in any action under this section, the license of such licensee shall thereupon be forfeited and thereafter be null and void.

Suicide or accidental death while intoxicated. Person supplying liquor liable to action.

48. Any person on summary conviction of any of the following offences shall be liable to a penalty of \$50 and costs, and in default of payment forthwith after conviction to two months' imprisonment.

Liquor consumed on premises of wholesale licensee, liquor sold to illicit dealer, penalty for.

1. Any wholesale licensee who allows any liquor sold by him or in his possession, and for the sale of which a license is required, to be consumed within his warehouse or within any building of which such warehouse forms part or which communicates by any entrance with such warehouse, either by the purchaser thereof, or by any other person not usually resident within such building; or

2. Any person who sells liquor by the wholesale to any person who he knows or has reason to believe is selling liquor without a license, and

3. Any licensee licensed to sell liquors not to be consumed on the premises who takes or carries or employs, suffers any other person to take or carry any liquor out of or from the premises of such licensee for the purpose of being sold on his account or for his benefit or profit, and of being consumed in any other house, or in any tent, shed or other building of any kind whatsoever, belonging to such licensee, or hired, used or occupied by him.

4. In any proceeding under this section, it shall not be necessary to prove that the premises or place or places to which such liquor is taken to be drunk belonged to, were hired, used or occupied by the seller, if proof be given to the satisfaction of the court hearing the case that such liquor was taken to be consumed thereon or therein with intent to evade the conditions of his license.

Evidence in proceeding.

POWERS OF INSPECTORS AND OTHER OFFICERS.

49. Any police officer, policeman or constable or inspector of licenses shall, for the purpose of preventing or detecting the violation of any of the

Officers may enter and search premises.

provisions of this ordinance which it is his duty to enforce, at any time have the right to enter into any and every part of the hotel or other place wherein the refreshments or liquors are sold, or reputed to be sold, whether under license or not, and to make searches in every part thereof and of the premises connected therewith, as he may think necessary for the purpose aforesaid.

Penalty for refusing admittance to officers.

2. Every person being therein or having charge thereof who refuses or fails to admit such police officer, policeman, constable or inspector demanding to enter, in pursuance of this section in the execution of his duty, or who obstructs or attempts to obstruct the entry of such police officer, policeman, constable or inspector, or any such searches as aforesaid, shall be guilty of an offence, and on summary conviction thereof be liable to a fine of \$50 and costs, and in default of payment forthwith after conviction to one month's imprisonment in addition to any other punishment in such cases provided.

Search warrant.

50. Any justice, if satisfied by the information on the oath of any police officer, policeman, constable or inspector that there is reasonable ground for belief that any spirituous or fermented liquor is being kept for sale or disposal, contrary to the provisions of this ordinance, in any unlicensed house or place within his jurisdiction may, in his discretion, grant a warrant under his hand by virtue whereof it shall be lawful for the person named in such warrant at any time or times within two (2) months from the date thereof to enter, if need be, by force the place named in the warrant and every part thereof, and of the premises connected therewith, and to examine the same and search for liquor therein, and for such purpose such person may, if necessary, with such assistance as he may deem expedient, break open any door, lock or fastenings of such premises, or any part thereof, or of any closet, cupboard, box or other article likely to contain any such liquor, and in the event of any liquor being so found unlawfully kept on the said premises, the occupant thereof shall, until the contrary is proved, be deemed to have kept such liquor for the purposes of sale contrary to the provisions of section 51 of this ordinance, and may be arrested by such officer or person having the warrant for search as aforesaid and any person so arrested shall be liable to a fine of one hundred dollars (\$100) and costs, or in default of immediate payment thereof imprisonment for three calendar months.

Seizure and forfeiture of liquor and vessels.

2. When any inspector, policeman, constable or officer in making or attempting to make any search under or in pursuance of the authority conferred by section 49 of this ordinance, or under the warrant mentioned in this section finds in an unlicensed house or place any liquor which in his opinion is unlawfully kept for sale or disposal contrary to this ordinance, 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 any other person, for keeping liquor for sale in such house or place without license, the justice making such conviction may, in and by the said conviction, or by a separate and subsequent order declare the said liquor and vessels, or any part thereof, to be forfeited to Her Majesty, to be sold or otherwise disposed of, as the board may direct, and the proceeds of any such sale shall be forthwith transmitted to the Territorial Comptroller to form part of the general revenue fund.

NO LIQUOR TO BE SOLD WITHOUT LICENSE.

Sale without license prohibited.

51. No person shall sell by wholesale or by retail or shall keep or have in any house or any other place whatsoever, any liquor for the purpose of selling, bartering or trading therein, without having first obtained a license authorizing him to do so, and any sale or other disposal of liquor by any association, body of persons or club not incorporated by special ordinance of the territory, or by the servant or agent thereof to the

members thereof, or to any other person without such license shall be a violation of this ordinance.

52. It shall be the duty of the inspector and sub-inspector, from time to time, when directed by the board, to visit and inspect every licensed place within the district or sub-district, and to report forthwith to it every case of infraction of the provisions of this ordinance; and every inspector or sub-inspector shall at once, and in conformity with the provisions herein contained, prosecute any person so offending, and shall suffer no unnecessary delay to intervene between his obtaining the information and the prosecution. Inspectors to visit licensed places when directed.

53. Violation of any of the provisions of section 40 shall be an offence for which the person violating shall be liable to summary conviction. Penalty for selling prohibited hours.

For the first offence to a penalty of not less than \$50 and costs, or more than \$100 and costs, and in default of payment forthwith after conviction not less than two months' or more than four months' imprisonment.

For the second or any subsequent offence a penalty of not less than \$100 and costs, with absolute forfeiture of license, and in default of payment forthwith after conviction, not less than four nor more than six months' imprisonment with absolute forfeiture of license.

54. Any person who sells or barter liquor of any kind without the license thereof required by law, shall be guilty of an offence, and on summary conviction:— Penalty for selling liquor without a license.

For the first offence be liable to a penalty of not less than \$50 and costs, nor more than \$100 and costs, and in default of payment forthwith after conviction, to not less than two months' nor more than one month's imprisonment

For a second offence not less than \$100 and costs, and in default of payment forthwith after conviction to not less than three months' nor more than six months' imprisonment.

For a third or subsequent offence a fine of not less than \$100 and costs, and in default of payment forthwith after conviction, to not less than six months' imprisonment,

55. Neither the inspector nor any sub-inspector of any license district shall, either directly or indirectly, receive, take or have any money whatsoever for any license, report, matter or thing connected with or relating to any grant of any license; or receive, take or have any note, security or promise for the payment of such money, or any part thereof, from any person or persons whomsoever; and any person or persons guilty of, or concerned in, or party to any act, matter or thing contrary to the provisions of this section shall be guilty of an offence, and on summary conviction thereof be liable to a penalty of \$100 and costs, and in default of payment forthwith after conviction to imprisonment for three months'. Inspector shall not receive bribe.

56. Any commissioner, inspector, officer or other person, who contrary to the provisions of this ordinance, knowingly issues, or causes or procures to be issued, any liquor license, or a certificate therefor, shall be guilty of an offence, and on summary conviction thereof be liable to a penalty of \$100 and costs, and in default of payment forthwith after conviction to imprisonment for six months. Penalty for causing illegal issue of license.

57. Any person who having, or being charged with having, violated any of the provisions of this ordinance compromises, compounds or settles, or offers or attempts to compromise, compound or settle the offence with any person or persons, with the view of preventing any complaint being made in respect thereof, or if a complaint has been made, with a view of getting rid of such complaint, or of stopping or of having the same dismissed for Penalty for compounding offences.

want of prosecution or otherwise, shall be guilty of an offence, and on summary conviction thereof be liable to incur a penalty of \$100 and costs, and in default of payment forthwith after conviction to imprisonment for two months.

Penalty for being party to composition.

58. Every person who is concerned in or is a party to the compromise, composition or settlement mentioned in the next preceding section shall be guilty of an offence, and on summary conviction thereof be liable to a penalty of \$50 and costs, and in default of payment forthwith after conviction to one month's imprisonment.

Penalty for assisting to avoid arrest.

59. Any one knowing, or having reason to believe, that an order to commit to gaol has been issued against any person under this ordinance, who prevents the arrest of such person, or procures or facilitates by any act or counsel, or in any manner whatsoever, his avoidance of arrest, or who provides such a person with the means of avoiding arrest, shall be guilty of an offence, and on summary conviction thereof be liable to a penalty of \$50 and costs, and in default of payment forthwith after conviction to two months' imprisonment, in addition to any other penalty provided by law.

Convictions operating as forfeiture.

60. Every second conviction for any offence against the provisions of sections 45 and 48, and every conviction for an offence against the provisions of the said sections, when there has been a previous conviction for an offence against the provisions of any other of them, and every third conviction for an offence against the provisions of this ordinance, or any of them shall operate as a forfeiture of the license of the offender when not otherwise provided.

Penalty for offences not specially provided for.

61. Every person who shall violate any of the provisions of this ordinance, for which violation no penalty is herein specially provided, shall be guilty of an offence, and on summary conviction thereof shall be liable to a penalty of not less than \$50 and costs and more than \$100 and costs, and in default of payment forthwith after conviction to imprisonment for not less than one month nor more than four months.

2. The license of any licensee convicted of any violation of the provisions of section 59 of an Act of Parliament of Canada, intituled "An Act respecting Indians," and any amendments thereto shall, upon such conviction, be forfeited and thereafter be null and void.

Contravention of ordinance by employee of licensee.

62. Any contravention of any of the provisions of this ordinance by any servant, agent or employee of a licensee shall be presumed to be the act of such licensee, but except in the case of prosecution under section 40, such presumption may be rebutted by proof or explicit instructions to the contrary by such licensee. Any such servant, agent or employee contravening any of the provisions of this ordinance, and disobeying any such explicit instructions, shall be liable on summary conviction to imprisonment to not less than ten days or more than three months, without the option of a fine.

PROSECUTIONS.

Prosecutions instituted within thirty days after offence.

63. Prosecutions for offences created by this ordinance shall be had and taken under part 56 of the Criminal Code 1892, which is incorporated herewith, and shall be instituted within six months after the commission of the alleged offence.

Description of offences.

64. The description of any offence under this ordinance in the words of the ordinance, or in words of like effect, and any exception, exemption, provision, excuse or qualification, whether it does or does not accompany the description of the offence in this ordinance, may be proved by the defendant, but need not be specified or negatived in the information; but if it be so specified or negatived, no proof in relation to the

matter so specified or negatived shall be required on the part of the informant or complainant.

65. Several charges of contravention of this ordinance committed by the same person, may be included in one and the same information or complaint. Several offences charged in one complaint.

Provided that such information and complaint, and the summons issued thereon, contains specifically the time and place of each contravention.

66. It shall be the duty of the inspector to see that a synopsis of this ordinance, and the penalties thereunder, shall be posted in a conspicuous place where liquor is sold under this ordinance, and every licensee failing to post the same, on being requested to do so by the inspector, shall be guilty of an offence and on summary conviction thereof be liable to forfeit \$25. Such synopsis shall be printed in such language as the board may direct. Synopsis of ordinance to be posted. Penalty for failing to do so.

67. In describing the offences respecting the sale or other disposal of liquor, or the keeping or the consumption of liquor, in any information, summons or conviction, warrant or proceedings under this ordinance, it shall be sufficient to state the sale, disposal, keeping or consumption of liquor simply, without stating the name or kind of such liquor, or the price thereof, or the name of any person to whom it was sold or disposed of, or by whom it was consumed; and it shall not be necessary to state the quantity of liquor so sold, disposed of, kept or consumed, except in the case of offences where the quantity is essential, and then it shall be sufficient to allege the sale or disposal of more or less of such quantity as the case may require. Contents of information.

68. The forms set forth in the schedule or forms to this ordinance, or any forms to the like effect, shall be sufficient in the cases thereby respectively provided for; and when no forms are provided by the said schedule, they may be framed in accordance with Part LVIII. of Criminal Code, 1892. Where no forms prescribed by schedule.

PROCEDURE IN CASES WHERE PREVIOUS CONVICTION IS CHARGED.

69. The proceedings upon information for an offence against any of the provisions of this ordinance, in a case where a previous conviction is charged, shall be as follows:— Proceedings where previous conviction charged.

1. The justice shall, in the first instance, enquire concerning such subsequent offence only, and if the accused is found guilty thereof, he shall then, and not before, be asked whether he was so previously convicted as alleged in the information, and if he answers that he was so previously convicted, he shall be sentenced accordingly; but if he denies that he was so previously convicted, or does not answer such question, the justice shall then enquire concerning such previous conviction or convictions.

2. Such previous convictions may be proved *prima facie* by the production of a certificate purporting to be under the hand of the convicting justice or the clerk of the court to whose office the conviction has been returned, without proof of signature or official character. Proof of previous conviction.

3. In the event of any conviction for any second or subsequent offence becoming void or defective, after the making thereof, by reason of any previous conviction being set aside, quashed or otherwise rendered void, the justice, or other person by whom the second or subsequent conviction was made, shall summon the person convicted to appear at a time and place to be named and shall thereupon, upon proof of the due service of the summons, if such person fails to Subsequent conviction, if former quashed, may be recorded.

appear, or on his appearance, amend such second or subsequent conviction and adjudge such penalty or punishment as might have been adjudged had such previous conviction never existed, and such amended conviction shall thereupon be held valid to all intents and purposes, as if it had been made in the first instance.

Convictions under section 62.

4. In case any person who has been convicted of a contravention of any provision of any of the sections of this ordinance, mentioned in Section 62, is afterward convicted of an offence against any provision of any of the said sections, such a conviction shall be deemed a conviction for a second offence, within the meaning of the said section, and shall be dealt with accordingly, although the two convictions may have been under different sections.

Convictions for several offences.

70. Convictions for several offences may be made under this ordinance, although such offences may have been committed on the same day; but the increased penalty or punishment hereinbefore imposed shall only be incurred or awarded in case of offences committed on different days, and after the information laid for a first offence.

Commissioner or Inspector if J.P. not to adjudicate on complaint within his district.

71. No member of the board of license commissioners, or inspector of licenses who is a justice shall try and adjudicate upon any complaint for an infraction of any of the provisions of this ordinance committed within the territorial limits for which he is a commissioner or inspector.

Record of conviction to be endorsed on license.

72. Whenever a licensee is convicted of any offence against the provisions of this ordinance, a record thereof shall be endorsed on the license of the person convicted, and the following provisions shall have effect, that is to say:

Production of license.

1. The justice before whom any licensed person is accused shall require such person to produce and deliver to him the license under which such person carries on business, and the summons shall state that such production will be required.

Endorsement.

2. If such person is convicted the justice convicting shall cause the short particulars of such conviction and the penalty imposed, to be endorsed on his license, before it is returned to the offender, and such record shall be *prima facie* evidence of such conviction where such is subsequently required.

Entry in Register.

3. The chairman shall enter the particulars respecting such conviction, or such of them as the case may require, in the register of licenses kept by him under this ordinance, and all justices shall notify the chairman in writing of any convictions they have made.

Where effect is forfeiture sub-inspector to be notified.

4. Where the conviction of any such person has the effect of causing the forfeiture of the license or of disqualifying any person for the purposes of this ordinance, the license shall be forwarded by the justice with notice of such forfeiture or disqualification, to the chairman.

Certificate of conviction.

73. The justice on any conviction of a licensee for an offence against this ordinance, shall send forthwith to the chairman a certificate of such conviction.

Costs allowed to justice.

74. For the additional duties imposed by the two next preceding sections, the justice shall be entitled to charge as costs in the proceedings the following sums:

1. For making up and forwarding certificate to the chairman the sum of \$2.50.
2. For recording the conviction on the license, the sum of \$2.50.

75. When not otherwise provided, a third conviction of a licensee for any violation or contravention of the provisions of this ordinance, shall *ipso facto* operate as a forfeiture of his license and disqualify the person convicted from obtaining a license for three years thereafter. Third conviction forfeits license and disqualifies.

EVIDENCE, ETC.

76. In any prosecution or proceeding under this ordinance, in which proof is required respecting any license, a certificate purporting to be under the hand of the chairman shall be *prima facie* proof of the existence of such license, and of the identity of the person to whom the license was granted or transferred, or against whom the order was made; and the production of such certificate shall be sufficient *prima facie* evidence of the facts therein stated and of the authority of the chairman, without any proof of his appointment or signature. Certificate of Chairman.

77. Any regulation made by the board shall be sufficiently authenticated by being signed by them, and a copy of such regulation, written or printed, and certified to be a true copy by them, or one of them shall be deemed authentic, and be received as *prima facie* evidence in any court of justice without proof of the signature or signatures, unless it is specially pleaded or alleged that the signature or signatures to any such original resolution have been forged, and evidence of such forgery has been adduced, by the person accused, sufficient in the opinion of the court, to make the proving of the signature or signatures advisable. Proof of regulations.

78. Any house, shop, room, or other place in which it is proved that there exists a bar, counter, beer pumps, kegs, jars, decanter, tumblers, glasses or any other appliances or preparations similar to those usually found in hotels, saloons, and shops where liquors are accustomed to be sold or trafficked in, shall be deemed to be a place in which liquors are kept or had for the purpose of being sold, bartered or traded in, in contravention of Section 5 of this ordinance, unless the contrary is proved by the defendant in any prosecution; and the occupant of such house, shop, room or other place shall be taken to be the person who has or keeps therein such liquors for sale, traffic or barter therein. Appliances of liquor trade evidence.

79. In proving the sale of liquor, for the purposes of any proceeding relative to any offence under this ordinance, it shall not be deemed necessary to show that any money actually passed or any liquor was actually consumed, if the justice or justices hearing the case is or are satisfied that a transaction in the nature of a sale actually took place, in respect to which a license is required under this ordinance, by some person other than the occupier of the premises, shall be evidence that such liquor was sold to the person consuming, or being about to consume, or carrying away the same, or against the occupant of the said premises. Proof of contravention.

80. The occupant of any house, shop, room or other place in which any sale, barter or traffic of liquors, or any matter, act or thing in contravention of any of the provisions of this ordinance, has taken place, shall be personally liable to the penalty prescribed in the 52nd section of this ordinance, notwithstanding such sale, barter or traffic be made by some other person who cannot be proved to have so acted under or by the directions of such occupant; and proof of the fact of such sale, barter or traffic, or any act, matter or thing by such person in the employ of such occupant, or who is suffered to remain in or upon the premises of such occupant, or to act in any way for such occupant, shall be conclusive evidence that such sale, barter or traffic, or other act, matter or thing, took place with the authority and by the direction of such occupant. Occupant of premises liable.

81. In any prosecution under this ordinance for the sale or other disposal of liquor without the license required by law, it shall not be necessary that any witness shall depose directly to the precise description of liquor sold or bartered or the precise consideration therefor. Precise description of liquor unnecessary.

What *prima facie*
evidence of said

82. The fact of any person not being a licensee keeping up any sign, writing, painting, or other mark in or near to his house or premises, or having such house fitted up with a bar or other place containing bottles or casks displayed so as to induce a reasonable belief that such house or premises is or are licensed for the sale of any liquor, or that liquor is sold or served therein, or that there is on such premises more liquor than is reasonably required for the persons residing therein, shall be deemed *prima facie* evidence of the unlawful sale of liquor by such person.

Proof licenses.

83. The production of a license which on its face purports to be duly issued, and which were it duly issued, would be a lawful authority to the defendant for such an act of omission, shall be *prima facie* evidence that the defendant is so authorized; and in all cases the signature to and upon any instrument purporting to be a valid license shall *prima facie* be taken to be genuine.

WITNESSES.

Costs allowed In-
spector attending
Court.

84. In any prosecution under this ordinance, if an inspector or sub-inspector attends this court as prosecutor or witness it shall be lawful for the justice trying the case to order the defendant in case of a conviction, to pay the inspector or sub-inspector the following costs:—

1. His actual travelling expenses and \$10 per day for each day so employed.

2. The foregoing expenses shall be verified by the oath of the inspector or sub-inspector.

3. In case the person convicted does not pay such costs, but is committed to gaol in default of payment the inspector or sub-inspector shall be entitled to be paid the amount out of the general revenue fund.

4. In case of prosecutions by inspectors or sub-inspectors when no conviction is procured, upon the written certificate of a justice trying a case that there were reasonable grounds for the prosecution, the inspector or sub-inspector shall be entitled to be paid the said costs out of the general revenue fund.

5. This section shall not apply to any inspector or sub-inspector who receives salary in lieu of all other charges and expenses.

Special license to
railway or steam-
boat company.

85. Any railway or steamboat company may obtain a special license from the board to sell wine, ale, beer and spirits on any dining car attached to a train upon the line of their railway, or upon any steamboat, and shall pay therefor the sum of \$1,000 to the comptroller.

Authority of police
officers, policemen
and constables.

86. Police officers, policemen and constables shall have full authority to enforce any of the provisions of this ordinance.

Date of coming
into effect.

87. This ordinance shall come into force and take effect from the date of the passing thereof.

Schedules of Ordinance No. 11 of 1898.

SCHEDULE A.

(Section 88.)

To the License Commissioners :

The petition of the undersigned humbly sheweth : That your petitioner makes application for (2) license to sell intoxicating liquors in the building occupied by your petitioner at in the Yukon Territory and described (3)

Your petitioner hath deposited with the proper officer the sum of fifty dollars (\$50), the fee payable for such application, and produces herewith receipt for same.

And your petitioner prays that a license may be granted accordingly.

(2) (Insert description of license, as hotel, wholesale or saloon.)

(3) (Here give full description of premises.)

SCHEDULE B.

(Section 89.)

I, applicant for a license to sell intoxicating liquors, make oath and say :

That I am of the full age of twenty-one years.

That I have never been convicted of any criminal offence subject to imprisonment for five years or upwards.

Sworn before me at in the Yukon Territory this day of 189

A justice of the peace or a commissioner, etc.

SCHEDULE C.

(Section 90.)

Whereas of in the Yukon Territory, has made application for a license to sell intoxicating liquors and it having been made to appear to the board of license commissioners that the said has complied with the provisions of this ordinance in that behalf, this is to certify that the said hereby licensed as provided by law, to sell intoxicating liquors in manner aforesaid, at said place of business, from the day of 189 to midnight on the day of 189 .

Dated at this day of 189 .

Chairman of the Board of Commissioners.

SCHEDULE OF FORMS.

1. Neglecting to keep license exposed.

That X. Y., having a license for sale by wholesale (or an hotel license) on _____ unlawfully or wilfully (or negligently) omitted to expose the said license in his warehouse (or in the bar-room of his hotel, as the case may be).

2. Sale without a license.

That X. Y., on the _____ day of _____ in the year of our Lord one thousand eight hundred and _____ at _____ in the _____ of _____ unlawfully did sell liquor without the license therefor by law required.

3. Keeping liquor without license.

That X. Y., on _____ at _____ unlawfully did keep liquor for the purpose of sale, barter and traffic therein, without the license therefor by law required.

4. Sale of liquor on licensed premises during prohibited hours.

That X. Y., on _____ at _____ in his premises (or on, or out of, or from his premises) being a place where liquor may be sold, unlawfully did sell (or dispose of) liquor during the time prohibited by the liquor license ordinance for the sale of the same, without any requisition for medical purposes as required by the said ordinance being produced by the vendee or his agent.

5. Allowing liquor to be drunk on licensed premises during prohibition hours.

That X. Y., on _____ at _____ in his premises, being a place where liquor may be sold, by retail, (or wholesale) unlawfully did allow (or permit) liquor to be drunk in such place during the time prohibited by the liquor license ordinance for the sale of the same, by a person other than the licensee, or some member of his family or a lodger in his house.

6. Sale of less than one quart under wholesale license.

That X. Y., having a wholesale license, on _____ at _____ unlawfully did sell liquor in less quantity than one half gallon (or one reputed quart bottle, or two reputed pint bottles, as the case may be).

7. Allowing liquor to be consumed on wholesale premises.

That X. Y., having a wholesale license, on _____ at _____ unlawfully did allow liquor sold by him (or in his possession) and for the sale of which a license is required, to be consumed within his premises (or within the building of which his premises form part, or within a building which communicates by an entrance with his premises) by a purchaser of such liquor (or by a person not usually resident within the building of which said premises form a part).

8. Keeping a disorderly house.

That X. Y., being the keeper of (house of public entertainment) situate in the town of _____ in the district of _____ on _____ in his said hotel unlawfully did sanction (or allow) riotous or disorderly conduct in his said hotel.

9. Comprising or compounding a prosecution.

That X. Y., having violated a provision of the liquor license ordinance, on _____ at _____ unlawfully did compromise (or compound or settle, or offer, or attempt to compromise, compound or settle) the offence with A. B., with a view of preventing

any complaint being made in respect thereof (or with the view of getting rid of, or of stopping, or of having the complaint made in respect thereof dismissed, as the case may be).

10. Being concerned in compromising a prosecution.

That X. Y., on _____ at _____ unlawfully concerned in (or a party to) a compromise (or a composition, or a settlement) of an offence committed by O. P., against a provision of the liquor license ordinance.

11. Tampering with a witness.

That X. Y., on a certain prosecution under the Liquor License Ordinance, on _____ at _____ unlawfully did tamper with O. P., a witness in such prosecution, before (or after) he was summoned (or appeared) as such witness on a trial (or proceeding) under the said ordinance, or did unlawfully induce or attempt to induce O. P., a witness in such prosecution, to absent himself or to swear falsely.

12. Refusing to admit a policeman.

That X. Y., on _____ at _____ being in (or having charge of) the premises of O. P., being a place where liquor is sold (or reputed to be sold) unlawfully did refuse (or fail) to admit (or did obstruct or attempt to obstruct) E. F., an officer demanding to enter in the execution of his duty or did obstruct or attempt to obstruct E. F., an officer, making searches in the said premises, and in the premises connected with such place.

13. Officer refusing to prosecute.

That X. Y., being a police officer (or constable, or inspector of licenses) in and for the _____ knowing that O. P. had on _____ at _____ committed an offence against a provision of the liquor license ordinance, unlawfully and wilfully did and still does neglect to prosecute the said O. P. for his said offence.

14. Refusing or failing to supply lodging, meals or accommodation to travellers.

That F. X., being the keeper of an hotel, in respect of which an hotel license has duly issued and is in force, on _____ at _____ unlawfully failed or refused personally (or through some one acting on his behalf) to supply lodgings, meals and accommodation to a traveller, as required by the liquor license ordinance.

15. Selling liquor to any one under eighteen years of age.

That X. Y., at _____ on _____ unlawfully did sanction (or allow) to be supplied in his licensed premises, by purchase (or otherwise) liquor to a person under the age of eighteen years, not being a resident on the premises, or a *bona fide* guest, lodger or traveller.

16. Obtaining liquor by false representations.

That X. Y., at _____ on _____ unlawfully did by falsely representing himself to be a lodger, buy or obtain (or attempt to buy or obtain) at _____ liquor during the period during which such premises are required to be closed in pursuance of the liquor license ordinance.

SCHEDULE E.

FORM OF INFORMATION LAID OR COMPLAINT MADE AS THE CASE MAY BE.

Canada, Yukon Territory. To wit:

The information of A. B., of the _____ of _____ laid (or complaint made, as the case may be) upon oath or affirmation before me, C. D., one of Her Majesty's Justices of the Peace in and for the Yukon Territory, the _____ day of _____ A. D. one thousand eight hundred and _____

The informant says he is informed and believes that X Y, on the _____ day of _____ A. D. one thousand eight hundred _____ and _____ at the _____ in the _____ of _____ unlawfully did sell liquor without the license therefor by law required (or as the case may be). A. B.

Laid, sworn (or affirmed) and signed before me _____ the _____ day _____ and year _____ and at the place first above mentioned. _____ C. D., J. P.

SCHEDULE F.

FORM OF INFORMATION FOR SECOND, THIRD OR FOURTH OFFENCE.

Canada, Yukon Territory. To wit:

The information of A. B., of, &c., laid upon oath (or affirmation) before me, C. D., one of Her Majesty's Justices of the Peace in and for the Yukon Territory, the _____ day of _____ A. D. one thousand eight hundred and _____

The informant says he is informed and believes that X. Y., on _____ at _____ (describe last offence).

And further that the said X. Y. was previously, to wit, on the _____ day of _____ A. D. 18 _____, at the _____ of _____ before E. F., one of Her Majesty's Justices of the Peace in and for the Yukon Territory, duly convicted of having on the _____ day of _____ 18 _____, at the _____ of _____ in the _____ of _____ unlawfully sold liquor without the license therefor required by law (or as the case may be).

And further that the said X. Y. was previously, to wit: on the _____ day of _____ A. D. 18 _____, at the _____ of _____ in the _____ before, &c., (as in the preceding paragraph) again duly convicted of having on the _____ day of _____ A. D. 18 _____, at the _____ of _____ in the _____ of _____ having a wholesale license, unlawfully allowed liquor to be consumed within a building which communicates with an entrance within his premises, by a person not usually a resident within the building of which such premises form a part (or as the case may be);

And further that the said X. Y. was previously, to wit, on the _____ day of _____ A. D. _____, in the _____ of _____ before, etc., (see above) again duly convicted of having on the _____ day of _____ A. D. 18 _____, at the _____ of _____ in the _____ of _____ —being in charge of the premises of O. P., a place where liquor was reputed to be sold—unlawfully failed to admit E. P., an officer demanding to enter in the execution of his duty (or as the case may be.)

And the informant says the offence hereinbefore firstly charged against the said X. Y. is his fourth (or as the case may be) offence against the liquor license ordinance. A. B.

Laid, sworn (or affirmed) and signed before me the
day and year and at the
place first above mentioned. C. D., J. P.

SCHEDULE G.

SUMMONS TO WITNESS.

Canada, Yukon Territory. To wit:

To J. K., of the of in the
of

Whereas information has been laid before me, C. D., one of Her Majesty's justices of the peace in and for the Yukon Territory, that X. Y., being a druggist, on the day of A.D. 18, the of in the of unlawfully did sell liquor for other than strictly medicinal purposes (or as the case may be) and it has been made to appear to me that you are likely to give material evidence on behalf of the prosecution in this matter; These are to require you to be and appear on the day of A.D. 18, at o'clock in the noon, at the in the of before me or such justice or justices of the peace as may then be there, to testify what you know concerning the said charge so made against the said as aforesaid - and also to bring with you and there and then to produce all and every invoices, day books, cash books, or ledgers, and receipts, promissory notes or other security relating to the purchase or sale, or sale of liquor by the said X. Y., and all other books and papers, accounts, deeds, and other documents in your possession, custody or control, relating to any matter connected with the said prosecution. Herein fail not.

Given under my hand and seal this day of
A.D. 18, at the of in the
of [L. S.] C. D., J. P.

SCHEDULE H.

FORM OF CONVICTION OF FIRST OFFENCE.

Canada, Yukon Territory. To wit:

Be it remembered that on the day of
A. D. 18, one thousand eight hundred and at
the of in the
of X. Y. is convicted before me, E. F., one of Her Majesty's
justices of the peace in and for the Yukon Territory, that he, the said
X. Y., on the day of A. D. one thousand eight
hundred and at the of
in the in his premises, being a place where liquor may
be sold, unlawfully did sell liquor during the time prohibited by the
liquor license ordinance for the sale of the same, without any requisition,
for medical purposes, as required by the said ordinance, being produced by
the vendee or his agent (or as the case may be). A. B. being informant,
and I adjudge said X. Y., for his said offence, to forfeit and pay the sum of
dollars, to be paid and applied according to law, and also to
pay to the said A. B. the sum of dollars for his costs in this behalf,
and if the said several sums be not paid forthwith, then *I order the said
sums to be levied by distress and sale of the goods and chattels of the said
X. Y., and in default of sufficient distress in that behalf* (or where the
issuing of a distress warrant would be ruinous to the defendant and his

family, or it appears that he has no goods whereon to levy a distress, then instead of the words between the asterisks * say, inasmuch as it has now been made to appear to me that the issuing of a warrant of distress in this behalf would be ruinous to the said X. Y. and his family, or that the said X. Y. has no goods or chattels whereon to levy the said several sums by distress) I adjudge the said X. Y. to be imprisoned in the common gaol at _____ in the said _____ and there to be kept for the space of _____ unless the said sums and the costs and charges of conveying the said X. Y. to the common gaol shall be sooner paid. Given under my hand and seal the day and year first above mentioned, at the _____ of _____ in the aforesaid _____

[L.S.]

C. D., J. P.

SCHEDULE I.

FORM OF CONVICTION FOR A THIRD OFFENCE.

Canada, Yukon Territory. To WIT:

Be it remembered that on the _____ day of _____ in the year of our Lord one thousand eight hundred and _____ in the _____ of _____ in the _____ X. Y. is convicted before the undersigned C. D., one of Her Majesty's justices of the peace in and for the said territory, for that he, the said X. Y., on the _____ day of _____ A. D. one thousand eight hundred and _____ at (or of _____) in the said _____ (as the case may be) having violated a provision of the liquor license ordinance, unlawfully did attempt to settle the offence with A. B., with the view of having the complaint made in respect thereof dismissed (or as the case may be).

And it appearing to me that the said X. Y. was previously, to wit: on the _____ day of _____ A. D. 18 _____, at the _____ of _____ before, &c., duly convicted of having on the _____ day of _____ A. D. 18 _____, at the _____ of _____ unlawfully sold liquor without the license therefor by law required (or as the case may be).

And it also previously appearing to us that the said X. Y. was previously, to wit: on the _____ day of _____ A. D. 18 _____, at the _____ of _____ before, etc., (see above) again duly convicted of having on the _____ day of _____ A. D. 18 _____, at the _____ being the keeper of licensed premises situate in the said _____ of _____ unlawfully allowed _____ in his said licensed premises (or as the case may be).

I adjudged the offence of the said X. Y., hereinbefore firstly mentioned, to be his third offence against the liquor license ordinance (A. B. being the informant) and I adjudged the said X. Y. for the third offence to be imprisoned in the common gaol at _____ in the said _____ of _____ there to be kept at hard labour for the space of three calendar months (or as the case may be).

Given under my hand and seal the day and year first above mentioned, at _____ in the _____ of _____

[L.S.]

C. D., J. P.

SCHEDULE J.

WARRANT OF COMMITMENT FOR FIRST OFFENCE WHERE A PENALTY IS IMPOSED.

Canada, Yukon Territory. To WIT:

To all and any of the constables and other peace officers in the _____ and the keeper of the common gaol at _____ in the territory of _____

Whereas X. Y., late of the _____ of _____ in the
 said _____ was on this day convicted before the undersigned
 C D, one of Her Majesty's justices of the peace in and for the
 or _____ of _____ (as the case may be) for that he the said X. Y.,
 on _____ at _____ unlawfully did sell liquor without
 the license therefor by law required (state offence as in the conviction)—
 A. B. being the informant—and was thereby adjudged that the said X. Y.
 for his _____ said offence should forfeit and pay the sum of
 _____ (as in conviction) and should pay to the said A B the sum
 of _____ for his costs in that behalf;

And it was thereby further adjudged that if the said several sums
 should not be paid forthwith, the said X. Y. should be imprisoned in the
 common goal at _____ in the said territory, there to be kept at
 hard labour for the space of _____ unless the said several sums
 and the costs and charges of conveying the said X. Y. to the said common
 goal should be sooner paid.

And whereas the said X. Y. has not paid the several sums, or any part
 thereof, although the time for payment thereof has elapsed;

If a distress warrant issued and was returned no goods, say:

And whereas afterwards, on the _____ day of _____ A.D. 18 _____, I,
 the said justice, issued a warrant to the said constable or peace officer, or
 any of them, to levy, the said several sums of _____ of _____ and
 by distress _____ and the sale of goods and chattels
 of the said X. Y.

And whereas it appears to me as well, by the return of the said
 warrant of distress by the constable who had the execution of the same or
 otherwise, that the said constable has made diligent search for the goods
 and chattels of the said X. Y., but that no sufficient distress whereon to
 levy the said sums could be found.

Or where the issuing of a distress warrant would be ruinous to the
 defendant and his family, or if it appears that he has no goods whereupon
 to levy a distress, then instead of the foregoing recitals of the issue and
 return of the distress warrant say:

And whereas it has been made to appear to me that the issuing of a
 warrant of distress in this behalf would be ruinous to the said X. Y. and
 his family, or that the said X. Y. has no goods or chattels whereon to levy
 the said sum by distress, as the case may be.

These are therefore to command you, the said constables or peace
 officers, or any of you, to take said X. Y., and him safely convey to the
 common gaol aforesaid at _____ in the _____ and
 there deliver him to the said keeper thereof together with this precept.

And I do hereby command you, the said keeper of the said common
 gaol, to receive the said X. Y. into your custody in the said common gaol,
 there to imprison him and keep him for the space of _____
 unless the said several sums and all the costs and charges of the said dis-
 tress amounting to the sum of _____ and of the commitment,
 and conveying of the said X. Y. to the said common gaol, amounting to
 the further sum of _____ shall be sooner paid unto you, the
 said keeper, and for so doing this, shall be your sufficient warrant.

Given under my hand and seal this _____ day of _____
 A. D. 18 _____, at _____

[L.S.]

C. D.

SCHEDULE K.

(Section .)

FORM OF DECLARATION OF FORFEITURE AND OF ORDER TO DESTROY LIQUOR SEIZED.

If in conviction, after adjudging penalty or imprisonment, proceed thus:—

And I declare the said liquor, and vessels in which the same is kept, to wit: Two barrels containing beer, three jars containing whiskey, two bottles containing gin, four kegs containing lager beer, and five bottles containing native wine (or as the case may be) to be forfeited to Her Majesty, and I do hereby order and direct that T. D., License Inspector of the _____ of _____ (or J. P. W., License Inspector of the _____ of _____) do forthwith destroy the said liquor and vessels.

Given under my hand and seal the day and year first above mentioned at, &c.

If by second or subsequent order:—

Canada, Yukon Territory. To wit:—

I, S. F., one of Her Majesty's justices of the peace in and for the Yukon Territory, having on the _____ day of _____ one thousand eight hundred and _____ at the _____ of _____ in the said Yukon Territory, duly convicted X. Y. of having unlawfully kept liquor without a license, do hereby declare the said liquor and vessels in which the same is kept, to wit: (describe the same as above) to be forfeited to Her Majesty, and I do hereby order and direct that J. P. W., License Inspector of the _____ of the said _____ do forthwith destroy the said liquor and vessels.

Given under my hand and seal this _____ day of _____ at the _____ of _____ in the said _____ [L.S.] S. F.

(Signed) WILLIAM OGILVIE,
Commissioner.

SCHEDULE L.

FORM OF INFORMATION FOR SECOND, THIRD OR FOURTH OFFENCE.

CANADA,	}	The information of A. B., of, etc., laid upon oath (or affirmation) before me, C. D., one of Her Majesty's Justices of the Peace, in and for the Yukon Territory, the _____ day of _____ A.D. one thousand eight hundred and _____
YUKON TERRITORY,		
To wit:		

The said informant says he said he is informed and believes that X. Y., on _____ at (describe last offence); _____ and further that the said X. Y. was previously, to wit: on the _____ day of _____ A.D. 18 _____, at the _____ of _____ before E. F., one of Her Majesty's justices of the peace in and for the Yukon Territory, duly convicted of having on the _____ day of _____ A.D. 18 _____, at the _____ of _____ in the _____ of _____ unlawfully sold liquor without the license therefor required by law (or as the case may be);

And further that the said X. Y. was previously, to wit: on the day of _____ A.D. 18____, at the _____ of _____ in the _____ of _____ before, etc., (as in preceding paragraph) again duly convicted of having on the _____ day of _____ A.D. 18____, at the _____ of _____ in the _____ of _____ having a wholesale license, unlawfully allowed liquor to be consumed within a building which communicates by an entrance within his premises, by a person not usually resident within the building of which such premises form a part (or as the case may be); And further that the said X. Y. was previously, to wit: on the day of _____ A.D. 18____, in the _____ of _____ before, etc., (see above) again duly convicted of having on the _____ day of _____ A.D. 18____, at the _____ of _____ in the _____ of _____ being in charge of the premises of O. P., a place where liquor was reputed to be sold—unlawfully failed to admit E. F., an officer demanding to enter in the execution of his duty (or as the case may be).

And the informant says the offence hereinbefore firstly charged against the said X. Y. is his fourth (or as the case may be) offence against the Liquor License Ordinance.

Laid, sworn (or affirmed) and signed before me }
 the day and year, and at the place first }
 above mentioned. } A. B.

C. D., J. P.

SCHEDULE M.

SUMMONS TO WITNESS.

CANADA,
 YUKON TERRITORY, }
 To wit: }

To J. K., of the _____ of _____ in the _____

Whereas information has been laid before me, C. D., one of Her Majesty's justices of the peace in and for the Yukon Territory, that X Y, being a druggist, on the _____ day of _____ A.D. 18____, at the _____ of _____ in the _____ of _____ unlawfully did sell liquor for other than strictly medicinal purposes (or as the case may be) and it has been made to appear to me that you are likely to give material evidence on behalf of the prosecution in this matter:

These are to require you to be and _____ appear on the _____ day of _____ A.D. 18____, at _____ o'clock in the _____ noon, at the _____ in the _____ of _____ before me or such justice or justices of the peace as may then be there, to testify what you know concerning the said charges so made against the said _____ as aforesaid, (and also to bring with you and there and then to produce all and every invoices, day books, cash books or ledgers, and receipts, promissory notes or other security relating to the purchase or sale, or sale of liquor by the said X Y., and all other books and papers, accounts, deeds and other documents in your possession, custody or control, relating to any matter connected with the said prosecution.) Herein fail not.

Given under my hand and seal this _____ day of _____ A.D. 18____, at the _____ of _____

[L.S.]

C. D., J. P.

SCHEDULE N.

FORM OF CONVICTION FOR FIRST OFFENCE.

CANADA,
YUKON TERRITORY,

To wit:

BE IT REMEMBERED that on the _____ day of _____
A. D. one thousand eight hundred and _____ at the _____
of _____ in _____ the _____ of _____
X. Y. is convicted before me, E. F., one of Her Majesty's justices of the peace
in and for the Yukon Territory, for that he, the said X. Y., on the
day of _____ A. D. one thousand eight hundred and _____
at the _____ of _____ in the _____ in his
premises, being a place where liquor may be sold, unlawfully did sell
liquor during the time prohibited by the liquor license ordinance for the
sale of the same, without any requisition for medical purposes as required
by the said ordinance, being produced by the vendee or his agent (or as
the case may be), A. B. being informant, and I adjudge said X. Y., for his
said offence to forfeit and pay the sum of _____ dollars, to be
paid and applied according to law, and also to pay to the said A. B. the
sum of _____ dollars for his costs in this behalf, and if the said
several sums be not paid forthwith, then I order the said sums to be levied
by distress and sale of the goods and chattels of the said X. Y., and in
default of sufficient distress in that behalf (or where the issuing of a dis-
tress warrant would be ruinous to the defendant and his family, or it
appears that he has no goods whereon to levy a distress, then instead of
the words between the brackets, say inasmuch as it has now been made
to appear to me that the issuing of a warrant of distress in this behalf
would be ruinous to the said X. Y. and his family, or that the said X. Y.
has no goods or chattels whereon to levy the said several sums by distress)
I adjudge the said X. Y. to be imprisoned in the common gaol for the
_____ Judicial District of _____ at _____
in the said _____ and there to be kept for the space of _____
unless the said sums and the costs and charges of conveying the said
X. Y. to the said common gaol shall be sooner paid.

Given under my hand and seal the day and year first above men-
tioned, at the _____ of _____ in the _____ aforesaid.

C. D., [J.P.]

SCHEDULE O.

FORM OF CONVICTION FOR A THIRD OFFENCE.

CANADA,
YUKON TERRITORY,

To wit:

BE IT REMEMBERED That on the _____ day of _____
in the year of our Lord one thousand eight hundred and _____
in the _____ of _____ in the _____ X. Y. is
convicted before me, the undersigned C. D., one of Her Majesty's justices
of the peace in and for the said Territory, for that he the said X. Y. on the
day of _____ A. D. one thousand eight hundred and _____
at _____ (or of _____) in the said
(as the case may be) having violated a provision of the
liquor license ordinance, unlawfully did attempt to settle the offence with
A. B. with the view of having the complaint made in respect thereof dis-
missed (or as the case may be).

And it appearing to me that the said X. Y. was, previously, to wit: on the _____ day of _____ A. D. 18 _____, at the _____ of _____ before, &c., duly convicted of having on the _____ day of _____ A. D. 18 _____, at the _____ of having unlawfully sold liquor without the license therefor by law required (or as the case may be).

And it also appearing to us that the said X. Y. was previously, to wit: on the _____ day of _____ A. D. 18 _____, at the _____ of _____ before me, etc., (see above) again duly convicted of having on the _____ day of _____ A. D. 18 _____, at the _____ being _____ the keeper of licensed premises situate in the said _____ of _____ unlawfully allowed gambling in his said licensed premises (or as the case may be);

I adjudged the offence of the said X. Y. hereinbefore firstly mentioned, to be his third offence against the Liquor Licence Ordinance (A. B. being the informant) and I adjudged the said X. Y. for his third offence to be imprisoned in the common goal of the said _____ of _____ at _____ in the said _____ of _____ there to be kept at hard labour for the space of three calendar months (or as the case may be).

Given under my hand and seal the day and year first above mentioned, at _____ in the _____ of _____ C. D.

SCHEDULE P.

WARRANT OF COMMITMENT FOR FIRST OFFENCE WHERE A PENALTY IS IMPOSED.

CANADA, }
YUKON TERRITORY, }
To wit: }

To all or any of the constables or other peace officers in the _____ of _____ and the keeper of the common gaol of the said _____ at _____ in the Judicial District of _____

Whereas X. Y., late of the _____ in the said _____ was on this day _____ convicted before the undersigned C. D, one of Her Majesty's justices of the peace in and for the _____ of _____ or _____ of _____ (as the case may be) for that he the said X. Y. on _____ at _____ unlawfully did sell liquor without the license therefor by law required (state offence as in the conviction) (A. B. being the informant) and it was thereby adjudged that the said X. Y. for his said offence should forfeit and pay the sum of _____ (as in conviction) and should pay to the said A B the sum of _____ for his costs in _____ that behalf.

And it was thereby further adjudged that if the said several sums should not be paid forthwith, the said X. Y. should be imprisoned in the common gaol of the Judicial District _____ in the said territory, there to be kept at hard labour for the space of _____ unless the said several sums and the costs and charges of conveying the said X. Y. to the said common gaol should be sooner paid.

And whereas the said X. Y. has not paid the several sums, or any part thereof, although the time for payment thereof has elapsed: (If a distress warrant issued and was returned no goods, or not sufficient goods, say:)

And whereas afterwards, on the _____ day of _____ A D. 18 _____, I, the said justice, issued a warrant to the said constable or peace officer or any of them, to levy the said several sums of _____ of _____ and _____ by distress and sale of the goods and chattels of the said X. Y.;

And whereas it appears to me as well, by the return of the said warrant of distress by the constable who had the execution of the same or otherwise, that the said constable has made diligent search for the goods and chattels of the said X.Y. but that no sufficient distress whereon to levy the said sums could be found.

(Or where the issuing of a distress warrant would be ruinous to the defendant and his family, or if it appears that he had no goods whereon to levy a distress then instead of the foregoing recitals of the issue and return of the distress warrant, etc., say:)

And whereas it has been made to appear to me that the issuing of a warrant of distress in this behalf would be ruinous to the said X.Y. and his family, or that the said X Y has no goods or chattels whereon to levy the said sums by distress (as the case may be).

These are therefore to command you the said constables or peace officers, or any of you to take the said X. Y. and him safely convey to the common gaol aforesaid at _____ in the _____ of _____ and there deliver him to the said keeper thereof together with this precept.

And I do hereby command you the said keeper of the said commor. gaol, to receive the said X. Y. into your custody in the said common gaol, there to imprison him and keep him for the space of _____ unless the said several sums and all the costs and charges of the said distress amounting to the sum of _____ and of the commitment and conveying of the said X.Y. to the said common gaol, amounting to the further sum of _____ shall be sooner paid unto you the said keeper, and for so doing this shall be your sufficient warrant.

Given under my hand and seal this _____ day of _____
 A. D. 18 _____, at _____ C. D.

SCHEDULE Q.

FORM OF DECLARATION OF FORFEITURE AND OF ORDER TO DESTROY LIQUOR SEIZED.

If in conviction and after adjudging penalty or imprisonment proceed thus:—

And I declare the said liquor, and vessels in which the same is kept, to wit: two barrels containing beer, three jars containing whiskey, two bottles containing gin, four kegs containing lager beer and five bottles containing native wine (or as the case may be) to be forfeited to Her Majesty, and I do hereby order and direct that T. D., License Inspector of the _____ of _____ (or J. P. W., License Inspector of the _____ of _____) do dispose of the said liquor and vessels according to the order of the Commissioner in Council.

Given under my hand and seal the day and year first above mentioned, &c, at _____

If by separate or subsequent order.

CANADA, }
 YUKON TERRITORY. }
 To wit :

I, E. F., one of Her Majesty's justices of the peace in and for the Yukon Territory, having on the _____ day of _____ one thousand eight hundred and _____ at the _____ of _____ in the said Yukon Territory, duly convicted X. Y. of having unlawfully kept liquor without a license, do hereby declare the said liquor and

vessels in which the same is kept, to wit: (describe the same as above) to be forfeited to Her Majesty, and I do hereby order and direct that J.W.P., License Inspector of the _____ of the said _____ do dispose of the said liquor and vessels according to order of the Commissioner in Council.

Given under my hand and seal this _____ day of _____ at the _____ of _____ in the said _____ E. F.

SCHEDULE R.

CANADA, }
YUKON TERRITORY. }

Be it remembered that on the _____ day of _____ A. D. Complaint was made before the undersigned, a justice of the peace in and for the said Territory;

That A. B. (here follow the facts as stated in the complaint) and now having duly heard the matter of complaint I do order that during the period of one year from the date hereof no licensee after notice of this order shall sell (otherwise than on a certificate for medical purposes) any liquor to the said A. B.

Given under my hand and seal this _____ day of _____ at the _____ of _____ in the said _____

EXTRACT from a Report of the Committee of the Honourable the Privy Council, approved by His Excellency, on the 14th April 1899.

On a Report dated 12th April, 1899, from the Minister of the Interior stating that amongst a number of Ordinances which have been passed by the Commissioner in Council of the Yukon Territory under the provisions of Section 6 of the Act, 61 Victoria, Chapter 6, and which have been despatched in accordance with the provisions of Section 7 of that Act, to be submitted to Your Excellency in Council, and to be laid before both Houses of Parliament, is an Ordinance, "No. 11 of 1898," which is entitled: "An Ordinance respecting the sale of Intoxicating Liquors and the issue of Licenses therefor" which by virtue of its eighty-seventh section came into force and took effect in the Yukon Territory upon the 7th December, 1898.

The Minister further states that he has had the provisions of this Ordinance carefully compared with the provisions of "The Liquor License Ordinance," No. 7 of 1897, which was passed in that year by the Legislative Assembly of the North-West Territories, and that the latter Ordinance contains many provisions which restrict or control the sale of intoxicants and which are not contained in the Ordinance No. 11 of 1898, so passed by the Commissioner in Council of the Yukon Territory, and that such Ordinance contains provisions which are not in the other Ordinance at all, and which lessen the restrictions and control of the sale of intoxicants, or which have been so varied in their wording as compared with wording of corresponding provisions in such other Ordinance that they lead in that direction.

The Minister further submits that under the provisions of the Ordinance in question, also an unlimited supply of intoxicating liquors may be

permitted to be brought within the boundaries of the Yukon Territory there being no provision to the contrary, and no method of controlling it, so that the system which has been inaugurated under such Ordinance must result of necessity in the unrestricted and illicit sale of intoxicants in many parts of the Territory, because of its great extent, its scattered population, the nature of its country, and the difficulties that will arise in watching the supplies of liquor after such supplies have been permitted to be brought into the Territory.

The Minister therefore recommends that such Ordinance No. 11 of 1898, so passed by the Commissioner in Council of the Yukon Territory, be disallowed by Your Excellency in Council, under the provisions of the said Section 7 of the Act, 61 Victoria, Chapter 6.

The Committee advise that the said Ordinance be disallowed accordingly.

JOHN J. MCGEE,
Clerk of the Privy Council.

The Honourable the Minister of the Interior.

PRIVY COUNCIL CANADA.

AT THE GOVERNMENT HOUSE AT OTTAWA.

FRIDAY, the 14th day of April, 1899.

PRESENT :

HIS EXCELLENCY IN COUNCIL.

His Excellency in virtue of the provisions of The Yukon Territory Act, and by and with the advice of the Queen's Privy Council for Canada, is pleased to order, and it is hereby ordered as follows:—

1. Until an Ordinance respecting the traffic in intoxicating liquors shall have been passed by the Commissioner in Council of the Yukon Territory, and shall have been approved by His Excellency the Governor General in Council, no permits shall be issued authorizing the introduction of any liquor into the Yukon Territory.

2. The powers of the Commissioner in Council to pass Ordinance in respect to the sale or traffic in intoxicating liquors shall be limited by providing in any such Ordinance that no liquor shall be allowed to be in the possession of any person in the said Territory unless the same has been imported into the said Territory under a permit signed by the Commissioner of the District or an officer appointed by the said Commissioner for that purpose under the penalties provided by Section 92 of Chapter 50 of the Revised Statutes of Canada as amended by Section 18 of Chapter 19 of 51 Victoria, Section 94 of the said Chapter 50 as amended by Section 15 of Chapter 22 of 54-55 Victoria, Section 95 of the said Chapter 50, as provided by Section 16 of the said Chapter 22 of 54-55 Victoria, and Sections 96, 97 and 99 of the said Chapter 50.

And His Excellency is further pleased to order, declare and enact, that from and after the passage of an Ordinance respecting the sale or traffic in intoxicating liquors in the Yukon Territory, no liquor shall be imported into the said Territory or shall be in the possession of any person therein unless the same has been imported into the said Territory under a permit signed by the Commissioner of the District or an officer appointed by the said Commissioner for that purpose under the penalties provided by the Sections of the North-West Territories Act as amended as hereinbefore mentioned.

(Signed) JOHN J. MCGEE,
Clerk of the Privy Council.

AT THE GOVERNMENT HOUSE AT OTTAWA.

FRIDAY, 14th day of April, 1899.

PRESENT:

HIS EXCELLENCY THE GOVERNOR GENERAL IN COUNCIL.

Whereas the Commissioner in Council of the Yukon Territory did on the 7th day of December, 1898, pass an Ordinance which has been transmitted, numbered 11, and entitled "An Ordinance respecting the sale of Intoxicating Liquors, and the Issue of Licenses therefor":

And whereas the said Ordinance has been laid before His Excellency the Governor General in Council, together with a minute of Council recommending that the same be disallowed;

Now therefore His Excellency the Governor General, in virtue of the authority conferred upon him by Section 7 of "The Yukon Territory Act," 61 Victoria, Chapter 6, has thereupon this day been pleased, by and with the advice of the Queen's Privy Council for Canada, to declare his disallowance of the said Ordinance, and the same is hereby disallowed accordingly.

Whereof the Commissioner of the Yukon Territory and all other persons whom it may concern are to take notice and govern themselves accordingly.

(Signed) JOHN J. MCGEE,
Clerk of the Privy Council.

I, Sir Gilbert John Elliott Murray Kynynmond, Earl of Minto, Governor General of Canada, do hereby certify that the Ordinance passed by the Commissioner in Council of the Yukon Territory numbered "11 of 1898," herein above referred to, entitled "An Ordinance respecting the sale of Intoxicating Liquors and the issue of Licenses therefor" was received by me on the 21st day of March, 1899.

Given under my hand and seal this 14th day of April, 1899.

[Seal]

(Signed) MINTO.

YUKON LOCAL ORDINANCE.

—————
No. 12 of 1898.

Repealed; Vide # 22/1901

An Ordinance to amend Ordinance No. 7 of 1898, respecting the Muzzling of Dogs.

(Assented to December 7th, 1898.)

The Commissioner, by and with the advice and consent of the Council of the Yukon Territory, enacts as follows:—

Ordinance No. 7 of 1898, respecting the Muzzling of Dogs, shall be amended by the following changes:—

Section 3, of the said Ordinance is hereby amended by striking out the words "and not less than \$10.00"; and Section 4 by striking out the words "Ten days," and inserting the words "One month" in their place.

YUKON LOCAL ORDINANCE.

No. 13 of 1898.

Repealed; Slide #257

An Ordinance for the Prevention of Fires.

(Assented to December 7th, 1898.)

The Commissioner, by and with the advice and consent of the Council of the Yukon Territory, enacts as follows:--

1. No person in any city, town, village or hamlet in the Yukon Territory shall keep on his premises a larger quantity of gunpowder or other explosives than twenty-five pounds. Quantities greater than twenty-five pounds and less than five hundred pounds shall be stored in a fire-proof building at least five hundred feet distant from any dwelling. Quantities exceeding five hundred pounds shall be stored in a fire-proof building at least one thousand feet distant from any dwelling.

2. No person shall keep on his premises a greater quantity of kerosene than three barrels thereof, except in a fire-proof building at least sixty-six feet distant from any other building.

3. No person shall have or erect on his premises any building built in whole or in part of manure, hay, straw, or place on the roof of any building any manure, hay or straw, moss or saw-dust, unless such building is at least one hundred feet distant from any other building.

4. No person shall have any stock of grain, hay or straw on any premises within two hundred feet of any building.

5. No person shall enter any stable or barn with any candle or lamp not enclosed in a lantern, nor with a lighted pipe, cigar or cigarette.

6. No person shall set out fire within fifty feet of any building.

Provided that any blacksmith may build a fire within fifty feet of his shop for the purpose of his trade.

7. No person shall deposit any ashes in any wooden container unless it is lined with metal.

8. All ovens and furnaces shall be properly connected with a chimney of brick, stone, cement or metal at least three feet higher than the building in which such oven or furnace is built.

9. There shall be a space of at least six inches between any stove pipe and any partition and floor through which it passes unless such stove pipe be surrounded in such partition or floor by a thimble of brick, cement, concrete or metal at least two inches in width and of the full thickness of such partition or floor, and every such stove pipe shall be inserted into a chimney of brick, stone, concrete or metal.

10. At least twelve inches with wall protected by fire-proof material or at least three feet of fire-proof material that is not used, shall intervene between any stove in use and the partition wall or ceiling nearest thereto.

11. Every proprietor of any house more than one story high with a roof having a pitch greater than one foot in three shall keep a ladder on such roof near the chimney thereof, and another from the roof to within ten feet of the ground at some part of the building easy of access.

[OVER.]

12. All chimneys and flues when it is deemed desirable by the Inspector of the Fire Department or Senior Fire Constable shall be provided with spark arresters.

13. Any person contravening any of the provisions of this section shall be guilty of an offence and liable to a penalty not exceeding fifty dollars and costs, and in default of payment a term of imprisonment not exceeding three months.

14. Prosecutions and proceedings under this Ordinance may be brought in a summary way before the Justice of the Peace and fines collected shall form part of the General Revenue Fund of the Yukon Territory.

YUKON LOCAL ORDINANCE.

No. 4 of 1899.

(Formerly Ordinance No. 17.)

Repealed; Side # 3/19

Respecting Partnerships.

The Commissioner, by and with the advice and consent of the Council of the Yukon Territory, enacts as follows:—

1. Chapter 46 of the Revised Ordinance of the North-West Territories (1888) entitled "An Ordinance Respecting Partnerships" is hereby amended as follows:—

(a) The word "Territories" wherever the same occurs in said Ordinance shall be read "Yukon Territory;"

(b) The words "Lieutenant Governor" wherever the same occur in said Ordinance shall be read "Commissioner of the Yukon Territory;"

(c) The words "Registrar of Deeds of the Land Registration District" or "Registrar," where the same occur in said Ordinance, shall be read as referring to the Registrar of the Yukon Territory;

(d) The words "six months" where they occur in the 3rd and 5th Sections of said Ordinance shall be read "two months."

(e) The following Section is hereby inserted as Section 5a of said Ordinance:

All partnerships for trading, manufacturing, or mining purposes, now existing in the Yukon Territory shall be registered in the manner of this Ordinance provided, within two months from the 1st day of March, A.D. 1899, and the provisions of the said Ordinance so amended are hereby declared to be in force in the Yukon Territory.

Repealed by #20/1902

YUKON LOCAL ORDINANCE.

No. 5 of 1899.

Respecting the Public Health.

(Assented to March 3rd, 1899).

The Commissioner, by and with the advice and consent of the Council of the Yukon Territory, enacts as follows:—

1. This Ordinance may be cited as "The Yukon Health Ordinance, 1899."

2. Where the following words occur in this Ordinance, or the schedule thereto, they shall be construed in the manner hereinafter mentioned, unless a contrary intention appears.

1. "Owner" means the person for the time being receiving the rent of the lands or premises in connection with which the word is used, whether on his own account, as agent or trustee of any other person, or who would so receive the same if such lands and premises were let;

2. "House" includes hospitals, schools, factories, and other buildings, huts and tents used for human habitation or work, whether such use is permanent or temporary, and whether the same are stationery or movable;

3. "Street" shall include every highway, road, square, road lane, mews, court, alley and passage, whether a thoroughfare or not.

3. ~~That portion of the Yukon Territory, situate within a distance of 2½ miles from the Court House in the unincorporated town of Dawson, is hereby constituted a Health District, to be known as the "Dawson Health District."~~

Amended
vide 26/1902

4. In and for the Dawson Health District the Commissioner of the Yukon Territory may appoint a duly qualified medical practitioner of not less than (5) years standing in his profession to act as Medical Health Officer.

5. The Medical Health Officer, for the time being, together with two other persons to be appointed by the Commissioner of the Yukon Territory, shall constitute a Board of Health for the Dawson Health District.

6. The Board of Health, or a majority of the members thereof, shall have power to make such regulations as may to them seem necessary to preserve the public health and comfort of the people of the Dawson Health District. Public notice of all such regulations shall be given by posters to be put up, in at least 20 conspicuous places throughout the District.

7. Until altered or amended by the Board of Health under the power conferred in and by the last preceding section hereof, the regulations set forth in the Schedule to this Ordinance shall be in force in the Dawson Health District.

8. It shall be the duty of the Medical Health Officer to make or cause to be made, from time to time, inspection of the District in order to prevent the accumulation therein of any dirt, filth or other thing which may endanger the public health and with a view to ascertain what nuisances exist calling for abatement under the powers of this Ordinance, and to enforce the provisions of this Ordinance and of the regulations set forth in the Schedule hereto, and of all regulations to be made by the Board of Health under the powers hereinbefore conferred, in order to abate every said nuisance.

9. The Commissioner of the Yukon Territory may appoint such officers, to be known as Sanitary Inspectors, as may be deemed necessary to assist the Medical Health Officer in carrying out the provisions of this Ordinance. Every Sanitary Inspector shall perform such duties under this Ordinance and the regulations made thereunder as may be from time to time required by the Medical Health Officer.

10. The medical Health Officer, the other members of the Board of Health and the Sanitary Inspectors shall be paid such salaries as may, from time to time, be fixed by the Commissioner in Council.

11. The Medical Health Officer may, in the day time, as often as he may think necessary, enter into and upon any premises and examine such premises.

12. If upon such examination he finds that the premises are in a filthy or unclean state, or that any matter or thing is there which in his opinion may endanger the public health, he may order the owner or occupant of the premises to cleanse the same and to remove what is so found there.

13. The Medical Health Officer may also enter in and upon any house, outhouse or premises, in the day time, or into any car, steamboat, stage or other conveyance at any time, for the purpose of making enquiry and examination with respect to the state of health of any person therein; and may also cause any person found therein, infected with a dangerously contagious or infectious disease, to be removed to some hospital or other proper place; but no such removal shall take place unless such person can be removed without danger to life, and unless such removal is necessary in order to guard against the spread of such disease to the adjoining house or houses.

14. In case the owner or occupant of any house or premises neglects or refuses to obey the orders given by the Medical Health Officer, he may call to his assistance all constables and peace officers, and such other persons as he may think fit, and may enter into such dwelling or premises and cleanse the same, and execute or cause to be executed therein the regulations of the Board of Health, and remove therefrom and destroy whatsoever it is necessary to remove or destroy for the preservation of the public health.

15. Where, under the provisions of this Ordinance, the Medical Health Officer removes any dirt, filth, refuse, debris, or other thing which is likely to endanger the public health or to become or cause a nuisance, or which is, or is causing a nuisance, such dirt, filth, refuse or other thing shall be subject to the disposition of the Medical Health Officer, and the owner of such thing shall have no claim in respect thereof.

16. Whenever any physician knows that any person whom he is called upon to visit is infected with small-pox, scarlet fever, diphtheria, typhoid fever, or cholera, such physician shall (subject in case of refusal or neglect to the penalties hereinafter provided) within twenty-four hours give notice thereof to the Medical Health Officer.

17. The Medical Health Officer, within six hours after he shall have received a notice of the existence of scarlet fever, diphtheria, small-pox, cholera, or whooping-cough, in any house, shall affix or cause to be affixed by the head of the household or by some other person, near the entrance of such house, a card at least nine inches wide and twelve inches long, stating that such disease exists in the said house. No person shall remove such card without the permission of the Medical Health Officer.

18. (1) Any Medical Health Officer or Sanitary Inspector may, at all reasonable times, inspect or examine any animal, carcass, meat, poultry, game, flesh, fish, fruit, vegetables, grain, bread, flour, or milk, exposed for sale or deposited in any place for the purpose of sale, or for preparation for sale, and intended for food for man, the proof that the same was not exposed or deposited for any such purpose, or was not intended for food for man, resting with the party charged; and if any such animal, carcass, meat, poultry, game, flesh, fish, fruit, vegetables, grain, bread, flour or milk, appears to such Medical Officer or Inspector to be diseased, or unsound or unwholesome, or unfit for food for man, he may seize and carry away the same, or cause to be seized and carried away, in order that he may cause it to be destroyed or so disposed of as to prevent it from being exposed for sale or used for food for man.

(2.) The person to whom the same belongs, or did belong at the time of exposure for sale, or in whose possession or on whose premises the same food was found, shall be liable to a penalty not exceeding \$100 for every animal, carcass, or fish, or piece of meat, flesh or fish, or any poultry or game, or for the parcel of fruit, vegetables, grain, bread, flour, or for the milk so condemned; or, at the discretion of the convicting justices or magistrates without the infliction of a fine, to imprisonment for a term not more than three months.

19. Any Medical Health Officer or Sanitary Inspector may, when obstructed in the performance of his duty, call to his assistance any constable or other person he thinks fit, and it shall be the duty of every such constable, or other person so called upon to render such assistance.

20. Whenever the Medical Health Officer has any authority to direct that any matter or thing should be done by any person or corporation, he may also, in default of its being done, direct that such matter or thing shall be done at the expense of the person in default and may recover the expense thereof with costs by action or distress.

21. All reasonable costs and expenses incurred in abating a nuisance shall be deemed to be money paid for the use and at the request of the person by whose act, default or sufferance the nuisance was caused, and such costs and expenses shall be recovered by the Medical Health Officer or person incurring the same, under ordinary process of law; and the court shall have power to divide costs, expenses and penalties between persons by whose acts or defaults a nuisance is caused as to it may seem just.

22. (1.) Any person who has violated any provision of this Ordinance, or of any regulations thereunder, shall be liable for every such offense to a penalty not exceeding \$100 in the discretion of the convicting justice or magistrate, besides costs, which may also be inflicted if the convicting justice or magistrate see fit to impose the same.

(2.) Where any person has been convicted of an offense under this Ordinance, or under any regulation in force thereunder, and such offense is in the nature of an omission or neglect, or is in respect of the existence of a nuisance or other unsanitary condition, which it is such person's duty to remove, or is in respect to the erection or construction of anything contrary to the provisions of this Ordinance, or of any regulation in force thereunder, then in case the proper

authority in that behalf gives reasonable notice to such person to make good such omission or neglect, or to remove such nuisance or unsanitary condition, or to remove the thing which has been erected or constructed contrary to this Ordinance, or to its regulation, and default is made in respect thereto, the person offending may be convicted for such default, and shall be liable to the punishment as was, or might have been imposed for the original offence, and so on from time to time, as often as after another conviction a new notice is given and the default continues; and in the case of a third or subsequent conviction, it shall not be necessary in the information, conviction, or other proceedings to make any reference to any conviction except the first, or to any notice except that in respect of which the proceedings are then being taken.

23. Every penalty imposed by or under this Ordinance shall be levied by distress and sale of the goods and chattels of the offender, with the costs of such distress and sale, by warrant under the hand and seal of the justice, before whom the same is recovered, or under the hand and seal of any other justice, and in default of sufficient distress the said justice or magistrate may commit the offender to the common gaol, or to any lock-up or house of correction for any time not exceeding three months, unless the amount imposed is sooner paid.

24. The regulations set forth in the Schedule to this Ordinance and numbered 1, 4, 5, 6, 7 and 9 shall be in force throughout the Yukon Territory, and it shall be the duty of all constables and peace officers to enforce their observance.

SCHEDULE.

1. No person shall suffer the accumulation upon his premises, or deposit, or permit the deposit, upon any lot belonging to him, of anything which may endanger the public health or deposit upon, on, or into, any street, any manure or other refuse, or vegetable or animal matter or filth.

2. No proprietor or tenant of any shop, house or outhouse shall, nor shall any butcher or other person, use any such house, shop or outhouse at any time as a slaughter house or for the purpose of slaughtering any animals therein.

3. All milch cows and cow byres, and all dairies and other places in which milk is sold or kept for general use, shall be subject to regular inspection under the direction of the said Medical Health Officer; and the proprietors shall be required to obtain permission in writing from the Medical Health Officer, to keep such dairy or other place in which milk is kept or sold as aforesaid, and the same shall not be kept by any one without such permission, which shall be granted after approval of such premises upon inspection subject to the condition that all such places as aforesaid are so kept and conducted that the milk shall not contain any matter or thing liable to produce disease either by reason of adulteration, contamination with sewage, absorption of disease germs, infection of cows, or any other generally recognized cause, and upon such condition being broken, the said permission may be revoked by the Medical Health Officer.

4. No person shall offer for sale as food any diseased animal, or any meat, fruit, fish, vegetables, milk or other article of food which, by reason of disease, adulteration, impurity or any other cause, shall be unfit for use.

5. All privies, privy vaults and cess-pools shall be regularly emptied by the occupant of the premises whereon they are situated, at least once a week from June 1st to October 1st.

6. All putrid and decaying animal or vegetable matter must be removed from all cellars, buildings, or out-buildings and yards on or before the 10th day of May in each year.

7. Every householder and every hotel and restaurant keeper or other person shall dispose of all garbage, for the disposal of which he is responsible, either by burning the same, or by placing it in a proper covered receptacle for swill and house offal, the contents of which shall be regularly removed as often as twice a week.

8. Between the 15th day of May and the 1st day of November, no hog shall be kept within the limits of this district, except in pens seventy feet from any house, with floors kept free from standing water and regularly cleansed.

9. The keeper of every livery or other stable shall keep his stable and stable yard clean, and shall not permit, between the 15th day of May and the 1st day of November, more than two waggon loads of manure to accumulate in or near the same at any one time, except by permission of the Medical Health Officer.

10. No animal affected with an infectious or contagious disease shall be brought or kept within this district.

YUKON LOCAL ORDINANCE.

No. 6 of 1899.

Vide #44/1900.

To provide for the appointment of Commissioners for taking affidavits.

The Commissioner of the Yukon Territory, by and with the advice and consent of the Council of the said Territory, enacts as follows:—

1. All advocates entitled to practise in the Yukon Territory, and all justices of the peace, are hereby empowered to administer oaths and take and receive affidavits, declarations and affirmations in the said Territory.
2. The Commissioner of the Yukon Territory may, by commission or commissions, under his hand and seal from time to time, empower such and so many other persons as he thinks fit and necessary to administer oaths and take and receive affidavits, declarations and affirmations within the said Territory.

YUKON LOCAL ORDINANCE.

No. 1 of 1899.

(Formerly Ordinance No. 14).

An Ordinance to Incorporate the Svendsgaard Drug and Hospital Company, Limited.

(Assented to January 20th, 1899.)

WHEREAS, John Svendsgaard, of Dawson Druggist, Rudolph Kallenborn, of Dawson, Druggist, and James P. Daly, of Dawson, Broker, have petitioned the Commissioner of the Yukon Territory in Council for the grant of a charter, under Chapter 30, of the Revised Ordinances of the North-West Territories ("The Companies Ordinance") as amended by subsequent ordinances of the said Territories, incorporating "The Svendsgaard Drug and Hospital Company, Limited," for, amongst others, the purposes and with the objects hereinafter set forth; and

Whereas, the said petitioners have, as provided by section 4 of the said "The Companies Ordinance," caused notice of their intention to apply for such charter of incorporation to be published in the issue, dated December 20th, 1898, of the newspaper, published at Dawson aforesaid, known as "The Yukon Sun" and also in the issues dated respectively, December 23rd, 1898, and December 30th, 1898, and January 6th, 1899, of the newspaper published at Dawson aforesaid, known as "The Klondike Miner and Yukon Advertiser"; and have also deposited with the Commissioner of the Yukon Territory the sum of fifty dollars to cover all fees and expenses in or about the issue of such charter; and generally have complied so far as possible with the requirements of the said "The Companies Ordinance" in respect of matters preliminary to the issue of Letters Patent thereunder, and

Whereas, the applicability of the said "The Companies Ordinance" and amendments thereto, to the Yukon Territory is doubtful and the said Petitioners have represented that serious prejudice to their business interests will result if the prayer of their petition be not speedily granted; and

Whereas, the proposed corporate name of the company is not that of any other known company incorporated or unincorporated, or liable to be unfairly confounded therewith or otherwise on public grounds objectionable; and

Whereas, it is expedient to grant the prayer of the said petition:

The Commissioner of the Yukon Territory, by and with the advice and consent of the Council of said Territory, enacts as follows:—

First.—John Svendsgaard, of Dawson, Druggist, Rudolph Kallenborn, of Dawson, Druggist, James P. Daly, of Dawson, Broker, and such other person or persons, as may hereafter become shareholders in the company hereby incorporated, are hereby constituted a body corporate and politic, under the name, style and title of "The Svendsgaard Drug and Hospital Company, Limited," (herein called the company) with the powers and for the purposes following:

- (a) To conduct and carry on in the Yukon Territory the business of chemists, druggists, drysalters, oil and colour men, importers and manufactures of and dealers in pharmaceutical, medicinal, chemical, industrial and other preparations and articles, compounds,

cements, oils, paints, pigments and varnishes, drug, dyeware, paint and colour grinders, makers and dealers in proprietary articles of all kinds, and of electrical, chemical, photographic, surgical and scientific apparatus and materials.

- (b) To buy, sell, manufacture, refine, manipulate, import, export, and deal in all substances, apparatus, and things capable of being used in any such business as aforesaid, or required by any customers of or persons having dealings with the company either by wholesale or retail.
- (c) To establish, equip and maintain in the Yukon Territory a general public Hospital, and to make all contracts and do all such other things as are incidental or conducive to the proper maintaining of said hospital.
- (d) To acquire and lay out land upon which to construct the said Hospital or buildings requisite for the company's premises, and generally to purchase, lease or otherwise acquire any real and personal property necessary and convenient for the company's business, and to sell, improve, manage, exchange, lease, mortgage, or otherwise deal with all or any part of the property or rights of the said company.

Second.—The capital stock of the company shall be \$20,000.00, divided into 200 shares of \$100.00 each.

Third.—The chief business of the company shall be at Dawson, in the Yukon Territory.

Fourth.—The said John Svensgaard, Rudolph Kallenborn and James P. Daly shall be the first or provisional Directors of the Company.

Fifth.—The following sections of the above mentioned chapter 30 of the Revised Ordinances of the North West Territories ("The Companies Ordinance") shall as hereinafter amended, be deemed and taken to be embodied in and to form part of this Ordinance, and to apply to and govern the company as if the said sections were set out in full in this Ordinance, namely: Section 2, Sections 31 to 81 inclusive, and Sections 83 to 86 both inclusive. In the application of said sections to the company they shall be read as if the references therein to the Letters Patent, Supplementary Letters Patent, or other the charter or instrument of incorporation were references to this Ordinance, as if the expression "the Lieutenant-Governor" were "the Commissioner of the Yukon Territory," as if the expression "the Territories" were the "Yukon Territory," and as if the expression "the Supreme Court" were the "Territorial Court of the Yukon Territory." Section 33 shall in its application to the company be, and be deemed and taken to be, amended by striking out the words, "Subject to the provisions of Section 8 of this Ordinance;" and Sections 52 and 83 shall, in their application to the company, be, and be deemed and taken to be, amended by striking out from Section 52 the words "five hundred" and inserting in lieu thereof the words "one hundred," and from Section 83, the words "two hundred" and inserting in lieu thereof the words "one hundred."

Sixth.—The directors of the company shall lay before its shareholders a full statement of the affairs and financial position of the company at or before each general meeting of the company for the election of directors.

Seventh.—Nothing in this Ordinance shall be construed as exempting the company or the directors or shareholders of the company, or any one or more of them, from the operation of any law in force in the Yukon Territory in reference to the qualifications necessary for the carrying on by any person of the businesses above specified or in reference to the conditions under which such businesses, or any of them, may be carried on in

said Territory ; but in the carrying on of said businesses, or any of them, the company and each and every of its directors, shareholders, workmen, servants and agents, shall be subject to the general laws of the Yukon Territory in relation to the said qualifications and conditions.

Eighth.—The printing of this Ordinance is hereby dispensed with, notice of it shall be forthwith given at the company's expense, by advertisement in the *Yukon Sun* in the form *mutatis mutandis*, contained in Schedule A to Section 16 of "The Companies Ordinance" above mentioned and proof of the publication of such notice as aforesaid shall be deposited with the Commissioner of the Yukon Territory.

Ninth.—The sum of fifty dollars, mentioned in the preamble to this Ordinance, shall be part of the Local Revenues Fund of the Yukon Territory, as and for the fee payable by the Company for this Ordinance of Incorporation.

YUKON LOCAL ORDINANCE.

No. 2, 1899.

(Formerly Ordinance No. 15.)

An Ordinance to amend the "Yukon Medical Ordinance, 1898," and "The Liquor License Ordinance."

The Commissioner of the Yukon Territory by and with the advice and consent of the Council of the said Territory enacts as follows:

1. The 41st Section of Ordinance No. 1, of 1898, being the "Yukon Medical Ordinance, 1898," is hereby amended by striking out therefrom the words "two hundred dollars" and inserting in lieu thereof the words "one hundred dollars." With such amendment said 41st section is hereby re-enacted.

~~2. Section 22, of Ordinance No. 11, of 1898, "The Liquor License Ordinance," is hereby amended by striking out the words "less than five hundred dollars per annum" in that part of said section which fixes the license fee payable for hotels in unincorporated cities or towns, villages, or hamlets, and inserting in lieu thereof the words "less than two hundred dollars per annum."~~

Repealed; Vic 29/18

YUKON LOCAL ORDINANCE.

No. 3 of 1899.

(Formerly Ordinance No. 16.)

WHEREAS, after the passing of "The Yukon Territory Act" being chap. 6 of the Act passed by the Parliament of Canada in the 61st year of the reign of Her Majesty Queen Victoria, and, before the passing thereof became generally known, in the Yukon Territory Civil Actions previously instituted in the Supreme Court of the North-West Territories, Yukon Judicial District, were carried on in the said Court and new actions were instituted in said Court, and so carried on in *ignorance* of the said "The Yukon Territory Act" and it is desirable that all such proceedings be validated :

The Commissioner of the Yukon Territory, by and with the advice and consent of the Council of the said Territory, enacts as follows:—

1. All proceedings had or taken on or after the 13th day of June, 1898, in any civil action, suit or proceeding instituted in the said Supreme Court of the North-West Territories, Yukon Judicial District, prior to the said date and not then concluded are hereby declared, and shall be deemed, to have been properly had and taken in the Territorial Court of the Yukon Territory, and all records, writs, pleadings, and other proceedings in any civil action, suit or proceeding shall be, and be taken to be, amended accordingly.

2. All civil actions, suits and proceedings, instituted in the said Supreme Court of the North-West Territories, Yukon Judicial District, on or after the 13th day of June, 1898, are hereby declared, and shall be deemed to have been properly instituted in the Territorial Court of the Yukon Territory, and all records, writs, pleadings and other proceedings in any such civil action, suit or proceeding shall be, and be taken to be amended accordingly.

YUKON LOCAL ORDINANCE.

No. 7 of 1899.

Respecting Ferries

The Commissioner of the Yukon Territory, by and with the advice and consent of the Council of the Territory, enacts as follows:—

1. This Ordinance may be cited as "The Yukon Ferries Ordinance."
2. In this Ordinance unless the context otherwise requires—
 - (1) The term "Commissioner" means the Commissioner of the Yukon Territory.
 - (2) The term "Ferry" or "Ferries" means any scow, barge or boat used for the purpose of carrying passengers, freight, vehicles, or animals across any river or other body of water.
 - (3) The term "License" means any person or persons holding a license to operate a ferry in accordance with the provisions of this Ordinance.
2. Subject to the provisions of this Ordinance the Commissioner may at any time issue a license to any person or persons for the establishment and operation of a ferry or ferries on any river, stream or other body of water in the Territory, granting the exclusive right to maintain and operate the said ferry or ferries within the limits specified in such license and upon such terms as to him may seem fit.
4. No license shall be granted for—
 - (a) A longer term than one year;
 - (b) A greater limit than one half mile up and one half mile down the stream, measured along the stream from the point at which the ferry is operated as specified in the license;
 - (c) Any ferry of which the scow, barge or boat is not of sufficient capacity to carry safely one waggon containing two thousand pounds, together with two horses or other draught animals attached thereto.
5. The maximum rate of tolls which may be charged for each crossing by means of a licensed ferry shall be fixed from time to time by the Commissioner-in-Council, and in every ferry license granted the maximum rate of tolls which can be collected shall be specified.
6. The fee to be paid by a licensee on receiving a ferry license as hereinbefore provided shall be \$75.
7. Licensed ferries shall be run at all hours of the day and night (Sundays included) at which they are required, unless in cases in which loss of life or injury to or loss of property is likely to result therefrom; but in every case in which a ferry is used after nine o'clock in the evening or before six o'clock in the morning, double the rates specified in the license for such ferry may be charged.
8. Notwithstanding anything contained in this Ordinance, no toll shall be charged for children going to or returning from school, and in no case shall Her Majesty's mail be obstructed or charged more than the rates that may be charged according to the terms of the license between the hours of six o'clock in the morning and nine o'clock in the evening.

9. In case the water in any stream, river or other body of water upon which the license for the operation of a ferry has been issued, becomes too shallow to permit of such ferry being operated, the licensee shall provide and keep a small boat or canoe with which he shall transfer foot passengers and their baggage across such stream, river or other body of water, and for such service the licensee shall be allowed to charge the fees prescribed in his license for like services by means of the ferry

10. The immediate approaches to every ferry shall be kept in such order and condition by the licensee as is necessary to make the ferry accessible at all times for loaded vehicles and animals attached thereto without danger or injury.

11. A ferry on any stream, river, or other body of water that may be fordable at any time, shall not be used to block up or injure such ford or fords, or the landing therefrom, nor shall the licensee do any act which will make the ford of any such stream, river, or other body of water, more difficult or dangerous than it would otherwise have been.

12. Every ferry license granted shall specify the kind and size of scow, barge or boat to be used in such ferrying, the limits of the stream, river, or other body of water within which such ferry is to be operated, the period of time covered by such license, the conditions, the non-fulfilment of which shall subject the license to cancellation; and the provisions, reservations and liabilities provided by this Ordinance shall apply to every such license.

13. Every person holding a ferry license shall keep at all times, posted up in a conspicuous place on such ferry, a schedule, certified by the Commissioner, showing the authorized ferry rates and the hours of crossing.

14. The Commissioner may from time to time appoint such person as he may see fit to inspect and report on the condition of any ferry, or with reference to the complaint of any person using or desiring to use such ferry; and if at any time the person or persons holding the ferry license fail to comply with the written instructions of the Commissioner by neglecting to repair any scow, barge or boat used in connection with such ferry, or to provide a new scow, barge or boat in place of any one considered as being unsafe, or by not providing safe and sufficient immediate approaches to such ferry, he or they shall forfeit his or their license.

