

ORDINANCES
OF THE
YUKON TERRITORY

PASSED BY THE
YUKON COUNCIL

IN THE YEAR
1916

GEORGE BLACK,
COMMISSIONER



Printed and Published for the Government of the Yukon Territory Under Authority of
Chapter 4 of the Ordinances of 1904.

BY

A. F. ENGELHARDT, King's Printer

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CHAPTER 1

AN ORDINANCE RESPECTING ASSIGNMENTS FOR THE BENEFIT OF CREDITORS.

[Assented to June 28th, 1916.]

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

1. This Ordinance may be cited as the "Creditors' Trust Deeds Ordinance." Short title.

INTERPRETATION.

2. In this Ordinance, unless the context otherwise requires, the expression "assignment under this Ordinance" means any assignment of property made by a debtor for the benefit of his creditors generally and not made under the authority of any Act of the Parliament of Canada respecting bankruptcy or insolvency. Interpretation.
"Assignment under this Act."

ASSIGNMENTS.

3. Every instrument executed after the 15th day of July, 1916, whereby any property shall be expressed to be conveyed, assigned, or otherwise transferred by any person to an assignee for the purpose of paying and satisfying rateably or proportionately, and without preference or priority, all the creditors of such person their just debts, shall be deemed to be and be a good, valid and Assignment for the benefit of creditors to be deemed valid if its construction and effect accord with its purpose.

2 - ASSIGNMENT FOR BENEFIT OF CREDITORS.

subsisting conveyance, if its constructions and effect shall accord with its expressed purpose and shall not be set aside or defeated on any account whatsoever except actual fraud, any statute or law to the contrary notwithstanding.

Description
of property.

4. Every assignment under this Ordinance shall be valid and sufficient if it describes the property intended to be affected thereby in the words following, that is to say, "all my real and personal property, credits, and effects, which may be seized or sold or attached under execution, or attachment," or if it is in words to the like effect; and an assignment so expressed shall vest in the assignee all the real and personal estate, rights, property, credits and effects, whether vested or contingent, belonging at the time of the assignment to the assignor, except such as are by law exempt from seizure or sale under execution or certificate of judgment, subject however, as regards lands, to the provisions of the Land Titles Act.

Dating
assignment.

5. No assignment under this Ordinance shall be dated after the execution thereof by the assignor.

Amendment
of assign-
ment by
Judge.

6. No advantage shall be taken or gained by any creditor or by any mistake, defect, or imperfection in any assignment under this Ordinance, if the same can be amended or corrected; and if there be any mistake, defect or imperfection therein, the same shall be amended by any Judge of the Territorial Court or Police Magistrate on application by the assignee, on such notice being given to other parties concerned as the Judge shall think reasonable, and such amendment, when made, shall have relation back of the date of said assignment, but no such amendment shall be made so as to prejudice the rights of any innocent purchaser.

Notice of
assignment.

7. No assignment under this Ordinance shall be within the operation of the "Bills of Sale Ordinance," but notice of the assignment shall be published by the assignee in one issue of the Gazette and in one issue of one newspaper having a general circulation in the district in which such assignment is registered. Such notice

shall be published in the regular issue of the Gazette and the said newspaper issued after ten days from the date of the assignment. Such notice shall contain the date of the assignment, the name, residence, and occupation of the assignor and assignee.

8. (1) A counterpart of every such assignment shall also, within twenty-one days from the date thereof, be registered in the office of the registration clerk in the district in which a bill of sale of the personal property or any part thereof so assigned should be registered under the "Bills of Sale Ordinance," together with an affidavit of a witness thereto of the due execution of such assignment; and such registration clerk shall file all such instruments presented to him for that purpose, and shall indorse thereon the time of receiving the same in his office, and the same shall be kept there for inspection by all persons interested therein. The registration clerk shall number and enter such assignments, and shall collect the fees as if such assignments had been registered under the "Bills of Sale Ordinance."

Assignment
to be
registered.

(2) Every such assignment made by a company or extra-territorial company to which the "Companies' Ordinance" applies shall in like manner be registered in the office of the Registrar of Joint Stock Companies.

Assignment
by Company
to be
registered.

9. If the said notice is not published in the regular number of the Gazette and in such newspaper as aforesaid, which shall respectively be issued first after ten days from the date of the assignment, or if the assignment is not registered as aforesaid within twenty-one days from the execution thereof, the assignor shall be liable to a penalty of ten dollars for each and every day which shall pass after the issue of the number of the Gazette or newspaper in which the notice should have appeared until the same shall have been published, and a like penalty for each and every day which shall pass after the expiration of twenty-one days from the date of the assignment until the same shall have been registered.

Penalty
against
assignor for
neglecting
publication
or registra-
tion.

10. The assignee shall be subject to the like penalty as in Section 9 hereinbefore provided for each and every

Penalty
against
assignee for

neglecting
publication
or registra-
tion.

day which shall pass after the expiration of twenty-one days from the delivery of the assignment to him, or of twenty-one days after his assent thereto until the notice of assignment is published and the assignment registered as aforesaid.

Recovery of
above-
mentioned
penalties.

11. Such penalties may be recovered summarily before a Judge of the Territorial Court or a Police Court Magistrate of the district in which the notice of assignment ought to be published or registered. One-half of the penalty shall go to the party suing, and the other half for the benefit of the estate of the assignor.

Compelling
publication
and
registration.

12. In case the assignment be not registered and notice thereof published, an application may be made, by anyone interested in the assignment, to a Judge of the Territorial Court or Police Magistrate to compel the publication and registration thereof, and the Judge or Police Magistrate shall make his order in that behalf, with or without costs, or upon the payment of costs by such person as he may, in his discretion, direct to pay the same.

Assignment
not Inval-
dated by
omission to
publish.

13. The omission to publish or register as aforesaid, or any irregularity in the publication or registration, shall not invalidate the assignment.

Effect upon
land of
registration
of assign-
ment.

14. (1) Every such assignment shall be registered in any Land Titles Office, and when so registered shall take precedence of all certificates of judgment and executions and attachments against land situate within the district of such office not completely executed by payment, subject to a lien for the costs of such judgment creditors; provided however, that nothing herein shall disturb the priorities of judgments registered under the "Land Titles Act," prior to the 15th day of July, 1916.

Assignment
to take
precedence
of Judg-
ments, exe-
cutions and
attachments
against
goods.

(2) Every such assignment shall take precedence of all judgments, of all executions against goods, and of all attachments of debts not completely executed by payment, subject to a lien in favour of such execution creditors for their costs.

15. It shall be the duty of the assignee immediately to inform himself, by reference to the assignor and his records of accounts, of the names and residences of the assignor's creditors and within five days from the delivery of the assignment to him to convene a meeting of the creditors for giving of directions with reference to the disposal of the estate, by mailing, prepaid and registered, to every creditor known to him, a circular calling a meeting of creditors to be held at some convenient place to be named in the notices, not later than twenty days after the mailing of such notice, and all other meetings shall be called and held in a like manner.

Assignee to call meeting of creditors.

16. At any meeting of creditors a creditor may vote in person or by proxy, authorized in writing, but no creditor whose vote is disputed shall be entitled to vote until he has filed with the assignee an affidavit or declaration in proof of his claim, stating the amount and nature thereof.

Voting at creditors' meetings.

17. (1) Every person claiming to be entitled to rank on the estate assigned shall furnish to the assignee particulars of his claim, proved by affidavit or declaration, and such vouchers as the nature of the case admits of. A creditor proving his claim shall deduct therefrom all trade discounts, but he shall not be compelled to deduct any discount not exceeding five per centum on the net amount of his claim, which he may have agreed to allow for payment in cash.

Proof of claim.

(2) With regard to claims not bearing interest, creditors shall be entitled to add to such claims interest from the time the same were payable to the date of the assignment at the legal rate.

Interest on claims.

18. A person whose claim has not accrued due shall nevertheless, be entitled to prove under the assignment and vote at the meeting of creditors, but in ascertaining the amount of any such claim a deduction for interest shall be made for the time which has to run until the claim becomes due.

Creditor may prove claim not due.

Set-off
against
claims.

19. The law of set-off shall apply to all claims made against the estate, and also to all suits instituted by the assignee for the recovery of debts due to the assignor, in the same manner and to the same extent as if the assignor were plaintiff or defendant, as the case may be, except as in so far as any claim or set-off shall be effected by the provisions of any Ordinance respecting frauds or fraudulent preferences; provided, however, that there shall be no set-off allowed of any claim against the estate acquired after the date of the assignment as against a claim made by the estate against the person so acquitting any such claim against the estate.

Personal
and part-
ner-ship
debts.

20. If any assignor executing an assignment under this Ordinance for the general benefit of his creditors owes debts both individually and as a member of a co-partnership or co-partnerships, the claim shall rank first upon the estate by which the debts they represent were contracted, and shall only rank upon the others after all the creditors of those others have been paid in full.

Calculation
of votes.