15. Any licensee using insulting language to, or ill treating any person using or desiring to use such ferry, or wilfully injuring any property in transit across such ferry, shall be guilty of an offence, and shall be liable upon summary conviction thereof to a penalty not exceeding \$100, and in default of payment thereof to be imprisoned for any period not exceeding three months, and shall also forfeit his license for such ferry.

(2) Upon any licensee being convicted before a justice of the peace of violating any of the terms or conditions of his license or of this Ordinance, he shall be liable on summary conviction thereof to a penalty not exceeding \$50, and in default thereof to imprisonment for any period not exceeding one month unless the fine and costs are sooner paid; and shall be further liable to forfeit his license under the directions of the Commissioner.

16. No conviction, as provided by the next preceding section, shall be a bar to the ordinary civil suit for damages by the person upon whose complaint the conviction was obtained.

17. All money received for ferry licenses, fees or bonuses, under this Ordinance, shall be deposited to the credit of the General Revenue Fund of the Yukon Territory.

18. Every person holding a ferry license shall be liable for all damages that may occur to persons or property, while using such ferry, resulting

from any carelessness of such licensee or his agent or from any insufficiency in the strength or suitability of any of the appliances used in connection with the ferry.

19. Any person taking, carrying or conveying, across any stream, river or other body of water, any person or personal property, or any vehicle or animal, in any scow, barge or boat, or on any raft or other contrivance, for hire or reward, or hindering or interfering with any licensee in any way, shall be guilty of an offence, and upon summary conviction thereof shall be liable to a penalty not exceeding \$100 for each such offence, and in default of payment to imprisonment for any period not exceeding three months.

20. If any person using an authorized ferry refuses to pay the authorized toll or rates chargeable for ferrying himself or his property, the licensee of such ferry may forthwith seize any property in the possession of the offender then being ferried and hold the same, and such person shall be guilty of an offence, and upon summary conviction thereof shall be liable to a penalty of \$50, and in default of payment thereof to imprisonment for a period not exceeding two months; and the property so seized shall be liable for payment of the fine and the tolls and the costs of the prosecution, and may be sold under distress warrant to satisfy such charges.

YUKON LOCAL ORDINANCE.

No. 8 of 1899.

To amend "The Yukon Medical Ordinance of 1898."

The Commissioner of the Yukon Territory, by and with the advice and consent of the Council of said Territory, enacts as follows:—

1. Clause (b) of Section 33 of "The Yukon Medical Ordinance of 1898," is hereby repealed and the following substituted in lieu thereof:

(b) Any person duly licensed by the proper authority in that behalf to practice medicine and surgery in any Province or Territory of Canada or in any British Colony.

2. Section 44 is amended by adding the words "except in cases falling within the last clause of this amending Act.

3. Section 47 of said Ordinance is hereby amended by adding thereto the following proviso:

Provided that if it shall appear on any prosecution under this Ordinance that by reason of unforeseen and sudden sickness or accident any person has needed medical or surgical treatment and that no medical practitioner qualified under this Ordinance then resided within ten miles of the place where such person needed treatment the Judge or other presiding Magistrate may dismiss any complaint against any person who, under such circumstances, rendered medical or surgical assistance, and may order the costs to be paid by the complainant.

YUKON LOCAL ORDINANCE.

~~_____~~
No. 9 of 1899.

To amend No. 13 of 1898.

*Repealed ;
Vide: 25/1900*
(Assented to March 17th, 1899.)

The Commissioner, by and with the advice and consent of the Council of the Yukon Territory, enacts as follows:—

1. Section II. of Ordinance No. 13 of 1898 (An Ordinance for the prevention of Fires) is hereby amended by inserting therein, after the words "No person shall," the words "Without the written permission of the officer, for the time being, commanding the North West Mounted Police at Dawson, and the Chief of the Fire Brigade."

YUKON LOCAL ORDINANCE.

No. 10 of 1899.

An Ordinance for granting to the Commissioner certain sums of money to defray the expenses of the Public Service of the Yukon Territory for the ten months from September the first, one thousand eight hundred and ninety-eight to June 30th, one thousand eight hundred and ninety-nine and for the purposes relating thereto.

(Assented to March 24th, 1899.)

WHEREAS it appears by message from William Ogilvie, the Commissioner of the Yukon Territory, and the estimates accompanying the same, that the sums hereinafter mentioned in the Schedule to this ordinance are required to defray certain expenses of the Public Service of the Yukon Territory, and for other purposes relating thereto, for the ten months ending June thirtieth, one thousand eight hundred and ninety-nine; it is therefore hereby enacted by the Commissioner, by and with the advice and consent of the Council of the Yukon Territory, as follows:—

1. From and out of the fund at the disposal of the Yukon Council, there shall and may be paid and applied a sum (not exceeding in the whole) one hundred and sixty-four thousand eight hundred dollars for defraying the several charges and expenses of the public service for the ten months ending June thirtieth, one thousand eight hundred and ninety-nine, as set forth in the Schedule to this Ordinance.
2. The due application of all moneys expended shall be duly accounted for.

SCHEDULE.

SUMS granted to the Commissioner by this Ordinance for the ten months, ending June 31st, one thousand eight hundred and ninety-nine, and the purposes for which they are granted.

To defray the expenses of the Government of the Yukon Territory for the ten months ending the 30th of June, 1899, as follows:—

Estimate for—

Care of indigent sick.....	\$90,000 00
Administration of Justice.....	492 35

This amount has been paid.

Charity account—

For sending out James McCue by boat..	\$420 00
And one other person by A. C. Company.	250 00

670 00

Subsidies to Roads and Trails—

Amount paid October.....	280 00
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Contingencies	15,000 00
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Burial of Indigents	3,000 00
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Printing and Stationery (printing Ordinances, notices, &c.).....	5,000 00
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To pay note given by certain citizens of Dawson to purchase Fire Engines and appliances and contingencies	13,000 00
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Salaries voted by Council—

J. N. E. Brown, Clerk of Council, to June 30th, 1899	419 35
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Inspector R. Belcher, sub-inspector of licenses....	291 66
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Sergt. C. C. Raven, sub-inspector of licenses.....	145 81
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Corp. I. S. Belcher do do	58 33
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Corp. A. E. C. Green do do	58 33
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Medical Health Officer.....	2,000 00
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Estimated amount required to pay interest on over-draft at bank.....	450 00
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Voted for Law Books.....	1,000 00
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Roads, Trails and Public Works.....	32,934 17
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\$164,800 00

Certified true copy.

(Sd.) J. N. E. BROWN,
Clerk of Council.

YUKON LOCAL ORDINANCE.

No. 11 of 1899.

Repealed;
vide: #25/1900

To Amend Ordinance No. 13 of 1898.

(Assented to March 28th, 1899.)

The Commissioner, by and with the advice and consent of the Council of the Yukon Territory, enacts as follows:—

1. Ordinance No. 13 of 1898 (being "an Ordinance for the Prevention of Fires,") is hereby amended by adding the following thereto as Section 2a, viz.:

Section 2a. No person shall, within that part of the unincorporated town of Dawson, situate to the west of the centre line of Third Avenue, and said centre line produced northerly to a point directly east of the northern limit of the premises known as St. Mary's Hospital, or within that part of said town known as "Day's Addition," erect or, after the first day of May, 1899, maintain any building or structure of any description, constructed as to its outer walls and roof of any material other than wood, brick, stone or metal, and any building or other structure erected contrary to this Section may be pulled down and destroyed without compensation, by any person under the direction of the Officer for the time Commanding the North West Mounted Police in said town.

ORDINANCE NO. 12 OF 1899.

Repealed by # 33/1901,

To amend ~~the~~ Ordinance No. 5 of 1898.

THE COMMISSIONER OF THE YUKON TERRITORY by and with the advice and consent of the Council of said Territory enacts as follows:-

1. Section 2 of Ordinance No. 5 of 1898 ("An Ordinance respecting the Legal Profession") is hereby amended by inserting therein after the words "Provided that" the words "The Legal Adviser for the time being of the Commissioner of the Yukon Territory and."

2. Section 3 of said Ordinance is hereby amended by inserting therein after the words "any such person" the words "other than the said Legal Adviser for the time being of the Commissioner of the Yukon Territory."

3. This Ordinance shall be read as part of the said amended Ordinance, and shall be taken to have been in full force and virtue immediately upon the passing of the said Ordinance No. 5 of 1898.

YUKON LOCAL ORDINANCE.

13
No. 13 of 1899.

An Ordinance to Incorporate the Yukon Overland Express and Transportation Company.

WHEREAS, a petition has been presented praying that it be enacted as hereinafter set forth and it is expedient to grant the prayer of the said petition.

Therefore, the Commissioner of the Yukon Territory, by and with the advice and consent of the Council of said Territory, enacts as follows:—

1. William Hutchison, of the city of Ottawa, Joseph Ruse, of the city of Toronto, Joseph T. Cornforth, of the city of Denver, Colorado, Irwin Mahon, of Pittsburg, Pennsylvania, Taylor McVeity, of the city of Ottawa, and Isaac B. Hedges of the city of Victoria, together with such other persons as may become shareholders in the company are hereby constituted a body politic and corporate under the name of the "Yukon Overland Express & Transportation Company," hereinafter called "The Company," with a common seal and perpetual succession, and invested with all the powers, privileges and immunities necessary to carry into effect the intention and object of this Ordinance.

2. The head office of the Company shall be in the town of Dawson, or in such other place in the Yukon Territory as the Directors may from time to time determine by by-law.

3. The Company may lay out, construct and operate a waggon and sleigh road from a point in the Yukon Territory, at or near Lake Bennett by the most practicable route to Dawson city in the said Yukon Territory, for the use of pedestrians, animals, sleighs and vehicles of all kinds, and may also lay out, construct and operate branch roads of the same character and for the same purposes, from points along the said road to other points or places within the said territory.

4. The Company may construct and operate way or relay stations at such intervals along the said road and branches thereof as may be determined by the directors, and may establish and operate, shops, stores, lodging houses or warehouses at the said stations, and may purchase and vend general merchandise, clothing, provisions, stoves, machinery and supplies, and may carry and transport passengers, animals or goods of any kind by sleigh, waggon, stage or otherwise, over the said road and the said branches thereof, and may charge tolls therefor, and for the use of the said road and branches, and may carry on generally within the said territory the business of warehousemen, carriers, forwarders, transportation and express agents and any other business incident thereto.

5. The Company may acquire by purchase, lease, license or grant from the Government of the Dominion of Canada or from any person or corporation such land as may be necessary for the right-of-way for the said road and branches and for the purposes of the said way or relay stations and for the purpose of the erection thereon of the said shops, stores, lodging houses and warehouses, and for any purposes of the company, and may hold and alienate the same.

6. No tolls shall be charged to or imposed upon persons travelling along the said road or branches, or for the use thereof, until after a schedule of the same shall have been submitted to and approved of by the Commissioner of the Yukon Territory in Council, who shall also have the right from time to time to modify or amend the same, and a notice showing the tolls to be charged shall at all times be posted up in a conspicuous place in the way or relay stations along the said road and branches.

7. The Company may construct and operate telegraph and telephone lines between points on the said road and branches, and may establish offices for the transmission of messages for the public and collect tolls therefor.

8. Every message, however, in relation to the administration of justice, the arrest of criminals, the discovery or prevention of crime, and Government messages or despatches shall always be transmitted in preference to any other message or despatch if so required by any person connected with the administration of justice, or any person thereunto authorized by the Secretary of State, the Minister of the Interior of Canada, or the Commissioner of the Yukon Territory.

9. The affairs of the Company shall be managed by a board of not more than nine and not less than three directors.

10. The persons named in Section 1 of this Ordinance shall be the first or provisional directors of the Company, and shall remain in office until replaced by directors duly elected in their stead.

11. No person shall be elected as a director unless he is a shareholder, owning stock absolutely in his own right, and not in arrear in respect of any call thereon; and the majority of the directors of the Company so chosen shall, at all times, be persons resident in Canada and subjects of Her Majesty, by birth or naturalization.

12. The directors of the Company shall be elected by the shareholders, in general meeting of the Company assembled, at such times, in such manner, and for such term, not exceeding two years, as by-laws of the Company prescribe.

13. The directors of the Company may acquire for the Company shares in the stock of the "Colorado, Alaska, Commercial and Mining Company," and may hold or deal with the same and may guarantee the principal or interest of any such shares, and may issue paid up shares in the capital stock of the Company in payment for such shares in the "Colorado, Alaska, Commercial and Mining Company," and for lands, material, plant or equipment, or by way of bonus to bond or debenture holders and also for the service of contractors or engineers, or such other persons, whether directors or not, who may have been or who may be engaged in promoting the undertaking or interests of the company and such issue and allotment of stock, bonds and debentures, or any of them, shall be binding on the Company and such paid up stock shall not be assessable for calls.

14. In the absence of other provisions in that behalf in the by-laws of the Company,—

(a) The election of directors shall take place yearly, and all the directors then in office shall retire, and if otherwise qualified they shall be eligible for re-election;

(b) Notice of the time and place for holding general meetings of the Company shall be given at least two months previous thereto by notice published in some newspaper published at the place in which the head office or chief place of business of the Company is situated, or if there is no newspaper there pub-

lished, then in the newspaper published nearest thereto; and also by a like notice to be mailed to each shareholder at his address as it appears in the Register of the shareholders;

(c) At all general meetings of the Company, every shareholder shall be entitled to as many votes as he owns shares in the Company, and may vote by proxy;

(d) Elections of directors shall be by ballot;

(e) Vacancies occurring in the Board of Directors may be filled for the remainder of the term by the directors from among the qualified shareholders of the Company;

(f) The directors shall, from time to time, elect from among themselves a president of the Company, and shall also appoint, and may remove at pleasure all other officers thereof.

15. If at any time an election of directors is not made, and does not take effect at the proper time, the Company shall not be held to be thereby dissolved, but such election shall take place at any general meeting of the Company duly called for that purpose; and the retiring directors shall continue in office until their successors are elected.

16. The directors of the Company may in all things administer the affairs of the Company, and make or cause to be made for the Company any description of contract which the Company may by law enter into; and may from time to time make by-laws, not contrary to law or to this Ordinance, for the following purposes:—

(a) The regulating of the allotment of stock, the making of calls thereon, the payment thereof, the issue and registration of certificates of stock, the forfeiture of stock for non-payment, the disposal of forfeited stock and of the proceeds thereof, and the transfer of the stock;

(b) The declaration and payment of dividends;

(c) The number of directors, their terms of service, the amount of their stock qualification, and their remuneration, if any;

(d) The appointment, functions, duties and removal of all agents, officers and servants of the Company, the security to be given by them to the Company, and their remuneration;

(e) The time and place for the holding of the annual meeting of the Company, the calling of meetings, regular and special, of the board of directors and of the Company, the quorum at meetings of the directors and of the Company, the requirements as to proxies, and the procedure in all things at such meetings;

(f) The imposition and recovery of all penalties and forfeitures admitting of regulations by law;

(g) The conduct, in all other particulars, of the affairs of the Company;

2. The directors may, from time to time, repeal, amend or re-enact the same; but every such by-law and every repeal amendment, or re-enactment thereof, unless it is in the meantime confirmed at a general meeting of the Company duly called for that purpose, shall only have force until the next annual meeting of the Company, and in default of confirmation thereat, shall, at and from that time only, cease to have force.

17. A copy of any by-law of the Company, under its seal, and purporting to be signed by any officer of the Company, shall be received as *prima facie* evidence of such by-law in all Courts.

18. The capital stock of the Company shall be \$500,000, divided into shares of \$10 each, and shall be personal estate, and be transferable in such manner only, and subject to such conditions and restrictions as are prescribed by by-laws of the Company, and shall be allotted at such times and in such manner as the directors, by by-law or otherwise, prescribe.

19. The directors of the Company may call in and demand from the shareholders thereof respectively, all sums of money by them subscribed, at such times and places and in such payments or instalments as the by-laws of the Company provide, and interest shall accrue and fall due at the rate of six per centum per annum upon the amount of any unpaid call from the day appointed for payment of such call.

20. The Company may enforce payment of all calls, and interest thereon, by action in any court of competent jurisdiction.

21. If after such demand or notice as by the by-laws of the Company is prescribed, any call made upon any share or shares is not paid within such time as by such by-laws is limited in that behalf, the directors in their discretion, by resolution to that effect, reciting the facts and duly recorded in their minutes, may summarily declare forfeited any shares whereon any payment is not made; and such shares shall thereupon become the property of the Company, and may be disposed of as the directors, by by-law or otherwise, prescribe.

22. No share shall be transferable until all previous calls thereon have been fully paid, or until it is declared forfeited for non-payment of a call or calls thereon.

23. No shareholder who is in arrears in respect of any call shall vote at any meeting of the Company.

24. The Company may issue bonds, debentures or other securities to the extent of \$2,000 per mile of the road and such bonds, debentures or other securities may be issued only in proportion to the length of road constructed or under contract to be constructed.

25. The Company shall cause a book or books to be kept by the Secretary, or by some other officer especially charged with that duty, wherein shall be kept recorded:—

(a) The names, alphabetically arranged, of all persons who are, or have been shareholders;

(b) The address and calling of each such person, while such shareholder;

(c) The number of shares of stock held by each shareholder;

(d) The amounts paid in, and remaining unpaid, respectively, on the stock of each shareholder;

(e) All transfers of stock, in their order as presented to the Company for entry, with the date and other particulars of each transfer, and the date of the entry thereof; and

(f) The names, addresses and calling of all persons who are or have been directors of the Company, with the several dates at which each became or ceased to be such director.

26. No transfer or stock unless made by sale under execution or under the decree, order or judgment of a court of competent jurisdiction, shall be

valid for any purpose whatsoever until entry thereof shall be duly made in such book or books, except for the purpose of exhibiting the rights of the parties thereto towards each other, and of rendering the transferee liable, in the meantime, jointly and severally with the transferor to the Company and its creditors.

27. Such books shall, during reasonable business hours of every day, except Sundays and holidays, be kept open for the inspection of shareholders and creditors of the Company, and their personal representatives, at the head office or chief place of business of the Company; and every shareholder, creditor or personal representative may make extracts therefrom.

28. Such books shall be *prima facie* evidence of all facts purporting to be therein stated, in any suit or proceeding against the Company or against any shareholder.

29. The shareholders of the Company shall not, as such, be held responsible for any act, default or liability whatsoever, relating to or connected with the Company, beyond the amount unpaid upon their respective shares in the capital stock thereof.

30. No person holding stock in the Company as an executor, administrator, tutor, curator, guardian or trustee, shall be personally subject to liability as a shareholder; but the estate and funds in the hands of such person shall be liable in like manner, and to the same extent, as the testator or intestate or the minor, ward or interdicted person, or the person interested in such trust fund would be, if living and competent to act and holding such stock in his own name; and no person holding such stock as collateral security shall be personally subject to such liability, but the person pledging such stock shall be considered as holding the same, and shall be liable as a shareholder accordingly.

31. Every such executor, administrator, tutor, curator, guardian or trustee shall represent the stock in his possession at all meetings of the Company and may vote as a shareholder; and every person who pledges his stock may, notwithstanding such pledge, represent the said stock at all such meetings and vote as a shareholder.

32. Shareholders who hold one-fourth part in value of the subscribed stock of the Company may at any time call a special meeting thereof, for the transaction of any business specified in the written requisition and notice made and given for the purpose.

33. Every contract, agreement, engagement or bargain made, and every bill of exchange drawn, accepted or endorsed, and every promissory note or cheque made, drawn or endorsed on behalf of the Company, by any agent, officer or servant of the Company, in general accordance with his powers as such under the by-laws of the Company, shall be binding upon the Company; and in no case shall it be necessary to have the seal of the Company affixed to any such contract, agreement, engagement, bargain, bill of exchange, promissory note or cheque, or to prove that the same was made, drawn, accepted or endorsed, as the case may be, in pursuance of any by-law or special vote or order; and the person so acting as agent, officer or servant of the Company, shall not be thereby subjected individually to any liability whatsoever to any third person therefor: Provided, always, that nothing in this Ordinance shall be construed to authorize the Company to issue any note payable to the bearer thereof, or any promissory note intended to be circulated as money, or as the note of a bank, or to engage in the business of banking or insurance.

34. The Company shall not be bound to see to the execution of any trust, whether express, implied or constructive, in respect of any share; and the receipt of the shareholder in whose name the same stands in the books of the Company shall be binding and valid discharge to the Company

for any dividend or money payable in respect of such share and whether or not notice of such trust has been given to the Company; and the Company shall not be bound to see to the application of the money paid upon such receipt

35. No loan shall be made by the Company to any shareholder; if such loan is made, all directors and other officers of the Company who make the same, or assent thereto, shall be jointly and severally liable to the Company for the amount of such loan, and also to the third persons to the extent of such loan, with lawful interest, for all debts of the Company contracted from the time of the making of such loan to that of the repayment thereof.

36. Within six months from and after the passing of this ordinance the Company shall pay to the Comptroller of the Yukon Territory the sum of \$500.00 (to form part of the Local Revenue Fund of the said Territory) and in default of said payment within the time so limited this ordinance shall be and become null and void.

37. Within the second period of six months notice of the passage of this ordinance shall be published by the Company (in the form prescribed in the case of companies incorporated under the "Company Clause Act" of the Dominion of Canada) in the *Canada Gazette*, and proof, by statutory declaration, of said publication shall be deposited with the Commissioner of the Yukon Territory.

38. The Company shall begin the construction of their road before the first day of January, A.D. 1900, shall continue, and in good faith thereafter proceed with the work of construction, and shall complete the tramroad between the terminal points before the first day of January, 1902; otherwise this ordinance shall become null and void.

This is Ord # 124. printed by mistake.

See next page.

YUKON LOCAL ORDINANCE.

¹²⁴
No. 13, of 1899.

An Ordinance Respecting Certain Legal Officers.

(Assented to April 10th, 1899.)

THE COMMISSIONER, by and with the consent and advice of the Council of the Yukon Territory, enacts as follows:—

1. Notwithstanding anything to the contrary, in any law or ordinance in force in the Yukon Territory, the Legal adviser for the time being of the Commissioner of the Yukon Territory, the Crown Prosecutor of the said Territory, and other officer or officers appointed by the Government of Canada, to perform purely legal duties in the Yukon Territory, are hereby declared, and shall be held to have been from the date of their appointment, respectively, to said office, and to hereafter be, to all intents and purposes, advocates duly entitled to practice in the Yukon Territory, with all the rights and privileges pertaining to members of the Legal Profession in said Territory.

2. The Clerk of the Territorial Court shall, upon the request of the said officers, enroll their names in the Register kept by him for that purpose.

(Sgd.)

WILLIAM OGILVIE.

Commissioner.

YUKON LOCAL ORDINANCE.

—————
No. 14, of 1899.

Repealed
Fido: 30/1901

An Ordinance Respecting Certain Legal Officers.

Assented to April 10th, 1899.

THE COMMISSIONER, by and with the consent and advice of the Council of the Yukon Territory, enacts as follows:—

1. Notwithstanding anything to the contrary, in any law or ordinance in force in the Yukon Territory, the Legal Adviser, for the time being, of the Commissioner of the Yukon Territory, the Crown Prosecutor of the said Territory, and other officer or officers appointed by the Government of Canada, to perform purely legal duties in the Yukon Territory, are hereby declared, and shall be held to have been from the date of their appointment, respectively, to said office, and to hereafter be, to all intents and purposes, advocates duly entitled to practice in the Yukon Territory, with all the rights and privileges pertaining to members of the Legal Profession in said Territory.

2. The Clerk of the Territorial Court shall, upon the request of the said officers, enroll their names in the Register kept by him for that purpose.

(Sgd.) WILLIAM OGILVIE,
Commissioner.

Certified copy.

(Sgd.) J. N. E. BROWN,
Clerk of Council.

YUKON LOCAL ORDINANCE.



Repealed;
Vide #18/1901.

No. 15 of 1899.

An Ordinance respecting the Yukon Council

(Assented to April 14th, 1899.)

The Commissioner, by and with the advice and consent of the Council of the Yukon Territory, enacts as follows:

1. Regular meeting of the Council of the Yukon Territory shall be held on Thursday of every week, commencing at the hour of three o'clock in the afternoon.

YUKON LOCAL ORDINANCE.

No. 16 of 1899.

Side # 25/99.

An Ordinance concerning the Water Supply of Dawson.

(Assented to April 14th, 1899).

Whereas George Van Meter, of Dawson City, practical engineer, by his petition, dated 25th day of February last, has prayed for the passage of an Ordinance as hereinafter set forth, and it being deemed of benefit and advantage to said town that the prayer of said petitioner be granted:

Therefore the Commissioner of the Yukon Territory, by and with the advice and consent of the Council of said Territory, enacts as follows:—

1. George Van Meter, of Dawson, practical engineer, shall have full power and authority to sink shafts and bore artesian wells upon property to be acquired by him, in or in the neighbourhood of said town of Dawson, and to construct, erect, equip and maintain in said town, buildings, works, engines, machinery, and such contrivances and devices as he shall deem necessary or desirable for the supplying of water obtained by means of said shafts or artesian wells to persons or corporations residing in or in the neighbourhood of said town of Dawson, and to acquire real or personal property for the purpose aforesaid.

2. To use such necessary ground along the public avenues, streets, lanes, alleys, or public places of said town, or across the same, for the purpose of laying pipes, flumes, or other appliances for the conveyance of water to customers, as may be agreed upon between the said George Van Meter and the Commissioner of the Yukon Territory or other proper authority.

3. To charge and collect, by process of law, such price for the water sold and delivered by him as may be fixed by resolution of the Commissioner of the Yukon Territory in Council, not exceeding five cents per gallon.

4. The water so supplied as aforesaid shall be subject at all times to inspection and analysis by the Medical Health Officer of the Dawson Health District; and should such Medical Health Officer at any time declare such water to be for any cause unfit for human consumption, the said George Van Meter shall forthwith cease to sell or offer for sale the said water.

5. For the space of two years from this date no person other than the said George Van Meter, or such person or persons as he may authorize, shall sell or offer for sale in Dawson, aforesaid, any water obtained by means of shafts or artesian wells, and any person selling or offering for sale any such water shall be liable, upon summary conviction before any justice of the peace, to a fine not exceeding one hundred dollars and costs for every such offence, and in default of payment to have the costs and fine levied by distress, and in default of sufficient distress to imprisonment for a term not exceeding three months.

6. The said George Van Meter shall at all times, upon request, allow the use of water free of charge for fire prevention purposes, and also for the use of the Government and its officials.

YUKON LOCAL ORDINANCE.

No. 17 of 1899.

Repealed - Side 29/99.

An Ordinance respecting the Sale of Liquor on Steamboats.

(Assented to April 14th, 1899.)

The Commissioner, by and with the advice and consent of the Council of the Yukon Territory, enacts as follows:—

1. In addition to the license, mentioned in the 9th and 22nd Sections of "The Liquor License Ordinance" the Board of License Commissioners may issue to the owner or owners, lessee or lessees of any steamboat plying upon the navigable waters of the Yukon Territory a license permitting the sale of intoxicating liquors upon such steamer when under way.

2. The Board of License Commissioners may make such regulations as they deem proper as to the mode in which and the conditions under which such sale shall be carried on in any such steamer.

3. The fee for a license under this Ordinance shall be the sum of \$1,000.00, and every such license shall expire on the 31st day of December in the year in which the same is granted.

4. This Ordinance shall be read with and as part of "The Liquor License Ordinance."

(Signed) WILLIAM OGILVIE,
Commissioner.

[SEAL.]

YUKON LOCAL ORDINANCE.

No. 18 of 1899.

(Assented to April 14th, 1899.)

WHEREAS, A. B. Ferguson and A. G. Cushman, under and by the name of Ferguson & Cushman, have, by their petition, applied for authority to erect, maintain and operate certain works for the supply of water for domestic, fire and other purposes, for the use of the residents in and about the unincorporated town of Grand Forks in the Yukon Territory, Canada, and

WHEREAS, it is advisable to grant the prayer of said petition and upon certain conditions to allow the said petitioners the exclusive right to supply from Spring Gulch water to said locality.

NOW, THEREFORE, the Commissioner of the Yukon Territory by and with the advice and consent of the Council of the Yukon Territory, enacts as follows :—

1. A. B. Ferguson of Grand Forks, Yukon Territory, Canada, and A. G. Cushman, of Grand Forks, Yukon Territory, Canada, their and each of their heirs, executors, administrators and assigns shall under the name of "The Grand Forks Water Association," (hereinafter called "The Association," for the purposes of this Ordinance) have the exclusive right to the sale of the waters of Spring Gulch, a tributary of Bonanza Creek, falling into said creek on the right bank thereof at Placer Mining Claim No. 10 above Discovery, for the term of *two* years from the passage of this Ordinance, but subject always to the rights of miners to the use of the water of said Gulch under the Regulations from time to time in force in the Yukon Territory.

2. The Association may, subject as aforesaid, erect, construct and maintain in and upon land, to be acquired by them on said Spring Gulch, a sufficient dam, reservoir and source of water supply at such point thereon as may be most convenient therefor.

3. The Association may construct, erect and maintain in and upon the lands acquired by the Association in connection with the water works system hereby authorized, situate at Grand Forks, one or more good and sufficient distributing reservoirs or tanks, and may also construct, erect and maintain between the supply reservoir at said Spring Gulch and the distribution reservoirs or tanks at said Grand Forks, a good and sufficient flume or flumes for conveying water between said points.

4. The flume to be constructed by the Association shall be of a size 4 inches square, shall be fully covered throughout its full length, and shall be maintained in a cleanly and water-tight condition, and be run at such gradient as may be deemed advisable along the right bank of Spring Gulch and the right bank of Bonanza Creek to the distribution tanks.

5. The distribution tank in the first instance to be constructed by the Association shall be of a capacity of not less than 10,000 gallons, and shall have an escapement attached thereto so as to keep the water supply continually pure and fresh, and shall be supplied with hose attachments for fire purposes.

6. The Association may (subject to the rights of miners as aforesaid) regulate the use and the distribution of the water in all places and for all purposes where the same may be required, and from time to time shall fix

(subject to reduction by order of the Commissioner in Council) the prices for the use thereof, and the times of payment, provided that at no time shall a greater charge than five cents for each gallon be demanded. The Association shall allow to be taken from the distribution tanks or reservoirs free of charge, all water that may be required for fire prevention purposes, or for the Government and its officials.

7. The water to be supplied by the Association shall at all times be subject to the inspection of the Medical Health Officer of the Dawson Health District, and should the Medical Health Officer at any time declare the said water to be for any reason unfit for human consumption, the Association shall forthwith cease to sell or to offer for sale the said water under a penalty of \$10.00 for every gallon so sold or offered for sale; such penalty to be recovered with costs before any Justice of the Peace, upon summary conviction of the person or persons so selling or offering for sale.

8. There shall be filed with the Commissioner of the Yukon Territory, as changes take place in the personal of the said Association, a statement showing the names and addresses of all parties entitled to the benefits of this Ordinance. Any member of the Association may, subject to the internal regulations of the said Association, enter, in the name of the Association, into any and all contracts, negotiations and transactions, and prosecute and carry on any and all suits, actions, and other legal proceedings affecting said Association and the business operations thereof.

9. The Association shall not be required to keep said works in operation during any period of the year when climatic conditions endanger the same.

10. If any person does or commits any of the following acts:

(a) Wilfully or maliciously hinders or interrupts, or causes or procures to be hindered or interrupted the Association or their managers, contractors, servants, agents, workmen, or any of them, in the exercise of any of the powers and authorities in this act authorized and contained;

(b) Wilfully or maliciously lets off or discharges any water so that the same runs waste or useless out of the said works;

(c) Throws or deposits any injurious, noisome or offensive matter into the water or water works, or upon the ice, in case such water is frozen, or in any way fouls the water, or commits any wilful damage or injury to the works, pipes, flumes or water;

(d) Lays or causes to be laid any pipe or main to communicate with any flume, pipe, tank, main or reservoir of the said waterworks, or wrongfully takes or appropriates to his own use any water from any public or private tap, or in any way obtains or uses any water of the said waterworks, otherwise than in the exercise of his or her rights as a Free Miner, without the consent of the Association;

(e) Bathes, washes or cleans any wool, cloth, leather, skins or animals or places any nuisance or offensive thing within or near the source of supply of any water works system, in any stream, flume, reservoir, tank, source or fountain, from which the water of the said water works system is obtained, or conveys, casts, causes, throws or puts any filth, dirt, dead carcasses or other noisome or offensive thing therein, or causes, suffers or permits the waters of any sink, sewer or drain to run or to be conveyed into the stream, or causes any other thing to be done whereby the water therein may be in any way tainted or fouled;

Such person shall for any such act, upon summary conviction, be liable to a penalty not exceeding one hundred dollars, together with the costs and charges attending the proceedings and conviction.

(Signed) WILLIAM OGILVIE,
Commissioner.

YUKON LOCAL ORDINANCE.

No. 19 of 1899.

An Ordinance respecting Bills of Sale and Chattel Mortgages.

(Assented to April 20th, 1899.)

The Commissioner, by and with the advice and consent of the Council of the Yukon Territory, enacts as follows:—

1. Ordinance No. 8 of 1895, of the Northwest Territories, is hereby amended, so far as the same affects the Yukon Territory, as follows:—

(a) Sections 2, 3, 7, 23, 32 and 35 of said ordinance, are hereby repealed.

(b) In the construction of said Ordinance, and the schedule thereto, the expression "the Northwest Territories" or "the Territories" shall be read the "Yukon Territory"; the expression "the Lieutenant-Governor" shall be read "the Commissioner of the Yukon Territory"; the expression "registration districts" or "registration district" shall be read as meaning the Yukon Territory; and the expression "Clerk," "Registration Clerk," or "Registration Clerks" shall be read "the Registrar of the Yukon Territory."

(c) Section 27 of said Ordinance is hereby amended by striking out the words "fifty cents" wherever the same occur therein, and inserting in lieu thereof the words "two dollars," and by striking out the word "ten" in subsection 5, and inserting in lieu thereof the word "twenty."

2. The said Ordinance, amended as aforesaid, is hereby declared and shall be deemed to have been in force in the Yukon Territory, on, from, and after the 13th day of June, 1898, and shall remain in force until amended or repealed by competent authority.

YUKON LOCAL ORDINANCE.

No. 20 of 1899.

An Ordinance respecting "The Yukon Hygeia Water Supply Company."

(Assented to April 20th, 1899.)

WHEREAS a petition has been presented praying for the passage of an Ordinance as hereinafter set forth, and it is expedient to grant the prayer of the said petition :

Therefore, the Commissioner of the Yukon Territory, by and with the advice and consent of the Council of said Territory, enacts as follows:—

1. Belinda A. Mulrooney, J. H. V. Ogilvie, both of Dawson, in the Yukon Territory, and J. J. Mulrooney, of the City of Ottawa, in the Province of Ontario, under the name of "The Yukon Hygeia Water Supply Company" (hereinafter called the Company), shall, subject to the conditions hereinafter set forth, have the following powers and privileges:—

- (a) The exclusive right and privilege, for the term of two years from the date hereof, to manufacture and to sell, in Dawson aforesaid, filtered, boiled and germless water, rendered pure and germless by such filtering and boiling process;
- (b) The right to erect and maintain in or in the neighbourhood of Dawson aforesaid, buildings and machinery for the purpose of so manufacturing and purifying such water;
- (c) The right to acquire, by purchase or otherwise, such real or personal property, easements, premises, limits, privileges, or other rights necessary or convenient for the business or operation of the Company;
- (d) All powers incident to the manufacture and sale of such germless and purified waters.

2. The Company shall sell the water so manufactured and purified by them at a rate to be fixed by the Company (subject to revision at any time by resolution of the Commissioner in Council), not exceeding ten cents per gallon delivered.

3. The water to be sold or offered for sale by the Company shall be subject at all times to inspection and analysis by the Medical Health Officer of the Dawson Health District; and if at any time the said Medical Health Officer declares their water not germless, or to be for any reason unfit for human consumption within the meaning of this Ordinance, the Company shall forthwith, and until permitted by the said Medical Health Officer, cease to sell said water under a penalty of ten dollars for every gallon so sold by them, which penalty shall be recovered with costs upon summary proceedings before any Justice of the Peace.

4. During the said term of two years no person other than the Company, and persons authorized by them, shall sell within the town of Dawson aforesaid water purified by the process of filtering and boiling; and any person so selling such water shall for each offence be subject to a fine not exceeding \$50 and costs, to be recovered by summary proceedings before any Justice of the Peace.

5. There shall be filed with the Commissioner of the Yukon Territory, as changes take place in the personnel of the said Company, a statement showing the names and addresses of all parties entitled to the benefits of this Ordinance. Any member of the Company may, subject to the internal regulations of said Company, enter, in the name of the Company, into any and all contracts, negotiations and transactions, and prosecute and carry on any and all suits, actions, and other legal proceedings affecting said Company and the business operations thereof.

YUKON LOCAL ORDINANCE.

No. 21 of 1899.

Repealed by #5/02
Side #13/1900.

An Ordinance respecting sidewalks in Dawson.

(Assented to April 29th, 1899.)

The Commissioner of the Yukon Territory, by and with the advice and consent of the Council of said Territory, enacts as follows:—

1. Every owner and occupant of any premises situated on First and Second Avenues and First, Second and Third Streets, in the unincorporated town of Dawson (and also on such other streets and avenues in said town as the Commissioner in Council may from time to time determine), shall forthwith construct, or cause to be constructed, in front of the premises occupied by him, her, or them respectively, a substantial sidewalk, at least eight feet wide on said First Avenue, and at least four feet wide on said other streets.

2. Said sidewalk shall be laid and constructed at such height, and upon such grade as shall be determined by the Commissioner of the Yukon Territory.

3. Any owner or occupant of premises who shall for the space of five days after receiving notice of the height of the grade, determined as in the last preceding section of this Ordinance, neglect to construct a sidewalk, as provided in the first section of this Ordinance, shall for each period of five days after receiving such notice be liable upon summary conviction before any Justice of the Peace, to a fine not exceeding *one hundred dollars and costs*; and in default of payment, to imprisonment for a term not exceeding three months.

4. Every occupant who shall construct a sidewalk under this Ordinance shall (except as against the Crown) be entitled to set off the cost thereof against the rent (if any) payable in respect of the premises occupied by him, her, or them respectively.

5. It shall be the duty of the owner and occupant of any and all premises in Dawson aforesaid, to keep the sidewalk in front of such premises in a good state of repair; and every owner or occupant neglecting to fulfil his duty in this respect shall, in addition to any civil liability he may incur, be liable upon summary conviction before any Justice of the Peace to a fine not exceeding *one hundred dollars and costs*; and in default of payment, to imprisonment for a term not exceeding one month.

6. Any person who places, or causes or permits to be placed, upon any sidewalk, any goods, wares or merchandise of any description or any other obstruction, or erects thereover any awning having less than *seven feet* clear between such awning and the sidewalk, shall be liable, upon summary conviction before any Justice of the Peace, to a fine not exceeding *fifty dollars and costs*, for each day such goods, obstruction or awning, shall remain upon or over such sidewalk; and in default of payment, to imprisonment for a term not exceeding one month.

YUKON LOCAL ORDINANCE.

(This Ordinance is of none effect, Ordinance No. 5 of 1898 having been disallowed by Order in Council of the 14th April, 1899.)

No. 22, of 1899.

Repealed- Vide #33/190

An Ordinance respecting the Legal Profession.

(Assented to May 4th, 1899.)

The Commissioner of the Yukon Territory by and with the advice and consent of the Council of said Territory, enacts as follows:—

1. Sections 2, 3, and 6, of Ordinance No. 5 of 1898 ("An Ordinance respecting the Legal Profession,") are hereby repealed; but such repeal shall not affect the standing of any person now entitled to practise as an advocate in the Yukon Territory.

2. Any person who has been duly admitted to practice as a barrister, attorney, solicitor or advocate, in any of Her Majesty's Superior Courts of Law or Equity in any of the Provinces or Territories of the Dominion of Canada, and any person who has been admitted to practice as an attorney or solicitor in any of Her Majesty's Courts of Law therein, shall upon complying with the provisions of the next succeeding section of this Ordinance be to all intents and purposes an advocate duly entitled to practice in the Yukon Territory, before any of Her Majesty's Courts therein.

3. Every such person shall produce to a Judge of the Territorial Court of the Yukon Territory, such sufficient evidence of his call to the Bar, or admission to practice, and such sufficient testimonials of his good character and standing at the Bar, as may be sufficient to satisfy such Judge. He shall further procure a certificate from such Judge, and upon production thereof, shall be enrolled in the Register to be kept for that purpose by the Clerk of the said Territorial Court as an advocate duly entitled to practise in the Yukon Territory. He shall further, and before being so enrolled, pay to the Comptroller of the Yukon Territory, a fee of two hundred dollars, and shall produce to the said Clerk a receipt for such payment.

4. On or before the first day of November in each year every person entitled to practise as an advocate in the Yukon Territory, shall pay to the Comptroller of the Territory a fee of ten dollars (to be applied under resolution of the Commissioner in Council towards the maintenance of a library for the use of the Legal Profession) and any advocate neglecting to pay such fee shall be ordered to be suspended from practice until the same is paid.

YUKON LOCAL ORDINANCE.

No. 23 of 1899.

Repealed - Vide # 23/19

An Ordinance respecting the Dawson Water Front.

(Assented to May 9th, 1899.)

The Commissioner of the Yukon Territory, by and with the consent of the Council of said Territory, enacts as follows :

1. It shall be lawful for the Sheriff of the Yukon Territory, and he is hereby directed, upon receipt of a requisition or requisitions signed by the Commissioner of the Yukon Territory, from time to time (using such assistance as to him may seem necessary), to take possession of such part or parts of the premises known as the Dawson Water Front, on the west side of First Avenue in Dawson aforesaid, together with such part, if any, of the bank or shore of the Yukon River as may be occupied in connection with any such premises, as may be specified in such requisition or requisitions ; to eject therefrom any and all persons in possession or occupation thereof ; to remove therefrom all goods and chattels ; and to deliver exclusive possession of such premises to such person or persons as the Commissioner of the Yukon Territory shall by such requisition or requisitions direct.

2. It shall further be lawful for said Sheriff, upon receipt of a requisition or requisitions signed by the Commissioner of the Yukon Territory, from time to time (using such assistance as may be necessary), to eject from any public street or highway laid out by plan after survey in any part of the Yukon Territory, any person or persons in possession of any portion of such street or highway, and to remove therefrom all buildings, goods and chattels ; and also to eject from any premises in the Yukon Territory which may heretofore have been or may hereafter be sold by the Commissioner of the Yukon Territory or other the proper officer authorized to sell Dominion lands, any person or persons (other than the purchaser thereof) who may be in possession of such premises or any part thereof : to remove all buildings, goods and chattels therefrom ; and to deliver exclusive possession thereof to the purchaser thereof, or to such other person as the Commissioner of the Yukon Territory shall by requisition or requisitions direct.

3. No action shall be brought against the Commissioner of the Yukon Territory, or against the said Sheriff, or against any person assisting him, for any act done under this Ordinance ; and they, and each of them, shall incur no liability for or by reason of any such act.

YUKON LOCAL ORDINANCE.

No. 24 of 1899.

An Ordinance respecting Commissioners to make Enquiries concerning Public Matters.

(Assented to May 10th, 1899.)

The Commissioner of the Yukon Territory, by and with the advice and consent of the Council of the said Territory, enacts as follows:—

1. The Commissioner of the Yukon Territory in Council may, when he deems it expedient to cause enquiry to be made into and concerning any matter within the jurisdiction of the Council of the said Yukon Territory, appoint Commissioners to make such enquiry and report thereon.

2. He may, by the commission by which he appoints them, confer upon the Commissioners the power of summoning witnesses before them and to require such witnesses to give evidence on oath, orally or in writing, or on solemn affirmation if they are persons entitled to affirm in civil matters, and to produce such documents and things as the Commissioners may deem requisite to the full investigation of the matters into which they are appointed to enquire; and the Commissioners shall have the same power to enforce the attendance of witnesses, and to compel them to give evidence, as is vested in any court of record in civil cases.

YUKON LOCAL ORDINANCE.

No. 25 of 1899.

An Ordinance to interpret Ordinance No. 16 of 1899.

(Assented to May 22nd, 1899.)

The Commissioner of the Yukon Territory, by and with the advice and consent of the Council of the said Territory, enacts as follows:—

1. It is hereby declared that the words "shaft" or "shafts" in Ordinance No. 16 of 1899 (being "An Ordinance concerning the Water Supply of Dawson") were not intended, and shall not be interpreted nor construed to prevent any other person or persons from taking water from the gravel lying above the bed-rock and disposing of same in such manner as the Commissioner in Council of the Yukon Territory shall determine.

(Signed) WILLIAM OGILVIE.

Commissioner.

YUKON LOCAL ORDINANCE.

No. 26 of 1899.

Amended by # 31/1900.

An Ordinance respecting arrest and imprisonment for debt.

[Assented to May 26th, 1899.]

The Commissioner of the Yukon Territory, by and with the advice and consent of the Council of said Territory, enacts as follows:

1. If a plaintiff in any action brought for recovery of a debt or money demand, or damages arising from breach of contract, shall by affidavit show to the satisfaction of a Judge of the Court in which the action is brought, or of the Clerk of such Court, that such plaintiff has a cause of action arising within the Dominion of Canada against the defendant or defendants, or has recovered judgment in the Dominion of Canada against him or them, to the amount of one hundred dollars or upwards, and that there is probable cause for believing that the defendant, or any one or more of the defendants, is or are about to quit the Yukon Territory with intent to defraud creditors generally or the plaintiff in particular, unless he or they be forthwith apprehended, or has disposed or is about to dispose of his or their property, or any part thereof, with such intent as aforesaid, it shall be lawful for such Judge or Clerk by special order to direct that such defendant or defendants so about to quit the Yukon Territory, or so having disposed or being about to dispose of his or their property as aforesaid, shall be arrested and held to bail for such sum (not exceeding the amount of the debt, money demand, or damages as aforesaid, and costs) as to such Judge or Clerk may seem proper.

2. It shall be lawful for such Judge, or Clerk, whenever he shall think fit to require security to be given by the plaintiff, to the satisfaction of such Judge or Clerk, for the defendant's costs and damages consequent on such arrest under such order, should the plaintiff have obtained such order without reasonable and probable cause.

3. Every such special order shall bear date on the day of the signing thereof by the Judge or Clerk, and shall be valid for the period therein specified, not exceeding twelve calendar months.

4. A copy of such special order, under the seal of the Court in which it is made, shall be sufficient authority to any sheriff, deputy sheriff, bailiff or other officer entrusted with the execution thereof, to take into custody and detain the defendant or defendants named therein.

5. The sheriff or other officer to whom any such order shall be directed shall, within the said period specified in the order, but not afterwards, proceed to arrest the defendant or defendants thereupon; and such defendant or defendants, when so arrested, shall remain in custody until he or they shall have given security to the plaintiff, to the satisfaction of the sheriff, for, or shall have made deposit of, the sum mentioned in such order, together with such amount for costs as may be specified therein.

6. Any special order may be made, and the defendant or defendants arrested in pursuance thereof, at any time after the commencement of such action and before or after final judgment shall have been obtained therein.

Where such order is applied for at the commencement of an action, no statement of claim need be filed upon the issue of the writ of summons, but such statement of claim shall be filed within three days after the making of such order for arrest; otherwise such order shall become void.

7. It shall be lawful for any person arrested upon such order to apply, at any time after such arrest, to a Judge of the Court in which the action shall have been commenced, by summons calling on the plaintiff in such action to show cause why the person arrested should not be discharged out of custody; and it shall be lawful for such Judge to make such order upon such summons as to the Judge may seem fit.

8. In addition to any other ground upon which such Judge may order the discharge of a defendant from custody, he may order such discharge upon being satisfied that such defendant has no means or ability to satisfy the claim or judgment, or any part or further part thereof: Provided always, that if upon such application it shall appear to the Judge, whether by the examination of such defendant or by other evidence, that such defendant has incurred the debt which is the subject of the claim or judgment against him, or any material part thereof, by fraud or false pretenses, or that such defendant has concealed or made away with his property, or any part thereof, in order to defeat, delay, or defraud his creditors, or any of them, such Judge may order such defendant to be committed to any common gaol, with or without hard labour, for any term not exceeding twelve calendar months, unless the claim or judgment be sooner satisfied, and at the termination of such term of imprisonment such defendant shall be entitled to his discharge from custody, unless it shall be made to appear to the Judge, whether by the further examination of such defendant or otherwise, that he has means and ability, or that it is within his power, to satisfy the claim or judgment, or some portion thereof, in which case the Judge may order the further detention of such defendant until he shall satisfy the Court that he is unable to further satisfy the debt.

9. The imprisonment of a judgment debtor under authority of this Ordinance shall not operate as a discharge of the judgment, either in whole or in part, nor operate to bar or suspend any remedies which the creditor may otherwise be entitled to take for the recovery of his demand.

10. In this Ordinance the term "plaintiff" shall include a judgment creditor, and the term "defendant" shall include a judgment debtor.

(Signed)

WILLIAM OGILVIE.

[SEAL.]

YUKON LOCAL ORDINANCE.

No. 27, 1899.

An Ordinance respecting Hunker Creek Ferry.

(Assented to June 1st, 1899.)

WHEREAS, H. A. Bonar and John Cameron have presented a petition praying for the passage of an Ordinance as hereinafter set forth, and it is deemed expedient to grant the prayer of said petition:

Therefore, the Commissioner of the Yukon Territory, by and with the advice and consent of the Council of the said Territory enacts as follows:

1. H. A. Bonar and John Cameron shall, notwithstanding anything to the contrary contained in the "Yukon Ferries Ordinance," have, for the period of two years, the exclusive right, subject to the conditions hereinafter set forth, to maintain and operate a ferry across the Klondike River, at a point about 400 rods below where the Hunker Creek flows into the Klondike River, within the following limits, viz.: From a point on the Klondike River six miles from the mouth thereof up stream, to the point at which the said ferry is to be operated, and from the said last mentioned point up stream for a distance of one and a half miles. The said exclusive right is granted subject to the following conditions, upon breach of any one or more of which the said exclusive right shall be forfeited, viz.:—

(a) Every scow, barge or boat, used in the operation of said ferry, shall be of sufficient capacity to carry safely at least one wagon containing two thousand pounds, together with two horses or other draft animals attached thereto.

(b) The said H. A. Bonar and John Cameron shall forthwith construct to the satisfaction of the Commissioner of the Yukon Territory, or of such person as the said Commissioner shall appoint, and shall, during the term of this grant, maintain in good order and condition a free foot and pack trail along the north bank of the Klondike River, from the Bonanza trail (so called) up stream to the point where said ferry is operated, such trail to be subject to the inspection of any person or persons appointed by the Commissioner for that purpose.

(c) The maximum rate of tolls which may be charged for each crossing by such ferry shall be fixed from time to time by the Commissioner in Council; but no toll shall be charged until the said foot and pack trail above mentioned is opened for traffic.

(d) The said ferry shall be operated subject to the provisions of the "Yukon Ferries Ordinance," which shall apply thereto, except where otherwise in this Ordinance specially provided, as if said ferry were licensed thereunder.

(Signed) WILLIAM OGILVIE,
Commissioner.

YUKON LOCAL ORDINANCE.

No. 28 of 1899.

An Ordinance respecting the Klondike Ferry.

(Assented to June 2nd, 1899.)

WHEREAS, Edward McConnell and L. S. Burrill have presented a petition praying for the passage of an Ordinance as hereinafter set forth, and it is deemed expedient to grant the prayer of said petition;

THEREFORE, the Commissioner of the Yukon Territory, by and with the advice and consent of the Council of the said Territory, enacts as follows:—

Upon payment to the Comptroller of the Territory (to form part of the local revenue) of the sum of \$125, Edward McConnell and L. S. Burrill shall, notwithstanding anything to the contrary contained in the "Yukon Ferries Ordinance," have for the period of two years the exclusive right, subject to the conditions hereinafter set forth, to maintain and operate a ferry across the Klondike River at a point about two miles and two chains up stream from the mouth of the said river, known as the upper ferry, within the following limits, namely: From a point on the Klondike River one mile and a half up stream from the mouth thereof to the point at which said ferry is to be operated, and from the last mentioned point up stream for a distance of one half mile. The said exclusive right is granted subject to the following conditions, upon breach of any one or more of which, the said exclusive right shall be forfeited, viz:—

(a) Every scow, barge or boat used in the operation of said ferry, shall be of sufficient capacity to carry safely at least one wagon containing two thousand pounds, together with two horses or other draft animals attached thereto.

(b) The said L. S. Burrill and Edward McConnell shall during the term of this grant maintain in good order and condition the trail now extending from the corner of Seventh Avenue and Third Street, in the Town of Dawson, to the point where said ferry is to be operated, such trail to be subject to the inspection from time to time of any person appointed by the Commissioner of the Yukon Territory for that purpose.

(c) The maximum rate of tolls which may be charged for each crossing by such ferry shall be subject to approval from time to time by the Commissioner in Council.

(d) The said ferry shall be operated subject to the provisions of the "Yukon Ferries Ordinance" which shall apply thereto, except where otherwise in this Ordinance specially provided, as if said ferry were licensed therefor.

(Signed) WILLIAM OGILVIE.

Commissioner.

Repealed by 48/02

YUKON LOCAL ORDINANCE.

No. 29 of 1899.

An Ordinance respecting intoxicating liquors.

(Assented to June 3rd, 1899.)

Amendments.

- 45/99
- 52/99
- 9/1900
- 20/1900
- 37/1900
- 107/1901
- 20/1901.

The Commissioner of the Yukon Territory, by and with the advice and consent of the Council of said Territory, enacts as follows :

1. This Ordinance may be cited as "The Liquor License Ordinance."
2. In this Ordinance and in the schedules thereto the words and expressions following shall, unless such interpretation shall be repugnant to the subject or inconsistent with the context, be construed as follows :—

"District" means a license district.
"Householder" means :

(a) The owner or owners of any house or place of business not actually occupied by any other person under lease for a year or longer ;

(b) The tenant or tenants in actual occupation of any house or place of business, under a lease for a year or any longer term.

Husband and wife, living together, shall not be considered as separate householders, and the husband shall have the right to act in this respect.

"Dwelling house" means an actual separate dwelling, with a separate door for ingress and egress.

"Justice" means a justice of the peace.

"Hotel license" means and includes every license granted for the sale by retail of fermented, spirituous or other liquors which may be consumed on the premises on which the same is sold, whether "hotel" premises or not.

"Saloon license" means and includes every license granted for the sale by retail of fermented, spirituous or other liquors for consumption on the premises on which the same is sold, but upon which premises accommodation is not provided for the travelling public.

"Licensee" means a person holding a license under this Ordinance.

"Person" includes every member of a firm, and the servant, office-holder, agent of a company or body of persons, whether incorporated or not under special Ordinance or by letters patent under the seal of the Yukon Territory.

"Licensed premises" means the premises in respect of which a license under this Ordinance has been granted and is in force, and extends to every room, closet, cellar, yard, stable, outhouse, shed or any other place whatsoever, of, belonging, or in any manner appertaining to such house or place.

"Liquor" or "liquors" means and comprehends all spirituous and malt liquors, and all combinations of liquors, and drinkable liquors which are intoxicating.

"Public bar or bar" means and includes any room, passage or lobby in any licensed premises into which the public may enter and purchase liquors.

"Chief Inspector" means Chief Inspector of Licenses.

"Sub-Inspector" means Sub-Inspector of a district, or for the Territory as the case may be.

"Sale by Retail" means the sale of a quantity not to exceed half a gallon at any one time of ale, beer or porter, or one quart of wine or spirits.

"Judge" means a Judge of the Territorial Court usually exercising jurisdiction in the Territory.

Nothing in this Ordinance shall apply:

To the manufacture of native wines from fruit grown and produced in Canada, or the sale of such wine in quantities of not less than one gallon or not less than two bottles of three half-pints each at one time at the place of manufacture.

To any person who holds a license as auctioneer, selling liquor at public auction: Provided that the liquor being sold forms part of an insolvent debtor's estate, and is named in the inventory thereof offered for sale under instructions from the creditor or creditors of such estate or his or their assignee, agent or trustee, and that the stock of such liquors is not broken for the purpose of such sale, and is not removed from the place in which such liquors were originally exposed under license.

To the sale of beer in any canteen of the Northwest Mounted Police and the permanent military force established under proper authority; such sale to be restricted to members of the Northwest Mounted Police and the permanent military force.

To the sale of any liquor by virtue of an execution or any other judicial process.

PERMIT AND STORAGE.

3. No person shall have in his possession, custody or control within the Yukon Territory any liquor or liquors:

(a) Unless he shall have brought the same into the Territory under and by virtue of a permit signed by the Commissioner of the Yukon Territory, or by such other officer as the said Commissioner may appoint for that purpose.

(b) Or unless he shall be the holder of a license under this Ordinance.

(c) Or unless he shall have lawfully purchased such liquor or liquors from the holder of a license under this Ordinance; and any person having liquor or liquors in his possession, custody or control within the Territory, except as hereinbefore in this section provided, shall, upon summary conviction before any Justice of the Peace, forfeit and pay the sum of one hundred dollars and costs; and in default of payment shall be liable to imprisonment for any term not exceeding one year; and the liquor or liquors so in the possession, custody or control of such person shall forthwith, upon his conviction, become and be the property of Her Majesty, to be dealt with as may be determined by the Commissioner of the Yukon Territory in Council.

4. All liquor brought into the Yukon Territory shall, unless and until a sale thereof (which it is hereby ordered may be lawfully made) shall have been made to a person holding a license under this Ordinance, be forthwith deposited and stored by the person bringing the same into the Territory, in such place or places as the Chief Inspector (hereinafter mentioned) shall, with the approval of the Commissioner in Council, designate and appoint for that purpose; and any person failing to comply with the provisions of this section shall be subject to the same penalty as in the next preceding section of this Ordinance is provided; and the liquor in his possession, custody or control, shall, forthwith upon his conviction, become the property of Her Majesty, to be dealt with as in said section mentioned.

LICENSE DISTRICTS.

5. The Commissioner in Council may establish districts for the purposes of this Ordinance, to be called license districts, and may from time to time alter and re-define the same, until the establishment of such districts in the Yukon Territory shall form one license district.

LICENSE INSPECTOR.

6. The Commissioner, with the consent of the Council, may appoint, prescribe the duties and fix the salary of the chief inspector of licenses for the Territory, who shall hold office during pleasure, and shall give such security for the due performance of his duties as may be prescribed by the Commissioner in Council.

7. The Commissioner in Council may appoint one or more sub-inspectors for any license district or for the Territory, and shall fix their salaries or fees and prescribe their duties.

8. All sums of money payable as license money or fees under this Ordinance shall be paid to the Territorial Comptroller.

KINDS OF LICENSES.

9. Licenses shall be either:

- (a) Hotel;
- (b) Saloon;
- (c) Shop or steamboat (permitting the sale of liquor while under way); and shall be in form as Schedule C.

10. Every application for a license (Schedule A) shall be sent or delivered to the chief inspector, along with an affidavit, as in Schedule B, and the sum of fifty dollars. On the receipt of the same, it shall be the duty of the chief inspector to sign a receipt for the sum of fifty dollars, and send or deliver it to the applicant.

11. All application fees shall, on receipt, be paid into the local revenue fund, and the Comptroller shall retain the same in trust until the question of granting the license has been decided by the chief inspector. In case the license is refused, the application fee shall be refunded to the applicant; in case the license is granted, the license fee shall form part of the local revenue fund. The chief inspector shall, without delay, inform the Territorial Comptroller as to the granting or refusal of licenses.

12. The chief inspector will consider any reasonable protest against the granting of licenses.

13. Every applicant for a license, and all protests, if any, against every such application, shall be heard and determined by the chief inspector in a summary manner.

14. In case the chief inspector shall deem it in the public interest that the hearing of an application or protest should be open to the public, the applicant for a license shall attend personally at such hearing, unless hindered by sickness or infirmity, and the chief inspector may summon and examine on oath such witnesses as he may think necessary, and as nearly as may be in the manner directed by any act now or hereafter in force relating to the duties of justices in relation to summary convictions and orders, and he may administer such oath. Every such hearing may, at the discretion of the chief inspector, be adjourned from time to time.

At all hearings under this Ordinance the chief inspector shall have the same powers as a justice of the peace.

15. On every application for a license, a sub-inspector shall, if so instructed by the chief inspector, report to the chief inspector, and the report shall contain:—

- (a) A description of the house, premises and furniture.
- (b) And if the application be by a person who held a license for the same premises during the preceding year, a statement as to the manner in which the house has been conducted during the existence of the previous license.
- (c) A statement of the number, position and distance from the house in respect of which a license is applied for, of the licensed houses in the neighbourhood.
- (d) A statement whether the applicant is a fit and proper person to have a license, and is known to be of good character and repute.
- (e) A statement whether the premises sought to be licensed are or are not, in his opinion, required for public convenience.
- (f) A statement whether the applicant is or is not the true owner of the business of the hotel proposed to be licensed.

16. A report as in the last section mentioned shall in every case be made either by the Chief Inspector or a Sub-Inspector, and shall be kept on file by the Chief Inspector and be open to public inspection.

17. The report, if any, of a Sub-Inspector shall be for the information of the Chief Inspector, who shall nevertheless exercise his own discretion on each application.

18. Any incorporated company may become a licensee, in any district or sub-district under the provisions of this Ordinance, to be done by any person or licensee, whether prior to or after granting a license and may be done in the name of the company by the officer or agent of the said company in charge of the particular premises for which the license is to be or shall have been granted.

19. Every hotel authorized to be licensed under the provisions of this Ordinance shall contain in addition to what may be needed for use of the family and servant or servants of the hotel keeper, in incorporated cities or towns, not less than ten bedrooms, to be of suitable capacity, and should any questions thereto arise the decision of the Chief Inspector to be final, and in other places proper sleeping accommodations for not less than ten travellers, together with, in every case, a suitable complement of bedding and furniture

20. Every licensed hotel shall have a public sitting room, separate and distinct from the bar-room.

21. Every licensed hotel shall be shown to the satisfaction of the Chief Inspector to be well appointed and with sufficient appliances for serving meals daily to travellers.

22. Every licensed hotel shall be provided with a suitable privy and urinal and shall at all times be kept properly cleaned and ventilated.

LICENSE FEES.

23. Every person to whom a license to sell intoxicating liquor shall hereafter be granted, shall, before receiving such license, be required to pay as a fee for such license, in addition to any fee required to be paid to the incorporated city or town in which such license has been or is required to be granted, the following amounts, that is to say:—

For Dawson, Bonanza City (commonly known as "The Forks") and Klondike City, \$2,000.

At all other points in the Territory the hotel license shall be \$500.
 For saloons, \$2,500 per annum.
 For shops, \$1,000 per annum.
 For steamboats, \$500 per season.

24. A saloon must be a good substantial building, with well appointed bar and ample furniture for the comfort of customers, with a suitable privy and urinal, which shall at all times be clean.

25. Theatres and concert halls running a bar in connection shall obtain a saloon license.

26. Under a "shop license" the licensee may sell and dispose of liquors in the store, shop or place defined in the license, in quantities of not less than one-half gallon in each cask or vessel, and in case such selling is in respect of bottled ale, beer, porter, wine or other fermented or spirituous liquors, each sale shall be in quantities not less than one reputed quart bottle or two reputed pint bottles, and the liquor thus sold shall not be consumed in or upon the house and premises in respect of which the license is granted. Provided, that in case of conviction against a shop licensee for allowing liquors to be consumed in or upon such house or premises, such licensee shall absolutely forfeit such license or licenses, and no new license shall be granted thereafter to such licensee in the license district in which such licensed premises are situate.

27. Incorporated cities or towns may, by by-law, require each licensee to pay towards their municipal revenue such sums as they may determine, not exceeding one-fifth the amount of the territorial license, and such one-fifth shall not be collected until after the territorial license as aforesaid has been paid. Such by-law, and every substituted and amended by-law, shall forthwith after the passage thereof be certified and forwarded to the chief inspector.

Such by-law shall continue in force until amended, altered or repealed, without being re-enacted each year.

HEARING AND DETERMINING APPLICATIONS.

28. The chief inspector will hear and determine all objections which may be made against applicants for licenses, and will also hear and determine all complaints against those who are holders of licenses, according to the evidence which may be submitted to him.

29. Notwithstanding anything in this Ordinance, the chief inspector shall, whether complaint or objection has been filed or not, take notice of any matter or thing which in his opinion would be an objection to the granting of a license.

30. Where the applicant for a hotel license resides in a remote part of the district, the chief inspector may dispense with the report of a sub-inspector and act upon such information as may satisfy him in the premises.

31. The decision of the chief inspector shall in all cases be subject to appeal to the Commissioner in Council, who may revert or sustain it as they see fit.

32. Licenses may be issued in the name of a co-partnership when two or more persons are carrying on business in the same name, but a separate license shall be required in every separate place of business of such firm.

33. A license granted to any firm or partnership shall, without any formality, enure to the benefit of the remaining partner or partners in the

event of the withdrawal or removal of any of them by dissolution or any other termination of the partnership.

34. In case any person gives to the chief inspector or a sub-inspector information justifying the prosecution of any person for offences against this Ordinance, such chief inspector or sub-inspector may, when he is satisfied such charge is well founded, proceed to prosecute in his own name such offender or offenders.

35. The chief inspector may at any time cancel any license upon proof that the conditions necessary to the granting of such license do not exist, and also in case it is shown that the licensee is not keeping his premises in accordance with the provisions of this Ordinance and any rules and regulations made thereunder.

36. Subject to the provisions of this Ordinance as to the removals and the transfer of licenses, every license for the sale of liquor shall be held to be a license only to the person named therein, and for the premises therein mentioned, and shall remain valid only so long as such person continues to be the occupant of the said premises and the true owner of the business there carried on.

TRANSFER OF LICENSES.

37. A license under the provisions of this Ordinance shall not become void by :

(a) The death of the licensee ;

(b) Or a transfer of the licensee's business to some other person by the operation of law. Unless, in the case of the licensee's death his legal representatives or their assignees, or in the case of the licensee's transfer, as above stated, his assigns fail within two months from such death or transfer to obtain the written consent of the Chief Inspector for the continuance of the business or the transfer of the license in the house or place in which the same issued, and subject to the duties and obligations of the licensee named in the said license for the residue of the term named therein, otherwise the same shall become void.

38. In every case of a transfer of an hotel or saloon license, the person in whose favour any such transfer is to be made shall send to the Chief Inspector a report of a Sub-Inspector similar to that mentioned in section 15 of this Ordinance.

39. When a licensee has been legally ejected from any licensed premises, the Chief Inspector may, notwithstanding the non-production of the license, on the application in writing of the owner of the premises and the proposed new tenant, if they cannot produce the license, grant a special license to such new tenant in such form as they shall think applicable. Provided always that the Chief Inspector shall be satisfied that actual value has been received from the said owner by said licensee.

40. The Chief Inspector may, by order, authorize any person he may think fit, entitled to the benefit of any license, to carry on the business in the licensed premises for the remainder of the term for which the license was granted, in the same manner as if such license had been formally transferred to such person, provided proof of value received be given as provided in the next preceding section, in the following cases :

(a) Whenever any person to whom a license has been granted deserts the licensed premises, or refuses or neglects to transfer the license when justly required to do so ; or

(b) If, during the currency of such license, the holder thereof ceases to occupy the premises in respect whereof the license is held, or his tenancy of such premises is determined by effluxion of time, or by notice to quit, or by any other process whatsoever.

41. Where any licensed person is convicted of any offence and in consequence either becomes personally disqualified or has his license forfeited, the Chief Inspector, upon application by or on behalf of the owner of the premises or his lessee other than the licensee, in respect of which the license was granted—where the owner is not the occupier—and upon being satisfied that such owner or his lessee, as above stated, was not privy to nor a consenting party to the act of the tenant and that he has legal power to eject the tenant of such premises, may by order authorize an agent to carry on the business specified in the license relating to such premises until the end of the period for which such license was granted, in the same manner as if such license had been formally transferred to such agent.

Provided always such owner or his lessee, as aforesaid, shall pay as fee for the balance of the term of license unexpired a proportionate amount of the amount required for one year.

42. In case of the marriage of any woman being a licensee, the license held by her shall confer on her husband the same privileges, and shall impose on him the same duties, obligations and liabilities as if such license had been granted to him originally.

Provided that the Chief Inspector on application of the husband of any such licensee, unless satisfied that no objection can be made to the character of the husband, may confirm to him his wife's license for the remainder of the term of the duration thereof, of which confirmation a certificate signed by the Chief Inspector shall be conclusive evidence.

REMOVAL OF LICENSEES.

43. The Chief Inspector may endorse on any hotel or saloon license permission to the holder thereof to remove from the house in which his said license applies to another house, to be described in the endorsement to be made by the said Chief Inspector on the said license. Provided, always, that the house to which the licensee proposes to remove has all the accommodations required by law, and subject to the requirements in the case of an original application for the same kind of a license.

44. Such permission, when the approval of the said Chief Inspector is endorsed on said license, shall authorize the holder of the said license to sell liquors in the house mentioned in the endorsement during the unexpired portion of the term for which the said license was granted in the same manner and upon the same terms and conditions as he might do in the premises to which the license originally applied; but such permission shall not entitle him to sell at any other than such one place.

45. In all cases provided for in sections 37 to 44, both inclusive, of transfer, removal or change in a license, application shall be made in the same manner as if for an original application for a license. The amount of money to be sent with the application shall be the sum of \$50. The Chief Inspector, upon receiving the application, shall proceed as in cases when persons apply at other times for licenses, and the same additional fees must be paid.

46. If within sixty days from the granting of a license, or a transfer of a license, any person deposits with the Clerk of the Territorial Court \$100 as security for costs together with a complaint (verified by affidavit) that the said license or transfer has been obtained by fraud, or in violation of any of the provisions respecting licenses, on application the Judge may, by means of an originating summons, investigate and summarily hear and dispose of the complaint, and may direct the cancellation of the license or dismiss the complaint, and award costs in the same way as costs are awarded in proceedings in the Territorial Court.

47. All licenses shall be constantly and conspicuously exposed in bar-rooms of hotels and saloons and in shops or other places of public entertainment to which the licenses respectively relate, under a penalty of fifty dollars and costs for every day's wilful or negligent omission to so expose them, and in default of payment one week's imprisonment for every day of such omission.

48. Every person keeping a licensed hotel or saloon shall, during the continuance in force of such license, exhibit and keep exhibited on the outside and over a front door of the licensed premises, in large letters, the words, "Licensed to Sell Spirituous or Fermented Liquors;" under penalty as in the last preceding section mentioned.

49. No more than one bar shall be kept in any house or premises under this Ordinance.

50. In all places where intoxicating liquors are licensed to be sold by retail, no sale or other disposal of liquors shall take place therein, or on the premises thereof, or out of or from the same, to any person or persons whomsoever (save as hereinafter provided) from the hour of twelve of the clock on Saturday night till six of the clock on Monday morning thereafter. No sale or other disposal of liquors shall take place therein, or on the premises thereof, or from or out of the same, to any person or persons whomsoever, nor shall the premises in respect of which the license is issued be kept open from or after the hour of seven o'clock on Saturday night until six o'clock on Monday morning thereafter, save and except as both retail places in cases where a requisition for medical purposes, signed by a licensed medical practitioner, or by a licensed druggist, or by a justice of the peace is furnished the licensee or his agent; nor shall any liquor, whether sold or not be permitted or allowed to be drunk in any such places during the time prohibited by this Ordinance for the sale of the same. Provided, always, that in hotels compelled by law to give meals liquor may be sold during meals on Sunday to the guests *bona fide* residing or boarding in such houses between the hours of one and three and five and seven in the afternoon respectively, to be drunk at their meals at the table: but this provision shall not permit the furnishing of liquor at the bar or place where liquor is usually sold in such houses.

51. The chief inspector shall—

1. Keep a register, to be called "The Register of Licenses," containing the particulars of all licenses granted in the district, the premises in respect of which they are granted, the names of the sureties to any bond given by any such licensee in pursuance of the provisions of this Ordinance; there shall also be entered on the register all forfeitures of licenses, disqualifications of licensees, records of convictions, and other matters relating to the licenses then on the register.

2. Keep a record of all applications made to him, showing the names of the applicants, the nature of the applications, the premises in respect of which the applications are made, the date on which the applications were heard and the manner in which the same were disposed of, including in cases of refusal the cause or causes thereof.

3. On request, forthwith transmit extracts from any such register of licenses or record of application to the clerk of the Territorial Court.

4. Report monthly on the last day of each month to the Commissioner of the Yukon Territory, and this report shall contain:—

- (a) A statement of the number and description of licenses and the names of applicants to whom licenses were granted during the year;

(b) The names of applicants to whom licenses were not granted;

(c) Any other statement required to be entered in the register of licenses;

(d) The prosecutions for infractions of this Ordinance, and the result of the same;

(e) General remarks as to the working of the law within the territory; and also

(f) Any other remarks asked for by the Commissioner.

PENAL CLAUSES.

52. Unless otherwise specified therein, every license issued by the chief inspector shall expire and cease twelve months after the date of its issuance, and will have to be renewed by the licensee therein named on or before the date of expiration, and the fees as hereinbefore set forth paid at every such renewal.

53. Every licensed hotel-keeper or saloon-keeper who habitually dispenses meals, who either personally or through any one acting on his behalf, except for some valid reason, refuses to supply lodging, meals or accommodation to travellers at a reasonable rate, shall be guilty of an offence, and on summary conviction thereof liable to a penalty of \$50 and costs, and in default of payment one month's imprisonment.

54. Any licensee who permits gambling, drunkenness, or any violent, quarrelsome, riotous or disorderly conduct to take place on his premises, or sells or delivers any intoxicating liquor to any drunken person to consume on his premises, or permits or suffers persons of notoriously bad character to assemble or meet on his premises for improper or unlawful purposes, shall, in addition to any other punishment provided by law, be guilty of an offence, and on summary conviction thereof be liable to a penalty of not less than \$50 and costs and not more than \$100 and costs, and in default of payment forthwith, after conviction, to not less than one or more than two months' imprisonment.

55. Any licensee may refuse to admit to the premises in respect of which his license is granted, any person who is intoxicated, and may refuse to admit, and may turn out of the premises, any person who is violent, or quarrelsome or disorderly, and any person whose presence on his premises would subject the licensee to a penalty under this Ordinance; and any such person who, upon being requested in pursuance of this section by such licensee or his agent or servant, or any constable, to quit such premises, refuses or fails to do so, shall be guilty of an offence, and on summary conviction thereof be liable to a penalty of not more than \$50 and costs, and, in default of payment forthwith, after conviction, to one week's imprisonment; and all constables are required, on demand of such licensee, his agent or servant, to expel, or assist in expelling, every such person from such premises, and may use such force as may be necessary for that purpose.

56. Any licensee who knowingly allows to be supplied in his licensed premises, by purchase or otherwise, any description whatever of liquor to any person under the age of eighteen years, of either sex, or who permits children under the age of sixteen years to be in rooms, theatre boxes, or places on his premises where intoxicating liquor is served, shall, as well as the person who actually gives or supplies the liquor or permits children to be present when such liquor is served, whether he or she is a guest of the house or not, shall be guilty of an offence, and on summary conviction thereof be liable to pay a penalty of \$25 and costs for a first offence, and, in default of the payment forthwith after conviction, to one month's imprisonment, and for a second like offence a penalty of \$50 and costs,

with absolute forfeiture of the license, and, in default of payment forthwith after conviction, to two months' imprisonment and absolute forfeiture of license.

57. Any hotel licensee who knowingly allows any male under the age of eighteen years, or any female, to dispose of any form of intoxicants on the premises for which such license is granted, shall be liable to all the penalties provided for in this section: Provided, that this shall not apply to female licensees or the wife of a licensee.

58. No person shall recover or be allowed to set off any charge for intoxicating liquors in any quantity less than one gallon, delivered at one and the same time.

59. Whenever in any hotel or saloon, or other house or place where intoxicating liquors of any kind are sold, whether legally or illegally, any person has drunk to excess of intoxicating liquor of any kind therein furnished to him, and while in a state of intoxication from such drinking has come to his death by suicide or drowning, or mischance from cold or other accident occasioned by such intoxication, the person, whether the keeper or the employee of such hotel, house, or other place, who delivered to such person the liquor whereby such intoxication was caused, shall be liable to an action as for personal wrong at the suit of the legal representatives of the deceased person, if such action be brought within three months after such decease, but not otherwise, and such action may recover such sums, not less than \$100 nor more than \$1,000, as may therein be assessed by the court or jury as damages. The keeper of such hotel, or other house or place, and also any other person or persons who, for him, or in his employ, delivered to such person the liquor whereby such intoxication was caused, shall be jointly and severally liable to an action as for personal wrongs at the suit of the legal representatives of the deceased person, if such action be brought within three months after such decease, but not otherwise, and such legal representatives may bring either a joint and several action against them, or a several action against any or either of them, and by such action or actions may recover such sum, not less than \$100 nor more than \$1,000, in the aggregate of any such actions, as may therein be assessed as damages; and in the event of final judgment being recovered against any licensee in any action under this section, the licenses of such licensee shall thereupon be forfeited, and thereafter be null and void.

POWERS OF INSPECTORS AND OTHER OFFICERS.

60. The chief inspector, any sub-inspector of licenses, and any police officer, policeman or constable, shall, for the purpose of preventing or detecting the violation of any of the provisions of this Ordinance which it is his duty to enforce, at any time have the right to enter into any and every part of the hotel or other place wherein refreshments or liquors are sold, or reputed to be sold, whether under license or not, and to make searches in every part thereof and of the premises connected therewith, as he may think necessary for the purpose aforesaid.

61. Every person being therein, or having charge thereof, who refuses or fails to admit such chief inspector or sub-inspector, or police officer, or policeman, or constable, demanding to enter in pursuance of this section in the execution of his duty, or who obstructs or attempts to obstruct the entry of such chief inspector, sub-inspector, or police officer, policeman or constable, or any such searches as aforesaid, shall be guilty of an offence, and on summary conviction thereof be liable to a fine of \$50 and costs, and in default of payment forthwith after conviction to one month's imprisonment, in addition to any other punishment in such cases provided.

62. Any justice, if satisfied by the information on the oath of any police officer, policeman, constable, Chief Inspector or Sub-Inspector that there is a reasonable ground for belief that any spirituous or fermented liquor is being kept for sale or disposal contrary to the provisions of this Ordinance, in any unlicensed house or place within his jurisdiction may, in his discretion, grant a warrant under his hand by virtue whereof it shall be lawful for the person named in such warrant, at any time or times within two (2) months from the date thereof to enter, if need be, by force the place named in the warrant and every part thereof, and of the premises connected therewith, and to examine the same and search for liquor therein, and for such purpose such person may, if necessary, with such assistance as he deems expedient, break open any door, lock or fastenings of such premises, or any part thereof, or of any closet, cupboard, box or other article likely to contain any such liquor; and in the event of any liquor being so found and unlawfully kept on the said premises, the occupant thereof shall, until the contrary is proved, be deemed to have kept such liquor for the purpose of sale contrary to the provisions of Section 26 of this Ordinance, and may be arrested by such officer or person having the warrant for search as aforesaid, and any person so arrested shall be liable to a fine of one hundred dollars (\$100) and costs, or in default of immediate payment thereof imprisonment for three calendar months.

63. When any Chief Inspector or Sub-Inspector, policeman, constable or other officer in making or attempting to make any search under or in pursuance of the authority conferred by section 60 of this Ordinance, or under the warrant mentioned in this section, finds in an unlicensed house or place any liquor which, in his opinion, is unlawfully kept for sale or disposal contrary to this Ordinance, 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 any other person, for keeping liquor for sale in such house or place without license, the justice making such conviction may in and by the said conviction, or by separate and subsequent order, declare the said liquor and vessels or any part thereof, to be forfeited to Her Majesty, to be sold or otherwise disposed of as the Commissioner of the Yukon Territory may direct, and the proceeds of any such sale shall be forthwith transmitted to the Territorial Comptroller to form part of the general revenue fund.

NO LIQUOR TO BE SOLD WITHOUT A LICENSE.

64. No person shall sell or shall keep or have in any house, or in any other place whatsoever, any liquor for the purpose of selling, bartering or trading therein, without having first obtained a license authorizing him to do so, and any sale or other disposal of liquor by any association, body of persons, or club not incorporated by special Ordinance of the Territory, or by the servant or agent thereof to the members thereof, or to any other person without such license shall be a violation of this Ordinance.

65. It shall be the duty of every Sub-Inspector from time to time, when directed by the Chief Inspector, to visit and inspect every licensed place within his district, and to report forthwith to him every case of infraction of the provisions of this Ordinance, and every Sub-Inspector shall at once, and in conformity with the provisions herein contained, prosecute any person so offending, and shall not suffer unnecessary delay to intervene between his obtaining the information and the prosecution.

66. Violation of any of the provisions of section 50 shall be an offence for which the person violating shall be liable to summary conviction.

For the first offence to a penalty of not less than \$50 and costs nor more than \$100 and costs, and on default of payment not less than two months' nor more than four months' imprisonment.

For the second offence a fine of \$100 and costs, and in default of payment forthwith after conviction to not less than three months' nor more than six months' imprisonment.

For a third offence a fine of \$100 and costs with absolute forfeiture of license, and in default of payment forthwith after conviction, to not exceeding six months' imprisonment.

67. Any person who sells or barter liquor of any kind without the license thereof required by law shall be guilty of an offence, and on summary conviction :—

For the first offence be liable to a penalty of not less than \$50 and costs, nor more than \$100 and costs, and in default of payment forthwith after conviction, to not less than two months' nor more than six months' imprisonment.

For a second offence \$100 and costs and in default of payment forthwith after conviction, to not less than three months' nor more than six months' imprisonment.

For a third or subsequent offence a fine of \$100 and costs, and in default of payment forthwith after conviction to not exceeding six months' imprisonment.

68. Any person on summary conviction of any of the following offences shall be liable to a penalty of \$100, and in default of payment forthwith after conviction to two months' imprisonment :—

(a) Any shop licensee who allows any liquor sold by him, or in his possession, and for the sale of which a license is required, to be consumed within his shop or within any building of which such shop forms part or which communicates by any entrance with such shop, either by the purchaser thereof, or by any other person not usually resident within such building; or

(b) Any person who sells liquor to any person who he knows or has reason to believe is selling liquor without a license, and

(c) Any licensee licensed to sell liquors not to be consumed on the premises who takes or carries, or employs or suffers any other person to take or carry any liquor out of or from the premises of such licensee for the purpose of being sold on his account or for his benefit or profit, and of being consumed in any other house, or in any tent, shed, or other building of any kind whatever, belonging to such licensee or hired, used, or occupied by him.

(d) In any proceeding under this section, it shall not be necessary to prove that the premises or place or places to which such liquor is taken to be drunk belonged to were hired, used or occupied by the seller, if proof be given to the satisfaction of the court hearing the case that such liquor was taken to be consumed thereon or therein with intent to evade the conditions of his license.

69. Neither the chief inspector, sub-inspector or other officer of any license district shall, either directly or indirectly, receive, take or have any money whatsoever for any license, report, matter or thing connected with or relating to any grant of any license; or receive, take, or have any note, security or premise for the payment of any such money or any part thereof, from any person or persons whatsoever, and any person or persons guilty of, or concerned in, or party, or any act matter or thing contrary to the provisions of this section shall be guilty of an offence, and on summary conviction thereof, be liable to a penalty of \$100 and costs, and in default of payment forthwith after conviction to imprisonment for three months.

70. Any chief inspector, sub-inspector or other officer or person who, contrary to the provisions of this Ordinance, knowingly issues or causes or procures to be issued any liquor license, or a certificate therefor, shall be guilty of an offence, and on summary conviction thereof to be liable to a penalty of \$100 and costs, and in default of payment forthwith after conviction to imprisonment for six months.

71. Any person, who, having or being charged with having violated any of the provisions of this Ordinance, compromises, compounds or settles, or offers or attempts to compromise, compound or settle the offence with any person or persons with the view of preventing any complaint being made in respect thereof, or if a complaint has been made with the view of getting rid of such complaint or of stopping or having the same dismissed for want of prosecution or otherwise, shall be guilty of an offence, and on summary conviction thereof be liable to incur a penalty of \$100 and costs, and in default of payment forthwith after conviction to imprisonment for two months.

72. Every person who is concerned in or is a party to the compromise, composition or settlement mentioned in the next preceding section shall be guilty of an offence, and on summary conviction thereof be liable to a penalty of \$50 and costs, and in default of payment forthwith after conviction to one month's imprisonment.

73. Anyone knowing or having reason to believe that an order to commit to gaol has been issued against any person, under this Ordinance, who prevents the arrest of such person, or procures or facilitates by any act or counsel or in a manner whatsoever, his avoidance of arrest, or who provides such person with the means of avoiding arrest, shall be guilty of an offence, and on summary conviction thereof be liable to a penalty of \$50 and costs, and in default of payment forthwith after conviction to two months' imprisonment, in addition to any other penalty provided by law.

74. Every third conviction for an offence against the provisions of this Ordinance, or any of them shall operate as a forfeiture of the license of the offender when not otherwise provided.

75. Any person who shall violate any of the provisions of this Ordinance, for which violation no penalty is herein specially provided, shall be guilty of an offence, and on summary conviction thereof shall be liable to a penalty of not less than \$50 and costs, and not more than \$100 and costs, and in default of payment forthwith after conviction to imprisonment for not less than one month nor more than four months.

76. Any contravention of the provisions of this Ordinance by any servant, agent or employee of a licensee shall be presumed to be the act of such licensee, but except in the case of prosecution under section 50, such presumption may be rebutted by proof or explicit instructions to the contrary by such licensee. Any such servant, agent or employee contravening any of the provisions of this Ordinance, and disobeying any such explicit instructions, shall be liable, on summary conviction, to imprisonment to not less than ten days nor more than three months, without the option of a fine.

PROSECUTIONS.

77. Prosecutions for offences created by this Ordinance shall be had and taken under part 58 of the Criminal Code of 1892, which is incorporated herewith, and shall be instituted within six months after the commission of the alleged offence.

78. The description of any offence under this Ordinance in the words of the Ordinance, or in words of like effect, and any exception, exemption, provision, excuse or qualification, whether it does or does not accompany the description of the offence in this Ordinance, may be proved by the defendant, but need not be specified or negatived, no proof in relation to the matter so specified or negatived shall be required on the part of the informant or complainant.

79. Several charges of contravention of this Ordinance, committed by the same person, may be included in one and the same information or

complaint. Provided that such information and complaint and the summons issued thereon contains specifically the time and place of each contravention.

80. It shall be the duty of the Chief Inspector to see that a synopsis of this Ordinance, and the penalties thereunder shall be posted in a conspicuous place where liquor is sold under this Ordinance, and every licensee failing to post the same, on being requested to do so by the Chief Inspector, shall be guilty of an offence, and on summary conviction thereof be liable to forfeit \$25. Such synopsis shall be printed in such language as the Chief Inspector shall direct.

81. In describing the offences respecting the sale or other disposal of liquor or the keeping or the consumption of liquor in any information, summons or conviction, warrant or proceedings under this Ordinance, it shall be sufficient to state the sale, disposal, keeping or consumption of liquor simply, without stating the name or kind of such liquor or the price thereof, or the name of any person to whom it was sold or disposed of, or by whom it was consumed, and it shall not be necessary to state the quantity of liquor so sold, disposed of, kept or consumed, except in the case of offences where the quantity is essential, and then it shall be sufficient to allege the sale or disposal of more or less than such quantity, as the case may require.

82. The forms set forth in the schedule of forms to this Ordinance, or any form to the like effect, shall be sufficient in the cases thereby respectively provided for; and when no forms are provided by the said schedule they may be framed in accordance with part LVIII. of the criminal code, 1892.

PROCEDURE IN CASES WHERE PREVIOUS CONVICTION IS CHARGED.

83. The proceedings upon information for an offence against any of the provisions of this Ordinance, in the case where a previous conviction is charged, shall be as follows:—

(a) The justice shall in the first instance enquire concerning such subsequent offence, and if the accused is found guilty thereof he shall then, and not before, be asked whether he was so previously convicted as alleged in the information, and if he answers that he was so previously convicted, he shall be sentenced accordingly; but if he denies that he was so previously convicted, or does not answer such question, the justice shall then enquire concerning such previous conviction or convictions.

(b) Such previous conviction may be proved *prima facie* by the production of a certificate purporting to be under the hand of the convicting justice or the clerk of the court to whose office the conviction has been returned, without proof of signature or official character.

(c) In the event of any conviction for any second or subsequent offence becoming void or defective after the making thereof, by reason of any previous conviction being set aside, quashed, or otherwise rendered void, the justice by whom such second or subsequent conviction was made shall summon the person convicted to appear at a time and place to be named, and shall thereupon, upon proof of due service of summons, if such person fails to appear, or on his appearance, amend such second or subsequent conviction and adjudge such penalty or punishment as might have been adjudged had such previous conviction never existed, and such amended conviction shall thereupon be held valid to all intents and purposes as if it had been made in the first instance.

84. Convictions for several offences may be made under this Ordinance, although such offences may have been committed on the same day; but the increased penalty or punishment hereinbefore imposed shall only be incurred or awarded in the case of offences committed on different days, and after the information laid for a first offence.

85. No chief inspector nor sub-inspector shall try and adjudicate upon any complaint for an infraction of any of the provisions of this Ordinance.

86. Whenever any licensee is convicted of any offence against the provisions of this Ordinance, record thereof shall be endorsed on the license of the person convicted, and the following provision shall have effect, that is to say:—The justice before whom any licensed person is accused shall require such person to produce and deliver to him the license under which such person carries on business, and the summons shall state that such production will be required.

87. If such person is convicted, the justice convicting shall cause the particulars of such conviction and the penalty imposed, to be endorsed on his license before it is returned to the offender, and such record shall be *prima facie* evidence of such conviction, where such is subsequently required.

88. The chief inspector shall enter the full particulars respecting such conviction or such convictions, or such of them as the case may require, in the register of licenses kept by him under this Ordinance, and all justices shall notify the chief inspector in writing of any convictions they have made.

89. Where the conviction of any such person has the effect of causing the forfeiture of the license or of disqualifying any person for the purpose of this Ordinance, the license shall be forwarded by the justice with notice of such forfeiture or disqualification to the chief inspector.

90. The justice, on any conviction of a licensee for an offence against this Ordinance, shall send forthwith to the chief inspector a certificate of such conviction.

91. For the additional duties imposed by the two next preceding sections he shall be entitled to charge as costs in the proceedings the following sums:—

(1) For making up and forwarding certificate of conviction to the chief inspector, the sum of \$2.50.

(2) For recording the forfeiture of license, the sum of \$2.50.

92. When not otherwise provided, a third conviction of a licensee for any violation or contravention of the provisions of this Ordinance shall *ipso facto* operate as a forfeiture of his license, and disqualify the person convicted from obtaining a license for three years thereafter.

EVIDENCE, ETC.

93. In any prosecution or proceeding under this Ordinance, in which proof is required respecting any license, a certificate purporting to be under the hand of the chief inspector shall be *prima facie* proof of the existence of such license and of the identity of the person to whom the license was granted or transferred, or against whom the order was made; and the production of such certificate shall be *prima facie* evidence of the facts therein stated and of the authority of the chief inspector, without any proof of his appointment or signature.

94. Any regulation made by the chief inspector shall be sufficiently authenticated by being signed by him, and a copy of such regulation,

written or printed, and certified to be a true copy, shall be deemed authentic, and be received as *prima facie* evidence in any court of justice without proof of the signature or signatures, unless it is specially pleaded or alleged that the signature or signatures to any such original resolution have been forged, and evidence of such forgery has been adduced, by the person accused, sufficient, in the opinion of the court, to make the proving of the signature or signatures advisable.

95. Any house, shop, room, or other place in which it is proved that there exists a bar, counter, beer pumps, kegs, jars, decanters, tumblers, glasses, or other appliances or preparations similar to those usually found in hotels and saloons where liquors are accustomed to be sold or trafficked in, shall be deemed to be a place in which liquors are kept or had for the purpose of being sold, bartered or traded in, in contravention of section 5 of this Ordinance, unless the contrary is proved by the defendant in any prosecution; and the occupant of such house, shop, room, or other place shall be taken to be the person who has or keeps therein such liquors for sale, traffic or barter therein

96. In proving the sale of liquor for the purpose of any proceeding relative to any offence under this Ordinance, it shall not be deemed necessary to show that any money actually passed, or any liquor was actually consumed, if the justice or justices hearing the case is or are satisfied that a transaction in the nature of a sale actually took place, in respect to which a license is required under this Ordinance, by some person other than the occupier of the premises, shall be evidence that such liquor was sold to the person consuming, or being about to consume, or carrying away the same, or against the occupant of the said premises.

97. The occupant of any house, shop, room or other place in which any sale, barter or traffic of liquors, or any matter, act or thing, in contravention of any of the provisions of this Ordinance, has taken place shall be personally liable to the penalty prescribed in the fifty-second section of this Ordinance, notwithstanding such sale, barter or traffic be made by some other person, who cannot be proved to have so acted under or by the directions of such occupant; and proof of the fact of such sale, barter or traffic, or any act, matter or thing, by such person in the employ of such occupant, or who is suffered to remain in or upon the premises of such occupant, or to act in any way for such occupant, shall be conclusive evidence that such sale, barter or traffic or other act, matter or thing, took place with the authority and by the directions of such occupant.

98. In any prosecution under this Ordinance for the sale or other disposal of liquor without the license required by law, it shall not be necessary that any witness shall depose directly to the precise description of the liquor sold or bartered, or the precise consideration therefor.

99. The fact of any person not being a licensee keeping up any sign, writing, painting or other mark, in or near to his house or premises, or having such house fitted up with a bar or other place containing bottles or casks displayed so as to induce a reasonable belief that such house or premises is or are licensed for the sale of any liquor, or that liquor is sold or served therein, or that there is on such premises more liquor than is reasonably required for the persons residing therein, shall be deemed *prima facie* evidence of the unlawful sale of liquor by such person.

WITNESSES.

101. In any prosecution under this Ordinance if any Chief Inspector, Sub-Inspector or other officer attends Court as prosecutor or witness, it shall be lawful for the justice trying the case to order the defendant in case of a conviction, to pay the Chief Inspector, Sub-Inspector or other officer the following costs:—

His actual travelling expenses and \$15 for each day so employed.

The foregoing expenses shall be verified by the oath of the Chief Inspector, Sub-Inspector or other officer.

In case the person convicted does not pay such costs but is committed to gaol in default of payment, the Chief Inspector, Sub-Inspector or other officer shall be entitled to be paid the amount out of the general revenue fund.

In case of prosecution by the Chief Inspector, Sub-Inspector or other officer, when no conviction is procured, upon the written certificate of a justice trying a case that there were reasonable grounds for the prosecution, the Chief Inspector, Sub-Inspector or other officer shall be entitled to be paid the said costs out of the general revenue fund.

102. Police officers, policemen and constables shall have full authority to enforce any of the provisions of this Ordinance.

103. All licenses issued or purporting to have been issued under "The Liquor License Ordinance" (No. 11 of 1898), and any Ordinance amending the same, and all acts done or purporting to have been done thereunder up to the date of the passage of this Ordinance are hereby confirmed and declared to be valid as if issued and done under this Ordinance.

(Signed) WILLIAM OGILVIE,
Commissioner.

YUKON LOCAL ORDINANCE.

Amended by 26/02

No. 30 of 1899.

An Ordinance respecting Masters and Servants.

(Assented to June 17th, 1899.)

The Commissioner of the Yukon Territory, by and with the advice and consent of the Council of the said Territory, enacts as follows:—

1. Notwithstanding any disposition to the contrary of any law or Ordinance in force in this Territory, whenever any proceedings is taken before one or more Justices of the Peace or Magistrates under Section 4, of Ordinance No. 26 of 1895, of the North-west Territories, entitled "An Ordinance Respecting Masters and Servants," no warrant for the imprisonment of any master or employer for non-payment of wages shall be issued, unless it is established before the Justice or Justices, Magistrate or Magistrates, trying the case, that said master or employer has committed some act of fraud tending to deprive his creditors generally, or the complainant in particular of his recourse against him, or that he is about to leave the Yukon Territory, with the same intent.

This Ordinance will apply to cases and proceedings already instituted.

(Signed) WILLIAM OGILVIE,
Commissioner.

Repealed by 40/02

YUKON LOCAL ORDINANCE.

No. 31 of 1899.

An Ordinance respecting Music Halls.

(Assented to June 7th, 1899.)

The Commissioner of the Yukon Territory, by and with the advice and consent of the Council of the said Territory, enacts as follows:—

1. For the purpose of this Ordinance a Music Hall shall be considered to be any place where theatrical representations are held, or where music of any kind whatsoever is played for the exclusive entertainment of the public, whether an admission thereto is charged or not.
2. No person is permitted to keep such a Music Hall in the Yukon Territory unless he has previously obtained from the Commanding Officer (for the time being) of the Northwest Mounted Police, in Dawson, a license to that effect.
3. Such license will be in force for one year and no longer, expiring at the end of one year from the date it will purport to have been granted.
4. A yearly fee of five hundred dollars (\$500) shall be paid by the applicant before such license will be granted, which fee will form part of the public funds of the Yukon Territory.
5. Any person keeping a Music Hall without having previously obtained such a license, shall incur for each day of such contravention a penalty of not less than \$100 and costs, to be recovered before any Justice or the Peace under the provisions of the Summary Act contained in the Criminal Code of Canada.

(Signed) WILLIAM OGILVIE,
Commissioner.

YUKON LOCAL ORDINANCE.

No. 32 of 1899.

An Ordinance respecting Agents.

The Commissioner of the Yukon Territory, by and with the advice and consent of the Council of said Territory, enacts as follows:—

1. Any one acting either as an agent, partner or otherwise in any trading, business or calling in the Yukon Territory, for or on behalf of any person, partnership, association or company, not having his or their principal place of business in the Yukon Territory, or not having a regular place of business in the Yukon Territory, is hereby declared to be and shall be held to be personally liable upon any contract, transaction or obligation whatsoever which may be entered into, made, or incurred in the Yukon Territory for, or in, the course of business, trade or calling of such person, partnership, association or company, unless he or they have previously disclosed the full name and residence of such person, and if a partnership, the full names and residences of the partners composing said partnership, and if an association or a company, the principal place of business of that association or company, by a declaration to be made, in all cases, to that effect, and registered at the registration office according, or in addition to whatever may be already required by any law or Ordinance in force in this Territory concerning the registration of trading, partnership, association or company.

2. Upon any judgment obtained against any such person acting as such agent, partner or otherwise, based upon a contract, transaction or obligation entered into, made or incurred for, or on behalf of any such person, partnership, association or company: execution may be issued upon and satisfied out of the assets of such person, agent or partner, as well as out of the assets of such person, partner, association or company.

(Signed) WILLIAM OGILVIE,
Commissioner.

YUKON LOCAL ORDINANCE.

No. 33 of 1899.

Respecting Slaughter Houses and the Killing and Dressing of
Animals for Food.

(Assented to June 17th, 1899.)

The Commissioner of the Yukon Territory, by and with the advice and
consent of the Council of said Territory, enacts as follows:—

1. This Ordinance may be cited as "The Yukon Slaughter House
Ordinance, 1899."

2. Where the following words occur in this Ordinance, they shall be
construed in the manner hereinafter mentioned, unless a contrary inten-
tion appears:—

(a) "Animals" mean cattle, sheep, hogs and all other domestic
animals generally killed for food.

(b) "Slaughter House" means any building or place used for
the slaughtering, butchering and dressing of animals.

(c) "Person" means any person, partnership, company or cor-
poration.

3. No person shall carry on in the Yukon Territory any slaughter
house, without first having obtained a license for that purpose, which
license shall be issued by such person or persons as the Commissioner in
Council may authorize, and in every case the license shall expire on the
thirty-first day of December next following the date thereof, which said
license may be assigned with the consent of the person issuing the same,
and no such slaughter house shall be permitted to exist within a mile from
the spot where the post office of Dawson actually now stands.

4. The license shall be for one year, and the sum of fifty dollars will
be paid therefor by the applicant.

5. All animals killed for food to be consumed by the public residing
in Dawson and surrounding territory from Dawson to a distance of five
miles in the Yukon Territory will have to be killed at a slaughter house
as soon as there are any having a license as provided by the preceding
sections, Nos. 3 and 4. For other places the Commissioner in Council may
fix by resolution how and where the same are to be killed.

6. All slaughter houses in the Yukon Territory shall be under the
control of the Commissioner in Council, and shall be subject to such regu-
lations as may be from time to time passed by resolutions of the said Com-
missioner in Council.

7. The said Commissioner in Council is hereby authorized to appoint
a special inspector of slaughter houses, whose duties shall be as follows,
to wit:—

(a) To inspect all slaughter houses as he may be directed from
time to time by the resolutions of the Commissioner in Council.

(b) To inspect all animals delivered at said slaughter houses for the purposes of being killed for food.

(c) To inspect all meat offered to the public for sale for food within the limits aforesaid, and at any other place fixed by resolution of the Commissioner in Council.

(d) To condemn and destroy all diseased animals and tainted meat and food within the place aforesaid.

8. It shall be unlawful for any person within the limits aforesaid to offer for sale, or to have in his possession any animal meat which has not been slaughtered at a licensed slaughter house.

9. All debris and offal accumulated at the slaughter houses aforesaid must be destroyed by fire, and in no other manner.

10. All slaughter houses must be kept at all times in a cleanly condition, and if they are not kept in said condition the said Commissioner in Council shall have the right at any time to terminate and cancel their license.

11. No person shall be permitted to offer for sale any meat for public use until after the same shall have been killed for at least a period of ten hours.

12. The Inspector aforesaid shall mark in a manner or way to be by him selected, all animals and meat inspected by him; and no person shall offer for sale, or have in his possession any meat not marked or inspected by said Inspector.

13. No slaughter house shall charge or receive a compensation greater than the amount following, to wit:—

(a) For killing and dressing beef per head, eight dollars (\$8.00).

(b) For killing sheep and calves per head, one dollar and a quarter (\$1.25).

(c) For killing and dressing hogs per head, two dollars (\$2.00).

14. Whenever a special inspector, as hereinbefore mentioned, is employed, the Commissioner in Council may, by resolution, from time to time, fix the rate of wages to which he shall be entitled for the work performed by him as such inspector while under instructions.

15. This Ordinance does not affect or apply to game killed by hunters or other persons in the Yukon Territory.

PENALTY FOR OFFENCES AGAINST THIS ORDINANCE.

16. Any person who has violated any of the provisions of this Ordinance, or any of the regulations thereunder, shall be liable for every such offence to a penalty not exceeding one hundred dollars (\$100) in the discretion of the convicting Justice or Magistrate, besides the costs of said prosecution, to be recovered summarily under the provisions of the Summary Conviction Act in the Criminal Code of Canada.

17. Any person who obstructs the Inspector in the performance of his duties hereunder shall be subject to the same penalty as provided in the preceding section.

18. The Inspector may, if obstructed in the performance of his duties, call to his assistance any constable or other person he thinks fit, and it shall be the duty of any such constable or other person to render assistance to said Inspector in the carrying out of the provisions of this Ordinance.

19. The Inspector and slaughter houses shall have a right to hold all meat in their possession until the payment of their legal charges, as provided by this Ordinance. If said charges are not paid within ten hours after becoming due, then all meats in their possession may be sold by them at public auction, and out of the proceeds of the said sale shall be paid: first, the cost of sale; second, the fees and charges of said Inspector and slaughter houses, and the balance then remaining shall be paid to the person to whom said meat belongs.

20. Until a special Inspector is appointed the Medical Health Officer will inspect the meat offered for sale within the limits aforesaid.

(Signed) WILLIAM OGILVIE,
Commissioner.

Repealed by H.S. for

YUKON LOCAL ORDINANCE.

No. 34 of 1899.

Vide # 15/1900.

~~An Ordinance respecting Pawn Brokers.~~

(Assented to June 17th, 1899).

The Commissioner of the Yukon Territory, by and with the advice and consent of the Council of the said Territory, enacts as follows:—

1. No person is permitted to do business as a pawn broker in the Yukon Territory unless he has previously obtained from the Commanding Officer, for the time being, of the Northwest Mounted Police in the Yukon Territory a license to that effect.

2. Such license will be in force for one year and no longer, expiring at the end of one year from the date of its issue.

3. A yearly fee of one thousand dollars (\$1,000) shall be paid by the applicant before such a license will be granted, which fee will form a part of the public funds of the Yukon Territory.

4. Only one license will be required for a number of persons carrying on such business in partnership, or under a partnership name, provided it is carried on in the same house, shop or place of business.

5. Any person doing business as a pawn broker under his name, or under a partnership, association or company name, without having previously obtained such license, shall incur for each day of such contravention a penalty not exceeding \$100 and costs, to be recovered before any Justice of the Peace or magistrate under the provisions of the Summary Conviction Act contained in the Criminal Code of Canada.

(Signed) WILLIAM OGILVIE,
Commissioner.

YUKON LOCAL ORDINANCE.

No. 35 of 1899.

An Act to confirm, ratify and legalize certain transfers of real property made by J. E. Hansen, as the attorney in fact of James N. Wilson, Executor in the Yukon Territory, of the last will and testament of Arthur Harper, deceased.

(Assented to June 29th, 1899.)

Whereas James M. Wilson, executor in the Yukon Territory of the last will and testament of Arthur Harper, deceased, has, by his petition, prayed for an Act to confirm, ratify and legalize certain transfers of real property made by J. E. Hansen, as the attorney in fact of him, the said James M. Wilson, as such executor, and

Whereas, it is advisable to grant the prayer of said petition.

Now, therefore, the Commissioner of the Yukon Territory, by and with the advice and consent of the Council of the said Territory, enacts as follows:

1. All transfers of real property made by J. E. Hansen, as the attorney in fact of James M. Wilson, executor in the Yukon Territory of the last will and testament of Arthur Harper, deceased, a list of which is contained in schedules "A" and "B" hereto, are hereby confirmed, ratified and declared to be legal and binding upon the said James M. Wilson, as such executor, and upon the estate of Arthur Harper, deceased, as fully and completely as if the same were executed by the said James M. Wilson, as such executor, and title is hereby declared to be vested in the respective persons to which said transfers are made, as fully to all intents and purposes as if said transfers were signed by said James M. Wilson, as such executor.

(Signed) WILLIAM OGILVIE,
Commissioner.

Repealed by # 5/02

YUKON LOCAL ORDINANCE.

No. 36 of 1899.

Vide #16/1900.

An Act Respecting Transient Traders.

(Assented to June 29th, 1899.)

The Commissioner of the Yukon Territory, by and with the advice and consent of the Council of said Territory, enacts as follows:—

1. For the purposes of this Act a "transient trader" shall be considered to be any person, partnership, association or company doing business within the Yukon Territory without having any established place of business either as a proprietor, tenant or occupant of any ground or lot of ground subject either to rent or to taxation or in the possession of any private individual within the said territory.

2. No transient trader is permitted to do any trade or business within the said territory unless he has previously obtained from the Commanding Officer, for the time being, of the Northwest Mounted Police at Dawson, or from an officer appointed by him a license to that effect.

3. Such license shall be in force for one year and no longer, expiring at the end of one year from the date it will purport to have been granted.

4. A yearly fee of one hundred and fifty dollars (\$150) shall be paid by every such transient trader before such licence will be granted, which fee will form part of the public funds of the Yukon Territory.

5. Any transient trader doing any business or trade within the Yukon Territory without having previously obtained such a license shall incur for each day of such contravention a penalty of not more than one hundred dollars and costs, to be recovered before any Justice of the Peace under the provisions of the Summary Act contained in the Criminal Code of Canada.

This ordinance will not in any way affect the ordinance concerning peddlars.

(Signed)

WILLIAM OGILVIE,

Commissioner.

YUKON LOCAL ORDINANCE.

No. 37 of 1899.

Repealed by # 33/1901

An Ordinance Respecting Barristers and Solicitors within the Yukon Territory.

(Assented to June 29th, 1899.)

His Excellency the Governor General of Canada, by and with the advice and consent of his Privy Council for Canada, enacts as follows:—

1. Except as hereinafter otherwise provided no one shall practice as an advocate within the Yukon Territory unless he shall have been duly admitted by order of the Territorial Court.
2. Every person who at the disallowance of Ordinance No. 4, entitled "An Ordinance Respecting the Legal Profession," assented by the Commissioner of the said Territory in Council on the 26th October, 1898, was entitled to practice within the said Territory as an advocate under the provisions of the said Ordinance shall continue to be entitled to practice as such advocate.
3. The disallowance of said last mentioned Ordinance shall not affect nor be deemed to have affected the right or qualification to practice of any person who shall have been admitted to practice pursuant to the provisions of the said Ordinance previous to the 1st day of July, 1899.
4. The following persons and no others shall hereafter be entitled to be admitted to practice as advocates within the said Territory, viz.:
 - (a) Every barrister, advocate, solicitor or attorney of any court in Great Britain or Ireland, or of any court in any province of Canada or of the North-west Territories upon filing a satisfactory certificate of his being such barrister, advocate, solicitor or attorney at the time of application and of his good moral character, and upon payment of a fee of fifty dollars.
 - (b) Any law student of the full age of twenty-one years who shall have served under articles of clerkship for a period of three years within the said Territory with an advocate practising there, and shall have passed such preliminary and final examinations as may be prescribed by competent authority, and who shall have filed satisfactory certificates to that effect, and of his good moral character from the advocate with whom he shall have served, upon payment of a fee of twenty-five dollars.
5. Every person hereafter admitted to practice within the said Territory shall be required to take the following oath:

"I, A B, do swear that I will truly and honestly demean myself in the practice of an advocate in all and every of the courts of the Yukon Territory in which I shall be employed as such according to the best of my knowledge and ability, so help me God."
6. Within the first fifteen days of January in each year a fee of ten dollars shall be payable by each advocate practising within the said Territory. Such annual fee, together with the other fees, payment of which is hereinbefore provided for, shall be paid into and form part of the Territorial funds.
7. Advocates of the Territorial Court shall be counsel advocates and solicitors of all the courts within the Territory, and as such shall be entitled to prosecute and defend all cases therein, and shall have such

seniority and precedence therein as they are entitled to in the Territorial Court, but nothing herein contained shall interfere with or affect the wholesome control which Her Majesty's Courts are authorized to exercise over the several practitioners therein or to prevent the court from suspending, silencing, dismissing or striking off the roll any advocate for malpractice or misconduct.

8. The several proceedings mentioned in the fourth section of the said disallowed Ordinance are hereby confirmed and made good and valid to the same extent as they were intended to be confirmed and made good and valid by the said fourth section.

9. This Ordinance shall come into effect on the first day of July, 1899.

(Signed) WILLIAM OGILVIE,
Commissioner.

YUKON LOCAL ORDINANCE.

No. 38 of 1899.

An Ordinance Authorizing Judge to Appoint Examiner.

(Assented to June 29th, 1899.)

The Commissioner of the Yukon Territory, by and with the advice and consent of the Council of said Territory, enacts as follows:

1. The Judge of the Territorial Court of the Yukon Territory may, when it shall appear to him to be necessary, appoint an examiner, who shall have authority during the absence of the Judge, to make orders for the examination upon oath, *viva voce*, or by interrogatories in writing before him, said examiner, at any time and place to be by said examiner fixed in his order, of any witness or party, whose testimony it shall be necessary to take in any cause or causes, pending before the Territorial Court of the Yukon Territory.

2. Said examiner shall be authorized to order the attendance of any person, or persons, for the purpose of producing any writings or other documents named in the order, which the examiner may think fit to be produced.

3. The said examiner shall have the same powers as those conferred upon the Court or Judge, by sections 245 to 266, inclusive, of an Ordinance cited as "The Judicature Ordinance," being Ordinance No. 6, of 1893, of the North-west Territories, and said sections shall govern and apply to all proceedings had and taken before said examiner.

4. The said examiner shall have power to administer oaths, or receive affirmations, and the fees charged by said examiner shall be left to the discretion of the Court.

(Signed) WILLIAM OGILVIE,
Commissioner.

YUKON LOCAL ORDINANCE.

No. 39 of 1899.

An Ordinance Respecting the Judicature Ordinance.

(Assented to June 29th, 1899.)

The Commissioner of the Yukon Territory, by and with the advice and consent of the Council of said Territory, enacts as follows:—

1. That sub-section 1 of section 21 of Ordinance No. 6, of 1893, of the North-west Territories, entitled "An Ordinance to Amend and Consolidate the Judicature Ordinance and Amendments thereto," and the amendments to said sub-section one of section 21, being sub-section 7 of section 1 of Ordinance No. 6, of 1897, be repealed and the following substituted therefor:

1. "When the defendant resides in the judicial district whence the writ of summons issued and within a radius of ten miles from the court house, the writ shall be returnable after the expiration of eight days from the service thereof upon the defendant."

1a. "When the defendant resides outside the aforesaid radius of ten miles from the court house one additional day shall be allowed for entering his appearance for each and every additional ten miles."

2a. The affidavits of service of the writ of summons upon the defendant, in addition to other facts required therein, shall set forth the number of miles distant from the court house aforesaid at which the defendant was served with such writ of summons."

(Signed) WILLIAM OGILVIE,

Commissioner.

Repealed by 45/02

YUKON LOCAL ORDINANCE.

No. 40 of 1899.

An Ordinance respecting Fireworks and Firearms.

(Assented to June 29th, 1899).

The Commissioner of the Yukon Territory, by and with the advice and consent of the Council of said Territory, enacts as follows:

1. That in view of the danger of fires occurring from the improper discharge of firearms and the indiscriminate use of fireworks generally, that no firearms shall be discharged within the limits of Dawson, and that the sale and use of fireworks in any manner whatsoever is also prohibited within the limits of Dawson aforesaid.

2. This shall not be construed to prohibit the discharge of firearms whenever specially permitted by militia or military order, or under any laws in force in the Yukon Territory.

(Signed)

WILLIAM OGILVIE,

Commissioner.

YUKON LOCAL ORDINANCE.

No. 41 of 1899.

An Ordinance to amend the Sheriff's and Deputy Sheriff's Ordinance, Chapter 23 of the Consolidated Ordinances of 1898 of the North-West Territories, entitled "An Ordinance respecting Sheriffs and Deputy Sheriffs."

(Assented to July 11th, 1899).

The Commissioner of the Yukon Territory, by and with the advice and consent of the Council of said Territory, enacts as follows:

Section 27 of the said Ordinance is hereby amended by adding after the word "Yorkton," in the third line thereof, the following:—"In the Yukon Territory the Sheriff may appoint one or several Deputy Sheriffs; and in the event of his being absent from Dawson, or becoming incapacitated through illness or otherwise, or failing to regularly appoint any such Deputy Sheriff or Sheriffs, the Judge of the Territorial Court of the Yukon Territory will have the right and power to appoint one or several such Deputy Sheriffs."

(Signed) WILLIAM OGILVIE;
Commissioner.

YUKON LOCAL ORDINANCE.

No. 42 of 1899.

An Ordinance Authorizing Peace Officers to Enter Certain Premises.

(Assented to July 13th, 1899.)

The Commissioner of the Yukon Territory, by and with the advice and consent of the Council of said Territory, enacts as follows:

1. It will be lawful for any Sheriff, Deputy Sheriff, Constable or other peace officer of this Territory, whether uniformed or otherwise vested with a badge or other sign showing his authority to enter, without a warrant, at any hour of the day or night, any dwelling, shop or other building, or appurtenances within the outtillage thereof, wherein any business is conducted, or supposed to be conducted, and for which a special license has been, or should have been previously obtained under any ordinance or ordinances of this Territory, or any rule, orders or by-laws thereunder, and to make such inspection of the said premises as will permit any such officer to ascertain whether any such ordinance or ordinances, rule, orders or by-laws thereunder, are in any way violated or infringed upon.

2. Any one assaulting, or obstructing, or refusing to permit any such officer to enter and inspect any such premises for the purpose aforesaid, or any one instructing or advising any person to assault, obstruct, or refuse to permit any such officer to enter and inspect such premises will incur a fine not exceeding \$100.00 and costs, and in default of payment, imprisonment not exceeding two months, and may be prosecuted before any Justice of the Peace of the the Territory under the Summary Conviction Act contained in the Criminal Code of Canada.

YUKON LOCAL ORDINANCE.

No. 43 of 1899.

Vide 443/1900.

An Ordinance Respecting Trespassing and Straying of Animals.

(Assented to Aug. 17th, 1899.)

The Commissioner of the Yukon Territory, by and with the advice and consent of the Council of said Territory, enacts as follows:—

1. In this Ordinance—

(1) The word "animal" means any horse, mule, jack, goat, neat cattle, swine or geese;

(2) The word "trespasser" means any animal which breaks into any ground enclosed by a lawful fence;

(3) The word "estrays" means any horse, mule, jack or one of the neat cattle species, or any swine or geese running at large;

(4) A legal fence, for the purpose of this Ordinance, shall be held to be not less than four feet six inches high, and shall consist of such courses of rails or wire, as the case may be, as shall be held sufficient for the protection of the ground within its bounds.

2. The Commissioner may, by order published in the ordinary way in the Yukon Territory, constitute any part of the Yukon into a pound district, and appoint therefor one or more pound-keepers.

3. The owner or occupier of any land surrounded by a lawful fence, or his agent, may capture any trespasser upon such land, and drive and deliver the same to the nearest pound-keeper of the district in which the trespass was committed, and the said pound-keeper shall impound such trespasser and shall be responsible for the feed and safe-keeping thereof, so long as he is legally bound to hold the same; and such pound-keeper is empowered to collect the amount of the damages caused by, and all charges for the keep and other incidental expenses connected with such trespasser, before delivering up the same to the owner; and it shall be the duty of the captor to leave with the pound-keeper a statement in writing to his claim for damages done by such trespasser, and his reasonable charges incurred in driving the same to and delivering the same to the pound-keeper.

4. Any resident in the Yukon may capture any estray found within any pound district, and drive and deliver the same to the pound-keeper of such district and the said estray shall be dealt with in every way as a trespasser under this Ordinance.

5. In every case where damage is done to the enclosed lands of any person by any of the animals hereinbefore mentioned breaking the fences enclosing the same, such animal shall be considered and treated as a trespasser within the meaning of this Ordinance, if that part of the fence broken by such animal were lawful; although other parts of the enclosing fence may not be lawful; and any animal hereinbefore mentioned breaking through a division fence, which its owner is bound to repair and keep up, shall be considered and treated as a trespasser within the meaning of this Ordinance, although the said fence shall not be a lawful fence.

6. The owner or occupant of any land, or the person in charge of any animal, shall be liable for any damage caused by such animal under his charge as though such animal were his own property; and the owner of any animal not permitted to run at large by law shall be liable for any damage done by such animal, although the fence enclosing the premises was not a lawful one.

7. The person capturing any animal shall, at the time of delivering the same to the pound-keeper, deposit poundage fees, if such are demanded, and with the statement of his demand, as hereinbefore provided, give to the pound-keeper with a surety, if required by the pound-keeper, his written agreement to the words, or to the following effect:—

“I, A. B., do agree that I will pay to the owner of the (*describing the animal*) by me this day impounded, all costs to which the said owner may be put in case the distress by me proves to be illegal, or in case the claim for damages by me fails to be established”

8. The owner of any animal impounded shall at any time be entitled to his animal on demand made therefor without payment of any poundage fees, on giving satisfactory security to the pound-keeper for all costs, damages and poundage fees that may be established against him.

9. On the pound-keeper impounding an animal it shall be his duty:

(1) If the owner be known, to immediately notify him of such impounding, and if such owner refuse within three days after such notification to pay all lawful damages and other charges, and take away his animal, to advertise for at least ten days the sale of such animal, by posting notices in three of the most public places in the pound district and upon the day named in such notice for such sale, to sell such animal by public auction.

(2) If the owner be not known, to cause to be posted forthwith in three of the most public places in the pound district, a notice giving as near as possible all the marks, natural and artificial, colour, and probable age of such animal; and after the expiration from such notice of:—

(a) Twenty days,

If the animal be a horse, mule, jack, or one of the neat cattle species and over two years old, and

(b) Six days,

If the animal be of the last mentioned kinds under two years old, or of any other kind of any age.

If no owner be found the pound-keeper shall advertise and sell the animal in the same manner as herein provided when the owner is known.

10. The pound-keeper shall apply the proceeds of any such sale as follows:

(1) To the payment of his own proper charges;

(2) To the payment of the captor's reasonable charges and damages;

(3) The balance to the owner of the animal sold, if known, and if not known, after the same has remained in his hands for three months unclaimed, to the Commissioner, to become, if still unclaimed for one year thereafter a part of the revenue of the Yukon.

11. The pound-keeper shall neither directly nor indirectly become the purchaser at any sale conducted under his direction.

12. The persons mentioned in this Ordinance shall be entitled to receive the following amounts :

(1) The owner or occupant of the land injured by a trespasser, or the captor of an estray, for driving and delivering the same to the pound-keeper, his reasonable expenses ;

(2) The pound-keeper—

For every horse, mule or jack, or head of cattle or swine, four dollars ; for every sheep or goat, each one dollar and sixty cents, for each day the same shall be impounded, for their support ;

For notifying the owner of the animal impounded, fifty cents ;

For posting notices, if the owner is not known, one dollar ; and the actual cost of newspaper advertisements when incurred ;

For posting notices of sale, one dollar ;

And for each mile necessarily travelled in the performance of his duties, ten cents ;

And 5 per cent commission upon the amount realized on the sale, for selling animal and applying proceeds according to the provisions of this Ordinance.

13. The owner of any animal captured or impounded under the provisions of this Ordinance shall be entitled to recover the same from any person in whose possession such animal may be, upon tender of all damages committed and the charges incurred up to the time of the tender.

14. A pound-keeper guilty of any neglect of duty imposed upon him by this Ordinance shall be liable to a penalty not exceeding one hundred dollars, upon the complaint of the party who suffered by such neglect.

15. If any person shall rescue any trespasser or estray from the person lawfully taking the same to the pound, he shall be liable to a penalty not exceeding one hundred dollars ; and if any person shall make a breach of any pound, or shall unduly set at large any animal impounded, he shall be liable to a penalty not exceeding one hundred dollars.

16. In case of dispute between any of the parties mentioned in this Ordinance, or of any complaint being made that any penalty has been incurred, the same may be brought before a Justice of the Peace and disposed of by him in a summary manner.

17. Nothing herein contained shall be construed to impair the action under the Statute, Ordinance or the Common Law, for damages occasioned by trespassers within the meaning of this Ordinance.

18. Every pound-keeper shall forward to the Commissioner, on the thirty-first day of December of each year, a return in such form as he may direct, showing all cattle impounded during the year, and the amount of damages and other charges paid, and all sales made by him, and the surplus, if any, on each sale, and how such surplus was disposed of.

19. This Ordinance shall not apply within any municipality.

(Signed) WILLIAM OGILVIE,
Commissioner.

Repealed by 48/02
YUKON LOCAL ORDINANCE.

No. 44 of 1899.

An Ordinance Respecting the Interdiction of Intemperate People.

(Assented to August 17th, 1899.)

The Commissioner of the Yukon Territory, by and with the advice and consent of the Council of said Territory, enacts as follows:—

1. When a complaint has been made to a justice that any person by excessive drinking of liquor misspends, wastes or lessens his estate or greatly injures his health or endangers or interrupts the peace and happiness of his family, the said justice shall institute proceedings under part LVIII of the Criminal Code of 1892 against such person, and on finding the complaint well founded shall by order in form "A" appended thereto, forbid every licensed person in the territory to sell him liquor for the space of one year.

2. Immediately after granting the order provided for in the next preceding section the justice making the same shall transmit it together with the complaint and any evidence taken thereon before him to the chief inspector, who thereupon shall transmit by registered post or deliver a notice in form "B" appended hereto to all licensees whose premises are in the locality where such interdicted person lives.

(a) Whenever the sale of liquor to any such drunkard shall have been so prohibited any person with a knowledge of such prohibition who gives, sells, purchases or procures any liquor for or on behalf of such prohibited person or for his or her use such other person shall be guilty of an offence, and upon summary conviction thereof shall be liable for every such offence to a penalty of not more than \$100 and costs, and in default of payment forthwith, after conviction, to imprisonment not exceeding three months, and if a licensee his license shall be forfeited.

3. The following persons, viz.:

(a) Any husband or wife whose wife or husband has contracted the habit of drinking intoxicating liquors to excess;

(b) The person himself or the father, mother, brother, sister, curator, guardian or employer of any person who has contracted the habit of drinking intoxicating liquors to excess;

(c) The manager or person in charge of an asylum or hospital or other charitable institution in which any person who has contracted the habit of drinking intoxicating liquors to excess resides or is kept;

(d) Curator or committee of any lunatic; or

(e) The father, mother, brother or sister of the husband or wife of any person who has contracted the habit of drinking intoxicating liquors to excess, may require the inspector for the district to give notice in writing in form "C" appended hereto, signed by him, to every licensee in the license district and in any other license district adjacent thereto, that he is not to sell or deliver any liquor to the person named.

2 In any prosecution or proceedings under this and the next preceding sections no interdicted person required to be examined as a witness shall be excused from being so examined or from answering any question put to him touching the sale or delivery to him of any liquor on the ground that his evidence will tend to incriminate himself; and any such person so required to be examined as a witness who refuses to make oath

accordingly or to answer any such questions shall be subject to be dealt with in all respects as any person appearing as a witness before any justice or court, and refusing without cause or excuse to be sworn or give evidence may by law be dealt with, and every person so required to be examined as a witness, who, upon such examination makes true disclosure to the best of his knowledge of all things as to which he is examined shall receive from the justice before whom such proceeding is had a certificate in writing to that effect, and shall be freed from all prosecutions and from all penalties and punishments to which he has become liable for anything done before that time under the provisions of Section 4 of this Ordinance in respect of the matters regarding which he has been examined; and any prosecution or proceeding pending or brought against such witness under the provisions of Section 4 hereof in respect of any matter regarding which he has been so examined shall be stayed upon the production and proof of such certificate if the said certificate states that such witness made a true disclosure in respect to all things as to which he was examined.

3. Whenever the sale of liquor to any such drunkard shall have been so prohibited any person with a knowledge of such prohibition who gives, sells, purchases or procures for or on behalf of such prohibited person or for his or her use any liquor, such other person shall be guilty of an offence, and upon summary conviction thereof be liable to incur for every such offence a penalty of not more than \$100 and costs, and in default of payment forthwith after such conviction to imprisonment not exceeding three months, and if a licensee his license shall be forfeited.

4. Any person to whom the sale of liquor has been prohibited under this Ordinance, who either directly or indirectly in any way procures or permits the sale, disposal, gift or delivery to him by any person of any intoxicating liquor shall be liable on summary conviction thereof to a fine of not more than \$50, and in default of payment forthwith after conviction to imprisonment for not more than one month; in any prosecution under this section if intoxication on the part of the defendant be proved he shall be held to have been guilty of an offence, and in any such case it shall not be necessary in any proceedings to state the name of the person from whom the liquor has been procured or by whom the sale, disposal, gift or delivery of liquor has been made.

This Ordinance shall be held to form part of "An Ordinance Respecting Intoxicating Liquors."

(Signed)

WILLIAM OGILVIE,

Commissioner.

Form A.

(Section 1.)

CANADA, YUKON TERRITORY.

Be it remembered that on the _____ day of _____, A.D. 18____, complaint was made before the undersigned, a Justice of the Peace in and for the said Territory:

That A B, (here set out the facts as stated in the complaint), and now having duly heard the matter or the said complaint, I do order that during the period of one year from the date hereof no licensee, after notice of this order, shall sell any liquor to the said A B.

Given under my hand and seal this _____ day of _____, at the _____ of _____ in the said Territory. J P.

Form B.

(Section 2.)

NOTICE OF INTERDICTION.

DAWSON, YUKON TERRITORY.

A B, of _____, in the Yukon Territory.

SIR:—In pursuance of the Ordinance Respecting the Interdiction of Intemperate People, you are hereby notified that C D, of _____, in the district of _____, labourer (or as the case may be) is interdicted from the use of intoxicating liquors, or order made by G H, a Justice of the Peace in and for the Yukon Territory, bearing date of the _____ day of _____, 1____, and you are required to govern yourself accordingly.

You are liable if you give, sell, purchase or procure to, for, or on behalf of, such prohibited person, or for his or her use, any liquor, upon conviction, to a penalty of not more than \$100, and in default of payment to not more than three months' imprisonment, and if you are a licensee, forfeiture of license.

Your obedient servant,
E F,
Chief Inspector.

Form C.

(Section 3.)

NOTICE OF INTERDICTION.

Take notice that under the provisions of Section 3 of the Ordinance Respecting the Interdiction of Intemperate People, I have been required by (here state name and authority of person who has requested notice to be given) to notify you that you are not to directly or indirectly sell, give or deliver, or suffer to be sold, given or delivered to (here insert name and description of person) any intoxicating liquor, under a penalty of one hundred dollars and absolute forfeiture of your license.

Dated at _____, this _____ day of _____, A.D. 1____
E F,
Inspector.

Repealed by #8/02

YUKON LOCAL ORDINANCE.

No. 45 of 1899.

An Ordinance to amend the Ordinance respecting Intoxicating Liquor.

(Assented to September 19th, 1899.)

The Commissioner, by and with the consent of the Council of the Yukon Territory, enacts as follows:

Section 6 of the Ordinance respecting intoxicating liquors is hereby amended by adding the following paragraphs thereto:

(a) The chief inspector shall, under his signature, grant or refuse all licenses under this Act;

(b) The Commissioner in Council may also appoint, prescribe the duties and fix the salary or settle the means of remuneration of one or more deputy inspectors, whenever, through absence, sickness, or for any other cause, the inspector is unable to act. Each deputy inspector, for the time being, shall be vested with all the special powers and be under all the special duties and obligations to all intents and purposes as are imposed or vested in the inspector himself under the said Ordinance, within the limits of territory assigned to him.

(Signed)

WILLIAM OGILVIE,

Commissioner.

YUKON LOCAL ORDINANCE.

No. 46 of 1899.

**An Ordinance respecting the Dawson City and Yukon Territory
Public Business Register and Business Directory.**

(Assented to September 19th, 1899).

Whereas Maria L. Ferguson has presented a petition praying for the passage of an Ordinance as hereinafter set forth, and it is deemed expedient to grant the prayer of said petitioner;

Wherefore the Commissioner of the Yukon Territory, by and with the advice and consent of the Council of said Territory, enacts as follows:

1. Maria L. Ferguson shall have the right to establish and maintain, at Dawson and at Grand Forks, in the Yukon Territory, a Public Register, to be known as the Dawson City Free Public Register; and a Public Business Directory, to be known as the Dawson City and Yukon Territory Public Business Directory.

2. The said Maria L. Ferguson shall have the exclusive right to use the streets of the town of Dawson for the purpose of dividing the said town into wards or districts, and to erect corner posts on said streets with signs indicating the names of the streets, and to number the buildings and residences on each street, all of which is subject to the supervision and approval of the Commissioner in Council.

3. The rights and privileges hereby given shall be for a period extending from the date of the passage of this Ordinance till three years from the 1st day of June, 1900.

4. Should the said Maria L. Ferguson fail to comply with the requirements of this Ordinance, then the Commissioner in Council may annul the privileges herein granted.

(Signed) WILLIAM OGILVIE,
Commissioner.

YUKON LOCAL ORDINANCE.

No. 47 of 1899.

An Ordinance to provide for the building of a Wagon Road in the Yukon Territory.

(Assented to September 20th, 1899.)

The Commissioner, by and with the advice and consent of the Council of the Yukon Territory, enacts as follows:

Inasmuch as it has become necessary to build wagon roads from Dawson to different points in the Troandik and Indian River Districts, either up the creek valleys or along the ridges, according to surveys which have been made and will be made, and that for that purpose an appropriation of one hundred thousand (\$100,000.00) dollars is wanted;

The Commissioner is hereby authorized to take of the funds of the Territory, for the above purpose, the said sum of one hundred thousand dollars, and, in the event of that amount not being to the credit of the Yukon Council, then the Commissioner is authorized to borrow money, and sign notes, or give any other security, as is needed to make up the amount, from any Bank in the City of Dawson, at an interest not exceeding five (5) per cent, and to pay the same in whole, or any part, as soon as the funds of the said Territory will permit.

WILLIAM OGILVIE,
Commissioner.

YUKON LOCAL ORDINANCE.

No. 48 of 1899.

**An Ordinance Respecting the Consolidated Ordinances, 1898, of
the North West-Territories.**

(Assented to November 2nd, 1899.)

The Commissioner of the Yukon Territory, by and with the advice of the
Council of the said Territory, enacts as follows:—

1. The Consolidated Ordinance, 1898, of the North-West Territories are hereby declared to be and shall be in force in the Yukon Territory, in so far as the same are applicable to the said Territory, and in so far as the same have not been or are not hereafter repealed, altered, varied, modified or affected by any Act, Order in Council, or Ordinance passed, or hereafter to be passed by competent legislative authority in or for the said Yukon Territory.

(Signed)

WILLIAM OGILVIE,

Commissioner.

YUKON LOCAL ORDINANCE.

No. 49 of 1899.

An Ordinance for granting to the Commissioner certain sums of money to defray the expenses of the public service of the Yukon Territory for the twelve months from June 30, 1899, to June 30, 1900, and for the purposes relating thereto.

(Assented to December 7th, 1899.)

Whereas it appears by Message from William Ogilvie, the Commissioner of the Yukon Territory, and the Estimates accompanying the same, that the sums hereinafter mentioned in the schedule to this Ordinance are required to defray certain expenses of the public service of the Yukon Territory, and for other purposes relating thereto, for the twelve months ending June 30, 1900, it is therefore hereby enacted by the Commissioner, by and with the advice and consent of the Council of the Yukon Territory, as follows:

1. From and out of the fund at the disposal of the Yukon Council, there shall and may be paid and applied a sum not exceeding (in the whole) two hundred and eighty-three thousand four hundred and thirty-seven dollars and thirty cents, for defraying the several charges and expenses of the public service for the 12 months ending June 30, 1900, as set forth in the schedule to this Ordinance.

2. The due application of all moneys expended shall be duly accounted for.

SCHEDULE.

Sums granted to the Commissioner by this Ordinance for the twelve months ending June 30, 1900, and for the purposes for which they are granted.

To defray the expenses of the Government of the Yukon Territory for the 12 month ending the 30th of June, 1900, as follows:—

FOR LOCAL PURPOSES.

Lighting the city and suburbs.....		\$ 8,500 00
Fire Department, Dawson—		
Amount expended to date.....	\$13,330 83	
Alaska Commercial Co.'s account.....	9,601 29	
Sundry accounts	1,145 20	
Salaries	27,200 00	
Horses and feed.....	3,300 00	
Fuel.....	3,750 00	
Lighting fire halls.....	1,000 00	
Contingencies	5,932 53	
		65,259 85
Streets, Dawson		26,000 00
Drains and ditches.....		6,000 00
		<hr/>
		\$105,759 85

Forward..... \$105,759 85

FOR TERRITORIAL PURPOSES.

Salaries—

Clerk of the Council, July 1 to Sept. 30, 1899, at \$600; and Oct. 1 to June 30, 1900, at \$1,000	\$ 900 00	
Clerk of Finance Committee.....	1,000 00	
Medical Health Officer	2,000 00	
Medical Health Inspector.....	360 00	
Chief License Inspector	2,400 00	
Chief License Inspector's living allowance, at \$3 per diem.....	1,095 00	
Engineer	1,300 00	
Medical Board of Health.....	2,000 00	
Bridges.....	2,298 00	
Trails, Yukon Territory	100,000 00	
Hospitals.....	25,000 00	
Interest	400 00	
Travelling expenses, License Inspector	750 00	
Refund on wholesale liquor licenses.....	3,700 00	
Schools	10,000 00	
Printing and stationery	6,809 00	
Burial of indigents.....	3,165 00	
Contingencies.....	15,000 00	
		<u>177,677 45</u>
		\$283,437 30

(Signed)

WILLIAM OGILVIE,
Commissioner.

YUKON LOCAL ORDINANCE.

No. 50 of 1899.

An Ordinance Respecting the Office of Public Administrator.

(Assented to December 9th, 1899).

Whereas, by order of His Excellency, the Governor General of the Dominion of Canada, in Council, bearing date the 5th day of September, 1899, it is provided that "the appointee for the time being of the Dominion Government to the office or position of Legal Adviser to the Council of the Yukon Territory, shall be ex-officio Public Administrator under the laws in that behalf, in force in the Yukon Territory, of the estates in that Territory of deceased persons and of infants and persons of unsound mind," and it is expedient to make provision for the more effectual performance of the duties of said office.

Therefore, the Commissioner of the Yukon Territory, by and with the advice and consent of the Council of the said Territory, enacts as follows:

"A." ADMINISTRATION OF THE ESTATES OF DECEASED PERSONS.

1. Sections 14 to 19, both inclusive, of chapter 21 ("The Judicature Ordinance") of the Consolidated Ordinances, 1898, of the North-West Territories, are hereby repealed.

2. The Public Administrator shall furnish security to the satisfaction of the Commissioner in Council, in the penal sum of \$10,000 conditioned for the due performance of his duties; but shall not otherwise be required to furnish security as Administrator unless the Judge especially so directs, and such security may be furnished by bond or agreement of any guarantee company approved by the Commissioner in Council.

3. During the months of January and July in each year, the Public Administrator shall furnish to the Commissioner in Council a statement in detail, verified on oath, of the emoluments of his office for the six months preceding the first of January or the first of July, as the case may be.

4. Unless and until letters of administration are granted by the proper court in that behalf to some person entitled thereto of letters probate of the last will of the deceased are granted to the executor or executors therein named. The Public Administrator shall be the administrator, or the administrator with the will annexed (as the case may be) of the estates, both real and personal, of all persons who have heretofore died or may hereafter die, leaving property within the Yukon Territory, and shall, without grant of letters of administration have, in respect to such estates, all the rights, powers, privileges and authority, and shall perform all the duties incumbent upon, and shall be subject to all the liabilities of, an administrator and executor, acting under the authority of letters of administration of letters probate.

5. Any person or persons in whose charge or care, or upon whose premises any person dies, shall forthwith give notice of such death to the Public Administrator or to the officer or constable commanding at the post of the North-West Mounted Police nearest the place where such death has occurred, and shall also forthwith deliver to the Public Administrator or to such officer or constable all moneys, goods, chattels, books, documents, papers and effects in his, her or their possession or custody belonging to the estate of the deceased, and shall also inform the Public Administrator or such officer or constable of all facts within his, her or their knowledge, information or belief, touching the name, age, former place of residence without the Yukon Territory, relatives and property, both real and personal

of the said deceased; and any person neglecting to comply with the provisions of this section, shall be liable, upon summary conviction before a justice of the peace, to a fine not exceeding \$500, and not less than \$50 with costs.

6. The officer or constable, to whom such notice and information is given, shall, as soon as possible, transmit the same to the Public Administrator, together with such assets of the estate as have been delivered under the last preceding paragraph hereof. Whenever immediate transmission of the assets is practicable, a complete inventory (with an approximate valuation) of such assets shall be forthwith transmitted.

7. Sub-section 2 of rule 588, of the rules of court, appended to "The Judicature Ordinance" above mentioned, is hereby repealed.

8. Rule 592, of the said rules of court, is hereby amended, striking out the word "may" where the same first occurs therein and inserting in lieu thereof the word "shall."

9. Rule 595, of the said rules of court, shall not apply to the Public Administrator who shall, without order, exercise the powers and perform the duties therein set forth in such mode as to administer the estates which may come to his hands in a speedy and inexpensive manner, having due regard to the interests of all parties entitled to share in such estates. Where the Public Administrator has given such or the like notice as in the opinion of the court in which such administrator is sought to be charged, would have been given by the court in an administration suit for creditors and others to send into such Public Administrator their claims against the estate of the testator or intestate (as the same may be) the Public Administrator shall, at the expiration of the time named in the said notices, or the last of the said notices, for sending in such claims, be at liberty to distribute the assets of the testator or intestate (as the case may be) or any part thereof amongst the parties entitled thereto, having regard to the claims of which the Public Administrator has then notice, and shall not be liable for the assets or any part thereof, so distributed to any person of whose claim the Public Administrator has not notice at the time of the distribution thereof, or a part thereof (as the case may be) but nothing in this Act contained shall prejudice the right of any creditor or claimant to follow the assets or any part thereof, into the hands of the person or persons who may have received the same respectively.

10. Rule 597, of the said rules of court, shall apply to the Public Administrator.

11. All acts done or proceedings taken by F. L. Gwillim, Esq., as Public Administrator, between the 5th day of September, 1899, and the date of the passing of this Ordinance, shall be held and taken to have been done and taken by him with due authority.

12. The said F. L. Gwillim, Esq., shall forthwith transfer and deliver over to the Legal Adviser, as Public Administrator, as aforesaid, all moneys, goods, chattels, books, papers, documents and effects whatsoever come to his hands as assets of the estates of deceased persons, and whether such assets have come to his hands as Public Administrator, or as administrator under letters of administration duly issued. In all cases in which letters of administration have been issued to the said F. L. Gwillim, Esq., the Legal Adviser, as Public Administrator as aforesaid, shall, from the date of the passing of the Ordinance, be the administrator of such estates, with all the rights, powers, privileges and authority conferred upon him by section 4 of this Ordinance.

13. The said F. L. Gwillim shall forthwith pass his account in connection with all estates of deceased persons which have come to his hands before the Legal Adviser as administrator as aforesaid, whose certificate of

the passing of such accounts shall operate as a discharge of the said F. L. Gwillim to the same extent as a certificate or order of discharge duly issued by the proper court in that behalf. The remuneration of said F. L. Gwillim, as such administrator, to be settled by the judge of the Territorial Court in the case of disagreement.

14. Sub-section 8, of rule 14, of the said rules of court, is hereby amended by adding after the words "the person with whom the infant resides or under whose care he is" the words "and the Public Administrator."

INFANTS AND LUNATICS.

15. Sub-section 9, of rule 14, of the said rules of court, is hereby amended by inserting before the words "as the Judge may order" the words "on the Public Administrator or".

16. Rule 44, of the said rules of court, is hereby amended by striking out the words "may appoint some one or more persons" and inserting in lieu thereof the words "shall appoint the Public Administrator," and by striking out the words "presence of such persons" and inserting in lieu thereof the words "presence of the Public Administrator."

17. Rule 519, of the said rules of court, is amended by inserting after the word "appoints" in the first line thereof the words "Public Administrator."

18. When no other appointment has been made the Public Administrator shall be guardian of the estates within the Yukon Territory of all infants whose parents are dead or do not (one or both) reside in the Yukon Territory.

19. Rule 599, of the said Rules of court, is hereby amended by striking out the words "in the judicial district in which the writ was issued."

20. Section 3, of chapter 90, of the Consolidated Ordinance, 1898, of the North-West Territory, is hereby amended by striking out the words "Lieutenant Governor" and inserting in lieu thereof the words "Commissioner of the Yukon Territory," and by striking out the words "Attorney General" and inserting in lieu thereof the words "Public Administrator."

21. The Public Administrator shall have power to summon before him any person or persons who, in his opinion, may have knowledge of the estate and effects of any deceased person, and may examine any such person or persons, upon oath, touching his, her or their knowledge of the estate and effects aforesaid, and any person so summoned who neglects to attend before the Public Administrator at the time and place by him appointed or who refuses to answer any lawful questions put to him by the Public Administrator upon such examination shall, for such neglect or refusal, be subject, upon summary conviction before any justice of the peace, to a fine not exceeding \$500 and not less than \$50.

(Signed) WILLIAM OGILVIE,
Commissioner.

YUKON LOCAL ORDINANCE.

No. 51 of 1899.

An Ordinance Respecting Time.

(Assented to December 14th, 1899.)

The Commissioner, by and with the consent of the Council of the Yukon Territory, enacts as follows:—

1. The local time of and at the One Hundred and Thirty-fifth Meridian of Longitude is hereby declared to be the Standard Time of the Yukon Territory; and when any Ordinance heretofore or hereafter passed refers to any particular time of day, such Standard Time shall be considered to be meant.

Sub-section 22 of Section 8 of Chapter (1) of the Consolidated Ordinances of the North West Territory (1898) is hereby repealed.

(Signed) WILLIAM OGILVIE,
Commissioner.

Repealed by 8/02

YUKON LOCAL ORDINANCE.

No. 52 of 1899.

An Ordinance Respecting Special Liquor Licenses to Amend Ordinance No. 29, of 1899.

(Assented to December 22nd, 1899.)

The Commissioner of the Yukon Territory, by and with the advice and consent of the Council of the said Territory, enacts as follows:—

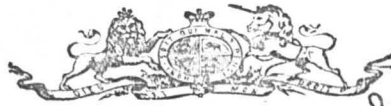
The Liquor Ordinance is hereby amended by adding after Section 42 the following:

42a. Notwithstanding anything to the contrary hereinabove contained, the Chief License Inspector may, by the direction of the Commissioner in Council, issue special licenses authorizing the sale of wine, beer and ale, but not spirits, at special places, under special circumstances, and for any period not exceeding six days, to any society incorporated or unincorporated, turf club or racing association, and on the payment of a fee of not less than \$10.00 per day, and under such terms as the Commissioner in Council may order, provided that in all other respects the persons so obtaining such special licenses shall be subject to the provisions of the Liquor Ordinance.

(Signed)

WILLIAM OGILVIE,

Commissioner,



Ordinance No. 1 of 1900.

Vide #10/1901.

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AN ORDINANCE RESPECTING
MARRIAGES.

Assented to Jan. 4, 1900.

The Commissioner of the Yukon Territory, by and with the advice and consent of the Council of the said territory, enacts as follows:

1. Chapter 46 of the Consolidated Ordinances of the Northwest Territories (1898) is hereby amended as follows:

(a) Section 2, by striking out the words "Lieutenant Governor" and inserting in lieu thereof, the word "Commissioner."

(b) Section 6, by striking out the words "supplied from the Department of the Attorney General and shall be"; and also by striking out the words "Lieutenant Governor" and inserting in lieu thereof the word "Commissioner."

(c) Section 7, by striking out the words "Attorney General" wherever the same occur in the said section, and inserting in lieu thereof, the words "Commissioner of the Yukon Territory."

(d) Section 12, by striking out the words "Attorney General" and "Lieutenant Governor" and inserting in lieu thereof wherever the same occur the words "Comptroller of the Yukon Territory" and "Commissioner" respectively.

(e) Section 13, by striking out the words "Attorney General" and inserting in lieu thereof the word "Commissioner."

(f) Section 14, by striking out the word "Treasurer" and inserting in lieu thereof the word "Comptroller" and also by striking out the word "Territories" and inserting in lieu thereof the word "Territory."

(g) Section 15, by striking out the words "supplied from the Department of the Attorney General."

(h) Form A, in the schedule to the said ordinance; by striking out the words "Northwest Territories" wherever the same occur therein, and inserting in lieu thereof the words "Yukon Territory;" also by striking out the word "Regina" and inserting in lieu thereof the word "Dawson;" and also by striking out the words "Attorney General" and inserting in lieu thereof the words "Commissioner of the Yukon Territory."

(i) Form B, in the schedule to the said Ordinance, by striking out the words "Northwest Territories" and inserting in lieu thereof the words "Yukon Territory."

2. All marriages heretofore solemnized in the Yukon Territory [the marriage ceremony having been solemnized or performed by one of the persons described in section 2 of the above mentioned chapter 46 of the Consolidated Ordinances of the Northwest Territories] are hereby declared, and shall, for all intents and purposes whatsoever, be held to have been duly solemnized.

3. The said chapter 46 of the Consolidated Ordinances of the Northwest Territories, amended as aforesaid, is hereby declared to be in force in the Yukon Territory.

[Sgd] WILLIAM OGILVIE,
Commissioner.



Ordinance No. 2 of 1900.

AN ORDINANCE RESPECTING INVESTIGATION OF ACCIDENTS BY FIRE.

The Commissioner of the Yukon Territory, by and with the advice and consent of the Council of the said territory, enacts as follows: *assented to Dec. 18, 1900*

1. Section 2 of Chapter 36 of the Consolidated Ordinances of the Northwest Territories, 1898 (an ordinance respecting the investigation of accidents by fire), is hereby amended by striking out all that part of said section following the word "Investigation."

2. Section 3 of Chapter 36, is hereby amended by striking out the words "Attorney General" and inserting in lieu thereof the words "Commissioner of the Yukon Territory."

3. If, upon such investigation, it is made to appear to the satisfaction of the Justice of the Peace before whom such investigation is had, that any such fire was caused by the culpable or negligent conduct of any person, he shall have power to summon such person before him, and, upon summary conviction, to impose upon such person a fine not exceeding \$500.00 with costs, including those of the investigation, to be allowed upon the same scale as upon summary proceedings before Magistrates.

4. The above mentioned Chapter 36 of the Consolidated Ordinances of the Northwest Territories, 1898, amended as aforesaid, is hereby declared to be in force in the Yukon Territory.

[Sgd] WILLIAM OGILVIE,
Commissioner.

AN ORDINANCE RESPECTING THE LICENSING OF
BILLIARD AND OTHER TABLES.

§§§§§§§§§§§§§§§§§§§§

Assented to March 7th, 1900.

The Commissioner of the Yukon Territory by and with the advice and consent of the Council of the said Territory, enacts as follows:

1. No person shall carry on in the Territory any of the callings hereinafter mentioned without having first obtained a license for that purpose, which license shall be issued by the officer authorized by law to issue licenses for the sale of intoxicating liquors, and in every case the license shall expire on the thirty-first day of December next following the date thereof and may be assigned.

2. To obtain a license the applicant shall, if he apply on or before the thirtieth day of June, pay to the issuer as follows:

1. If the license be for a single billiard or pool table, One hundred dollars, and for every such additional table, Seventy-five dollars;

2. For every Bagatelle, Mississippi, pigeon-hole or other gaming table or board with balls, One hundred dollars;

3. For every bowling alley, One hundred dollars; but one half of the said fees only shall be payable when the application is made after the thirtieth day of June in any year.

3. The issuer of licenses shall make monthly returns of all licenses issued by him under this Ordinance to the

Commissioner

Commissioner, and shall pay to the Comptroller of the Territory all moneys received therefor to form part of the Territorial funds.

4. Any person who, without having first obtained a license keeps set up in any public room or hall, any of the tables or boards, or a bowling alley hereinbefore named, shall be liable, on conviction in a summary way before a Justice of the Peace, to a fine, for every such offence, of not less than one year's license fee, nor exceeding Five hundred dollars, with costs of prosecution and on non-payment thereof to be imprisoned for any term not exceeding three months.

5. Nothing in this chapter shall apply to any portion of the Territory incorporated as a Municipality.



Ordinance No. 5 of 1900.

AN ORDINANCE RESPECTING THE
CENSUS.

Assented to March 29, 1900.

The Commissioner of the Yukon Territory, by and with the advice and consent of the Council of the said territory, enacts as follows:

1. There shall, forthwith, be taken a census of the Yukon Territory, in order to ascertain, with as much accuracy as possible the population of the said Territory and the classification thereof as regards age, sex, place of birth, national allegiance, religion, occupation, length of residence in the Yukon Territory, and length of intended residence in the said Territory, and also such other matters as are specified in the forms and instructions to be issued, as hereinafter provided.

2. The officer commanding the Northwest Mounted Police in the Yukon Territory is hereby appointed Census Commissioner under this Ordinance.

3. All members of the Northwest Mounted Police serving in the Yukon Territory shall be Census Enumerators for the proper taking of the census.

4. The Census Commissioner shall superintend the taking of the census, shall supply Census Enumerators with such forms as may be necessary for the proper taking of the said census, and shall see that such Census Enumerators are thoroughly informed as to the manner in which the duties required of them are to be performed.

5. Every Census Enumerator shall, by careful personal enquiry, ascertain in detail, with as much accuracy as possible, all the statistical information with which he is required to deal, and shall make exact record thereof and certify the same to the Census Commissioner.

6. The Census Commissioner shall examine all such records, and shall satisfy himself as to how far each enumerator has performed the duties required of him, and shall with the assistance of the Census Enumerators (if necessary) correct the same as far as is found requisite and possible and shall make a certified return of his doings in the premises, and shall transmit the same within thirty days after the passing of this Ordinance, to the Commissioner of the Yukon Territory.

7. Every person who, without lawful excuse, refuses or neglects to answer, or who wilfully answers falsely any question requisite for obtaining any information sought in respect to the Census aforesaid, or pertinent thereto, which has been asked of him by any Census Enumerator, or other person employed in the execution of this Ordinance, shall, for every such refusal or neglect or wilfully false answer, incur a penalty not exceeding \$100.00 and not less than \$10.00, with costs, upon summary conviction before any justice of the peace.

[Sgd] WILLIAM OGILVIE,
Commissioner.



Ordinance No. 6, 1900.

AN ORDINANCE for granting to the Commissioner certain further sums of money to defray the additional expenses of the public service of the Yukon Territory for the twelve months from June 30th, 1899, to June 30th, 1900, and for the purposes relating thereto.

Assented to March 29th, 1900.

Whereas, it appears by message from William Ogilvie, the Commissioner of the Yukon Territory, and the supplementary estimates accompanying the same, that the further sums hereinafter mentioned in the schedule to this Ordinance are required to defray certain additional expenses of the public service of the Yukon Territory, and for other purposes relating thereto, for the twelve months ending June 30th, 1900; it is therefore hereby enacted by the Commissioner, by and with the advice and consent of the Council of the Yukon Territory, as follows:

1. From and out of the fund at the disposal of the Yukon Council, there shall and may be paid and applied a further sum of seventy-two thousand, one hundred dollars (\$72,100.00) for defraying the several additional charges and expenses of the public service for the twelve months ending June 30th, 1900, as set forth in the schedule to this Ordinance.

2. The due application of all additional moneys expended shall be duly accounted for.

SCHEDULE.

Sums granted to the Commissioner by this Ordinance for the twelve months ending June 30th, 1900, in addition to the amount granted by Ordinance No. 49, of 1899, and the purposes for which they are granted.

To defray the additional expenses of the Government of the Yukon Territory for the 12 months ending the 30th June, 1900, as follows:

FOR LOCAL PURPOSES.

Additional appropriation for Medical Board of Health.....	\$ 1,000.00
Additional appropriation for Fire Department.....	21,000.00

	\$22,000.00

FOR TERRITORIAL PURPOSES.

Salaries: of Engineer	\$ 1,500.00
Additional appropriation for Hospitals...	27,000.00
Additional appropriation for Interest.....	600.00

	\$29,100.00

FOR FEDERAL PURPOSES.

Trails.....	\$20,000.00
Towards expense of census.....	1,000.00

\$72,100.00

Sgd WILLIAM OGILVIE,
Commissioner.



Ordinance No. 7, of 1900.

AN ORDINANCE RESPECTING PUBLIC AID TO HOSPITALS.

Assented to March 29th, 1900.

The Commissioner of the Yukon Territory, by and with the advice and consent of the Council of the said Territory, enacts as follows:

1. Chapter 20 of the Consolidated Ordinances of the North West Territories, 1898 ("An Ordinance to Regulate Public Aid to Hospitals"), is hereby amended as follows:

(a) By striking out the word "Territories" wherever the same occurs in the said ordinance, and inserting in lieu thereof the word "Territory."

(b) By striking out the words "Legislative Assembly" wherever the same occur in the said ordinance, and inserting in lieu thereof the words "The Commissioner in Council."

(c) By striking out the words "Lieutenant Governor" wherever the same occur in the said ordinance, and inserting in lieu thereof the word "Commissioner."

(d) By striking out the words "Supreme Court" wherever the same occur in the said ordinance, and inserting in lieu thereof the words "Territorial Court."

2. Sub-section 1 of Section 4 of the said ordinance is hereby amended by striking out the word "Ten" and inserting in lieu thereof the word "Fifty."

3. Sub-section 2 of said Section 4 of the said ordinance is hereby amended by striking out the words "Forty cents" and inserting in lieu thereof the words "Two dollars"; and by striking out the figures "\$1" and inserting in lieu thereof the figures "\$4"; and also by striking out the words "Next preceding that."

4. Sub-section 3 of said Section 4 of said ordinance is hereby amended by striking out the words "Fifty cents" wherever the same occur in the said subsection, and inserting in lieu thereof the words "Two dollars"; and by striking out the words "Next preceding that."

5. Section 8 of said ordinance is hereby amended by striking out the figures "\$1,000" and inserting in lieu thereof the figures "\$500."

6. The schedule to the said ordinance is hereby struck out and the following inserted in lieu thereof:

SCHEDULE.

The Good Samaritan Hospital, Dawson.
St. Mary's Hospital, Dawson.

7. The said ordinance so amended, is hereby declared to be, and shall be in force in the Yukon Territory, on, from and after the 1st day of April, A D., 1900.

(Sgd) WILLIAM OGILVIE,
Commissioner.



Ordinance No. 8, 1900.

TO INCORPORATE "THE DAWSON
TELEPHONE AND ELECTRIC
COMPANY, LIMITED."

Assented to April 5th, 1900.

Whereas the persons hereinafter named have by their petition, prayed for the incorporation of themselves and others as a company for the purpose of construction and maintaining a telephone system, and to conduct a general electrical business, as hereinafter set out, and it is deemed expedient to grant the prayer of the said petition:

Therefore, the Commissioner of the Yukon Territory, by and with the advice and consent of the Council of the said territory enacts as follows:

1. Jay Wiley, electrical engineer, Philip Cartaret Hill Primrose, Superintendent of Northwest Mounted Police, Robert Pervis McLennan, wholesale hardware merchant, and James B. Pattullo, advocate, all of Dawson in the Yukon Territory, together with such other persons as may hereafter become members and shareholders in the company hereby incorporated, are hereby constituted a body corporate under the name of "The Dawson Telephone and Electric Company, Limited" hereinafter called the Company, with the rights, privileges, powers and franchises hereinafter enumerated and set forth:

(a) To purchase, acquire, hold, sell and deal in any patents of invention, covering telephones, telephone instruments, switches and such other apparatus and appurtenances as are connected therewith, provided the same are not covered by any patent or patents of invention, or, if covered, that the patents relating thereto are controlled by the said Company, or with the permission of the owners of the said patents; and to build, construct and operate a telephone system in the Yukon Territory; with the right to use the streets, lanes, alleys, highways, avenues, public water courses and public places of the towns of Dawson, Klondike City and Grand Forks, and of such other places as the said telephone system may be extended to in the Yukon Territory, for the purpose of placing in, upon, over, through and under the same, poles, ducts and wires, for the purposes of the undertaking, subject always, to such general regulations as may be prescribed by the Commissioner in Council or by the Municipal authority having jurisdiction in the premises (as the case may be).

b. To construct, erect, equip and maintain such buildings, works, machinery, contrivances and devices as may be requisite for the undertaking, and to acquire real and personal property for the purpose of such undertaking:

c. To enter into any agreement with any corporation or road company for the construction, alteration and completion of railways to be operated by electricity:

d. To break up, dig, and trench and use so much and so many of the streets,

squares, highways, lanes and public places in the Yukon Territory, as are necessary for the purposes of the undertaking, subject, as aforesaid, in sub-section (a) of this section set forth:

e. To construct, erect and make all other matters and things necessary and convenient for the purposes of the said undertaking:

f. To acquire and undertake the whole or part of the business, property and liability of any other person or company carrying on and operating a telephone system in the Yukon Territory, or possessed of property suited for the purposes of the company.

g. To enter into any arrangement with any government or authorities, supreme, municipal, local or otherwise, that may seem conducive to the company's objects, or any of them, and to obtain from any such government or authority any rights, privileges and concessions which the Company may think it desirable to obtain, and to carry out, exercise and comply with any such arrangements, rights, privileges and concessions.

h. To draw, make, accept, endorse, discount, execute and issue promissory notes, bills of exchange, warrants, debentures and other negotiable or transferrable instruments.

i. To sell, improve, manage, develop, exchange, release, mortgage, dispose of, turn to account or otherwise deal with all or any of the property or rights of the Company.

j. The right to charge and collect by due process of law, such rates for transmission of messages and rental of telephones as may be, from time to time, approved of by the Commissioner of the Yukon Territory in Council.

2. For the purpose of better effectuating the powers conferred upon the Company by this Act, the several clauses of the Ordinance entitled "The Companies Ordinance," being Chapter 61 of the Consolidated Ordinances of the Northwest Territories, 1898, or of any Ordinance hereafter passed in substitution therefor or in amendment thereof, are incorporated with, and shall form part of, this Ordinance, and shall apply to the said Company except only in so far as they are inconsistent with any of the powers hereinbefore granted, or with the fact of the said Company being incorporated by Ordinance and not by Letters Patent.

3. The head office of the Company shall be in the Town of Dawson, in the Yukon Territory.

4. The capital stock of the Company shall be fifty thousand dollars, divided into 1,000 shares of \$50.00 each, with power to the Company to increase their capital as the necessities of the Company may require to an amount not exceeding one hundred thousand dollars.

5. That the said Jay Wiley, Philip Cartaret Hill Primrose, and James B. Pattullo, shall by the first directors of the said company.

6. This Ordinance shall be published in some newspaper at Dawson aforesaid, at the expense of the Company, within ten days after the passage thereof; otherwise this Ordinance shall be and become inoperative and void.

Sgd WILLIAM OGILVIE,
Commissioner.

69

Repealed by Ord. 22



Ordinance No. 9 of 1900.

AMENDING ORDINANCE NO. 29 OF 1898, RESPECTING INTOXICATING LIQUORS.

Assented to April 5, 1900.

1. Section 23 of said Ordinance is hereby amended by striking out all the words in said section after the words "that is to say," and by replacing them by the following:

(A) PER ANNUM.

For Hotel in Dawson.....	\$1,250.00
" " " Klondike City and Bonanza City, commonly known as "The Forks".....	1,000.00
For Hotels at all other points in the Yukon Territory.....	250.00
For Saloons in Dawson.....	1,500.00
" " " Klondike and Bonanza City.....	1,250.00
For Saloons at all other points...	500.00
For Shops.....	1,000.00

(B) FOR SEASON.

For Steamboats.....	500.00
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[Sgd] WILLIAM OGILVIE,
Commissioner.



Ordinance No. 10 of 1900.

AN ORDINANCE RESPECTING THE
INCORPORATION OF JOINT
STOCK COMPANIES.

Assented to April 5, 1900.

1. Chapter 61 of the Consolidated Ordinances of the North West Territories, 1898 ("The Companies' Ordinance"), and schedule thereto, is hereby amended, as follows:

(a) By striking out the words "Lieutenant Governor" wherever the same occur in the said ordinance, and inserting in lieu thereof the words, "Commissioner of the Yukon Territory."

(b) By striking out the word "Territories" wherever the same occurs in the said ordinance, and inserting in lieu thereof the word "Territory."

(c) By striking out the words "Territorial Secretary" wherever the same occur in the said ordinance, and inserting in lieu thereof the words, "Clerk of the Yukon Council."

(d) By striking out the words, "Supreme Court" wherever the same occur in the said ordinance, and inserting thereof the words, "Territorial Court."

(e) By inserting after the words "Official Gazette," wherever the same occur in the ordinance the words "if any."

2. Section 89 of the said ordinance is hereby amended by adding thereto the following: "In the case of streets, highways and public places not within the limits of any municipality, the right of any gas, water, electric or telephone company to make use of such streets, highways or public places to the extent indicated in this ordinance shall be subject to such terms as may be imposed by the Commissioner in Council upon application first made by such company."

3. Sections 91, 92, 93 and 104 of the said Ordinance are hereby amended by striking out the word "municipality," wherever the same occurs in said sections, and inserting in lieu thereof the word "locality."

4. Section 96 of the said Ordinance is hereby amended by striking out the words "construct and locate," and inserting in lieu thereof the words "construct, locate and operate."

5. For Section 109 of the said Ordinance the following is substituted: "In addition to the cost of all necessary advertising in the Official Gazette of the Territory, the following fees shall be paid on application for Letters Patent of incorporation, and supplementary letters patent under this Ordinance:

[1] When the capital stock of the Company is \$400,000 and upwards the fee to be \$500.

[2] When the capital stock of the Company is \$200,000 and upwards and under \$400,000, the fee to be \$400.

[3] When the capital stock of the Company is \$100,000 and upwards, and under \$200,000, the fee to be \$300.

[4] When the capital stock of the Company is \$40,000 and upwards, and under \$100,000 the fee to be \$200.

[5] When the capital stock of the Company is over \$10,000 and under \$40,000, the fee to be \$150.

[6] And when the capital stock of the Company is \$10,000 or under, the fee to be \$100.

[7] On application for supplementary letters patent the fees to be one-half of that charged on the original letters patent."

6. The said Ordinance amended as aforesaid is hereby declared to be in force in the Yukon Territory.

[Sgd] WILLIAM OGILVIE,
Commissioner.

Repealed by #5/02

Amendments
17/00 - 21/00 - 27/00



Ordinance No. 11 of 1900.

AN ORDINANCE RESPECTING ASSESSMENT (DAWSON).

Assented to April 26th, 1900.

Whereas it is necessary to raise funds to provide for the public health of the inhabitants of the unincorporated Town of Dawson, and to meet the expense of local improvements within the area of the said town

Therefore the Commissioner of the Yukon Territory, by and with the advice and consent of the Council of the said Territory, enacts as follows:

1. All real and personal property and income in that part of the unincorporated Town of Dawson comprised within the Government Addition to the North, the Smith Addition, the Harper & Ladue town site, the Menzies Addition, the Day Addition and the North West Mounted Police Reserve Addition, shall be liable to taxation for the purposes aforesaid, subject to the exemptions hereinafter mentioned.

2. The following property shall be exempt from taxation under this ordinance:

(a) All property held by Her Majesty for the public use of the Government of Canada, or of the Territory;

(b) All property exclusively in use for religious purposes;

(c) The lands and the buildings thereon of all public schools, so long as such land and buildings are actually used or held for educational purposes.

(d) The properties of the St. Mary's Hospital and of the Good Samaritan Hospital actually in use for hospital purposes.

(e) The books of every Public Library.

(f) Household effects, books, and wearing apparel in use.

(g) The annual income of any person derived from his personal earnings, provided the same does not exceed \$2,000.00.

3. The Commissioner in Council shall appoint an assessor or assessors whose duty it shall be to prepare forthwith a roll in the form contained in the schedule to this Ordinance, showing the amount of property liable to taxation under this Ordinance and setting down in each column as accurately as may be, after diligent enquiry, the information called for by the heading thereof.

4. The assessor or assessors shall make and complete and deliver the roll aforesaid to the Comptroller of the Territory on or before the 1st day of May in each year, with his, or their, affidavit, or affidavits, made before a Justice of the Peace, in the following form:

I, _____ do swear that I have in the within assessment roll assessed the unincorporated Town of Dawson according to law, to the best of my skill and ability and without favor.

Sworn before me at _____ this _____ day of _____ A.D., 19____. Assessor. _____ J.P.

For the year 1900 the roll shall be delivered to the Comptroller as aforesaid on or before the ~~1st~~ ^{10th} day of July next.

5. The assessor or assessors shall before delivery of the roll to the Comptroller, deliver to each taxable person,

if residing in the unincorporated Town of Dawson, or to a grown person for him at his place of residence or business a notice setting forth the sum at which his property or income is assessed; or if such person be not residing, or have no place of business therein, or if he cannot be found, shall mail said notice by registered letter to such person to the Post Office named in the roll, and shall enter on the roll opposite the name of such person the date of such delivery or mailing, and such entry shall be deemed prima facie evidence of such delivery or mailing.

6. The property of a partnership shall be assessed against the firm at the usual place of business of the partnership, and a partner in his individual capacity shall not be assessable for his share of any property of the partnership which has already been assessed against the firm.

(a). In assessing stock-in-trade the assessor shall assess a person, firm or corporation for such amount as represents the volume of business done by such person, firm or corporation during the twelve months immediately prior to the date of assessment. *adell. Vide Ord 17/1900.*

7. It shall be the duty of every person assessable under this Ordinance, to give all information to the assessor or assessors, and he may deliver to the assessor or assessors, a statement in writing setting forth the particulars of the property or income for which he should be assessed, but no such statement shall bind the assessor or assessors, or excuse him or them from making due enquiry as to its correctness.