21. Except with regard to the provisions of Section 23 of this Ordinance, all subjects discussed at meetings of creditors shall be decided by the majority of votes, and for such purpose the votes of creditors shall be calculated as follows:

There shall be allowed:

- (a) For every claim of or over twenty-five dollars, and not exceeding one hundred dollars, one vote; and
- (b) For every claim over one hundred dollars, and not exceeding three hundred dollars, two votes; and
- (c) For every claim over three hundred dollars, and not exceeding one thousand dollars, four votes; and
- (d) For every additional one thousand dollars, or portion thereof, one vote;

provided however, that in case any question arises

respecting the claim of any creditor, or respecting the securities held by any creditor, such creditor shall not be allowed to vote on such question.

22. In case of a tie the assignee, or if there are two assignees, then the assignee nominated for that purpose by the creditors, shall have a casting vote.

Casting
vote.

23. At the first meeting of the creditors, or at any subsequent meeting, a majority in votes of the creditors present in person or by proxy may pass a resolution requiring the assignee to transfer the estate to some other person named in such resolution as assignee, and at such meeting each creditor having a claim of twenty-five dollars or more shall be allowed one vote. Then and in such case the said original assignee shall forthwith deliver over to such person the property and effects belonging to the estate, and execute all conveyances, assignments, and transfers necessary to vest the said estate in the said new assignee, and thereupon such person so named shall become and be the assignee of such estate under the provisions of this Ordinance.

Resolution
at first
meeting of
creditors
requiring
assignee to
transfer
estate.

24. Such original assignee shall, in case of such change, be entitled to be paid such remuneration as the creditors may at the meeting at which such change is made decide, subject to an appeal to the Judge of the Territorial Court or a Police Magistrate for the district in which the assignment is registered. In case the creditors do not settle the remuneration as aforesaid then such Judge or Police Magistrate shall have power to do so on application by the original assignee on notice to the new assignee.

Remunera-
tion of
original
assignee
upon trans-
fer of estate.

25. (1) A copy of the resolution mentioned in Section 23, signed by the chairman or other presiding officer of the meeting and verified by an affidavit of some person present at the meeting, setting forth the names of the creditors present in person or by proxy at the said meeting, and the result of the vote on the resolution, shall be registered in the Land Titles Office, and when so registered shall have the effect of vesting in such new

Verification
of resolution
requiring
change of
assignee.

assignee all the real estate situate in the district of such office which became vested in the original assignee by virtue of the deed of assignment; and such resolution so verified may also be registered in any office where the assignment was registered under Section 8, and when so registered shall have the effect of vesting in such new assignee all the personal property situate in the registration district under the "Bills of Sale Ordinance" of such office and which became vested in the original assignee by virtue of the assignment.

Verification
in case of
Companies.

(2) Where the assignment has been registered under Sub-Section (2) of said Section 8, a copy of the resolution so verified shall be registered in the office of the Registrar of Joint Stock Companies.

New
assignee to
mail copy of
resolution to
creditors.

26. The resolution referred to in Section 23 shall be mailed by the new assignee, prepaid and registered, to every creditor known to him as soon as it conveniently can after being passed.

Removal of
assignee by
Judge.

27. Any Judge of the Territorial Court or Police Magistrate in the district in which the assignment is registered, may, on the application of any creditor of the assignee, made by petition, supported by the affidavit of the applicant or some other person, having knowledge of the facts, remove any person who for the time being shall be entitled to act under any trust declared in or created by any such assignment as aforesaid from the office of the assignee, and appoint another person as assignee in the place of the person so removed, and also, with the consent of a majority in number representing three-fourths in value of the creditors of the assignor, expunge from any such assignment any condition or stipulation therein contained, or, with the like consent, alter or vary any trust in or by the assignment declared or created, and the costs of and incidental to any such application shall be a charge on and paid out of the trust estate, unless otherwise ordered by the Judge or Police Magistrate.

Order
appointing
new.

28. In the case of the appointment by a Judge or Police Magistrate of a new assignee, a copy of the order

shall be registered, as provided in Section 25, and with the same effect.

assignee to be registered.

29. In case any such assignee refuses or neglects to deliver over to such new assignee so appointed by the creditors, or a Judge or Police Magistrate, any of the property of the estate, or refuses or neglects to execute any document required for the purpose of vesting such property in such new assignee, a Judge of the Territorial Court or Police Magistrate may, on application of such new assignee, or of any creditor of such estate for one hundred dollars or more, make an order calling upon such new assignee to deliver over such property, or to execute such document or documents, and to pay the costs of such application and failure to obey such order shall be punished by committal as for contempt of Court.

Mode of transfer where assignee neglects or refuses to transfer.

30. The production of a resolution of the creditors, verified as aforesaid shall in all courts of justice be taken as *prima facie* evidence of the vesting of the assignor's estate in the new assignee.

Verified copy of resolution as evidence.

31. The provisions of this section shall apply to all assignments executed after the 15th day of July, 1916, and to any estate which on the 15th day of July, 1916, remained undistributed in the hands of any assignee under any assignment theretofore executed; but the said provisions shall not be deemed to refer to any estate which had been partially distributed, or affect or prejudice any act done, or any payment of distribution of assets made, by any such assignee prior to the said 15th day of July, 1916:

Application to certain assignments executed after 15th July, 1916, and to estates then undistributed.

(a) Every creditor in his proof of claim shall state whether he holds any security for his claim; or any part thereof, and if such security is on the estate of the assignor or on the estate of a third party for whom such assignor is only secondarily liable, he shall put a specified value thereon; and the assignee, under the authority of the creditors, may either consent to the right of the creditor to rank for the claim, after deducting such valuation, or he may

Statement of security in proof of claim.

require from the creditor an assignment of the security at the specified value, to be paid, together with interest thereon at the legal rate from the date of filing the claim until payment out of the estate as soon as the assignee has realized such security, and in such case the difference between the value at which the security is retained and the amount of the gross claim of the creditor shall be the amount for which he shall rank and vote in respect of the estate. Before assigning such security such creditor shall be entitled to receive security from such assignee for the value of such security so to be assigned. In case of any dispute a Judge of the Territorial Court or Police Magistrate may settle the same on a summary application ;

Negotiable
instruments.

(b) If a creditor holds a claim based upon negotiable instruments upon which the assignor is only indirectly or secondarily liable, and which is not mature or exigible, such creditor shall be considered to hold security within the meaning of this section, and shall put a value on the liability of the party primarily liable thereon as being his security for the payment thereof, but after the maturity of such liability and its non-payment, he shall be entitled to amend and revalue his claim ;

Judge may
order claim
to be proved
within cer-
tain time.

(c) In case a person claiming to be entitled to rank on the estate assigned does not, within a reasonable time after receiving notice of the assignment and of the name and address of the assignee, furnish to the assignee satisfactory proofs of his claim, as provided by this Ordinance, a Judge of the Territorial Court or Police Magistrate may, upon the summary application by the assignee, or by any other person interested in the assignor's estate, (of which application at least three days' notice shall be given to the person alleged to have made default in proving a claim as aforesaid), order that unless the claim be proved to the satisfaction of the Judge or Police Magistrate within a time to be limited by the order the person so making default shall no longer be deemed a creditor of the estate assigned, and shall be wholly barred of any right to share in

the proceeds thereof; and if the claim is not so proved within the time so limited, or within such further time as a Judge or Police Magistrate may by subsequent order allow, the same shall be wholly barred, and the assignee shall be at liberty to distribute the proceeds of the estate as if no such claim existed, but without prejudice to the liability of the assignor therefor;

(d) The last preceding Sub-Section is not intended to interfere with the protection afforded the assignee by any Ordinance relating to Trustees.

Not to /
affect
protection
afforded
assignee
under any
law.

(e) At any time after the assignee receives from any person claiming to be entitled to rank on the estate proof of his claim, notice of contestation of the claim may be served by the assignee upon the claimant. Within thirty days after the receipt of the notice, or such further time as a Judge of the Territorial Court or Police Magistrate may, on application, allow, an action shall be brought by the claimant against the assignee to establish the claim, and a copy of the writ in the action served on the assignee; and in default of such action being brought and writ served within the time aforesaid, the claim to rank on the estate shall be forever barred;

Contest of
claim by
assignee.

Procedure.

(f) The notice by the assignee shall contain the name and place of business of one of the solicitors of the Territorial Court upon whom service of the writ may be made; and service upon such solicitor shall be deemed sufficient service of the writ;

Address for
service of
writ.

(g) Except as provided in Sub-Section (a) hereof, no creditor shall be entitled to rank upon the estate for or in respect of any claim for interest for any period subsequent to the date of the assignment, until after all claims for principal money, and all claims for interest on such principal money (where interest is by law payable thereon) calculated down to the date of the assignment, have been fully paid and satisfied.

Claims for
interest.

32. In case of a request in writing, signed by a

Assignee to
call meeting
upon
request.

majority of the creditors having claims, duly proved or admitted, of fifty dollars and upwards, computed according to the provisions of Section 21 of this Ordinance, it shall be the duty of the assignee within two days after receiving such request to call a meeting of the creditors, for a day not later than twenty days after such request is received.

Remuneration of assignee.