8. The Commissioner of the Yukon Territory and the members of the Council of the said Territory, shall be a Court of Revision for the said Town, and any three of them shall be a quorum for the transaction of business.

9. The Clerk of the Finance Committee of the Yukon Council, or such other person as may be appointed by the Commissioner in Council, shall be Clerk of the Court of Revision, and shall record all the proceedings thereof.

10. Before entering on the duties of his office the said Clerk shall take the following oath before a Justice of the Peace:

I, _____ do swear that I will faithfully perform the duties of Clerk of the Court of Revision of the Town of Dawson, according to law, to the best of my skill and ability without favor. So help my God.

11. The Court may meet and adjourn from time to time, and may be summoned to meet at any time by the Commissioner or any two members of the Court, and all the duties of the Court of Revision shall be completed before the ~~15th~~ ^{25th} day of ~~June~~ ^{June} 1900, and before the 15th day of June in each year thereafter.

12. All evidence before the Court of Revision shall be taken on oath, and any member shall be competent to administer the oath to any person giving evidence before the Court, and the Clerk of the Court may, when required, issue a summons to any witness to attend such Court, and if any person so summoned as a witness fails, without good and sufficient reason, to attend (having been tendered by the party at whose instance the summons issued, compensation for his time at the rate of three dollars a day and mileage at the rate of thirty cents per mile one way) he shall on summary conviction thereof incur a penalty not exceeding \$100.00.

13. The court shall try all complaints

in regard to persons wrongfully placed upon the roll or omitted therefrom, or assessed too high or too low, or in regard to any property of any person which has been mis-described or omitted from the roll, as the case may be.

14. The provisions for the trial of complaints shall be as follows:

a. Any person who considers himself aggrieved for any or all of the causes hereinbefore mentioned may, within fifteen days after the time fixed for the return of the roll, give notice in writing to the clerk of the court that he considers himself so aggrieved, naming the complaints and the grounds of appeal, and upon what property.

b. If any person assessed thinks that any person has been assessed too high or too low, or has been wrongfully inserted in or omitted from the assessment roll, or that the property of any person has been mis-described or omitted from the roll, the Clerk of the Court shall, on his request in writing, give notice to such person, and to the assessor or assessors of the time when the matter will be tried by the court, and the matter shall be decided in the same manner as complaints by persons assessed.

c. The Clerk of the Court shall post up in some convenient place within the district a list of all complaints by persons on their own behalf and of all complaints on account of assessment or want of assessment of other persons, stating the name both of the complainant and of the party complained against with a concise description of the matter complained of together with an announcement of the time when the court will be held to hear complaints, and no alteration shall be made in the roll unless under a complaint formally made, according to the above provisions.

d. The Clerk of the Court shall notify the assessor of all complaints respecting the roll, and of the time at which such complaints will be tried.

e. The Clerk of the Court shall also prepare a notice in the form following for each person with respect to whom a complaint has been made:

Take notice that you are required to attend the Court of Revision for the Town of Dawson at the Council Chamber, Dawson, on the _____ day of _____ in the matter of the following appeal: _____ appellant, on the ground that you are assessed too high (or too low, or as the case may be).

Clerk.

And every such notice shall be posted by registered letter to the post office address of such person as entered on the roll ten days before the sitting of the court, unless such person has a place of business within the district, in which case notice may be served at such place of business upon any grown up person there at least five days before the sitting of the court.

f. Persons complained against may appear before the court in person or by agent.

g. The court, after hearing the complainant and the party complained against, and any evidence adduced, as well as the assessor, shall determine the matter and confirm or amend the roll accordingly.

h. If either party fails to appear either in person or by agent, the court may proceed ex parte.

15. The roll, as finally passed by the court, and certified by the clerk as passed,

shall be valid and binding on all parties concerned, notwithstanding any defect or error committed in or with regard to such roll, or any defect or error or misstatement in any of the notices required by this Ordinance, or the omission to deliver or transmit any such notice.

No. of Assessment	The names in full if the same can be ascertained of all taxable persons who have taxable property or income within the Municipality and the name of the owner when the occupant is not the owner.
Post Office address	
Ow. [Owner]	
Occ. [Occupant]	
Inc. [Income]	
	The description in full and extent or amount of property against each taxable person or any interest which is liable to assessment, showing lot and block, or other local description.
	The actual cash value of each parcel or lot of real property, or the interest therein of the taxable person.
	Total value of improvements thereon
	Cash value of personal property.
	Taxable income.....
	Total assessment of real and personal property and income.....
	Age of taxable person.....
	Religion.....
	Total number in family.....
	Cattle.....
	Sheep.....
	Horses.....
	Hogs.....
	Dogs.....
	Date of assessment.....
	Value of property exempt from taxation.....
	Date of delivery or posting of notice.

Assessment Roll for Year

SCHIBDULLE.

Municipality of

Sgd WILLIAM OGILVIE,
Commissioner.

annulled by Ord 17/1900
 " " " 21/1900
 " " " 27/1900



Ordinance No. 12, 1900.

AN ORDINANCE RESPECTING AT-
TACHMENT OF DEBTS.

Assented to May 17th, 1900.

The Commissioner of the Yukon Territory, by and with the advice and consent of the Council of the said territory enacts as follows:

Rule 385 of the Judicature Ordinance of the Consolidated Ordinances of the North-West Territories, 1898, is amended by adding after the words "judgment debtor" in line three of sub-division 1, the following: "whether such debt be payable in money or otherwise."

[Sgd] WILLIAM OGILVIE,
Commissioner.

Repealed by 45/02



Ordinance No. 13 of 1900.

AN ORDINANCE TO AMEND THE
ORDINANCE RESPECTING SIDE-
WALKS IN DAWSON.

Assented to May 17th, 1900.

The Commissioner of the Yukon Territory, by and with the advice and consent of the Council of the said Territory, enacts as follows:

1. All sidewalks hereafter on First avenue in the unincorporated Town of Dawson, between Mission and Fifth streets, shall be of a uniform width of twelve feet, and all sidewalks in the said town on other avenues and streets, with the exception of that part of Mission street between First avenue and Third avenue, shall be of a uniform width of eight feet, and in all cases of planks two inches thick.

2. Any person who places, or causes or permits to be placed, upon any building or erection any sign projecting over or into the street shall be liable upon summary conviction before any Justice of the Peace to a fine not exceeding fifty dollars and costs for each day such sign shall remain projecting over or into such street or avenue.

3. This Ordinance shall be read as part of Ordinance No. 21 of 1899.

(Sgd. WILLIAM OGILVIE,
Commissioner.)



Ordinance No. 14, 1900.

AN ORDINANCE TO INCORPORATE THE DAWSON CITY WATER AND POWER COMPANY, LIMITED.

Assented to May 25th, 1900.

Whereas the persons hereinafter named have by their petition prayed for the incorporation of themselves and others as a Company for the purpose of carrying on the business and businesses hereinafter mentioned, and it is deemed expedient to grant the prayer of the said petition:

Therefore the Commissioner of the Yukon Territory, by and with the advice and consent of the Council of the said territory; enacts as follows:

1. Robert P. McLennan, D. A. Matheson, and D. D. Buchanan of Dawson, in the Yukon Territory, together with such persons as may hereafter become members and shareholders in the Company hereby incorporated, are hereby constituted a body corporate under the name of "THE DAWSON CITY WATER AND POWER COMPANY, LIMITED," hereinafter called the Company, with the powers following, viz:

a.—To supply the Town of Dawson in the Yukon Territory, and the neighborhood thereof, with water, and to carry on the business of a waterworks company in all its branches. To sink wells and shafts, and to make, build, construct, lay down and maintain reservoirs, waterworks, cisterns, culverts, filter beds, main and other pipes and appliances, and to execute and do all other works and things necessary or convenient for the obtaining, storing, selling, delivering, measuring and distributing water, or otherwise for the purpose of the Company.

b.—To carry on at Dawson aforesaid and elsewhere in the Yukon Territory the business of an electric light company in all its branches, and in particular to construct, lay down, establish, fix and carry out all necessary cables, wires, lines, accumulators, lamps and works, and to generate, accumulate, distribute and supply electricity throughout the town of Dawson; and to light the streets, docks, markets, theatres, buildings, and places, both public and private, in the said Town of Dawson, or other towns and cities in the Yukon Territory; and to carry on the business of electricians, mechanical engineers, suppliers of electricity for the purpose of light, heat, motive power or otherwise, and manufacturers of and dealers in all apparatus and things required for or capable of being used in connection with the generation, distribution, supplying, accumulation and employment of electricity.

c.—To carry on business as timber merchants, sawmill proprietors and timber growers, and to buy, sell, grow, prepare for market, manipulate, import, export and deal in timber and wood of all kinds; and to manufacture and deal in articles of all kinds in the manufacture of which timber or wood is used; and to carry on business of ship owners and carriers by land and sea; and, so far as may be deemed expedient, the business of general merchants; and to buy, clear, plant and work timber estates; and to carry on any other business which may seem to the Company capable of being conveniently carried on in connection with any of the above.

d.—To construct and maintain throughout the said town of Dawson, and such other towns and cities in the Yukon Territory, a perfect sewage system, and to plant such necessary pipes, flumes, culverts and other appliances for the purpose of the said sewage as may be necessary, and to operate and maintain the same throughout the different streets and alleys of the said town and to construct, operate and maintain such plant or plants as may be necessary in the said town of Dawson, or other towns or cities for the purpose of flushing and cleaning said pipes and flumes in connection with the said sewage system.

e.—To acquire and undertake the whole or part of the business, property

and liability of any person or company carrying on any business which the Company is authorized to carry on, or possessed of property suited for the purposes of this Company.

f.—Generally to purchase, take on lease or in exchange, hire or otherwise acquire, any real and personal property and any rights and privileges which the Company may think necessary or convenient for the purposes of its business.

g.—To construct, maintain, and alter any buildings or works of the Company necessary or convenient for the purposes of the Company.

h.—To enter into any arrangements with any governments or authorities, supreme, municipal, local or otherwise, that may seem conducive to the Company's objects, or any of them, and to obtain from any such government or authority any rights, privileges and concessions which the Company may think it desirable to obtain; and to carry out, exercise and comply with any such arrangements, rights, privileges and concessions.

i.—To draw, make, accept, endorse, discount, execute and issue promissory notes, bills of exchange, bills of lading, warrants, debentures and other negotiable or transferrable instruments.

j.—To construct, manage, maintain, work, carry out or control any roads, ways, tramways, branches or sidings, bridges, water-courses, wharves and other works and conveniences in connection with the Company's business which may seem calculated, directly or indirectly, to advance the Company's interests.

k.—To sell, improve, manage, develop, exchange, release, mortgage, dispose of, turn to account, or otherwise deal with, all or any part of the property and rights of the Company.

2. For any and all the purposes aforesaid the said Company shall have full power to construct, maintain, complete and operate works for the production and carrying of water, sewage, electricity, heat and power, and may conduct the same by any means through, under, along or over streets, alleys, highways and public places in the town of Dawson, but as to such streets, highways and public places only upon the consent previously obtained and subject to such terms and conditions in respect thereof as shall be imposed upon the Company by the Yukon Council, or such municipal authorities as may from time to time control the said streets, highways and public places in the City of Dawson or other towns and cities in the Yukon Territory.

3. The several clauses of the Ordinance intitled "The Companies Ordinance," being Chapter 61 of "The Consolidated Ordinances of the North West Territories, 1898," or of any Ordinance passed in substitution thereof or in amendment thereof, are incorporated with and shall form a part of this Ordinance and shall apply to the said Company, except only in so far as they are inconsistent with any of the powers hereinbefore granted, or with the fact of the said Company being incorporated by Ordinance and not by Letters Patent.

4. The maximum rate of tolls and charges, but in no case less than the actual cost, that shall be exacted by the said Company from the consumers of water, light, heat or power, shall be subject to the approval of the Commissioner in Council.

5. The head office of the Company shall be in the City of Dawson, in the Yukon Territory.

6. The capital stock of the Company shall be \$100,000.00 divided into 2,000 shares of \$50.00 each, with power to the Company to increase their capital as the necessities of the Company may require to an amount not exceeding \$200,000.00.

7. The said R. P. McLennan, Daniel Mathieson and D. D. Buchanan shall be and are hereby constituted the first directors of the said Company.

8. This Ordinance shall be published in some newspaper at Dawson at the Company's expense within ten days after the passage thereof; otherwise this Ordinance shall be and become inoperative and void.

[Sgd] WILLIAM OGILVIE, Commissioner.

Amended & Ord. 41-1
Amended & Ord # 19 of 1901
of the Commr.

Repealed by 45/02



Ordinance No. 15, 1900.

AN ORDINANCE AMENDING ORDINANCE NO. 34 OF 1899, RESPECTING PAWN BROKERS.

Assented to June 11th, 1900.

The Commissioner of the Yukon Territory, by and with the advice and consent of the Council of the said territory, enacts as follows:

1. Section 3 of Ordinance No. 34 of 1899 (an Ordinance Respecting Pawn Brokers) is hereby amended by striking out the words and figures "one thousand dollars (\$1,000.00)" and inserting in lieu thereof the words and figures "three hundred dollars (\$300.00)."

[Sgd] WILLIAM OGILVIE,
Commissioner.

Repealed by #5/02



Ordinance No 16, of 1900.

AN ORDINANCE AMENDING ORDINANCE NO. 36 OF 1899, RESPECTING TRANSIENT TRADERS.

Assented to June 11th, 1900.

The Commissioner of the Yukon Territory, by and with the advice and consent of the Council of the said territory, enacts as follows:

1. Section 2 of Ordinance No. 36 of 1899 (An Ordinance Respecting Transient Traders) is hereby amended by striking out the words "The Commanding Officer for the time being of the North-West Mounted Police at Dawson" and inserting in lieu thereof the words "The Commissioner of the Yukon Territory."

(Sgd. WILLIAM OGILVIE,
Commissioner)

Repealed by H.S.P.



Ordinance No. 17 of 1900.

TO AMEND ORDINANCE No. 11
OF 1900, RESPECTING ASSES-
MENT (DAWSON).

Assented to June 11th, 1900.

The Commissioner of the Yukon Territory, by and with the consent of the Council of the said territory, enacts as follows:

1. Section 4 of Ordinance No. 11 of 1900, "An Ordinance Respecting Assessment (Dawson)," is hereby amended by striking out the word "first" where the same last occurs in the said section, and inserting in lieu thereof the word "twentieth."

2. Section 11 of the said Ordinance is hereby amended by striking out the words "15th day of July" where the same occur in the said section, and inserting in lieu thereof the words "6th day of August."

3. Sub-section a of section 6 of the said Ordinance is hereby amended by adding thereto the following:

The assessor or assessors shall also ascertain as nearly as possible and shall state in the roll the amount actually invested by each person, firm or corporation at the date of such assessment.

[Sgd.] WILLIAM OGILVIE,
Commissioner



Ordinance No. 13 of 1900.

Repealed by #18/1901.

AMENDING ORDINANCE NO. 15 OF
1899, RESPECTING THE YUKON
COUNCIL.

Assented to June 14th, 1900.

The Commissioner of the Yukon Territory, by and with the advice and consent of the Council of the said Territory, enacts as follows:

1. Ordinance No. 15 of 1899, "An Ordinance Respecting the Yukon Council" is hereby amended by striking out the word "three" where the same occurs in the said ordinance, and inserting in lieu thereof the word "eight."

Sgd WILLIAM OGILVIE,
Commissioner.



Ordinance No. 19, of 1900.

AN ORDINANCE RESPECTING
NEWSPAPERS.

Assented to June 14th, 1900.

The Commissioner of the Yukon Territory, by and with the advice and consent of the Council of the said territory, enacts as follows:

1. In this Ordinance "newspaper" shall mean: any paper containing public news intelligence or occurrences, or any remarks or observation thereon, printed for sale and published periodically, or in parts or numbers, at intervals not exceeding twenty-six days between the publication of any two such papers, parts or numbers, and any paper printed in order to be dispersed and made public weekly or oftener, or at intervals not exceeding twenty-six days and containing only, or principally, advertisements.

2. It shall be the duty of the proprietor or proprietors, of the editor or editors and of the business manager and of each of them, of every newspaper published in the Yukon Territory, to file with the Clerk of the Territorial Court of the Yukon Territory within one month from the date of the passing of this Ordinance, a declaration, under oath or affirmation (in cases where by law affirmation is allowed) setting forth the name in full of the proprietor or proprietors, editor or editors, and business manager of such newspaper, his nationality, both by birth and allegiance, the place of publication of such newspaper, and the name or title under which such newspaper is published, and any proprietor, editor or manager neglecting to comply with the provisions of this Ordinance shall, upon summary conviction, before a Justice of the Peace, be liable to a fine not exceeding \$500.00 and not less than \$50.00, for each day during which such neglect shall continue.

3. In the last preceding section of this Ordinance, the word "proprietor" shall include any and all persons financially interested, directly or indirectly, in any such newspaper.

4. In the case of newspapers to be hereafter established in the Yukon Territory, the declaration mentioned in the second section of this Ordinance shall be filed with the Clerk of the Territorial Court before such newspaper is published and each and every, the proprietor or proprietors, editor or editors, and business manager of such newspaper shall, upon summary conviction before a Justice of the Peace, be liable to a fine not exceeding \$500.00 and not less than \$50.00, and each issue of such newspaper shall be deemed to constitute a fresh offence against the provisions of this Ordinance.

5. Upon every change in the proprietorship, editorship or management of any newspaper, the declaration mentioned in the second section of this Ordinance, shall be filed under a like penalty in case of default, as in the said second section provided.

6. The Clerk of the Territorial Court shall be entitled to receive from the person filing the declaration above mentioned a fee of \$5.00, and it shall be the duty of the said clerk to send to the Commissioner of the Yukon Territory a copy of such declaration forthwith after the filing thereof.

[Sgd.] WILLIAM OGILVIE,
Commissioner.

Repealed by 8/02



Ordinance No. 20, 1900.

AMENDING ORDINANCE NO. 29 OF
1899, RESPECTING INTOXI-
CATING LIQUORS.

Assented to June 14th, 1900.

The Commissioner of the Yukon Territory, by and with the advice and consent of the Council of the said territory, enacts as follows:

1. Section 23 of Ordinance No. 29, of 1899 ("The Liquor License Ordinance") as amended by Ordinance No. 9 of 1900, is hereby further amended by adding thereto the following as sub-section 2 of said section:

(2) Provided always that the Commissioner in Council may, at any time, in the case at any point or locality in the territory where the public interest may require further or better hotel, saloon or shop accommodation, increase the amount payable for licenses as is this section set forth.

[Sgd] WILLIAM OGILVIE,
Commissioner.

TO FURTHER AMEND ORDINANCE
No. 11, of 1900.

Repealed by H.S.P. 2

Assented to June 21st, 1900.

The Commissioner of the Yukon Territory
by and with the advice and consent of the Council
of said Territory, enacts as follows:

1. Section 4 of Ordinance No. 11, of 1900
("An Ordinance Respecting Assessment, Dawson,")
as amended by Section 1 of Ordinance No. 17, of
1900, is hereby amended by striking out the words
"twentieth day of June" where the same occur in
the said section, and inserting in lieu thereof
the words "fifth day of July."

2. Section 11 of said Ordinance No. 11,
of 1900, as amended by Section 2 of said Ordinance
No. 17, of 1900, is hereby amended by striking
out the word "sixth" where the same occurs in
said section, and inserting in lieu thereof the
words "twenty-first".

W. J. C. G. L.
William C. G. L.



Ordinance No. 22, of 1900.

AN ORDINANCE RESPECTING
SECOND-HAND DEALERS.

Assented to June 27th, 1900.

The Commissioner of the Yukon Territory, by and with the advice and consent of the Council of said Territory, enacts as follows:

1. From and after this date any person, partnership or company (whether incorporated or not) doing business or intending to do business within the Yukon Territory, as a second-hand dealer or as the keeper of a junk store or shop, will be bound to take a license to that effect, which will be granted in the name of the Council of the Yukon Territory, for each place where he or they carry on, or intend to carry on such trade or business.

2. Such license will be issued on application to the officer who will be hereafter appointed by a resolution of the Commissioner in Council.

3. The applicant will pay a fee of fifty dollars (\$50.00) for such license, which will cover a period of one year only from the date of the issuing thereof, and the same will apply to one place of business only, though he will be at liberty to obtain a similar license for any premises where he carries on, or intends to carry on, a similar trade, on paying a similar fee for each.

4. Any licensee under this ordinance will be obliged to keep books wherein will be inserted the full name of the party from whom he may buy any articles, goods, effects or merchandise, a description of the same, their quality,

their quantity and the price which he paid for them; and enter therein any remarks or information concerning the individual with whom he deals, so as to enable him, and the authorities to locate and identify the same.

5. The said books will be subject to inspection at all times by any constable, police or other public officer, and the licensee shall be obliged to produce them whenever required, by notice in writing, to any justice of the peace, for inspection.

6. Any manager, superintendent or agent, acting ostensibly for any trader, partnership or company, obliged to take a license under this ordinance will be held responsible in the same way as the licensee himself.

7. Any licensee is forbidden to buy any such articles, goods, effects or merchandise from any miner or sailor, during the winter season, before 10 o'clock in the forenoon or after 4 o'clock in the afternoon, and during the summer season before 8 o'clock in the forenoon and after 6 o'clock in the afternoon; and to this effect the summer season will be computed from the first day of May to the fifteenth day of October, and the winter season from the last mentioned date to the first day of May.

8. Any licensee neglecting or refusing to abide by or conform himself to any of the provisions of this ordinance, and any person carrying on any such business as is contemplated by this ordinance without having the license by this ordinance provided, shall be subject for each offence, to a penalty not exceeding five hundred dollars (\$500.00) and costs, upon conviction by or before any justice of the peace, and in default of payment shall be imprisoned for a term not exceeding three months.

[Sgd.] WILLIAM OGILVIE,
Commissioner.

Repealed by H.S. 102

*this is page 2 of
25/1900*

Repealed by #5102

refusing such help or disobeying such instructions by not immediately moving away and keeping at such distance as the said chief or his representatives may direct, shall be liable to be arrested on the spot by any constable or constables, be brought before a justice of the peace, convicted in a summary way and sentenced to a fine not exceeding twenty-five dollars, and, in default of payment, to an imprisonment not exceeding one month.

21. The said chief of the fire brigade is also hereby empowered to order the destruction of any building, or materials whatsoever, whether the fire has originated or is burning therein, or whether they are in the vicinity, and which, in his honest opinion, could not be saved from the fire, and the eventual burning of which would expose other buildings or material to destruction by fire.

22. And it is hereby declared that in acting so, the said chief of the fire brigade, or his representative, will not in any way, be held liable for any damages suffered through the destruction of any such buildings or materials.

22A

23. Every member of any fire brigade is hereby declared to be a special constable for the purpose of carrying out the provisions of this ordinance, and in the event of any fire taking place where no regular fire brigade is organized, or if not present, than any Mounted Police or fire constable will have the same power to all intents and purposes that the chief of the fire brigade or his representative has, by virtue of this ordinance. This authority will lie in the constable who is senior by appointment, should there be more than one present.

#1/1901.

24. Authority is hereby given to the Commissioner to appoint from time to time any person or persons, as may be deemed necessary to act as firemen, with all the power and authority hereinbefore given to fire constables.

25. It shall be the duty of the chief of the fire brigade of the unincorporated town of Dawson to cause the provisions of this ordinance to be observed, and the said chief, or any person authorized by him in writing, may at any time of the day or night, enter into any building within the fire limits aforesaid, in order to ascertain if the provisions of this ordinance are being properly observed; and if in any such case such provisions are not being observed, the said chief or such other person authorized by him may cause any such building to be so altered as to conform to the requirements of this ordinance, and to collect the costs of such alteration by warrant of distress against the goods and chattels of the person or persons occupying such building.

26. Ordinance No. 10 of 1898, Ordinance No. 13 of 1898, Ordinance No. 9 of 1899, and Ordinance No. 11 of 1899, are hereby repealed.

[Sgd] WILLIAM OGILVIE,
Commissioner.



Ordinance No. 23 of 1900.

TO AMEND "THE YUKON MEDICAL ORDINANCE, 1898."

Assented to June 27th, 1900.

The Commissioner of the Yukon Territory, by and with the advice and consent of the Council of the said Territory, enacts as follows:

1. Section 34 of The Yukon Medical Ordinance, 1898, is hereby amended by striking out the words "twenty" and "fifty" where the same occur therein, and inserting in lieu thereof the words "five" and "twenty" respectively.

Sgd WILLIAM OGILVIE,
Commissioner.

Cancelled by repeal
of M.T. Ord. by
Y.T. Ord. # 26/1902



Ordinance No. 24 of 1900.

AN ORDINANCE RESPECTING AUCTIONEERS, HAWKERS AND PEDDLERS.

Assented to June 27th, 1900.

The Commissioner of the Yukon Territory, by and with the advice and consent of the Council of said Territory, enacts as follows:

1. Chapter 58 of the Consolidated Ordinances of the Northwest Territories, 1898 ("An Ordinance Respecting Auctioneers, Hawkers and Peddlers") is hereby amended as follows:

(a) By striking out the word "territories" wherever the same occurs in the said ordinance, and inserting in lieu thereof the words "Yukon Territory."

(b) By striking out the words "Lieutenant-Governor" wherever the same occur in the said ordinance, and inserting in lieu thereof the word "Commissioner."

(c) Section 1 of said ordinance is hereby amended by striking out the words after the word "merchandise" where the same last occurs in the said section, and inserting in lieu thereof the following: "But shall not mean or include any persons selling fish or game caught in the Yukon Territory, or farm produce grown in said Territory."

3. Section 4 of said ordinance is hereby amended by striking out all the words after the word "paid" and inserting in lieu thereof the following: "The sum of \$100.00 when the application is made for an hawker's or peddler's license on or before the 15th August in any year, and the sum of \$50.00 when such application is made after such date; and the sum of \$100.00 when the application is made for an auctioneer's license on or before the 30th day of June in any year and the sum of \$50.00 when such application is made after such date."

4. The said ordinance of the Northwest Territories, amended as aforesaid, is hereby declared to be in force in the Yukon Territory.

(Sgd. WILLIAM OGILVIE,
Commissioner.

Amended by # 1/1901 - # 35/1901. 40/1901.



Ordinance No. 25, 1900.

AN ORDINANCE FOR THE PREVENTION OF FIRES.

Assented to June 27th, 1900.

The Commissioner of the Yukon Territory, by and with the advice and consent of the Council of the said territory, enacts as follows:

1. No person in any city, town, village or hamlet in the Yukon Territory shall keep on his premises a greater quantity of gun powder or other explosives than twenty-five pounds. Quantities greater than twenty-five pounds and less than five hundred pounds shall be stored in a fire proof building at least five hundred feet distant from any dwelling. Quantities exceeding five hundred pounds shall be stored in a fireproof building at least one thousand feet distant from any dwelling.

2. No person shall, without the written permission of the officer for the time being commanding the North-West Mounted Police at Dawson, and the chief of the fire brigade, keep on his premises a greater quantity of kerosene than three barrels thereof, except in a fire-proof building at least twenty-six feet from any other building.

3. No person shall, within that part of the unincorporated town of Dawson situate to the west of the centre line of Third avenue, and said centre line produced northerly to a point directly east of the northerly limit of the premises known as St. Mary's Hospital, or within that part of said town known as "Day's Addition" erect, or after the first day of May, 1899, maintain any building or structure of any description constructed, as to its outer walls and roof, of any material other than wood, brick, stone or metal, and any building or other structure erected contrary to this section, may be pulled down and destroyed without compensation by any person under the direction of the officer for the time being commanding the Northwest Mounted Police in said town.

4. No person shall have or erect on his premises any building built in whole or in part of manure, hay, straw, or place on the roof of any building any manure, hay or straw, moss or saw dust, unless such building is at least one hundred feet distant from every other building.

5. No person shall have any stock of hay or straw loose or otherwise than in bales on any premises within two hundred feet of any building.

6. No person shall enter any stable or barn with any candle or lamp not enclosed in a lantern, nor with a lighted pipe, cigar or cigarette.

7. No person shall set out fire within fifty feet of any building. Provided that any blacksmith may build a fire within fifty feet of his shop for the purposes of his trade.

8. No person shall deposit any ashes in any wooden container unless it be lined with metal.

9. All ovens and furnaces shall be properly connected with a chimney of brick, stone, cement or metal, extending at least three feet higher than the building in which such oven or furnace is built.

10. There shall be a space of at least six inches between any stove pipe and any partition and floor through which it passes, unless such stove pipe be surrounded in such partition or floor by a thimble of brick, cement, concrete or metal, at least two inches in width, and of the full thickness of such partition or floor, and every such stove pipe shall be inserted into a chimney of brick, stone, concrete or metal.

11. At least twelve inches with wall protected by fire proof material and at least three feet where the wall is not protected by fire proof material, shall intervene between any stove in use and the partition wall or ceiling nearest thereto.

12. Every proprietor of any house more than one story high, with a roof having a pitch greater than one foot in three shall keep a ladder on such roof near the chimney thereof and another from the roof to within ten feet of the ground at some part of the building easy of access.

13. All chimneys and flues, when it is deemed desirable by the inspector of the fire department or senior fire constable, shall be provided with spark arrestors.

14. All stove or furnace pipes within the fire limits of the unincorporated town of Dawson, shall, wherever the same pass through a wall, partition, ceiling or roof, be surrounded by a metal thimble which shall extend at least one inch above and below such wall, partition, ceiling or roof.

15. All places of public resort shall be provided with not less than three doors of ingress and egress, all opening outwards, two at least of which doors shall not be less than five feet in width, with double doors.

16. In all places of public resort egress shall be provided from the interior of such buildings to the roof, and facility shall, likewise, be provided for safe descent from the roof of all such places.

17. In no building within the fire limits aforesaid shall any stove pipe be placed nearer than two feet to any wall or partition, unless such wall or partition is protected by a sheet of metal or other non-combustible material.

18. Any person contravening any of the provisions of this ordinance shall be guilty of an offence and liable to a penalty not exceeding fifty dollars and costs, and in default of payment, to a term of imprisonment not exceeding three months.

19. Prosecutions and proceedings under this ordinance may be brought in a summary way before a justice of the peace, and fines collected shall form a part of the general revenue fund of the Yukon Territory.

20. Whenever there is any fire at any building, buildings or material whatsoever, within cities, towns, villages or other places, whether incorporated or not, the chief, or anyone acting as such in his place, of any fire brigade, duly recognized by any public, civic or government authorities, called to extinguish any such fire, is hereby empowered to give any orders he may think fit to obtain from any person or persons there present, whether he or they belong to the said fire brigade or not, whatever assistance may be needed to help to the extinguishing of said fires, or to remove or have removed or ordered away any person or persons who, by being too near or otherwise, might be an obstacle in properly extinguishing said fire, or saving property threatened thereby, and anyone

35/1901



Ordinance No. 26, 1900.

Repealed by 21/1901.

AN ORDINANCE RESPECTING THE
TERRITORIAL COURT.

Assented to July, 5th 1900.

The Commissioner of the Yukon Territory, by and with the advice and consent of the Council of said Territory, enacts as follows:

1. Notwithstanding anything contained in Ordinance No. 4, of 1898, "An Ordinance Respecting Civil and Criminal Sittings of the Territorial Court of the Yukon Judicial District," sittings of the Territorial Court of the Yukon Territory, for the disposition of Court and Chamber business, may be held during the long vacation of 1900, at such time or times as a Judge of said Court may appoint; and notwithstanding anything contained in said Ordinance, sittings of the said Territorial Court for the trial of actions may be held during the said long vacation of 1900 at such time or times as a Judge of said Court may appoint in cases in which all parties consent, or in which, upon application of any party to the action, such Judge is of opinion that such trial should take place, notwithstanding vacation.

(Sgd. WILLIAM OGILVIE,
Commissioner.

Repealed by 40/02



Ordinance No. 27, of 1900.

TO FURTHER AMEND ORDINANCE
No. 11, of 1900.

Assented to July 5th, 1900.

The Commissioner of the Yukon Territory, by and with the advice and consent of the Council of said Territory, enacts as follows :

1. Section 4 of Ordinance No. 11, of 1900 ("An Ordinance Respecting Assessment, Dawson," as amended by Section 1 of Ordinance No. 17, of 1900, and further amended by Section 1 of Ordinance No. 21, of 1900, is hereby amended by striking out the words "fifth day of July" where the same occur in the said section, and inserting in lieu thereof the words "10th day of July."

2. Section 11 of said Ordinance No. 11, of 1900, as amended by Section 2 of said Ordinance No. 17, of 1900, and further amended by Section 2 of Ordinance No. 21, of 1900, is hereby amended by striking out the word "21st" where the same occurs in the said section, and inserting in lieu thereof the words "25th."

[Sgd.] WILLIAM OGILVIE,
Commissioner.



Ordinance No. 28, of 1900.

AN ORDINANCE for granting to the Commissioner certain sums of money to defray the further expenses of the public service of the Yukon Territory for the twelve months, from June 30th, 1899, to June 30th, 1900, and for purposes relating thereto; and for granting to the Commissioner certain sums of money to defray the expenses of the public service of the Yukon Territory for the twelve months, from June 30th, 1900, to June 30th, 1901, and for purposes relating thereto.

Assented to July 14th, 1900.

Whereas, it appears by message from William Ogilvie, the Commissioner of the Yukon Territory, and the supplementary estimates accompanying the same, that the sums hereinafter mentioned in Schedule "A" to this Ordinance are required to defray certain further expenses of the public service of the Yukon Territory and for other purposes relating thereto, for the twelve months ending June 30th, 1900;

And whereas, it appears by message from William Ogilvie, the Commissioner of the Yukon Territory, and the estimates accompanying the same, that the sums hereinafter mentioned in Schedule "B" to this Ordinance are required to defray certain expenses of the public service of the Yukon Territory, and for other purposes relating thereto, for the twelve months ending June 30th, 1901; it is therefore hereby enacted by the Commissioner, by and with the advice and consent of the Council of the Yukon Territory, as follows:

1. From and out of the funds at the disposal of the Yukon Council, there shall and may be paid and applied a further sum not exceeding in the whole Eight thousand six hundred and fourteen dollars, and forty-one cents for defraying the further several charges and expenses of the public service for the twelve months ending June 30th, 1900, as set forth in Schedule "A" to this Ordinance.

2. From and out of the funds at the disposal of the Yukon Council, there shall and may be paid and applied a sum not exceeding in the whole, Three hundred and twenty four thousand nine hundred and ninety dollars, and forty six cents, for defraying the several charges and expenses of the public service for the twelve months ending June 30th, 1901, as set forth in Schedule "B" to this Ordinance.

3. The due application of all moneys expended shall be duly accounted for.

Schedule "A" to Ordinance No. 28 of 1900.

Further sums granted to the Commissioner by this Ordinance for the 12 months ending June 30th, 1900, and for the purposes for which they are granted.

To defray the additional expenses of the Government of the Yukon Territory for the 12 months ending the 30th of June, 1900, as follows:

Salaries, Fire Department\$2,041.58
Horses and Feed, Fire Depart-

ment 3,399.68
Streets 1,267.91
Drains and Ditches..... 94.69
Salary, Medical Health Inspector 21.29
Salary, Engineer 180.00
Aid to Hospitals..... 1,226.46
Census appropriation..... 382.80

\$8,614.41

Schedule "B" to Ordinance No. 28 of 1900.

Sums granted to the Commissioner by this Ordinance for the 12 months ending June 30th, 1901, and for the purposes for which they are granted.

To defray the expenses of the Government of the Yukon Territory for the 12 months ending the 30th of June, 1901, as follows:

FOR CITY PURPOSES.

Lighting Streets..... \$12,000.00
Drains and Ditches..... 7,500.00
Streets, Dawson..... 15,000.00
Fire Department—
Salaries..... \$46,000.00
New Engine 6,000.00
Hose 3,300.00
Horses..... 1,000.00
Feed..... 7,750.00
Lighting Fire hall 1,000.00
Fuel 3,000.00
Contingencies 5,000.00

73,050.00

Medical Board of Health..... 5,000.00
Dawson Reading and Recreation Room, \$375 for June, 1900, and \$300 per month to June, 1901 3,975.00
Medical Health Inspector..... 360.00
Collector of Taxes 4,200.00
Assessment 5,030.00
Bridges in Dawson 1,000.00
Contingencies 5,000.00
Medical Health Officer..... 2,166.66

\$134,281.66

FOR TERRITORIAL PURPOSES.

Salaries—
Clerk of Council.. \$1,000.00
Clerk of Finance
Committee 1,000.00
Asst. Clerk of Finance Committee..... 500.00
Engineer..... 4,000.00
Hospitals 40,000.00
Burial of Indigents. 2,600.00
Passage of Indigents..... 7,000.00
Printing and Stationery, etc..... 7,500.00
Schools 12,000.00
Fire Dept., Grand Forks..... 4,000.00
Lunatics, Care and transportation ... 4,500.00
Roads, Bridges and Public Works..... 60,000.00
Relief to Destitute Persons 2,000.00
Contingencies 10,000.00
Medical Board of Health..... 2,000.00

\$158,100.00

GENERALLY.

To Pay Overdraft, Canadian Bank of Commerce 27,014.55
Interest 850.00
Refund to Receiver General of amount paid by tenants on Water Front 4,744.25

190,708.80

\$324,990.46

(Sgd. WILLIAM OGILVIE,
Commissioner.



Ordinance No. 29 of 1900.

AN ORDINANCE RESPECTING THE
DAWSON ELECTRIC LIGHT AND
POWER COMPANY, LIMITED.

Assented to July 14th, 1900.

Whereas, doubts have arisen as to the validity of a certain instrument purporting to be Letters Patent of Incorporation, issued on the 14th day of October, 1898, by William Ogilvie, Esquire, Commissioner of the Yukon Territory, whereby certain persons hereinafter named were incorporated a body corporate and politic under the name and style of the Dawson Electric Light & Power Company, Limited; and whereas a petition has been presented for the confirmation of the said Letters Patent and for the grant of certain additional powers and privileges to the said company:

The Commissioner of the Yukon Territory, by and with the advice and consent of the Council of the said Territory, enacts as follows:

1. The Letters Patent issued to the Dawson Electric Light and Power Company by the said William Ogilvie, Commissioner of the Yukon Territory, on the 14th day of October, 1898, are hereby ratified and confirmed and the applicants for the said Letters Patent, namely: William Chappell, John Albert Peterson, Alexander McDonald, George Esterly, James D. Trenholme, Samuel Stanley, Thomas Cannon and Falcon Joslin, and such other persons as have since or may hereafter become shareholders in the said company, are hereby declared to have been and to be a body corporate and politic since the said 14th day of October, 1898, under the name and style of the Dawson Electric Light and Power Company, Limited, for the purposes and objects and with the powers and privileges specified in the said Letters Patent, with all the powers and privileges and subject to the liabilities and obligations of the Companies Ordinance, being Chapter 61, of the Consolidated Ordinances of

the Northwest Territories, to all intents, purposes and effects as if such Ordinance had been made expressly applicable to the Yukon Territory and as if the said William Ogilvie had been the person designated in the said Ordinance as Lieutenant Governor in Council, and as if the said instrument had been Letters Patent duly issued under said Ordinance.

2. All acts, deeds and things done, executed or performed by the said company and all liabilities and obligations incurred by them and all property acquired, rights or credits obtained by the said company are hereby declared to be of the same force, effect and validity as if the said company had been duly incorporated on the 14th day of October, 1898.

3. The company is hereby authorized to increase its capital stock to \$150,000.

4. Except as herein specially provided all the provisions of the Companies Ordinance, Chapter 61, of the Consolidated Ordinances of the Northwest Territories, and of any ordinance passed or to be passed in amendment thereof or in substitution therefor, shall apply to the said company.

5. The maximum rate of tolls and charges (but in no case less than actual cost) that shall be exacted by the said company from the consumers of light, heat or power shall be fixed by order of the Commissioner in Council.

6. The company may construct, erect and maintain, overhead or underground lines of wire for the conduct of electricity, and may construct, erect and maintain such poles, trenches and other works and devices, and stretch, establish and maintain such wires and circuits as the company may deem necessary or desirable for making, completing, altering, improving and carrying on the system of electric lighting and supplying heat or power, subject always to such general regulations as to the use of the streets, lanes and public highways as may be prescribed by the Commissioner in Council or by the municipal authority having jurisdiction in the premises (as the case may be).

7. This Ordinance shall be published in some newspaper at Dawson aforesaid, at the expense of the company, within one month after the passage thereof, otherwise the same shall be and become inoperative and void.

Sgd WILLIAM OGILVIE,
Commissioner.



Ordinance No. 30, 1900.

AN ORDINANCE RESPECTING TAXATION (DAWSON.)

Assented to July 16th, 1900.

The Commissioner of the Yukon Territory, by and with the advice and consent of the Council of said Territory, enacts as follows:

1. On the return of the assessment roll as provided by Section 4 of Ordinance No. 11 of 1900 ("An Ordinance Respecting Assessment, Dawson"), the Commissioner in Council shall, by resolution, authorize the levying and collecting of a rate or rates of so much on the dollar of the assessed value of the property and income in the said roll set forth as the Commissioner in Council deems sufficient to raise the sum required to meet the expenses incurred or to be incurred for the preservation of the public health, and for the purpose of local improvement in that part of the unincorporated town of Dawson, more particularly described in section 1 of the above mentioned Ordinance No. 11, of 1900.

2. There shall be appointed by the Commissioner in Council an officer to be known as the Collector, who shall hold office during pleasure, and shall receive such salary as may be from time to time fixed by resolution of Council; such collector before entering upon the duties of his office shall give such security for the one performance of the duties thereof as may be determined by resolution of Council.

3. The collector shall, on or before the 1st day of September, 1900, and on or before the 1st day of July in each year thereafter, prepare a tax roll, in which he shall set down in full the name of every person assessed, his Post Office address and the assessed value of his real and personal property and taxable income, as ascertained from the assessment roll as finally revised, and also the total amount of taxes for which such person is liable, whether in respect of real or personal property or taxable income.

4. The said collector shall, on or before the 15th day of September, 1900, and on or before the 10th day of July in each year thereafter, transmit by mail a notice containing a statement and demand of taxes to each person whose name appears on said tax roll, or to the agent of such person in cases where the address of such agent has been furnished to him, and such statement and demand shall state the time such taxes are required to be paid, and the dates on which any reductions or penalties, authorized by the Council shall be allowed or charged, as the case may be, and he shall enter the date of mailing of such notice in said tax roll opposite the name of the person taxed, and such entry shall be prima facie evidence of the mailing of such notice and demand.

5. All taxes shall be considered to be due and payable on the day following the transmission of the notice, as required by the last preceding section hereof.

6. In case any person neglects to pay to the collector the taxes demanded of him for thirty days after such demand as aforesaid, the collector may, by himself or his agent, levy the same with costs by distress of the goods and chattels of the person who ought to pay the same, or of any goods or chattels in his possession

wherever the same may be found within the limits hereinbefore described of the unincorporated town of Dawson, or of any goods or chattels found on the premises assessed, the property or in the possession of any other occupant thereof, and may impound the same on the premises where distrained, and no claim of property, lien or privilege shall be available to prevent the sale or the payment of taxes and costs out of the proceeds of the sale thereof.

7. In case any person neglects or refuses to pay any income tax when demanded by the collector, the collector shall then demand from the employer or employers of the person so neglecting or refusing the amount due for such income tax, and the person paying the same shall deduct the amount so paid from the salary or wages due the person so neglecting or refusing, and the said employer or employers are hereby rendered liable for the amount or amounts demanded by the collector if they fail to deduct the same from the salary or wages due to the person employed.

8. The collector shall, by advertisement over his hand posted up at three public places within the limits hereinbefore described of the unincorporated town of Dawson, give at least six days' public notice of the time and place of such sale, and of the land on which the same was distrained; and at the time named in the notice the collector or his agent shall sell at public auction, the goods and chattels distrained, or so much thereof as may be necessary to pay the taxes, including costs and charges allowed by this ordinance.

9. If the property distrained has been sold for more than the amount of taxes and costs, and if no claim for the surplus has been made by any other person on the ground that the property sold belonged to him or that he was entitled by lien or other right to the surplus, such surplus shall be returned to the person in whose possession the said property was when the distress was made, or if such claim be made by the person for whose taxes the property was distrained and the claim is admitted, the surplus shall be paid to the claimant.

10. If the claim is contested such surplus money shall be paid into the general fund of the Yukon Territory, and shall be retained until the respective rights of the parties shall be determined by action at law.

11. Taxes may be recovered with interest and costs, as a debt due to the Crown, in which case the production of a copy of so much of the tax roll as relates to the taxes payable by any person purporting to be certified as a true copy by the collector, shall be prima facie evidence of the debt.

12. The costs chargeable for distress and sale shall be as follows:

Seizure.....	\$1.00
Taking care of property, the sum actually disbursed, not exceeding \$7.50 per day.....	—
Notice of sale and posting up.....	1.00
For selling, 5 per cent. of the amount realized not exceeding the amount of the taxes	

13. All moneys received by the collector for taxes and costs (if any) exclusive of disbursements for taking care of property shall be forthwith paid by him to the Comptroller of the Yukon Territory to form part of the general revenue fund of the Territory, to be appropriated nevertheless solely to meet expenditures for the purposes of preserving the public

health, and for local improvements within the area aforesaid.

14 On or before the 31st day of December, 1900, and on or before the 30th day of June and the 30th day of December thereafter in each year, the collector shall make a return shewing the amount of taxes collected, and also an abstract of the tax roll showing the names and addresses of all persons whose taxes have not been paid, and the total amount due for each parcel of land assessed to each such delinquent, and he shall submit such return to the Commissioner in Council at the first meeting of Council thereafter and shall verify such return by the following declaration:

I, _____, collector of the Yukon Territory, do solemnly declare as follows:

1st. That the return herewith submitted contains a true statement of the taxes collected by me since (the date of last return).

2nd. That I have made diligent inquiry and have been unable to discover within the limits of the unincorporated town of Dawson as set out in Ordinance No. 11 of 1900, sufficient goods or chattels belonging to or in the possession of the persons charged with or liable to pay any sums that appear in the list of unpaid taxes herewith submitted, whereon I could levy any part of the taxes due.

And I make this solemn declaration conscientiously believing the same to be true and knowing it is of the same force and effect as if made under oath and by virtue of the Canada Evidence Act 1893.

Declared before me at Dawson }
in the Yukon Territory this _____ }
day of _____, A. D., 19____ }

A Commissioner for taking Affidavits
in and for the Yukon Territory.

[Sgd.]

WILLIAM OGILVIE,
Commissioner



Ordinance No. 31 of 1900.

TO AMEND THE ORDINANCE RESPECTING ARREST AND IMPRISONMENT FOR DEBT.

Assented to July 17th, 1900.

The Commissioner of the Yukon Territory, by and with the advice and consent of the Council of the said territory, enacts as follows:

1. Section 5 of Ordinance No. 26 of 1899, "An Ordinance Respecting Arrest and Imprisonment for Debt" is hereby amended by adding thereto the following:

Any officer other than the sheriff, may, upon instructions by letter or telegram from the sheriff of the Yukon Territory, arrest the defendant or defendants without actually having in his possession a copy of the special order as prescribed by the last preceding section hereof; provided that at the time of such arrest a copy of such special order is in the hands of the said sheriff.

[Sgd] WILLIAM OGILVIE,
Commissioner.

Repealed by 45/02



Ordinance No. 32 of 1900.

AN ORDINANCE RELATING TO
PROCEEDINGS AGAINST OFFI-
CERS OF THE CROWN.

Assented to August 20th, 1900.

The Commissioner of the Yukon Territory, by and with the advice and consent of the Council of the said territory, enacts as follows:

1. In the case of any Ordinance, regulation, rule, order, decision, direction or instruction given or made by the Governor-in-Council, the Commissioner in Council, of the Yukon Territory, or by any Minister of the Crown, or by a Commissioner of the Yukon Territory, or by any person who now occupies, or formerly did occupy the position of Chief Executive Officer of the Government of Canada in the Yukon Territory, relating to the government of the territory, or the acts or conduct of any of the officers of the government of the said territory, nothing which has been done prior to the first day of July, 1900, under, in pursuance of, or in consequence of such Ordinance, regulation, rule, order, decision, direction or instruction, shall be the subject of or shall sustain, or give rise to, or support any action, suit or petition or proceeding for damages against any person whatsoever.

[Sgd] WILLIAM OGILVIE,
Commissioner.

Amended by 29/1902



Ordinance No. 33 of 1900.

TO PROVIDE FOR THE ELECTION OF TWO REPRESENTATIVES TO THE TERRITORIAL COUNCIL.

Assented to August 23, 1900.

Whereas, by sub-sections 3, 4, 5 and 6 of Section 5 of the "The Yukon Territory Act," as amended by 62-63 Victoria, Chapter 11, section 1, it is enacted as follows:

"3. The natural born and naturalized male British Subjects in the Territory who have attained the full age of twenty-one years and continuously resided there for a period of not less than twelve months shall elect two representatives to the Territorial Council, and such representatives shall have the same power and be charged with the same duties as those members of the council who are appointed by the Governor in Council; and any person qualified to vote shall be eligible for election.

"4. The Commissioner in Council shall, by ordinance, make all necessary provisions for the election of such representatives.

"5. Such representative members of the Council shall hold office for two years from the date when they are returned as elected.

"6. Sub-sections 3, 4 and 5 of this section shall come into force at such time as the Governor in Council shall think proper and shall fix for that purpose by Order in Council."

And whereas, by order of the Governor in Council, bearing date the 13th day of July, 1900, the thirteenth day of August, 1900, was fixed as a proper time from and after which the provisions of said sub-sections 3, 4 and 5 of said section shall come into and be and remain in full force and effect;

And whereas, it is necessary, therefore, to make all necessary provisions for the election of such representatives;

Therefore, the Commissioner of the Yukon Territory, by and with the advice and consent of the Council of said territory, enacts as follows:

1. The nomination of candidates for said election shall be held on the 19th day of September, 1900, and the polling, if any, on the 17th day of October, 1900. The polling shall be by ballot.

2. The Sheriff of the Yukon Territory shall be the returning officer

for said election.

3. The returning officer, before taking any action under this ordinance, shall take, before a Justice of the Peace, the oath of office set out in form "A" in the schedule to this ordinance, and shall forthwith thereafter cause a certificate (form "B" in said schedule) made by such Justice of the Peace, of the said oath having been taken, to be filed with the Territorial Secretary.

4. The returning officer, by a warrant under his hand, in form "C" in said schedule to this ordinance, shall appoint an election clerk, and may, at any time, during the election, appoint in the same manner, another election clerk, if the one so appointed resigns or is unable to perform his duties as such clerk.

5. The election clerk shall assist the returning officer in the performance of his duties, and act in his stead as returning officer whenever the returning officer, after appointing such election clerk, refuses or is unable to perform his duties.

(2) All the provisions of this ordinance in regard to returning officers shall apply to election clerks acting as returning officers.

(3) The returning officer or election clerk shall not act as deputy returning officer or poll clerk in any polling place.

6. The election clerk before acting as such shall take the oath of office in form "D" in said schedule to this ordinance before the returning officer or any person authorized to administer an oath within the territory; and a certificate as in form "E" of his having taken such oath shall be delivered to him by the person before whom such oath is taken, which he shall cause to be forwarded to the clerk of the Territorial Council.

7. The election clerk when acting for or in the stead of the returning officer shall be subject to like penalties as the returning officer for violating any of the provisions of this ordinance; but this shall not relieve the returning officer from any penalties to which he may render himself liable.

8. The returning officer shall with all reasonable speed:—

1. Fix upon and secure a suitable building in the town of Dawson in which the nomination is to be held for use as a hustings;

2. Fix as many polling places throughout the country as the Commissioner of the Yukon Territory deems necessary for the convenience of electors and number them consecutively, and give to

each a distinctive name;

3. Provide suitable and conveniently situated buildings for use as polling places.

4. Procure or cause to be procured, as many boxes (hereinafter called ballot boxes) as there are polling places within the territory.

5. The ballot boxes shall be made of some durable material, shall be provided with a lock and key and shall be so constructed that the ballot paper can be introduced therein and cannot be withdrawn therefrom unless the box be unlocked.

6. The name and number of the polling place at which the ballot box is to be used shall be plainly painted, or otherwise securely marked thereon, so that it may be easily distinguished from the ballot box of any other polling place.

7. If the returning officer fails to furnish ballot boxes in the manner herein provided, he shall incur a penalty of one hundred dollars in respect of every ballot box which he has failed to furnish in the manner prescribed.

9. At least fourteen days before the day fixed for the nomination of candidates, the returning officer shall provide and cause to be posted up in some conspicuous place in the immediate neighborhood of each polling place a proclamation in form "F" in said schedule to this ordinance, in which proclamation shall be set forth:

a. The time and place at which the nomination is to be held;

b. The place or building to be actually used;

c. The time allowed for the nomination by this ordinance;

d. The date when the polls will be opened at the several polling places, if a poll is required, and the time during which such polls shall remain open;

e. The numbers and names of the places at which the several polls shall be held.

10. Whenever, from unforeseen accident, delay or otherwise, the proclamation cannot be posted up so as to leave the required time between the posting up of the proclamation and the nomination day, or whenever any candidate dies, after being nominated, and before the close of the polls, the returning officer shall fix another day for the nomination of candidates, which day shall be the nearest day conveniently possible after allowing the number of days required by section 9 hereof, between the posting up of the proclamation and nomination day; and in every such case the returning officer shall

proceed as directed in the said section 9, and shall, with his return, make to the clerk of the Territorial Council a special and full report under oath of the causes which occasioned the postponement of the election.

11. At any time before twelve o'clock noon, standard time, of the 19th day of September, 1900, any ten or more electors may nominate a candidate by signing before any credible witness or witnesses, and causing to be filed with the returning officer a nomination paper in form "G" in said schedule to this ordinance; and any vote given at the election for any person other than a candidate so nominated shall be null and void.

2. A nomination paper shall not be valid or be acted upon by the returning officer unless:

a. It is accompanied by an affidavit of some credible witness or witnesses that the persons whose signatures are appended to the nomination paper are severally known to such witness or witnesses and that they are, or will be to the best of his knowledge and belief, electors severally entitled to vote at the election under this ordinance.

b. It is accompanied by the consent in writing of the person therein nominated (except when such person is absent from the territory, when such absence shall be stated in the nomination paper); and,

c. A sum of two hundred dollars is deposited in the hands of the returning officer at the time the nomination paper is filed with him.

3. The returning officer shall, the foregoing requirements of this section being complied with, give his receipt for the nomination paper; and the said receipt of the returning officer shall in every case be sufficient evidence of the production of the nomination paper, of the consent of the candidate and of the payment herein mentioned.

4. The returning officer shall accept the sum of money herein before mentioned if it is tendered:

a. In gold coin;

b. In Dominion of Canada notes.

c. In the notes of, or accepted cheque, on any bank chartered by the parliament of Canada which, at the time, is redeeming its notes on demand; or,

d. Partly in one and partly in another or others of the description of money herein mentioned; but he will not be obliged to accept such tender if any part of it consists of other descriptions of money than that herein specified.

5. The sum so deposited by any candidate shall be returned to him in the event of his being elected, or of his obtaining a number of votes at least equal to one half the number of votes polled in favor of the one of the candidates elected, as decided in the final count, who polls the smaller number of votes.

6. If such candidate has not obtained the number of votes in the next preceding sub-section mentioned, the said deposit shall be transmitted by the returning officer to the Comptroller of the Yukon Territory and by him deposited to the credit of the general revenue fund of the territory.

12. The returning officer shall on the 19th day of September, 1900, and at the place in the town of Dawson fixed as aforesaid, proceed to the hustings, which shall be at such a place that all the electors may have free access thereto, and at the hour of eleven of the clock (standard time) in the forenoon, shall proceed to read in an audible voice the nominations which he has received, and from time to time until twelve o'clock of the day (standard time) shall so read further nominations as he receives them.

13. At the hour of twelve o'clock (standard time) the returning officer shall declare the nominations closed and shall announce in an audible voice the names of the several candidates.

14. If, at the close of the hour for receiving nominations, only two candidates remain in nomination the returning officer shall then and there:

a. Declare the said candidates duly elected.

b. Give to each of such candidates or any agent of either of such candidates, if the candidate is not present, a certificate that such candidate has been duly elected;

c. Forward to the clerk of the territorial Council a certificate in writing declaring such candidates duly elected; and all ballot boxes, poll books and other books, forms, materials and things sent to him to be used in the election and which have not been used.

15. If at the close of the hour for receiving nominations more than two candidates remain in nomination, the returning officer shall announce the day upon which a poll will be held, and the day, hour and place at which the ballots will be counted, which must not be more than fourteen days after the polling.

16. Any candidate nominated may withdraw at any time after his nomination and before the opening

of the poll by filing with the returning officer a declaration in writing under oath to that effect, signed by himself, and stating that his withdrawal is bona fide, and not for the purpose of assisting or injuring the prospects of election of any other candidate; and any vote cast for a candidate who shall have so withdrawn shall be null and void; and in case after such withdrawal there should remain only two candidates then it shall be the duty of the returning officer to forthwith return as duly elected the two candidates so remaining, and to proceed as directed in section fourteen hereof:

Provided always that if a candidate withdraw at any time after his nomination he shall forfeit the money deposited by him and the returning officer shall transmit the same to the comptroller of the Yukon Territory as provided in section eleven hereof.

17. If a poll is required it shall be held on the 17th day of October, 1900, and shall be opened at nine o'clock in the forenoon, standard time, and kept open until five o'clock in the afternoon, standard time, of the same day, and the votes at the several polling places shall be given between the said hours of that day.

18. Immediately after having granted a poll, the returning officer shall cause to be posted up with all reasonable speed, at all places where the proclamation of the election was posted up, and at least eight days before the day of voting, an election notice setting forth the following information:

a. The names of the several candidates.

b. The day and hours of the day on which votes will be received.

c. The day, hour and place at which the votes will be counted and the return declared.

19. The returning officer shall also cause to be posted up near to the aforesaid election notice copies of form "H" in said schedule of this ordinance containing information to electors.

20. a. Where a poll has been granted the returning officer shall forthwith cause to be printed such a number of ballot papers as will be sufficient for the purposes of the election and the number necessary for each polling place shall be bound or stitched in a book of convenient size and in such manner that the counterfoils shall continue bound or stitched when the ballot papers are detached therefrom.

b. Every ballot paper shall contain the names of the candidates,

arranged alphabetically in the order of their surnames, or if there be two or more candidates with the same surname, of their Christian names, and the ballot papers may be of the form "H" given in said schedule to this ordinance.

21. In addition to the ballot papers hereinbefore referred to, the returning officer shall cause to be printed such a number of other ballot papers—hereinafter called "tendered ballot papers"—to be used in the manner hereinafter directed, as will be sufficient for the purposes of the election.

22. The tendered ballot papers shall be in the same form as the ballot papers hereinbefore referred to, but shall be of a different color; and upon the back of every tendered ballot paper, and upon the face of the counterfoil attached thereto shall be printed the words, "Tendered Ballot Paper."

23. For the purpose of taking the votes at an election, the returning officer shall by writing over his signature appoint a deputy returning officer for each polling place and shall thereby require the deputy returning officer to open and hold the poll in such division at the time and place fixed in the election notice and according to the provisions of this ordinance.

2. Every deputy returning officer shall, before acting as such, take and subscribe before the returning officer, or any person authorized to administer oaths within the territory, the oath in form "J" in said schedule to this ordinance.

3. The returning officer shall, upon request, furnish each candidate, or his agent, with a list of the deputy returning officers throughout the territory.

24. The returning officer shall cause to be supplied to each deputy returning officer, at least one day before polling day, the books, ballots, ballot boxes, pencils, and other material necessary under this ordinance to the taking of a poll and shall take the receipt of the deputy returning officer therefor.

2. The articles above mentioned may be sent by special messenger who shall act for the returning officer and for whose actions the returning officer shall be responsible, as though said action were performed by himself.

3. In case any of the copies of proclamation, notices, statements, or other forms or articles (such as poll books, ballots, ballot boxes, envelopes, pencils, or other materials required under the provisions of this ordinance) are not available, or are

likely not to be available for use at the time and place required by this ordinance, it shall be the duty of the returning officer, election clerk, deputy returning officer or poll clerk (as the case may be) to provide such copy of the necessary proclamations, notices, statements or other form or articles, (such as poll books, ballot boxes, ballots, envelopes, pencils or other material) as may be required at the time and place in which he is required to act under the provisions of this ordinance, as nearly as may be according to the directions given in this ordinance.

25. The deputy returning officer shall, before the hour for opening the polls on the election day, appoint, over his signature, a poll clerk to assist him in taking the votes, or to act in his stead if necessary, with all the powers and liabilities of the deputy returning officer, who, before acting as such, shall take the oath in form "K" in said schedule to this ordinance before the deputy returning officer, the returning officer, or any person authorized to administer oaths within the territory.

2. Each deputy returning officer and poll clerk appointed under this ordinance shall be a constable during the day of polling.

26. The deputy returning officer shall prepare a polling place suitable for the purposes of this ordinance within the building mentioned in the proclamation of the returning officer, if that is practicable, and if not, then as nearly thereto as may be; and shall truly inform any elector, inquiring of him, the locality of such polling place.

27. The deputy returning officer, or his poll clerk, shall, within five minutes before the time appointed for opening the poll, publicly and audibly announce the time of day and shall show the ballot box to the candidates, their agents or scrutineers, or, in their absence, to any electors present who may claim to act for any of the candidates, so that they may see that it is empty; and he shall then in their presence lock the box and place his seal upon it in such a manner as to prevent its being opened without breaking the seal; and shall allow the persons permitted hereunder to remain in the outer room of the polling place to affix their seals; and he shall then place the box in view of all those present and shall keep it locked and sealed.

2. After locking and sealing the ballot box, he shall then, in presence of the candidates, their agents

or scrutineers, or in their absence, in presence of any electors present, who may claim to act for any of the candidates, enter in the poll book any objections made to the hour of opening, or to the place of polling, or to the arrangements of the polling place, demanded to be entered either by a candidate, or his agent, or by any elector.

28. The polling place shall have an outer room suitable for the accommodation of the persons or things required for taking the vote under this ordinance, and, opening therefrom, an inner room in which the voter may mark his ballot, screened from all observation.

Provided, that where it is difficult or impossible to secure two rooms, as required, a single room divided by a screen or curtain, so that the interior of the two parts shall be completely hidden from each other, shall be sufficient.

29. In the outer room shall be kept the poll book and ballot box.

2. The poll book shall be open to inspection on demand, by any candidate, agent, or scrutineer, for a reasonable time, for the purpose of checking an entry.

3. The ballot box shall be kept in a conspicuous position during the voting so that the scrutineers may see the ballots as they are dropped in; and it shall not, during such voting, be touched by any person, except the deputy returning officer, or poll clerk acting for him, and only touched by him in such manner that the candidates, their scrutineers or agents, can observe it if present.

30. Except as hereinafter provided, no person shall have access to the inner room but the voter who is engaged in marking his ballot.

31. In the said inner room of the polling place there shall be a table suitable for use in marking ballots; there shall be posted on the walls a copy of the information to electors provided in form "H" in said schedule to this ordinance, and a copy of the election notice provided in section 18 of this ordinance.

32. Every candidate shall be entitled to be represented at each polling place by an agent who shall produce to the deputy returning officer his appointment as agent signed by the candidate, or in case of his absence from the territory, by two of the electors nominating such candidate, which shall be filed by the deputy returning officer.

2. The agent so appointed shall have the right to appoint, over his signature, one or more, but not ex-

ceeding two, scrutineers on behalf of his principal.

33. In addition to the deputy returning officer and his poll clerk, each candidate, his agent and one of his scrutineers, or in the absence of the agent, the two scrutineers, an interpreter, if one is required, during the time for which his services are required and no longer, a peace officer, if his services are required, and not otherwise, and the voter actually engaged in voting, and no others, shall be permitted to remain in the outer room of the polling place.

34. An elector may vote at any polling place; but no elector shall vote at more than one polling place.

35. When a person claiming to be entitled to vote, presents himself for the purpose of voting, the deputy returning officer shall, without unnecessary delay, cause him to be admitted to the outer room of the polling place, and shall, further, proceed as follows:

1. He shall ask from the person desirous of voting:

a. His full name.

b. His occupation.

c. His place of residence; and shall,

2. Cause the answers, which must be made in a voice audible to the scrutineers in the polling place, unless the person be dumb, to be entered in their proper places in the poll book, which shall be kept in form "L" in said schedule to this ordinance.

3. The name of each voter or person tendering a vote shall be numbered consecutively.

36. Every voter shall, before receiving a ballot paper, take and subscribe the oath of qualification set forth in form "M" in said schedule to this ordinance.

37. The deputy returning officer shall also, on the request of a scrutineer, or person acting as such, require any person tendering a vote to take and subscribe the oath contained in form "N" in said schedule to this ordinance after it has been read to him in an audible voice.

38. All oaths taken and subscribed under sections 35 and 36 shall be filed by the deputy returning officer, who is hereby authorized to administer the same.

39. If a person who desires to vote refuses or fails to take and subscribe either of the oaths aforesaid when required to do so, the poll clerk shall write after the entry of his name and place of residence in the poll book, the words, "Refused oath Form 'M'"

—designating the oath refused by him—and the name of the person at whose request he was required to take such oath, and the person so refusing or failing to take such oath shall at once leave the polling place and not enter it again, and shall not be allowed to vote at that polling place.

40. If the person required to subscribe is unable to sign his name, he shall make his mark which shall be certified by the signature of the deputy returning officer.

41. If the person desiring to vote is unable to understand the English language, or to swear to the oath form "M" in the schedule hereto, the deputy returning officer shall enter a remark to that effect opposite his name in the poll book, and shall allow him to retire from the polling place until a competent interpreter can be procured, who shall, after taking the oath provided in form "T" in said schedule to this ordinance before the deputy returning officer, interpret the proceedings to each voter in whose case he is employed.

2. When an interpreter is employed, his name shall be entered in the poll book with the particulars of the case in which he acted, and any objections that may be made by any of the scrutineers or persons acting as such.

42. Where the proper entries respecting the person so claiming to vote have been made in the poll book in the manner prescribed, the deputy returning officer shall sign his name or initials upon the back of the ballot paper and upon the counterfoil; and he shall not put upon the said ballot paper any figure or mark other than his name or initials.

2. The deputy returning officer shall, if required by any candidate present or his agent, exhibit the name or initials signed by such deputy returning officer upon the back of the ballot paper before handing the ballot paper to the voter.

3. Any person desiring to vote may decline to receive a ballot paper which has not the name or initials of the deputy returning officer signed upon it.

d. The ballot paper shall be detached from the counterfoil and delivered to such person.

43. The counterfoil shall be retained in the book by the deputy returning officer, who shall write or otherwise mark upon the counterfoil the number prefixed to the name of such person in the poll book.

44. The deputy returning officer

may, and upon request shall, either personally or through his clerk, explain to the person offering to vote as concisely as possible the mode of voting.

45. Upon receiving from the deputy returning officer the ballot paper so prepared as aforesaid, the person receiving same shall, forthwith, proceed into the compartments provided for the purpose, and shall then and therein mark his ballot paper in the manner mentioned in form "H" in said schedule to this ordinance, by placing a cross "X" on the right hand side opposite the name of the candidate or candidates not exceeding two for whom he desires to vote, or at any other place within the division which contains the name of such candidate or candidates; and he shall then fold the ballot paper across so as to conceal the names of the candidates and the mark or marks upon the face of such paper and so as to expose the initials of the deputy returning officer, and leaving the compartment shall, without delay, and without showing the front to anyone, or so displaying the ballot paper as to make known to any person the name of the candidate or candidates for or against whom he has marked his vote, deliver the ballot paper so folded to the deputy returning officer, who shall, without unfolding the same, or in any way disclosing the names of the candidates or the mark or marks made by the elector, verify his own initials and at once deposit the same in the ballot box in the presence of all persons entitled to be present, and then present in the polling place; and the voter shall forthwith leave the polling place.

46. While the voter is in a balloting compartment for the purpose of marking his ballot paper, no other person shall be allowed to enter the compartment or to be in any position from which he can observe the mode in which the voter marks his ballot paper.

47. No person who has received a ballot paper or tendered ballot paper from the deputy returning officer shall take the same out of the polling place; and any person having so received a ballot paper or tendered ballot paper, who leaves the polling place without first delivering the same to the deputy returning officer in the manner prescribed, shall thereby forfeit his right to vote, and the deputy returning officer shall make an entry in the poll book in the column for remarks to the effect that such person received a ballot paper but

took the same out of the polling place or returned the same declining to vote, as the case may be, and in the latter case the deputy returning officer shall immediately write the word "Declined" on the ballot paper and shall preserve it to be returned to the returning officer.

48. If a person representing himself to be a particular elector applies for a ballot paper after another person has voted as such elector the applicant shall, upon duly taking the oath authorized by law to be administered to voters at the time of polling, be entitled to mark a tendered ballot paper; the tendered ballot paper shall be given to the deputy returning officer and shall be placed by him in an envelope which shall be securely sealed, and upon the envelope he shall make an endorsement indicating the election at which, and the polling place in which the same is used and the deputy returning officer shall then deposit the envelope in the ballot box; and the vote upon the tendered ballot paper shall not be counted by the deputy returning officer; and the name and number on the poll book aforesaid of such person shall be endorsed upon the counterfoil by the deputy returning officer, and the deputy returning officer shall, in the proper schedule in the poll book, enter the name of such person and his number aforesaid, or cause the same to be so entered.

49. When a person voting has taken and subscribed the oath in form "M" in the schedule of this ordinance the deputy returning officer shall, if so requested by any person acting as scrutineer of any candidate, serve such person with a notice in the form "O" in said schedule of this ordinance, to appear at a time and place to be named in the notice to answer to a charge of having voted contrary to the provisions of this ordinance; and shall give such notice to the person or persons so requiring such notice to be served.

2. The said notice may be given on behalf of one or more candidates.

3. The time appointed in such notice for such appearance shall not be less than two days after the polling day.

4. After serving the notice provided in the preceding subsections, the deputy returning officer shall:

- a. Receive the ballot of the person desiring to vote;
- b. Place it in an envelope;
- c. Securely seal the envelope;
- d. Write upon it the name and

place of residence of the person and his number as it appears in the poll book, the name and number of the polling place and his own name in full; and shall then

e. Deposit it in the ballot box.

5. The poll clerk shall enter in the poll book (in the next line below the particulars hereinbefore provided regarding the voter) a statement of:—

a. His having been served with such notice;

b. The name of the person or persons at whose request the notice was served;

c. The name of the candidate or candidates on whose behalf he or they were acting; and

d. The place, day and hour when the person is required to appear.

50. In case of an application by a person claiming to be entitled to vote who is incapacitated by blindness or other physical cause, or by inability to read, from marking his ballot paper, the deputy returning officer shall in the plain view of the candidates or their agents or scrutineers (if present) cause the vote of such person to be marked on a ballot paper for the candidate or candidates directed by such person and shall cause the ballot paper to be placed in the ballot box; and shall make a statement of the fact including the name of the candidate or candidates for whom the vote was cast opposite the voter's name on the poll book.

51. A person claiming to be entitled to vote who has inadvertently dealt with his ballot paper in such a way that it cannot conveniently be used as a ballot paper on delivering to the deputy returning officer the ballot paper so inadvertently dealt with and proving the fact of the inadvertence to the satisfaction of the deputy returning officer shall be given another ballot paper in the place of the ballot paper so delivered up; and the deputy returning officer shall retain the spoiled ballot paper to be returned to the returning officer.

52. At the hour of five o'clock in the afternoon (standard time) the deputy returning officer shall declare the poll closed and shall not allow any more votes to be polled, except the vote of the person who may be in some part of the act of voting at that hour.

2. Immediately after the last ballot, as above provided has been placed in the ballot box the deputy returning officer shall fill up and securely seal the opening in the lid of the box through which the ballots were inserted.

53. Immediately after the

closing of the poll the deputy returning officer shall enter in a book a certificate that his entries in the poll book are correct and shall also enter any objections that the candidates or their agents or scrutineers may desire to have entered as to the conduct of the poll or as to its hour of closing.

2. The deputy returning officer shall then open the ballot box and examine the ballot papers to ascertain if they are the ballot papers which he supplied, and such examination shall be made and completed before opening any of the ballot papers. If the number of ballot papers in the box exceeds the number of persons who voted, he shall, without opening the ballot papers, examine the backs thereof, so far as may be necessary to see his name or initials, and shall reject any papers not having thereon his name or initials. After such examination is completed to the extent necessary, he shall proceed to examine the ballot papers, or the ballot papers not rejected as the case may be, in order to count up the votes given for each candidate.

3. Every ballot paper which has not been supplied by the deputy returning officer or on which votes are given to more than two candidates or on which anything in addition to the initials or name of the deputy returning officer on the back is written or marked, by which the voter can be identified, shall be void and shall not be counted.

4. The deputy returning officer shall make a note in the poll book of any objection made by a candidate, or by his agent, or by any elector present, to any ballot paper found in the ballot box, and shall decide any question arising out of the objection, and the decision of the deputy returning officer shall be final, subject only to reversal on a recount or on petition questioning the election or return.

5. Every objection to a ballot paper shall be numbered and a corresponding number shall be placed on the back of the ballot paper, and shall be initialed by the deputy returning officer.

6. The deputy returning officer shall endorse "Rejected" on every ballot paper which he may reject as invalid, and shall endorse "Rejection objected to" if any objection be made to his decision.

7. The deputy returning officer shall then count up the votes given for each candidate upon the ballot papers not rejected, and make up a written statement as set out in form "L," in said schedule to this

ordinance, of the number of votes given to each candidate and of the number of ballot papers rejected and not counted by him, and the number of those rejected shall be entered in said poll book under the several heads following:

a. Number of papers rejected as wanting signature or initial of the deputy returning officer;

b. Number of papers rejected as voting for more than two candidates;

c. Number of papers rejected as having a writing or mark by which voters could be identified.

d. Number of papers rejected as unmarked or void for uncertainty;

And the said statement shall also show the total number of persons who have voted at such polling place, and shall forthwith be signed by the deputy returning officer and poll clerk and such of the candidates or their agents as may be present and desire to sign it.

54. No more than two agents or scrutineers for a candidate shall be entitled to be present at the same time at the counting of the votes.

55. Every deputy returning officer shall, at the close of the poll certify over his signature in the poll book in full words, as indicated in form "L" aforesaid, the total number of persons who have voted at the polling place at which he has been appointed to preside.

56. At the close of the poll the deputy returning officer on being requested to do so, shall deliver to each of the candidates, or their agents, or in the absence of the candidates or agents, to the electors present representing the candidates, respectively, a certificate of the number of votes given for each candidate, and of the number of rejected ballot papers, and he shall also forthwith make out the ballot paper account in the form required by section 59 of this ordinance.

57. 1. Every deputy returning officer, at the completion of the counting of votes, after the close of the poll, shall, in the presence of the agents of the candidates make up into separate packets, sealed with his own seal, and the seals of such agents of the candidates as desire to affix their seals and marked upon the outside with the proper letter of the alphabet and a short statement of the contents of the packet, as in this section mentioned, the date of the day of the election, the name of the deputy returning officer, and the name and number of the polling place:

a. The used ballot papers which have not been objected to and have been counted.

b. The ballot papers which have been objected to but which have been counted;

c. The rejected ballot papers;

d. The unused ballot papers and the counterfoils of the ballot papers;

e. The spoiled ballot papers;

f. The tendered ballot papers;

g. The ballot papers given to voters who afterwards returned the same declining to vote.

2. After all the oaths have been taken and subscribed and all the entries made in the poll book as by this ordinance required, the deputy returning officer shall in the presence of the candidates or their agents enclose the said poll book in a separate packet and write thereon the words "Poll Book," and also the date of the election, the name of the deputy returning officer and the name and number of the polling place.

58. The deputy returning officer shall forthwith deliver the packets personally to the returning officer; and if he be unable to do so, owing to illness or other cause, he shall deliver the packets to a person chosen by him for the purpose of delivering the same to the returning officer; and shall mention on the outside of the cover of each of the packets the name of the person to whom the same had been so delivered, and shall take a proper receipt therefor, and the person so chosen shall, after having delivered the said packet to such returning officer, make oath before him to the effect of form "Q" in said schedule hereto.

59. The poll book shall contain a statement made by the deputy returning officer showing the number of ballot papers entrusted to him, and accounting for them under the heads of (1) counted; (2) rejected; (3) unused; (4) spoiled; (5) tendered ballot papers; (6) ballot papers given to voters who afterwards returned the same declining to vote; and (7) ballot papers taken from the polling place; which statement shall be made in form "R" in said schedule to this ordinance, and in this ordinance referred to as the "Ballot paper account."

60. No returning officer or deputy returning officer shall grant, make or enter into a scrutiny of the votes given at an election.

61. At the time and place mentioned in the notice served upon any voter as provided in section 49 of this ordinance (which time shall be as soon as may be, and the place the building used as polling place, or other building as near thereto as

may be) the deputy returning officer sitting with a Justice of the Peace shall hear and dispose of any objections to the right of any vote of which notice was given during the polling day, as provided in section 49.

2. The deputy returning officer sitting with such Justice of the Peace as above provided shall constitute a Court of Revision within the meaning of this ordinance.

62. The Court of Revision shall, for the purposes set forth in the preceding section, have all the powers of a Court of Record as to compelling the attendance of witnesses; and their examination, the production of books and documents, and the taking of evidence under oath at any sittings held by it; and such court shall have, generally, for the purposes aforesaid all the powers of any Court of Record in the territory.

63. The Court of Revision or either of the members thereof shall, on the application of any person who is supporting or opposing any objection, complaint or application which is to be considered at the courts or sittings hereinbefore provided for, issue a summons in the form "S" in said schedule to this ordinance, directed to any person required by such applicant as a witness thereat, commanding such person to attend at such court or sittings and also commanding such person to bring any papers or articles in the possession or power of such person as may be required, and to give evidence at such court or sittings relating to any matter connected with any such objection, complaint or application; and, in the event of such person not so attending after being served with such summons and paid or tendered his proper witness fees according to the scale allowed in tariff "A" of said schedule to this ordinance, may, on due proof of the service of the summons and of the payment or tender of the proper witness fees and on receiving from the person causing the witness to be summoned the fees for committing and conveying such witness to prison, commit such witness to the common jail or other lawful place of imprisonment for a term not exceeding one month; and the fees for such commitment and conveyance shall be the same as when a person is committed to prison under a summary conviction.

2. Before any summons is issued requiring the attendance of a witness at the court of revision the person desiring the attendance of such person shall furnish the dep-

uty returning officer with such sum of money as will be sufficient to pay the fees of the said witness as provided in the said tariff.

X 64. The person whose right to have voted, if the subject of objection, shall not be paid witness fees until the court decides that he had a right to vote; and such witness fees shall be paid to the deputy returning officer at or before the opening of the court of revision by the person or persons at whose request the inquiry is held.

X 65. If the person whose right to vote is the subject of inquiry fails to appear personally or by agent according to the notice received by him on polling day, his vote shall be disallowed and he shall be liable for the costs of all witnesses summoned in respect of his case.

X 66. If at any time the person or persons at whose request the inquiry as to the rightfulness of any vote is being held notifies the deputy returning officer over his or their signatures that he or they wish the inquiry as to such vote to cease or in case the witness fees mentioned in section 63 of this ordinance are not paid to the deputy returning officer as therein provided the inquiry shall cease forthwith and such person or persons shall pay all fees of witnesses summoned by the court of revision and the expenses of summoning such witness up to the time at which he or they gave notice that the inquiry should cease, and such vote shall be allowed.

X 67. Any of the parties to any such inquiry may appear before the court of revision in person or by agent.

X 68. The question to be determined at any inquiry by the court of revision hereby constituted shall be whether any oath taken on polling day under the provisions of this ordinance by the voter whose vote is the subject of the inquiry is false in whole or in part, and if false in part in what respect it is so false.

X 2. If it is proved to the satisfaction of the court that any voter whose vote is the subject of inquiry has taken any such oath which is false in whole or in part the vote of such voter shall be disallowed; but if it be proved to the satisfaction of such court that every such oath so taken by such voter is altogether true such vote shall be allowed.

X 3. The decision of the court shall be rendered in open court, and if the members of the court fail to agree it shall be stated in open court.

X 69. Whenever, by reason of the absence of witnesses or other reasonable cause, it is impossible to hold or to conclude the inquiry on the day stated, in the notice given on polling day, the court of revision shall cause the sitting to be adjourned from day to day until the inquiry is concluded.

Provided that the court, in case the adjournment is asked for on the ground of the absence of material testimony, documentary or otherwise, must be satisfied that the person whose duty it was to procure such testimony had used reasonable diligence to do so.

70. The court shall forthwith, after concluding its labors, make a return of the decisions reached by it on the qualifications of the several voters whose right to vote is the subject of dispute; and if any vote has been disallowed, it shall specify on what ground it has been disallowed; that is, if it has been disallowed on the ground that any oath made by the voter is false, it shall specify in what respect; if on the ground that any such oath is false in part, it shall specify in what particular it is so false; and the court shall forward such return to the returning officer duly certified by both members of the court of revision, together with the poll books and statement pertaining to the election.

2. In case the members of the court of revision fail to agree, the full copy of the evidence certified to by both members of the court shall be forwarded with the return to the returning officer who shall render a decision.

3. As soon as may be after the arrival of the returns and at least one day before he commences to count the ballots, the returning officer shall render his decision regarding any ballot upon which the court of revision has failed to agree; and shall in said decision if he disallows the vote state, as in subsection 1 of this section, on what ground he disallows it.

71. The court of revision, or the returning officer when the decision is made by him, may award costs to or against any party to the application, which costs shall only be for witness fees and expenses of summoning witnesses according to the scale of fees in tariff "A" in the schedule to this ordinance; and the said costs may be levied by the order of the said court or the returning officer, as the case may be, by distress in the same manner as distress is leviable upon a warrant issued on a summary conviction.

72. The expenses of holding the

court of revision shall be charged as a part of the general expenses of the election.

73. As soon as the returning officer has received from any deputy returning officer the papers mentioned in section 69 hereof, he shall on demand permit their examination by the several candidates or their agents, and shall furnish to each candidate or his agent a certified copy of any such document that they may demand.

74. Appeals against the decision of the court of revision, or of the returning officer, rendered under section 70 hereof, may be entered with the returning officer by any candidate or his agent or by any person whose vote has been disallowed at any time up to the hour of commencing the count of the votes by the returning officer; and such appeal shall be entered by notice in writing to the said returning officer;

Provided that no appeal shall be received by the returning officer unless the sum of \$25 is deposited with him as security for the costs of the prosecution of such appeal.

75. The returning officer shall have the custody of the ballot box from the time it leaves the hands of the deputy returning officer, and shall be subject to the penalty provided in section 126 of this ordinance if it is opened by himself or any other person until the day and hour appointed for the counting of the votes, or, in case the court is adjourned under 76 hereof, until the day and hour of such adjournment.

76. The returning officer at the place and on the day and hour mentioned by him in his announcement on nomination day that a count would be held, shall appear and produce the poll books, statement sheets of the deputy returning officers, statements of the court of revision showing the result of the objections made before them to the validity of any votes cast, and the ballot boxes of the several polling places.

2. If all the returns have not been received from the deputy returning officers on the day appointed, or if there is not one clear day between the day of receipt of the last return of the deputy returning officers, or between the date of the latest decision of the returning officer under the provisions of section 70 hereof, and the day appointed for the count, the returning officer may adjourn the count until a future day, and may again from time to time in the like case, adjourn from day to day until such

returns are all in and until a time when one clear day has elapsed between the receipt of the last return of the deputy returning officers, or the last decision of the returning officer under said section 70, whichever may have last happened.

77. The returning officer shall be provided with a suitable book to be called a "record book" in which he shall enter the particulars required by this ordinance to be kept on record.

78. The returning officer, when the day and hour for counting the votes has arrived, whether according to his announcement on nomination day or in pursuance of any adjournment, shall then appear at the place designated and produce the proper books and material specified in section 76 hereof, and shall begin with polling place Number 1 and shall note in this record book the number of ballots shown by the deputy returning officer's report of the polling places to have been cast; and he shall then open the ballot box and count the number of ballots contained therein.

79. If the number is not the same as that mentioned in the return of the deputy returning officer, he shall make a note of that fact.

80. He shall then first count and keep separately those ballots regarding which an appeal has been finally entered, entering the names, numbers and full particulars in his record book.

81. He shall then count and keep separately in a sealed package the ballots which the court of revision has decided were illegally cast, which are not the subject of appeal, making a full record of the same in his record book, and the said ballots, without being removed from their envelopes, shall be retained by the returning officer to be finally dealt with as hereinafter mentioned.

82. He shall then count, without examination, and place in an open vessel the ballots which have been already counted by the deputy returning officer, and shall enter the number in his record book.

83. He shall then count the spoiled ballots and enter the number in his record book; and shall examine them and shall place such as he considers make apparent the intent of the voter, and have been properly initialed by the deputy returning officer, among the ballots already counted by the deputy returning officer and shall enter the number in his record book; and shall keep separately and place in

a securely sealed package those which he considers do not make apparent the intent of the voter, or are not properly initialed, and shall enter the number in his record book.

84. He shall then open the envelope containing the ballot whose validity has been sustained by the court of revision or by himself and against which no appeal has been entered as provided in section 74 of this ordinance; and after opening each such ballot, without examination, and placing it amongst the unobjected ballots, shall enter the facts in full in his record book.

85. The returning officer, after mixing the ballots so that those put in last shall not be distinguishable, shall proceed to open the ballots and count the number cast for each candidate.

86. In case a ballot is so marked that it is difficult or impossible to distinguish for which candidate or candidates it was intended to be counted, it shall be placed with the ballots which do not make apparent the intent of the voter mentioned in section 83 hereof.

87. When all the ballots contained in the ballot box have been counted, the returning officer shall announce the result and shall record the same in his record book; and shall proceed to seal up in separate parcels the counted ballots and the spoiled ballots; and these parcels with the ballots still the subject of appeal shall be returned to the ballot box, which the returning officer shall seal so that it cannot be opened without breaking the seal; and the candidates or their agents shall also be permitted to similarly affix their seals.

88. The returning officer shall then proceed similarly with the ballot box and returns of the second polling place, and so on until all the ballots cast in the territory have been disposed of as hereinbefore provided.

89. The returning officer shall then declare elected the two candidates for whom the largest number of ballots have been counted, and shall deliver to all the candidates or to the agent of any candidate who may be present, if the candidate is not present, a written statement declaring the said candidate duly elected; and such statement shall specify the number of ballots counted for each candidate, the number of spoiled ballots and the number still the subject of appeal.

2. In case of a tie the returning officer shall give a casting vote which shall be entered in his record book.

90. The returning officer shall then:

1. Cause all the ballot boxes, poll books, record books and statements made by voters to be placed in the custody of the clerk of the Territorial Court;

2. Hand over to the said clerk all monies received by him as security for the costs in the prosecution of any appeals against the decisions of the courts of revision or of himself;

3. Notify the said clerk of any appeals that have been entered against any decision of the courts of revision or of himself;

4. Forward to the clerk of the Territorial Council a certificate in writing specifying the names of the two candidates declared by him elected.

5. The candidates so certified as elected shall be deemed to be duly elected until and unless a Judge upon appeal or recount as hereinafter directed shall declare another or other candidates elected.

91. The clerk of the Territorial Court being notified as provided in the last preceding section, shall forthwith, after being so notified, bring such notification before a judge of the court, and such judge shall thereupon appoint a convenient time and place to hear such appeals and direct the clerk to give such notice to the persons interested in such appeals as he may direct and in such manner as he may direct, and the clerk shall give such notice accordingly.

92. The Judge shall sit at the time and place so appointed and hold an inquiry into the validity of the votes cast regarding which appeals have been entered and shall hear such evidence as may be adduced; and may affirm or reverse the decision of the court of revision or of the returning officer, as the case may be, with respect to any such votes; and shall render such judgment with respect to the validity of such votes as such court or returning officer ought to have rendered.

2. The Judge sitting in appeal shall be deemed a court and shall have and exercise all the powers and authorities by this ordinance conferred upon the court of revision.

3. The clerk of the court shall attend at such sittings and shall administer oaths to the witnesses, and otherwise act as clerk of the court.

93. All subpoenas issued for the attendance of witnesses before such Judge sitting in appeal shall be issued by the said clerk under the

seal of the court and shall be deemed to be issued out of such court.

2. Any witness being duly served with any such subpoena and being paid or tendered the fees and conduct money provided in Tariff B, in said schedule to this ordinance, who fails without reasonable excuse to obey the behests of such subpoena shall be deemed to have committed a contempt of the Territorial Court.

3. In case any such contempt is alleged to have been committed application may be made to a judge of the said court sitting in chambers for a writ of attachment against the person alleged to be guilty of such contempt, and such application shall be founded upon such material as chamber applications in such court are usually founded upon; whereupon such judge shall proceed on such application according to the chamber procedure in such court; and if on the return of the chamber summons and hearing the parties and evidence adduced the judge shall be of opinion that a contempt has been committed, he shall order an attachment to issue out of such court against the party offending; and such attachment shall issue accordingly and the party shall be dealt with in the same way that he would be dealt with under and by virtue of any writ of attachment if sued out according to the practice of the court.

4. If the judge is of opinion that no contempt has been committed he shall dismiss the summons with or without costs as he may direct; and any costs that are awarded shall be the same as are awarded by the practice of the court on similar applications.

94. The ballot boxes, poll books, record books, statement of voters and all material or forms used at or in relation to the polling place at which the vote appealed against was cast shall be subject to the order of the judge during the trial of the appeal.

95. The costs to be allowed in the case of such inquiry shall be according to "Tariff B" of said schedule to this ordinance, and shall be taxed by the clerk and shall be chargeable in the first place to the sum placed in the hands of the clerk by the returning officer.

Provided that the judge may instead (if the appeal is sustained) order the costs or a part thereof to be paid by the person whose vote is appealed against.

96. When the sum of \$25 provided for in section 74 hereof has been applied in costs the judge

may from time to time require the deposit by the appellant of a farther sum which shall be fixed by him according to the probable expenses of the case; and if such deposit is not paid before continuing the proceedings the appeal may be dismissed with or without costs as the judge may direct.

2. If at the conclusion of the appeal a part of the sum or sums deposited remains in the clerk's hands after all orders against it have been paid it shall be returned to the person depositing the same.

97. If at any time the appellant notifies the judge over his signature of his desire to withdraw an appeal, the proceedings in that appeal shall forthwith cease; and the balance of the money deposited by the appellant after payment of the costs of the court up to that time shall be returned to him; and if there is not sufficient balance remaining to pay such costs the judge may in his discretion order the appellant to pay the deficiency to such party as he may by his order direct.

98. After the judge has concluded his inquiry as to all the appeals regarding the validity of votes cast which have been brought before him and rendered his decision, unless a recount has been demanded, he shall:

1. Open a ballot box containing ballots which have been the subject of appeal before him and remove such ballots only;

2. Seal up in an envelope the ballots which he has decided were unlawfully cast;

3. Open the envelopes containing the ballots which he has decided were lawfully cast, and taking out the ballots place them together in a vessel without examining them so that they may be mixed together and not distinguishable one from the other;

4. Take such ballots out of such vessel; open them and count the ballots which have been cast for each candidate, rejecting only such as do not make apparent the intent of the voter, which ballots so rejected he shall place in a sealed envelope;

5. Return the ballots which he has counted and the envelopes aforesaid to the ballot box and securely lock and seal the same;

6. Proceed similarly with each of the ballot boxes of the territory containing ballots which have been the subject of appeal;

7. Record the number of ballots the object to which he has sustained, the number cast for each candidate and the number rejected

as not having made apparent the intent of the voter;

8. Add to the total vote received by each candidate according to the return made by the returning officers, the number of appealed ballots which he has decided have been cast for each candidate:

Provided, that if a tie has occurred at the count by the returning officer and the returning officer has given a casting vote, such vote shall not be counted unless a tie occurs again in the count by the judge, in which case the vote of the returning officer shall be counted for the candidate for whom it was cast;

Provided further, that if a tie has not occurred at the count by the returning officer, and does occur at the count by the judge the returning officer shall then forthwith give a casting vote upon being requested to do so by the clerk at the instance of the judge;

9. Declare elected the two candidates who have received the largest number of votes as shown by all the ballots counted by himself and by the returning officer; and

10. Certify in writing to the clerk of the Territorial Council the names of the candidates declared elected by him upon his count of appealed ballots as herein provided; and upon such certificate being given, unless a recount is demanded, such declaration shall be final and conclusive to all intents and purposes, subject to the provisions of "The Controverted Elections Ordinance."

99. Any order made by a judge acting on appeal shall be carried out and may be enforced as if it were an order of the Territorial Court.

100. Upon any candidate or his agent placing in the hands of the returning officer the sum of \$100, with a demand in writing for a recount of the ballots cast in one or more polling divisions, any judge of the territorial court shall, after having disposed of any appeal regarding the validity of ballots that may come before him, on application made to him as hereinafter mentioned, hold a recount.

2. No application for a recount shall be entertained unless such application is accompanied by \$100 as provided in this section, and is made within fifteen days after the declaration of election by the returning officer if the appeals have been made from the decision of the court of revision or returning officer to the judge; and if any such appeals have been made then within thirty days after the judge

has given his decision regarding such appeals.

3. The money deposited with a demand for a recount shall be disposed of by order of the judge in defraying the necessary expenses of holding the recount; and the remainder, if any, shall be returned to the person who deposited it.

4. The ballot boxes, poll books, books of record and other materials or forms used at the polling place, respecting which the demand for a recount has been made, shall be subject to the order of the judge during such recount.

101. Upon the party demanding a recount, or any person on his behalf, satisfying the judge by affidavit, verifying the demand, that a demand for a recount has been served on the returning officer as hereinbefore provided, and that the sum of \$100 has been deposited with such returning officer, as provided in the last section, the judge shall sign an appointment fixing a time and place at which such recount shall be held, and shall, in such appointment, direct upon whom and in what manner such appointment shall be served.

102. The judge shall attend at the time and place so appointed and upon being satisfied by affidavit that his appointment has been duly served upon the persons directed by him to be served therein he shall proceed with such recount.

Provided, however, that it may be open to any candidate or agent to show by evidence, either viva voce or upon affidavit, as the judge may direct, that the demand for a recount was not made, or the sum of money was not deposited with the returning officer as provided by section 100 hereof, or was not deposited within the time thereby prescribed; and upon the judge being satisfied that such demand was not so made, or that such money was not so deposited, he shall so find; and shall file with the said returning officer a written finding to that effect signed by him; and thereupon the said recount shall be abandoned.

103. In case the judge proceeds with the recount he shall, in the presence of such of the candidates or their agents appointed as such in writing as may be present, open one of the ballot boxes regarding which a recount has been demanded and shall count the number of ballots contained therein; and shall note the number in a book and shall place the ballots in an open vessel.

104. The judge shall then proceed

to examine and count the ballots for the several candidates as it shall appear to him to have been the intent of the several voters marking the ballots rejecting only those by which the voter has not made his intent apparent, or which have not been properly initialed.

105. The judge shall enter in a suitable book the number of the polling places and the particulars regarding the ballots examined as required by section 107 of this ordinance, and shall then return the ballots to the ballot box from which they were taken; and securely lock and seal the same; and shall cause it to be returned to the custody of the clerk of the territorial court.

106. He shall then proceed similarly with each of the other ballot boxes regarding which a recount has been demanded.

107. If the judge in making a recount of the votes cast in any polling place finds:

a. A difference between the number of ballots counted and the number of votes cast; or

b. That one or more ballots have been defaced or improperly initialed; or

c. That one or more of the ballots counted have been cast by a person who had not the right to vote according to the provisions of this ordinance as decided by the court of revision or by the returning officer, or on appeal therefrom; or

d. Finds from the records contained in the poll book of the polling place or in the record book of the returning officer in respect of such polling place and on such evidence in respect thereof as may be received by him under oath that the conduct of the poll was not in accordance with the provisions of this ordinance and was such as to prevent a full and fair vote of the voters of the polling place, he may refuse to include the votes cast at that polling place in his final statement, and may declare the poll held in such polling place to be invalid.

108. The judge may receive evidence on oath regarding any of the matters mentioned in the preceding section and may in writing over his hand direct the clerk of the court to issue subpoenas out of the Territorial Court for the attendance of such witnesses and the production of such papers as he may direct, and at such time and place as he may direct; and such subpoenas shall be issued by such clerk according to such direction; and any such witness served with any such subpoena and upon being paid or tendered with the same fees and conduct money as are payable to a witness

in a civil case pending in the said court who fails to obey the behests of such subpoena without reasonable excuse shall be deemed guilty of a contempt of said court, and shall be liable to be proceeded against in the same manner with the same consequences as provided in subsections 3 and 4 of section 93 hereof.

109. If the judge decides that a poll held in any polling place was invalid as provided in section 107 of this ordinance, he shall forthwith notify the clerk of the Territorial Council to that effect.

110. Upon notice being received as above provided that the poll held in any polling place was invalid the clerk of the Territorial Council shall forthwith notify the returning officer, who shall order another poll to be held in the said polling place on such day as he may appoint, and such poll shall be held accordingly; but not less than ten days, or more than twenty days shall elapse between the posting of the notices directed by section 18 of this ordinance and the day of polling.

111. The Sheriff shall be the returning officer for the election to be held in such polling place.

112. The provisions of this ordinance, from the beginning of section 18 to the end of the ordinance, shall, mutatis mutandis, and in so far as they are applicable, apply to a vote held in any polling place under the provisions of section 110 hereof;

2. At any such election no person shall be entitled to vote who did not present himself to vote at the first polling under the ordinance, and unless he is duly qualified to vote.

113. The costs of the recount and subsequent proceedings beyond the amount of the deposit required by section 100 of this ordinance shall be charged to the general expenses of the election, according to such regulation as to fees and otherwise as may be prescribed from time to time by the Commissioner in Council.

114. The recount shall not be deemed to have closed, and the statement provided for in section 115 of this ordinance shall not be made until the election proceedings, as provided in sections 110, 111 and 112 hereof, have been completed.

115. The judge shall prepare a statement showing:

a. The total number of ballots which the return of the returning officer and the records of the count of appealed ballots, if such has been

held, showed should be counted in the several classes in which they are comprised;

b. The number of ballots actually counted by him;

c. The number rejected; and

d. The number counted for each candidate;

with a declaration of the election of the two candidates receiving the largest number of the votes cast which candidate shall forthwith be held duly elected; and such judge shall thereupon certify in writing to the clerk of the Territorial Council the names of the candidates declared elected by him on such recount; and upon certificate being given such declaration shall be final and conclusive to all intents and purposes, subject to the provisions of the "Controverted Elections Ordinance."

2. In case a candidate declared elected by the judge is other than the one declared elected by the returning officer no penalty or damages shall be incurred by the person at first declared elected by reason of any act done by him as duly elected representative.

3. The casting vote of the returning officer, if he has given one, shall not be counted by the judge in such recount unless there shall be a tie on the said recount, in which case the casting vote of the returning officer shall be counted as having been cast for the candidate for whom it was cast the first time he cast it.

4. If the returning officer has not given a casting vote and the recount of the judge results in a tie, the returning officer shall forthwith on the written request of the judge give a casting vote.

116. No candidate shall be permitted to resign after the close of the polling until the question as to which candidate has been elected has been finally determined by virtue of the provision of this ordinance.

117. When all proceedings in any way affecting the election, including proceedings under the "Controverted Elections Ordinance," if any, are concluded, the territorial court to whom the ballot boxes, poll books, record books and statements made by voters were delivered under the provisions of section 90 hereof, shall thereupon open the ballot boxes and destroy the ballots therein with fire.

118. The clerk of the Territorial Council shall, as soon as he can conveniently do so, give public notice of the names of the candidates elected.

119. Except as hereinbefore pro-

vided, the fees in Tariff C in said schedule to this ordinance, mentioned in respect of the several matters therein contained and no others shall be allowed to the several officers and persons therein mentioned respectively, for the services and disbursements in the said schedule mentioned.

120. Anything to the contrary in this ordinance notwithstanding, the Commissioner in Council may direct the payment out of the general revenue fund of such sums, over and above the allowance authorized by the two next preceding sections of this ordinance, as may be required to pay the expenses reasonably incurred by any person for services rendered under this ordinance and also reasonable fees and allowances for any extraordinary service rendered by any person thereunder.

121. No person shall directly or indirectly by himself or by any other person on his behalf, do or commit any of the following acts:

1. Give, lend, or agree to give or lend, or offer or promise any money or valuable security, or promise to procure or endeavor to procure any money or valuable consideration to or for any voter or to or for any other person in order to induce any voter to vote or refrain from voting at any election.

2. Give or procure or agree to give or procure, or offer or promise any office place or employment or promise to procure or endeavour to procure any office, place or employment to or for any voter or to or for any other person in order to induce any voter to vote or refrain from voting at any election.

3. Make any gift, loan, offer, promise, procurement or agreement as aforesaid to or for any person in order to induce such person to procure or endeavour to procure the return of any person as a member of the Territorial Council or the vote of any voter at any election.

4. Advance or pay or cause to be advanced or paid any money to or for the use of any other person with the intent that such money or any part thereof shall be expended for any of the purposes mentioned in the preceding parts of this section or knowingly pay or cause to be paid any money to any person in discharge or repayment of any money wholly or in part expended for any of the said purposes.

5. Make use of or threaten to make use of any force, violence or restraint, or inflict or threaten the infliction by himself or by or through any other person of any injury, damage, harm or loss, or in

any manner practice intimidation upon or against any person in order to induce or compel such person to vote or refrain from voting, or on account of such person having voted or refrained from voting at any election or by abduction, duress or by any fraudulent device or contrivance impede, prevent or otherwise interfere with the free exercise of the franchise of any voter or thereby compel, induce or prevail upon any voter either to give or refrain from giving his vote at any election.

2. Any person convicted of a breach of this section shall be liable to a penalty not exceeding \$500.00.

122. No candidate shall, by himself, or by or with any other person, or by any other ways or means on his behalf at any time, either before or during election, directly or indirectly, give or provide or cause to be given or provided, or be accessory to the giving or providing, or pay wholly or in part any expense incurred for any meat, drink, refreshment, or provision to or for any person in order to be elected, or for being elected, or for the purpose of influencing such person, or any other person, to give or refrain from giving his vote at such election; and any such candidate convicted of contravening this section shall be liable to a penalty not exceeding \$500.00.

123. No candidate shall, nor shall any person on his behalf hire, promise to pay or pay for any horse, team, carriage, or other vehicle to convey any voter or voters to or from the poll, or to or from the neighborhood thereof at any election, or pay or promise to pay the traveling or other expenses of any voter in going to or returning from any election, and any person convicted of contravening this section shall be liable to a penalty not exceeding \$500.00.

124. If any court, judge, or other tribunal sitting or holding an inquiry under "The Controverted Elections Ordinance" reports to the clerk of the territorial council that any candidate at an election has by himself or by his agent, whether with or without the actual knowledge and consent of such candidate committed any act in contravention of sections 120, 121, 122 of this ordinance the election of such candidate, if he has been elected, shall be an undue election and shall be void and shall be set aside and a new election shall take place to fill the vacancy so created, unless such court, judge, or other tribunal certifies under section 21 of said ordinance that another can-

candidate was duly elected at such election in the stead of the candidate whose election is so voided.

125. No person shall, before or during any election, directly or indirectly, himself or by any other person on his behalf, do or commit any of the following acts:

1. Receive, agree, contract or ask for any money, gift, loan or valuable consideration, office, place or employment for himself or any other person for voting or agreeing to vote or for refraining or agreeing to refrain from voting at any election;

2. Receive or ask for any money or valuable consideration for having voted or refrained from voting or for having induced any other person to vote or refrain from voting at any election;

3. Hire or offer for hire any horse, team, carriage or other vehicle to any candidate or to any agent of any candidate for the purpose of conveying any voter or voters to or from the polling place or to or from the neighborhood thereof;

2. Any person convicted of a breach of this section shall be liable to a penalty not exceeding \$500.

126. Any person appointed as returning officer, election clerk, deputy returning officer or poll clerk who wilfully fails to carry out any of the duties imposed upon him by this ordinance, or who wilfully contravenes any of its provisions shall be liable to a fine not exceeding \$500 and costs or to imprisonment for a term not exceeding one year, or both.

2. If any person fails to return to the deputy returning officer the ballot paper handed to him by the deputy returning officer, as provided in section 45 or hands to the deputy returning officer any paper other than the ballot paper as provided in the said section or by any means places or causes to be placed in the ballot box any ballot paper other than as provided in the said section or by any means takes or causes to be taken from a ballot box any ballot paper except as directed under the provisions of this ordinance or defaces or destroys any ballot paper after its having been initialed or stamped by the deputy returning officer except as provided in section 51 hereof shall be liable to the penalty provided in the first part of this section.

127. Unless in this ordinance otherwise provided any other person than those mentioned in the preceding section who wilfully contravenes any of the provisions of this ordinance or attempts in any

way to hinder its provisions from being carried out, shall be liable to a fine not exceeding \$500 and costs or to imprisonment for a term not exceeding three months, or both.

128. If the number of ballots found in the ballot box at any polling place at the count by the deputy returning officer is not the same as the number shown by the poll book of that polling place to have been cast, the deputy returning officer or poll clerk shall, if such discrepancy is due to either of them, each be liable to a fine of \$100 and costs or to imprisonment for a term not exceeding three months, or both.

129. Any person who attempts to violate the secrecy of the ballot by marking a ballot in a peculiar manner or by showing it to anyone after it has been marked, or instigating any voter to peculiarly mark or to show his marked ballot shall be liable to a fine not exceeding \$500 and costs or to imprisonment for a term not exceeding three months, or both.

130. Everyone who at an election under this ordinance does any of the following acts, that is to say:

a. Applies to vote in the name of some other person, whether such name is that of a person living or dead or of a fictitious person; or

b. Having voted once at any such election, applies again to vote at the same election in his own name, is guilty of an offense and liable to a penalty not exceeding \$500 and costs or imprisonment for a term not exceeding six months, or both.

131. Penalties under this ordinance may be recovered on summary conviction before two Justices of the Peace.

132. "The Controverted Elections Ordinance," being chapter 4 of the Consolidated Ordinances of the Northwest Territories, 1898, is hereby declared to be and shall be deemed to be, mutatis mutandis, in force in the Yukon Territory and to apply in the election under this ordinance.

133. On polling day no intoxicating liquor shall be sold before the hour of six o'clock in the evening, and any person contravening the provision of this section shall be subject to a fine not exceeding \$500 00, with costs, or to imprisonment for a term not exceeding six months, or to both.

134. The provisions of the schedule hereto shall be read as part of this ordinance.

Schedules.

FORM A.

Oath of Returning Officer—Sec. 3.

I, the undersigned, returning officer for the Yukon Territory, solemnly swear that I will act faithfully in that capacity without partiality, fear, favor or affection. So help me God.

Returning Officer.

Sworn before me at Dawson, in the Yukon Territory, this — day of —, A.D., 19—

Signature of officer administering oath.

FORM B.

Certificate of Returning Officer having taken oath of office—Sec. 3.

I, the undersigned hereby certify that on the . . . day of the month of . . . , 19—, . . . , the returning officer for the Yukon Territory, took and subscribed before me the oath of office in such case required of a returning officer by section 3 of Ordinance No. . . . of 1900.

In testimony whereof I have delivered to him this certificate.

Signature of officer administering oath.

FORM C.

Commission of Election Clerk—Sec. 4.

To (set forth his legal addition and residence.

Know you that in my capacity of returning officer for the Yukon Territory I have appointed and do hereby appoint you to be my election clerk to act in that capacity according to law at the election for the said Yukon Territory, to be holden under Ordinance No. . . . of 1900.

Given under my hand this . . . day of . . . in the year

Returning Officer.

FORM D.

Oath of Election Clerk—Sec. 6.

I, the undersigned appointed election clerk for the Yukon Territory, solemnly swear that I will act faithfully in my said capacity as election clerk and also in that of returning officer, if required to act as such, according to law, without partiality, fear, favor or affection. So help me God.

Election Clerk.

Sworn before me at
 in the Yukon Territory, }
 this day of }
 A.D. 19..

Signature of officer administering oath.

FORM E.

Certificate of Election Clerk having taken the oath of officer—Sec. 6.

I, the undersigned, hereby certify that on the day of, election clerk for the Yukon Territory, took and subscribed before me the oath of office required in such case of an election clerk, by section 6 of ordinance No. of 1900.

In witness whereof I have delivered to him this certificate under my hand.

Returning Officer.
 Or signature of any other officer administering oath.

FORM F.

Proclamation of Returning Officer—Sec. 9.

PROCLAMATION.

Yukon Territory,
 To wit:

Public notice is hereby given to the electors of the Yukon Territory aforesaid that in obedience to ordinance No. of 1900, I require the presence of said electors at.....—here describe with reasonable certainty the building or place where nomination is to take place—in the town of Dawson in said Yukon Territory on the 19th day of the month of September, 1900, from eleven o'clock in the forenoon until twelve o'clock noon for the purpose of nominating two persons to represent them in the Territorial Council of said Yukon Territory; and that in case more than two candidates remain in nomination the poll will be opened and held on the 17th day of the month of October, 1900, from the hour of nine o'clock in the forenoon until the hour of five o'clock in the afternoon, in each of the following polling places, that is to say:

Polling place No. 1—.....—at.....—clearly describe the polling station—

And so continue for all the other polling places in the Yukon Territory.

Of which all persons are hereby required to take notice and govern themselves accordingly.

Returning Officer.

FORM G.

Nomination paper—Sec 11.

We, the undersigned, electors of the Yukon Territory, nominate—name residence and addition of the person nominated and present location, if absent from the Yukon Territory—as a candidate at the election now about to be held of two members to represent the said territory in the Yukon Territorial Council. —If the persons nominated are absent from the Yukon Territory it must be stated here—

Witness our hands this day of 1900.

Signature with residence and additions.

Signed by the above subscribing electors before me,

Witness or Witnesses.

I, the said, nominated in the foregoing nomination paper, hereby consent to such nomination.

Signed in the presence of

Name of candidate.

Name of witness to candidate's signature

FORM H.

Information to Electors—Sec. 19.

The voter is to vote for not more than two candidates.

The voter is to go into the compartment provided and, with the pencil provided in the compartment, place a cross on the right hand side, opposite the name of the candidate or candidates, not exceeding two for whom he votes, thus X.

The voter is then to fold up the ballot paper so as to show the name or initials of the deputy returning officer signed on the back,

and leaving the compartment shall, without showing the front of the paper to any person, deliver such ballot so folded to the deputy returning officer, and forthwith quit the polling place.

If the voter inadvertently spoils a ballot paper, he may return it to the deputy returning officer, who will, if satisfied of such inadvertence, give him another ballot paper.

If the voter votes for more than two candidates, or places any mark on the paper by which he may be identified, his ballot paper will be void, and will not be counted.

If the voter takes a ballot paper out of the polling place or deposits in the ballot box any other paper than the one given to him by the deputy returning officer, he shall be subject to a fine of \$500 and costs, or imprisonment for any term not exceeding one year, or both.

FORM J.

Oath of Deputy Returning Officer—sub-sec. 2, sec. 23.

I, the undersigned..... appointed Deputy Returning Officer for Polling place No..... of the Yukon Territory, do solemnly swear, or being one of the persons permitted by law to affirm in civil cases, solemnly affirm, that I will act faithfully in my said capacity of Deputy Returning Officer without partiality, fear, favor or affection. So help me God.

Deputy Returning Officer.

Sworn before me at Dawson in the Yukon Territory, this ... day of A.D. 19..

Signature of officer administering oath.

(In the following form of ballot paper given for illustration, the candidates are John Doe, Richard Roe, Geoffrey Stiles and John Stiles, and the voter has marked his ballot in favor of Richard Roe and John Stiles.)

ELECTION FOR THE YUKON TERRITORY. NO. ON POLL BOOK.	1	DOE. (John Doe, Forty-Mile, Miner)
	2	ROE. <input checked="" type="checkbox"/> (Richard Roe, Bonanza Creek, Miner)
	3	STILES. (Geoffrey Stiles, Dawson, Advocate)
	4	STILES. <input checked="" type="checkbox"/> (John Stiles, White Horse, Merchant)

FORM O.

Notice to appear.—Sec. 49.

To Taken notice that you are hereby required to appear at—here describe with reasonable certainty the building or place fixed for sitting of the Court of Revision—on day of 19... at the hour of ... o'clock before me and such Justice of the Peace as shall then be sitting with me to answer to a charge of having voted contrary to the provisions of Ordinance No. of 1900. Dated this day of 1900.

Deputy Returning Officer.

FORM Q.

Oath by messengers where the deputy returning officer is unable to deliver packet to the returning officer.—Section 58.

I solemnly swear that I am the person to whom deputy returning officer for the polling place No. Yukon Territory, deliver the election packets for the said polling place to be delivered to returning officer for the said Yukon Territory, in consequence of the said deputy being unable through illness or some other cause to deliver the same personally to the returning officer; that the packets that I have this day delivered to the said returning officer are all the packets I so received; that I have not opened any of them, and that they have not been opened by any other person since I have received them from the deputy returning officer. So help me God.

Sworn before me at Dawson in the Yukon Territory this ... day of A.D. 19...

Signature of officer administering oath.

Note.—Where the deponent is one of the persons permitted by law to affirm in civil cases, he may solemnly affirm.

FORM R.

Ballot paper account.—Section 59.

Received from returning officer, Ordinary ballot papers..... Tendered ballot papers.....

Manner in which ballot papers dealt with:

- 1, No. counted, packets A and B
- 2, No. rejected, packet C.....
- 3, " unused, " D.....
- 4, " spoiled, " E.....

- 5, " tendered ballot papers, packet F.....
- 6, No. ballot papers given to voters who afterward returned same declining to vote, packet G.....
- 7, No. declaration of "inability to read" and "physical incapacity" and all certificates received by deputy returning officer, packet H.....
- 8, No. of ballot papers taken from the polling place..... [Signed]

Deputy Returning Officer.

Dated this ... day of ... A.D., 19... [Note.—The several "packets" mentioned above are those referred to in section 57 of this ordinance.]

FORM S.

Summons to a witness.—Sec. 63. You are hereby commanded to appear before us at here describe with reasonable certainty the building or place fixed for the sittings of the Court of Revision—in polling place No. of the Yukon Territory on the day of 19... at the hour of o'clock in the noon, and so on from day to day until the charge hereinafter mentioned is tried or otherwise disposed of, to testify and give evidence upon the hearing before us of a charge preferred against one. of having voted contrary to the provisions of Ordinance No. of 1900.

And you are further commanded to bring with you and produce at the time and place aforesaid all papers and articles in your possession or power in any way relating to said charge or to any matter connected therewith.

Witness our hand, or my hand, this day of 18....

Deputy Returning Officer.

Justice of the peace.

[This summons may be issued by the deputy returning officer or by justice of the peace, or both.]

FORM T.

Interpreter's Oath.—Sec. 41.

I, do solemnly swear—or if he is one of the persons permitted by law to affirm in civil cases, do solemnly affirm—that I will well, truly and faithfully interpret all such instructions and information necessary to enable any voter to cast his vote at this election, as I may be directed

by the deputy returning officer to communicate to such voter, and that I will not say or communicate anything to any such voter to induce him to vote for or to refrain from voting for any particular candidate. So help me God.

Signature Sworn before me at Dawson, in the Yukon Territory, this day of A. D., 19...

Signature of Deputy Returning Officer.

Schedule---Section 2.

TARIFF A—Sec. 63.

For every day necessarily absent from residence in going to, staying at and returning from hearing... When residence is within four miles of place..... \$3.00 When over four miles..... 5.00 For every mile necessarily traveled, other than by public conveyance25 When public conveyance used; actual fare paid.

TARIFF B.

Schedule of costs to be allowed on inquiry before a Judge of the Territorial Court.—Sec. 92.

To the clerk of the court for receiving, filing and entering each appeal and attending judge with notifications and on hearing of appeal and judgment \$3.00 To the clerk for issuing each summons, subpoena or notice..... 1.00 To the clerk all necessary postage To the clerk taxing all bills of costs actually taxed ... 1.00 To witnesses, the same fees as are allowed in civil cases. --- To the advocate for the party succeeding on each appeal 5.00 To be increased in the discretion of the judge to an amount not exceeding \$50.00.

TARIFF C.

Fees for election services.—Sec. 119.

The Returning Officer, where no poll is held... \$200.00. Election Clerk, where no poll is held..... 50.00. Returning Officer, where poll is held 500.00 Election Clerk, where poll is held ... 150.00 Deputy Returning Officer 25.00 Poll Clerk..... 15.00 Interpreter, each case 1.00

Deputy Returning Officer and justice of the peace, sitting as Court of Revi- sion, per day each	15 00
Each officer, for every mile necessarily travel- ed in discharge of his duties25
Rent of house for nomina- tion	Cost.
Rent of house for polling station	Cost.
Rent of house for court of revision	Cost.
Rent of house for count by returning officer . . .	Cost.

(Sgd) WILLIAM OGILVIE,
Commissioner.

Repealed by [signature]



Ordinance No. 34 of 1900.

AN ORDINANCE TO AMEND ORDINANCE NO. 29 OF 1899, RESPECTING INTOXICATING LIQUORS.

Assented to August 23, 1900.

The Commissioner of the Yukon Territory, by and with the advice and consent of the Council of the said Territory, enacts as follows:

Section 49 of the Ordinance Respecting Intoxicating Liquors is hereby amended by adding thereto:

"Provided, however, that the Chief Inspector of Licenses may, upon payment of a further license fee at the rate of \$500 per annum, issue a special license to a person holding, and so long as he holds, a saloon license under this ordinance, authorizing such person to conduct a second bar on the premises occupied by him.

Sgd WILLIAM OGILVIE,
Commissioner.



Ordinance No. 35 of 1900.

An Ordinance for Granting to the Commissioner a Certain Additional Sum of Money to Further Defray the Expenses of the Public Service for the Twelve Months, from June 30th, 1900, to June 30th, 1901, and for Purposes Relating Thereto.

Assented to Sept. 27th, 1900.

Whereas, it appears by message from William Ogilvie, the Commissioner of the Yukon Territory, and the supplementary estimates accompanying the same, that the sum hereafter mentioned in Schedule "A" to this Ordinance is required to defray certain further expenses of the Public Service of the Yukon Territory, and for purposes relating thereto, for the twelve months ending June 30th, 1901; it is therefore enacted by the Commissioner, by and with the advice of the Council of the Yukon Territory, as follows:

From and out of the funds at the disposal of the Yukon Council, there shall and may be paid and applied a further sum not exceeding in the whole ten thousand dollars for defraying the further charge and expense of the Public Service for the twelve months ending June 30th, 1901, as set forth in Schedule "A" to this Ordinance.

2 The due application of all moneys expended shall be duly accounted for.

Schedule "A" to Ordinance No. 35 of 1900.

A further sum granted to the Commissioner by this Ordinance for the twelve months ending June 30th, 1901, and for the purpose for which it is granted.

To defray the additional expense of the Government of the Yukon Territory for the twelve months ending the 30th June, 1901, as follows:

Construction, Equipment and Maintenance of an Infectious Hospital.....	\$10,000.00
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(Sgd) WILLIAM OGILVIE,
Commissioner.

Repealed by 220/02



Ordinance No. 36 of 1900.

AN ORDINANCE TO AMEND THE
HEALTH ORDINANCE.

Assented to Sept. 27th, 1900.

The Commissioner, by and with the
advice and consent of the Council of
the Yukon Territory, enacts as follows:

Section 3 of Ordinance No. 5 of 1899,
entitled The Health Ordinance, is
hereby repealed and the following sub-
stituted therefor:

3. That the Yukon Territory or so
much thereof as may be from time to
time decided upon by resolution of the
Commissioner in Council, is hereby con-
stituted a Health District to be known as
the "Dawson Health District."

Sgd. WILLIAM OGILVIE,
Commissioner.



Ordinance No. 37 of 1900.

An Ordinance to Amend Chapter 30 of
the Consolidated Ordinances of the
Northwest Territories.

Assented to Oct. 11th, 1900.

The Commissioner of the Yukon Territory, by and with the advice and consent of the Council of the said territory, enacts as follows:

(Chapter 30) of the Consolidated Ordinances of the Northwest Territories, is amended by adding thereto the following as Section 2:

(2) In any action of slander founded on false and malicious defamatory words, reflecting upon the character, reputation, honesty or actions of any person, or on false or malicious statements which might tend to bring into ridicule or contempt any person, it shall not be necessary to allege or prove any special damage, but such false and malicious defamatory words or statements shall be actionable per se.

(Sgd) WILLIAM OGILVIE,
Commissioner.



Ordinance No. 38, of 1900.

AN ORDINANCE RESPECTING THE
SALE OF MINING PROPERTY
IN THE YUKON TERRITORY,
BY THE SHERIFF.

Assented to Oct. 11th, 1900.

The Commissioner of the Yukon Territory, by and with the advice and consent of the Council of said Territory, enacts as follows :

1. Any interest which a free miner has in any mineral claim, or in any mining property, as defined in the Regulations for the Disposal of Quartz Mining Claims and Hydraulic and Dredging Concessions and the Regulations governing Placer Mining on Dominion lands in the Yukon Territory and the amendments thereto, may be seized and sold under and by virtue of an execution issued against goods and chattels.

2. And it is further enacted that all such interests which may have been seized and sold heretofore by the Sheriff or his Deputy, under and by virtue of an execution issued against goods and chattels and the title thereunder given, are hereby confirmed and declared to be legal to all intents and purposes.

3. This Ordinance shall not come into force until approved of by the Governor-General in Council.

Sgd WILLIAM OGILVIE,
Commissioner.

Repealed by # 20/10



Ordinance Number 39 of 1900.

AN ORDINANCE RESPECTING VACCINATION.

Whereas, smallpox may at any time exist in the Yukon Territory, therefore, the Commissioner, by and with the consent and advice of the Council of the Yukon Territory, enacts as follows:

1. All persons in the Yukon Territory who have been successfully vaccinated within the past seven years, or who have at any time contracted smallpox, shall make a declaration according to the form of schedule "A" to this ordinance, and shall, whenever requested, so to do, by any member of the North West Mounted Police or any Medical Health Officer, produce such declaration, unless he produces a certificate of successful vaccination from a medical practitioner in the form of schedule "B."

2. All persons in the Yukon Territory who have not been successfully vaccinated within the past seven years, or who have not at any time contracted smallpox, shall cause themselves to be vaccinated by a qualified medical practitioner.

3. Any person neglecting or refusing to comply with the requirements of sections one and two of this ordinance shall on summary conviction be liable to a penalty not exceeding two hundred and fifty dollars, and costs of prosecution, and upon failure of payment thereof forthwith after conviction, to imprisonment for any term not exceeding three months in the discretion of the Justice of the Peace or Magistrate trying the case.

4. All persons in the Yukon Territory having smallpox or a recent skin eruption, shall immediately report to a duly qualified medical practitioner, or a member of the North West Mounted Police, whichever is the nearest; and any person neglecting or refusing to report, as by this section provided, shall on summary conviction be liable to a penalty not exceeding five hundred dollars, with costs of prosecution, and upon failure of payment thereof forthwith after conviction, to imprisonment for any term not exceeding three months, in the discretion of the Justice of the Peace or Magistrate trying the case.

5. Any person exposed to infection from smallpox on leaving the house or premises in which such smallpox exists (except for the purpose of reporting the same, as provided in this ordinance) before the said house or premises have been visited and inspected by a medical health officer, and permission given by a medical health officer to that effect, shall on summary conviction, be liable to a penalty not exceeding five hundred dollars, with costs of prosecution, and upon failure of payment thereof forthwith after conviction, to imprisonment for any term not exceeding three months, in the discretion of the Justice

of the Peace or Magistrate trying the case.

6. The Commissioner in Council of the Yukon Territory may contract with a medical health officer or other legally qualified medical practitioner or practitioners to perform all the duties which may be necessary to be performed, for the vaccination of all persons, the expense to be defrayed out of the Territorial funds of the Yukon Territory.

7. In all cases brought under this ordinance the Justice of the Peace or the police magistrate hearing the same shall have the right to take into consideration the conditions and circumstances of the party accused, and if it appears to the Justice of the Peace or magistrate that the accused was unable, owing to such conditions or circumstances, to comply with the requirements of this ordinance then he may discharge or excuse the accused.

8. For the purpose of this ordinance all qualified medical practitioners and all officers and non-commissioned officers of the North West Mounted Police are authorized to administer oaths and receive declarations under the provisions of this ordinance.

Canada, }
Yukon Territory, }
Schedule "A."

I, the undersigned, hereby solemnly declare that I have been recently successfully vaccinated, or that I have during my life contracted smallpox, and I make this solemn declaration conscientiously believing the same to be true, and knowing it to be of the same force and effect as if made under oath and by virtue of the Canada Evidence Act of 1893.

Declared before me at Dawson, in the Yukon Territory, this day of 1900.

A commissioner for taking affidavits
Declarant's signature.

Recently, means within the last seven years, unless the party can show vaccine cicatrices that have a combined area of two square inches.

Canada, }
Yukon Territory, }
Schedule "B."

I, the undersigned, hereby certify that I have successfully vaccinated _____,
of _____,

Patient's signature:

Member of the College of Physicians
and Surgeons, Y. T.
Dated this _____ day of _____, 1900.

Schedule "C."
Vaccination unsuccessful; re-vaccinated this _____ day of _____, 1900,

M. C. P. and S., Y. T.

Schedule "D."
Vaccination certified successful this _____ day of _____, 1900.

M. C. P. and S., Y. T.

[Sgd] WILLIAM OGILVIE,
Commissioner.



Ordinance No. 40 of 1900.

AN ORDINANCE for granting to the Commissioner certain additional sums of money, to further defray the expenses of the Public Service of the Yukon Territory for the twelve months from June 30th, 1900, to June 30th, 1901, and for purposes relating thereto.

Assented to November 3, 1900,
Whereas it appears by message from William Ogilvie, the Commissioner of the Yukon Territory, and the supplementary estimates accompanying the same, that the sums hereafter mentioned in the schedule to this ordinance, are required to defray certain further expenses of the public service of the Yukon Territory, and for purposes relating thereto, for the twelve months ending June 30th, 1901; it is therefore enacted by the Commissioner by and with the advice and consent of the Council of the Yukon Territory, as follows:

From and out of the funds at the disposal of the Yukon Council there shall and may be paid and applied a further sum of forty-two thousand seven hundred and fifty-five dollars and thirty-four cents [\$42 755 34] for defraying the several additional charges and expenses of the public service for the twelve months ending June 30th, 1901, as set forth in the schedule to this ordinance.

The due application of all additional monies expended shall be duly accounted for:

SCHEDULE:

Sums granted to the Commissioner by this ordinance for the twelve months ending June 30th, 1901, in addition to the amounts granted by Ordinance No. 28 of 1900, and 35 of 1900, and the purposes for which they are granted, to defray the additional expenses of the Government of the Yukon Territory, for the twelve months ending 30th June, 1901, as follows:

To provide for the expenses of the election of two councillors.....	\$7,000 00
To provide for liquor preventive service.....	10,000 00
Census, additional.....	290,02
Additional vote to Medical Board of Health.....	10,000,00
To provide for salary and living expenses of Chief License Inspector, to June 30th 1901.	4,460.00
To provide for salary and living expense of Assistant License Inspector, from September 11th 1900 to June 30th 1901	3,588.66
To provide for additional salary to the Clerk of the Yukon Council, from September 1st 1900, to June 30th, 1901 at \$500.00 per annum.....	416.66
Engineer's salary four months	2000,00
Contingencies	5,000.00

Total.....\$42,755.34.

Signed, WILLIAM OGILVIE,
Commissioner.



Ordinance No. 41 of 1900,

AN ORDINANCE Amending an Ordinance to Incorporate the Dawson City Water and Power Company, Limited.

Assented to November, 6, 1900

Inasmuch as the Dawson City Water and Power Company have under the provisions of the ordinance incorporating the said company, laid certain pipes in the City of Dawson for the conduction of water, and have without authority erected certain buildings along the course of the same pipes for the protection of the outlets from said water-pipes, for public use,

Therefore the Commissioner, by and with the advice and consent of the Council of the Yukon Territory, enacts as follows:

The buildings so erected and now standing shall be permitted to remain, and be occupied and heated or otherwise handled or managed for the due and proper protection of the said outlets from the said water-pipes for the public use, until the Commissioner in Council shall see fit to order them to be removed from the streets and highways on which they stand, provided that the said company remains responsible for any damage, for which it might be legally liable, through the erection and maintenance of the said buildings.

(Sgd) WILLIAM OGILVIE,
Commissioner.



Ordinance No 42, of 1900.

Vide # 3/1901

**AN ORDINANCE to Amend Chapter 45
of the Consolidated Ordinances of
the North West Territories, of 1898.**

Assented to November 8th, 1900.

The Commissioner, by and with the
advice and consent of the Council of
the Yukon Territory, enacts as follows :

Section 13, Chapter 45 of the Revised
Ordinances of the North West Territor-
ies, 1898, is further amended by striking
out the said section and replacing it by
the following :

The said Registration Clerk shall be
entitled for filing a declaration under
this ordinance to a fee of \$2.00, including
the certificate on the duplicate thereof.
And for searches made in each of such
books, the following fees and no more :

For search in a firm index book, each
firm fifty cents; for search in the indi-
vidual index book, each name fifty
cents.

2. The amendments to Chapter 46 of
the Revised Ordinances of the North
West Territories, of 1888, passed by this
council on the 16th day of February,
1899, are hereby declared to apply to
Chapter 45 of the Consolidated Ordina-
nces of the North West Territories, of
1898.

Sgd WILLIAM OGILVIE,
Commissioner.



Ordinance No. 43 of 1900.

AN ORDINANCE to amend Ordinance
No. 43 of 1899.

Assented to November 8, 1900.

The Commissioner, by and with the advice and consent of the Council of the Yukon Territory, enacts as follows:

Ordinance No. 43 of 1899, "An Ordinance Respecting Trespassing and Straying Animals," is amended by adding the following sections:

1. No animal is to be turned loose to pasture between the 30th of October and the 30th of March unless it is in good condition, and unless feed and water are obtainable where the animal is turned loose.
2. Anyone finding an estray in weak or poor condition during the winter will notify the nearest police detachment. The police will, if the owner is known, order him to provide feed for the animal or to kill it; if the owner is not known, the police will see that the animal is impounded, and it will then be dealt with as provided in Section 9 of the said Ordinance 43 of 1899, except that it may be sold after twelve days in pound.
3. If no purchaser can be found for an animal at the poundkeeper's sale, the poundkeeper may kill it and sell it for dog feed unless it can be disposed of by private sale.
4. An estray found damaging caches may be impounded.
5. Anyone found guilty of turning an animal out to graze during the period mentioned above in Section 1 of this ordinance, when the animal is in poor condition, or where there is no food nor water, and any owner who fails to stable or feed his animal when warned to do so by any member of the North West Mounted Police, may upon summary conviction, before a Justice of the Peace, be fined not more than \$100.00 and costs, and in default of payment, be sentenced to thirty days' imprisonment, with or without hard labor.

WILLIAM OGILVIE,
Commissioner.



Ordinance No. 44 of 1900.

TO AMEND Ordinance No. 6, of 1899,
Respecting the Appointment of Com-
missioners for Taking Affidavits.

Assented to Dec. 6th, 1900.

The Commissioner of the Yukon Ter-
ritory, by and with the advice and consent
of the Council of the said territory,
enacts as follows:

1. Section 2 of Ordinance No. 6 of
1899, being an ordinance "To provide
for the appointment of Commissioners
for taking affidavits," is hereby amended
by adding thereto the following words:
"and may revoke the commission or
commissions of any such persons, and
such revocation shall operate as a revo-
cation for all purposes."

2.—This Ordinance shall be retroactive.
(Sgd) WILLIAM OGILVIE,
Commissioner.

Repealed by H.S. 102



Ordinance No. 1, of 1901.

TO AMEND ORDINANCE NO. 25
OF 1900—"AN ORDINANCE
FOR THE PREVENTION OF
FIRES."

Assented to January 19, 1901.
The Commissioner by and with
the advice and consent of the coun-
cil of the Yukon Territory, enacts
as follows:

1. Ordinance Number 25 of
1900, being an "Ordinance for the
Prevention of Fires," is hereby
amended by inserting the following
section as section "22 A" of said
ordinance:

22 A. Any person driving or haul-
ing any vehicle upon or over any
hose for or in use at any fire, or in
any manner wilfully destroying or
damaging such hose, shall be guilty
of an offence and liable to a pen-
alty not exceeding \$50.00 and costs,
and in default of payment, to a
term of imprisonment not exceed-
ing three months.

(Sgd) WILLIAM OGILVIE,
Commissioner.



Ordinance No. 2 of 1901.

AN ORDINANCE RESPECTING THE PRESERVATION OF GAME IN THE YUKON TERRITORY.

Assented to January 19, 1901.

The Commissioner of the Yukon Territory, by and with the advice and consent of the Council of the said territory, by virtue of the powers given to them by an Act Respecting the Preservation of Game in the Yukon Territory, passed by the Senate and House of Commons of Canada, and assented to by His Excellency, the Governor-General, on the 30th of July, 1900, enacts as follows:

1. The names by which the beasts and birds mentioned in this ordinance are therein described include their young and males and females.

a. The expression "game guardian" means a game guardian appointed under the subsequent provisions of this ordinance.

b. The time fixed with respect to any beast or bird, by sections 2 and 3, or by the Commissioner in Council under section four of this ordinance is called in this ordinance "the close season," for that beast or bird.

2. Except as hereinafter provided, buffalo or bison shall not be hunted, taken, killed, shot at, wounded, injured, or molested in any way, at any time of the year.

3. Except as hereinafter provided, the following beasts and birds shall not be hunted, taken, killed, shot at, wounded, injured, or molested in any way during the following times of the year respectively:

a. Musk ox, elk or wapiti, moose, cariboo, deer, mountain sheep or mountain goats, between the first day of January and the first day of October in each year.

b. Grouse, partridge, ptarmigan, pheasants and prairie chicken, between the fifteenth day of January and the first day of October in each year.

c. Wild swans, wild ducks, and wild geese, snipes, sandpipers or cranes, between the first day of June and the first day of September in each year.

d. No one person will have the right to kill during the same season, except as hereinafter provided, more than two elk or wapiti, two moose, six cariboo, two musk oxen, two deer, two mountain sheep, or two mountain goats, provided, however, that licenses may be issued as hereinafter provided for, giving the right to any one person to kill a greater number of the beasts mentioned in this paragraph, during the same season, as may be

fixed from time to time by the Commissioner in Council.

e. Any person who shall kill any of the above beasts shall be bound to report himself at the first Mounted Police detachment on his way to Dawson or the creeks, and to declare his name, the number of beasts killed and the place where he killed them.

f. Any person purchasing the meat of the above beasts for trading purposes shall keep a register showing the name of the person or persons from whom it was so purchased, the quantity and kind purchased, and also the date of purchase.

g. All members of the Mounted Police shall be ex-officio "game guardians" under this ordinance, and the Commissioner in Council may appoint other guardians as they see fit. Any game guardian may call upon any person at any time, found in the possession of game to state when, where, and from whom it was obtained, and whenever he has reason to suspect that any person is illegally in the possession of game, he shall have the right to inspect any bag, or other receptacle, vehicle or other means of transportation in which he may suppose it to be, and any person, refusing, molesting, or obstructing the said game guardian in the accomplishment of such duties, is liable upon summary conviction to a penalty not exceeding \$100.00 and costs, and in default of payment to imprisonment not exceeding one month.

4. The Commissioner in Council may from time to time, when they deem it necessary or expedient so to do, alter by resolution, any of the times fixed by sections two and three of this ordinance.

5. Except as hereinafter provided, no eggs on the nests of any of the birds above mentioned, or in the nest of any other species of wild fowl, shall be taken, destroyed, injured or molested at any time of the year.

6. Notwithstanding anything in sections two, three, four and five of this ordinance, the beasts and birds mentioned in those sections may be lawfully hunted, taken or killed, and eggs of any of the birds or other wild fowl so mentioned may be lawfully taken:

a. By Indians who are inhabitants of the Yukon Territory. But this exception does not apply to buffalo or bison; nor shall it be construed to permit such Indians to kill any such beasts for the purpose of barter or sale.

b. By explorers, surveyors, prospectors, miners or travellers who are engaged in any exploration, survey or mining operations, or other examination of the Territory, and are in actual need of the beasts, birds or eggs for food.

c. By any person who has a permit to do so granted under the subsequent provisions of this

ordinance.

7. None of the contrivances for taking or killing wild fowl, known as batteries, swivel guns or sunken punts, shall be used at any time of the year, to take, destroy, or kill any of the birds mentioned in this ordinance, or any other species of wild fowl.

8. None of the birds and beasts mentioned in this ordinance, shall be taken or killed, at any time of the year by the use of poison, or poisonous substances, or pits or falls.

9. No dogs shall be used at any time of the year for hunting, taking, running, killing, injuring or in any way molesting buffalo or bison, or during the close season, any of the other beasts, or any of the birds mentioned in this ordinance.

10. No one shall enter into any contract or agreement with, or employ any Indian or other person, whether such Indian or person is an inhabitant of the country to which this ordinance applies or not, to hunt, kill, or take contrary to the provisions of this ordinance, any of the beasts or birds mentioned in this ordinance, or to take contrary to such provisions, any eggs.

11. Every one is guilty of an offence who violates any of the foregoing provisions of this ordinance, and is liable on summary conviction thereof, to a penalty as follows:

a. For the violation of any provisions with regard to musk oxen, buffalo or bison, elk wapiti, or moose, cariboo, deer, mountain sheep or mountain goats, to a penalty of not more than \$500.00.

b. And for the violation as to any other of the provisions of this ordinance, to a penalty of not more than \$100.00.

c. And he is also liable in every case to pay the costs of conviction.

12. The authority making the conviction may order that in default of payment of the penalty and the costs of conviction forthwith, or within such times as he orders, either:

a. The penalty and costs shall be levied by distress and sale of the goods and chattels of the person convicted, and that, if sufficient goods and chattels cannot be found the person convicted shall be imprisoned for a period of not more than three months, unless the penalty and costs are sooner paid, in which event he shall be set at liberty, or:

b. The person convicted shall be imprisoned for a period of not more than three months, unless the penalty and costs are sooner paid, in which event he shall be set at liberty.

c. When because of the distance, or for want of means conveyance or communication, or for any other cause, it is not practicable to confine such person in the nearest jail or other place of confinement, the convicting authority shall have

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power to confine him in any suitable building which is more convenient and nearest to the place of trial, and to take all reasonable necessary precautions to prevent his escape therefrom during the term for which he has been convicted.

13. Every fine or penalty recovered under this ordinance shall form a part of the local revenue of the Yukon Territory, and shall be deposited to the credit of the Commissioner in Council.

14. Offences against this ordinance may be summarily tried by any of the following authorities:

a. Any judge of the territorial court in the Yukon Territory.

b. Any justice of the peace in and for the Yukon Territory.

c. Any commissioned officer of the Northwest Mounted Police.

d. Any other officer having the power of a justice of the peace.

15. Any beast, bird or eggs in respect of which any conviction has been made under this ordinance shall be held to be thereby confiscated, and the authority who has made the conviction may make such disposal of them as he thinks fit, except to sell or barter the same.

16. Possession shall be constituted as follows, namely:

a. Possession at any time of the year of a buffalo or bison dead or alive, or of any part of a buffalo or bison; or

b. Possession at any time of the year, of eggs of any of the birds mentioned in this ordinance, or of eggs of any other species of wild fowl; or

c. Possession during the close season of any other beast mentioned in this ordinance, or of any part of any such beast, or of any birds mentioned in section three, shall be deemed prima facie evidence of the killing or taking of the beast, bird or eggs, as the case may be, contrary to the provisions of this ordinance. Provided, moreover, that this section shall not be construed to prevent the exposure and offering of for sale the carcasses or any part of them of beasts killed during the open season, for a period of sixty days after the beginning of the close season.

17. Any of the aforesaid authorities mentioned in section 14, when he considers it necessary to do so, may appoint a constable or constables to apprehend and arrest any person who has done, or who he has reason to believe has done anything in contravention of any of the provisions of this ordinance; and any such constable shall upon apprehending and arresting, bring him for trial without any unnecessary delay before the nearest authority having the right and power to convict under this ordinance, and shall produce any beast, or bird or eggs or any part of any such beast or bird found in the possession of such person at the time of his apprehension, contrary

to the provisions of this ordinance.

18. Any of the above authorities upon proper information that there is reason to suspect that a breach of any of the provisions of this ordinance has been committed, or that any beast, bird or eggs, in respect of which such a breach has been committed, or any part of any beast or bird in respect of which such a breach has been committed, is likely to be in any tent, or on any premises, or on board of any vessel, or at any other place, may by warrant under his hand authorize any constable to enter and search any such place, and if found, to seize any such beast, bird or eggs, or any such part of any beast or bird, to be dealt with afterwards according to the provisions of this ordinance.

19. The Commissioner in Council or any officer or person duly authorized by them, may issue a permit to any person or persons to take or kill, for scientific purposes, or to take with a view to domestication, any number, not exceeding four of each of the said beasts or birds, except buffalo and bison, or to take eggs not exceeding twelve of each of any of the said birds, or of any other species of wild fowl. Every such permit shall set forth in detail, the name, address or calling of the person, and of each of the persons to whom it is granted, the object for which it is granted, the number of each species of eggs, which is intended such person or persons may kill or take, and the period of time during which the permit is to be in force.

20. The Commissioner in Council may appoint one or more game guardians for the purpose of carrying out the provisions of this ordinance.

21. Every game guardian so specially appointed hereinafter as such guardian, shall take and subscribe before any judge, notary public or justice of the peace, in and for the Yukon Territory, or before any person specially deputed by the Commissioner in Council, the following oath:

I, A.B., a game guardian, in and for the Yukon Territory, do solemnly swear that, to the best of my judgment, I will faithfully, honestly and impartially fulfil, execute and perform the office and duty of such game guardian according to the true intent and meaning of the ordinance respecting the preservation of game in the Yukon Territory, and of all regulations made or to be made thereunder. So help me God.

22. The remuneration of game guardians, constables and any other person or persons employed to perform any duties imposed by this ordinance, or any regulations under it, shall be determined by the Commissioner in Council.

23. The Commissioner in Council may from time to time make

such rules and regulations, not inconsistent with the provisions of this ordinance, for the carrying out of the true intent and meaning thereof as are found necessary or deemed expedient by them, and may amend or alter such rules and regulations, or anyone of them from time to time as is found necessary or deemed expedient to them.

(Sgd.) WILLIAM OGILVIE,
Commissioner.

Vide: Ord #8-190



Ordinance No. 3 of 1901.

RESPECTING PARTNERSHIPS.

Vide #42/1900.

Assented to February 7, 1901.

The Commissioner, by and with the advice and consent of the Council of the Yukon Territory, enacts as follows:

1. Ordinance No. 4 of 1899 is hereby repealed.

2. Chapter 45 of the Revised Ordinances of the Northwest Territories (1898) entitled "An Ordinance Respecting Partnerships," is hereby amended as follows:

a. The words "Territories" or "North-West Territories" wherever the same occur in said ordinance or in the forms in the schedules thereto, shall be read as "Yukon Territory."

b. The words "Lieutenant Governor," wherever the same occur in said ordinance shall be read "Commissioner of the Yukon Territory."

c. The words "Registration Clerk of the Registration District for registration of chattel mortgages and other transfers of personal property" or "Registration Clerk," where they occur in said ordinance, shall be read as referring to the Registrar of the Yukon Territory.

d. The words "six months" where they occur in sections 3 and 5 of said ordinance, shall be read "two months"

3. Section 9 of said ordinance is hereby amended by striking out that part of said section from and including the word "forfeit," in the fourth line of said section to the end thereof and substituting therefor the words "be liable to a penalty not exceeding \$500.00 on summary conviction before a justice of the peace, and thereafter to a penalty of \$20.00 for each and every day during which default in compliance with the provisions of this ordinance continues, on summary conviction thereof before a justice of the peace, such penalties to belong to the Territorial fund of the Yukon Territory."

4. The following section is hereby inserted as section 9a of said ordinance:

9a. "The Commissioner of the Yukon Territory may from time to time appoint a person, with salary, to prosecute all persons who fail to comply with the requirements of this ordinance."

5. The provisions of said ordinance, so amended, are hereby declared to be in force in the Yukon Territory.

(Sgd) WILLIAM OGILVIE,
Commissioner



Ordinance No. 4 of 1901.

AN ORDINANCE Amending Ordinance No. 63 of the Revised Ordinances of the Northwest Territories Respecting Foreign Corporations.

Assented to February 7, 1901.

The Commissioner, by and with the advice and consent of the Council of the Yukon Territory, enacts as follows:

1. Chapter 63 of The Revised Ordinances of the Northwest Territories (1898) entitled "An Ordinance Respecting Foreign Corporations," is hereby amended as follows:

a. The word "Territories," wherever the same occurs in said ordinance, shall be read "Yukon Territory."

b. The words "Lieutenant Governor," wherever the same occur in said ordinance, shall be read "Commissioner of the Yukon Territory."

2. Sub-section 6 of Section 2 of said ordinance is hereby amended by striking out the figures "\$20.00" wherever they occur in said sub-section and inserting in lieu thereof the figures "\$50.00," and by adding to said sub-section the following words: "such penalties to belong to the Territorial fund of the Yukon Territory."

3. Section 3 of said ordinance is hereby amended by adding thereto the following words: "such penalties to belong to the Territorial fund of the Yukon Territory."

4. Said ordinance is hereby amended by adding thereto the following as Section 4 thereof:

(4). "The Commissioner of the Yukon Territory may from time to time appoint a person with salary to prosecute any company, institution or corporation making default in complying with the provisions of this ordinance."

(Sgd) WILLIAM OGILVIE,
Commissioner.



Ordinance No. 5 of 1901.

AN ORDINANCE TO AMEND
Ordinance No. 7, 1898, being "An
Ordinance Respecting the Muzzling of Dogs."

Assented to February 25, 1901.

The Commissioner of the Yukon Territory by and with the advice and consent of the council of the said Territory, enacts as follows:

1. Ordinance Number 7 of 1898, as amended by Ordinance Number 8 of 1898 and ordinance number 12 of 1898, is hereby amended by adding the following sections as sections 9, 10, 11, 12, 13, 14, 15, 16 and 17.

9. Every poundkeeper shall keep a record of every dog impounded, which record shall show the date of such impounding, the final disposition of such dog, the name of the owner, possessor or harborer, if obtainable, and his address, and a description of the dog.

10. The owner, possessor, or harbourer, of any dog over one year old, in any town, village or assemblage of dwellings in the Yukon Territory, shall take out in each year a license for any such dog.

11. For such license the fees following shall be payable namely: Two dollars for each and every year.

12. Such license shall be issued by the poundkeeper for the time being of the town, village or assemblage of dwellings and shall consist of a brass, copper, or other suitable metal tag bearing the number of the license.

13. The owner, possessor or harborer of any dog shall cause the tag to be worn around the neck of such dog.

14. Any dog, which, after the first day of May, 1901, is found in any town, village, or assemblage of dwellings, not wearing a tag, shall be liable to be impounded and dealt with as provided in the ordinance hereby amended with respect to dogs found not muzzled; and the owner, possessor or harborer of such dog shall be liable to a penalty not exceeding twenty-five dollars, to be recovered with costs before any justice of the peace for the Yukon Territory, or in default of payment to imprisonment not exceeding ten days.

15. The owner, possessor or harborer of any dog shall, when required by the poundkeeper or any constable of the Northwest Mounted Police, furnish in writing the number of dogs owned or kept—whether one or more—and for every neglect or refusal to do so, and for every false statement made in respect thereof, he or they shall incur a penalty not exceeding twenty-five dollars, to be recovered with costs, before any justice of the peace for the Yukon Territory, or in default of payment to imprisonment for ten days.

16. Every poundkeeper shall keep a record of all licenses issued by him, which record shall contain a description of the dog for which the license issues, the date of issue, and the name of the owner, possessor or harborer.

17. The fees payable for licenses under this ordinance shall belong to and form part of the Territorial fund of the Yukon Territory.

(Sgd.) WILLIAM OGILVIE,
Commissioner.

Repealed by # 22/1901.

Certified True Copy

J. W. Brown

Clerk of Yukon



Ordinance No. 6 of 1901.

AN ORDINANCE TO INCORPORATE THE HADLEY STAGE LINE, LIMITED.

Assented to February 25, 1901.

Whereas the persons hereinafter named have by their petition prayed for the incorporation as a Company for the purpose of carrying on the business hereinafter mentioned, and it is deemed expedient to grant the prayer of the said petition.

Therefore, the Commissioner of the Yukon Territory, by and with the advice and consent of the Council of the said Territory, enacts as follows:

1. Hein Te Roller, Frederick John Wood and Fred Alison Hadley, all of Dawson, in the Yukon Territory, together with such persons as may hereafter become members and shareholders in the Company hereby incorporated, are hereby constituted a body corporate under the name of "THE HADLEY STAGE LINE, LIMITED," hereinafter called the "Company," with the powers following, namely:

a. To operate stage lines in the Yukon Territory, to carry on a general livery and transfer business, to deal in horses, carriages and equipment, feed and sale stables, to carry on a general warehousing business and merchandise business.

b. To lease, purchase, and hold in the name of the Company such property, real and personal, as may be necessary or convenient for the purposes of the business of the Company.

c. To draw, make, accept, indorse, discount and issue promissory notes, bills of exchange, bills of lading, warrants and other negotiable or transferable instruments.

d. To construct, manage, maintain, work, carry out, or control any roads, ways, tramways, branches or sidings, bridges, watercourses, wharves, and other works and conveniences in connection with the Company's business which may seem calculated directly or indirectly to advance the Company's interests.

2. The several clauses of the ordinance entitled "The Companies' Ordinance," being chapter 61 of the Consolidated Ordinances of the Northwest Territories, 1898, or of any ordinance passed in substitution thereof or in amendment thereof, are incorporated with and shall form a part of this ordinance and shall apply to the said Company, except only in so far as they are inconsistent with any of the powers hereinbefore granted or with the fact of the said Company being incorporated by ordinance, and not by letters patent.

3. The head office of the Company shall be at Dawson, in the Yukon Territory.

4. The capital stock of the Company shall be \$9,000 divided into ninety shares of \$100 each.

5. The said Hein Te Roller, Frederick John Wood and Fred Alison Hadley, shall be and they are hereby constituted the first directors of the said Company.

6. This ordinance shall be published in a newspaper in Dawson within ten days after the passage thereof, otherwise this ordinance shall be and become inoperative and void.

(Sgd.) WILLIAM OGILVIE,
Commissioner.



Ordinance No. 7 of 1901.

AN ORDINANCE TO INCORPORATE THE DAWSON TRANSFER AND STORAGE COMPANY, LIMITED.

Assented to February 25, 1901.

Whereas the persons hereinafter named have, by their petition, prayed for the incorporation as a company for the purpose of carrying on the business and businesses hereinafter mentioned, and it is deemed expedient to grant the prayer of the said petition.

Therefore the Commissioner of the Yukon Territory, by and with the advice and consent of the Council of the said Territory, enacts as follows:

1. Hein Te Roller, Frank Wilson Arnold and Truman Hanbury Heath, all of Dawson in the Yukon Territory, together with such persons as may hereafter become members and shareholders in the Company hereby incorporated, are hereby constituted a body corporate under the name of "THE DAWSON TRANSFER AND STORAGE COMPANY, LIMITED," hereinafter called the "Company," with the powers following, namely:

a. To carry on business in Dawson or elsewhere in the Yukon Territory, in storage and as general warehousemen, in buying and selling merchandise, in freighting and operating stage lines, in livery and sales stables of live stock, in carriages and general equipment,

also a general commission business.

b. To purchase, lease and hold in the name of the Company such property real or personal, as may be necessary or convenient, for the purposes of the business of the Company.

c. To draw, make, accept, endorse, discount and issue promissory notes, bills of exchange, bills of lading, warrants, or other negotiable or transferable instruments.

2. The several clauses of the Ordinance entitled "The Companies' Ordinance," being chapter 61 of the Consolidated Ordinances of the Northwest Territories, 1898, or of any ordinance passed in substitution therefor or in amendment thereof, are incorporated with and shall form a part of this ordinance, and shall apply to the said Company, except only in so far as they are inconsistent with any of the powers hereinbefore granted or with the fact of the said Company being incorporated by ordinance, and not by letters patent.

3. The head office of the Company shall be at Dawson, in the Yukon Territory.

4. The capital stock of the Company shall be \$30,000, divided into 300 shares of \$100 each.

5. The said Hein Te Roller, Frank Wilson Arnold and Truman Hanbury Heath shall be and they are hereby constituted the first directors of the said Company.

6. This ordinance shall be published in a newspaper in Dawson within ten days after the passage thereof, otherwise this ordinance shall be and become inoperative and void.

(Sgd.) WILLIAM OGILVIE,
Commissioner.



Ordinance No. 42 of 1901.

**ADDITIONAL ORDINANCE RE-
SPECTING THE PRESERVA-
TION OF GAME IN THE
YUKON TERRITORY.**

Assented to February 25th 1901.

Notwithstanding anything which is contained in the ordinance respecting the Preservation of Game in the Yukon Territory, to the contrary, the Commissioner of the Yukon Territory by and with the advice and consent of the Council of the said Territory, enacts as follows:

1.—The carcasses, or portions thereof, of all elk or wapitti, moose, cariboo, deer, mountain sheep or mountain goats, killed prior to the 1st of February 1901, may be exposed and offered for sale until the first of April 1901.

(Sgd.) **WILLIAM OGILVIE,**
Commissioner.



Ordinance No. 9, of 1901.

AN ORDINANCE to Regulate the Rate or Pace of Riding or Driving within the Limits of Towns, Villages or Assemblages of Dwellings within the Yukon Territory.

Assented to March 7, 1901.

The Commissioner by and with the advice and consent of the Yukon Territory, enacts as follows:

1. Any person riding or driving in or through the streets or highways of any town, village or assemblage of dwellings in the Yukon Territory at a rate of pace greater than six miles an hour, shall be liable to a penalty not exceeding \$50.00 and costs, to be recovered summarily before a justice of the peace.

2. The provisions of this Ordinance shall apply to the driving of dogs

3. The fire department of towns, villages or assemblages of dwellings shall not be subject to the provisions of this ordinance.

[Signed]

WILLIAM OGILVIE,
Commissioner.



Ordinance No. 10 of 1901.

AN ORDINANCE to Further Amend the Ordinance Respecting Marriage, Chapter 46, of the Consolidated Ordinances of the Northwest Territories, Canada, 1898.

As entered to March 14th, 1901.

The Commissioner of the Yukon Territory, by and with the advice and consent of the Council of the said Territory, enacts as follows:

1—Section 6 of the said Ordinance as amended by paragraph "a" of section 1 of Ordinance No. 1 of 1900, and assented to on the 4th of January, 1900, is hereby repealed and replaced by the following:

6—The marriage license shall be in form "A" in the schedule of said Ordinance and shall be supplied from the office of the Commissioner, and shall be issued to persons requiring the same by such persons as the Commissioner in Council may name for that purpose, or by any minister or clergyman of any church or religious denomination, who are hereby appointed ex officio issuers of licenses.

2—Section 14 of said Ordinance is also amended by striking out the figure "3" in the second line thereof and replacing the same by the figure "5" and by substituting for the figure "1" under the third line the figure "2".

[Signed.] WILLIAM OGILVIE,
Commissioner.

*Cancelled by Ord
Repeal of Ord 26/02*



Ordinance No. 11 of 1901.

AN ORDINANCE to Amend Chapter 75 of the Consolidated Ordinances of the Northwest Territories, 1898, being "An Ordinance respecting Schools."

Assented to March 14th, 1901.

The Commissioner of the Yukon Territory, by and with the advice and consent of the Council of the said Territory, enacts as follows:

1—Chapter 75 of the Consolidated Ordinances of the Northwest Territories, 1898, is hereby amended by striking out the first clause of section 4 of said Ordinance and substituting therefor the following:

"The members of the council of the Yukon Territory and two persons, one of whom shall be a Protestant and one a Roman Catholic, appointed by the Commissioner of the Yukon Territory in council, shall constitute a council of public instruction; and one of the said council of the Yukon Territory, to be nominated by the Commissioner in council, shall be chairman of the said council of public instruction. The appointed members shall be entitled to vote."

2. Subsection 2 of said section 4 of the said Ordinance is repealed and the following is substituted therefor:

(2) "The council of the Yukon Territory, or any such subcommittee thereof, or of the council of public instruction appointed for that purpose shall constitute a quorum of the council of public instruction but no general regulations respecting:

(a) The management and discipline of schools;

(b) The examination;

(c) The selection of books;

(d) The inspection of schools;

(e) Normal training;

shall be adopted or amended except at a general meeting of the council of public instruction duly convened for that purpose.

[Signed]

WILLIAM OGILVIE,
Commissioner.



Ordinance No. 12 of 1901.

AN ORDINANCE to enable the Court of Revision of the Town of Dawson to re-open, hear and determine appeals from assessments for the year 1900.

Assented to March 21st, 1901.

Whereas at a meeting of the Court of Revision of the Town of Dawson, held on the twentieth day of August, 1900, the appeals then pending before such court from assessments for the year 1900 were not heard and the assessment roll finally passed and certified by the clerk of the said court, as passed.

And whereas the Yukon Council has been petitioned to have the said appeals re-opened, and it is deemed expedient to grant the prayer of such petitions.

The Commissioner, by and with the advice and consent of the Council of the Yukon Territory, enacts as follows :

1. Notwithstanding anything contained in Ordinance No. 11 of 1900, the Court of Revision of the Town of Dawson may re-open any appeals from assessments for the year 1900 taken in accordance with the provisions of said ordinance and which were pending before the court on the twentieth day of August, 1900, and hear and determine the same, according to the provisions of said ordinance.

2. The assessment roll shall immediately after the determination of the said appeals be altered and amended according to the decision of the court, if then given, and if the decision is not then given the clerk of the court shall, when the same is given, forthwith alter and amend the roll according to the same.

3. The time for the completion of the duties of the court with respect to the assessment roll for the year 1900, is hereby extended till the first day of April, 1901.

(Sgd.) WILLIAM OGILVIE,
Commissioner.

Approved.

.....
Commissioner



Ordinance No. 13 of 1901.

AN ORDINANCE RESPECTING
TAXATION FOR 1900
(DAWSON).

Assented to March 28th, 1901.

Whereas by Ordinance No. 12 of 1901, the Court of Revision of the Town of Dawson was empowered to re-open, hear and determine certain appeal from assessments for the year 1900, and the time for the completion of the duties of the said court with respect to the assessment roll for the year 1900 was extended, and the said court has completed such duties;

And whereas the collector, in accordance with the provisions of Ordinance No. 30 of 1900, gave the notice required by section 4 of said ordinance with respect to the taxes for 1900, which said notice contained the time such taxes were required to be paid and the dates on which the reductions or penalties authorized by the Council should be allowed or charged;

And whereas at the meeting of the Council held on the 21st day of March, 1901, it was resolved that a 10 per cent. discount should be allowed on all taxes for the year 1900, paid prior to the 1st day of May, 1901, and that the full amount be required to be paid with respect to taxes for said year 1900, which are paid between the 1st day of May, 1901, and the 1st day of July, 1901, and that a penalty of 5 per cent. should be charged on all taxes for the year 1900, unpaid on the 1st day of July, 1901.

The Commissioner, by and with the advice and consent of the Council of the Yukon Territory, enacts as follows:

1. Notwithstanding anything contained in Ordinance No. 30 of 1900, nor in the resolution of the Council of the 21st day of March, 1901, nor in any other resolution of the Council passed with respect to the taxes for 1900, nor anything which has been done or which has happened with respect to the assessment or taxes for the year 1900, the taxes for such year shall be deemed to have been due and payable on and after the 16th day of September, 1900, and the collector shall not be required to give any further or other notice, statement or demand in respect thereto; and notwithstanding anything, as aforesaid, the collector may forthwith, by himself or his agent, levy such taxes in the manner provided by Ordinance No. 30 of 1900.

(Sgd) WILLIAM OGILVIE,
Commissioner.



Ordinance No. 14 of 1901.

AN ORDINANCE to amend Chapter 17 of the Consolidated Ordinances of the Northwest Territories, 1898. "An Ordinance Respecting the Inspection of Steam Boilers and the Examination of Engineers Operating the same.

Assented to March 29th, 1901.

The Commissioner of the Yukon Territory, by and with the advice and consent of the Council of the Yukon Territory enacts as follows:

1. Chapter 17 of the Consolidated Ordinances of the Northwest Territories, 1898. (An Ordinance respecting the Inspection of Steam Boilers and the examination of engineers operating the same) is hereby amended as follows:

A. By striking out the words "Lieutenant Governor" whenever the same occur in the said Ordinance, and inserting in lieu thereof the words "Commissioner of the Yukon Territory."

B. By striking out the words "Legislative Assembly" wherever the same occur in the said Ordinance, and inserting in lieu thereof the word "Council."

C. By striking out the word "Territories" wherever the same occurs in the said Ordinance, and inserting in lieu thereof the word "Territory."

2. Sub-Section 4 of Section 2 of said Ordinance is hereby amended by striking out the words "Commissioner of Public Works," and inserting in lieu thereof the words "Commissioner of the Yukon Territory."

3. Sub-Section 2 of Section 8 of the said Ordinance is hereby amended by striking out the figures "\$50.00" and substituting therefor the figures "\$100.00."

4. Sub-Section 1 of Section 9 of the said Ordinance is hereby amended by striking out the figures "5.00" and substituting therefor the figures "\$10.00."

5. Section 13 of the said Ordinance is hereby amended by striking out the figures "\$50.00" and substituting therefor the figures "\$100.00."

6. Section 20 of the said Ordinance is hereby amended by striking out the words and figures in the third line after the "19th day of September, 1898," and by striking out the figures "5.00" in the last line thereof and substituting therefor the figures "\$10.00," and by striking out the figures "\$50.00" in the last line thereof and substituting the figures "\$100.00."

7. Section 21 of the said Ordinance is hereby amended as follows:

A. By striking out the figures "\$3.00" wherever they occur in the said section, and substituting therefor the figures "\$5.00."

B. By striking out the words and figures "19th day of September, 1898," in the first line, and the word "had" in the second line of Sub-Section 2 of said Section 21, and substituting therefor the words "has upon the date of the passing of this ordinance."

C. By adding to said section as sub-section 6 the following:

6 "Provided that the provisions of this section shall not apply to boilers or engines used in the working of placer mining claims, in which case a boiler or engine may be operated by any person producing satisfactory evidence of good conduct, sobriety and sufficient experience to an inspector, who on application therefor shall grant a permit to such person to operate such boiler or engine. A fee of \$3.00 shall be paid to the Inspector for every such permit issued by him

8. Subsection 1 of Section 23 of the said Ordinance is hereby amended by striking out the figures "\$5.00" in the first line thereof and substituting therefor the figures "\$10.00" and by striking out the figures "\$20.00" in the last line thereof and substituting therefor the figures "\$50.00."

9. Section 24 of the said Ordinance is hereby amended as follows:

A. By striking out the figures "\$3.00" wherever they occur in the said section and substituting therefor the figures "\$5.00."

B. By adding to said section the following as sub-section 3.

(3). "Provided that this section shall not apply to boilers or engines used in the working of placer mining claims," subject to the provisions of sub-section 6 of section 21 as amended by this ordinance.

10. Subsection 1 of section 25 of said ordinance is hereby amended, by adding in the sixth line thereof after the word "sobriety" the words "and sufficient experience."

A. By striking out the words "ninety days" in the seventh line thereof and substituting therefor the words "six months."

B. By striking out the figures "\$3.00" in subsection 2 of said section, and substituting therefor the figures "\$5.00."

11. Section 28 of said ordinance is hereby amended by striking out the figures "\$50.00" and substituting therefor the figures "\$100.00."

12. The said ordinance amended as aforesaid is hereby declared to be in force in the Yukon Territory.

[Signed]

WILLIAM OGILVIE.
Commissioner

Repealed by H.S. 2



Ordinance No. 15 of 1901.

AN ORDINANCE to amend Ordinance Number 29, of 1899 An Ordinance Respecting Intoxicating Liquors.

Assented to March 29th, 1901.

The Commissioner by and with the advice and consent of the Council of the Yukon Territory enacts as follows:

1. Ordinance number 29 of 1899, "An Ordinance respecting Intoxicating Liquors," is hereby amended by inserting as section 50A the following:

50A. (1) Every licensee who allows or suffers any person or persons to frequent or to be present in the barroom or room in which liquor is trafficked in during the times prohibited by this ordinance for the sale of liquor shall be guilty of an offence under this ordinance, unless it is established to the satisfaction of the Justice before whom the prosecution is heard.

a. That the person so found frequenting or present in the barroom or room where liquor is trafficked in, as aforesaid, was at the time he or she so frequented or was present in such barroom or room, a member of the family or household (other than a lodger, boarder or guest) or a servant or employe of such licensee, actually engaged in necessary domestic occupation or service within the said barroom or room.

b. Or that such person was present therein lawfully engaged in, receiving or supplying liquor which might lawfully be sold during said prohibited times.

(2). Any contravention of the provisions of this section by a servant, agent or employe of a licensee shall be presumed to be the act of such licensee.

2. The said ordinance is hereby further amended by inserting as section 50B thereof the following:

50B. In every premises licensed after the passing of this ordinance, whether such license is a renewal or

not, full view of the interior of the barroom shall not, during the times prohibited by this ordinance for the sale of liquor, be obstructed by means of screens, shades, blinds or frosted, ground or colored windows, or otherwise; and as to those actually under license, they shall be altered under the direction of the officer commanding the North West Mounted Police, so as to meet the spirit of this section for the time being.

3. The said ordinance is hereby further amended by inserting as section 55A thereof the following:

55A. (1) Any licensee of licensed premises which are used or partly used as a theatre, concert hall or dance hall or which connect or communicate with a theatre, concert hall or dance hall, who allows to be supplied to any person by purchase or otherwise any description whatever of liquor in any part of such premises, except at or over the bar shall, as well as the person who actually gives or supplies the liquor, be guilty of an offence, and on summary conviction thereof be liable to a penalty not exceeding fifty dollars and costs, and in default of payment, forthwith after conviction, to a term not exceeding two months' imprisonment; and should the licensee be convicted of such an offence more than once in twelve months, the Justice of the Peace will declare his license forfeited.

(2) Any licensee of licensed premises which are used or partly used as a theatre, concert hall or dance hall or which connect or communicate with a theatre, concert hall or dance hall, who allows to be supplied by purchase or otherwise any description whatever of liquor, to any female, or to any male, who at the time of such supplying is in company with a female, shall, as well as the person who actually gives or supplies the liquor be guilty of an offence, and on summary conviction thereof be liable to the penalties prescribed for offences under subsection 1 of this section, including forfeiture of license.

[Signed]

WILLIAM OGILVIE,
Commissioner.

NOTICE.