33. (1) The permanent assignee shall be entitled to such remuneration as may be voted to him by the creditors, subject to an appeal to a clerk of the Territorial Court or Police Magistrate. In case no remuneration is voted by the creditors at the first meeting of the creditors, or at the meeting at which such permanent assignee is appointed, such remuneration shall be settled by a Judge or Police Magistrate on notice to the inspectors (if any). There shall be an appeal from the decision of the clerk or Police Magistrate either by the assignee or the inspectors or any creditor on behalf of the creditors, to a Judge of the Territorial Court. Notice of such appeal must be given within four days after the decision of the clerk.

Mode of payment of remuneration.

(2) Such remuneration shall be in the nature of a commission or percentage of which one part shall be payable on the amount realized and the other part on the amount distributed in dividends:

Resolution to state what expenses are covered by remuneration.

(3) The resolution shall express what expenses the remuneration is to cover, and no liability shall attach to the assignor's estate or to the creditors in respect of any expenses which the remuneration is expressed to cover.

Assignee not to accept gift or any other consideration.

(4) An assignee shall not, under any circumstances whatever, make any arrangement for or accept from the assignor or any solicitor, auctioneer, or any other person that may be employed about an assignment, any gift, remuneration, or pecuniary or other consideration or benefit whatever beyond the remuneration paid by the creditors and payable out of the estate, nor shall he make any arrangement for giving up, or give up, any part of his remuneration, either as assignee, manager, or trustee, to the assignor or any solicitor or other person that may be employed about an assignment.

34. At the first or any subsequent meeting the creditors, or their representatives duly authorized in writing to appear on their behalf, may appoint one or more of their number, but not exceeding three, as inspectors, who shall superintend the proceedings of the assignee and the management and winding-up of the estate, and they may also revoke the appointment of any or all of the inspectors, and upon such revocation, or in case of the death, resignation or absence from the Territory of an inspector, may appoint another in his stead, and anything to be done by the inspectors may be done by the majority, or by the sole inspector if there is only one. The inspector shall not be entitled to any remuneration.

Appointment
of In-
spectors.

35. Whenever an assignment is made of any real or personal property for the general benefit of creditors the assignee shall pay, in priority to all claims of the ordinary or general creditors of the person making the same the wages or salary of all persons in the employment of such person at the time of making such assignment, six months' wages or salary, and such persons shall be entitled to rank as ordinary general creditors for the residue (if any) of their claims.

Six months'
wages or
salary in
priority.

36. The last preceding section shall apply to wages or salary, whether the employment in respect of which the same shall be payable be by the day, by the week, by the job or piece, or otherwise.

Application
of preced-
ing section.

37. The assignee may, with the approval of the creditors, compromise all debts and liabilities capable of resulting in debts, and all claims, whether present or future, certain or contingent, ascertained or sounding only in damage, subsisting or supposed to subsist, both to and by the assignor upon the receipt or payment of such sums, payable at such times and generally upon such terms as are agreed upon.

Compromis-
ing debts.

38. All moneys received by the assignee on account of the estate shall forthwith be paid by him into a chartered bank, to be named by the creditors, to the

Deposit of
moneys
received by
assignee.

credit of a special account for the estate, and at every meeting of the creditors the bank book shall be produced by the assignee and shall always be open to inspection by the inspectors or any creditor. The assignee shall not in any case pay any money received by him on account of the estate into his private account at any bank.

Payments by debtor made 10 days before execution of assignment void.

39. Every payment made within ten days next before the execution of any assignment under this Ordinance by the assignor on account of a pre-existing debt shall be void, and the amount so paid may be recovered back from the person to whom it was paid by the assignee by suit in any Court of competent jurisdiction; but if any valuable security was given up in consideration of such payment, such security or the value thereof must be restored or credited to the creditor; provided, however, that no payment for wages (not exceeding three months), or for rent, taxes, or water rates, which are a lien on the property of the assignor shall be affected by this section.

Solicitor to estate.

40. At any meeting of the creditors a resolution may be passed directing the assignee to employ a person or firm named in the resolution as solicitor or solicitors to the estate, and thereafter no other solicitor shall be employed by the assignee; such appointment of solicitor may be changed at any meeting of the creditors by resolution. No such solicitor, after his appointment, shall act in any way for the assignor as long as he continues to act as solicitor for the estate.

Qualifications of assignee and his deputies.

41. No person other than a permanent and bona-fide resident of this Territory shall be qualified or have power to act as an assignee under this Ordinance, nor shall an assignee under this Ordinance have power to appoint as deputy or delegate his duties as assignee to any person who is not a permanent, bona-fide resident of this Territory, and no charge shall be made or recoverable against the assignor or his estate for any services or expenses of any such assignee, deputy or delegate of any assignee, who is not a permanent and bona-fide resident of this Territory.

42. Every assignment hereafter executed for the general benefit of creditors, whether the assignment is or is not expressed to be made under or in pursuance of this Ordinance, and whether the assignor has or has not included all his real and personal estate, shall vest the estate, whether real or personal, or partly real and partly personal, thereby assigned, for all the estate and interest therein of the assignor, in the assignee therein named for the general benefit of creditors, and such assignment and the property thereby assigned shall be subject to all the provisions of this Ordinance, and the provisions of this Ordinance shall apply to the assignee named in such assignment, and to every person in the position of assignee of such estate.

Vesting
effect of
assignment.

43. Upon the expiration of one month from the date of assignment, and afterwards from time to time of intervals of not more than three months, the assignee shall prepare, and keep constantly accessible to the creditors, accounts and statements of his doings as such assignee and of the position of such estate.

Assignee's
accounts.

44. From time to time, whenever there is sufficient money on hand for that purpose, the assignee shall declare and pay a dividend of ten per cent. or more on the claims of creditors. Before any dividend is paid, a dividend-sheet shall be prepared, showing all claims allowed and all claims (if any) objected to, and showing an abstract of receipts and disbursements, and such dividend-sheet shall be certified to by the assignee and the inspectors (if any).

Dividends.

45. All sums received by the assignee for interest on moneys belonging to the estate shall belong to the estate.

Interest
received
belongs to
estate.

46. (1) The assignor shall give such information to the assignee or inspectors respecting his estate and affairs, attend at such times on the assignee or inspectors and at such meetings of his creditors execute, at the expense of the estate, such powers of attorney, conveyances, deeds, and instruments, and generally do all such acts and things in relation to his property and to the distribution of the proceeds thereof amongst his creditors

Assignor
to give
information.

as are reasonably required by the assignee or inspectors; and he shall aid, to the utmost of his power, in the realization of his property and the distribution of the proceeds thereof among his creditors.

Compensation to assignor for services.

(2) The assignee may, from time to time, with the consent of the creditors, make such allowance as he thinks just to the assignor out of the estate as compensation for his services in connection with the winding up of his estate.

Assignor not retain any portion of estate or books or documents.

47. If, after the date of the assignment, the assignor retains or receives any portion of his estate or effects, or of any moneys, securities for money, business papers, documents, books of account, or evidence of debt, belonging or appertaining to his business or estate, and retains and withholds the same from the assignee, without lawful right, the assignee may apply to a Judge of the Territorial Court or Police Magistrate for an order for the delivery thereof to him, and in default of delivery in conformity with such order, the assignor may be imprisoned in the common goal until the same are delivered, or for such time, not exceeding one year, as the Judge or Police Magistrate may order; but nothing herein shall interfere with or diminish any other penalty to which, under this Ordinance, he may be subject in consequence of the non-delivery of such property, effects, documents, or money.

Penalty.

Examination of assignor.

48. (1) The creditors or the inspectors may direct the assignor to be examined upon oath before the assignee, or before such Judge of the Territorial Court or Police Magistrate as they may name, touching his estate and effects, assets and liabilities, the conduct and management of his business, the causes of his insolvency, and his affairs generally; and such assignee or Judge or Police Magistrate may administer any necessary oath.

Time, place and adjournment of examination.

(2) Such examination shall take place at such time and place as is appointed by the Judge or Police Magistrate on application by the creditors, or when the examination is before the assignee as may be appointed by the inspectors, and it may be adjourned from time to

time; but a Judge of the Territorial Court or Police Magistrate may, on application of any person interested, and on being satisfied that the affairs of the assignor have been sufficiently investigated, make an order directing that the examination be concluded by such time as is named in the order.

(3) Such examination may be conducted by counsel or by such persons as are appointed by the creditors or inspectors, and notes of the evidence given at such examination, which may be taken in shorthand, shall be deposited with the assignee and shall be open to inspection, without charge, by any creditor or by the duly authorized representatives of any creditor.

Examination may be by counsel.

(4) In case the assignor neglects or refuses to appear or to be sworn, or to answer any proper question, a Judge of the Territorial Court or Police Magistrate may, on the application of the assignee or of any person interested, order that the assignor be committed as for a contempt of Court, and may make such order as to payment of the costs of any application under this section as to him seems right.

Committing assignor for refusing to appear or to answer questions.

49. (1) A Judge of the Territorial Court or Police Magistrate may, on the application of the assignee, or of a creditor having an unsecured claim of one hundred dollars or upwards, summon before him any person, including the husband or wife of the assignor, known or suspected to have in his or her possession any of the estate or affects of the assignor, or any person who is represented to such Judge or Police Magistrate as capable of giving information concerning the assignor, his dealings or property, and such Judge or Police Magistrate may require any such person to produce any documents in his custody or power or under his control relating to the assignor, his dealings or property.