Public notice is hereby given that under the Companies Ordinance and amendments a special ordinance has been passed by the Yukon Council, being Ordinance No. 16, of 1901, incorporating Henry T. Wills, banker, Dawson; James Craig, judge, Dawson; H. Te Roller, merchant, Dawson; D. J. Doig, banker, Dawson; Frederick C. Wade, advocate, Dawson; R. P. McLennan, merchant, Dawson; Robert J. Eilbeck, sheriff, Dawson, and such other persons as may become shareholders for the following purposes, namely:

a. To take, receive and hold all estates and property, real and personal, which may be granted, committed, transferred, or conveyed to the said company with its consent, upon any trust or trusts whatsoever (not contrary to law) at any time or times by any person or persons, body or bodies corporate, or by any court in the Yukon Territory.

b. To take and receive on deposit upon such terms and upon such remuneration as may be agreed upon, deeds, wills, policies of insurances, bonds, debentures, or other valuable papers or securities for money, jewelry, plate or other chattel property of any kind and to guarantee the safe-keeping of the same.

c. To act generally as attorney or agent for the transaction of business, the management of estates, the collection of loans, rents, interests, dividends, debts, mortgages, debentures, bonds, bills, notes, coupons, and other securities for money.

d. To act as agent for the purpose of issuing or countersigning certificates of stock, bonds, or other obligations of any association, or corporation, municipal or other.

e. To receive, invest and manage any sinking fund therefor on such terms as may be agreed upon.

f. To accept and execute the offices of executor, administrator, trustee, receiver, assignee, or of trustee for the benefit of creditors under any act of the Council of the Yukon Territory; and of guardian of any minor's estate, or committee of any lunatic's estate; to accept the duty of any act generally in the winding up of estates, partnerships, companies, corporations.

g. To guarantee any investment made by the said company as agents or otherwise.

h. To sell, pledge or mortgage any mortgage or other security or any other real or personal property held by the said company from time to time, and to make and execute all requisite conveyances and assurances in respect thereof.

i. To make, enter into, deliver, accept and receive all deeds, conveyances, assurances, transfers, assignments, grants and contracts necessary to carry out the purposes of the said company.

j. To act as general agents and attorneys and managers of mines and mining property and general trustees.

k. To act as receivers, assignees and liquidators for any state and company and to accept the office of receiver or liquidators under appointment from any court in the said Yukon Territory.

l. To act as agents and attorneys for foreign corporations and persons outside of the Yukon Territory, carrying on business within the said Yukon Territory, and,

m. For all such duties, services and trusts, to charge, collect and receive all proper remuneration, legal, usual and customary costs, charges and expenses.

By the name of the Yukon Klondike General Trust Company, Limited, with a capital stock of \$100,000.00, divided into 1,000 shares of \$100 each.

Dated at Dawson this nineteenth day of April, 1901.

JOHN N. E. BROWN,
Territorial Secretary.



Ordinance No. 17 of 1901.

AN ORDINANCE ESTABLISH-
ING A YUKON OFFICIAL
GAZETTE.

Assented to April 25th, 1901.

The Commissioner of the Yukon Territory, by and with the advice and consent of the Council of said Territory, enacts as follows :

1. Until provision is made for the publication of a purely official Gazette, the "Yukon Sun," published on Saturdays, shall be and is hereby declared to be the Yukon Official Gazette.

(Sgd) J. H. ROSS,
Commissioner.

Repealed by

28/02



Ordinance No. 18 of 1901.

AN ORDINANCE RESPECTING
THE YUKON COUNCIL.

Assented to May 2nd, 1901.

The Commissioner, by and with the advice and consent of the Council of the Yukon Territory, enacts as follows:

1. Ordinance No. 15 of 1899, entitled "An Ordinance Respecting the Yukon Council," and Ordinance No. 18 of 1900, entitled "An Ordinance Amending Ordinance No. 15 of 1899, Respecting the Yukon Council," are hereby severally repealed.

2. There shall be a regular meeting of the Council of the Yukon Territory on the first Thursday of every month, commencing at the hour of eight o'clock in the afternoon, and every such meeting shall continue for such time as the Council determines and may adjourn from time to time as the Council sees fit.

(Sgd) J. H. ROSS,
Commissioner.



Ordinance No. 19 of 1901.

AN ORDINANCE to Amend Section 2 of Ordinance No. 14 of 1900 : Entitled "An Ordinance to Incorporate the Dawson City Water and Power Company, Limited.

Assented to May 2nd, 1901.

The Commissioner, by and with the advice and consent of the Council of the Yukon Territory, enacts as follows :

1. Section 2 of Ordinance No. 14 of 1900, entitled "An Ordinance to Incorporate the Dawson City Water and Power Company, Limited," is hereby amended by inserting the words in writing "of the Commissioner" between the word "consent" in the eleventh line of said section, and the word "previously" in the twelfth line of said section.

2. That the approval of the said Commissioner, as to the directions and modes in which the Dawson City Water and Power Company, Limited, has conducted its works through, under, along or over streets, alleys, highways and public places in the town of Dawson be and be deemed to be the consent previously obtained required by and under said section 2 of said ordinance.

(Sgd) J. H. ROSS,
Commissioner.

Repealed by 8/02



Ordinance No. 20 of 1901.

AN ORDINANCE to Amend Ordinance No. 9 of 1900, Entitled an Ordinance Amending Ordinance No. 29 of 1899, Respecting Intoxicating Liquors.

J. H. ROSS,
Com'r.

L. S.

Assented to May 14th, 1901.

The Commissioner, by and with the advice and consent of the Council of the Yukon Territory, enacts as follows :

Section 1, of Ordinance No. 9, of 1900, entitled An Ordinance Amending Ordinance No. 29 of 1899, entitled An Ordinance Respecting Intoxicating Liquors, is hereby amended;

(1) By striking out the words and figures following;

“(B) For season,
For steamboats, \$500.00”
and

(2) By substituting the words and figures following:

“(B) For season,
For every steamboat \$250.00.
Such fee shall be in addition to the fee of fifty dollars payable on every application for license.”

Amended by # 22/1902



Ordinance No. 21, of 1901.

**AN ORDINANCE RESPECTING
SITTINGS OF THE COURT
AND VACATION.**

J. H. ROSS,
Com'r.

L. S.

Assented to May 14th, 1901.

The Commissioner of the Yukon Territory, by and with the advice and consent of the Council of said Territory, enacts as follows:

1. (1). Subject to the provisions of section 12 of the Yukon Territory Act and until the times and places of sittings are appointed under that section, the Territorial court, presided over by a single judge for the transaction of the business of the court, may sit and act at any time and place in the Yukon judicial district that the judges of the court appoint, or, in the absence of such appointment, that the judge who is to hold any sitting appoints therefor.

(2) Several sittings of the court, each so presided over, may be held concurrently.

(3) Between the first and twenty fifth days inclusive, of every month, if there is any business to dispose of there shall be at least one sitting of the court at Dawson in said district on every day of the month, except on holidays and Saturdays.

(4) Every sitting of the court shall commence at the hour of 10 o'clock in the forenoon, unless otherwise ordered by the judge who is to hold the sitting, or by the judges.

(5) At the conclusion of the sitting of the court on any day, unless the presiding judge otherwise orders, and, if no judge attends at any time or place appointed for a sitting of the court, then at three of the clock in the afternoon of the day appointed, the court shall be deemed to be adjourned until the hour of ten of the clock in the forenoon of the next day fixed by

this ordinance or appointed for a sitting of the court.

2. (1) There shall be a vacation to extend from the first day of October in every year to the thirty-first day of January in the year following, inclusive of both of said days.

(2) During vacation no contested business, except as in this section provided, shall be transacted, and no party to a cause in which the defendant has appeared, shall be compelled to deliver any pleading. If the time for delivering any pleading in any such cause has not expired before the first day of vacation, it shall, without any order to that effect, stand extended until the expiration of five days after the last day of vacation.

(3) Provided that during vacation:

(a) Notice of motion to set a cause down for trial may be given and heard,

(b) Any process may be issued,

(c) Any ex parte business and any contested business, if the parties to such contested business by their solicitors or counsel consent, may be transacted,

(d) Judgment by default may be entered in any cause in which no appearance has been entered,

(e) Costs may be taxed, and

(f) Any cause or matter may be heard and any proceedings may be had or taken if the court or a judge authorizes such proceedings to be had or taken notwithstanding vacation.

3. All the enactments in the several ordinances in the schedule to this ordinance mentioned, are hereby repealed to the extent mentioned in the third column of the said schedule.

SCHEDULE:

Description of Ordinance.	Title of Ordinance.	Extent of Repeal.
Ordinances of Yukon Territory No. 4 of 1898.	An Ordinance respecting the Civil and Criminal sittings of the Territorial Court of the Yukon Judicial District.	The Whole.
Consolidated Ordinances of the Northwest Territories, Chapter 21.	An Ordinance respecting the Administration of Civil Justice.	Section 7.
do.	Rules of Court.	Order XLIII, Rules 543, 549 and 550.



Ordinance No. 22 of 1901.

AN ORDINANCE RESPECTING DOGS.

J. H. ROSS, Com'r.

L. S.

Assented to May 14, 1901.

The Commissioner of the Yukon Territory, by and with the advice and consent of the Council of said Territory, enacts as follows:

1. In this ordinance unless the context otherwise requires,

(a) The expression "dog" means a dog of the age of six months and upwards and includes both male and female;

(b) The expression "muzzled" means covered by a muzzle over the mouth in such manner as to make it impossible for the dog to be secured to touch with the mouth anything outside the muzzle and bite it;

(c) The expression "owner" means any person owning any dog and includes any agent or servant of such owner, and any person entitled to the possession or control of any dog;

(d) The expression "peace officer" means peace officer as defined by "The Criminal Code of 1892" and amending Acts, and includes any member of the North West Mounted Police force;

(e) The expression "pound" means,

(I) Any place established as a pound for dogs before the passing of this ordinance and any place established as such by the Commissioner by notice of location thereof published in the Yukon Official Gazette, and,

(II) If there is no such place established within three miles from the place where a dog is captured by a peace officer, any place deemed proper for a pound by such peace officer,

(f) The expressions "run at large" or "running at large" mean without being restrained, so as to be unable to do injury or harm, by being,

(I) Securely fastened to some stationary object so as to be unable to go more than five feet from such object, or,

(II) Confined within any building or other enclosure.

2. (I) No dog shall be permitted to run at large within the limits of the unincorporated town of Dawson, and any dog running at large within such limits if not muzzled

and wearing a strap with the tag as in this ordinance provided and under the control of its owner, shall be liable to be killed or impounded by any peace officer;

(II) No dogs shall be permitted to run at large within the Yukon Territory and any dog running at large within such territory, if not muzzled and wearing a strap with the tag aforesaid, shall be liable to be killed or impounded by any peace officer;

(III) The owner of any dog shall on or before the 1st day of July in every year obtain in the manner provided in this ordinance a license for such dog, and shall cause such dog to wear a strap around its neck with the tag furnished by a pound keeper to such owner, attached to such strap;

(IV) The owner of any dog running at large contrary to the provisions of this section shall be liable to a penalty of not less than five dollars and not more than thirty dollars, and, in default of payment, to imprisonment for a term not exceeding thirty days;

(V) No judgment shall be recovered against a peace officer for killing or impounding any dog unless the owner proves that when killed or impounded,

(a) Such dog was not running at large contrary to the provisions of this section and

(b) That the owner had paid the license fee in respect to such dog, and that such dog was wearing a strap with a proper tag.

3. (1) The commanding officer of the North West Mounted Police force in the Yukon Territory shall appoint for every pound a peace officer as keeper thereof;

(2) Such keeper shall be furnished by such officer with license forms, metal tags and straps for fastening such tags to the necks of dogs; every such tag shall be so made as to be easily fastened to a strap placed around the neck of the dog;

(3) Every license form shall have a counterfoil, easily separated from the license form, and its counterfoil shall be numbered with the same number; license forms shall be numbered with consecutive numbers;

(4) Each tag shall be numbered to correspond with a license.

4. Upon payment by or on behalf of any owner of a license fee of two dollars, the pound keeper to whom such fee is paid, shall issue to such owner a license in which shall be stated;

(a) The date of issue,

(b) The name of the owner of the dog in respect to which such license is issued,

(c) The name of the person paying the fee,

(d) A description of the dog, its name, probable age and sex.

5. The pound keeper shall enter the same particulars on the counterfoil of the license and retain the counterfoil.

6. The pound keeper shall deliver to the person who obtains a license such one of the tags furnished to such pound keeper as bears the same number as the license.

7. No owner of any dog impounded shall be entitled to recover possession of such dog without paying to the pound keeper,

(a) A sum equal to seventy-five cents a day for each day such dog has been impounded, and

(b) A license fee for such dog, if not already paid.

8. If such sum and fee have not been paid within one month after such dog has been first impounded, the pound keeper may sell such dog at public auction after five days public notice.

9. (I) The sum realized from such sale shall be appropriated

(a) To payment of the pound keeper the sum of seventy-five cents for each day such dog has been impounded

(b) To payment of any unpaid license fee in respect to such dog.

(c) To payment of any penalty imposed upon the owner in respect to such dog remaining unpaid, unless the owner has undergone or is undergoing the imprisonment in default of such payment, and,

(d) The balance, if any, shall be paid to such owner on demand.

(II) If there is no bid for any dog offered for sale at public auction under this ordinance the pound keeper may dispose of such dog in such manner as he sees fit at anytime after such auction.

10. Every pound keeper shall quarterly, and whenever required by said commanding officer, account to such officer for the licenses, tags and straps furnished to such pound keeper, and shall deliver to such officer the detached counterfoils in the possession of such pound keeper, and, when so required, the licenses, tags and straps also, and shall pay to such officer the license fees received by such pound keeper.

11. Every pound keeper shall keep a record of every dog impounded which record shall show the reason for impounding, the date such dog was first impounded, length of time impounded, the name and address of the owner, if known, and the final disposal made of such dog; such record shall be open to public inspection, and shall be subject to the order of such commanding officer.

12. Every pound keeper shall forthwith upon selling any dog, report to such officer the facts of such sale, and the price obtained for such dog, and shall pay to such officer the balance of such price after deducting therefrom the sum of seventy-five cents for each day the dog sold was impounded.

13. If no demand is made on the said commanding officer for any balance to which the owner of any dog sold is entitled, within three months after such sale, such officer shall pay such balance to the comptroller of the Yukon Territory, and the same shall form part of the Territorial fund of such Territory.

14. Subject to the next preceding sections, all sums received by the commanding officer from pound-keepers or from any other source under the provisions of this ordinance, and all penalties by whomsoever collected, shall be forthwith paid to such comptroller and shall form part of said fund.

15. Every owner shall when required by a peace officer, furnish in writing to such peace officer, a true statement of the number of dogs owned or kept by him.

16. Every person violating any provision of this ordinance for violation of which no penalty is provided, shall be liable to a penalty of not less than five dollars and not exceeding one hundred dollars.

17. The procedure and other provisions of the Criminal Code of Canada, 1892, and amending Acts relating to summary convictions shall apply to every case in which any person commits or is suspected of having committed any offence for which a penalty is provided by this ordinance.

18. All enactments in the several ordinances in the schedule to this ordinance mentioned are hereby repealed, to the extent mentioned in the third column of said schedule.

SCHEDULE:

Description of Ordinance.	Title of Ordinance.	Extent of Repeal.
Ordinance No. 7 of 1898, of the Yukon Territory.	An Ordinance Respecting the Muzzling and Transportation of Dogs.	The whole.
Ordinance No. 8 of 1898, of the Yukon Territory.	An Ordinance amending Ordinance No. 7, of 1898, Respecting the Muzzling and Transportation of Dogs.	The whole.
Ordinance No. 12 of 1898, of the Yukon Territory.	An Ordinance to Amend Ordinance No. 7 of 1898, Respecting the Muzzling of Dogs.	The whole.
Ordinance No. 5 of 1901, of the Yukon Territory.	An Ordinance to Amend Ordinance No. 7, of 1898, entitled An Ordinance Respecting the Muzzling of Dogs.	The whole.



Ordinance No. 23, of 1901.

**AN ORDINANCE RESPECTING
THE REMOVAL OF TRES-
PASSERS FROM PUB-
LIC PROPERTY.**

J. H. ROSS,
(L.S.) Com'r.

Assented to June 6th, 1901.

The Commissioner of the Yukon Territory, by and with the advice and consent of the Council of said Territory, enacts as follows:

1. The Sheriff of the Yukon Territory, or any member of the Northwest Mounted Police force in the Yukon Territory shall, when required in writing from time to time by the Commissioner of the said Territory, eject all persons and remove all buildings, goods and chattels, whether attached to the realty or not, from

(a) Dawson waterfront on the West side of First avenue in Dawson aforesaid and from the banks and shores of the Yukon river adjoining such waterfront, and

(b) From any public street or highway laid out by proper authority in the Yukon Territory, and

(c) From any Dominion lands in said Territory and from any lands which were Dominion lands

until sold by the Commissioner or by the officer authorized to sell such lands, and which have been so sold, and

(d) From any public property, and

(e) From any portion of such waterfront, banks, shores, street, highway, lands or property designated in such writing, and such Sheriff or member shall deliver possession of the same to His Majesty the King represented in that behalf by the said Commissioner, or to such person or persons as such Commissioner directs.

2. Every person present shall, when required by the Sheriff, or by the members of said force to whom such writing is directed, assist in such ejection, and every peace officer and member of said force shall, when so required, assist in such ejection and removal.

3. No action shall be brought against any Sheriff, member of said force or against any person for any act done in performing or assisting to perform the requirements of such writing.

4. The enactments in the Ordinance in the Schedule to this Ordinance mentioned are hereby repealed to the extent mentioned in the third column of the said schedule:

SCHEDULE:

Description of Ordinance.	Title of Ordinance.	Extent of Repeal.
Ordinances of the Yukon Territory, No. 23 of 1899.	An Ordinance entitled "An Ordinance Respecting the Dawson Waterfront."	The Whole



Ordinance No. 24, of 1901.

AN ORDINANCE TO AMEND
ORDINANCE NO. 22 OF 1901.
ENTITLED "AN ORDI-
NANCE RESPECTING
DOGS."

(L. S.)

J. H. ROSS, Com'r.

Assented to, July 4th, 1901.

The Commissioner of the Yukon Territory, by and with consent of the Council of the said Territory, enacts as follows:

1. Ordinance No. 22, of 1901, entitled "An Ordinance Respecting Dogs," is amended by striking out the whole of sub-section (I) of Section 2 of the said Ordinance.

2. Sub-sections (II), (III), (IV) and (V) of Section 2 shall be renumbered (I), (II), (III) and (IV) respectively, and the expression "Yukon Territory" in said Section 2 shall include the unincorporated town of Dawson.



Ordinance No. 25 of 1901.

AN ORDINANCE RESPECTING
THE PAYMENT OF INDEMNITY TO THE REPRESENTATIVE MEMBERS OF THE YUKON COUNCIL.

(L. S.)

J. H. ROSS, Com'r.

Assented to July 4, A.D. 1901.

The Commissioner by and with the advice and consent of the Yukon Council enacts as follows:

1. Until provision is made by the Parliament of Canada for the payment of an allowance to the two representatives elected to the Yukon Council under the provisions of Section 5 of the Yukon Territory Act, the Commissioner of the Yukon Territory shall pay to each of said representatives an allowance of one thousand two hundred dollars for each year of service after election.

2. A deduction at the rate of twenty-five dollars per day shall be made from such allowance for every day on which a representative does not attend a sitting of the Council, if the Council sits on such a day, or of a committee of such Council if such committee sits on such day and he is a member of such committee.

3. Such allowance may be paid from time to time as the representative becomes entitled to the same to the extent of fifty dollars for each day's attendance as aforesaid, for the remainder shall not be paid until the close of the year in respect to which the same is payable, when the final payment shall be made.

4. The representative members of the said Council at the time of the passing of this Ordinance shall be deemed to be entitled at the close of the first year after their election to the full allowance, subject only to such deductions as the same may become liable to after the passing of this Ordinance.

5. There shall also be allowed to each such member of the said Council his actual travelling expenses from his place of residence in attending sittings of the Council and of any such committee as aforesaid and returning to such residence.

6. The Council may by resolution waive any deduction for non-attendance of any representative.

Repealed by #5/02



Ordinance No. 26, of 1901.

AN ORDINANCE RESPECTING THE APPOINTMENT OF OFFICIAL STENOGRAPHERS, AND THE TAKING OF EVIDENCE IN COURTS OF JUSTICE.

(L. S.)

J. H. ROSS, Com'r.

Assented to, July 4, 1901.

The Commissioner of the Yukon Territory, by and with the advice and consent of the Council of the said Territory, enacts as follows:

1. The Commissioner of the Yukon Territory may appoint as many persons as he deems necessary as Official Stenographers of the Territorial Court. Every Stenographer so appointed or appointed by the Minister of Justice of Canada, shall upon appointment become an Officer of the said Court and it shall be the duty of any such Stenographer to take any evidence to be used in the said Court or before a Judge or Examiner in any cause or matter in accordance with the direction of the Court or any Judge thereof.

2. Any such Stenographer shall take an oath of office in the following terms:

I, A. B., of —, in the Yukon Territory, duly appointed Official Stenographer of the Territorial Court of the Yukon Territory, make oath and say:

That I will to the best of my skill and knowledge faithfully, honestly and diligently perform all the duties incumbent upon me as such Official Stenographer, either in taking stenographic notes, extending the same or making a transcript thereof, and attaching my certificate thereto or otherwise.

Sworn to at — in the Yukon Territory, this — day of —, A.D. 190—.

3. The said oath shall be signed and taken before any Judge of the said Court, or a Clerk thereof, and the appointment with the said oath

of office shall be filed in the office of the said Clerk.

4. The certificate of the Clerk or deputy clerk of the Court of the filing of the appointment of any person with such oath of office shall be sufficient evidence of such appointment and of the taking of such oath.

5. The evidence in any cause or matter and the charge of the Judge to the jury, if any, in any cause or matter shall be taken stenographically under the direction of the Court, Judge or Examiner, unless it is otherwise ordered.

6. The Court, Judge or Examiner may order that the Stenographer's notes of the evidence of any witness be read to such witness and corrected in open Court.

7. The Stenographer's notes shall be transcribed when the Court, Judge or Examiner so orders, or in case of appeal, or motion for a new trial. Each party shall pay the cost of transcribing the evidence given by such party and such cost shall be deemed costs in the cause unless otherwise ordered. Each party may obtain upon payment of a fee equal to ten cents a folio a transcript of the whole or any part of the notes.

8. The Stenographer shall certify to the truth and correctness of the transcript of his notes. Upon the application of any party interested the Court, Judge or Examiner who hears evidence may order the correction of any errors in the transcript.

9. Every Stenographer shall deposit his stenographic notes with the Clerk of the Court.

10. At the commencement of the evidence in every case the Stenographer shall mention the name of the presiding Judge or Examiner, the designation of the parties, and shall give in the proper place the age, occupation and domicile of every witness and the fact of his having been sworn or having affirmed.

11. When the Court, Judge or Examiner orders that a deposition be not taken down stenographically, the Court, Judge or Examiner shall cause to be taken down in writing notes of the material portions of the evidence, and of all the objections insisted upon by either of the parties, with the decision thereupon.



Ordinance No. 27 of 1901.

AN ORDINANCE for granting to the Commissioner certain sums of money to defray the further expenses of the public service of the Yukon Territory for the twelve months from June 30th, 1900, to June 30th, 1901, and for purposes relating thereto; and for granting to the Commissioner certain sums of money to defray the expenses of the public service of the Yukon Territory for the twelve months from June 30th, 1901, to June 30th, 1902, and for purposes relating thereto.

(L. S.)

J. H. ROSS, Com'r.

Assented to July 4, 1901.

Whereas it appears by message from James Hamilton Ross, the Commissioner of the Yukon Territory, and the supplementary estimates accompanying the same, that the sums hereinafter mentioned in Schedule "A" to this Ordinance are required to defray certain further expenses of the public service of the Yukon Territory, and for other purposes relating thereto, for the twelve months ending June 30th, 1901;

And Whereas, it appears by message from James Hamilton Ross, the Commissioner of the Yukon Territory, and the estimates accompanying the same, that the sums hereinafter mentioned in Schedule "B" to this Ordinance are required to defray certain expenses of the public service of the Yukon Territory, and for other purposes relating thereto, for the twelve months ending June 30, 1902; it is therefore hereby enacted by the Commissioner by and with the advice and consent of the Council of the Yukon Territory, as follows:

1. From and out of the funds at the disposal of the Yukon Council there shall and may be paid and applied a further sum not exceeding in the whole one hundred and thirty-seven thousand one hundred and ninety dollars and thirty-five cents for defraying the several charges and expenses of the public service for the twelve months ending June 30th, 1901, as set forth in Schedule A to this Ordinance.

2. From and out of the funds at the disposal of the Yukon Council there shall and may be paid and applied a sum not exceeding in the whole four hundred and seventy-nine thousand eight hundred dollars for defraying the several

charges and expenses of the public service for the twelve months ending June 30th, 1902, as set forth in Schedule "B" to this Ordinance.

3. The due application of all moneys expended shall be duly accounted for.

Schedule "A" to Ordinance No. 27 of 1901.

Further sums granted to the Commissioner by this Ordinance for the twelve months ending June 30th, 1901, and for the purposes for which they are granted.

To defray additional expenses of the Government of the Yukon Territory for the twelve months ending the 30th of June, 1901, as follows:

Table listing expenses for Schedule A: Fuel, Fire Department, \$ 3,432.46; Lighting Fire Halls... 286.00; Engine, Fire Department 456.60; Hose " " 1,096 00; Horses, " " 870.00; Contingencies, Fire Department... 7,386 78; Drains and Ditches... 4,052,39; Liquor Preventive Service... 1,150.74; Streets, Dawson... 4,078.34; Contingencies, Territorial... 3,261.46; Medical Board of Health Territorial... 25,068.25; Schools... 14,816 27; Stenographer's Salaries, Dawson Police Court, 5,648.38; Printing and Stationery 1,654.00; Roads, Bridges and Public Works... 63,932.65; Total \$137,190.35

Schedule "B" to Ordinance No 27 of 1901.

Sums granted to the Commissioner by this Ordinance for the twelve months ending June 30th, 1902, and for the purposes for which they are granted.

To defray the expenses of the Government of the Yukon Territory for the twelve months ending the 30th of June, 1902, as follows:

Table listing expenses for Schedule B: Fire Departments... \$85,000.00; Streets, Garbage and Lighting Streets... 60,000.00; Assessment and Collection of Taxes... 6,600.00; Schools... 71,200.00; Hospitals and Charity 38,000.00; Printing and Stationery 7,500.00; Newspapers and Periodicals... 500.00; Preventive service... 15,000.00; Salaries... 20,000.00; Indemnity and traveling expenses of Members of Yukon Council 3,000.00; Roads, bridges and public works... 160,000 00; Contingencies, unincorporated Town of Dawson... 8,000.00; Contingencies, Territorial... 5,000 00; Total \$479,800.00



Ordinance No. 28, of 1901.

AN ORDINANCE FOR THE PRO-
TECTION OF BRIDGES.

(L. S.)

J. H. ROSS, Com'r.

Assented to, July 5, 1901.

The Commissioner of the Yukon Territory, by and with the advice and consent of the Council of the said Territory, enacts as follows:

1. Every person who rides or drives any animal or vehicle over any bridge or causeway at a pace greater than a walking pace, shall be liable to a penalty not exceeding fifty dollars, and in default of payment, to imprisonment for a term not exceeding thirty days.

2. Every person who moors, makes fast, or in any way attaches any raft, steamboat, vessel, boat, barge or other floating body to any bridge or to any pier, pile, trestle or abutment of the same shall be liable to a penalty not exceeding one hundred dollars, and in default of payment to imprisonment for a term not exceeding sixty days.

3. The enactments in the Ordinance in the schedule to this Ordinance mentioned are hereby repealed to the extent mentioned in the third column of the said schedule:

SCHEDULE:

Description of Ordinance.	Title of Ordinance.	Extent of Repeal.
Ordinance of the Yukon Territory No. 3 of 1900.	An Ordinance entitled An Ordinance Respecting Bridges.	The whole.

Amended by 26/1901. 30/02
42/1901.
3/1902.



Ordinance No. 29 of 1901.

AN ORDINANCE RESPECTING ASSESSMENT.

(L. S.)

J. H. ROSS, Com'r.

Assented to July 20, A.D. 1901.

The Commissioner of the Yukon Territory, by and with the advise and consent of the Council of the said Territory, enacts as follows:

SHORT TITLE.

1. This ordinance may be cited as "The Assessment Ordinance."

INTERPRETATION.

2. In this ordinance, unless the context otherwise requires, the following expressions shall be construed in the manner in this section mentioned:

"Assessor" means the person appointed by the proper authority as assessor in any incorporated or unincorporated town in which property is liable to taxation and the person elected or appointed overseer in any town organized under the ordinance respecting unincorporated towns.

"Income" means the annual profit, gain, wages, salary or emoluments arising from any place, office, profession, trade, calling, employment, labor or occupation and directly or indirectly received by any person and includes the interest arising and directly or indirectly received from money, securities, notes, mortgages, debentures, accounts, public stocks, gold dust or from other property.

"Person" includes firm, company, association and corporation

"Personal property" includes all such goods and chattels and other property as are enumerated in the first schedule to this ordinance.

"Property" includes both real and personal property.

"Real property" includes land and land covered with water and whatever is erected or growing upon or affixed to land and also rights issuing out of, annexed to or exercisable within or about the same.

"Town" includes the unincorporated town of Dawson, any incorporated town, and any town organized under the provisions of the ordinance respecting unincorporated towns.

PROPERTY LIABLE TO TAXATION.

3. All real and personal property in any town and the income of every person carrying on any profession, trade, calling, employ-

ment, labor or occupation or filling any place or exercising any office and every person residing in any town shall be liable to taxation for all purposes for which taxes and votes are levied by authority of law.

PROPERTY EXEMPT FROM TAXATION.

4. The following property shall be exempt from taxation. That is to say:

(a.) All property vested in His Majesty the King or vested in any person for Imperial, Dominion or Territorial purposes, and either unoccupied or occupied by some person in an official capacity. If any such property is occupied by any person otherwise than in an official capacity the occupant shall be assessed and rated in respect thereto, but the property itself shall not be liable;

b. Every church and place of worship and the land, to the extent of not more than one half acre in connection therewith and every churchyard and burial ground;

c. The real property of every public institution of learning, every public schoolhouse, townhall, courthouse, jail and lockup house.

d. All school lands;

e. All public landings, public breakwaters and public wharves;

f. The property of every town, if occupied, for the purposes of such town;

g. Household furniture in actual use;

h. Tools to the value of two hundred dollars belonging to a miner or mechanic and necessary for carrying on his business;

i. Property specially exempted from taxation by any ordinance of the Yukon Council;

j. Income to the extent of two thousand dollars;

k. The Good Samaritan hospital and St. Mary's hospital and the real and personal property occupied and used for the purposes of such hospitals as such.

DUTIES OF ASSESSORS.

5. Every assessor shall, between the 20th day of July and the 20th day of September, in every year, ascertain by diligent inquiry and examination the names of all persons liable to be rated within the town for which he acts as assessor, their ratable property and income, and the extent, amount and nature of the same.

ASSESSMENT ROLL.

6. (1) The assessor having ascertained as nearly as he can the particulars of the real and personal property and income to be assessed shall prepare an assessment roll in which he shall set down in separate columns the names and description of every person liable to be rated identifying each such per-

son by a number on the roll, by a statement of the occupation and residence of such person distinguishing the resident from the non-resident and by showing whether such person is assessed as owner, occupant or tenant, or on account of income. The assessor shall also set down a description and the value of real and personal property and income showing thereunder as far as possible the various particulars enumerated in the Form A in the second schedule to this ordinance. The assessor shall also set down the exemptions and shall note any other facts that may aid in securing a proper and correct assessment.

(2.) The assessment roll shall be as nearly as possible in the said Form A, except that the columns under the heading "amount of taxes due on real and personal property" form part of the rate book and not of the assessment roll.

7. In making up the assessment roll the assessor shall be governed by the following rules:

Rule 1. All property liable to taxation shall be assessed at its actual cash value, such value being the amount which in the opinion of the assessor it would realize in cash if offered at auction after reasonable notice.

Rule 2. Income shall be assessed at its actual amount and the amount of any person's income during the year preceding shall be taken in the absence of more certain information as the amount of his income for the year in which the assessment is made. In the assessment of income no deduction shall be made by reason of indebtedness or expense of living.

Rule 3. Personal property shall be assessed to the owner if known to the assessor, otherwise in the name of the person in possession thereof, provided that the assessment thereof may be transferred to the name of the owner at any time by the assessor or assessment or appeal court, after notice to such owner.

Rule 4. Persons owning real property situated in any town shall be assessed for such property in the town in which the property lies.

Rule 5. Where the person liable to be assessed in respect to any real property which is unoccupied is not resident within the town in which the property lies or is unknown such real property shall be assessed as property of a non-resident and shall be so designated in the assessment roll.

Rule 6. Real property shall, in all cases, be assessed to the owner thereof.

Rule 7. Income derived from any profession, trade, calling, employment, labor or occupation and the

income derived from any place or office shall be assessed in the town in which such profession, labor, trade, calling, employment or occupation or such place or office is filled or exercised, provided the same is carried on filled or exercised in a town in which an income tax is levied, otherwise the same shall be assessed in the town in which the person receiving such income resides.

Rule 8. Whenever two or more persons are either as business partners or by any other kind of joint, or joint and several interest, the owners of any personal property or of real and personal property together, the names of each of such persons shall be entered on the assessment roll and the property apportioned among them to the best of the assessor's judgment.

Rule 9. All property under the control of any person as executor, administrator, trustee, guardian or agent, the separate property of a married woman and property of an infant shall be assessed and rated in the name of the person exercising control over such property but such rating shall be kept separate and distinct from the rating and assessment of such person in his own right and if there is more than one person exercising such control notice given to any one of such persons shall be sufficient.

Rule 10. (1) The assessor shall on or before the 30th day of September in each year complete the roll.

(2) The assessor shall forthwith thereafter sign the said roll first attaching thereto a certificate in the Form B in the second schedule to this ordinance.

Rule 11. Notice that the assessment roll certified as required by the next preceding rule is completed shall as soon as practicable and not later than one week after the day fixed for the completion of the roll in each year be forwarded by the assessor to the Territorial secretary. Such notice shall state the number of persons assessed, the total value of real property, of personal property and of income assessed in such roll and the total of all such assessments.

8. (1) The assessor shall forthwith on the completion of the assessment roll give notice of the assessment by delivering to each person, firm, company, association or corporation, or by mailing to such person, firm, company, association, or corporation, postage prepaid, a notice setting forth the sums at which the real property, the personal property and income respectively of such person, firm, company, association or corporation are assessed.

The assessor shall enter on the roll opposite the proper name the date of such delivery or mailing and such entry shall be pre-emptive evidence of such delivery or mailing.

2. Such notice may be in the Form C, in the second schedule to this ordinance, or to the like effect.

9. (1) Every person who commences business of any kind in a town and whose property has not been assessed at the previous general assessment or who has not been rated, shall give notice in writing to the assessor within one week after commencing business of his place of residence and his place of business and the assessor shall, within one week after such notice, assess the property of the person so commencing business in the same way as other rate payers are assessed under the general assessment. The assessor may, at any time, upon learning that any such person has commenced business, whether such person has given such notice or not, assess the property of such person in such way as aforesaid.

2. The assessor shall rate such person at the same rate as the rate payers in the town and every such rate shall be collected in the same manner as the other rates are collected. The assessor shall notify the Territorial Secretary of every assessment and rate made under the provisions of this section.

3. Any person so commencing business who does not give such notice shall be liable to a penalty of one hundred dollars and in default of payment to imprisonment for a period not less than thirty days and not more than ninety days.

10. (1) If in any year the assessor after the assessment roll has been completed, discovers that property or income of any person to an amount of not less than one hundred dollars and which is liable to taxation has been omitted from the assessment roll, the assessor shall at any time before the first day of January next following the completion of such assessment roll proceed to assess such person for such property or income and the rates thereon shall be levied at the rates fixed for the current year and collected in the same manner as the rates on other property.

2. The person assessed shall have the right to appeal from such assessment and the assessment appeal court shall have power to reverse, vary or modify the assessment so made and amend the assessment roll accordingly.

11. If any person who is assessed in the assessment roll dies after the making of the assessment by

the assessor the notices required by this ordinance to be given to the person assessed may be given to his executors or administrators, if any, and to the public administrator, if there are no executors or administrators, and they or he shall have the right of appeal in the same manner, as if they or he were assessed as such executors or administrators in respect to the property assessed against the deceased.

ASSESSMENT APPEAL COURT.

12. (1) There shall be a court of appeal consisting of not more than three members appointed by the commissioner in every town and such court shall hear all appeals from persons aggrieved by the assessment made by the assessor.

2. The members of the said court shall, in the case of the unincorporated town of Dawson, be members of the Yukon Council.

3. The person named by the commissioner when present shall preside at all meetings of the court; in his absence the members present shall appoint one of their number to preside.

4. Two members of the court shall form a quorum for the hearing of appeals and the decision of a majority of the members present shall be final.

5. The assessor shall be the clerk of the court and shall make and keep on file a record of its proceedings.

INSPECTION OF ROLL.

13. On and after the assessment roll is completed by the assessor and until ten days after such roll is revised and corrected by the assessment appeal court the same shall be open for inspection during office hours when the said court is not sitting. Such inspection may be had either at the office of the assessor or at some public place named by him for the purpose.

APPEALS FROM ASSESSMENT.

14. (1) Any person complaining that he has been wrongfully inserted in or omitted from the roll or that his property has been undervalued or overvalued by the assessor may give notice in writing to the assessor that he appeals from the assessment for any or all of the causes aforesaid and shall give a name and address where notices may be served upon him by the assessor.

2. If any ratepayer complains that the property or income of any person within his town has been undervalued or overvalued or that any person has been wrongfully inserted in or omitted from the roll he may give notice in writing to such person and to the assessor that he appeals from such assessment or in respect to such insertion or omission and

the matter shall be decided in the same manner and by the same court as an appeal by a person assessed.

15. The notice of appeal may be in the form given in Form C in the schedule to this act. Such notice shall state particularly the grounds of objection to the assessment or to such insertion or omission and shall be served on the assessor not later than fifteen days after the notice of assessment has been given by delivering or mailing the same.

16. The court shall meet for the hearing of appeals on the fourth Tuesday in October in each year at the court house, if there is any, in such town; and if not, in such place as the chairman of the court appoints. The court may adjourn from time to time and from place to place.

17. If at the time appointed for the meeting of the court a quorum is not present the chairman or, in his absence or if there is no chairman, any member of the court present may adjourn the court until another time; and if no member of the court is present it shall stand adjourned until the following day at the same day and hour.

18. The court shall have the power to examine witnesses upon oath or affirmation to be administered by the chairman and the person appealing or any person interested in such appeal may call and examine witnesses on oath or affirmation before the court.

19. (1) The court shall have the power to issue subpoenas ad testificandum and duces tecum for the attendances of witnesses before the court; such subpoenas shall be in such one of the Forms D in the second schedule to this ordinance, as is appropriate and may be signed by any member of the court.

2. Any person served with any such subpoena who, having been paid or tendered such fees as witness as he would be entitled to in a civil case in the Territorial court, disobeys the subpoena shall be liable to a penalty of not less than twenty-five dollars or more than one hundred dollars and in default of payment to imprisonment for a period not exceeding ninety days.

20. The assessor shall immediately after the expiration of the time for giving notice of appeal prepare a list of appeals to be heard entering them thereon in the order in which the notices were received by him and giving in each case the names of the complainant and the person complained against, or to whom the assessment is sought to be transferred, with a concise description of the subject-matter of the complaint and a notice of the

time and place at which the court will meet to hear such appeal. Such list may be in the Form E in the second schedule to this ordinance or to the like effect.

21. The assessor shall give notice of the time and place of hearing such appeals by.

a. Posting a copy of such list with notice of the time and place of the first meeting of the assessment appeal court in at least five conspicuous public places in the town, one of which shall be the postoffice and another the office of the assessor, or

b. By publication in a newspaper published in such town by at least one insertion in such newspaper at least five days before the first day of meeting of such court. No other notice of the time and place of meeting of such court shall be necessary.

22. The court shall proceed with the appeals in the order as nearly as may be in which they are entered, but the court may, if it sees fit, grant an adjournment of the hearing of any appeal to any time and may change the order of proceeding with the appeals. In case of an adjournment it shall not be necessary to serve notice of such adjournment on any of the parties to such appeal but the chairman of the court shall publicly announce the day the court will hear such appeal.

23. (1) The court after hearing the complaint and any witnesses he produces and the party complained against and such witnesses as he produces and the assessor, if necessary, shall determine the matter.

2. If the object of the appeal is to reduce the assessment the assessor shall appear and represent the interest of the town.

24. On any appeal the court may:

a. Confirm, reduce or increase the value of any property or income on the assessment roll.

b. Add to the roll the name and assessment of any person left off the roll.

c. Strike off the roll the name of any person wrongfully entered thereon.

d. Transfer the assessment to the proper person when any property or income has been assessed in the name of a person who is not legally liable to be assessed therefor.

e. When any property has been assessed more than once to strike out such assessment as is improper or illegal and generally to correct any clerical errors made by the assessor in the assessment roll.

25. The court shall also have power of its own motion and after

notice to add to the roll the name of any person improperly left off with the value of the property and income for which in the judgment of the court such person should be assessed and to the amount of the assessment of any person.

26. All reductions and increases of assessments rendered necessary by the decisions of the court as well as all transfers of assessment from one person to another and all other necessary changes, corrections, alterations or additions made by the said court shall be minuted upon the assessment roll by the assessor in red ink.

27. If either party fails to appear the court may proceed ex parte and if neither party appears the court may confirm the assessment.

28. It shall not be necessary to hear the complainant or assessor or person complained against except where the court deems it necessary or proper or where evidence is tendered by or on behalf of either party.

29. The chairman of the court shall have such and the like power and authority to preserve order in such court during the sitting thereof and by the like ways and means as are exercised and used in like cases by the Territorial court.

30. The decision of the court shall in all cases be final.

MISCELLANEOUS PROVISIONS RESPECTING APPEAL.

31. Any sum rated upon any person may be collected or recovered notwithstanding any appeal but if any money has been paid by the appellant and the court adjudges that the same or any part thereof be returned the same shall by order of the court be repaid out of any monies received from the general rates of the town.

32. No certiorari to remove any assessment, rate or order or any proceeding of the assessment appeal court touching any assessment, rate or order shall be granted unless it is made to appear by affidavit that the merits of the assessment, rate, order or proceeding will by such removal come properly in judgment; nor shall any assessment, rate, order or proceeding be quashed for matter of form only nor any general assessment or rate for any illegality in the assessment or rate of any individual except as to such individual.

33. No action shall be brought against an assessor, collector or other person who has received money on a rate subsequently quashed, reversed or varied; any person who has paid such money shall be entitled to receive the

amount out of the general rates of the town on the order of the assessor or of the assessment appeal court.

34. The assessment roll as finally passed by such court shall be certified by the assessor as so passed and shall bind all persons assessed in such roll notwithstanding any defect or error therein or any irregularity on the part of the assessor or in respect to the making up of the roll or in the proceedings of the court or any error or irregularity in the notices required to be given or any neglect or omission to deliver mail or transmit such notices.

35. A copy of any assessment roll or portion of any assessment roll written or printed without any erasure or interlineation and certified to be a true copy by the assessor shall be received as prima facie evidence in any court of justice without proof of the signature of the assessor or the production of the original assessment roll or of part of which such certified copy purports to be a copy.

RATE BOOK.

36. Upon an estimate being made by the proper authority of all sums which are required for the lawful purposes of the town for the then current year after crediting the probable receipts from all sources of revenue other than the rates for such year and after making due allowance in such estimate for the abatement, losses and expenses which may occur in the collection of the rates and taxes and for the rates and taxes which may not be collected or collectable the assessor shall levy and collect a rate of so much on the dollar of the assessed value of the property and income assessed in such roll as he deems sufficient to produce the amount necessary to defray the expenses of the city or town for the then current year as stated in such estimate, including any deficiency from any preceding year.

37 (1) The assessor shall make the rate-book by carrying out in the assessment roll in form A under the several headings under the heading "amount of taxes due on real, personal and income" opposite the name of each person, firm, company and corporation the rate of mills on the dollar, the arrears of taxes, the taxes for the year 19—, and the total amount of taxes due.

2. Such rate book shall be revised;

a. In the town of Dawson by the Comptroller of the Yukon Territory aided by such persons as he may select, and

b. In other towns by such person or persons as may be appointed by

the Commissioner of the Yukon Territory for such purpose.

3. The person or persons whose duty it is to revise the rate book shall correct all errors whether of addition or otherwise therein and see that the same complies in every respect with the law and report in respect to such rate book as revised and corrected to the Territorial Secretary.

4. The commissioner of the Yukon territory may refer such rate book back for further revision and report.

COLLECTOR OF RATES.

38. In the town of Dawson the assessor shall be the collector of rates, in other towns the Overseer shall be such collector.

COLLECTION OF RATES.

39. (1) As soon as the rate book has been revised and not later than the 10th day of November the person or persons whose duty it is to revise the same shall deliver the same as revised to the assessor who shall forthwith cause every person, firm, company, association and corporation rated in the rate-book or his or its agent, manager, cashier or secretary to be served with a notice in the Form F in the second schedule to this ordinance.

2. Such notice may be served by leaving the same at the place of residence or business of such person, firm, company, association or corporation or the place of residence or business of such agent, manager, cashier or secretary or by mailing the same to his or their last or usual address or by posting up the same on the property assessed.

3. All amounts rated against any person, firm, company, association or corporation shall become due and payable within five days after service, mailing or posting of such notice, at such place as is named in such notice.

40. (1) If any person, firm, company, association or corporation fails to pay to the assessor the rates due and payable by him for thirty days after the same become due and payable the assessor may by himself or his agent levy the same with costs by distress of the goods of such person, firm, company, association or corporation, or of any goods in the possession of such person, firm, company, association or corporation wherever the same may be found.

2. If such rates are due and payable in respect to real property the same shall constitute and be a lien upon such real property having priority over any deed, transfer, mortgage, judgment, private lien claim or encumbrance of any kind what-

soever and the assessor may levy such rates with costs by distress of any goods found by him upon such real property at any time after such thirty days whether such goods are the property of the person assessed and rated in respect to such real property or of any other person whatsoever. If such rates are not paid by the person liable therefor or by distress made under this section for six months after such rates become due and payable the assessor may sell such real property under the provisions relating to such sale in this ordinance hereinafter contained.

3. If any person, firm, company, association or corporation fails to pay rates due and payable in respect to income within the said thirty days the assessor may give notice to any person, firm, company, association or corporation from whom any debt is due or accruing due to such first-mentioned person, firm, company, association or corporation and the person, firm, company, association or corporation served with such notice shall at once or as soon as such debt accrues due pay such rates to the extent of such debt to the assessor and such payment shall be a discharge and release pro tanto of such debt. After such notice has been given of such debt is due or has accrued due the assessor may levy distress of the goods of the person, firm, company, association or corporation to the amount of such debt or so much as is sufficient to pay such rates and such distress shall be a discharge and release as aforesaid.

4. No warrant shall be necessary to enable the assessor to levy distress under this section or to justify him in so doing. It shall be sufficient for him to serve a notice on the person, firm, company, association or corporation on whose goods or on the goods in the possession of whom he is about to make distress of the amount claimed by him for rates and of the fact that he is about to make a distress.

5. Goods distrained may be impounded on the premises or any part thereof on which they are found or may be removed for safe keeping. In either case the assessor may leave any person or persons in charge of the same if he deems it necessary for their safe keeping.

41. The assessor after giving five days' notice of sale by handbills posted in at least five conspicuous places in the locality in which the sale is to take place shall sell such goods on the premises or at any other place for the best price to be gotten therefor and shall apply the proceeds of such sale towards satis-

faction of the rates due and expenses incurred and shall pay the surplus if any to the owner of such goods if known to the assessor or to the person in whose possession they were when the distress was levied.

42. The assessor may at his option sue for any unpaid rate and recover the same in the name of the town together with costs as for a debt due to the town. If a distress and sale of goods is made by the assessor he may sue for any balance unpaid after such sale.

43. (1) If any person who is indebted to the town for rates and who has been served with a notice requiring him to pay the same is about to leave the town the assessor may make an affidavit before a Judge of the Territorial Court or before any Stipendary Magistrate or Justice of the Peace that such person is indebted to the town for such rates and that he verily believes that such person is about to leave the town and that such rates will be lost unless the goods of such person are forthwith distrained or unless such person is forthwith arrested and thereupon such Judge, stipendary magistrate or Justice of the Peace may notwithstanding that the time mentioned in such notice has not expired by order direct, the assessor forthwith to levy distress of the goods of such person or may make an order that such person be arrested and held to bail for such sum not exceeding the amount of such rates and probable costs as to such Judge, stipendary Magistrate or Justice of the Peace seems proper.

2 It shall not be necessary to state in any such affidavit the grounds of belief.

3 Such order directing the assessor to levy distress shall authorize and justify the assessor in making any distress which he could have made if such rates were due and payable. Such order that any person be arrested and held to bail shall be subject to all the provisions of Ordinance No. 26 of 1899 entitled "An Ordinance Respecting Arrest and Imprisonment for Debt" so far as the same relate to the execution of a special order and the imprisonment of any person thereunder.

44 In any action brought against any person for the recovery of rates due to a town where there is a defence pleaded a certificate in writing purporting to be signed by the assessor that the defendant's name appears on the rate-book of the town for the sum claimed from him for rates and that the said sum has not been paid shall without proof of handwriting be prima facie evidence in any Court of such rates

being due and unpaid.

GENERAL PROVISIONS.

45. Any person absent or absconding from the town who is indebted for rates may be proceeded against for such rates under the provisions of Order 35, of Chapter 21, of the Consolidated Ordinances of the Northwest Territories and the amendments thereto notwithstanding that the amount of such rates is less than one hundred dollars.

46. The rates of any person who becomes insolvent or assigns his property shall constitute a lien upon his estate and shall be paid by the trustee or assignee of such property and in default of payment such rates may be collected from such trustee or assignee in the same manner and by same proceeding as if such rates had been rated on such trustee or assignee personally unless he satisfies the assessor that sufficient money or property of such person to satisfy such rates has not come into his possession or under his control.

47. (1) No personal property shall be taken possession of by the holder of any transfer, bill of sale, mortgage, judgment or any lien thereon nor shall the same be seized or levied upon under or by virtue of any warrant, execution, attachment or other process, nor shall the same be distrained for rent nor shall the same be sold under any order of any Court until such holder or the person at whose instance or suit the warrant, execution, attachment or other process issued or order of sale was granted pays all rates rated against the owner or person in possession thereof.

2. Any Sheriff, Constable or other officer having process to levy upon such property shall before selling the same pay such rates to the assessor.

3. The assignee, grantee, mortgagee or person holding any lien upon such property or the sheriff, constable or other officer who takes possession thereof shall be personally liable to the town for the amount of the rates rated against the owner or person in possession thereof and may be sued therefor by the assessor representing the town as for any ordinary debt.

SALE OF REAL PROPERTY FOR RATES.

48. When any real property becomes liable to be sold for rates in respect thereto unpaid the assessor may proceed in the following manner:—

1. He shall give notice of the proposed sale by serving such notice on the owner or occupant of such property or mailing such notice to the last or usual address of such owner known to him or by posting such notice in a con-

spicuous place upon such property at least twenty days before the day fixed for the sale.

2. Such notice shall state the amount of the rates unpaid the property proposed to be sold and the time and place of such sale.

3. At the time and place appointed for such sale the assessor by himself or his agent shall proceed to sell such property at public auction to the highest bidder therefor.

4. Upon the sale of such property to such bidder the assessor shall execute and deliver to the purchaser a deed of such property which shall be as effectual to convey all the estate of the owner thereof in such property as if the same had been executed and delivered by such owner to such purchaser and as if such property were free of all liens and encumbrances of every kind and description.

49. Out of the price realized at such sale the assessor shall first pay the costs and expenses of and incidental to such sale and the said rates and shall pay the balance to the owner of such property if known to the assessor unless the said property is subject to a lien or encumbrance. If the owner of such property is unknown or cannot be found by the assessor or if the same appears to be subject to any lien or encumbrance the assessor shall pay the balance of such price after paying such costs, expenses and rates into the Territorial Court to abide the order of any judge thereof.

50. If the purchaser of any property at such sale fails immediately upon the same being knocked down to him to pay the assessor or his agent the amount of the purchase price thereof or to deposit with the assessor or his agent such smaller amount as is equal to the amount of the rates and expenses of sale the assessor shall again forthwith put up the property for sale.

51. Any mortgagee, judgment creditor or other person holding any incumbrance upon or against any real property advertised for sale under the provisions of this ordinance may pay the rates, costs and expenses incidental to the proposed sale and obtain from the assessor a certificate to that effect and shall hereupon be entitled to add the amount so paid to the amount due on such mortgage, judgment, charge or encumbrance.

52. (1) No error, informality or irregularity on the part of the assessor, the assessment appeal court, the person or persons appointed to revise the rate book or of any other officer and no error or omission in giving any notice required by this ordinance to be given shall effect or prejudice the

SCHEDULE

of the Unincorporated Town of Dawson.

Amount of Taxes Due on Real, Personal and Income.

Value of Property.	Assessable Income Over \$2,000	Total Assessable Value	Date of Notice Mailed.	Exemptions.	Rate of Mills on \$	Arrears of Taxes	Taxes for the Year 190	Total Amount of Taxes Due.	REMARKS.
\$	\$	\$		\$		\$	\$	\$	

FORM B.

I certify that I have set down in the foregoing Assessment Roll with the names numbered from 1 to No. both inclusive, all of the real property liable to taxation situate in the town of and the true actual cash value thereof in each case, according to the best of my information and judgment; and also that the said Assessment Roll contains a true statement of the aggregate amount of the personal property and of the taxable income of every person named on the said roll, and that I have estimated and set down the same according to the best of my information and belief; and I further certify that I have entered therein the names of the several persons owning property or receiving incomes and that I have not entered the name of any person whom I did not truly believe to be liable to be assessed in respect to the property and income assessed against him therein to the extent such person is so assessed.

Dated at the town of
this day of
A.D., 190..



Ordinance No. 30, of 1901.

AN ORDINANCE RESPECTING
THE PROTECTION OF
MINERS' WAGES.

(L. S.)

J. H. ROSS, Com'r.

As-ented to, July 20, 1901

The Commissioner by and with the advice and consent of the Council of the Yukon Territory enacts as follows:

TITLE OF ORDINANCE.

1. This ordinance may be cited as "The Miners' Wages Protection Ordinance."

INTERPRETATION.

2. In this ordinance and in all petitions, affidavits, documents and other papers made hereunder, unless the context otherwise requires:

a. The expression "miner" means a person who performs or has performed for wages work which produces or assists to produce an "output."

b. The expression "mining claim" means and includes any placer, quartz or coal claims.

c. The expression "output" means with respect:

I. To placer claims, the gravel and bedrock obtained from such placer claims and the minerals in such gravel and bedrock or abstracted therefrom.

II. To quartz claims, the quartz obtained from such claims and the minerals in such quartz or abstracted therefrom, and

III. To coal claims, the coal taken therefrom.

d. The expression "owner" means any person who has an interest, other than as mortgagee, in a mining claim, in respect to which work has been performed for such person, at his request, and includes every person claiming under such person by right accruing subsequent to the commencement of the performance of such work.

e. The expression "person" includes any body corporate and the heirs, executors, administrators or other legal representatives of such person to whom the context can apply according to law.

f. The expression "supplies" means and includes food, fuel, tools, machinery and all articles necessary or useful in carrying on the work required to produce an output.

g. The expression "wages" means money earned by a miner for work performed.

3. If it is made to appear to the satisfaction of the territorial court or any judge thereof:

a. That any owner is indebted to any miner for wages, and

b. That there are reasonable grounds for believing that such

owner does not intend to pay such wages, or that there is danger of such wages being lost to such miner unless the court or judge intervenes,

Such court or judge may appoint a receiver of the output of the mine in respect to which such wages have been earned and of the remaining supplies furnished to the owner for the purpose of working said mine.

4. It shall not be necessary for such miner to issue any writ of summons or other process. He shall merely present a petition setting forth the grounds upon which he claims the appointment of a receiver and praying for such appointment. Such petition shall be verified by affidavit.

5. The court or judge hearing such petition may ex parte or after notice appoint a receiver for such time and upon such terms as are just and proper.

6. Upon such petition the court or judge may, upon notice being given to the various parties interested, summarily determine and fix the liability of such owner for wages to the petitioner and to other miners who have assisted to produce the output and also his liability to any person for supplies which have supported such miners or otherwise contributed to make possible the production of such output.

7. The court or judge may take into consideration all the circumstances connected with the production of such output and the furnishing of such supplies and the condition of the parties interested and may direct that by way of preference there be paid to such miners such percentage of the several amounts due them as will keep them from immediate want (not exceeding 50 per cent) and that the balance due miners and the accounts due such other persons for supplies be paid pro rata out of the remainder of the proceeds of such output and of the sale or disposal of such supplies before any other creditors of such owner are paid therefrom.

8. No person shall be permitted to rank under the next preceding section except among the other creditors therein mentioned or be entitled to receive any payment from the receiver on account of any sum due him for supplies unless the same have been actually

a. Consumed by such miners as aforesaid during the time they were working to produce the output, or

b. Used in producing or assisting to produce such output, or

c. Partly consumed or partly used as aforesaid and the remainder received by the receiver, or

d. Wholly received by the receiver.

9. The receiver so appointed may, subject to the direction of the court or judge, carry on such work as may be necessary to obtain from such output all the valuable metals or minerals contained therein and sell or dispose of the output as it stands and of the remaining supplies or any of them.



Ordinance No. 31 of 1901.

AN ORDINANCE RESPECTING
UNINCORPORATED
TOWNS.

(L. S.)

J. H. ROSS, Com'r.

Assented to July 20, 1901.

The Commissioner of the Yukon Territory by and with the advice and consent of the Council of the said territory, enacts as follows:

SHORT TITLE.

1. This ordinance may be cited as "The Unincorporated Towns Ordinance."

INTERPRETATION.

2. In this ordinance

1. The expression "voter" means any man, unmarried woman or widow, being a British subject of the full age of twenty-one years, who resides within any unincorporated town created or existing hereunder and who possesses, holds or occupies any land therein under any title.

2. The expression "town" means any unincorporated town organized under the provisions of this ordinance.

ESTABLISHMENT OF TOWNS.

3. Whenever the Commissioner of the Yukon Territory is satisfied by such proof as he requires that any portion of the Yukon Territory (no part of which is within the limits of any incorporated city or town or rural municipality) contains not less than ten dwelling houses he may cause notices to be posted in three conspicuous places within such area (one of which shall be the postoffice therein) that it is proposed to establish the same as an incorporated town after the expiration of thirty days from such posting.

4. After the expiration of the said thirty days the commissioner, unless a majority of the voters within such area by petition addressed to him object may, by order, establish the said area as an unincorporated town under the name of the postoffice therein, and shall define its boundaries, fix a day for the election of an overseer and appoint one of the voters of the said unincorporated town to act as returning officer at the election of such overseer.

OVERSEER.

5. The first election of overseer

and all later elections shall be conducted as follows:

1. The returning officer shall by public notice posted in the postoffice and two other conspicuous places in the town at least one week before the election call a meeting of the voters for the election of an overseer to be held on the day fixed therefor;

2. Election meetings shall be called to commence at the hour of seven of the clock in the evening of the day appointed, or if such day be a Sunday or a holiday, on the next following day which is not Sunday or holiday;

3. Nominations may be made during the first half hour of the meeting;

4. Male voters and no other persons shall be eligible for election as overseer;

5. When the time for nomination has closed—

a. If only one person has been nominated the returning officer shall declare such person to be elected overseer;

b. If more than one person has been nominated the returning officer shall at once proceed to take the vote of the meeting which shall be by open voting;

6. Every person tendering his vote shall before his vote is received make and sign before the returning officer a declaration in form A in the schedule thereto;

7. If at any time after nine o'clock of the evening of such meeting the returning officer announces that if no veto is tendered during the five minutes next ensuing after such announcement he will close the voting and no vote is tendered during such time, the returning officer shall declare the voting closed. The voting shall in no case continue later than eleven o'clock of such evening.

8. The returning officer shall declare elected the nominee having the largest number of votes;

9. If there is an equality of votes the returning officer shall give the deciding vote but otherwise shall not vote.

6. Any person wilfully making a false declaration as a voter shall be liable on summary conviction to a penalty not exceeding \$50.00, and in default of payment to imprisonment for a period not exceeding ninety days.

7. The returning officer shall make a return to the Territorial Secretary showing the result of the election and shall send therewith the declarations signed by the voters and his own declaration in form B in the schedule hereto.

8. The person elected as overseer shall within five days after the declaration of his election deliver to the returning officer a bond exe-

cuted by himself with two sufficient sureties in form C in the schedule hereto with an affidavit of justification indorsed thereon.

9. Until such bond is furnished the person elected shall not act as overseer.

10. (1) If such bond is not delivered to the returning officer within such time he shall proceed to hold another election as soon as it is possible consistently with the giving of notice as herein provided.

2. At the election so to be held the person making default in delivering such bond shall not be eligible for such election.

3. The previous election shall become void on the election of another person under this section.

4. Immediately on receipt of the bond the returning officer shall transmit it to the Territorial Secretary.

5. If a person is elected overseer in the place of one who has failed to furnish a bond the provisions of this and the two next preceding sections shall be observed and followed as in the first instance.

11. (1) The first overseer elected in any town shall enter on his duties at once after furnishing such bond and shall hold office for the remainder of the calendar year in which he was elected and until his successor has furnished a bond.

2. The overseer elected at elections subsequent to the first election shall hold office for the calendar year next ensuing after the day on which the election is required to be held hereunder and until his successor has furnished his bond.

3. If a vacancy occurs in the office of overseer the Commissioner may order another election or appoint an overseer for the unexpired term, and if the Commissioner appoints an overseer the Commissioner may dispense with the necessity of such overseer furnishing a bond under the provisions of this ordinance. Notice of such order or appointment may be sent by telegram signed by the Commissioner.

12. The Commissioner may, if he sees fit, remove any overseer from his office and appoint another in his stead, and any overseer so appointed shall have all the powers of an elected overseer and such other powers in regard to the conduct of the town affairs as may by the Commissioner be deemed proper and necessary.

13. (1) The election for overseer shall be held in each town on the first Wednesday in September in each year and for the purpose of such election the overseer shall appoint in writing before the first day of August in each year a returning officer; and should the

Amended by #46/1901.
" " #12/1902.

person so appointed decline or be or become unable to act the overseer shall forthwith appoint another in his stead.

2. The returning officer shall receive a fee of \$10.00.

14. (1) Whenever the due election of a person to be overseer or the sufficiency of the bond furnished by him is disputed, any voter may on depositing, within one month after declaration of the election, with the clerk of the territorial court the sum of \$200.00 as security for such costs as a judge may order him to pay and on alleging reasonable grounds therefor, obtain a rule nisi calling on the person elected to show cause why he should not be removed from the said office.

2. The judge may on the return of such rule dispose of the same summarily or direct that it be set down for trial of the questions raised thereby as an action in court.

3 Upon such summary disposal or trial the judge may order that the overseer be removed from the office and that another person be admitted thereto or another election held as justice may require, and the judge may make such orders as are necessary for the carrying out of the judgment or order. Costs of the proceedings shall be in the discretion of the judge.

MEETINGS OF VOTERS.

15. An annual business meeting of the voters shall be held in the town before the fifteenth day of July in each year, which meeting shall be called by the overseer by public notice thereof posted in the postoffice and two other conspicuous places in the town for at least two weeks before such meeting.

16. The overseer shall at the annual business meeting submit to the voters a statement of the estimated total expenditure of the town for the current year which shall include:

- a. The amount payable in such year on any debt contracted hereunder;
- b. Draining and street improvements;
- c. Construction of sidewalks;
- d. Fire protection and water supply;
- e. Purchase of property for town purposes;
- f. Scavenging;
- g. Contingencies;
- h. Remuneration of overseer.

17. At the annual business meeting the order of business shall, as nearly as possible, be as follows:

1. The election of a chairman and secretary;
2. The reading and dealing with:
 - a. The minutes of the last an-

nual meeting;

b. The overseer's annual return provided for in this ordinance and the auditor's report;

3. The consideration of the overseer's statement of estimated expenditure and deciding thereon;

4. The election of an auditor and fixing his remuneration.

5. Such other general business as may concern the town, but not exceeding the powers given herein.

18. The voters may at the annual meeting, or at a special meeting duly called for the purpose, in addition to their other powers, make regulations further than those herein contained for the general cleanliness of and prevention of disease in the town, including the employment and remuneration of a scavenger, and also for the protection of property from fire.

19. The overseer may, whenever he deems fit and shall, upon being requested so to do by any five voters in writing giving the object of the meeting, call a special meeting of voters; notice shall be given of all special meetings, as in the case of the annual business meeting, but the notice shall also state the purpose of the meeting.

ASSESSMENT AND TAXATION.

20. The necessary revenue of the town shall be raised by the levy of a yearly rate upon the property and income therein not exceeding twenty mills on the dollar of the assessed value. The assessment of property and income shall be made and the rate ascertained under the provisions of the Ordinance respecting Assessment.

DOG TAX.

21. Every person who keeps or harbours a dog or bitch shall pay a yearly tax of ~~one~~ ^{two} dollars for each dog and ~~two~~ ^{one} dollars for each bitch so kept or harboured; such tax shall be payable on demand of the overseer and may be recovered in such mode as is provided in said Ordinance Respecting Assessment for the collection of taxes as may be applicable; if the tax is not paid after demand of the overseer he may cause the dog or bitch to be destroyed. Any person refusing or neglecting to pay such tax shall be liable to a penalty of ten dollars, and in default of payment to imprisonment for a period not exceeding twenty days.

HAWKERS AND PEDLERS.

22. (1.) No person shall follow the calling of a hawker or pedler in any town without first having obtained the written permission of the overseer and having paid to such overseer the sum of ~~ten~~ ^{twenty} dollars to form part of the town

fund.

2. Such sum shall be in addition to any Territorial license fee and shall entitle the person paying the fee to follow the business of a hawker or pedler in such town for the ~~the~~ ^{the} months next ensuing the date of such written permission.

TOWN EXPENDITURE.

23. The funds of the town may from time to time be expended by the overseer for the purpose and in accordance with the estimates as passed at the annual business meeting and subject to such further directions as may at any special meeting be made regarding the same.

24. The overseer may incur any debt not exceeding five hundred dollars for town purposes pending the collection of taxes. All debts shall subject to the provisions herein contained be paid before the thirty-first day of December in each year.

SUITS BY OR AGAINST TOWN.

25. Suits by or against the town may be brought by or against the overseer as representing the town.

26. In the event of judgment being obtained against the overseer for any liability of the town it may be enforced by execution rate levied by the sheriff in the manner provided in the next following section.

27. Any writ of execution against the town may be indorsed with the direction to the sheriff to levy the amount thereof by rate and the proceedings thereon shall be as follows:

1. The sheriff shall deliver a copy of the writ and indorsement to the overseer with a statement in writing of the amount required to satisfy such execution including the amount of interest thereon and sheriff's fees and demand the payment of the same:

2 If the amount demanded is not paid to the sheriff within thirty days after such delivery the sheriff shall examine the assessment roll of the town and shall in like manner as rates are struck for general town purposes strike a rate sufficient in the dollar to cover the amount claimed as aforesaid with such addition to the same as the sheriff deems sufficient to cover interest, his own fees, the Overseer's percentage and any other expenses up to the time when such rate will probably be available:

3. The Sheriff shall thereupon issue a precept under his hand and seal of office directed to the Overseer and shall annex thereto the roll of such rate and shall by such precept after reciting the writ and that the town has neglected to satisfy the same and referring to the roll annexed to the

precept command the Overseer to levy such rate at the time and in the manner by law required in respect to the general annual rate.

4. At the time for levying the annual rate next after the receipt of such precept the Overseer shall add a column to the rate book headed: "Execution rate in — vs. the town of —" as the case may be, adding a similar column for each execution if there are more executions than one, and shall insert therein the amount by each such precept to be levied on each person respectively and shall levy the amount of such execution rate aforesaid and shall within the time that he is required to make the returns of the general annual rate return to the Sheriff every such precept with the amount levied thereon deducting any percentage and expenses which he is entitled to be paid.

5. The Sheriff shall after satisfying the execution and all fees thereon return any surplus within ten days after receiving the same to the Overseer for the general purposes of the town.

6. If the Overseer is not paid by percentage fixed at the annual meeting of the town he shall be paid for such collection a sum not exceeding two and one-half per centum.

28. The Overseer for the purpose of carrying into effect or permitting or assisting the Sheriff to carry into effect the provisions of this ordinance with respect to such execution shall be deemed to be an Officer of the Court from which such writ issued and as such may be proceeded against by attachment, mandamus or otherwise, to compel him to perform the duties hereby imposed upon him.

OVERSEER'S DUTIES AND POWERS.

29 The overseer shall have the following duties and powers:

1. He shall carry out the orders of the voters as expressed at the annual or special meeting of the voters in respect of public works and expenditure of town funds and such general orders as may be given upon matters concerning the town.

2. He shall enforce the provisions of this ordinance and all regulations thereunder;

3. He shall make such regular inspection of premises in the town as may be necessary to carry out the provisions herein respecting nuisances and the prevention of disease and of fire;

4. He shall have charge of all town property.

5. He shall keep a record of all taxes levied and collected and of all moneys received and expenditures made by him and give and take receipts for all moneys re-

ceived or paid out by him as the case may be;

6. He shall keep or cause to be kept full and accurate minutes of each town meeting other than election meetings which minutes shall record by whom all motions were moved and seconded and the result of them;

7. He shall have the public improvements estimated in each year completed before the first day in November of each year;

8. He shall on application in reasonable hours produce to the auditor for inspection all books, accounts, minutes, lists and records of the town;

9. He shall impound or cause to be impounded animals unlawfully running at large.

ANNUAL RETURN OF OVERSEER.

30. (1.) The Overseer shall on or before the first day of November in each year render to the Territorial Secretary a return in writing showing:

a. Amount of money collected;

b. The amount of money expended and for what purpose and the balance on hand;

c. The outstanding liabilities if any of the town;

d. The names of all those who have been convicted of a breach of this ordinance or any regulation made hereunder in the town stating the penalty imposed and the name of the convicting Justice;

e. A list of the taxes unpaid giving the names of the persons in default;

2. The Overseer shall submit a copy of such return to the voters at the annual business meeting.

ANIMALS RUNNING AT LARGE.

31. (1.) The voters may at any meeting resolve that animals may not be permitted to run at large in the town or any part thereof in or during any period of the year.

2. When the voters so resolve no horse, mule, jack, cattle, sheep, swine, goat, goose or other poultry shall be permitted in or during such period to run at large in the town or such part thereof and the Overseer shall appoint a poundkeeper whose duty it shall be to keep and maintain a pound in the town for the impounding of stray animals of the description aforesaid.

3. In so far as they are not inconsistent herewith the provisions of Ordinance Number Forty-Three of 1899 entitled "An Ordinance Respecting Trespassing and Straying Animals" shall apply and be followed and observed in all respects as if such town were a

pound district under said ordinance.

4. When any such resolution is passed the overseer shall forthwith notify the territorial secretary.

PREVENTION OF DISEASE.

32. For the prevention of disease the following regulations shall be observed in every town:

1. Privy-pits shall be emptied and properly disinfected at least once each week between the 1st day of May and the 1st day November in each year.

2. No privy-pit shall be allowed to become offensive at any time.

3. No privy-pit shall be within fifty feet of any well.

4. Where dry earth closets are ordered by resolution of a town meeting no privy-pits shall be used.

5. No person shall deposit or cause to be deposited in any place where the same may become offensive, any manure, filth, rubbish or decaying animal or vegetable matter.

6. Stable-yards shall be cleaned during the first week of every month from the 1st day of May until the 1st day of November in each year.

7. All garbage, swill, slops and other rubbish shall be placed in suitable receptacles and removed regularly at least once every week between the 1st day of May and the 1st day of November in each year.

8. No stable-yard shall be allowed to become offensive at any time because of decaying animal or vegetable matter.

9. Foul water shall not be allowed to accumulate on any property.

10. Any person guilty of a violation of any of the provisions of this section shall be liable to a penalty not exceeding fifty dollars and in default of payment to imprisonment for a period not exceeding ninety days.

PREVENTION OF FIRE.

33. For the prevention of fire the following regulations shall be observed in each town:

1. No person shall keep on any premises a larger quantity of gunpowder or other explosive than twenty-five pounds unless the same is stored at least one hundred feet from any building;

2. No person shall keep on any premises a greater quantity of kerosene than one hundred and fifty gallons unless the same is stored at least sixty-five feet from any building;

3. No person shall set out fire within fifty feet of any building provided nevertheless that a black smith may build a fire within fifty

feet of his shop for the purposes of his trade;

4. No person shall deposit any ashes in any wooden vessel unless it is lined with metal.

34. 1. There shall be a space of at least nine inches between any stovepipe and partition or floor through which it passes unless such stovepipe is surrounded in such partition or floor by a thimble of brick, cement or concrete at least two inches in width and of the full thickness of such partition or floor or by a metal safety-flue with an air space of at least three inches.

2. At least twelve inches shall intervene between any stove in use and the partition or wall nearest thereto;

3. Every proprietor of any house more than one story high, with a roof having a pitch greater than one foot in three shall keep a ladder on such roof near the chimney thereof;

4. Any person guilty of a violation of any of the provisions of this section shall be liable to a penalty not exceeding fifty dollars and in default of payment to imprisonment for a period not exceeding ninety days.

REMUNERATION OF OVERSEER.

35. The remuneration of the Overseer shall be fixed at the annual business meeting but shall not be less than one hundred dollars per annum, together with two and one-half per centum of all rates taxes collected by him and the overseer may retain such remuneration at the expiration of his term of office out of the moneys then in his hand.

AUDIT AND DELIVERY OF BOOKS, ETC

36. At the expiration of the term of office of any Overseer or upon his ceasing to hold office for any cause, all books, accounts, records, lists, vouchers, moneys and other property of the town shall be examined by the auditor and handed over to the successor in office of such Overseer; the auditor shall make a full report thereon at the next meeting of the voters.

OFFENCES AND PENALTIES.

37. (1) Any Overseer who neglects or refuses to render a true and correct account as and when required herein or neglects or refuses to hand over to his successor in office any property of the town as directed by the next preceding section shall be liable to a penalty not exceeding five hundred dollars and in default of payment to imprisonment for a period not exceeding six months.

2. Any Overseer who neglects or refuses to discharge any other duty by this Ordinance imposed upon

him shall be liable to a penalty not exceeding two hundred dollars and in default of payment to imprisonment for a period not exceeding three months.

3. Any person who violates any provision of this Ordinance for which violation no penalty is in this Ordinance provided or who violates the provisions of any judgment, order or regulation given or made under the provisions of this Ordinance shall be liable to a penalty not exceeding two hundred dollars and in default of payment to imprisonment for a period not exceeding three months.

4. All penalties imposed by this Ordinance shall when recovered be paid to the Overseer to form part of the town funds.

TITLE TO REAL ESTATE.

38. The title of any real property owned or purchased or in any way acquired by any town shall be vested in the Commissioner of the Yukon Territory who shall hold the same for the purposes of the town.

ALTERATION OF BOUNDARIES.

39. The Commissioner of the Yukon Territory may alter the boundaries of any town and may add to or take from the area of such town.

NOTICE OF MEETING.

40. Any notice required under this ordinance for calling any meeting may be published in any newspaper published in such town instead of being posted, as in this ordinance hereinbefore provided.

41. Any affidavit or declaration required under any provision of this ordinance may be sworn or made before a notary public, commissioner for taking affidavits or a justice of the peace, any one of whom may administer any oath or take any declaration required by any such provision.

SCHEDULE.

FORM A.

I, A. B., of _____ in the Yukon Territory (occupation), solemnly declare:

1. That I am a British subject of the full age of twenty-one years;

2. That I reside within the town of _____ and that I possess, hold or occupy land within the said town and (in case of a female);

3. I am an unmarried woman or widow, (as the case may be).

Declared at _____ in the Yukon Territory this _____ day of _____ A. D., 190-.

Before me.

Returning officer.

FORM B.

I, A. B., returning officer for the town of _____, hereby solemnly declare that the record of votes hereto attached and signed by me is a true record of the votes given at the election of an overseer for the said town held on the _____ day of _____ A. D. 190., when _____ of _____ in the Yukon Territory _____ was duly elected overseer for the said town.

Declared at _____ in the Yukon Territory this _____ day of _____ A. D. 190., before me.

Returning officer signs here.

A commissioner for taking affidavits.

FORM C.

Know all men by these presents that we _____ of _____ in the Yukon Territory _____ as principal, and _____ of _____ in the said territory _____ and _____ of _____ in the said territory _____ as sureties are held and firmly bound unto the commissioner of the Yukon territory the said principal in the sum of one thousand dollars and each of the said sureties in the sum of five hundred dollars of good and lawful money of Canada to be paid to the said commissioner, for which payments well and truly to be made we severally bind ourselves and our respective heirs, executors and administrators.

Sealed with our seal and dated the _____ day of _____ A. D. 190-.

_____ L. S.
_____ L. S.
_____ L. S.

Whereas under the provisions of the Unincorporated Towns ordinance, the said _____ was on the _____ day of _____ A.D., 190., duly elected to the office of overseer in the town of _____

Now the condition of the above obligation is such that if the said _____ shall at all times until his successor in such office is duly appointed according to law, keep, fulfil, observe and comply with all and every provision of the said ordinance to which the said _____ as such overseer is or shall be subject and truly and faithfully whenever required by law so to do render accounts and delivery of all money and property of any nature which may or but for the default of the said _____ would have come into his hands as such overseer and if the said _____ i

ORDINANCE No. 31 OF 1901. 5

all respects faithfully performs his duty as such overseer in said town then this obligation shall be void but otherwise shall remain in full force and virtue.

AFFIDAVIT OF JUSTIFICATION TO ACCOMPANY FOREGOING BOND.

We..... and..... the sureties whose names are signed to the foregoing bond, do severally solemnly declare and say as follows:

1. I, the said ... for myself say that I am worth property situate in the Yukon Territory to the value of five hundred dollars over and above what will pay my just debts and over and above all sums for which I am liable as surety and the exceptions allowed by law.

2. And I, the said..... for myself say that I am worth property situate in the Yukon Territory to the value of five hundred dollars over and above what will pay all my just debts and over and above all sums for which I am liable as surety and the exemptions allowed by law.

The above named and..... severally made the foregoing declaration at..... in the Yukon Territory this..... day of A.D. 190.. Before me.

Sureties sign here.

A commissioner for taking affidavits.



Ordinance No. 32, of 1901.

AN ORDINANCE RESPECTING
THE PRACTICE OF DEN-
TISTRY.

(L. S.)

J. H. ROSS, Com'r.

Assented to, July 20, 1901

The Commissioner of the Yukon Territory, by and with the advice and consent of the Council of the Yukon Territory, enacts as follows:

SHORT TITLE.

1. This Ordinance may be cited as "The Dental Ordinance." REGISTER.

2. The Territorial Secretary shall cause to be prepared a Register to be called the Dental Register for the Yukon Territory.

3. He shall forthwith cause to be entered in such Register with the date of entry the name of:

a. Every person who at the time of the passing of this Ordinance is and has been for twelve months next preceding such time actively engaged within the Yukon Territory in the practice of Dentistry or Dental Surgery and who verifies such fact by statutory affirmation. And shall from time to time upon application and production of satisfactory evidence enter in such Register with the date of entry the name of:

b. Every person who possesses a diploma of graduation in Dental Surgery from any Dental College in Canada or from any University in Canada having a special Dental department or from any Dental College or University having such department in Great Britain or in any of her dependencies, or from any Dental College or University having such department in any foreign country if the Commissioner deems a diploma of graduation from such last-mentioned College or University a sufficient proof of qualification to practise Dentistry or Dental Surgery.

c. Every person who has served two years as an apprentice to a dental practitioner within the Yukon Territory having at the time of the commencement of such apprenticeship and during such two years the qualifications contained in any one of the preceding sub-sections of this section or whose name was at such time and during such two years entered in such

Register under this Ordinance, if such person has passed such examination as is prescribed by the Commissioner of the Yukon Territory. and obtains from such practitioner to whom he was apprenticed a certificate of satisfactory service and good moral character.

4. The Territorial Secretary shall not enter in such Register any person until such person has paid to the Comptroller of the Yukon Territory a fee of Twenty-five Dollars, if he is entitled to be so entered under sub-section [a] of the next preceding section, or a fee of Fifty Dollars, if he is entitled to be so entered under any other sub-section of said section.

5. From and after the first day of December, A. D. 1901 no person shall practice the profession of Dentistry or Dental Surgery within the Yukon Territory unless his name has been entered in such Register under the provisions of this Ordinance.

6. The Commissioner may from time to time appoint one or more examiners in Dentistry and Dental Surgery and may obtain from them a report of the subjects suitable and proper for the examination of candidates under this Ordinance, and may upon such advice as he deems proper fix and publish the list of such subjects.

7. The list of subjects, the papers prepared for such examinations and the answers of candidates, or any of them, may be submitted by the Commissioner to any authority he sees fit to determine the fair and proper character of such answers.

9. The Territorial Secretary shall upon request issue to any person whose name is entered in such Register a certificate of such entry and of the date thereof and such certificate shall be sufficient evidence of the facts so certified.

10. Every person who proposes to become entitled to be entered on the Register by reason of service of apprenticeship in the Yukon Territory to be performed after the passing of this Ordinance shall give notice to the Territorial Secretary of the fact and file with such Secretary a verified copy of his articles of apprenticeship.

11. The Secretary shall keep a record of such notices and copies and shall enter no such person in the Dental Register unless two years have passed since the receipt by the Secretary of such notice and copy.

PAYMENT OF ANNUAL FEE.

12. Every person whose name is entered in the Dental Register shall on or before the thirtieth day of June in each year, pay to the Comptroller of the Yukon Territory a fee of

Ten Dollars and obtain a receipt therefor.

13. The Territorial Secretary shall erase from such Register the name of every person who does not on or before the 30th day of June in any year produce to him such receipt, signed by the Comptroller, showing payment of said fee. The name of such person may be re-entered upon payment of a fee of Twenty-five Dollars to the Comptroller, and production to the Secretary of proof of such payment.

ONLY REGISTERED DENTISTS TO PRACTICE.

14. Subject to the exceptions hereinafter made no person shall practise Dentistry or Dental Surgery in any of its several branches in the Yukon Territory unless his name is entered in the Dental Register.

STRIKING NAME OFF THE REGISTER.

15. Every person who makes any false representations for the purpose of securing the entry in the Register of his name, or in the course of applying to have his name so entered shall forfeit the right to have his name entered and if the same has been entered in the Register the same shall be erased therefrom and a note made by the Secretary of the ground of such erasure.

16. Every practitioner who has. a. after due inquiry been adjudged by a Board appointed by the Commissioner to have been guilty of infamous conduct in any professional respect, or

b. made any material misrepresentation to the Secretary in order to procure the entry of his name on the Register, or

c. been convicted of any crime punishable by imprisonment in the Penitentiary, shall forfeit the right to have his name entered in the Register and his name, if entered, shall be erased from the Register and his name shall be published in the Yukon Official Gazette as having been so erased.

PUBLICATION OF REGISTER.

17. The Secretary shall on or before the tenth day of July in each year publish in the Gazette aforesaid a list of the persons whose names are entered in the Dental Register and who are entitled to practise Dentistry and Dental Surgery.

OFFENCES AND PENALTIES

18. NO PERSON SHALL BE entitled to recover any charge in any Court of Justice for any professional advice or attendance or for the performance of any operation appertaining to the practice

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of Dentistry or Dental Surgery or for any surgical or Dental appliances which he has supplied, unless his name is registered under this Ordinance, but this section shall not apply to duly qualified medical practitioners or to duly qualified druggists or chemists in the course of their practice or business,

~~19~~ 19. Every person whose name is not registered under the provisions of this Ordinance who,

a. Practices Dentistry or Dental Surgery for hire, gain or hope of reward, or

b. Wilfully or falsely pretends to be a practitioner of Dentistry or Dental Surgery, or

c. Takes or uses any name, title, addition or description implying or calculated to lead people to infer that his name is registered under this Ordinance, or

d. Professes by public advertisement, card, circular, sign or otherwise to practice Dentistry or Dental Surgery or to give advice therein or in any wise to lead people to infer that he is qualified to practise Dentistry or Dental Surgery in the Yukon Territory, shall be liable to a penalty of Fifty Dollars, and every day on which any such offence occurs shall be deemed a separate offence.

20. Every person who wilfully procures or attempts to procure his name to be registered under this Ordinance by making or pro-

ducing or causing to be made or produced any false or fraudulent representation or declaration either verbally or in writing and every person knowingly aiding and assisting him therein shall be liable to a penalty of Five Hundred Dollars.

21. Every penalty under this Ordinance shall be recoverable with costs and may be sued for and recovered in the same manner as a private debt by the Territorial Secretary or by any Dental practitioner whose name is registered under this Ordinance in the Territorial Court and being recovered shall belong to the fund of the Yukon Territory.

22. Upon the trial of any action under the provisions of this Ordinance the burden of proof as to the right of defendant to practice Dentistry or Dental Surgery in the Yukon Territory shall be upon the defendant.

23. No such action shall be commenced after one year from the date of the offence or cause of action.

GENERAL PROVISIONS.

24. Nothing in this Ordinance shall prevent any person from giving necessary aid to any one in urgent need of it; provided that such aid is not given for hire or gain nor the giving of such aid made a business or way of gaining a livelihood.



Ordinance No. 33. of 1901

AN ORDINANCE RESPECTING THE LEGAL PROFESSION.

L. S.
J. H. ROSS,
Commissioner.

Assented to October 8, A. D. 1901.

THE COMMISSIONER OF THE YUKON TERRITORY, BY AND WITH THE ADVICE AND CONSENT OF THE YUKON COUNCIL, ENACTS AS FOLLOWS:

SHORT TITLE.

1. This Ordinance may be cited as "The Legal Profession Ordinance." BARRISTERS' AND SOLICITORS' ROLL.

2. The Territorial Secretary shall cause to be prepared a Roll to be called the Barristers' and Solicitors' Roll for the Yukon Territory.

3. (I.) He shall forthwith cause to be entered on such Roll, in proper order according to the time of admission to the Bar in the Yukon Territory, the names of all persons who are at the date of the passing of this Ordinance enrolled as Advocates of the Yukon Territory on the Roll prepared by, and in the custody of, the Clerk of the Territorial Court, together with the respective dates of their admission as such Advocates. The Secretary shall also, from time to time enter on such Roll the name of the person who fills the office of Legal Adviser for the Commissioner of the Yukon Territory and for the Yukon Council together with the date of the appointment of such persons to such office.

(II.) The Clerk of the Territorial Court shall forthwith furnish the Territorial Secretary with a list of persons so enrolled as advocates.

(III.) The Territorial Secretary shall, upon production of the certificate of the Territorial Court hereinafter provided for, that any person is entitled to be called to the Bar as a Barrister and admitted to practice as a Solicitor in said Court, cause the name of such person to be entered on the said Roll with the date of such entry:

(IV.) If any name is improperly omitted from or inserted in said Roll, or if any mistake occurs in any name

on such Roll, the Territorial Court may, upon proper notice being given, cause such name to be added to, or struck from such Roll, or to be properly corrected, and the Territorial Secretary shall add, strike off or correct such name in the manner directed by the Court, and shall note opposite the name affected, the date and authority for the change.

(V.) The Roll prepared by the Secretary shall be and remain deposited with the said Secretary and shall be open to inspection by any person upon payment of a fee of fifty cents.

(VI.) The Clerk of the Territorial Court shall keep on file at his office at Dawson, in said Territory, a copy of the said Roll, with the additions, alterations and changes made therein from time to time, and such copy shall be open to inspection at all reasonable times at the said office.

(VII.) Until such Roll is prepared by the Territorial Secretary, the Roll of Advocates prepared by, and in the custody of, the Clerk of said Court, shall be the Roll of Barristers and Solicitors in the Yukon Territory.

(VIII.) Whether any person is enrolled as a Barrister and Solicitor or not shall be sufficiently proved by production of the copy of the Roll in the custody of the Clerk of the Court or by production of a certificate of the Territorial Secretary as to the fact.

ADMISSION OF BARRISTERS AND SOLICITORS.

4. (1.) In addition to the persons entitled at the time of coming into force of this Ordinance to be enrolled as Barristers and Solicitors, as provided in the next preceding section of this Ordinance, every person who

(a) Is a British Subject of the age of twenty-one years and upwards, and of good moral character, and

(b) Possesses any one of the following qualifications, that is to say:

(1) Is a Member of the Bar of England, Scotland or Ireland (excluding the Bar of Courts of merely local jurisdiction), or,

(2) Has been duly called to the Bar of any of His Majesty's Superior Courts in any of his Majesty's Provinces or Territories of the Dominion of Canada, or,

(3) Has duly served under articles of Clerkship for a period of three years in any such province with a duly qualified Barrister of such province, and has passed the examinations and possesses the other qualifications entitling him to be called and admitted to such Bar, or,

(4) Has been called to the Bar of any of His Majesty's Dominions or Colonies, and would, by reason thereof, be entitled to admission to the Bar in any of His Majesty's provinces of the Dominion of Canada, or,

(5) Has passed the prescribed preliminary and final examinations and has served under articles of clerkship for a period of three years after filing

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such articles with the Territorial Secretary, or,

(6) Has passed the preliminary examination prescribed in any province or Territory of Canada and has served under articles of Clerkship in such Province or Territory time which would be counted on the time of service required in such Province or Territory for admission to the Bar thereof and has also served under articles of clerkship in the Yukon Territory, after filing such articles with the Territorial Secretary, such time as together with the time so served in such Province or Territory equals three years, and has passed the prescribed final examination, shall be entitled to a certificate from the Territorial Court that he is entitled to be enrolled as a Barrister and Solicitor.

(II.) Such certificates shall be signed by the Clerk of the Court and sealed with the Seal of the Court.

(III.) The Court may allow as part of the time of service under articles of clerkship required by this section time spent by a clerk at a recognized Law School of such standing as the Court deems satisfactory.

5. No such certificate shall be granted by the Court unless notice of application therefor has been given by publication of such notice in the Yukon Official Gazette for two consecutive weeks before such application. Such notice shall state the name and residence of the person seeking a certificate, the qualification upon which he relies, and the time and place at which the application will be made.

6. Before any person is enrolled by the Secretary such person shall pay to the Comptroller of the Yukon Territory a fee of fifty dollars, and shall satisfy such Secretary that such payment has been made.

7. Any person who has become an article clerk under any Ordinance in force in the Yukon Territory before the passing of this Ordinance, shall be entitled to be enrolled as a Barrister and Solicitor upon completing the term of service prescribed by such Ordinance if he has passed the examination, and produces the evidence of educational attainment that he would have been required to pass and produce under such ordinance, upon producing to the Secretary a certificate to that effect of the Territorial Court and paying the fee prescribed by such Ordinance.

8. No person shall be called to the Bar as a Barrister or admitted to practice as a Solicitor in the Territorial Court save in accordance with the provisions of this Ordinance.

OATH OF BARRISTER AND SOLICITOR.

9. Before any person enrolled as a Barrister and Solicitor begins the practice of his profession as such he shall be presented to the Court by a Barrister in good standing and shall in open Court take the Oath set out

in the SCHEDULE to this Ordinance. Such oath shall be administered by the Clerk of the Court.

ANNUAL FEE.

10. (1) There shall be due and payable annually by every practicing Barrister and Solicitor to the Comptroller of the Yukon Territory on or before the thirtieth day of June in each year the sum of twenty-five dollars, and each such Barrister and Solicitor shall obtain from the said Comptroller and file with the Territorial Secretary on or before said date a receipt for said sum.

(2) Upon presentation of such receipt the said Secretary shall issue to the practicing Barrister and Solicitor presenting the same a certificate stating that such barrister and solicitor is entitled to practice within the Yukon Territory for one year from the thirtieth day of June of the year in which the certificate is issued.

(3.) If any Barrister and Solicitor, or any member of any firm of Barristers and Solicitors, either in his own name or in the name of the firm, or in the name of any person or persons practices the profession of law in the Yukon Territory, or any of the courts thereof, without having taken out a certificate for the current year, as directed by this section, he shall for every such offence be liable to a penalty of one hundred dollars, and shall be, after the thirtieth day of June on or before which such payment is due, disqualified from the practice of such profession until the said sum of twenty-five dollars and the said penalty of one hundred dollars are paid to the said Comptroller and a certificate obtained from the Territorial Secretary as aforesaid. Such certificate shall be in force only from the thirtieth day of June, on or before which such sum of twenty-five dollars was due and payable.

(4.) Such certificate may be in the form in the schedule to this Ordinance.

10. (a) The Judges or a Judge of the Territorial Court shall prepare, whenever application is made to them for that purpose, a list of subjects for examination of persons seeking to become article clerks, and also a list of subjects for persons seeking to pass the final examination for admission to the bar. Such list shall contain the text books upon which the respective candidates shall be examined.

(b) Any such person may make application to the Court by directing a notice to the clerk of the Court, giving his name and address and stating which of the examinations he desires to pass.

(c) The Judges or a Judge may at any time before any such application is made, prepare and publish, by posting in the office of the clerk of the Court, such lists of subjects, and in such case no application or further

preparation or publication shall be necessary.

11. (a) There shall be an examination held annually of persons seeking to be enrolled as articled clerks and of persons seeking to be enrolled as Barristers and Solicitors. Such examinations shall be conducted by one or more examiners, appointed by the Commissioner of the Yukon Territory, and shall be held at such time in the month of September and at such place or places as the Commissioner directs.

(b) Every such person shall give notice of his intention to take any such examination to the Territorial Secretary, not later than the twenty-fifth day of August preceding such examination.

(c) The Commissioner may at any time direct that a special, additional or supplemental examination of any such person be held.

ARTICLED CLERKS.

12. (a) Before any person is entitled to be enrolled as an articled clerk he shall pass the prescribed preliminary examination, and shall be bound by contract, in writing, to serve as a clerk to a duly qualified barrister or solicitor practicing in the Yukon Territory.

(b) Such contract, with a declaration of the execution thereof by the parties, thereto, shall within three months after the execution of such contract be filed with the Territorial Secretary. The Secretary shall endorse upon such contract the memorandum of the date of filing.

(c) Every assignment of such contract, together with a declaration of the execution thereof, shall be filed within three months after the execution of such assignment. Every such declaration that the Barrister and Solicitor with whom the Clerk is articled is in good standing and shall also show that such contract or assignment was executed by the several parties thereto and shall state the name of every such party and his place of abode, and shall also state the day on which such contract or assignment was actually executed by the parties thereto.

(d) The Legal Adviser for the Commissioner of the Yukon Territory and for the Yukon Council shall be deemed a duly qualified Barrister and Solicitor practicing in the Yukon Territory.

13. The Territorial Secretary shall enter upon a roll, to be called The Roll of Articled Clerks, the name, residence, and addition of every articled clerk whose articles have been filed with him and who has also filed a certificate of the examiner appointed as aforesaid of such clerk having passed the preliminary examination; such roll shall show the date upon which the articles of every clerk were filed,

the date of any assignment of such articles and the date of entry of the name of such clerk on such roll.

14. No Barrister and Solicitor shall have under such articles as aforesaid more than two clerks at one time, nor shall he have any such clerk after he has discontinued practicing his profession or while he is employed as a clerk by any other Barrister and Solicitor. Service by a clerk in contravention of this section shall not be deemed service under this Ordinance.

15. If any Barrister and Solicitor, before the termination of the articles of a clerk bound to him has become bankrupt or insolvent, or discontinued practice or has become or is employed as a clerk by any other Barrister and Solicitor, or dies, the Court may, upon application of the Clerk so bound, permit such articles to be discharged or assigned to such person upon such terms and in such manner as the Court shall state.

16. Whenever any such articles as aforesaid have been discharged as aforesaid or cancelled by consent of the parties thereto, or determined by the death of a Barrister and Solicitor, the clerk may be bound by other articles in writing to serve as a clerk to any other practicing Barrister and Solicitor during the residue of the term for which he was bound by such first mentioned articles and service under such second articles subject to the provisions herein contained shall be as effectual for the purpose of this ordinance as if such service had been performed under the first articles.

17. If any such articles or assignments, with a statutory declaration or declarations in respect thereto hereinafter required are not filed as aforesaid within the time hereinbefore limited therefor, the same may afterwards be filed with the said Secretary, but the service of the clerk shall be reckoned only from the day of such filing unless the Court in its discretion for special reasons otherwise orders.

DISCIPLINARY.

18. All Barristers and Solicitors shall be officers of the Territorial and other Civil Courts of the Territory, and the Territorial Court, or any Judge thereof shall possess and exercise the same powers and jurisdiction over and in respect of such Barristers and Solicitors as at the time of the passing hereof is possessed by the Supreme Court of Judicature in England over and in respect of Solicitors of the said last mentioned Court.

19. No Barrister and Solicitor shall wilfully and knowingly act as the professional agent of any person not duly enrolled and qualified to act as a Barrister and Solicitor or suffer his name to be used in any such agency on account of or for the profit of an un-

qualified person, or send any process to such person, or do any other act to enable such person to practice in any respect as a Barrister and Solicitor, knowing him not to be qualified, and no Barrister and Solicitor shall enter into any partnership, agreement or arrangement in the nature of a partnership, or into any agreement or arrangement for sharing or dividing costs, proceeds or profits, or the fruits of any litigation or of any legal business transacted by such Barrister and Solicitor with any person not duly enrolled and qualified to practice as a Barrister and Solicitor in the Yukon Territory.

20. The Legal Adviser shall inquire into and thoroughly investigate any complaint made to such Legal Adviser by any person against any Barrister or Solicitor for any just cause whatsoever, or against any person for any violation of any of the provisions of this Ordinance, and it shall be the duty of such Legal Adviser to whom such complaint is made if the same is well founded, to take such proceedings for disciplining or otherwise punishing such Barrister and Solicitor or other such person in the manner provided therefor in this Ordinance.

21. If, upon application, at the instance of any person, supported by affidavit made to the court, it shall prima facie appear that a Barrister and Solicitor has been guilty of professional misconduct or of conduct unbecoming a Barrister and Solicitor, or for default by him in payment of moneys received by him as a Barrister and Solicitor, or has been guilty of such misconduct as would, in England, be sufficient to bring a Solicitor under the punitive powers of the Supreme Court of Judicature, or has been guilty of any breach of the provisions of this Ordinance, the Court shall cause notice to be given to such Barrister and Solicitor, calling upon him to answer the facts, and at the time appointed by such notice shall hear the complainant and Barrister and Solicitor, and any evidence adduced by them or either of them, and if the Court finds the complaint well founded it may direct that the name of such Barrister and Solicitor be struck off the Roll of Barristers and Solicitors, or may suspend such Barrister and Solicitor from practicing for such period as may be considered

22. The Court may order that notice of any application made under the next preceding section be given by the complainant to the Legal Adviser, and to such other person or persons as the Court thinks proper, and the Legal Adviser or the person or persons so notified, may appear in person or by Barrister and Solicitor on such application, and the conduct of such application may be entrusted by the Courts to the Legal Adviser.

23. In any application to the Court under the provisions of the next three preceding sections the name of the Barrister and Solicitor complained of shall be suppressed and all proceedings shall be headed: "In the matter of _____, a Barrister and Solicitor" until the Court directs the insertion of the name of such Barrister and Solicitor.

24. Whenever any Barrister and Solicitor is struck off the roll of Barristers and Solicitors or suspended from practicing, the Clerk of the Court shall certify the same under his hand and seal of the Court to the Territorial Secretary, who shall file such certificates and shall make a note opposite the name of such person on the said Roll of his having been struck off the same or suspended (as the case may be), and in case of suspension, the time of such suspension.

25. Upon a Barrister and Solicitor being struck off the roll as aforesaid all his rights and privileges as a Barrister and Solicitor shall cease and determine, or in case he is suspended, he shall, during the period of his suspension possess no rights or privileges as a Barrister and Solicitor, and notice of his being struck off the roll or suspended shall forthwith be given by the Secretary to the Judges of the Territorial Court.

26. The Territorial Court may, on application made for that purpose, and when in the opinion of such Court the subsequent conduct of the Barrister and Solicitor, or the facts warrant it, order the name of any Barrister and Solicitor struck off the Roll to be restored thereto upon such terms as to the payment of money or otherwise as the Court may direct, and in such case the Clerk of the Court shall certify the same under his hand and the seal of the Court to the Territorial Secretary, who shall file such certificate and make a note opposite the name of such person on the said Roll of his having been restored thereto.

27. Notice of such application shall be given to the Territorial Secretary and such other person or persons as the Court or a Judge upon ex parte application may direct, and the person so notified may, in person or by Barrister and Solicitor, appear and oppose or consent to such application.

28. Provided that before being entitled to be restored to the roll hereunder such person whose name is sought to be restored shall pay all arrears of fees due by him to the said Comptroller, including the fees for the period which has elapsed since he was struck off the Roll.

29. Whenever a person being an articled clerk shall be found by the Court or a Judge, after due inquiry, to have been, either before or after the coming into force of this Ordinance guilty of professional misconduct or conduct unbecoming an arti-

pled clerk, it shall be lawful for the Court or Judge to strike the name of such clerk from the roll of articulated clerks.

30. (a) No person other than Barristers and Solicitors duly qualified and admitted to practice in the Yukon Territory shall act as Barrister and Solicitor in the Yukon Territory or practice in any Court in the said Territory, or advise for fee or reward, directly or indirectly in matters pertaining to the law, or sue out any writ or process, or commence, carry on, solicit or defend any action or proceeding in any such Court, or assume to act or hold himself out to the public in any way as a person qualified to act as a Barrister or Solicitor, or shall in this Territory hold himself out with the object of obtaining legal practice in the Territory to be a Barrister at Law, Advocate, Solicitor or Attorney of any other Province, Territory or county, or be, or hold himself out as a partner or agent of any Barrister or Solicitor, or participate in the profits, as profits of the office, or any business of any Barrister or Solicitor of the Yukon Territory carried on or transacted as such Barrister or Solicitor, and any person contravening any provision of this section or assisting any person to contravene any provision of this section, shall be liable to and shall pay a fine or penalty of not less than three hundred and not more than five hundred dollars for the first offence, which fine or penalty may be imposed upon summary conviction by any justice of the peace upon an information being laid in the name of the Bar of the Yukon Territory, upon the oath of the Secretary thereof that he is informed and believes that the person charged has committed the acts alleged, or may be recovered by action brought by the Territorial Secretary in the Territorial Court, and such person, if a Barrister and Solicitor, shall be struck off the Roll, and for every subsequent offense such person contravening any provision of this section or assisting any person to contravene any provision of this section, shall be liable to and shall pay a fine or penalty of five hundred dollars, to be imposed or recovered as aforesaid, and if a Barrister and Solicitor shall be struck off the Roll and disqualified from practicing as a Barrister and Solicitor.

(b) Any contravention of any provision of this section shall constitute a contempt of Court and may be dealt with by the Territorial Court as such.

(c) Any person doing any of the acts prohibited by this section shall be incapable of recovering any fee, reward or disbursement on account thereof, and any sum paid to such person therefor may be recovered back by the person paying the same.

(d) This section shall not be deemed to prevent any person acting

on his own behalf in any action, cause, suit or matter.

31. The Legal Adviser may institute or authorize the institution of any proceedings under this Ordinance for any breach of its provisions.

All enactments in the several Ordinances in the Schedule to this Ordinance mentioned are hereby repealed to the extent mentioned in third column of said Schedule.

SCHEDULE.

OATH OF BARRISTER AND SOLICITOR.

I, A. B., do swear (or being one of the persons allowed by law to affirm in judicial cases, do affirm) that I am a British subject by birth (or naturalization as the case may be) and that I am of full age of twenty-one years. So help me God.

I, A. B., do sincerely promise and swear (or affirm) that I will be faithful and bear true allegiance to His Majesty, King Edward VII., as lawful sovereign of Great Britain and Ireland and of the Dominion of Canada, dependent on and belonging to the said United Kingdom, and that I will defend him to the utmost of my power against all traitorous conspiracies and attempts whatever which shall be made against his power, Crown and Dignity; and that I will do my utmost endeavor to disclose and make known to His Majesty, his heirs and successors, all treason and traitorous conspiracies and attempts which I shall know to be against him or any of them, and all that I do swear (or affirm) without any equivocation, mental evasion or secret reservation. So help me God.

The proper Officer under the direction of the Court shall say to the Barrister:

"You are called to the degree of Barrister to protect and defend the rights and interests of such persons as may employ you. You shall conduct all causes faithfully and to the best of your ability. You shall neglect no man's interest nor seek to destroy any man's property. You shall not be guilty of champerty or maintenance. You shall not refuse causes of complaint reasonably founded, nor shall you promote suits upon frivolous pretenses. You shall not pervert the law to favor or prejudice any man, but in all things shall conduct yourself truly and with integrity. In fine the King's interests and your fellow subjects you shall uphold and maintain according to the constitution and laws of this Territory."

To which the Barrister shall answer:

"All this I swear (or affirm) to observe and perform to the best of my knowledge and ability. So help me God."

"I, A. B., do further swear that I will truly and honestly demean myself in the practice of a Solicitor according to the best of my knowledge and ability. So help me God."

CERTIFICATE OF PAYMENT OF
ANNUAL FEE.

Yukon Territory.

Annual Certificate No.—

This is to certify that ——— has paid to the Comptroller of the Yukon Territory under the provision of the Ordinance Respecting the Legal Profession the sum of twenty-five dollars and that the said ——— is hereby entitled to practice as a Barrister and solicitor in the Yukon Territory for one year from the thirtieth day of June, A. D. 19—.

Dated ———, A. D. 19—.

Territorial Secretary.

ORDINANCES REPEALED.

DESCRIPTION OF ORDINANCE.	TITLE OF ORDINANCE.	EXTENT OF REPEAL.
Consolidated Ordinances of the North West Territories. Chapter 51.	An Ordinance Respecting the Legal Profession and Law Society of the Territories.	The whole.
Ordinances of the Yukon Territory No. 5 of 1898.	An Ordinance Concerning the Legal Profession.	do.
Ordinances of the Yukon Territory No. 14 of 1899.	An Ordinance Respecting Certain Legal Officers.	do.
Ordinances of the Yukon Territory No. 22 of 1899.	An Ordinance Respecting the Legal Profession.	do.
Ordinances of the Yukon Territory No. 37 of 1899.	An Ordinance Respecting Barristers and Solicitors within the Yukon Territory.	do.



Ordinance No. 34. of 1901

AN ORDINANCE RESPECTING THE PROCEDURE AND PRACTICE TO BE OBSERVED IN CONNECTION WITH THE EXERCISE OF THE CIVIL JURISDICTION OF POLICE MAGISTRATES APPOINTED UNDER CHAPTER 41 OF DOMINION ACTS OF 1901, ENTITLED, "AN ACT TO AMEND THE YUKON TERRITORY ACT AND TO MAKE FURTHER PROVISION FOR THE ADMINISTRATION OF JUSTICE IN THE SAID TERRITORY."

L. S.
J. H. ROSS,
Commissioner.

Assented to October 8, 1901.

The Commissioner of the Yukon Territory, by and with the advice and consent of the Council of said territory enacts as follows:

(1) The clerk of the territorial court of the Yukon Territory shall appoint a deputy at Whitehorse in said territory, and such deputy clerk shall have and perform the powers, duties and obligations mentioned in Chapter 22 of the Consolidated Ordinances of the Northwest Territories, entitled, "An Ordinance Respecting Clerks and Deputy Clerks."

(2) The Sheriff of the Yukon Territory shall appoint a Deputy at Whitehorse aforesaid, and such Deputy Sheriff shall have and perform the powers, duties and obligations mentioned in Chapter 23 of the said Consolidated Ordinances, entitled, "An Ordinance Respecting Sheriffs and Deputy Sheriffs."

(3) The jurisdiction of each of the Police Magistrates appointed under Chapter 41 of the Dominion Acts of 1901, entitled, "An act to amend the Yukon Territory Act and to make further provision for the administration of Justice in the said Territory," shall be exercised so far as regards procedure and practice in the same manner as the jurisdiction of a Judge of the Territorial Court of the Yukon Territory and the practice and procedure in all civil cases over which such magistrate has jurisdiction shall be regulated by Chapter 21 of the Consolidated Ordinances of the Northwest Territories, entitled, "An ordinance respecting the administration of civil justice," and the Rules of Court made thereunder as such chapter and rules have been amended by the Ordinances of the Yukon Territory and the rules made by the Judges of the said Territorial Court.

(4) Every such case shall be commenced and proceeded with both before judgment and subsequently as if the same were a cause commenced in the Territorial Court save that the same may be tried and judgment given and decisions and determinations and rules, orders and decrees made in any such case by the proper Police Magistrate.

(5) All appeals from the Police Magistrate shall be heard by the Judges of the Territorial Court sitting en banc, and shall be by way of hearing, and shall be brought by a notice of motion in a summary way, and no petition, case or other formal proceeding other than such notice of motion shall be necessary. The Appellant may, by the notice of motion, appeal from the whole or any part of any Judgment or Order, and the notice of motion shall state whether the whole or part only of such judgment or order is complained of, and in the latter case shall specify such part.

(6) The notice of appeal shall be served on all parties directly affected by the appeal, and it shall not be necessary to serve parties not so affected, but the Territorial Court may direct notice of the appeal to be served upon all or any of the parties to the action or other proceeding or upon any person not a party, and in the meantime may postpone or adjourn the hearing of the appeal upon such terms as are just, and may give such judgment and make such order as might be given or made if the persons served with such notice had been original parties. Any notice of appeal may be amended at any time that the Court thinks fit.

(7) The notice of appeal shall be served within ten days from the day the Appellant or his Solicitor first had notice that the order upon the decision appealed from had been made, but the Court or Judge may enlarge and extend the time for giving such notice of appeal either before or after the expiration thereof.

(8) An appeal shall not operate as a stay of execution or of proceedings under the decision appealed from except so far as the Magistrate appealed from or the Court orders, and no intermediate act or proceeding shall be invalidated except so far as the Court directs. Such deposit or other security shall be made or given as directed by the Court or Judge.

(9) When any question of fact is involved in an appeal the evidence taken before the Magistrate bearing on such question shall, subject to any special order, be brought before the Court as follows:

(a) As to any evidence taken by affidavit by the production of copies of such affidavit.

(b) As to any evidence given orally, by production of the notes of the evidence as extended by the Stenographer or made by the Magistrate or such other material as the Court deems expedient.

Repealed by 115/02.



Ordinance No. 35. of 1901

AN ORDINANCE TO AMEND ORDINANCE NO. 25 OF 1900, ENTITLED, "AN ORDINANCE FOR THE PREVENTION OF FIRES"

L. S.
J. H. ROSS,
Commissioner.

Assented to Oct. 8th, 1901.

The Commissioner of the Yukon Territory, by and with the advice and consent of the Council of said Territory, enacts as follows:

Section 14 of Ordinance No. 25 of 1900, entitled An Ordinance for the Prevention of Fires, is hereby amended by striking out the words "which shall extend at least six inches above and below such wall, partition, ceiling or roof" and substituting the following words therefor, that is to say:—"which shall consist of an inner and an outer ring of metal, so placed that when in position the outer ring shall at every point be at least four and a half inches outside the outer ring."



Ordinance No. 36. of 1901

AN ORDINANCE TO AMEND ORDINANCE NO. 29 OF 1901, ENTITLED, "AN ORDINANCE RESPECTING ASSESSMENT."

L. S.

J. H. ROSS,
Commissioner.

Assented to Oct. 8th, 1901.

The Commissioner of the Yukon Territory, by and with the advice and consent of the Council of the said Territory, enacts as follows:

1. Form "C" in the schedule to Ordinance No. 29 of 1901, entitled, "An Ordinance Respecting Assessment," is hereby amended by substituting the words "not later than" for the words "at least" between the word "appeal" and the words "fifteen days" in the notice of assessment in said Form "C."
2. Said Form "C" shall be deemed to have read as amended by the next preceding section of this Ordinance, at the time of the coming into force of the said Ordinance No. 29 of 1901.



Ordinance No. 37. of 1901

AN ORDINANCE TO AMEND ORDINANCE NO. 2, OF 1901, ENTITLED "AN ORDINANCE RESPECTING THE PRESERVATION OF GAME IN THE YUKON TERRITORY."

L. S.
J. H. ROSS,
Commissioner.

Assented to October 9th, 1901.

The Commissioner of the Yukon Territory, by and with the advice and consent of the Council of the said Territory, enacts as follows:

1. Section 3, sub-section "d" of Ordinance No. 2 of 1901, entitled, "An Ordinance Respecting the Preservation of Game in the Yukon Territory," is hereby amended by striking out the words "two moose, six caribou, two musk oxen, two deer, two mountain sheep or two mountain goats, provided, however, that licenses may be issued as thereafter provided for giving the right to any person to kill a greater number of the beasts mentioned in this paragraph during the same season as may be fixed from time to time by the Commissioner in Council," and substituting therefor "six moose, two musk oxen and six deer," and said section is further amended by striking out sub-sections "e" and "f" thereof.

2. Section 11, sub-section "a" is amended by striking out the following words, "caribou, mountain sheep or mountain goats."

3. Section 19 of the said Ordinance is hereby repealed.

4. Any person who kills any of the beasts or birds mentioned in this ordinance and does not use the meat thereof for food himself or cause the same to be used for food or does not offer the same for sale in some market within the Yukon Territory shall be liable to a penalty of not more than five hundred dollars and in default of payment to imprisonment for a period not exceeding three months.



Ordinance No. 38 of 1901

AN ORDINANCE FOR THE PROTECTION OF MINERS.

L. S.
J. H. ROSS,
Commissioner.

Assented to Nov. 7, 1901.

THE COMMISSIONER OF THE YUKON TERRITORY, BY AND WITH THE ADVICE AND CONSENT OF THE YUKON COUNCIL, ENACTS AS FOLLOWS:

SHORT TITLE.

1. This ordinance may be cited as "The Miners' Protection Ordinance."

APPLICATION.

2. This ordinance shall apply to every mine of whatever description within the Yukon Territory.

INTERPRETATION.

3. In this Ordinance and in any special rules made under the provisions of this Ordinance unless the context otherwise requires:—

(a) "Mine" includes every shaft in the course of being sunk, and every level and inclined plane in the course of being driven for commencing or opening any such mine, or for searching for or proving minerals, and all the shafts, levels, planes, works, machinery tramways, railways and sidings both below and above ground, in and adjacent to a mine, and any such shaft, level, and inclined plane of and belonging to the mine;

(b) "Shaft" includes pit and slope;

(c) "Inclined plane" includes slope;

(d) "Plan" includes a map and section or sections, and a correct copy or tracing of any original plan as so defined;

(e) "Owner," in relation to any mine means any person or body corporate who is the immediate proprietor, or lessee, or occupier of any mine, or of any part thereof, and does not include a person or body corporate who merely receives a royalty or rent from a mine, or is merely the proprietor of a mine subject to any lease, grant or license for the working thereof, or is merely the owner of the soil, and not interested in the minerals of the mine,

but any contractor for the working of any mine or any part thereof shall be subject to this Ordinance in like manner as if he was an owner, but so as not to exempt the owner from any liability;

(f) "Agent" in relation to any mine means any person having on behalf of the owner, care or direction of any mine or any part thereof.

OFFICERS.

4. The Commissioner may from time to time appoint suitable, competent, practical persons to act as Inspectors under this Ordinance and may define the limits of the district within which each such inspector may perform his duties and exercise his powers.

DUTIES OF INSPECTORS.

5. It shall be the duty of every Inspector:—

(a) To visit and inspect from time to time every mine within the district for which he is Inspector.

(b) To ascertain that the provisions of this Ordinance and of any special rules made thereunder are complied with and that the mines are worked with due regard to the safety and protection of the persons employed therein.

(c) To investigate every case where:

(I.) Loss of life or any personal injury to any person employed in or about any mine in such district occurs by reason of any explosion of gas, powder or other explosive or of any steam boiler, or,

(II.) Loss of life or any serious personal injury to any person employed in or about any such mine occurs by reason of any accident whatever.

(d) To report to the Commissioner of the Yukon Territory all information in regard to any such case and to notify the Public Administrator of every case of loss of life with all particulars in regard thereto.

INSPECTION.

6. (1) The Inspector shall have power to do all or any of the following things, namely:—

(a) To make such examination and inquiry as is necessary to ascertain whether the provisions of this Ordinance relating to matters above ground or below ground are complied with in the case of any mine;

(b) To enter, inspect and examine any mine and every part thereof at all reasonable times by day and night but so as not to impede or obstruct the working of the mine;

(c) To examine into and make inquiry respecting the state and condition of any mine or any part thereof, and the ventilation of the mine, and

the sufficiency of any special rules for the time being in force in the mine and all matters and things connected with or relating to the safety of the persons employed in or about the mine or any mine contiguous thereto;

(d) To exercise such powers as are necessary for carrying this Ordinance into effect.

(II) Every person who wilfully obstructs the Inspector in the execution of his duty under this Ordinance, and every owner, agent and manager of a mine who refuses or neglects to furnish to the Inspector the means necessary for making an entry, inspection, examination or inquiry under this Ordinance in relation to such mine, shall be guilty of an offense against this Ordinance.

7. (1) If in any respect (which is not provided against by any express provision of this Ordinance, or by any special rule) the Inspector finds any mine, or any part thereof, or any matter, thing or practice in or connected with any mine, to be dangerous or defective, so as in his opinion to threaten or tend to the bodily injury of any person, the Inspector may give notice in writing thereof to the owner, agent or manager of the mine, and shall state in such notice the particulars in which he considers such mine or any part thereof, or any matter, thing or practice, to be dangerous or defective, and require the same to be remedied; and unless the same is forthwith remedied the Inspector shall report the same to the Commissioner.

(2) If the owner, agent or manager fails to comply with the requisition of the notice within ten days from the date of such notice he shall be guilty of an offense against this Ordinance.

(3) The Commissioner, if satisfied that the owner, agent or manager has taken active measures for complying with the notice but has not with reasonable diligence been able to complete the works, may adjourn any proceedings taken before him for punishing the offense, and if the works are completed within a reasonable time no penalty shall be inflicted.

(4) No person shall be precluded by any agreement from doing such acts as are necessary to comply with the provisions of this section, or be liable under any contract to any penalty or forfeiture for doing such acts.

8. Where it appears to the Commissioner that a formal investigation of any accident in any mine or of any matter connected with the working of any mine is expedient, the Commissioner may direct the Inspector to hold such investigation, and with re-

spect to any such investigation the following provisions shall have effect:

(1) The Inspector shall make such investigation in such manner and under such conditions as he thinks most effectual for the making of a full investigation.

(2) The Inspector for the purposes of the investigation shall have all the powers of a commissioner appointed under Chapter 12 of the Consolidated Ordinances of the North West Territories as amended by the Ordinances of the Yukon Territory, and all the powers conferred upon the Inspector by this Ordinance and as part thereof or in addition thereto the following powers, viz:—

(a) Power to enter and inspect any mine, building or place, the entry or inspection of which appears to the Inspector expedient;

(b) Power by summons signed by the Inspector to require the attendance of any person and to require of such person such answers or returns to inquiries as the Inspector thinks fit;

(c) Power to require the production of any book, paper or document which the Inspector thinks important upon such investigation;

(d) Power to administer an oath.

(3) Any person attending before the Inspector in obedience to any such summons shall be allowed the fee paid to a witness attending a trial in the Territorial Court.

(4) Any person who without reasonable excuse either fails to comply with any summons requiring him to attend before the Inspector upon any such investigation or refuses to produce any document which he is required by the Inspector to produce or prevents or impedes the Inspector when engaged in such investigation, shall for each offence be liable to a penalty not exceeding four hundred dollars or to imprisonment for a term not exceeding thirty days, and in addition thereto, may be proceeded against in the Territorial Court as for contempt of such Court.

(5) The Inspector shall make a report of such investigation which the Commissioner shall cause to be made public at such time and in such manner as he thinks fit.

(6) Any expense incurred in and about any such investigation shall be paid out of the Territorial treasury.

CORONERS' INQUESTS.

9. With respect to coroners' inquests on the bodies of persons whose deaths may have been caused by explosions or accidents in mines, the following

provisions shall have effect:—

(1) When a coroner holds an inquest on the body of any person whose death may have been caused by an explosion or accident, of which notice is required by this Ordinance to be given to the Commissioner or Inspector the Coroner, whenever practicable, shall immediately notify the Inspector for the district of his intention to hold such inquest and in the absence, non-arrival or non-attendance of the Inspector, the Coroner shall adjourn such inquest whenever practicable to enable the Inspector or some other properly qualified person appointed by the Commissioner to be present to watch the proceedings.

(2) The Coroner at least four days before holding the adjourned inquest shall send to the Commissioner or to the Inspector for the District notice in writing of the time and place of holding such adjourned inquest.

(3) The coroner before the adjournment may take evidence to identify the body and may order the interment thereof.

(4) The Inspector or such other person so appointed, or a person appointed by the workmen of the mine at which the explosion or accident occurred shall be at liberty at any such inquest to examine any witnesses, subject, nevertheless, to the order of the Coroner.

(5) Where evidence is given at an inquest at which the Inspector or such other person so appointed is not present, of any neglect as having caused or contributed to the explosion or accident, or of any defect in or about the mine appearing to the Coroner or jury, to require a remedy, the Coroner shall send to the Inspector notice in writing of such neglect or defect.

(6) Any person having a personal interest in, or employed in, or in the management of the mine in which the explosion or accident occurred, or any relative of the deceased person upon whose body the inquest is to be held shall not be qualified to serve on the jury empanelled on the inquest, or to act as Coroner therein, and it shall be the duty of the constable or other officer not to summons any person disqualified under this provision, and it shall be the duty of the Coroner not to allow any such person to be sworn or to sit on the jury.

(7) If, in the opinion of the Inspector, it will lead to a more thorough investigation, and will be more conducive to the ends of justice, he may require the constable or other officer to summons as jurymen not more than three working men employ-

ed at any other mine than that at which the explosion or accident occurred, who shall form part of the jury sworn in such inquest.

(8) Every person who fails to comply with the provisions of this section shall be guilty of an offence against this Ordinance.

EMPLOYMENT OF BOYS.

10. (1) No boy of or above the age of twelve years, and under the age of sixteen years shall be employed either about or allowed to be for the purposes of employment in or about any mine below or above ground for more than forty-eight hours in any one week, or for more than eight hours in any one day except in case of accident or emergency.

(2) For the purposes of this section a week shall be deemed to begin at midnight on Saturday night and to end at midnight on the succeeding Saturday night.

(3) No boy of or above the age of twelve years and under the age of sixteen years shall be permitted to work in or about any mine below or above ground unless he is able to read and write and is familiar with the rules of arithmetic as far as, and including division, and furnishes a certificate to that effect from a duly licensed teacher or from the Inspector of the district in which he is employed.

(4) Every such teacher and every such inspector shall without requiring payment of any fee, upon the application of any boy desiring employment, make the necessary examination of the boy and grant him such certificate, if he is found to be entitled to the same, and any such teacher or inspector refusing to make such examination and grant such certificate shall be liable to a penalty not exceeding twenty dollars.

PAYMENT OF WAGES.

11. No wages shall be paid to any person employed in or about any mine at or within any public house, beer shop or place for the sale of any spirits, beer, wine or other spirituous or fermented liquors.

12. Every person who contravenes or permits any person to contravene the provision of the next preceding section shall be guilty of an offence against this Ordinance; and in the event of any such contravention by any person whomsoever the owner, agent and manager shall each be guilty of an offence against this Ordinance unless he proves that he had taken all reasonable means to prevent such contravention.

SHAFTS.

13. The owner, agent or manager

of a mine shall not employ any person in the mine or permit any person to be in the mine for the purpose of employment therein unless the following conditions respecting shafts or outlets are complied with; that is to say:

(1) Proper apparatus for raising and lowering persons at every shaft or outlet shall be kept on the works belonging to the mine, and such apparatus if not in actual use at the shafts or outlets shall be constantly available for use. All buckets, tubs and other vessels in which goods and materials and other things are lowered into or raised from the mine shall be safely attached to the rope cable or other means by which the same are lowered or raised so as to obviate all danger to persons beneath the same.

(2) Every owner, agent or manager who acts in contravention of or fails to comply with this section shall be guilty of an offence against this Ordinance.

(3) The Territorial Court or any Judge thereof whether any other proceedings have been taken or not, may upon the application of the Crown Prosecutor prohibit by injunction the working of any mine in which any person is employed or is permitted to be for the purpose of employment in contravention of this section or of any other section of this ordinance, and may award such costs in the matter of the injunction as the Court or Judge thinks just; but this provision shall be without prejudice to any other remedy permitted by law for enforcing the provisions of this Ordinance.

(4) Written notice of the intention to apply for such injunction in respect to any mine shall be given to the owner, agent or manager of the mine not less than two days before the application is made.

(5) No person shall be precluded by any agreement from doing such acts as are necessary to comply with the provisions of this Ordinance or be liable under any contract to any penalty or forfeiture for doing such acts as are necessary in order to comply with the provisions of this Ordinance.

14. (1) When in or about any mine whether above or below ground either.

(a) Loss of life or any personal injury to any person employed in or about the mine occurs by reason of the explosion of gas, powder or other explosive, or of any steam boiler, or,

(b) Loss of life or any serious personal injury to any person employed in or about the mine occurs by reason of any accident

whatever, the owner, agent or manager of the mine shall within twenty-four hours next after the explosion or accident send notice in writing of the explosion or accident, and of the loss of life or personal injury occasioned thereby to the Commissioner and to the Inspector for the District, and shall specify in such notice the character of the explosion or accident, and the number of the persons killed or injured, and as soon after as possible, and before the end of each year a return of facts relating to such accident or explosion in the form given in the schedule to this Ordinance.

(2) Where any personal injury of which notice is required to be sent under this section results in the death of the person injured, notice in writing of the death shall be sent to the Commissioner and to the Inspector for the district within twenty-four hours after such death comes to the knowledge of the owner, agent or manager;

(3) Every owner, agent or manager who fails to act in compliance with this section shall be guilty of an offence against this Ordinance.

15. In any case,—

(a) Wherever any change occurs in the name of the owner, agent or manager of any mine or in the offices of any incorporated company which is the owner of any such mine, or,

(b) Where any working is commenced for the purpose of opening any such mine, or,

(c) Where any mine is abandoned or the working thereof discontinued, or,

(d) Where the working of a mine is recommenced after an abandonment or discontinuance for a period exceeding two months,

The owner, agent or manager of such mine shall give notice thereof to the Commissioner within two months after such commencement, abandonment, discontinuance, recommencement or change; and if such notice is not given the owner, agent or manager shall be guilty of an offence against this Ordinance, provided that this section shall not apply to placer mines.

ABANDONED MINES.

16. (1) Where any mine is abandoned or the working thereof discontinued at whatever time such abandonment or discontinuance occurs the owner thereof and every other person interested in the mineral of such mine shall cause the top of the shaft and any side entrance from the surface to be and to be kept securely fenced for the

prevention of accidents,
Provided that.

(a) Subject to any contract to the contrary, the owner of the mine shall, as between himself and any other person interested in the minerals of the mine be liable to carry into effect this section and to pay the costs incurred by any other person interested in the minerals of the mine in carrying this section into effect; and,

(b) Nothing in this section shall exempt any person from any liability under any other Ordinance, Act, Law or otherwise.

(2) If any person fail to act in conformity with this section he shall be guilty of an offence against this Ordinance.

GENERAL RULES.

17. (1) The following general rules shall be observed as far as is reasonably practicable in every mine:—

RULE 1.

An adequate amount of ventilation shall be constantly produced in every mine to dilute and render harmless noxious gases to such an extent that the working places of the shaft levels and workings of the mine shall be in a fit state for working and passing therein.

RULE 2.

All entrances to any place in a mine not in actual course of working and extension shall be properly fenced across the whole width of such entrance so as to prevent persons inadvertently entering the same.

RULE 3.

If at any time it is found by the person for the time being in charge of the mine or any part thereof that by reason of noxious gases prevailing in such mine or such part thereof or of any cause whatever the mine or the said part is dangerous every workman shall be withdrawn from the mine or such part thereof as is so found dangerous, and no workman shall, except in so far as is necessary for inquiring into the cause of danger or for the removal thereof or for exploration be re-admitted into the mine or such part thereof as is so found dangerous until the same is made safe.

RULE 4.

The following provisions shall relate to the use of any explosive in a mine:

(a) It shall not be stored in a mine;

(b) It shall not be taken into a mine except in a secure case or cannister containing not more than six pounds;

(c) A workman shall not have or use at any one time in any one

place more than one of such cases or cannisters.

RULE 5.

Every underground plane on which persons travel where the produce of the mine is carried by cars which are self-acting or worked by an engine, windlass or gin, shall be provided (if exceeding thirty yards in length) with some proper means of communicating distinct and definite signals between the stopping places and the ends of the plane and shall be provided in every case at intervals of not more than twenty yards with sufficient man holes for places of refuge, and every back or counter balance used for raising or lowering minerals, if exceeding thirty yards in length unless exempted in writing by the Inspector, shall be provided with some proper means of communicating distinct signals between the lower end and between the entrance of every working place thereon for the time being in work and the upper end thereof.

RULE 6.

(1) Every road on which persons travel underground, where the produce of the mine in transit exceeds ten tons in any one hour over any part thereof and where the load is drawn by a horse or other animal, shall be provided, where there is not standing room of at least two feet, at intervals of not more than twenty-five yards, with sufficient man-holes or with places of refuge, and every such place of refuge shall be of sufficient length and of at least three feet in width between the wagons running on the tram road and the side of such road.

(2) Where the load is drawn by machinery or other mechanical appliances and there is not standing room of at least two feet there shall be provided at intervals of not more than fifteen yards sufficient manholes or places of refuge, and every such place of refuge shall be of sufficient length and of at least three feet in width between the wagons running on the tram road and the side of such road;

(3) Whenever in the opinion of the Inspector the precautions required by this rule with respect to roads over which the produce of the mine is drawn by machinery or other mechanical appliances are not sufficient for the safety of the men travelling thereon, he may require the owner, agent or manager of such mine to provide a separate travelling road.

RULE 7.

Every man hole and every place of refuge shall be kept clear, and no person shall place anything in a man hole or place of refuge so as to prevent access thereto.

ORDINANCE No. 38, OF 1901.—CONTINUED.

RULE 8.

The top of every shaft which for the time being is out of use or used only as an air shaft shall be kept securely fenced.

RULE 9.

Where the natural strata are not safe every working or pumping shaft shall be securely cased, lined or otherwise made secure.

RULE 10.

The roof and sides of every travelling road and working place shall be made secure and a person shall not unless appointed for the purpose of exploring or repairing travel or work in any such travelling road or working place unless the same is so made secure.

RULE 11.

Every working shaft used for the purpose of drawing minerals or for the lowering or raising of persons shall if exceeding fifty yards in depth and not exempted in writing by the Inspector, be provided with guides and some proper means of communicating distinct and definite signals from the bottom of the shaft, and from every entrance for the time being in use, between the surface and the bottom of the shaft to the surface, and from the surface to the bottom of the shaft and to every entrance for the time being in use between the surface and the bottom of the shaft.

RULE 12.

A sufficient cover over head shall be used for every cage or tub employed in lowering or raising persons in any working shaft, except where the cage or tub is worked by a windlass or where persons are employed at work in the shaft or where a written exemption is given by the Inspector.

RULE 13.

Single linked chain shall not be used for lowering or raising persons in any working shaft or place except for the short coupling chain attached to the cage or load.

RULE 14.

There shall be on the drum of every machine used for lowering or raising persons such flanges or horns, and also if the drum is conical such other appliances as are sufficient to prevent the rope from slipping.

RULE 15.

There shall be attached to every machine worked by steam, water or mechanical power and used for lowering or raising persons an adequate brake and also a proper indicator, in addition to any mark on the rope, showing to the person who works the machine the position of the cage or load in the shaft.

RULE 16.

Every fly-wheel and all exposed and dangerous parts of the machinery used in or about the mine shall be and be kept securely fenced.

RULE 17.

Every steam boiler shall be provided with a proper steam gauge and water gauge to show, respectively, the pressure of steam and the height of water in the boiler and with a proper safety valve.

RULE 18.

A ladder permanently used for the ascent or descent of persons in the mine shall not be fixed in a vertical or overhanging position, but shall be inclined at the most convenient angle which the space in which the ladder is fixed allows; and every such ladder shall have substantial platforms at intervals of not more than twenty yards.

RULE 19.

If more than twelve persons are ordinarily employed in the mine below ground sufficient accommodation shall be provided above ground near the principal entrance of the mine and not in the engine room or boiler room for enabling the persons employed in the mine to conveniently and with comfort dry and change their dresses.

RULE 20.

No person shall wilfully damage or without proper authority remove or render useless any fence, fencing, casing, lining, guide, means of signalling, signal, cover, chain, flange, horn, brake, indicator, ladder, platform, steam gauge, water gauge, safety valve or other appliance or thing provided for any mine in compliance with this Ordinance.

RULE 21.

Every person shall observe such directions as are given with respect to working as are given to him with a view to comply with this Ordinance or any special rules in force under this Ordinance in the mine.

RULE 22.

A competent person or persons who shall be appointed for the purpose shall once at least in every twenty-four hours examine the state of the external parts of the machinery, and the state of the head gear working places, levels, planes, ropes, chains and other works of the mine which are in actual use and once at least in every week shall examine the state of the shafts by which persons ascend or descend and the guides or conductors therein.

RULE 23.

Persons employed in a mine may from time to time appoint two of their number to inspect the mine at their own cost and the persons so ap-

pointed shall be allowed once at least in every month accompanied if the owner, agent or manager thinks fit, by himself or one or more of the officers of the mine and to inspect the shafts, levels, planes, working places, return air-ways, ventilating apparatus, old workings and machinery, and shall be afforded by the owner, agent or manager and all persons in the mine every facility for the purposes of inspection, and shall make a true report of the result of such inspection and such report shall be recorded in the book to be kept at the mine for the purpose and shall be signed by the persons who make the same.

RULE 24.

(1) The majority of the workmen at any mine may appoint a person to examine the seat of any accident resulting in the death or injury of any person.

(2) Every person who does not comply with or contravenes any of the general rules of this section shall be guilty of an offence against this Ordinance, and in the event of any non-compliance with or contravention of any of such general rules in the case of any mine by any person whomsoever being proved the owner, agent and manager shall each be guilty of an offence against this Ordinance unless he proves that he had taken all reasonable means to prevent such non-compliance or contravention by publishing and to the best of his power enforcing the said rules as regulations for the working of the mine.

(3) The Commissioner may from time to time make such additional rules as in his opinion may appear necessary to better secure the safety of persons engaged in or about any mine, and non-compliance with or contravention of any rule so made shall be deemed non-compliance with or contravention of a general rule under this section.

RULE 25.

Provided that Rules 6, 13, 15, 16, 18, 22 and 23 shall not apply to placer mines.

NOTICES.

18. All notices required by this Ordinance shall be in writing or print or partly in writing and partly in print; and all notices and documents required by this Ordinance to be served or sent by or to the Commissioner or Inspector may be either delivered personally or served and sent by post by prepaid registered letter, and if served or sent by post shall be deemed to have been served and received respectively at the time when the letter containing the same would be delivered in the ordinary course of post; and proving such service or sending it

shall be sufficient proof that the letter containing the notice was properly addressed and put in the post.

PENALTIES.

19. Every person employed in or about a mine other than an owner, agent or manager who is guilty of any act of omission which in the case of an owner, agent or manager would be an offence against this Ordinance shall be guilty of an offence against this Ordinance.

(1) Every owner, agent or manager who is guilty of an offence against this Ordinance shall be liable to a penalty not exceeding two hundred dollars.

(2) If such offence is committed or continued after notice thereof, given by the Inspector, a further penalty of twenty-five dollars for each violation or for each day that such violation continues after such notice shall be imposed.

(3) Every person other than an agent, owner or manager who is guilty of an offence against this Ordinance shall be liable to a penalty not exceeding fifty dollars.

(4) No prosecution shall be instituted against any owner, agent or manager for an offence against this Ordinance except:

(a) By the Inspector, or,

(b) With the consent in writing of the Commissioner, or,

(c) By some person appointed by the Commissioner, or,

(d) By some person employed in or about the mine in respect to which the offence was committed appointed in writing to institute such prosecution by not less than ten persons so employed.

(5) If it appears that a boy was employed on the representation of his parent or guardian that he was of the age at which his employment would not be a contravention of this Ordinance, and under the belief in good faith that he was of such age, the owner, agent or manager of the mine shall notwithstanding that the boy was not of such age, be exempt from any penalty in respect to such employment, and the parent or guardian shall for the misrepresentation be deemed guilty of an offence against this Ordinance.

(6) In any prosecution or other procedure against an owner, agent or manager for an offence against this Ordinance such owner, agent or manager shall be discharged if he proves to the satisfaction of the tribunal before which the same is tried that he took all reasonable means to prevent the commission of such offence.

(7) Any complaint or suit made or

brought in pursuance of this Ordinance shall be made or brought within six months from the time when the matter of such complaint or suit came to the knowledge of the prosecutor.

(8) The procedure and other provisions of the Criminal Code of Canada 1892 and amending Acts relating to summary conviction shall apply to every case in which any person commits or is suspected of having committed any offence for which a penalty is provided by this Ordinance.

(9) Where a penalty is imposed under this Ordinance for neglecting to send a notice of any explosion or accident or for any offence against this Ordinance which has occasioned loss of life or personal injury, the Commissioner may, if he thinks fit, direct such penalty to be paid to or distributed among the persons injured and the relatives of any person whose death has been occasioned by such explosion, accident or offence, or among some of them.

(10) Provided that such persons did not in his opinion occasion or contribute to occasion the explosion or accident and did not commit and were not parties to the commission of the offence.

(11) Except as in this Ordinance otherwise provided, all penalties imposed in pursuance of this Ordinance shall be paid on receipt of the same in-

to the Territorial Treasury.

SCHEDULE.
(Section 14.)

Form of Notice of Explosion or Accident.

Name of Mine.....
Date.....

To the Commissioner of the Yukon Territory and to the Inspector of the District.....

Sirs:—

In pursuance of the Miners' Protection Ordinance I beg to give you notice that an explosion (or accident) has occurred at this mine, of which the following are the particulars:

Place where the accident occurred.....

.....

Date of the Accident.....

Character of the Accident.....

If from explosion, whether of gas, explosive or steam boiler.....

Number, ages and names of persons killed.....

.....

Number and names of persons injured seriously... ..

.....

Number and names of persons injured slightly

.....

Number and relation of persons dependant on persons killed

.....

I am, Sirs,

Your obedient servant,

.....

(Signature.)



Ordinance No. 39 of 1901

AN ORDINANCE TO INCREASE THE
CAPITAL STOCK OF THE HAD-
LEY STAGE LINE, LIMITED.

L. S.
J. H. ROSS,
Commissioner.

Assented to Nov. 7, 1901.

THE COMMISSIONER OF THE YU-
KON TERRITORY, BY AND WITH
THE ADVICE AND CONSENT OF
THE YUKON COUNCIL, ENACTS
AS FOLLOWS:

Whereas, the Hadley Stage Line, Limited, was incorporated under an Ordinance of the Yukon Territory, being No. 6, of 1901, for the purpose of carrying on business in the Yukon Territory, as set forth in said Ordinance.

And, whereas, the directors of the said Company have by their petition prayed for an Ordinance to be passed authorizing an increase of the capital stock of the Company to the sum of \$60,000.00.

Therefore, the Commissioner of the Yukon Territory by and with the advice and consent of the Council of the said Territory enacts as follows:

1. That the capital stock of the Hadley Stage Line, Limited, be and the same is hereby increased to the sum of \$60,000.00 in 600 shares of \$100.00 each.



Ordinance No. 40 of 1901

AN ORDINANCE TO AMEND ORDINANCE NO. 25 OF 1900, ENTITLED AN ORDINANCE FOR THE PREVENTION OF FIRES.

L. S.
J. H. ROSS.
Commissioner.

Asented to November 7th, 1901.

THE COMMISSIONER OF THE YUKON TERRITORY, BY AND WITH THE ADVICE AND CONSENT OF THE YUKON COUNCIL, ENACTS AS FOLLOWS:

1. Section No. 3 of Ordinance No. 25 of 1900, entitled an Ordinance for the Prevention of Fires, is hereby amended by striking out the words "Third Avenue" in the fourth line thereof, and substituting the words "Ninth Avenue" therefor.
2. Section No. 14 of said Ordinance as amended by Ordinance No. 35 of 1901 is hereby amended by striking out the words "and a half" in the second last line of said amending Ordinance.
3. That the following provisions be added to said Ordinance for the purpose of regulating the wiring of buildings using electricity.

(a) Whenever a connection is made between a larger and a smaller conductor at the entrance to or within a building some automatic device must be introduced in the circuit of the smaller conductor whereby it shall be interrupted whenever the current passing through it is in excess of its safe carrying capacity:

(b) The wires passing through the exterior walls of a building must be firmly encased in substantial tubes of non-conducting material, not liable to absorb moisture.

(c) Whenever wires are carried through walls, floors or partitions in buildings they must be surrounded by a special insulating tube of substantial material.

(d) Exposed wires must be covered with at least two coatings, one of insulating material next the wire, and another outside of this, of material calculated to protect the former from injury.

(e) In running along walls and the like wires must be rigidly attached to the same by non-conducting fastenings and must be placed at a distance from each other of eight inches for arc lights and two and one-half inches for incandescent lights, and whenever they approach any other wire or conducting body capable of furnishing another circuit or ground connection, they must be rigidly secured and separated from the same by some continuous solid non-conductor of at least one-half inch in thickness.

4. Anyone interfering with any fire alarm box in the unincorporated town of Dawson except for the purpose of giving a bona fide alarm of fire or unless authorized by the Chief of the Fire Department, and everyone tampering with, injuring or destroying any such fire alarm box shall be guilty of an offence and liable on summary conviction to a fine of fifty dollars.



Ordinance No. 41 of 1901

AN ORDINANCE RESPECTING THE
LIMITS OF DAWSON AND KLONDIKE CITY.

L. S.
J. H. ROSS,
Commissioner.

Assented to Nov. 7th, 1901.

THE COMMISSIONER OF THE YUKON TERRITORY, BY AND WITH THE ADVICE AND CONSENT OF THE COUNCIL OF THE SAID TERRITORY, ENACTS AS FOLLOWS:

1. In every Ordinance, unless the context otherwise requires:

(1) The expressions "Dawson," "Dawson City" or "Unincorporated Town of Dawson" mean the following described area of land:

Commencing at a point in the production in a straight line northerly of the eastern limit of 2nd Avenue, being a subdivision of Group Lot 16 of Group 2, in the Yukon Territory, said point being distant Northerly on the course of said 2nd Avenue 1221 feet and 6-10 of a foot from the Southern limit of said Group Lot 16.

Thence South 43 degrees, 06 minutes and 55 seconds East 3324 feet and 1-10 of a foot to the Northwestern corner of Lot 12, in Group 2.

Thence South 34 degrees, 18 minutes and 35 seconds West along the Eastern limits of Lots 12 and 3, in Group 2, 3628 feet and 8-10 of a foot to the Northern limit of Lot 25, in Group 2.

Thence South 55 degrees, 31 minutes and 25 seconds East along the said Northern limit of Lot 25 and along its production in a straight line Easterly 5802 feet and 6-10 of a foot to the Western limit of the Boyle Hydraulic Concession on the Klondike River.

Thence South 1 degree, 44 minutes and 35 seconds West along said Western limit of the Boyle Hydraulic Concession 2034 feet, more or less, to the center of the main channel of the Klondike River.

Thence down stream along the cen-

ter of the main channel of the said Klondike River to the center of the main channel of the Yukon River.

Thence down stream along the center of the main channel of the said Yukon River to the production in a straight line Westerly of the first above described course.

Thence South 43 degrees, 06 minutes and 55 seconds East along the said production to the point of commencement.

(2) The expression "Klondike City" means the following described area of land:

Commencing at the Southwestern corner of Lot 1, in Block 1, being a subdivision of Group Lot 13 or Group 2, in the Yukon Territory.

Thence South 76 degrees, 30 minutes East, along the Southern limit of said Lot 1, 51 feet and 5-10 of a foot, to the Southeastern corner thereof.

Thence South 76 degrees, 49 minutes and 30 seconds East, 277 feet and 3-10 of a foot, to a post planted at the top of a hill distant about 470 feet from the bank of the Yukon River.

Thence South 47 degrees, 02 minutes, 35 seconds East, 5488 feet and 9-10 of a foot, to a post planted at the top of the mountain on the South side of the Klondike valley.

Thence South 79 degrees, 03 minutes, 55 seconds East, 4362 feet and 4-10 of a foot, to the production in a straight line Southerly of the Western limit of the Boyle Hydraulic Concession on the Klondike River.

Thence North 1 degree, 44 minutes, 35 seconds East, along the said production and along the said Western limit of the Boyle Hydraulic Concession, 4056 feet, more or less, to the center of the main channel of the Klondike River.

Thence down stream along the center of the main channel of the said Klondike River to the center of the main channel of the Yukon River.

Thence up stream along the center of the main channel of the said Yukon River to the production in a straight line Westerly of the first above described course being the Southern limit of Lot 1, Block 1, Group Lot 13, in Group 2.

Thence Easterly along the said production to the point of commencement.

3. That a copy of a plan of said described area signed by A. J. McPherson, D. L. S., and dated the 20th day of August, 1901, be deposited in each of the following places, viz.: The offices of the Commissioner of the Yukon Territory, the Gold Commissioner, the Registrar of Land Titles for the Yukon Land Registration District, the Dominion Lands agent and the clerk of the Territorial Court at Dawson.

4. That said plans may be referred to and cited as "Plan of Dawson" and "Plan of Klondike City," respectively.



Ordinance No. 42 of 1901

1901 ENTITLED "AN ORDINANCE RESPECTING ASSESSMENT."

L. S.
J. H. ROSS,
Commissioner.

Assented to Nov. 7, 1901.

THE COMMISSIONER OF THE YUKON TERRITORY, BY AND WITH THE ADVICE AND CONSENT OF THE COUNCIL OF SAID TERRITORY, ENACTS AS FOLLOWS:

1. That Ordinance No. 29 of 1901, entitled "An Ordinance Respecting Assessment" be amended by adding the following clauses thereto:

44. (a) All persons paying taxes on or before the thirtieth day of November of the year in which such taxes were levied shall be entitled to a reduction of five per cent. on the same.

44. (b) Upon all taxes remaining due and unpaid on the 31st day of December of the year in which such taxes were levied there shall be added at the beginning of each month thereafter, as a penalty, an additional sum amounting to four per cent. of such taxes.

2. That section 48 of said Ordinance be amended by adding thereto the following clause:

1. (a) He shall prepare a copy of the list of lands to be sold, as authorized by this Ordinance, with the amount of taxes due thereon, and shall include therein, in a separate column a statement of the proportion of costs chargeable on each lot for advertising, and the sum of fifty cents for each parcel to be sold, and shall cause said list to be posted in a conspicuous place in his office, and in ten other places in the Town of Dawson for four weeks before the day fixed for said sale, and shall publish in one or more newspapers published in said Town during four weeks preceding the day of sale named therein, a notice in the following form:

Sale of Lands in the for arrears of taxes.

Notice is hereby given that certain lands in the will be offered for sale for arrears of taxes on the day of, 190...

at o'clock in the noon, and that a list of said lands has been posted up in the following places:—

.....
Tax Collector.

3. That sub-section 4 of said section 48 be amended by striking out the words "deed of property" in the fourth line thereof, and substituting therefor the words "transfer of such property in Form 'F.'"

4. No application for an order for confirmation of a sale of land for taxes made under the provisions of this Ordinance shall be heard by a Judge until three months after the said sale and until all persons appearing by the records of the proper Land Titles Office to have any interest in the said land have received notice of such application unless such notice is dispensed with by the Judge.

(2) Such notice shall be given by summons of the Judge obtained ex parte to be served in such manner as the Judge may direct and returnable in one month or such longer time as the Judge may direct after service thereof.

5. Any person interested in such land may at any time before the time for hearing such application redeem the said land by paying to the purchaser or his assignee the amount of the purchase money paid, and any further sums charged against the said land and lawfully paid, together with 20 per cent. thereon, and such costs as the Judge may allow.

6. From the time of payment to the purchaser or his assignee of the amounts mentioned in the next preceding section all right and interest to the purchaser in said land shall cease and determine.

7. Subject to the foregoing provisions, on any application for an order for such confirmation the production of a transfer of the said land, executed by the proper officer, shall be prima facie evidence that all conditions have existed, and all acts been performed and all requirements of this Ordinance in that behalf been complied with necessary to entitle the applicant to the order of confirmation applied for.

(2) If such application be not made until after the expiration of six months from the date of the transfer, such transfer shall be conclusive evidence that all conditions have existed, and all acts been performed and all requirements of the ordinance in that behalf been complied with necessary to entitle the applicant to the order of confirmation applied for, except on one of the following grounds:

1. Fraud or collusion.
2. That all taxes have been paid previous to the sale.
3. That the land was not liable to assessment.

FORM "F."

TRANSFER OF LAND ON SALE FOR TAXES.

I, of the, in

ORDINANCE NO. 42, OF 1901.—CONTINUED.

the Yukon Territory, Assessor, of
..... by virtue of the authority
vested in me by the Assessment Ordinance,
to sell lands for arrears of taxes, do hereby
in consideration of the sum of dollars,
paid to me by of, being
the price for which the said land was sold
at a sale by me on the day of,
19.., for arrears of taxes due on said land
to the said municipality, transfer to the said
..... ALL THAT piece of land being

In Witness Whereof I have hereunto set
my hand and the seal of said municipality
this day of, 19..

.....
Signed by the above named in the presence of:

(Affidavit of witness to be endorsed on transfer.)

Canada, Yukon Territory, to-wit:

I, of
(residence), in the Yukon Territory,
....., (occupation), make oath and say:

1. I was personally present and did see named in the within instrument, who is personally known to me to be the person named therein, he being the assessor of
....., duly sign and execute the within instrument for the purposes named therein.

2. That the said instrument was executed at, in the said Territory, and that I am the subscribing witness hereto.

3. That I personally know the said and he is, in my belief, of the full age of twenty-one years.

Sworn before me at, in the Yukon Territory, this day of, A. D. 19..



Ordinance No. 43 of 1901

AN ORDINANCE EMPOWERING THE NORTHERN COMMERCIAL COMPANY TO LAY AND MAINTAIN PIPES FOR CONDUCTING STEAM FOR HEATING PURPOSES AND WATER (WATER TO BE USED FOR FIRE PROTECTION PURPOSES ONLY) UNDER, ALONG AND OVER THE STREETS, ALLEYS, HIGHWAYS AND PUBLIC PLACES OF THE TOWN OF DAWSON.

J. H. ROSS,
Commissioner.
L. S.

Assented to December 9th, A. D. 1901.

The Commissioner of the Yukon Territory by and with the advice and consent of the Council of the said Territory, enacts as follows:

1. The Northern Commercial Company is hereby empowered to make, build, construct, lay down, under ground or otherwise, and maintain pipes and appliances, and to do and execute all other works or things necessary or convenient for the conducting of steam for heating purposes and water under, along or over the

streets, alleys, highways and public places within the limits of the town of Dawson, as fixed by the Ordinance of the Yukon Council; to operate within the limits of said town steam heating plants and to conduct steam from said plants to any building or buildings within the limits of said town, and to enter into any arrangements or contracts with the Government or authorities, supreme, municipal, local or otherwise, for the supplying of steam, as aforesaid; but as to such streets, alleys, highways and public places only upon the consent of the Commissioner of the Yukon Territory or a person designated by him or the municipal authorities, previously obtained, and subject to such terms and conditions in respect thereof as shall be imposed upon the Company by said Commissioner or the person designated by him or such municipal authorities as may from time to time control the said streets, alleys, highways and public places in the said town; provided, however, that the said Company shall at all times keep in good repair such parts of the said streets, alleys, highways and public places as may be used by them for the purposes hereinbefore set out.

2. The acts of the said Northern Commercial Company in heretofore laying pipes and appliances under, along or over the streets, alleys, highways and public places of the said town of Dawson for the conducting of steam and water, are hereby confirmed.

3. The power of the said Company to lay water pipes under, along over the streets, alleys, highways and public places of the said town is granted upon the express condition that the water conducted through the said pipes shall be used for fire protection purposes only.

4. The rights hereby empowered shall not be exercised after ten years from the passing of this Ordinance.

Ordinance No. 44 of 1901

AN ORDINANCE RESPECTING COMMISSIONERS TO ADMINISTER OATHS.

J. H. ROSS,
Commissioner.
L. S.

Assented to December 9th, 1901.

The Commissioner of the Yukon Territory, by and with the advice and consent of the Council of said Territory, enacts as follows:

1. The Commissioner may, by a commission or commissions, under his hand and the seal of the Yukon Territory, from time to time empower such and so many persons as he thinks fit and necessary to administer oaths and to take and receive affidavits, declarations and affirmations without the Yukon Territory, in or concerning any cause, matter or thing depending or in any wise concerning any of the proceedings in the Territorial Court of the Yukon Territory, and every oath, affidavit, declaration or affirmation taken or made as aforesaid shall be as valid and effectual and shall be of the like force and effect to all intents and purposes as if such oath, affidavit, declaration or affirmation had been administered, taken, sworn, made or affirmed before a commissioner for taking affidavits within the Yukon Territory, or other competent authority of the like nature.
2. The commissioners so appointed shall be styled "Commissioners for taking affidavits in and for the Territorial Court of the Yukon Territory."

amended by # 10/1902.
17/1902.



Ordinance No. 45 of 1901

An Ordinance To Incorporate the City of Dawson.

J. H. ROSS,
Commissioner,
L. S.

Assented to this 16th day of December, 1901.

THE COMMISSIONER OF THE YUKON TERRITORY, BY AND WITH THE ADVICE AND CONSENT OF THE COUNCIL OF SAID TERRITORY, ENACTS AS FOLLOWS:

SHORT TITLE.

1. This Ordinance may be cited as "The Dawson City Charter."

INTERPRETATION.

2. In this ordinance, unless the context otherwise requires, the expression:

- (1) "Commissioner" means the Commissioner of the Yukon Territory.
- (2) "Council" means the City Council.
- (3) "Judge" means a judge of the Territorial Court.
- (4) "Householder" means the occupier of a house, but shall not mean or include any person who is a mere lodger or boarder in a house.

PART I.

APPLICATION.

3. This ordinance shall apply to the area of land more particularly described as follows: Commencing at a point in the production in a straight line northerly of the Eastern limit of Second Avenue, being a subdivision of Group Lot 16 of Group 2, in the Yukon Territory, said point being distant Northerly on the course of said Second Avenue 1,221 feet and 6-10 of a foot from the Southerly limit of said Group Lot 16, thence South 43 degrees, 6 minutes and 55 seconds, East 3,324 feet and 1-10 of a foot to the North-western corner of Lot 12, in Group

2. Thence South 34 degrees, 18 minutes and 35 seconds West along the Eastern limits of Lots 12 and 3, in Group 2, 3,628 feet and 8-10 of a foot, to the Northern limit of Lot 25, in Group 2. Thence South 55 degrees, 31 minutes and 25 seconds East along the said Northern limit of Lot 25 and along its production in a straight line Easterly 5,802 feet and 6-10 of a foot to the Western limit of the Boyle Hydraulic Concession on the Klondike River. Thence South 1 degree, 44 minutes and 35 seconds West along said Western limit of the Boyle Hydraulic Concession 2,034 feet, more or less, to the center of the main channel of the Klondike River. Thence down stream along the center of the main channel of the said Klondike River to the center of the main channel of the Yukon River. Thence down stream along the center of the main channel of the said Yukon River to the production in a straight line Westerly of the first above described course. Thence South 43 degrees, 06 minutes and 55 seconds East along the said production to the point of commencement, all as shown on a plan of survey of the limits of the Dawson and Klondike townsites, attested at Dawson on the 20th day of August, 1901, by A. J. MacPherson, D. L. S., and known as "Plan of Dawson."

PROCLAMATION.

4. The Commissioner shall by proclamation in the Yukon Official Gazette declare the City of Dawson to be incorporated under this ordinance, and as soon as such proclamation is so published, the inhabitants of such city shall be a body corporate under the name of "The City of Dawson" and shall have perpetual succession and a common seal, and shall be capable of suing and being sued in all Courts of Justice, of purchasing, acquiring and holding lands, tenements and all kinds of real and personal property for the use of such city, and of making and entering into such contracts as are necessary for the exercise of their corporate functions.

COMMON SEAL.

5. The city shall have a common seal which shall be made of suitable metal and shall have such device engraved upon it as the Council from time to time orders, and such seal shall be kept by the City Clerk.

MAYOR AND CITY COUNCIL.

6. The City of Dawson shall be governed by a Council consisting of a Mayor and six Aldermen.

(1) No person shall be qualified to be Mayor of the City of Dawson unless he:—

(a) Is a male British subject of twenty-one years of age or upwards, and

(b) Is a rate-payer of the City of Dawson and has resided therein for at least six months next prior to his nomination for such office, and

(c) Is rated upon real property assessed at not less than two thousand dollars or upon real or personal property or income either separately or together at not less than \$3,000 on the last revised assessment roll.

(2) No person shall be qualified to serve as Alderman unless he is twenty-one years of age or upwards, a male British subject and is a ratepayer in the City of Dawson, and has resided therein for at least six months next previous to the date of his nomination.

(a) Is rated upon real property assessed at not less than one thousand dollars, or upon real or personal property or income either separately or together at not less than \$1,000 on the last revised assessment roll.

(3) In respect to every election of Mayor or Aldermen held within six months after the date of the coming into force of this ordinance, every person who has resided for six months next prior to the nomination for such office within the area of land to which this ordinance applies, and who was assessed to the amount required by this section in the assessment book, and rated in the rate book last before said date prepared and made for the unincorporated Town of Dawson, shall be deemed to be a resident and a ratepayer, and to be rated in accordance with the requirements of this section.

(4) The Mayor and Council shall be elected under the provisions of this ordinance.

TERM OF OFFICE OF MAYOR AND ALDERMEN.

7. (1) The Mayor shall hold office for one year, and until his successor is sworn into office, and shall be eligible for re-election.

(2) The Mayor and Aldermen elected at the first election after incorporation shall retire from office on the first Monday of the January following such election, or as soon thereafter as their successors are sworn into office.

(3) An Alderman shall hold office for one year and until his successor is sworn into office, and shall be eligible for re-election.

PERSONS DISQUALIFIED AS MAYOR OR ALDERMEN.

8. No person shall be qualified to be elected Mayor or Alderman who—

(a) Has been decreed or adjudged a bankrupt or insolvent by virtue of proceedings taken under any Act of the Parliament of Canada relating to insolvency, or,

(b) Has made a general assignment of his property for the benefit of his creditors, or,

(c) Suffers an order of commitment to be made against him under the provisions of section 8 of ordinance No. 26 of 1899, unless before being nominated he has procured a release or discharge from his creditors or from the court having cognizance of the matter or cause.

9. (1) None of the following persons shall be qualified to be elected a Mayor or Alderman, or to be appointed to any office by the Council, or hold any office under the Council:

(a) Sheriff of the Yukon Territory.

(b) Any person who directly or indirectly, by himself or by or with any other person as co-partner or otherwise, enters into, or is directly or indirectly interested in, any contract, express or implied, for the supply of any goods or materials, or for the performance of any work or labor, to or for the city.

(c) Provided that no person shall be disqualified under this provision by reason of his being a member of a joint stock company having a contract with or employment from the city, unless such person is president or managing director of, or has a controlling interest in such joint stock company.

(d) Any person who has been at any time convicted of any crime punishable with imprisonment in the penitentiary.

10. No person shall be qualified to be elected a Mayor or Alderman who holds any office under the City Council to which a salary or remuneration payable out of the funds of the city is attached.

11. (1) Any Mayor or Alderman who becomes disqualified under any of the provisions of the next three preceding sections shall thereupon and thereby vacate his office, and the City Council shall by resolution declare such office to be vacant.

(2) If any person so disqualified is nominated for the office of Mayor or Alderman, such nomination shall be void.

(3) Any person who acts or sits as mayor or alderman after he becomes so disqualified shall be liable to a penalty of not less than \$50.00 for each time that he so sits or acts.

12. Any Mayor or Alderman who neglects or refuses to be sworn into

office for thirty days after his election, or who, without leave of the City Council, absents himself from meetings of the Council for three successive months, shall thereby vacate his office as such Mayor or Alderman, and such office shall be declared vacant by the Council, and such Mayor or Alderman shall be liable to a penalty of two hundred dollars.

13. Any Mayor or Alderman at any time with the consent of the Council may resign his office by giving written notice to that effect to the City Clerk, whereupon such office shall be declared vacant by the Council.

QUALIFICATION OF VOTERS.

14. Every person rated upon property within the City of Dawson shall be qualified to vote at an election of Mayor or Alderman who—

- (a) Is a British subject of the full age of twenty-one years or upwards.
- (b) Has been rated upon the previous year's assessment and has fully paid his rates and taxes of all kinds before the day for nominating candidates.

FIRST ELECTION AFTER INCORPORATION.

15. (1) After the issue of the proclamation of incorporation of the City of Dawson, the Commissioner shall forthwith appoint a returning officer and fix a day for holding an election of a Mayor and six Aldermen.

(2) The returning officer shall within ten days from the receipt of his appointment post notices as nearly as may be in form "A" in the first schedule in various public places within the city.

16. Every candidate for the office of Mayor or Alderman shall be nominated as hereinafter provided, and the nomination paper shall be deposited with the returning officer before five o'clock on nomination day, which shall be one week previous to the day of election. If only one candidate for Mayor is nominated within the time specified, the returning officer shall, at the hour when nominations close, declare such candidate elected Mayor. If no more than six candidates are nominated for Aldermen, he shall, in like manner, and at the same time, declare the whole six candidates duly elected as aldermen. If there are more candidates than one for Mayor, or more candidates than six for Aldermen, a poll shall be had.

17. The returning officer shall, before the opening of the poll, appoint as many deputy returning officers and poll clerks as he considers necessary, and post up the names of the candidates and the offices for which they are nominated in one conspicuous place outside and one conspicuous

place inside of each building in which the poll is taken.

18. (1) The returning officer and deputy returning officers shall before the day of election obtain from the assessor the list of voters prepared by him, which shall comprise the names of those persons duly qualified to vote at the first election. Such list shall be divided into as many parts by the assessor as there are deputy returning officers appointed, and the electors shall vote in the poll presided over by the deputy returning officer in whose list their names appear.

(2) The right to vote at the election held under the provisions of part 2 of this ordinance and at the first election of Mayor and Aldermen shall belong to the following persons, being British subjects of the full age of twenty-one years, whose names appear on the voters' list hereinafter provided for:

(a) All persons who were rated on the last revised assessment roll of the unincorporated Town of Dawson.

(b) All persons who are in their own right freeholders within the area comprised within the limits of the City of Dawson.

(c) All householders within such area who have resided therein for not less than six months previous to the day fixed for the revision of the voters' list, and who pay a yearly rental of not less than \$200.00.

(d) All persons resident within such area who have been in receipt of an income from some trade, office, calling or profession at the rate of not less than \$1,800.00 per annum during six months previous to the day fixed for the revision of the said list.

(3) The assessor of the unincorporated Town of Dawson shall forthwith prepare a list in alphabetical order of all persons entitled to vote and shall post a copy of the same in his office and in five other conspicuous places in the said town. There shall be a Court of Revision consisting of such person or persons (not more than three) appointed by the Commissioner and such Court shall hear all applications to have the names of persons entitled to vote added to such list, or the name of any person not entitled struck off said list.

(a) The assessor shall attach to such list a notice of the time and place fixed by the Commissioner for holding of such Court. If such Court of Revision consists of more than one person, the person named by the Commissioner, when present, shall preside; in his absence the members shall appoint one

of their number to preside, and two members of the Court shall form a quorum, and the decision of the Court shall be final.

(b) The assessor shall be the Clerk of the Court and shall keep a record of all the proceedings.

(c) Such Court shall have all the powers and privileges conferred by the assessment ordinance upon a Court of Revision sitting upon the assessment roll, as to the attendance of witnesses and imposition and recovery of penalties, and as to procedure.

19. The Returning Officer, Deputy Returning Officers and Poll Clerks shall, before entering upon their respective duties, be sworn to the proper and faithful discharge of the same.

20. Upon the day fixed by the Commissioner the deputy returning officers shall open the poll at nine o'clock in the forenoon, and shall keep the same open until five o'clock in the afternoon. The returning officer shall provide a ballot box, a sufficient number of ballot papers and the necessary material to mark the ballots for each deputy returning officer.

21. The poll clerks shall write in the poll books the name of each voter when he offers to vote.

22. Every voter who, if required, takes the oath in the form "B" in the schedule, shall mark and deposit a ballot for one candidate for Mayor and for not more than six Aldermen. Any ballot containing more than one name for Mayor or more than six names for Aldermen shall not be counted, for Mayor or Alderman, as the case may be. The returning officer shall not vote except in the event of there being a tie, when he shall have the casting vote.

23. The procedure provided herein on subsequent elections shall apply to the first election of Mayor and Alderman under this ordinance, except as otherwise provided.

24. After the close of the poll and the ballots have been counted the returning officer shall post up the names of the candidates with the number of votes cast for each, and shall publicly declare to be elected as Mayor and Aldermen respectively the candidates having the highest number of votes.

VOTERS' LISTS FOR SUBSEQUENT ELECTIONS.

25. The City Clerk shall on or before the first day of November in each year prepare a voters' list for each polling subdivision which shall be an alphabetical list of electors and which shall comprise the names of those persons duly qualified to vote

and rated on the revised assessment roll of the city, with a short description of the property on which they are assessed, and shall post the same in a conspicuous place in his office.

26. Any person who has been a resident in the city in the then current year, and who is otherwise duly qualified, whose name does not appear on the voters' list or whose name is put down in error, or whose name has been omitted from the last revised assessment roll (provided that the taxes are first paid on the property or income in respect of which he claims a vote) may either by himself or agent apply to have the list amended upon giving to the City Clerk a notice in the following form:

To the City Clerk of the City of Dawson:

Take notice that I intend applying to the Council to have my name added to the voters' list (or corrected, as the case may be) for the following reasons (here state the grounds according to the facts).

(Signature of applicant),
Applicant.

Or
(Name of applicant),
Applicant by his agent.
(Signature of agent).

27. If any person qualified as a voter on income has left the city, or if a person has disposed of the property for which he was qualified as a voter under this ordinance before the first day of November in the then current year, or if any person's name is wrongfully put down, he shall be deemed disqualified as a voter, and any person duly qualified may apply to the Council to have the name of the party so or otherwise disqualified struck off the voters' list and the name of the proper party, if any, substituted therefor by notice to the City Clerk of his intention of applying to the Council for that purpose, as provided in the preceding section.

28. Notices served upon the City Clerk under the two preceding sections shall be served in each year on or before the fifteenth day of November.

29. On or before the twentieth day of November the City Clerk shall make a list of all applicants for amendments to the voters' list, stating names and grounds of each of such applicants, and shall post the same in a conspicuous place in his office, and shall immediately thereafter notify the parties interested of the time and place fixed by the Council for hearing such applications.

30. On or before the thirtieth day of November in each year the Council shall meet as a final court of revision on the voters' list and shall hear and determine all applications of which notice has been given to the City Clerk as hereinbefore provided

and thereupon amend the voters' list in all cases provided for herein, as may be deemed fit and right, and the list so amended shall be the voters' list of the city for the year next ensuing.

31. The Council sitting as a final Court of Revision on the voters' list as aforesaid shall have all the powers and privileges conferred by the assessment ordinance upon a Court of Revision sitting upon the assessment roll, as to the attendance of witnesses and the imposition and recovery of penalties and as to procedure.

32. The Council shall at least two weeks prior to the last Monday in December, by by-law, appoint a returning officer for the city, define the districts or subdivisions within the city (if such are deemed necessary) and the place or places where the votes are to be polled, and appoint a deputy returning officer for each of the said places where such votes are to be polled.

NOMINATION OF CANDIDATES.

33. (1) Every candidate for the office of Mayor or Alderman shall be nominated in writing by two voters of the city.

(2) The nomination paper shall be delivered to the City Clerk not later than five o'clock in the afternoon of the Monday previous to the first Monday of January.

(3) No nomination paper shall be accepted by the City Clerk unless it is accompanied by the consent in writing of the candidate to be nominated, signed by him before one witness.

34. All elections subsequent to the first election of Mayor and Aldermen held after the issue of such proclamation shall be conducted by a returning officer and such deputy returning officers and poll clerks as are appointed by the Council.

35. The returning officer, before acting as such, shall make and subscribe the oath in form "C" in the schedule to this ordinance.

36. Save as in this ordinance otherwise provided, the election of Mayor and Aldermen shall be held on the first Monday in January of each year.