Examination of persons other than assignor touching estate.

(2) If the person so summoned, after having been tendered the ordinary witness fees allowed in suits before the Court, without reasonable excuses, refuses to come before the Judge or Police Magistrate at the time appointed, the Judge or Police Magistrate may, by

Apprehension of such persons refusing to attend.

warrant, cause him to be apprehended and brought before him.

Procedure upon such examination.

(3) Such person may be examined upon oath concerning the assignor, his dealings or property, by or before the Judge or Police Magistrate, or by or before such person and in such manner as the Judge or Police Magistrate directs, and such Judge or Police Magistrate or person may administer any necessary oath; and notes of the evidence given at any such examination, which may be taken in shorthand, shall be deposited with the assignee and shall be open to inspection, without charge, by any creditor, or the duly authorized representative of any creditor; and the Judge or Police Magistrate may make such order as to the payment of the costs of any such examination as to him seems right.

Ordering such persons to deliver up property belonging to estate.

(4) If on such examination such person admits that he has in his possession any property belonging to the assignor, and to which the assignee is legally entitled the Judge or Police Magistrate may order him to deliver to the assignee such property, or any part thereof, at such time, in such manner, and on such terms as seems just.

Committing such persons for contempt.

(5) In case of refusal to appear, or to be sworn, or to answer any questions that may lawfully be asked touching the assignor, his dealings or property, or to produce any document which he is required to produce, or to obey any order of the Judge or Police Magistrate made under and by virtue of this section, the person so refusing may be committed as for a contempt of Court.

Arrest of assignor.

50. A Judge of the Territorial Court or Police Magistrate may, at any time after the execution of an assignment under this Ordinance, on the application of the assignee or any creditor having a claim for one hundred dollars or more against the assignor by warrant to the Sheriff of the district, or other proper officer, cause the assignor to be arrested, and any books, papers, moneys, and goods in his possession to be seized, and him and them to be safely kept as prescribed until such time as the Judge or Police Magistrate orders, if such facts and circumstances are shown by affidavit as satisfy the Judge.

(a) That there is good and probable cause for believing that the assignor is about to abscond and conceal himself to avoid appearance at any meeting of his creditors at which he is required to appear, or to avoid examination in respect of his affairs, or otherwise to avoid, delay or embarrass any proceedings against him under this Ordinance; or

Affidavit
for order
for arrest.

(b) That there is good and probable cause for believing that he is about to remove his goods with intent to prevent or delay possession being taken of them by the assignee, or that he has concealed or destroyed or is about to conceal or destroy, any of his goods or money, or any books, documents or writings which might be of use to his creditors in the course of the proceedings under this Ordinance; or

(c) That, without good cause shown, he has failed to attend any meeting or examination which he was required to attend under the provisions of this Ordinance.

51. Where there is any assignment under this Ordinance, the assignee, save as herein otherwise provided or implied, shall have an exclusive right of suing for the rescission of agreements, deeds and instruments or other transactions made or entered into in fraud of creditors, or made or entered into in violation of this or any other Ordinance.

Assignee
exclusive
right to sue
re. transac-
tions in
fraud of
creditors.

52. If at any time any creditor desires to cause any proceedings to be taken which, in his opinion, would be for the benefit of the estate, and the assignee refuses or neglects to take such proceedings after being duly required so to do, such creditor so desiring shall have the right to obtain an order of the Judge or Police Magistrate aforesaid authorizing him to take such proceedings in the name of the assignee, but at his own expense and risk, upon such terms and conditions as to indemnity to the assignee as the Judge or Police Magistrate may prescribe, and thereupon any benefit derived from such proceedings shall belong exclusively to the creditor instituting the same for his benefit; but if before such order is granted the assignee shall signify to the Judge or Police Magis-

Creditor
may cause
proceedings
to be taken
for benefit
of estate.

trate his readiness to institute such proceedings for the benefit of the creditors, the order shall prescribe the time within which he shall do so, and in that case the advantage derived from such proceedings, if instituted within such time, shall appertain to the estate.

Creditors
may direct
disposal of
estate.

53. The creditors may at any meeting pass any resolution or order directing the assignee how to dispose of the estate, or any part thereof, and in default of their so doing, he shall, subject to the directions, orders and instructions he may from time to time receive from the inspectors (if any) with regard to the mode, terms and conditions which he may dispose of the whole or any part of the estate, sell and dispose of the same in such manner as seems to him most advantageous in the interests of the estate, subject always to the provisions of this Ordinance; but the assignee, or any inspector or the solicitor of the estate, shall not purchase, directly or indirectly, any part of the stock-in-trade, debts, or any assets of any description of the estate.

Leases.

54. (1) If the assignor, at the date of the assignment, is a tenant of property, the assignee shall, notwithstanding any condition, covenant, or agreement that such tenancy shall determine in case of the bankruptcy or insolvency of, or assignment for the benefit of his creditors by the tenant, have the right to hold and retain such property for a period not exceeding three months from the date of the assignment, or until the expiration of the tenancy, whichever shall first happen, on the same terms and conditions as the assignor might have held such property had no assignment been made.

(2) If the assignor, at the date of the assignment, is a tenant of property, the tenancy of which is not determined by his insolvency, or such assignment, the assignee, under the authority of the creditors, may give notice in writing to the landlord of his wish to determine the same at the expiration of three months from the giving of such notice, and such tenancy shall terminate at the expiration of such three months; but nothing herein shall prevent the assignee, under the authority of the creditors, from selling, transferring, or otherwise

disposing of any lease or leasehold property or any interest of the assignor therein, for the unexpired term thereof, or any part thereof, to as full an extent as could have been done by the assignor had an assignment not been made; and if there is any covenant, condition, or agreement that the lessee or his assigns should not assign or sublet the property without the leave or consent of the lessor, or other person, such covenant, condition, or agreement shall be of no effect in case of such sale, transfer, sublease, or disposition of the lease or leasehold property as aforesaid, if a Judge of the Territorial Court or Police Magistrate, on the application of the assignee, and after notice of such application to the lessor or other person whose leave or consent is required, approve of the sale, transfer, sublease, or disposition so made of the leasehold property.

(3) The lessor may, in the event of the tenancy being determined by the assignee by notice in manner hereinbefore provided, fix a claim against the assignor's estate for the damages (if any) sustained in consequence of such termination, which claim shall be proved in a similar manner to ordinary claims against the estate; and in his proof of claim he shall set forth the amount of damages claimed and how such amount is arrived at; and any such claim may be objected to in the same manner and shall be subject to the same procedure to establish the same as herein provided in regard to claims made against the estate, and the lessor, on his claim being established or allowed, shall have all the rights of voting and otherwise enjoyed by ordinary unsecured creditors who have proved claims against the estate.

(4) In estimating such damages regard shall be had to the rental payable under the tenancy so determined, and to the yearly value of the property at the time of such termination, and regard shall also be had to the additional value given to the property by any buildings, fixtures, or improvements placed thereon by the assignor or those through whom he claims, but no regard shall be had to the chance of leasing the property at a greater or less rent than that payable by the assignor or his estate at the time of the termination of the tenancy.

(5) The lessor shall have a privileged claim against the estate of the assignor for arrears of rent due or accruing due in respect of the six months next preceding the date of the assignment, together with all costs of distraint properly made before the date of the assignment in respect to the rent or any part of the rent hereby made a privileged claim, but for all other arrears of rent he shall have a claim provable against the estate as an ordinary creditor. He shall also have a privileged claim against the estate for all rent accruing due after the date of assignment during the period the property and premises are held by the assignee.

(6) The lessor shall not be entitled to distrain upon the goods of the assignor after they become vested in the assignee, and all goods then distrained upon shall, on demand, be delivered by the person holding them to the assignee, but the lessor shall not by reason of such delivery be deprived of any lien or rights in reference to such goods which he may have acquired by such distress, should the goods be claimed by and be delivered to any person other than the assignee.

(7) The lessor shall not be entitled to any further or other rent from the assignor or from his estate than as set forth in this section.

Disclaimer
of liability
for shares,
stocks, etc.

55. (1) When any part of the property of the assignor consists of shares of stock in companies or unprofitable contracts or of any other property that is not saleable or readily saleable by reason of its binding the possessor thereof to the performance of any onerous act or to the payment of a sum of money, the assignee may, with the authority of the creditors, by writing under his hand, disclaim such property at any time within six months from the date of his appointment, notwithstanding that he has taken possession of such property, or has exercised any act of ownership in relation thereto; provided that when any such property has not come to the knowledge of such assignee within six months after his appointment he may disclaim such property at any time within six months after he first became aware thereof.

(2) Such disclaimer shall operate to determine, as from the date thereof, the rights, interests, and liabilities of the assignor and his property in or in respect of the property disclaimed, and shall also discharge the assignee from all personal liability in respect of the property disclaimed as from the date when the property vested in him, but shall not, except so far as is necessary for the purpose of releasing the assignor and his property and the assignor from liability, affect the rights or liabilities of any other person.

(3) The assignee shall not be entitled to disclaim any property in pursuance of this section in any case where an application in writing has been made to the assignee, by any person interested in the property, requiring him to decide whether he will disclaim or not, and the assignee has, for a period of one month after the receipt of such application, or such extended period as may be allowed by a Judge of the Territorial Court, declined or neglected to give notice whether he disclaims the property or not; and in the case of a contract, if the assignee, after such application as aforesaid, does not, within the said period or extended period, disclaim the contract he shall be deemed to have adopted it.

(4) A Judge of the Territorial Court or Police Magistrate may, on the application of any person who is, as against the assignee, entitled to the benefit or subject to the burden of a contract made with the assignor, make an order rescinding the contract, on such terms as to payment by or to either party of damages for the non-performance of the contract or otherwise as to the Judge may seem equitable, and any damages payable under the order to any such person may be proved by him as a debt provable under this Ordinance against the estate of the assignor.

(5) A Judge of the Territorial Court or Police Magistrate may, on application by any person either claiming an interest in any disclaimed property, or under any liability not discharged by this Ordinance in respect of any disclaimed property, and on hearing such persons as he thinks fit, make an order for the vesting of the property in or delivery thereof to any person entitled

thereto, or to whom it may seem just that the same should be delivered by way of compensation for such liability as aforesaid, or a trustee for him, and on such terms as the Judge thinks just; and on any such vesting order being made, the property comprised therein shall vest accordingly in the person named therein in that behalf without any conveyance or assignment for the purpose.

(6) Any person injured by the operation of a disclaimer under this section shall be deemed to be a creditor of the assignor to the extent of the injury, and may prove the same as a debt provable under this Ordinance against the estate of the assignor.

(7) The provisions of this section shall not extend to leases or leasehold property.

Dividends
at time of
discharge of
assignee.

56. All dividends remaining unclaimed at the time of the discharge of the assignee shall be paid over to the Territorial Treasurer, and, if afterwards claimed, shall be paid over to the person entitled thereto.

Balance of
estate after
payment of
claims.

57. If any balance remains of the estate of the assignor, or of the proceeds thereof, after the payment in full of all his debts and liabilities and the costs of winding up his estate, such balance shall be paid or transferred to the assignor.

Discharge
of assignee.

58. After the declaration of the final dividend the assignee shall prepare his final account and make application to a Judge of the Territorial Court or Police Magistrate for his discharge, giving at least ten days' previous notice of such application to the assignor, and to the inspectors(if any) and to the creditors by circular; and he shall produce and file, on such application, a bank certificate of the deposit of any dividends remaining unclaimed, and of any balance in his hands, and also a statement, under oath, showing the nominal and realized value of the assets of the assignor, the amount of claims proved, dividing them into classes according to the nature thereof, the amount and rate upon the dollar of dividends paid to the creditors, and the entire expenses of winding

up the estate. The Judge or Police Magistrate may, after causing the accounts of the assignee to be audited by the inspectors, or by such creditor, or by such competent person as he may name, and after hearing all parties interested, grant conditionally, the application for discharge or refuse it, and may make any order as to costs which he thinks proper. A copy of any order discharging the assignee shall be registered within fifteen days from the date of the order in every office where the assignment has been registered.

59. The creditors may, at any meeting, determine where subsequent meetings shall be held, but in default of their so doing, all meetings after the first meeting shall be held at the office or place of business of the assignee.

Time and place of subsequent meetings of creditors.

60. (1) At all meetings the creditors may appoint a chairman, and in default of such appointment the assignee shall be chairman.

Procedure at creditors' meetings.

(2) The chairman shall decide all disputes or questions that may be raised at such meetings as to the eligibility of a creditor to vote or as to the amount on which he should vote, or any other question of procedure at such meetings.

Chairman decide disputes.

(3) The chairman shall cause to be kept full minutes of all proceedings, resolutions and decisions at such meetings, and shall include therein an accurate list of all the creditors present or represented, which minutes shall be signed by him and shall be filed with and kept by the assignee, and on the final discharge of the assignee shall be deposited with the Clerk of the Territorial Court or the Clerk of the Police Magistrate's Court, as ordered by the Judge or Police Magistrate granting such discharge.

Minutes of proceedings to be kept.

61. (1) A creditor shall be entitled to vote at any meeting of creditors in respect of and to the extent of his claim against the estate as determined by this Ordinance, but such creditor shall not be entitled to vote at any meeting of creditors until he has proved his claim in manner hereinbefore provided; and if his claim is depen-

Creditor entitled to vote only after claim proved.

dent upon a condition or contingency, or for other reason does not bear a certain value, not until the value of such claim has been ascertained in manner hereinbefore provided.

Contested claims.

(2) In the case of contested claims the creditor shall, until such contestation is decided or an agreement between such creditor and the assignee is arrived at, be considered as a creditor for the amount admitted by the assignee (if any).

Purchaser of claims after assignment not entitled to vote.

(3) Persons purchasing claims against the estate after the date of assignment shall not be entitled to vote in respect of such claims, but shall in all other respects, unless otherwise specially provided, have the same rights as other creditors.

Assignee or his partner, etc., not to vote as to remuneration, etc.

(4) The assignee, his partner, agent, clerk, or employee, or any person in the employ of a partnership or company of which he is a member, shall not be entitled to vote upon any resolution affecting the remuneration or removal from office or the conduct of the assignee, or the security to be given by him, but on all other questions, if creditors, they may vote as such creditors.

Creditors may vote personally or by proxy.

62. Except as herein otherwise provided, no creditor shall vote at any meeting unless present personally or represented by some person having written authority, which may be by power of attorney, letter, postcard, or telegraphic message, such authority to be filed with the assignee. Such authority may be either general or limited, but in no case shall the assignee, his partner, or anyone in his employ, or in the employ of a partnership or company of which he is a member, act for or represent any creditor of the estate.

Assignee subject to summary jurisdiction of Court.

63. Every assignee shall be subject to the summary jurisdiction of the Territorial Court or Police Magistrate in the same manner and to the same extent as the ordinary officers of the Court are subject to its jurisdiction, and the Court may compel him to perform his duties, or may restrain him from taking or continuing proceedings which are not in the interest of the estate, or of the creditors generally, and obedience by the

assignee to any order of the Court may be enforced by the Court under the penalty of imprisonment as for contempt of Court, and by removal from his office.

64. Any one or more creditors whose claims in the aggregate exceed ten per cent. in value of all claims ranking against the estate, who are entitled to vote, and who are dissatisfied with any resolution adopted, or orders made by the creditors or the inspectors, or with any action of the assignee for the disposal of the estate or any part thereof, or for postponing the disposal of the estate or any part thereof, or for the disposal of the same, or with reference to any matter connected with the management of the winding-up of an estate, or with any decision of the chairman of a meeting, may, within two days after the adoption of the resolution, or the making of the order or decision, or the performance of the action complained of, give to the assignee notice that he or they will apply to a Judge of the Territorial Court or Police Magistrate on the day and at the hour fixed in such notice, not being later than two days after such notice has been given, or as soon thereafter as the parties may be heard before such Judge or Police Magistrate, to rescind such resolution or order or to reverse such decision, or for such order as is indicated in such notice; and the Judge or Police Magistrate, after hearing the inspectors, the assignee and the creditors present at the time and place so fixed, may approve of, rescind, or modify the said resolution or order, decision or action or make such order in the premises as to him seems proper. In case of the application not being proceeded with, or being refused, the parties appealing shall pay all costs occasioned thereby, otherwise the costs and the expenses shall be at the discretion of the Judge or Police Magistrate.

Application to Judge to rescind resolution passed at creditors' meeting.

65. The creditors may generally or for a special occasion delegate to the inspectors any of the powers conferred upon them by Sections 37, 38, 39, 40 and 55, Sub-Section (1).

Delegation of power to Inspectors.

66. If any matter arises in connection with any assignment under this Ordinance not provided herein

Reference to Judge for directions as to

matters not
provided for.

such matter may be referred summarily to a Judge of the Territorial Court or Police Magistrate by the assignee, or the inspectors, or by any creditor for an amount of one hundred dollars or more and upon such application such Judge or Police Magistrate may give such directions as to notifying other parties and as to other matters as he may think proper, and may make such order as he may think fit, including the costs of the application.

Security by
assignee.

67. At any time after an assignment is executed, the assignor, the inspectors, or any creditor, for one hundred dollars or more, may apply to a Judge of the Territorial Court or Police Magistrate to fix the security to be given by the assignee for the faithful performance of his duties as such assignee, and for accounting for all moneys and property coming to his hands. If such order as is made by such Judge or Police Magistrate is not carried out by the assignee, such Judge or Police Magistrate may remove him and appoint some other person in his place, and such order appointing a new assignee may be registered as provided in Section 25 for the registration of a resolution of creditors, and with the same effect.

This
Ordinance
not to
interfere
with
insolvency
laws.

68. This Ordinance is not intended to interfere with the insolvency laws which may from time to time be in force in this Territory, but this Ordinance is intended to be subject to such laws.

Mode of
registration
of assign-
ment.

69. The registration of an assignment under the provisions of Section 14, and a copy of a resolution of creditors under the provisions of Section 25, and of a copy of an order under Section 28, shall be effected by filing said documents in the respective offices mentioned in said sections.

Sec. 13 of
Bills of Sale
Ordinance
amended.

70. Section 13 of the Bills of Sale Ordinance, being Chapter 7 of the Consolidated Ordinances of the Yukon Territory, 1914, is hereby amended by striking out all the words after the word "distinguished" in the fourth line thereof.

CHAPTER 2

AN ORDINANCE TO AMEND CHAPTER 18 OF THE
CONSOLIDATED ORDINANCES, 1914, BEING
"THE COMPANIES ORDINANCES."

[Assented to June 28th, 1916.]

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

1. Sub-Section (a) of Section 11 of Chapter 18 of the Consolidated Ordinances, 1914, is hereby repealed.

Sub Sec. (a),
Sec. 11,
Cap. 18,
Consolidated
Ordinances,
repealed.

CHAPTER 3

AN ORDINANCE TO AMEND THE JUDICATURE ORDINANCE.

[Assented to June 28th, 1916.]

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

Rule 554
amended.

1. Sub-section 1 of Rule 554 of the Rules of Court is hereby amended by striking out the word "November" in the second line thereof and inserting in lieu thereof the word "December."

2. Sub-section "d" of Section 2 of said Rule 554 is hereby amended by striking out the words "at its discretion" in the second and third lines thereof and inserting in lieu thereof the words "or a Judge."

3. Section 10 of said Ordinance is amended by adding thereto the following sub-section:

Interest
may be
allowed by
Court in
certain
cases.

14. In addition to the cases in which interest is by law payable or may by law be allowed, the Court may in all cases where, in the opinion of the Court, the payment of a just debt has been improperly withheld, and it seems to the Court fair and equitable that the party in default should make compensation by the payment of interest, allow interest for such time and at such rate as the Court may think right.

CHAPTER 4

AN ORDINANCE TO AMEND THE LIQUOR LICENSE ORDINANCE.

[Assented to June 28th, 1916.]

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

Section 53 of the Liquor License Ordinance is hereby repealed and the following substituted therefor:

53. No sale or other disposal of liquor shall take place in or upon any licensed premises where liquor is sold by retail, or from or out of the same (save as is hereafter provided) from the hour of twelve o'clock midnight on Saturday night until six o'clock on the Monday morning thereafter, nor on any other day between the hours of twelve o'clock midnight and six o'clock in the morning. No sale or other disposition of liquor shall take place on any wholesale licensed premises, or from or out of the same, nor shall any such premises be kept open from the hour of seven o'clock on Saturday night until six o'clock on the Monday morning thereafter, nor on any other day between the hours of twelve o'clock midnight and six o'clock in the morning. Save and except as to both wholesale and retail premises, in cases where 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

New
Section.

No sale
during
prohibited
hours.

Sale for
medical
purposes.

Liquor not
to be drunk
on premises
in prohibited
hours.

Hotels may
sell to
bona fide
guests at
meals
between
certain
hours.

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, liquors may be sold during meals on Sundays to the guests bona fide residing in such houses between the hours of one and three and five and seven respectively, in the afternoon, 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.

Date of
coming into
force.

2. This Ordinance shall come into force on the 15th day of July, 1916.

CHAPTER 5

AN ORDINANCE TO PROVIDE FOR A PLEBISCITE ON THE QUESTION OF PROHIBITING THE SALE, IMPORTATION AND MANUFACTURE OF INTOXICATING LIQUORS IN THE YUKON TERRITORY.

[Assented to June 28th, 1916.]

Whereas, By resolution passed at the present session of the Yukon Council it was resolved, that an Ordinance be passed at this session of the Council providing for a plebiscite to be submitted to the electors of the Territory at the earliest convenient date, to be selected by the Commissioner, to determine if the majority of said electors are in favor of prohibiting the sale, importation and manufacture of intoxicating liquors for beverage purposes in the Territory after the 14th day of July 1917, and without further legislation by the Council.

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

1. This Ordinance may be cited as the "Prohibition Plebiscite Ordinance." Short Title.

2. The expressions "Returning Officer," "Election Clerk," "Deputy Returning Officer," and "Poll Clerk," wherever used herein shall respectively mean and include the Returning Officer, Election Clerk, Deputy Returning Officer and Poll Clerk respectively for each Electoral District referred to in this Ordinance. Interpretation.

Meaning of
Affirmative'
and "Nega-
tive" sides.

(2) The expressions "Affirmative side" and "Negative side," wherever used in this Ordinance, shall mean and include The People's Prohibition Movement of the Yukon Territory, and Anti-Prohibitionists respectively.

Proclamation
for taking
vote.

3. The Commissioner shall by Proclamation appoint such convenient date prior to the 1st day of September, 1916, as he may select, to be stated in the Proclamation, and which date shall not be less than thirty days after the making of said Proclamation, upon which a vote of the electors of the Yukon Territory shall be taken to determine whether a majority of the electors voting at such plebiscite are in favor of prohibiting the sale, importation and manufacture of intoxicating liquors for beverage purposes in the Yukon Territory after the 14th day of July, 1917.

Returning
Officer to be
named.

4. The said proclamation shall name a Returning Officer to hold a plebiscite of the electors under the provisions of this Ordinance for each of the several Electoral Districts established and provided in and by Chapter 23 of the Consolidated Ordinances Respecting the Council of the Yukon Territory.

Oath of
office by
Returning
Officer.

5. The said Returning Officer forthwith after the publication of said proclamation and before taking any action under this Ordinance shall take and subscribe before a Justice of the Peace or Commissioner for Taking Affidavits in the Yukon Territory the oath of office set out in Form "A" in the Schedule to this Ordinance, and said oath shall be forthwith filed with the Territorial Secretary.

Polling
Divisions.

6. The Commissioner may divide each Electoral District into as many polling divisions as he may deem necessary for the purposes of such plebiscite.

Deputy
Returning
Officers
to be
appointed.

7. For the purpose of taking the votes at such plebiscite 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 a poll at such polling

divisions at the time and place fixed by the notice provided by Section 17 of this Ordinance to be given.

S. The Returning Officer shall, with all reasonable promptness after the publication of the proclamation by the Commissioner,—

Returning
provide
Officer to
polling
places and
ballot boxes.

(1) Provide suitable and conveniently situated buildings for use at polling places;

(2) Procure or cause to be procured as many boxes (hereinafter called ballot boxes) as there are polling places in the district;

(3) 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 not withdrawn therefrom unless the box is unlocked;

(4) 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 for any other polling place;

(5) 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.

Penalty.

9. Upon the day fixed by the Commissioner the Deputy Returning Officer 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.

Hour open-
ing and
closing poll.

Ballot
papers.

10. The Returning Officer shall, upon request, furnish the duly appointed agent for both the affirmative

Returning
Officer to
furnish list
of Deputies.

and negative sides with a list of the Deputy Returning Officers throughout the district.

Appointment
of Election
Clerk.

11. The Returning Officer, by a warrant under his hands in Form "B" in said Schedule, 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.

Duties of
Election
Clerk.

12. 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 such Returning Officers.

(3) The Returning Officer or Election Clerk shall not act as Deputy Returning Officer or Poll Clerk in any polling place.

Oath by
Election
Clerk.

13. The Election Clerk, before acting as such, shall take the oath of office in Form "C" in said Schedule before the Returning Officer or any person authorized to administer an oath within the Territory; and a certificate as in Form "D" in said Schedule 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 Territorial Secretary.

Election
Clerk,
acting as
Returning
Officer, sub-
ject to like
penalties.

14. 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.

Appointment
of Poll
Clerk.

15. The Deputy Returning Officer shall, before the hour for opening the polls, appoint, over his own signature, a Poll Clerk, to assist him in taking the vote, or to

act in his stead, if necessary, with all the powers and liabilities of the Deputy Returning Officer;

(2) Each Deputy Returning Officer and Poll Clerk shall be and have all the powers of a Constable during the day of polling.

Deputy Returning Officer and Poll Clerk have powers of Constable.

16. The Deputy Returning Officer and Poll Clerk shall, before entering on their respective duties, take the oath in Form "E" in said Schedule. Such oath may be taken before the Returning Officer or any person authorized to administer oaths within the Territory.

Oath by Deputy Returning Officer and Poll Clerk.

17. At least ten days before the date fixed for the taking of the vote hereunder the Returning Officer shall provide and cause to be posted up in at least six conspicuous places in the immediate neighborhood of each polling place in his Electoral District, a proclamation in Form "F" in said Schedule, in which proclamation shall be set forth,—

Notice of time and place of taking vote by Returning Officer.

(a) The place or building at or near which the poll will be held;

(b) The date when the polls will be open at the several polling places, and the time during which the same shall remain open for the purpose of receiving the vote.

18. The Returning Officer shall also cause to be posted up near to the aforesaid proclamation, and at the time of posting up said proclamation, copies of Form "G" in said Schedule, containing the information to electors; and the Deputy Returning Officer shall cause to be posted up a copy of said Form "G" outside the door of, and also within, the polling place on the polling day.

Information to Electors.

19. The said vote or plebiscite shall, subject to the provisions of this Ordinance, be conducted in the same manner as is provided by Chapter 28 of the Consolidated Ordinances, 1914, respecting elections, and the provisions of said Chapter 28, as to dealing with and the secret marking of ballots, corrupt practices, and penalties, and

Provisions of Election Ordinance to apply.

proceedings after the close of the poll, and in all other respects, shall, subject to the provisions hereof, *mutatis mutandis*, apply and extend to the taking of and completing the said plebiscite or vote.

QUALIFICATION OF VOTERS.

Qualification
of voters.

20. Every natural born or naturalized male British subject of the full age of twenty-one years, who has for a period of not less than twelve months immediately prior to the date of taking the vote hereunder, been a resident of, and domiciled within the Yukon Territory, and who has for a period of one month immediately prior to the said date been a resident of and domiciled within the Electoral District, shall be entitled to vote on such plebiscite, and no other person shall be so entitled.

Shall not
vote more
than once.

21. No person shall be entitled to vote, or shall vote, more than once at the plebiscite to be held hereunder.

Voters to
take and
subscribe
oath.

22. Every person seeking to vote shall, before receiving a ballot paper, take and subscribe before the Deputy Returning Officer the oath of qualification in Form "H" in said Schedule, and no person refusing to subscribe and take such oath shall be allowed to vote;

Names to be
entered in
Poll Book.

(2) The Poll Clerk shall enter in the poll book the names of all persons applying to vote, numbering them consecutively. Should any person applying to vote refuse to take and subscribe the oath of qualification the fact of such refusal shall be noted opposite his name on the poll book by the Poll Clerk.

Oath of
voters to be
returned
with ballot
box.

(3) The oath which shall be so subscribed and taken by the voter shall, after the close of the polling proceedings, be placed in the ballot box and returned therewith to the Returning Officer.

Oath form
"J" to be
taken if
requested by
Agent.

23. The Deputy Returning Officer shall also, on the request of the scrutineer or agent or person acting as such, require any person tendering his vote to take and

subscribe the oath in Form "J" in said Schedule after it has been read over to him in an audible voice.

24. No person shall be permitted to vote who refuses when required by the Deputy Returning Officer or any agent appointed on behalf of the affirmative or negative side, to take either of the oaths set out in Forms "H" and "J" in said Schedule.

Person refusing to take oaths "H" or "J" not allowed to vote.

25. The ballot papers for the purpose of voting under this Ordinance shall be in the following form :

Form of ballot.

BALLOT.

		Yes.	No.
Ballot for Prohibition Plebiscite Yukon Territory.	Are you in favor of prohibiting the sale, importation and manufacture of intoxicating liquor for beverage purposes in the Yukon Territory?		

26. The ballot papers shall be prepared by the Returning Officer.

Ballot paper to be prepared.

26a. The affirmative side and the negative side shall each appoint a representative, who shall file his credentials with the Deputy Returning Officer.

Representative of each side to be appointed.

27. Each representative of the affirmative side and the negative side 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 representative, which shall be filed by the Deputy Returning Officer.

Representative may be represented by Agent.

(2) In the absence of such appointment, or should no such appointed agent be present at any polling place, two electors present and voting at said election may represent the affirmative and negative sides respectively at such polling place;

Two Electors may act in absence of Agent.

Scrutineers
to be
appointed.

(3) Any such agent or representative shall have the right to appoint over his signature not exceeding two scrutineers to act on behalf of the affirmative and the negative sides, respectively, at the poll and during the proceedings after the closing of the poll.

Who may be
present in
polling
booth.

28. In addition to the Deputy Returning Officer and his Poll Clerk, an agent or representative and a scrutineer for each side, or, in the absence of such agent or representative, two scrutineers for each side, a peace officer, if his services are required and not otherwise, and the voter actually engaged in voting, and no other, shall be permitted to remain in the room where the ballot box is situate at the polling place.

Marking of
ballot.

29. An affirmative vote on the question shall be made by writing the letter "X" under the word "Yes," and the negative vote shall be made by writing the letter "X" under the word "No" opposite the question on the ballot paper.

Certificate
of vote to
be given by
Deputy
Returning
Officer.

30. After summing up the votes the Deputy Returning Officer shall furnish the agent for both the affirmative and negative sides with a certificate of the number of the affirmative and negative votes, respectively, and then place all ballots, poll books, and oaths in the ballot box, seal up the same in the presence of the agent and return to the Returning Officer, together with a written statement of the vote for and against.

Return to
be made by
Returning
Officer.

31. The Returning Officer shall within fourteen days after the day on which the plebiscite is held sum up the result of the returns of all the Deputy Returning Officers and make a return to the Commissioner of the result of the plebiscite .

Publication
of result of
vote.

32. The Territorial Secretary shall, immediately after receiving the returns of the vote polled, publish a statement of the result of the vote in one issue of the Official Gazette.

If majority
in affirma-
tive, Com-
missioner to
memorialize
Governor in
Council.

33. If a majority of the votes polled are in favor of prohibiting the sale, importation and manufacture of intoxicating liquor in the Yukon Territory for beverage

purposes, the Commissioner shall, with all reasonable despatch, memorialize the Governor-in-Council on behalf and in the name of the Commissioner-in-Council of the Yukon Territory, for the enactment or passage of legislation or order-in-council prohibiting the sale, importation and manufacture of intoxicating liquors in the Yukon Territory for beverage purposes from and after the 14th day of July, 1917.

34. On polling day no intoxicating liquor shall be sold before the hour of six o'clock in the evening, and any person contravening the provisions of this section shall be subject to a fine of not exceeding \$500.00, with costs, or to imprisonment for a term not exceeding six months, or both.

No sale of liquor on polling day.

SCHEDULE.

FORM "A."

Oath of Returning Officer—Sec. 5.

I, the undersigned,

Returning Officer for the Electoral District of
for the prohibition plebiscite now about to be held,
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 _____ in the
Yukon Territory, this
day of _____ A. D. 19

Signature of officer administering oath.

FORM "B."

Appointment of Election Clerk—Sec. 11.

To (set forth his residence and addition.)

Know you that in my capacity of Returning Officer for the Electoral District of I do hereby appoint you to be my Election Clerk to act in that capacity according to law at the prohibition plebiscite now about to be held for the said Electoral District under the provisions of The Prohibition Plebiscite Ordinance.

Given under my hand this day of
A. D. 191

Returning Officer.

FORM "C."

Oath of Election Clerk—Sec. 13.

I, the undersigned,
appointed Election Clerk for the Electoral District of
for the prohibition plebiscite now
about to be held, 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, and 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 "D."

Certificate of oath of office by Election Clerk—Sec. 13.

I, the undersigned,
 hereby certify that on the _____ day of _____
 A. D. 191____, _____ Election Clerk for
 the Electoral District of _____ took and
 subscribed before me the oath of office required in such
 case of an Election Clerk by Section 13 of The Prohibition
 Plebiscite Ordinance.

In witness whereof I have delivered him this certifi-
 cate under my hand.

Returning Officer.

Or signature of any other officer administering oath.

 FORM "E."

Oath of Deputy Returning Officer—Sec. 16.

I, the undersigned,
 appointed Deputy Returning Officer, (or the Poll Clerk,
 as the case may be), for polling place No. _____ in the
 Electoral District of _____ for the plebiscite on
 the question of prohibition, do solemnly swear (or, being
 a person 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 _____ in the
 Yukon Territory, this
 day of _____ A. D. 191____

Signature of officer administering oath.

FORM "F."

Proclamation by the Returning Officer—Sec. 17.

Public notice is hereby given to the electors of the Electoral District of _____, in the Yukon Territory, that, pursuant to the provisions of the Ordinance in that behalf, a vote of the electors will be taken on _____, the _____ day of _____, A. D. 1916, on the question of prohibiting the sale, importation and manufacture of intoxicating liquor for beverage purposes in the Yukon Territory from and after the 14th day of July, 1917.

The polls will be open at the hour of nine o'clock in the forenoon of said date and will remain open until five o'clock in the afternoon of the same day for the purpose of receiving the votes of electors.

The polls for the several polling places will be held at or near the following places in said Electoral District;

Polling place No. 1, at or near

_____ in said District.

(and so on for each polling place established.)

Returning Officer.

 FORM "G."

Information to Electors—Sec. 18.

Every natural born or naturalized male British subject of the full age of twenty-one years who has been for a period of not less than twelve months immediately prior to the date of taking the vote a resident of and domiciled within the Yukon Territory, and who has for a period of one month immediately prior to the said date been a resident of and domiciled within the Electoral

District, shall be entitled to vote, and no other person shall be so entitled.

No person shall be entitled to vote or shall vote more than once.

The voter is to go into the compartment provided and, with a pencil provided in the compartment, if he desires to vote for prohibition, mark a cross thus "X" under the word "Yes" on the right hand side of the ballot, and, if he desires to vote against prohibition, mark a cross below the word "No."

The voter is then to fold up the ballot paper so as to show the initials of the Deputy Returning Officer signed on the back thereof, 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, to be by him put into the ballot box in the presence of the voter, and then shall forthwith quit the polling place.

If the voter inadvertently spoils a ballot paper he shall return it to the Deputy Returning Officer, who will, if satisfied of such inadvertance, give another ballot paper.

If the voter marks the ballot for both the negative and affirmative or places any mark on the ballot paper by which he may be identified his ballot paper will be void and shall 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 \$500.00 and costs, or to be imprisoned for a term not exceeding one year, or both.

FORM "H." Sec. 22.

I, _____ of _____ in the Yukon Territory, do solemnly swear that I am a natural born (or naturalized) male British subject of the full

age of twenty-one years. That I have been for a period of twelve months immediately prior to this date a resident of and domiciled within the Yukon Territory, and that I have been for a period of one month immediately prior to the said date a resident of and domiciled within the Electoral District of _____ and that I have not voted before at this plebiscite at this or any other polling place. So help me God.

Sworn before me at _____ in the
Yukon Territory, this
day of _____ A. D. 19

Signature and office of officer administering the oath.

FORM "J." Sec. 23.

Oath that voter has received no bribe or other consideration for his vote.—Sec. 23.

I, _____ do solemnly swear that I have not received anything nor has anything been promised me, nor have I asked for anything, directly or indirectly, either to induce me to vote at this plebiscite or for loss of time, travelling expenses, hire of team or for any other service connected therewith, and that in the casting of my vote I am not impelled or influenced by fear or by expectation of favor. So help me God.

Sworn before me at _____ in the
Yukon Territory, this
day of _____ A. D. 19

Signature of officer administering oath.

CHAPTER 6

AN ORDINANCE FOR GRANTING TO THE COMMISSIONER CERTAIN SUMS OF MONEY TO DEFRAY THE EXPENSES OF THE PUBLIC SERVICE OF THE YUKON TERRITORY.

[Assented to June 28th, 1916.]

Whereas, It appears by Message from George Black, Esquire, the Commissioner of the Yukon Territory, and in the Supplementary Estimates accompanying the same, that the sums hereinafter mentioned in the Schedule "A" 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 March 31st, 1916.

Whereas, It appears by Message from George Black, Esquire, 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 the purposes relating thereto, for the twelve months ending March 31st, 1917.

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 sums at the disposal of the Yukon Council there shall be paid and applied a further

sum not exceeding in the whole twenty-eight thousand eight hundred and eighteen dollars and seventy-eight cents, for defraying the several charges and expenses of the Public Service for the twelve months ending March 31st, 1916, 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 two hundred and sixty-eight thousand four hundred and thirty-six dollars and seventy-one cents, for defraying the several charges and expenses of the Public Service for the twelve months ending March 31st, 1917, as set forth in Schedule "B" to this Ordinance.

3. The due application of all monies expended shall be duly accounted for.

SCHEDULE "A."

Further sums granted to the Commissioner by this Ordinance for the twelve months ending March 31st, 1916, 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 March 31st, 1916, as follows:

SCHOOLS.

Dawson Public School	\$ 2,683.75	
Assisted Schools	75.00	
		\$ 2,758.75

HOSPITALS, CHARITIES AND PUBLIC HEALTH.

Public Health	\$.57	
Outstanding accounts, 1914-1915	35.30	
		35.87
Carried forward	\$	2,794.62

SUPPLY.

49

Brought forward \$ 2,794.62

MISCELLANEOUS.

Town of Whitehouse	\$ 505.26	
Assay Office, Whitehorse	20.07	
Contingencies	3,496.35	
Carcross street repairs89	
Assistance to prospectors	202.05	
British Yukon Navigation Company, refund on account mileage tax, 1912, Pueblo Spur	580.00	
	<hr/>	4,804.62

ROADS, BRIDGES AND PUBLIC WORKS.

Roads, maintenance and repairs	21,219.54	
	<hr/>	\$ 28,818.78

SCHEDULE " B. "

Sums granted to the Commissioner by this Ordinance for the twelve months ending March 31st, 1917, 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 March 31st, 1917, as follows:

ESTIMATED EXPENDITURE.

SALARIES AND TRAVELLING EXPENSES.

Salaries	\$10,600.00	
Travelling expenses	3,000.00	
	<hr/>	\$ 13,600.00

YUKON COUNCIL.

Indemnity and travelling expenses.....	6,550.00	
	<hr/>	
Carried forward	\$ 20,150.00	

Brought forward \$ 20,150.00

SCHOOLS.

Schools generally	\$ 4,670.00	
Dawson Public School	26,316.00	
St. Mary's School	6,600.00	
Whitehorse School	10,125.00	
Assisted Schools	9,125.00	
	<hr/>	56,836.00

HOSPITALS, CHARITIES AND PUBLIC HEALTH.

Good Samaritan Hospital	\$11,000.00	
St. Mary's Hospital	11,000.00	
Whitehorse General Hospital.....	4,000.00	
Public Health	3,000.00	
Salary, Medical Health Officer, Dawson	1,200.00	
Salary, Assistant Medical Health Officer, Whitehorse	600.00	
Salary, Slaughterhouse Inspector.....	1,200.00	
Smallpox epidemic, 1911, to cover outstanding accounts	1,479.47	
Outstanding accounts, indigents.....	288.00	
Whitehorse General Hospital out- standing accounts (constrution)	4,000.00	
Purchase furniture, Whitehorse Gen- eral Hospital	1,000.00	
	<hr/>	38,767.47

GRANTS TO LIBRARIES, READING ROOMS, ETC.

Dawson Free Library	\$ 3,400.00
Whitehorse Free Reading Room.....	900.00
Carcross Free Reading Room.....	200.00
Mayo Free Reading Room	200.00
Yukon Law Library	500.00
Whitehorse Law Library	50.00
Yukon Rifle Association	300.00

Carried forward \$115,753.47

Brought forward		\$115,753.47
I. O. D. E., Yukon Chapter, to fence and repair Whitehorse Cemetery	\$ 300.00	
City of Dawson, Liquor Licenses	14,300.00	
City of Dawson, Streets and Side- walks	5,000.00	
		<u>25,150.00</u>

MISCELLANEOUS.

Preventive Service	\$ 850.00	
Town of Whitehorse	7,269.00	
Territorial Agent, Whitehorse.....	300.00	
Maintenance, Territorial Assay Office, Whitehorse	4,180.00	
Printing and Stationery	3,000.00	
Contingencies	3,000.00	
Subsidy to Side Streams, 10 trips to Mayo via Scroggie	3,000.00	
Mahoney & Tolmie, refund account Liquor License	562.50	
Legal service, Plebiscite Ordinance	50.00	
To provide for plebiscite on pro- hibition	5,000.00	
Carcross street repairs and pur- chase hose	150.00	
Diamonds for diamond drill	2,694.94	
		<u>30,056.44</u>

ROADS, BRIDGES AND PUBLIC WORKS.

MAINTENANCE AND REPAIRS.

Glacier winter road via Swede.....	\$ 1,500.00
Glacier summer road, including sum of \$400.00 to be applied on the Sixtymile and Tenmile roads	3,000.00
Sunnydale road	200.00
Dawson-Ogilvie Bridge road	1,200.00
Ogilvie bridge, repairs	4,000.00
Dawson cable ferry	3,500.00
Dawson-Fortymile winter road.....	500.00

Carried forward

\$170,959.91

Brought forward	\$170,959.91
Moosehide trail	200.00
Bonanza, Eldorado, Calder and Quartz	4,000.00
Indian to Stewart road	3,000.00
Stewart to Pelly	2,000.00
Eureka road	300.00
Barker Creek road	300.00
Thistle Creek road	300.00
Henderson Creek road	300.00
Right Fork Scroggie road	1,000.00
Kirkman Creek road	1,000.00
Hunker-Dominion road	10,000.00
Sixtymile and Tennmile roads.....	300.00
Dome-Sulphur road	4,000.00
Klondike road	4,000.00
Upper Stewart District roads.....	3,500.00
Mayo to Black Creek road.....	3,000.00
Duncan Creek road	1,000.00
Flat Creek to Minto Lake.....	3,000.00
Black Creek to Galena road.....	10,000.00
Rambler Hill pack trail.....	100.00
Bear Creek road	500.00
Pelly to Yukon Crossing road.....	500.00
Yukon Crossing to Whitehorse	7,000.00
Takhini ferry	650.00
Kluane road	1,000.00
Livingstone Creek road	500.00
Pueblo, Grafter and Spring Creek	1,500.00
Wheaton District roads	1,000.00
Anaconda and War Eagle roads.....	250.00
Nansen Creek road	500.00
Outstanding accounts, 1915-1916, Livingstone and Johnson Creek roads	1,129.50
Care of three ferries	1,500.00
Ferries, maintenance and repairs....	500.00
Winter roads	10,000.00
Road contingencies	5,747.30
	<hr/>
	97,476.80
	<hr/>
	\$268,436.71

In the event of there being a surplus of monies standing to the credit of any item voted for Roads, Bridges and Public Works, after the construction or repairs provided for have been completed to the satisfaction of the Superintendent of Public Works, such surplus of monies shall forthwith, on the acceptance of such work or repairs by the Commissioner of the Yukon Territory, be taken from the said item and become part of and be added to the amount provided for contingencies to such Roads, Bridges and Public Works, and shall thereafter be at the disposal of the Commissioner of the Yukon Territory for Roads, Bridges and Public Works.

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