37. No person shall be appointed returning officer who is not qualified to vote.

38. The returning officer shall not vote except in the case of a tie as hereinafter provided.

39. If any person appointed returning officer, deputy returning officer or poll clerk neglects or refuses to act, the Mayor shall appoint a substitute.

40. Notice of the time and place fixed for nominating candidates, and of the time and place or places of holding the poll, if a poll is granted, and of the time and place of summing

up the votes, shall be posted up by the returning officer in seven of the most public places of the city for ten days next previous to the time for the nomination of candidates.

PROCEEDINGS IN CASE OF A VACANCY.

41. When a vacancy occurs in the office of Mayor or Alderman the Council shall forthwith by resolution appoint a time, not less than twenty-one days after the passing of such resolution, for holding an election to fill such vacancy. Provided, however, that if such vacancy occurs within three months of the next regular annual election, the City Council may, in its discretion, leave the vacancy unfilled until such annual election.

42. The election to fill such vacancy shall be conducted in the same manner as a regular annual election, except that the nomination papers shall be delivered to the City Clerk not later than five o'clock in the afternoon on the nomination day, which shall be one week previous to the day fixed by the Council for the polling.

43. A Mayor or Alderman elected to fill a vacancy caused by the retirement, death, resignation or removal of a Mayor or Alderman before his term of office has expired shall only serve for the unexpired term of the Mayor or Alderman whose office he was elected to fill.

PROCEEDINGS ON POLL BEING GRANTED.

44. (1) When a poll has been granted the City Clerk shall forthwith cause to be printed a number of ballot papers not less than the number of voters in the city.

(2) The ballot papers for Mayor and Aldermen shall contain the names and descriptions of the candidates alphabetically arranged in the order of their surnames; or if there are two or more candidates with the same surname, in the order of their other names. The names shall be as set forth in the nomination paper, with the description given therein, if any, and the ballot papers shall be in the form "D" in the schedule.

45. (1) On a poll being granted, the City Clerk shall furnish each deputy returning officer with—

(a) A list in alphabetical order of the persons qualified to vote in the city or polling subdivision.

(b) One ballot box.

(c) A sufficient number of ballot papers for Mayor and Alderman, and also the necessary materials for voters to mark the ballot papers.

(2) The City Clerk shall keep a correct record of the number of bal-

lot papers he furnishes to each deputy returning officer. The materials for marking the ballots shall be kept in the polling place by the deputy returning officer for the convenient use of voters from the opening to the close of the poll.

PROCEEDINGS ON POLLING DAY.

46. Every deputy returning officer shall open the poll assigned to him at nine of the clock in the forenoon, and shall keep the same open until five of the clock in the afternoon; and shall during that time receive in the manner hereinafter prescribed, the votes of all voters duly qualified to vote at such polling place.

47. Every polling place shall be furnished with compartments in which voters can mark their ballots, screened from observation, and the City Clerk shall see that a sufficient number of such compartments is provided.

48. (1) During the holding of the poll no person shall be entitled or permitted to be present in the polling place other than the officers appointed to hold the election, the candidates to be voted for in such polling place and their agents duly authorized in writing (not exceeding two agents for each candidate) and any voter for the time being actually engaged in voting. Provided, that the deputy returning officer may have present or summon to his aid any constable or police officer for the purpose of maintaining order or preserving the public peace.

(2) The deputy returning officer may order the removal of any person from the place who is not entitled to be present, or who being so entitled, obstructs the voting, and such order shall be executed by any constable or police officer without the same being in writing and without warrant.

49. Every agent for a candidate at a polling place under the next preceding section shall, on being admitted to such polling place, take an oath to keep secret the name of the candidate for whom any voters has marked his ballot in his presence. Such oath shall be administered by the deputy returning officer and shall be in form "F" in the schedule.

50. At the hour fixed for opening the poll the deputy returning officer shall show the ballot box to the candidates or their agents, or to any such persons as are present within the polling place, so that they may see that it is empty, and shall immediately thereupon lock the ballot box, place it in view for the reception of ballot papers, and keep it locked until the close of the poll.

51. (1) The deputy returning officer shall, at the opening of the poll, declare the names of the candidates, and shall at or before the opening of the poll, and before receiving a vote,

take the oath in the form "F" in the schedule.

(2) The poll clerk shall before or at the opening of the poll take the oath in the form "F" in the schedule.

(3) The stipendiary magistrate, the City Clerk, a Justice of the Peace, or in their absence, any two electors may administer the oath.

52. Any deputy returning officer candidate agent or poll clerk who belongs to a polling division other than the one in which he is performing the duties of such, may vote at the polling station where he is so engaged, provided that he produces a certificate from the City Clerk that he is a qualified voter in the city, and the deputy returning officer shall attach such certificate to the voters' list.

POLL.

53. Not more than one voter for each compartment shall at any one time enter the room where the poll is held.

54. Every voter shall before voting, if so required by any candidate or agent, take the oath in form "B" in the schedule, which shall be administered by the returning officer, and any voter refusing to take such oath shall not be permitted to vote.

55. When any person claiming to be entitled to vote presents himself at the polling place for the purpose of voting, he shall state his name, residence and occupation or addition and the deputy returning officer shall proceed as follows:

(a) He shall ascertain that the name of such person is entered or purports to be entered upon the copy of the list of voters for the polling division in which he is residing, and shall mark such person's name thereon. If the name of the voter proposing to vote is not found on the list furnished to the deputy returning officer, he shall so inform such person, and the person so proposing to vote shall be permitted to leave the polling place if necessary for the purpose of procuring the required certificate, if any, and to return for the purpose of voting, but in no other case shall a voter or person proposing to vote who leaves the polling place after presenting himself, to vote, be permitted to return.

(b) He shall enter or cause to be entered in the poll book the name of such person; but shall in no instance enter on the poll book or elsewhere the name or names or anything to indicate the name or names, of the candidate or candidates for whom the voter votes.

(c) If such person takes any

oath or affirmation required to be taken by this ordinance the deputy returning officer shall cause to be entered opposite such person's name in the poll book the word "Sworn" or "Affirmed" according to the fact.

(d) When a vote is objected to by any candidate or his agent the poll clerk shall enter the objection in the poll book by writing opposite the name of the person whose vote is objected to the words "Objected to," entering at the same time the name of the candidate by or on behalf of whom the objection is made.

(e) When such person has been duly required to take any prescribed oath or affirmation and refuses to take the same the deputy returning officer shall cause to be entered opposite the name of such person in the poll book the words "Refused to be sworn" or "Refused to affirm," according to the fact, and the vote of such person shall not be received or taken, and if the deputy returning officer receives such vote, he shall be liable to a penalty of one hundred dollars.

(f) When the name of the person so claiming to vote is found on the list of voters for the polling subdivision and marked thereon, and when the proper entries respecting him have been made in the poll book in the manner prescribed, the deputy returning officer shall write his initials on the back of a ballot paper and deliver the same to such person, unless such person has refused to take any prescribed oath or affirmation, when no ballot paper shall be delivered to him.

(g) The deputy returning officer may, and upon request of any voter shall, either personally or through his poll clerk, explain to the voter as concisely as possible, the mode of voting, but neither the deputy returning officer nor his poll clerk shall influence or attempt to influence the voter to vote for any candidate at the election.

56. No ballot paper shall be delivered to a voter by any deputy returning officer or counted by him unless it is duly initialed by him.

57. Upon receiving from the deputy returning officer the ballot paper the voter shall forthwith proceed into one of the compartments of the polling place and shall then and therein forthwith mark his ballot paper by marking a cross with a pencil on any part of the ballot paper within the division containing the

name (or names) of the candidate or candidates for whom he intends to vote, and shall then fold the ballot paper in such a way as to show the initials of the deputy returning officer, and so as to conceal the name of the candidates and the mark upon the face of such paper; and leaving the compartment shall without delay, and without showing the ballot to anyone or so displaying the ballot paper as to make known the candidate for whom he voted, hand the same to the deputy returning officer, who shall deposit each ballot paper in the ballot box, and the voter shall then forthwith leave the polling place.

58. While any voter is in any compartment for the purpose of marking his ballot paper, no person shall be allowed to enter the compartment or to be in any position from which he can observe the mode in which the voter marks his ballot paper.

59. (1) Every person who, having received a ballot paper from the deputy returning officer, takes the same out of the polling place, shall be liable to a penalty of one hundred dollars.

(2) Every person so having received a ballot paper who leaves the polling place without first depositing the same in the ballot box in the manner prescribed, shall thereby forfeit his right to vote at the election; and the poll clerk shall make an entry in the poll book in the column for remarks to the effect that such person received a ballot paper, but took the same out of the polling place or returned the same, declining to vote, as the case may be; and in the latter case, the poll clerk shall immediately write the word "Declined" upon such ballot paper and shall preserve it and return it to the returning officer.

60. In case of an application by any voter claiming to be entitled to vote who makes oath or affirmation that he is incapacitated by blindness or other physical cause from marking his ballot paper, or that he is unable to read, the proceedings shall be as follows:

(a) The deputy returning officer shall, in the presence of the candidates or their agents, if they choose to be present, cause the vote of such person to be marked on his ballot paper in the screened compartment, in the manner directed by such person and shall cause such ballot paper to be placed in the ballot box.

(b) The deputy returning officer shall cause to be stated by an entry opposite the name of such person in the poll book that the vote of such person is marked in pursuance of this section and the reason why it is so marked.

(c) The oath or affirmation shall

be made orally in the form "H" in the schedule.

(d) Such oath or affirmation shall be made by the person claiming to be entitled to vote at the time of voting before the deputy returning officer.

61. If a person representing himself to be a particular voter named on the list of voters applies for a ballot paper after another person has voted as such voter, the applicant shall, upon taking the oath prescribed by law to be administered to voters at the time of polling, be entitled to mark a ballot paper, but such ballot paper shall be given to the deputy returning officer, and shall be placed by him in an envelope securely sealed, and upon the envelope shall be endorsed the words "Tendered ballot" and the deputy returning officer shall deposit the envelope containing such ballot paper in the ballot box, and such ballot shall not be counted by the deputy returning officer, and the poll clerk shall enter such person's name in the poll book and shall make an entry opposite such name showing the circumstances of the case.

62. Any voter who has inadvertently dealt with the ballot paper given in such manner that it cannot be conveniently used as a ballot paper, may on delivering to the deputy returning officer the ballot paper so inadvertently dealt with, obtain another ballot paper, and the deputy returning officer shall write the word "Cancelled" upon the ballot paper so delivered to him, and preserve it and return it to the returning officer.

PROCEEDINGS AFTER CLOSE OF POLL.

63. Immediately after the close of the poll the deputy returning officer, with the assistance of his poll clerk, and in the presence of the candidates and their agents or such of them as are then present, shall open the ballot box and examine the ballots therein and proceed to count the votes.

- 64 (1) Any ballot paper,
- (a) Not initialed by the deputy returning officer, or
 - (b) On which votes are given to more candidates than are to be elected, or
 - (c) On which anything is written or marked appearing to have been designedly put there upon, for the purpose of enabling the same to be identified as the ballot of a particular voter, or
 - (d) Which is unmarked, or
 - (e) From which it is uncertain for which candidate or candidates the voter votes,

shall be void and shall not be counted.

(2) The deputy returning officer shall endorse "Rejected" on every

ballot paper which he rejects as void.

(3) The deputy returning officer shall count the votes given for each candidate upon the ballot papers not rejected.

65. After the votes are counted the poll clerk shall make up and enter in the poll book a written statement containing the following particulars:

- (a) Number of votes for each candidate.
- (b) Number of ballot papers rejected as voting for more candidates than are to be elected.
- (c) Number of ballot papers rejected for having a writing or mark by which the voter could be identified.
- (d) Number of ballot papers rejected as unmarked, or void for uncertainty.
- (e) Number of tendered ballot papers deposited.
- (f) Number of spoiled ballot papers.
- (g) Number of ballot papers, if any, taken from the polling place.
- (h) Number of unused ballot papers.

66. The deputy returning officer shall return all the ballot papers that have been used in the election to the proper ballot box, with a written statement signed by him containing all the particulars mentioned in the next preceding section, and shall cause the ballot box to be locked and sealed up, and shall deliver the same, with the contents and the keys, to the returning officer, to whom he shall also deliver the poll book. The returning officer shall after the declaration hereinafter mentioned return the same to the City Clerk.

67. The ballot boxes, unless it is otherwise ordered by the Court or Judge, or unless a recount has been demanded, shall remain locked and sealed, as handed to the City Clerk, for the period of twenty-one days after the election, and from thence until the determination of any legal proceedings instituted to test the validity of the election.

PROCEEDINGS IN CASE OF A TIE.

68. Whenever on an election of a Mayor or an Alderman or Aldermen an equality of votes is found to exist between two or more candidates, and the addition of a vote would entitle any one or more of such candidates to be declared elected, the returning officer when he makes the declaration hereinafter mentioned shall give such casting or additional vote in favor of one or more of such candidates.

DECLARATION.

69. The returning officer shall at the time and place fixed in the pro-

lamation open the poll books, add up the votes polled for each candidate, and publicly declare the candidate or candidates for the office of Mayor and Aldermen having the highest number of votes to be duly elected, and shall also publicly declare the number of votes given for each of the candidates for the office of Mayor or Alderman.

70. The returning officer shall forthwith report to the City Clerk the result of the election for Mayor and Aldermen.

OFFENCES.

71. Every deputy returning officer, poll clerk, candidate or agent of a candidate, present within the room where an election is being held, who, except as in this ordinance is otherwise provided:

- (a) Gives to any voter a ballot paper to vote with, or
- (b) Offers or gives to such voter any advice as to the person for whom he should vote, or
- (c) Otherwise interferes with the voter in the exercise of his franchise, or
- (d) Divulges to any person the name of the candidate for whom any voter has voted.

shall be liable for every such offence to a penalty not exceeding two hundred dollars, and in default of payment, to imprisonment for a period not exceeding three months.

72. Every person who—

- (a) Not being entitled to vote, votes, or
- (b) Fraudulently tenders more than one ballot paper when voting, or
- (c) Attempts to vote under the name of any other voter,

shall for every such offence be liable to a penalty not exceeding one hundred dollars, and in default of payment to imprisonment for a period not exceeding three months. Provided, that no such penalty or imprisonment, nor the conviction for any such offence, shall operate as a bar to any other penalty, prosecution or criminal proceedings whatever to which such person so offending would otherwise be liable.

RE-COUNT.

73. If within three days after the day of election any candidate by himself or his agent requests a re-count of the votes of such election, the City Clerk shall appoint a time, within three days after such request, to re-count the votes at his office.

74. The City Clerk shall, by himself or his agent, notify every candidate at such election of such request, and of the time and place appointed to re-count the votes.

75. The City Clerk may summon the deputy returning officers and poll

clerks at such election to attend at such place at the time appointed, and may command any of them to bring with them any papers in his custody or possession relating to such election.

76. The following persons shall be present at such re-count:

- (a) The City Clerk and any person he appoints to assist him, and
- (b) Each candidate and his agent appointed to attend such re-count, or, if any candidate does not attend, an agent of such candidate, or
- (c) If the candidates and their agents do not attend, then at least three voters of the city.

77. At the time appointed and at such place, and in the presence of such persons, the City Clerk shall proceed to re-count the votes in the ballot boxes returned to him by the deputy returning officers at such election, and in so doing he shall decide upon the validity of every ballot.

78. The City Clerk, as soon as he ascertains the result of the poll, shall declare to be elected the candidate having the highest number of votes. In the event of a tie, the casting vote shall be given, or the result of the election determined by the same person or in the same manner as provided in this ordinance in the case of a tie on the counting of the ballots by the returning officer.

CORRUPT PRACTICES.

79. The following persons shall be deemed guilty of bribery, and shall be punished accordingly:

(1) Every person who, directly or indirectly, by himself or by any other person in his behalf, gives, lends or agrees to give or lend, or offers or promises money or valuable consideration, or gives or procures or agrees to give or procure or offers or promises any office, place or employment to or for any voter or to or for any person on behalf of any voter, or to or for any person in order to induce any voter to vote or refrain from voting at an election or upon a by-law for raising money or creating a debt upon the city for any purpose whatever or who corruptly does any such act as aforesaid on account of such voter having voted or refrained from voting at such election or upon such by-law.

(2) Every person who, directly or indirectly, by himself or by any other person in his behalf, makes a gift, loan, offer, promise or agreement as aforesaid to or for any person in order to induce such person to procure or endeavor to procure the return of any person to serve in the Council or to procure the passing of any by-law as aforesaid or the vote of any voter at an election or for such by-law.

(3) Every person who by reason

of such gift, loan, offer, promise, procurement or agreement, procures or engages, promises or endeavors to procure the return of any person in the election or to procure the passing of any by-law as aforesaid or the vote of any voter at an election or for such by-law.

(4) Every person who advances or pays or causes to be paid money to or for the use of any person with the intent that such money or part thereof shall be expended in bribery at an election or at any voting upon a by-law as aforesaid, or who knowingly pays or causes to be paid any money to any person in discharge or repayment of any money wholly or in part expended in bribery at such election or the voting on such by-law.

(5) Every voter who before or during an election or the voting on such by-law, directly or indirectly by himself or any other person in his behalf, receives, agrees or contracts for money, gift, loan or valuable consideration, office, place or employment for himself or for any other person for voting for or agreeing to vote, or refraining from or agreeing to refrain from voting at such election or upon such by-law.

(6) Every person who after such election or the voting upon any such by-law directly or indirectly by himself or any other person on his behalf, receives any money or valuable consideration on account of any person having voted or refrained from voting or having induced any other person to vote or refrain from voting at any such election or upon such by-law.

(7) Every person who hires horses, teams, carriages or other vehicles for the purpose of conveying electors to or from the polls, and every person who receives pay for the use of any horse, team, carriage or vehicle for the purpose of conveying any electors to or from any polls as aforesaid.

(8) Every person who, directly or indirectly, by himself or by any other person on his behalf, makes use of or threatens to make use of force, violence or restraint or inflicts or threatens to inflict by himself or by or through any other person, any injury, damage or loss, or in any manner practices intimidation upon or against any person in order to induce or compel such person to vote or refrain from voting or on account of such person having voted or refrained from voting at any election, or who in any way prevents or otherwise interferes with the free exercise of the franchise of any voter, shall be deemed to be guilty of undue influence and be subject to the penalty hereinafter mentioned.

80. The actual personal expenses

of a candidate, his expenses for actual professional services performed and bona fide payments for the fair cost of printing and advertising shall be held to be expenses lawfully incurred, and the payment thereof shall not be a contravention to this ordinance.

CONTROVERTED ELECTIONS.

81. If, within twenty-one days after the election of any person to the office of Mayor or Alderman, an elector shows by affidavit to any Judge of the Territorial Court reasonable grounds for supposing that the election was not legal, or was not conducted according to law, or that the person elected thereat was not duly elected, or was guilty of bribery or undue influence, and if the elector deposits with the Clerk of the Court \$200.00 as security to prosecute the writ with effect, or to pay the party against whom the same is brought, any costs which may be adjudged to be paid by such elector, the Judge shall direct a writ of summons to be issued to try the matters complained of.

82. In case the elector alleges that he himself or some other person has been duly elected, the writ shall be to try the validity both of the election complained of and the alleged election of the elector or other person.

83. In case the grounds of objection apply equally to two or more persons elected the elector may proceed by one writ against such persons.

84. When more writs than one are brought to try the validity of an election or the validity of an election of more than one person, the Judge may consolidate the actions and may give one judgment upon all or a separate judgment upon each or more of them as he thinks fit.

85. The writs shall be issued by the Clerk of the Territorial Court and shall be returnable before a Judge in Chambers at a place named in the writ upon the eighth day after service, computed exclusively of the day of service, or upon any later day named in the writ by order of a Judge.

86. The writ shall be served personally unless the party to be served keeps out of the way to avoid personal service, in which case the Judge, upon being satisfied thereof by affidavit, or otherwise, may make an order for such substitutional service as he thinks fit.

87. The Judge before whom the writ is made returnable or is returned may, if he thinks proper, at any stage of the proceedings, order the returning officer or any deputy returning officer to be made a party thereto.

88. The Judge before whom the writ is returned may allow any elector to intervene and prosecute the ac-

tion, and may grant a reasonable time for the purpose, and any intervening party shall be liable or entitled to costs in the same manner and to the same extent as any other party to the proceedings.

89. The Judge shall in a summary manner upon statement and answer without formal pleadings hear and determine the validity of the election, and may by order cause the assessment rolls, tax roll, voters' list and any other records of the election to be brought before him, and may inquire into the facts on affidavit or by oral testimony.

90. Any candidate elected at any election who shall be found guilty of any act of bribery or using undue influence, shall forfeit his seat, and shall be rendered ineligible as a candidate at any city election for two years thereafter.

91. Any person who is adjudged guilty of bribery shall incur a penalty not exceeding \$500.00, and shall be disqualified from voting at any city election or upon a by-law, for the next succeeding two years.

92. The penalties imposed by the preceding section shall be recoverable with full costs of suit by any person who sues for the same in the Territorial Court, and any person against whom judgment is rendered shall be ineligible either as a candidate or a voter until the amount which he has been condemned to pay is fully paid and satisfied.

93. It shall be the duty of the Judge who finds any candidate guilty of a contravention of the section of this ordinance relating to corrupt practices, or who condemns any person to pay any sum for any offence against the said section, to report the same forthwith to the City Clerk.

94. The City Clerk shall duly enter in a book kept for that purpose the names of all persons within the city who have been adjudged guilty of an offence as aforesaid, and of which he has been notified as aforesaid.

95. Every person shall be bound to attend before any judge of the Territorial Court upon being served with a writ of subpoena or subpoena duces tecum so to attend, and he may be punished for contempt and shall be liable to all the penalties for such non-attendance as in other cases in the Territorial Court.

96. All proceedings for penalties for any violation of section 79 of this ordinance respecting bribery shall be commenced within thirty days after the election at which the offence was committed or after the offence was committed, or within thirty days after the day of voting upon a by-law as aforesaid.

97. In case the election complained of is adjudged invalid, the judge shall

forthwith order the person found not to have been duly elected to be removed, and in case the judge determines that any other person was duly elected, the judge shall forthwith order such other person to be admitted, and in case the judge determines that no other person was duly elected, instead of the person removed, the judge shall order a new election to be held.

98. In case the election of all the members of a Council is adjudged invalid, the order for their removal and for the election of new members in their place, or for the admission of others adjudged legally elected and an election to fill up the remaining seats in the Council shall be directed to the City Clerk, and the City Clerk shall have all the powers for causing the election to be held which the City Council has in order to supply vacancies therein.

99. Any person whose election is complained of may unless such election is complained of on the ground of corrupt practices on the part of such person, within one week after service on him of the writ, deliver to the Clerk of the Court who issued the writ a disclaimer signed by him to the effect following:

I, A. B., upon whom a writ of summons has been served for the purpose of contesting my right to the office of Mayor (or Alderman) of the City of Dawson, do hereby disclaim the said office and all defence of any right I may have to the same.

Dated day of,
(Signature) A. B.

100. Such disclaimer shall be endorsed on the outside thereof with the word "Disclaimer."

101. The City Clerk shall forthwith communicate the same to the Council.

102. Costs shall in all cases be in the discretion of the Judge.

103. The decision of the Judge shall be final, and he shall immediately, after his judgment, return the writ and judgment with all things had before him touching the same, except such as he may otherwise order, into the Territorial Court, there to remain of record as a judgment of the said Court, and he shall, as occasion requires, enforce such judgment by writ in the nature of a peremptory writ of mandamus and by writs of execution for the costs awarded.

104. The Judges of the Territorial Court may by rules settle the forms of the writs of execution and mandamus under this ordinance, and may regulate the practice respecting the suing out, service and execution of such writs and the punishment for disobeying the same or any other writ or order of the Court or Judge and respecting the practice generally in hearing and determining the validity

of such elections or appointments and provide a tariff of costs thereon, and may from time to time rescind, alter or add to such rules, but all existing rules in force in the Territorial Court shall remain in force until rescinded or altered as aforesaid.

MEETINGS OF THE CITY COUNCIL

105. The first meeting of the City Council after the city shall have become incorporated under the provisions of this ordinance shall be held at such time and place as the Commissioner shall appoint in the proclamation incorporating said city.

106. Meetings of the City Council shall be held at such times and places as the Council shall fix by by-law, and may be called by the Mayor as often as he deems necessary; and when requested so to do by three members of the Council in writing, the Mayor shall call a meeting of the Council within three days thereafter, and in the event of his refusal or neglect to do so, such three members may appoint a time and place for holding such meeting and shall notify the Mayor and the other members of the Council thereof, and the meeting so called shall have the same powers and authority as if the same had been a regular meeting of the Council or been summoned by the Mayor.

107. Written notice shall be given by the City Clerk to every member of the Council of all meetings other than regular meetings at least twenty-four hours previous to such meeting, provided that an emergency meeting may be called by the Mayor at shorter notice, when necessary, but no business shall be transacted at such emergency meeting other than that indicated in the notice calling such meeting unless all members of the Council are present and no objection is taken to the discussion or transaction of business other than that stated in such notice.

108. The Council shall annually at the first meeting after the annual election, or so soon thereafter as practicable, and from time to time as occasion requires, appoint one of their number to discharge the duties of Mayor, who shall be called the presiding Alderman and shall, during any vacancy in the office of Mayor, or during any absence or illness of the Mayor, have all the powers and authority, and shall exercise all the functions and discharge all the duties of the Mayor.

109. A majority of the members of the Council shall constitute a quorum.

110. All meetings of the Council shall be open to ratepayers of the city.

111. The Mayor or presiding Alderman shall preside at all meetings of the Council, and in their absence the Council shall elect a chairman from

their number who shall preside.

112. When a majority of the members of the City Council signify in writing a request that the Mayor put to a vote of the Council any motion not declared by the City Solicitor to be illegal, the Mayor shall forthwith put such motion to a vote of the Council, and if the Mayor refuses or neglects to put such motion to a vote of the Council, any member of the Council may put such motion, and vote himself thereon, and if a majority of the Council votes for such motion the same shall be recorded by the City Clerk in the minutes of proceedings of the Council and shall be valid and binding as a resolution of the Council.

OATH OF OFFICE.

113. (1) The Mayor, and Aldermen shall before entering upon the duties of their respective offices take and subscribe the oath of qualification and the oath of office. Such oath shall be administered to the Mayor-elect by a Judge of the Territorial Court or a stipendiary magistrate of the Territory. Such oath shall be administered to the Aldermen by the said Judge, Stipendiary Magistrate or Mayor.

(2) A certificate of such oaths having been taken shall be entered by the City Clerk. The oaths of qualification and of office shall be in the forms "E" and "G" in the schedule to this ordinance.

DUTIES OF MAYOR.

114. The Mayor shall be the chief executive officer of the city, and it shall be his duty to be vigilant and active at all times in causing the law for the government of the city to be duly executed and put into force; to inspect the conduct of all subordinate officers in the government thereof, and as far as is in his power to cause all negligence, carelessness and positive violence of duty to be duly prosecuted and punished, and to communicate from time to time to the Council all such information, and recommend all such measures as tend to the improvement of the finances, police, health, security, cleanliness, comfort and appearance of the city.

POWERS AND DUTIES OF CITY COUNCIL.

115. (1) The City Council shall exclusively have, enjoy and exercise within the city all jurisdiction power and authority conferred upon the City of Dawson by this ordinance or any other ordinance of the Yukon Territory.

(2) All streets, sidewalks and lanes which at any time were granted and conveyed or were originally laid out or allotted or dedicated to the use of the public within the said City of Dawson shall become and be the public property of said city and shall be under the exclusive control and man-

agement of the City Council thereof.

116. The Council shall assist the Mayor in the discharge of his duties and shall appoint standing committees from among its members for such purposes as the Council by by-law determines.

117. (1) The various standing committees shall report from time to time to the Council any special circumstances in respect to the services under their charge, and shall further report to the Council in reference to any subject coming within their supervision whenever required by vote of the Council so to do.

(2) Special committees may be appointed for any particular purpose, matter or thing by vote of the Council, and such special committees shall report to the Council in writing upon the matters so committed to them.

FINANCE.

118. The Council shall have exclusive power to vote rate, collect, receive, appropriate and pay out of the current revenues of the city all sums of money required by the city for the following purposes, that is to say:

- (a) The payment of salaries or compensation to the Mayor and Aldermen.
- (b) The support and maintenance of the poor.
- (c) The payment of salaries and compensation to the officers and servants of the city.
- (d) The purchase of land for City Hall, fire engine houses and necessary city buildings.
- (e) The erection of a city hall, buildings for the use of the fire department and other city buildings.
- (f) The laying out, opening, building, making, repairing, lighting and cleaning of the streets, roads and bridges of the city.
- (g) The construction, repairing and cleaning of the public sewers and drains of the city.
- (h) The equipment and maintenance of a fire department and the purchase, equipment, maintenance and repair of machinery and implements for extinguishing fires.
- (i) The care and improvement of the public grounds, squares and parks of the city or property held by trustees for the use of the public.
- (j) The construction, maintenance, improvement and extension of water works and electric light plants and the maintenance of the water supply and the electric light service for the city.
- (k) The payment of principal

and interest on money borrowed for the purposes of the city and the payment of debentures issued by the city for local improvement and interest thereon.

(l) Or other expenditure incurred in the due execution of the powers and duties by law vested in or imposed upon the city, its mayor, council and officers.

118. (1) The annual assessment roll as finally passed by the assessment appeal court and certified by the City Clerk shall be by him laid before the Council at its next regular meeting and the Council shall, at that meeting, or at any subsequent meeting, make estimates of all sums which are required for the lawful purposes of the city for the then current year, after crediting the probable receipts from all sources other than the rates for that year, and making due allowance in such estimates for the abatement, losses and expenses which may occur in the collection of the taxes and for taxes which may not be collected or collectable; and the Council shall authorize the levying and collection of a rate (not exceeding two cents on the dollar) on the assessed value of the property and income assessed in such roll as the Council deems sufficient to raise the sum required to defray the expenses of the city for the then current year, including any deficiency from any preceding year.

(2) The Council may, in the name of the city, from time to time, effect temporary loans from any chartered bank or from any corporation or individual for the purpose of defraying the annual current expenditure of the city, which has been duly authorized by the Council, and rated upon the city as by law directed, and the interest on such loans shall be provided for in the annual estimates.

(3) Such loan or loans shall not in the whole be at any time more than 75 per cent of the taxes levied during the preceding year, and when that amount has been borrowed, shall cease until the said loans have been reduced, when the power may again be exercised to the limit mentioned, and such loan shall be repaid within the financial year.

HEALTH.

119. The City Council shall within the city have all the powers and exercise all the functions and discharge all the duties conferred or imposed or appertaining to the Board of Health under ordinance No. 5 of 1899, entitled an "Ordinance Respecting the Public Health," and amendments thereto.

120. (1) The City Council in addition to the powers conferred upon or appertaining to such Board of Health shall have power to make, revoke, renew and alter sanitary orders, rules

and regulations in relation to any of the following classes of subjects, that is to say:

- (a) For the prevention or mitigation of any infectious epidemic, endemic or contagious disease prevalent in the city in such manner as is deemed expedient.
- (b) For supplying accommodation, medical aid and medicines and such other articles as are deemed necessary.
- (c) For domestic quarantine and for preventing the admission of persons to, or the departure of person from, any infected building, house or place within the city, and for detaining persons or things and closing up shops, dwelling houses and buildings that have been exposed to infection, for inspection and disinfection until the danger of infection is passed.
- (d) For the cleansing, purifying, ventilating and disinfection of dwellings, hotels, schools, churches, public buildings and places of assembly, and carriages, cars and boats, and conveyances coming into or landing passengers in the city by the owners, occupiers or agents of persons having charge of the same.
- (e) For the reporting of all cases of disease and the safe and speedy interment of the dead, and the conduct of funerals.
- (f) For the frequent and effectual cleansing of public and private buildings, yards and out-houses, by the owners, occupiers, tenants or agents of the same.
- (g) For the removal of nuisances or anything declared by the Council to be detrimental to the public health.
- (h) For the establishment, management and maintenance of an infectious disease hospital, the isolation of patients out of the hospital and their removal to and detention in the same.
- (i) For the appointment of sanitary police, to be paid by the city for the purpose of carrying out and enforcing the regulations and orders of the Council.
- (j) For the doing of any work, act, matter or thing at the cost and expense of any person or corporation who has been ordered or required by the Council to do the same and has neglected or refused to do so, and for collecting and recovering the amount so expended by distress and sale of the goods or property of the person or corporation so neglecting or refus-

ing, or by action at law, or otherwise.

(2) The Council may fix penalties for the violation of any such sanitary orders, rules and regulations, not exceeding \$100.00 for any one offence.

(3) Such sanitary rules, orders and regulations shall come into force immediately upon being made, and shall remain in force until disapproved of by the Council or repealed or altered by the Council.

STREETS.

121. All public streets, roads, highways, lanes, sidewalks, bridges, squares and thoroughfares, all public sewers, drains and ditches, and all public wells in the city are hereby vested absolutely in the city, and the Council shall have full control over the same.

122. All sums of money required for the street service of the city shall be taken from and borne by the general revenues of the city.

123. The City Council shall annually appoint from among its members a committee on streets.

124. The Council shall have power to maintain, improve, repair, widen, extend, alter, stop up, light and water the streets, roads, lanes, bridges and public squares in the city and shall have full power and authority to lay out, open and construct all such streets, roads, lanes, bridges and public squares as the Council deems necessary or expedient, and for such purposes, and also for obtaining materials for carrying out any such purposes, may when necessary or expedient, enter upon and take any land required, and remove any buildings, projections, walls, fences or other things, or any portion thereof.

125. When it is proposed by the City Council to lay out or open a street, road, lane or public square, or to widen, divert or straighten any street, road or lane, the Council shall cause a survey and plan of such street, road, lane or square to be made and the plan when completed shall be filed in the City Clerk's office.

126. The Council shall not lay out or open, nor accept the dedication to the city of any street which is less than fifty feet in width.

127. (1) No person shall break up the soil of any street or erect or place in any street, sidewalk, road, lane, park or square within the city any telegraph, telephone, electric light or other poles without first making application to the Council in writing, specifying the purposes for which such breaking up is required, and obtaining their permission therefor in writing; and the Council may impose such terms upon the person applying as the security of the public appears to them to require.

(2) Every person who violates the

provisions of this section, or the terms imposed by the committee shall for every such offence be liable to a penalty not exceeding twenty dollars, and in default of payment, to imprisonment for a period not exceeding sixty days.

(3) This section shall not apply to any property the control of which is vested in commissioners or trustees for any public use.

128. (1) No person shall move any building upon or over a public street without permission first obtained from the committee on streets or the Council and payment of such sum for the privilege as the committee or Council determines.

(2) Every person who violates the provisions of this section shall be liable to a penalty of not more than twenty dollars, and in default of payment, to imprisonment for a period of not more than twenty days.

129. Every person who piles, deposits or places on any road, street, sidewalk, lane or other public place of the city, any manure, compost, earth, wood, lumber or other substance or material whatsoever, shall be liable to a penalty not exceeding ten dollars for each offence, and in default of payment to imprisonment for a period not exceeding thirty days. Every twenty-four hours that such manure, compost, earth, wood, lumber or other substance or material remains piled, deposited or placed on such road, street, lane or other public place of the city shall be a separate offence.

130. Any person building or repairing a house or other building in the city may be permitted to use and occupy for such time as the Council or committee deems necessary, a space of not more than twenty-five feet in width from the line of the street toward the center, and extending the length of the house or building so being erected or repaired, for the purpose of piling lumber, stone, brick, sand or lime, and for mixing lime and sand, or doing such other work as is necessary for the erection or repair of such house or building, if he encloses the portion of the street so used and occupied by a substantial fence, and also provides a suitable path or sidewalk at least two and a half feet in width around such fence, and keeps the same lighted.

SEWERS.

131. The City Council shall have power and authority to lay out, excavate, dig, make, build, maintain, repair and improve all such drains, sewers and water courses, as the Council deems necessary or expedient, and to make by-laws and regulations respecting the same, and for the purpose of protecting and keeping the same free from obstruction.

132. (1) When the Council deems it necessary for the public health, or for any other purpose, to construct a sewer upon or across the land of any private person or corporation, or number of persons, they may, after resolution to that effect, enter upon such property from time to time and as often as is necessary, and do all such acts as are necessary for the construction and repair of a suitable sewer or drain across such land.

(2) The City Council upon application of any private person or corporation or number of persons, may, by resolution, empower and authorize such private person or corporation or number of persons, to construct such sewer or drain if the Council deems it necessary for the public health, or for any other purpose, and unless otherwise provided by such resolution of Council, the provisions of this ordinance shall apply to the construction of such sewer or drain.

(3) Such sewer or drain shall be at least four feet below the surface and shall be covered with earth and stones.

FIRE AND PROTECTION COMPANIES.

133. All fire companies and protection companies now organized in the unincorporated town of Dawson shall be subject to the control of the Council.

134. (1) The City Council may organize, dissolve or disband companies for the extinguishing of fires or the preservation and protection of property thereat, and may establish and ordain rules and regulations for the government of companies so organized.

(2) All such companies whether voluntary companies or companies organized under the authority of this section shall during the actual progress of a fire be subject to the exclusive and absolute control of the chief of the fire brigade.

135. In the absence of the chief, the officer next in rank of the fire companies, protection companies and salvage corps shall, until the chief arrives, have all the powers of the chief at any fire.

136. The Council may make provision for the remuneration of any members of fire and protection companies.

BY-LAWS AND ORDINANCES.

137. The City Council, in addition to any powers by this ordinance conferred upon the Council to make by-laws and ordinances, shall have power to make by-laws in respect to all matters coming within the following classes of subjects, and may from time to time amend or repeal such by-laws, that is to say.

- (1) Regulating its own proceedings and preserving order at Council meetings.
- (2) The management of such real property as is required for the public use of the inhabitants of the city and other property of the city.
- (3) Regulating the management and providing for the security of public property of any kind belonging to the city, and providing for the permanent improvement of the city in all matters as well ornamental as useful.
- (4) Appointing such city officers and servants under such names as the Council may deem necessary for carrying out the work of the city, defining their duties and the manner in which they shall account for money received by them, and regulating the salaries, wages and emoluments to be paid to such officers and servants.
- (5) Regulating the amounts in which bonds shall be given by city officers concerned in the collection, receipt or expenditure of money, the form thereof, the manner in which they shall be given, and the nature of the security to be given when not otherwise provided.
- (6) Taking the census of the city.
- (7) Dividing the city into two or more polling divisions and for establishing polling places therein and varying the same from time to time.
- (8) Preserving peace, health and good order within the city.
- (9) Restraining and regulating the running at large of dogs, and imposing a tax on the owners, possessors or harbourers of dogs.
- (10) Impounding dogs running at large contrary to any by-law.
- (11) Imposing fines upon the owners, possessors or harbourers of dogs, who without provocation, injure any person or property, and restraining and killing dogs which are fierce and dangerous.
- (12) Establishing and regulating engine, fire, hook and ladder and property saving companies.
- (13) Compelling the owners or occupiers of houses to have ladders leading to and on the roofs of such houses.
- (14) The prevention of the firing of guns or other firearms, or the setting off of squibs or other fireworks, or the burning of inflammable materials, the carrying of fire, lighted candles or lamps, without being covered or secured.
- (15) Preventing and regulating the keeping and transporting of gunpowder or other explosive or dangerous substances.
- (16) Preventing or regulating the use of fire, lights or candles in livery or other stables, and in cabinet makers' and carpenters' shops, and in other places where combustible substances are kept, and preventing or punishing the use of pipes, cigars or cigarettes in such places.
- (17) Regulating the carrying on of factories or trades likely to the use or increase fires or dangerous to the public safety.
- (18) Regulating the time and mode of cleaning chimneys.
- (19) The prevention of the occurrence, increase or spreading of fires and the prevention of unnecessary ringing of fire bells.
- (20) Providing for the safety, security and advantage of the inhabitants by such rules, regulations and restrictions as are deemed expedient to be observed by all persons in the erection of buildings within the populous parts of the city.
- (21) Preventing cruelty to animals, and the destruction of birds not being inconsistent with any statute or ordinance in that behalf.
- (22) Regulating and governing persons using bicycles and other vehicles not drawn by horses, and preventing the riding or driving of bicycles and other vehicles not drawn by horses, upon sidewalks or other places not proper therefor.
- (23) Regulating the speed of bicycles and other vehicles not drawn by horses, ridden or driven through the streets of the city; requiring that all bicycles and other vehicles not drawn by horses, ridden or driven within the city be furnished with a bell, and that such bell be rung at such times, on such occasions and at such places as by such by-laws is determined; and requiring that all bicycles and other vehicles not drawn by horses, ridden or driven within the city be furnished with a lighted lantern or other light at such times as by such by-law is determined.
- (24) Prohibiting the building of barbed wire fences along the roads and streets of the city, and regulating the manner of building other wire fences for the purpose of preventing acci-

- dents or injuries therefrom to animals and persons.
- (25) Prohibiting the use of swinging signboards or other signs or signboards of a dangerous nature.
- (26) Providing sufficient yards and enclosures for the safe keeping of such animals as it is the duty of the poundkeeper to impound.
- (27) Restraining and regulating the running at large or trespassing of any animals, and providing for impounding them, and for causing them to be sold in case they are not claimed within a reasonable time, or in case the damages, penalty and expenses are not paid according to law.
- (28) For appraising the damages to be paid by owners of animals impounded for trespassing contrary to the laws of the city.
- (29) For determining the fees to be allowed to poundkeepers and others in carrying out the provisions of any ordinance or by-law with respect to animals impounded.
- (30) Providing for the defraying out of the city funds, if it is necessary, the expense of lighting the city or any part thereof, with gas, electricity, oil, or by other means, and compelling the owners or occupiers of real property to allow such work to be done and to permit such fixtures as are necessary to be placed in or about their premises at the cost of the city.
- (31) Preventing the violation of, or in any way unlawfully interfering with, cemeteries, graves, tombs, tombstones or vaults where the dead are buried.
- (32) Preventing the injuring or destroying of trees or shrubs planted or preserved for shade or ornament, and the defacing of public or private property by printed or other notices.
- (33) Making and regulating the use of public wells, cisterns and reservoirs.
- (34) Regulating the size and number and construction of doors in churches, theatres and halls or other places of public worship, public meetings or places of amusement, and the street gates leading thereto, and also the size and structure of stairs and stair railings in all such buildings and the strength of beams, joists and their supports.
- (35) Appointing and regulating a police force within the city.
- (36) The establishment, management, maintenance and regulation of lock-up houses.
- (37) Regulating the slaughter of animals and the sale of meat.
- (38) Seizing and destroying all tainted and unwholesome meat, fish, poultry or other articles of food.
- (39) Contracting with any waterworks or water company for a supply of water for fire purposes and other public uses, for hydrants or otherwise, as may be deemed advisable, and for the renting of any such hydrants for any number of years not in the first instance exceeding three, and renewing any such contract from time to time for such period not exceeding three years, as such Council may desire, and every such Council shall also have power to purchase hydrants necessary for any of the purposes or uses aforesaid, and also to erect the same, and purchasing and renting for a term of years or otherwise fire apparatus of any kind, and fire appliances and appurtenances belonging thereto respectively.
- (40) Preventing the posting of indecent placards, writing or pictures, or the writing of indecent words or making indecent pictures or drawings on walls or fences in streets or in public places.
- (41) Preventing and punishing vice, drunkenness, immorality and indecency on the public streets, highways and other public places.
- (42) The protection of and the prevention of injury to streets, squares, sidewalks and pavements, and of the posts, railings, trees and other defences and ornaments thereof.
- (43) Preventing the encumbering of streets, sidewalks, roads or highways, or crossings within the city, protecting any such street, sidewalk, road or highway from encroachment and injury, and providing for the confiscation, sale, removal or destruction of every encumbrance thereon.
- (44) Providing for the removal of all fences, houses, steps, erections, projections or obstructions whatsoever, or any part or parts thereof, which now or at any time hereafter project over or into any street, road, sidewalk or highway in the city, at the expense of the owners or occupants of the property in connection with which such fence, house, steps, erection, projection or obstruction

- tion is used or found.
- (45) Preventing the leading, riding or driving of horses, cattle or dogs upon sidewalks or other places not proper therefor.
- (46) Compelling persons to remove all snow and ice from the roofs of the premises owned or occupied by them; and to remove and clear away all snow, ice and dirt and other obstructions from sidewalks, streets and alleys belonging to such premises; providing for the cleaning off and the removal of all snow, ice, dirt and other obstructions from the sidewalk and streets adjoining vacant property, or the property of persons who for twenty-four hours neglect to remove the same, at the expense of the owner or occupant; and in case of non-payment charging such expense as a special rate upon the premises, to be recovered in like manner as other city rates; the Council may in any such by-law define the area within the city within or over which the by-law shall be operative.
- (47) Regulating the width of tires to be used on different classes of vehicles, and prohibiting the use of the streets of the city to vehicles having tires of less than prescribed width.
- (48) Regulating or prohibiting the erection and preservation of lamp posts, telegraph, telephone and electric light poles, sign boards, awnings and other fixtures within the city.
- (49) Preventing and abating public nuisances.
- (50) Providing for places for the deposit of ashes, cleanings of yards and streets and other filth and ordure, and compelling the owners or occupants of property within the city to remove all such ashes, cleanings, filth and ordure to such places of deposit.
- (51) The removal of all filth and encumbrances on the streets, sidewalks, roads and alleys within the city and places adjacent thereto.
- (52) Preventing persons from throwing any dirt, filth or rubbish on any street, road, lane or highway.
- (53) Regulating and preventing the erection and continuance of slaughter houses.
- (54) The regulation and prevention of the ringing of bells, beating of drums, shouting or other unusual noises in the streets, knocking at doors or ringing of door bells.
- (55) The prevention of persons loitering on or about any steps or entrances of stores or shops, or on the streets or street corners.
- (56) The punishing of tramps or other persons entering private dwellings or places of business and remaining therein to the annoyance of the inmates thereof, after being requested to withdraw.
- (57) The establishing and regulating of markets, market houses, city scales and fairs.
- (58) Regulating all vehicles, vessels and other things in which anything may be exposed for sale or marketed in any street or public place.
- (59) Regulating the manner of selling meat, fish, vegetables, grain, hay, straw and fodder.
- (60) Restraining and regulating the manner of selling vegetables, fruit, country produce, poultry or animals openly exposed for sale or in market, and all other articles and things by hucksters and runners living in the city.
- (61) Regulating the weight of bread and providing for the seizure of bread contrary to such regulations.
- (62) The weighing and measuring of coal, wood, lumber, shingles, logs, timber, hay, straw and grain and fixing the charges therefor.
- (63) Licensing persons using bicycles and other vehicles not drawn by horses.
- (64) Licensing and regulating auctioneers who are ratepayers within the city, and licensing and regulating auctioneers, junk dealers and peddlers and hawkers and traders of goods who are not ratepayers within the city, with power to discriminate between those who are ratepayers and those who are not, as to the amount of the license fee to be charged.
- (65) Regulating and licensing carters, hackmen, wagoners and cartmen, fixing the price to be paid to them for hauling loads or transporting passengers in the city and the quantity of weight to comprise a load.
- (66) Regulating and licensing owners of livery stables and other owners of horses or carriages letting out the same for hire or profit; and also regulating and licensing porters, butchers and hucksters.
- (67) Restraining, prohibiting and licensing and authorizing a committee of the Council to

- license all exhibitions, circuses or other shows for hire or profit.
- (68) Restraining, prohibiting, regulating and licensing bowling alleys, billiard tables, bagatelle tables, skating rinks, shooting galleries and merry-go-rounds, concerts or other places of recreation and amusement kept for hire or profit.
- (69) Fixing and regulating the fee to be paid for licenses issued under any by-law of the city.
- (70) Allowing a rebate on all taxes paid before a time to be named in the by-law; such rebate shall not exceed ten per cent., and the time fixed by the by-law shall not be less than thirty days from the passage of the by-law.
- (71) Exemption from taxation for the then current year.
- (72) Exemption from taxation for a longer period than one year, subject to ratification as hereinafter provided.
- (73) Compromising upon such terms as may be agreed upon for the payment of arrears of taxes.
- (74) The purchase or other wise acquiring and holding any lands situated outside the limits of the city which may be required for a nuisance ground for the purpose of disposing of the sewage and other refuse of the city.
- (75) The erection and regulation of hospitals or granting aid to same.
- (76) Building, erecting or buying or leasing, controlling and operating telephone plant, electric light and power plant, gas and water works plant, or purchasing stock in any incorporated company, carrying on, or formed for the purpose of carrying on any of the said businesses, subject to the ratification of the ratepayers.
- (a) For all purposes connected with the carrying on of any of the above works the city is hereby authorized to purchase any lands, either within or without the city, and to enter into any contract necessary for the proper carrying on of said businesses, and generally to conduct said works and businesses arising in connection therewith, either by the Council or by commissioners or agents appointed for the purpose, as fully and freely and with all the powers and rights they would have if specially incorporated for the purpose of carrying on said business.
- (b) In case the city engage in any of the businesses hereinbefore referred to, the Council shall have power to appoint by by-law commissioners for the purpose of carrying on such businesses, or any of them, and all necessary contracts in connection therewith may be done and performed in the name of the said commissioners, who shall be called "Electric Light Commissioners," "Telephone Commissioner," or, as the case may be, and by that name shall have all the powers for properly carrying on the business which are herein granted to the city.
- (77) Sanctioning and permitting the track of any railroad, street railway or tramway to be laid in, on or along any street or avenue of the city, and to provide compensation for any damage that may be done to property on said streets or avenues; the amount of said damage, if any, to be settled in the manner provided herein in regard to the expropriation of land; and to regulate the use of locomotive engines, and of steam or other motive power, and any or every portion of any railroad within the city, and to provide and regulate the speed of cars upon any and every part of any railroad within the city, and to impose a penalty not exceeding \$500.00 for any breach of such by-law.
- (78) Subject to the provisions of any Act of the Parliament of Canada respecting railways, regulating the speed of railway trains and engines along or across any of the streets or avenues of the city, and preventing the obstructing of any streets or avenues by leaving, keeping or allowing to stand thereon any engine, train, car or cars or truck for a longer period than five minutes at a time, and preventing the loading or unloading of any car or truck alongside or from any street-crossing or sidewalk in the city, and blowing of whistles or ringing of bells while the engine is going along or crossing a street or avenue, except under conditions mentioned in such by-law, and imposing a penalty for breach of such by-law not exceeding \$500.00.
- (a) In any proceedings taken for infraction of by-laws, passed under the two preceding subsections, service of the necessary documents upon any resident employee of the railroad shall be good service upon the

owners of the railroad, and both the owners of the railroad and the persons in charge of the engine, car, truck or train shall be liable for the penalty provided in the by-law, and proceedings may be taken against either or both.

(79) Naming or numbering the streets or avenues and changing the name and numbers or any of them, of streets and avenues now existing or hereinafter laid out within the city.

(80) Providing for any other purpose, matter or thing specially within the powers, duties or control of the City Council.

138. The by-laws for the foregoing purposes, or any of them, shall not be inconsistent with any Statute or Ordinance in force in this Territory.

139. The production of a copy of any such by-law, purporting to be certified by the City Clerk under his hand and the seal of the City to be a true copy of the by-law passed by the City Council, shall, without proof of the official character of the City Clerk, or of the said seal, be sufficient evidence of such by-law.

140. The Council may prescribe a penalty not exceeding \$100.00, inclusive of costs, for the violation of any by-law under the provisions of this Ordinance, and may provide that in default of payment of such penalty, the offender may be imprisoned, with or without hard labour, for such period, not exceeding three months, as the Council in such by-law prescribe. The stipendiary or other Magistrate may impose the whole or such part of the penalty or punishment fixed by the by-law as he deems fit.

141. Every person who violates any by-law of the City, unless the penalty is otherwise fixed by the by-law, shall, upon conviction thereof before a stipendiary or other Magistrate, be liable to a penalty not exceeding \$50.00, and in default of payment, to imprisonment for a period not exceeding thirty days.

142. When the Council, by by-law or otherwise, directs that any matter or thing shall be done, the Council may, by the same or another by-law, or otherwise, in default of its being done, by any person or corporation required to do the same, cause such matter or thing to be done at the expense of the person or corporation in default, and may recover the expense thereof with costs from such person or corporation as a private debt.

143. No repeal, alteration or amendment of any by-law adopted by the Council shall be made unless two weeks' notice in writing has first been given to the Council of such in-

tended repeal, alteration or amendment.

144. Any by-law regulating the procedure at Council meetings may be suspended, wholly or in part, by the unanimous consent of all the members of the Council present, without the notice in the next preceding section provided.

145. The procedure and other provisions of the Criminal Code of Canada of 1892, and amending Acts relating to summary convictions, shall apply to every case in which any person commits or is suspected of having committed any offence for which a penalty is provided by this Ordinance.

OFFICERS.

THE CITY CLERK.

146. The City Council shall appoint an officer who shall be called the City Clerk, who shall hold office during pleasure. The person now holding the office of Assessor and collector of the unincorporated Town of Dawson shall be the City Clerk of the City of Dawson, and shall hold that office by the tenure in this Ordinance provided.

(2) The City Clerk shall truly record in a book all resolutions, decisions and other proceedings of the Council and shall, if required by the Aldermen present, record the name and vote of every Alderman voting on any matter submitted, and shall keep the books, records and accounts of the Council, and shall preserve and file all accounts acted upon by the Council, and also the original and certified copies of all by-laws and of all minutes and proceedings of the Council, all of which he shall keep in his office, or in the place appointed by by-law of the Council.

147. The City Clerk shall, until the Council otherwise prescribe by by-law, perform the duties appertaining to the office of assessor and collector, and any other duties that are from time to time required of him by the Council.

148. The City Clerk may, with the concurrence of the Council, appoint a deputy to perform any or all of the duties, and he shall be responsible for the acts of such deputy.

149. The books, records and accounts of the City Council and of any committee appointed by the City Council, and of the City Clerk or clerk of any committee of the city, shall be open, without fee, to the inspection of any rate-payer of the city at all reasonable times and hours.

150. The City Clerk shall be the Treasurer of the City, and as such shall receive and safely keep all moneys belonging to the City, and shall pay

out the same to such persons and in such manner as the laws of the Territory and the lawful by-laws and resolutions of the Council of the City, whose officer he is, direct; but no member of the Council shall receive any money from such Treasurer for any work performed, or to be performed, and the Treasurer shall not be liable to an action for any moneys paid by him in accordance with any by-law or resolution passed by the Council, unless where another disposition of the moneys is expressly made by law.

151. (1) The Treasurer shall keep a book, to be known as the "cash book," on the left hand page of which he shall enter in consecutive order all sums of money received by him, the dates of the receipt thereof, the names of the persons from whom and on what account the same were received and the amounts thereof, and on the right hand page of which he shall in like manner enter all moneys paid out by him, the dates of the payment thereof, the persons to whom and on what account the same were paid, and the amounts thereof.

(2) The cash book shall at all times be open for inspection by any member of the Council and by the Auditor, and shall be produced and exhibited by the Treasurer at all meetings of the Council at which he shall be directed to produce it; and at the times of such meetings it shall show the balance on hand in two items; that is to say: (1) the balance deposited to the credit of the City, and (2) the balance in the hands of the Treasurer, and the Treasurer shall also produce and exhibit at every such meeting the proper book verifying the balance so deposited.

(3) No other entry than a cash entry shall be made in the cash book; but the Treasurer shall keep a book to be known as the "journal," in which he shall duly enter all debits and credits not consisting of cash.

(4) The term "cash" shall mean lawful currency of Canada, cheques, and such other representatives of cash as are usually received and credited as cash by the chartered banks of Canada.

(5) The Treasurer shall open an account in the name of the City in such of the chartered banks of Canada, or at such other place of deposit as may be approved of by the Council, and shall deposit to the credit of such account all moneys received by him, and all cheques issued on said account shall be signed by the Mayor and the

Treasurer.

(6) The cash book and journal shall be provided at the expense of, and shall be the property of the City.

152. Every Treasurer shall also prepare and submit to the Council half yearly a correct statement of the moneys at the credit of the City.

153. In case any Treasurer is dismissed from office or absconds, it shall be lawful for his successor to draw any moneys belonging to the City.

AUDIT OF ACCOUNTS.

154. The financial year of the City shall end on the 31st day of December, and all accounts of the moneys received and disbursed by the City for the year shall be made up by the Treasurer and submitted to the Auditor not later than one week after the end of the year.

(1) The Commissioner shall, annually, on or before the 31st day of December, appoint one auditor. The Auditor shall examine and report upon all accounts affecting the City, or relating to any matter under its control or within its jurisdiction for the year in which he is appointed; and shall prepare an abstract in duplicate of the receipts, showing the different sources of the same, and of the expenditures under the different heads thereof, and also of the assets and liabilities of the City. The Auditor shall prepare a report in duplicate which shall contain a summary of all accounts audited by him, and shall file such reports and abstracts in the office of the Treasurer, and thereafter one copy shall be open to the inspection of any rate-payer during office hours, and he may, by himself or his agent, at his own expense, take a copy thereof or abstract therefrom.

(2) The Auditor shall not remove any books, vouchers or accounts from the office of the Treasurer.

155. No person who at any time during the year in which such Auditor is appointed is or has been a member of the Council or a contractor with or officer appointed by the Council (other than an Auditor) shall be appointed as such Auditor.

156. The Council shall, upon the report of the Auditor, finally pass and allow the accounts of the Treasurer, if the same are found to be correct, to the satisfaction of the Council.

157. The Treasurer shall print and publish the Auditor's report and abstract, in such form as the Council directs.

ASSESSMENT AND COLLECTION
OF TAXES.

158. The provisions of "The Assessment Ordinance" and amendments shall apply to the City of Dawson, except that the words "City Clerk" shall be read in place of the words "Territorial Treasurer" and "Comptroller of the Yukon Territory," and the words "City Council" in place of the words "Commissioner," "Commissioner of the Yukon Territory" or "Yukon Council," where the said words respectively occur in said Ordinance.

LOCAL IMPROVEMENT AND ASSESSMENT.

159. The term "local improvement" shall be taken to mean the opening, widening, straightening, extending, grading, levelling, macadamising, paving or planking on any street or public lane, alley, way or place, sidewalk or bridge forming part of a highway; or the curbing, sodding or planting of any street or public lane, alley, square or other public way or place; or the making, deepening, enlarging or prolonging of any common ditch, drain or sewer; or the reconstruction, but not the repair and maintenance of any of the said works.

160. The term "special frontage assessment" shall be taken to mean a rate charged according to the lineal measure along the front of the several lands fronting on the street or place whereon or wherein the improvement is to be made for the purpose of paying for such local improvement, which rate shall be computed by dividing the total charge to be provided by special frontage assessment on said lands by the number of lineal feet frontage of such lands on the street or place whereon or wherein the local improvement is to be made.

161. The City Council may pass by-laws:—

- (1) For ascertaining and finally determining what portion, if any, of the cost of any local improvement should be borne by the City at large.
- (2) For assessing, by way of a special frontage assessment, the cost, or a portion of the cost, of any local improvement upon the lands fronting upon the street or place wherein or whereon the local improvement is to be made, and for levying such cost, or portion thereof, by a special rate upon such lands.
- (3) For regulating the time or times and manner in which the rates for such improvements are to be paid.
- (4) For borrowing, by way of temporary loan upon the credit

of the City at large, any moneys required to meet the cost of any local improvement, provided that such temporary loan shall mature within six months from the making thereof; and for borrowing by the issue of debentures upon the credit of the City at large, the moneys required to meet the cost of any local improvement or required to pay any temporary loan made for that purpose:

Provided, That the amount of such temporary loan or loans by way of debentures shall not increase the general debt of the City beyond the limits thereof fixed by any Ordinance in that behalf; and

Provided, That such debentures shall mature within the probable life of the local improvement.

162. No assessment or levy shall be made under any by-law passed under Clause 2 of the last preceding Section, except upon petition to the Council of at least two-thirds in number of the persons registered or assessed as owners of the lands fronting on the street or place whereon or wherein the improvement is proposed to be made, representing at last one-half of the value of such land, excluding improvements thereon.

163. The request of the petition may be acceded to by the Council, either in respect to the whole or a part of the street or place proposed to be improved;

Provided: That part only of such street or place as described in the petition shall not be improved unless the petition is signed as required by the last preceding section, having regard only to the lands fronting on such part of the street or place.

164. After the Council has resolved to grant the request of any such petition, in whole or in part, as aforesaid, it shall be lawful for the said Council, in the same or the succeeding year, to carry on the proposed improvement or service to completion before making the assessment therefor, and such petition so presented shall stand good as authority for undertaking any such improvement and making such assessment or assessments, and passing all necessary by-laws, whether the improvements shall have been or shall be undertaken and completed by the Council to whom such petition is presented or by the Council in the succeeding year.

165. There shall be a right of appeal against every assessment and rating made under the authority of any by-law passed under the local improvement sections of this Ordinance to a Court of Revision, to be compos-

ed of three members of the Council, to be appointed by the Council.

166. Notice of every proposed special frontage rate shall be given by the assessor to the persons registered or assessed as owners or addressed to the last postoffice address of each such owner known to the assessor of the City, of every parcel of land to be charged therewith, by registered letter, and according as the improvement has actually been made or is only contemplated, and the notice shall be set forth:

- (a) The probable lifetime of the proposed improvement as being the period over which the cost will be spread.
- (b) The probably or actual cost of the improvement.
- (c) The portion, if any, of the the costs to be borne by the City at large.
- (d) The portion of the cost to be provided by special frontage assessment.
- (e) The frontage of the property upon which the special frontage assessment is to be levied stated in lineal feet.
- (f) The rates of special frontage assessment per foot frontage.
- (g) The amount chargeable to each lot or parcel of land assessed according to the rate per foot frontage.
- (h) The value of the land chargeable with the special frontage rate, exclusive of all improvements thereon.
- (i) The time fixed for sittings of the Court of Revision for the hearing of appeals in respect of the assessment and proposed special rate; such sittings to be not earlier than fifteen days from the date of mailing of the notices.

167. A memorandum by the Assessor in any proper book or roll kept for that purpose of the mailing of such notices and the date thereof shall be prima facie evidence of the mailing of such notices in accordance with the last preceding section on the date mentioned in the memorandum.

168. The decision of the Court of Revision shall be final and conclusive upon all matters respecting the assessment and special rate, and the Court of Revision shall have power, in the event of the assessment of any party being decreased or increased on appeal, to raise or lower proportionately the assessment of the other parties assessed without any further notice.

169. Every by-law passed for borrowing money for local improvements shall recite:

- (a) The amount of the debt which such by-law is intended to create, and the object in general terms for which it is to be created.
- (b) The total amount required to be raised annually by special rate for paying the debt and interest under the by-law.
- (c) The total value of the land, exclusive of improvements, charged with the special assessment, and if any portion of the debt is to be borne by the City at large, the value of the whole rateable property according to the last revised assessment roll.
- (d) The annual special rate per foot frontage for the paying of the interest and creating a yearly sinking fund for the payment of the debt or portion thereof not payable by the City at large, as the case may be, or for discharging the instalments of such principal and interest in case the debt is to be so payable, and if any portion of the debt is to be borne by the City at large, the annual special rate on the dollar for the payment of the portion of the debt chargeable to the City at large, or for discharging the installments of such principal and interest, as the case may be.
- (e) That the debt is contracted upon the credit and security of the City at large, but as to so much as is not to be paid by the City at large, the City is to collect the same only by way of special frontage tax as aforesaid.

170. No by-law passed hereunder shall require the assent of the electors: Provided, however, that if the Council in any case of local improvements provided that more than one-third of the total cost of improvements shall be paid by the City at large and such sum shall be greater than can be properly paid out of the current revenues of the year during which the improvement is made, then, and in every case, the Council shall pass a separate by-law for the portion of money to be provided by the City at large, and said by-law shall, before being finally passed, receive the assent of the electors.

VOTING ON BY-LAWS.

171. In case a by-law requires the assent of the electors of the City before the passing thereof, the following proceedings shall be taken for ascertaining such consent:

- (1) The Council shall, by the by-law, fix a day and hour for taking the votes of the electors and such places in the City as

the Council shall in their discretion deem best, and shall name a returning officer and deputy returning officers to take the votes at each place where the votes are to be taken, and the day so fixed for taking the votes shall not be less than three, nor more than four, weeks after the first publication of the proposed by-law as hereinafter provided.

172. The Council shall, before the voting thereon by the ratepayers, publish a copy of the by-law in some public newspaper published within the city, which publication shall be continued in at least one number weekly of such newspaper for two consecutive weeks, and shall also put up a copy of the by-law at four or more of the most public places of the City.

173. Appended to each copy so published shall be a notice, signed by the City Clerk, stating that such copy is a true copy of a proposed by-law, which will be taken into consideration by the Council after being voted on by the electors, and stating the date of the first publication and the day, hour and place or places fixed for taking the votes of the electors.

174. At such day and hour a poll shall be taken, and all proceedings thereat and for the purposes thereof, including a recount, shall be conducted in the same manner as nearly as may be, at an election for Mayor and Alderman.

175. The ballot papers shall be printed with "For the By-Law," and "Against the By-Law," and shall, by the voter, be marked with a cross on the right side thereof, opposite the words "For the By-Law," or "Against the By-Law," as he may desire to vote.

176. The Council shall, in the by-law, fix the time and place when and where the returning officer of the City shall sum up the number of votes given for or against such by-law.

177. On the application of any person interested in promoting or opposing the passage of the by-law, the Mayor shall authorize the attendance of one person on behalf of the party applying at each polling place and at the final summing up of the votes.

178. Every ratepayer shall be entitled to vote on any by-law requiring the assent of the electors, who at the time of tendering the vote is of the full age of twenty-one years, and is named on the last voters' list of the City, and who has neither directly nor indirectly received, nor is in expectancy of receiving, any reward or gift for the vote which he tenders, and who is at the time of the tender a freeholder in his own right of real property within such City, and is rated

on the last revised assessment roll as such freeholder for not less than \$400.00.

179. Any ratepayer offering to vote on the by-law may be required by the deputy returning officer, or by any ratepayer entitled to vote on the by-law, to make, before his vote is recorded, the following oath or affirmation, or any part thereof:

"You swear that you are of the full age of twenty-one years; that you are the person named as in the voters' list; that you are a freeholder in your own right of real property within the city, and rated on the last revised assessment roll as such freeholder for not less than \$400.00; that you have not voted before on the by-law now before the electors; that you have not directly or indirectly received any reward or gift, nor do you expect to receive any for the vote which you tender."

180. The returning officer after he has received certified returns from the deputy returning officers of the number of votes given at each polling place, shall at the time and place appointed by the by-law, in presence of the persons authorized to attend, or such of them as may be present, sum up from such statements the number of votes for and against such by-law, and shall then and there declare the result and forthwith certify to the Council under his hand whether the majority of the electors entitled to vote, who have voted upon the by-law, approved or disapproved of the same.

181. Every by-law which is carried by the required majority of the duly qualified electors who have voted thereon shall, within two weeks thereafter, be passed by the Council which submitted the same.

POWER TO TAKE LAND FOR CERTAIN PURPOSES.

182. Whenever it becomes necessary in the judgment of the Council to construct, enlarge, improve or repair any reservoir, or to lay down, take up or repair any water pipes belonging to the city, the Council may enter upon and take the lands or property of any person, corporation or number of persons from time to time, and as often as is necessary for the purposes aforesaid, or any of them, and when any lands or property are so taken, shall cause a plan of such lands or property, or of so much thereof as is required for the purposes aforesaid, to be made, and shall notify the owner or owners of the lands or property which are proposed to be entered upon or taken.

183. The City Council may enter upon and take any land within the city required for the purpose of a city hall, fire hall, city market, lockup or other city building for any purpose what-

ever, and may remove therefrom any buildings, projections, walls, fences or other things, or any portion thereof.

184. (1) Before entering upon or taking any land or removing any building, projection, wall, fence or other thing for any purpose under the authority of this Ordinance, or of any Ordinance of the Territory, the Council shall notify the owner of the said land, building, projection, wall, fence or other thing that such land or such removal is required by the City.

(2) Such notice shall contain a description of the land proposed to be entered upon or taken, or of the building, projection, wall, fence or other thing proposed to be removed, and a statement of the purpose for which the same is required.

185. (1) If the City Council and such owner cannot agree upon the compensation to be paid to the owner for such land, or for such damage that may be caused by entering upon such land, or by removing such building, projection, wall, fence or other thing, the Council shall appoint one arbitrator and shall notify the owner to appoint one arbitrator.

(2) If such owner neglects or refuses to appoint an arbitrator for ten days after the service of the said notice, the Mayor shall appoint an arbitrator to act on behalf of the owner, and the two arbitrators so appointed shall choose a third arbitrator.

(3) If the said arbitrators cannot agree upon the third arbitrator, he shall be appointed by the Commissioner upon the application of either party.

186. (1) The three arbitrators so appointed and chosen, having been first duly sworn to the faithful discharge of their duties before the Mayor or Stipendiary Magistrate, shall give notice to the person whose land it is proposed to enter upon or take, or whose building, projection, wall, fence or other thing it is proposed to remove, or to his agent, of the time and place at which they will meet to fix the amount of compensation to be paid.

(2) At the time and place so appointed they shall proceed to fix and award the amount of the compensation to be paid to the owner of said land, building, projection, wall, fence or other thing, and shall make a return thereof to the City Clerk within thirty days after their appointment.

(3) The award of the arbitrators, or any two of them, shall be final and conclusive and binding on all the parties interested.

187. Upon the payment or tender to the owner of the amount so award-

ed, or upon the payment thereof to the Clerk of the Territorial Court for the Territory under the provisions of this Ordinance, the City shall become the owner in fee simple of the said lands, if such lands have been taken, or shall be entitled to enter upon such lands for the purpose designated by the Council, or to remove such building, projection, wall, fence or other thing.

188. (1) If the amount of compensation awarded appears to the Council excessive, when compared with the utility of the work, the Council may suspend or abandon such work at any time, and if such lands have not been entered upon, the Council may, within one month after the making of the award, notify the owner of such suspension or abandonment. In such case the City shall not be bound to accept such land or pay the amount of compensation awarded.

(2) If the City Council decides to proceed with such work they shall within six months after the arbitrators' award has been filed with the Clerk of the Court, pay to the owner the amount of compensation awarded to him.

189. (1) The Council may pay the amount awarded by the arbitrators into the office of the Clerk of the Territorial Court, and deliver to the Clerk a copy of the award in the following cases:

(a) If there are any claims or encumbrances on the lands taken or entered upon; or

(b) If the owner of the land is unknown; or,

(c) If the person to whom the compensation is awarded to be paid cannot be found; or,

(d) If there is any dispute as to the ownership of such land, building, projection, wall, fence or other thing taken or removed; or,

(e) If there is any dispute as to the person to whom compensation should be paid for the taking or removal thereof; or,

(f) If for any other reason the Council deems it advisable.

(2) The person or persons entitled to such amount shall, on establishing his or her right, on a summary application to the said Court or a Judge thereof, be entitled to have the same paid over to him or them on order of the Court or Judge.

190. The award shall contain a description of the land and a copy thereof, certified under the hand of the Clerk, shall be filed with the Clerk of the Court, and an application shall thereupon be made to said Court or a Judge thereof for an order vesting the title to said land in the

City, and such order, on being granted, shall be registered in the Land Titles Office for the Yukon Land Registration District, and a certificate of title issued thereon.

191. If the owner of the land which it is proposed to enter upon or take, or of the building, projection, wall, fence or other thing which it is proposed to remove, is not known, or if there is a dispute as to the ownership thereof, the notices required to be given to such owner may be given by advertisement in a newspaper published in the City.

192. The arbitrators shall be rate-payers, but shall not be interested in the land entered upon or taken, nor in the building, projection, wall, fence or other thing to be removed, nor in the lands lying along any street, road, lane or square proposed to be entered, opened or repaired, but they may be residents of the City.

193. The arbitrators shall receive such compensation, to be paid by the City, as the Council determines.

MISCELLANEOUS PROVISIONS.

194. When, at the trial of any action or complaint in any Court, it is necessary to prove the appointment of any officer of the City, a certificate, under the hand of the City Clerk and seal of the City, stating the time and manner of the appointment of such officer and of his having been sworn into office, shall be sufficient proof of the appointment, and of his having been sworn into office, without any proof of the handwriting or signature of such City Clerk, or of the seal or of the official character of such City Clerk.

195. When no provision is made in this Ordinance for the administering of any oath or affirmation required to be administered or taken, the same may be administered by the Mayor, the Stipendiary Magistrate, or any Justice of the Peace; and when an oath or affirmation is directed to be administered by or taken before any officer or person, the authority to administer such oath or affirmation is included.

196. No action ex delicto shall be brought against the City or against the City Council or any member thereof, or against the Committee on Streets or any member thereof, or against any person acting under the authority of any such City Council committee or member, unless within six months next after the cause of action has accrued, and upon one month's previous notice thereof in writing served upon the defendant, or in the case of an action against the city, upon the City Clerk, in which notice the cause of action and the Court in which it is to be brought shall be explicitly stated, and upon the back thereof shall be endorsed

the name and place of abode of the party intending to sue.

197. All Ordinances of the Yukon Territory affecting matters over which the City Council is given jurisdiction by this Ordinance shall remain in full force and effect until other provisions are made therefor by said Council.

APPLICATIONS TO QUASH BY-LAWS.

198. In case of a resident of the City, or any other person interested in a by-law, order or resolution of the Council thereof, applies to a Judge and produces a certified copy of the by-law, order or resolution, and shows by affidavit that the same was received from the City Clerk and that the applicant is resident or interested as aforesaid, the Judge, after at least ten days from service on the City of an order to show cause in this behalf, may quash the by-law, order or resolution, in whole or in part, for illegality, and, according to the result of the application, award costs for or against the City.

199. No application to quash or annul any such by-law, order or resolution, in whole or in part, shall be entertained by any Judge unless such application is made within two months from the final passing of such by-law, order or resolution.

200. Any by-law the passage of which has been procured through or by means of any corrupt practices as defined by this Ordinance, shall be liable to be quashed upon application to be made in conformity with the provisions hereinbefore contained.

201. Before determining any application for the quashing of a by-law upon the ground that the passing of the same has been procured by means of any corrupt practices as defined by this Ordinance, and if it is made to appear to a Judge that probable grounds exist for a motion to quash such by-law, the Judge may thereupon make an order for an inquiry to be held upon such notice to the parties affected as the Judge may direct concerning the said grounds, before himself, or whom he may appoint to conduct such inquiry, and require that upon such inquiry all witnesses, both in support and against such by-law, be orally examined and cross-examined upon oath; and the said Judge, upon the taking or return of said evidence, as the case may be, may, upon notice to such of the parties concerned as he thinks proper, proceed to hear and determine the question, and if grounds therefor appear to him to be satisfactorily established, he may make an order for quashing said by-law, and order the costs attending such proceedings to be paid by the parties, or any of them, who have supported said by-law; and if it ap-

pears that the application to quash said by-law ought to be dismissed, the Judge may so order, and in his discretion award the costs to be paid by the persons applying to quash the said by-law.

202. After an order has been made by a Judge directing an inquiry and after a copy of such order has been left with the City Clerk, all further proceedings upon the by-law shall be stayed until after the disposal of the application in respect of which the inquiry has been directed; but if the matter is not prosecuted to the satisfaction of the Judge, he may remove the stay of proceedings.

203. In case a by-law, order or resolution is illegal, in whole or in part, and in case anything has been done under it which, by reason of such illegality, gives any person a right of action, no such action shall be brought until one month has elapsed after the by-law, order or resolution has been quashed or repealed, nor until one month's notice in writing of the intention to bring action has been given to the City, and every such action shall be brought against the City alone, and not against any persons acting under the by-law, order or resolution.

204. In case the City tenders amends to the plaintiff or his advocate, if such tender is pleaded and (if traversed) proved, and if no more than the amount tendered is recovered the plaintiff shall have no costs, but costs shall be taxed to the defendant and set off against the verdict, and the balance due to either party shall be recovered as in ordinary cases.

205. No by-law shall be set aside for corrupt practices provided the passage thereof was not affected by such corrupt practices.

PART 2.

1. Part 1 of this Ordinance shall not come into force until the Commissioner publishes the proclamation declaring the City of Dawson to be incorporated under this Ordinance. Before publishing such proclamation the Commissioner shall submit to the electors the questions: "Shall Dawson be incorporated and be governed by an elective Mayor and Council?" or, "Shall Dawson be governed by a Commission to be appointed by the Commissioner-in-Council?"

2. For the purpose of submitting the questions to the electors, of obtaining the answers thereto and ascertaining the result of the vote, the same proceedings as nearly as may be shall be had as in the case of the election of a Mayor or Alderman under the provisions of Part One of this Ordinance, and the provisions thereof shall apply mutatis mutandis to the

conduct of such proceedings, and with respect to the powers to be exercised and the duties to be performed by, and the rights, obligations, liabilities, qualifications and disqualifications of officers, electors and all other persons, and with respect to offenses and the penalties which may be incurred.

3. The Commissioner shall, by proclamation in the Yukon Official Gazette, appoint the day on which the voting shall take place.

4. The Commissioner may from time to time, for the purposes of Part Two of this Ordinance, make and give all such regulations, orders and instructions not inconsistent with the provisions of this Ordinance, as are in his judgment necessary and expedient for the effectual carrying out of the purposes, and for the adapting to such purposes, of the provisions of Part One of this Ordinance.

5. Ballot papers for the purposes of voting under Part 2 of this Ordinance shall be in the following form:

Shall Dawson be Incorporated and be Governed by by an ELECTIVE Mayor and Council.	Shall Dawson be governed by a Commission to be APPOINTED by the Commissioner in Council.

6. The ballot papers shall be prepared by the returning officer named by the Commissioner.

7. The returning officer shall, by writing, under his hand, appoint, from among the applicants for such appointment, or on behalf of persons applying to have such appointment made, two agents to attend at each polling station, and at the final summing up of the votes, on behalf of those desirous of obtaining an affirma-

tive answer to the first question, and two agents so to attend on behalf of those desirous of obtaining an affirmative answer to the second question, but no such agents shall be entitled to any remuneration.

8. An affirmative vote on either question submitted shall be made by placing a cross (thus X) opposite the question to be voted for.

9. After summing up the votes in the manner provided in Part One of this Ordinance, the returning officer shall declare the number of votes given for each question respectively.

10. If the majority of votes polled is for the first question the Commissioner shall forthwith publish such proclamation, and Part One of this Ordinance shall thereupon come into force. If the majority of votes polled is for the second question the Commissioner may at any time thereafter publish such proclamation, and thereupon Part One of this Ordinance shall come into force, subject to the provisions of Part Three of this Ordinance, and the Commissioner-in-Council shall appoint a Commission consisting of a chairman and two other persons.

PART 3.

1. Instead of the City of Dawson being governed by a Mayor and Council elected under the provisions of Part One of this Ordinance, the said City shall be governed by the Commission appointed as aforesaid.

2. The Commission shall, exclusively have, enjoy and exercise within the City of Dawson all jurisdiction, power and authority conferred upon the City of Dawson by this Ordinance or any other Ordinance of the Yukon Territory and conferred upon the City Council by Part One of this Ordinance.

3. The chairman of such Commission shall be the Chief Executive Officer of the City, and shall perform all the duties of the Mayor.

4. Every member of the Commission shall hold office during pleasure, and shall be paid such remuneration as the Commissioner-in-Council shall fix.

5. The Commissioner-in-Council may remove any member of such Commission and appoint another person in his place, and may fill any vacancy in case of death, resignation or absence of any member of the Commission.

SCHEDULE.

FORM A.

PROCLAMATION.

CITY OF DAWSON.

Public notice is hereby given to the

electors of the City of Dawson that a poll has been granted for the election now pending for the said City, and that such poll will be open on (here insert day for election, being same day of the week as for nomination in the next following week) the day of, 190., from the hour of nine o'clock in the morning till five of the clock in the afternoon, at (describe the polling station, or, as the case may be), in each of the following polling divisions; that is to say:

For the Polling Division No. 1 (or other designation), consisting of those electors whose surnames commence with the letters from to (or bounded as follows, or otherwise describing it clearly), at (describe the polling station and so continuing for all the other polling divisions and stations in the City).

And I will at (describe the place), on (day of the week), the day of, 190., at o'clock in the noon, sum up the votes and declare the result of the election.

Given under my hand at Dawson, this day of, 190...

Returning Officer.

FORM B.

OATH OF VOTER.

You do solemnly swear that you are the person named, or purporting to be named, by the name of..... on the voters' list now shown to you; that you have not before voted at this election, and that you have not received or been promised any consideration whatsoever for voting at this election, and that you have paid all taxes in arrears due by you to the City of Dawson, and that you are a British subject of the full age of twenty-one years. So help you God.

FORM C.

OATH OF RETURNING OFFICER.

I,, do swear that I have not received any sum of money, office, employment or gratuity, or any bond, bill or note, or any promise of gratuity by myself or another, to my use or advantage, for making any return at this election; that I will return to the City Clerk a true and faithful account of the votes polled in this election, and that I will faithfully discharge my duty at the election to the best of my knowledge and judgment.

FORM D. of Dawson, Polling Division No.
BALLOT PAPER. (if divided into polling sub-divisions),
Election of the Council of the Cityday of 190...

FOR MAYOR

JONES, JOHN.

LOW, SAM.

PATRICK, JAMES.

FOR ALDERMEN

ABEL, JAMES.

BRUCE, DON.

FERGUSON, JERRY.

MINTON, TOM.

PETERS, JAMES.

WILSON, PATRICK.

ZENITH, PETER.

FORM E.

OATH OF QUALIFICATION.

I,, do swear that I am a British subject; that I had at the time of my election or appointment to the office of in the City of Dawson (as the case may be), and still have, in my own right, such an estate as does qualify me to act in the said office, and that such estate is (naming the nature of it), and is of the value of dollars over and above all charges, liens and encumbrances affecting same.

.....
(Signature).

FORM F.

OATH OF DEPUTY RETURNING OFFICER, POLL CLERK, CANDIDATE OR AGENT.

I,, do swear that I will not at any time disclose to any one the name of any person who has voted at the election to be held in the City of Dawson on the day of, A. D. 190... and that I will not unlawfully attempt to ascertain the candidate or candidates for whom any elector has voted, and will not in any way aid in the

unlawful discovery of the same; and that I will keep secret all knowledge which may come to me of the person for whom any elector has voted. So help me God.

FORM G.

OATH OF OFFICE.

I,, do swear that I will truly, faithfully and impartially, to the best of my knowledge and ability, execute the office of to which I have been elected or appointed (as the case may be), in the City of Dawson, and that I have not received any payment or reward, or promise of such, for the exercise of any partiality or neglect or undue execution of the said office, and that I have not myself nor on behalf of any other person, either directly or indirectly, any interest in any contract with or on behalf of the said City.

FORM H.

OATH OF ILLITERATE PERSON.

I,, a voter named in the list of voters for Polling Subdivision No. (or City of Dawson), do hereby declare that I am unable to read (or that I am from physical incapacity) unable to mark a ballot paper (as the case may be).



Ordinance No. 46 of 1901

AN ORDINANCE TO AMEND ORDINANCE NO. 31 OF 1901, ENTITLED "THE UNINCORPORATED TOWNS ORDINANCE."

L. S.
J. H. ROSS,
Commissioner.

Assented to December 16, 1901.

The Commissioner of the Yukon Territory, by and with the advice and consent of the Council of said Territory, enacts as follows:

1. That Section 17 of The Unincorporated Towns Ordinance be amended by adding the following sub-section thereto:

6. The imposing of a business tax upon all persons doing business within the town, and the fixing of the amount thereof.

2. That Section 20 of said Ordinance be struck out and the following substituted in lieu thereof:

20. The necessary revenue of the town shall be raised by the levying of a yearly rate upon the property and income therein, not exceeding twenty mills on the dollar of the assessed value, and by a business tax if the same is provided for at the annual business meeting. The assessment of the property and income shall be made, the rate ascertained and the amount collected, together with the business tax, if any, under the provisions of the Assessment Ordinance, excepting that the assessment roll shall be made up and completed between the first day of January and the first day of July, and the Court of Revision held on the 10th day after the completion of said roll.

