

ORDINANCES
OF THE
YUKON TERRITORY

PASSED BY THE
YUKON COUNCIL

IN THE YEAR
1942

GEORGE ALLEN JEKELL
CONTROLLER



Printed and Published for the Government of the Yukon Territory Under Authority of
Chapter 75 of the Consolidated Ordinances of 1914

BY

PIERCY POWELL, King's Printer

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CHAPTER 1

AN ORDINANCE TO AMEND "THE GASOLINE AND FUEL OIL TAX ORDINANCE "

(Assented to July 21st, 1942.)

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

New Sec. 10.

1. "The Gasoline and Fuel Oil Tax Ordinance", being Chapter 6 of the Ordinances of the Yukon Territory, 1940, is hereby amended by striking out Section 10 thereof and substituting the following:

"Where any gasoline or fuel oil in respect of which a tax imposed by this Ordinance has been paid is used by any person for any of the following purposes:

Consumption
In Station-
ary Engines,
Mining
Equipment,
etc.

- (a) For the operation of stationary engines, fixed to a solid, non-movable foundation;
- (b) portable engines and tractors used exclusively for the operation of dredging, drilling, and dragline in mining operations;
- (c) for the operation of railway cars and other motor vehicles running only upon rails;

Refund.

and when the person by whom the gasoline or fuel oil is so used produces to the Territorial Treasurer within three months after the date on which the gasoline or fuel oil was purchased from a vendor, satisfactory proof, in the manner prescribed by the regulations, of the payment of the tax, and of the use or consumption of the gasoline or fuel oil, the Territorial Treasurer shall refund an amount equal to 3 cents per Imperial gallon of the quantity of gasoline or fuel oil so used."

2. The said Ordinance is further amended by adding the following immediately after Section 11 thereof:

Gas and oil for U. S. Govt. exempt from tax.

"12. Gasoline and fuel oil used in:

- (a) Any equipment employed in the construction of the Alaskan Military Highway;
- (b) Any military planes operated by the Canadian or United States Armies;
- (c) Any planes operated under charter to the United States Government;

shall not be subject to the tax hereby imposed."

CHAPTER 2

AN ORDINANCE TO AMEND "THE ASSESSMENT ORDINANCE"

(Assented to July 21st, 1942.)

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

1. The Assessment Ordinance, being Chapter 5 of the Consolidated Ordinances of the Yukon Territory, 1914, is hereby amended by adding the following immediately after Section 18 thereof:

“(2) The Commissioner may, by subsequent proclamation, withdraw from the application of said Sections 19 to 20-A both inclusive any area or areas which have been brought thereunder. In such event the Commissioner may direct the Territorial Treasurer to refund such proportion of the taxes or license fees theretofore paid for the current period as he shall deem proper.”

Withdrawal
of areas
from
Sections 19
to 20-A.

2. The said Ordinance is further amended by striking out the figures “\$25.00” in part (47) of Section 20 thereof (as enacted by Chapter 8, Section 5, of the Ordinances of 1940) and substituting therefor the figures “\$60.00.”

Part 47 of
Sec. 20.

3. The said Ordinance is further amended by adding immediately after part (47) of Section 20 thereof the following:

“(48) Dry Cleaning and Pressing Establishment with equipment, \$27.50.

Additions to
Part 47.

“(48-A) Hand Laundry, inclusive of hand-cleaning and hand-pressing, \$10.00.

“(49) Public Telephone System operating more than 25 telephones, \$120.00.”

4. The said Ordinance is further amended by enacting that the license fee provided for in Item (15) of Section 20 thereof shall not be levied against The Yukon Electrical Company, Limited, in respect of its electric light plant in the Town of Mayo for the year ending March 31st, 1943.

Relief to
Yukon
Electrical
Company,
Limited.

CHAPTER 3

AN ORDINANCE TO AMEND "THE YUKON HEALTH ORDINANCE"

(Assented to July 21st, 1942.)

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

1. The Yukon Health Ordinance, being Chapter 40 of the Consolidated Ordinances of the Yukon Territory, 1914, is hereby amended by adding thereto immediately after Section 24 of the said Ordinance the following:

Analysis of
water by
Health
Officer.

"24-A (1) The Medical Health Officer may analyze or may have analyzed any water which is being used or sold or offered for sale or use in any part of the Territory for which he has been appointed to act as such Health Officer.

Procedure
where water
not pure.

2. If the result of such analysis shows, in the opinion of such Health Officer, that such water is not of a pure and wholesome nature, and in every respect suitable for consumption by man and beast, the Health Officer shall by written notice served on the person or persons using such water or controlling its use or supply, forbid the future use or supply of such water.

When water
later found
to be pure.

3. If at any time after the giving of such notice steps are taken by the persons using such water or controlling its use or supply, to render the same safe for consumption (either by chlorination or other means), and if upon analysis the water is then found to be safe for consumption, the Health Officer shall withdraw his ban on the use and supply of such water.

4. The Health Officer may by written notice direct that any well or wells which are the source of water found not to be safe for consumption as herein provided, shall be forthwith filled up by the owner, lessee, or person in possession or occupation of the premises on which they are situated.

Filling of wells which are source of water not safe for consumption.

5. Any person who fails to obey a direction of the Medical Health Officer made under the provisions of this Section shall be guilty of an offence and shall be subject to the penalties prescribed by Section 32 of this Ordinance."

Penalty.

CHAPTER 4

AN ORDINANCE TO AMEND "THE INCOME TAX ORDINANCE, 1940"

(Assented to July 21st, 1942.)

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

1. No tax shall be assessed, levied or paid under the provisions of "The Income Tax Ordinance, 1940", being Chapter 7 of the Ordinances of the Yukon Territory, 1940, in respect of any income earned during the years 1941 and 1942.

No assessment for income earned in 1941 and 1942.

CHAPTER 5

AN ORDINANCE TO AMEND "THE POLL TAX ORDINANCE"

(Assented to July 21st, 1942.)

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

Persons of
18 years
to pay
poll tax.

1. The Poll Tax Ordinance, being Chapter 1 of the Ordinances of 1918, is hereby amended by striking out the words "twenty-one" in the second line of sub-section (c) of Section 2 of the said Ordinance, and substituting therefor the word "eighteen".

2. The said Ordinance is further amended by adding thereto immediately after Section 4 thereof the following sub-section:

Relief for
Alaskan
Highway
personnel,
etc.

"(2) All officers and personnel of the United States Army, and all officials and employees of the United States Government, or of any Commission of the United States Government, and any person ordinarily resident in the United States of America, who is temporarily working in the Territory on highway, railroad, or pipeline construction, shall be exempt from the provisions of this Ordinance."

CHAPTER 6

AN ORDINANCE TO AMEND "THE MOTOR VEHICLE ORDINANCE"

(Assented to July 21st, 1942.)

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

1. "The Motor Vehicle Ordinance," being Chapter 66 of the Consolidated Ordinances of the Yukon Territory, 1914, is hereby amended by adding immediately after Section 10 thereof the following section:

"10-A. Notwithstanding anything contained in Sections 5, 9 and 10 of this Ordinance, the Territorial Secretary shall issue and deliver to the owner of each motor vehicle only one number plate instead of the two plates heretofore issued. Such single plate issued shall be attached to the back of the vehicle, and all provisions of the said sections referring to the number plate heretofore attached to the back of the vehicle shall apply to the single plate to be henceforth attached in that position."

One number plate to be used.

To be attached to back of vehicle.

2. The said Ordinance is further amended by adding thereto immediately after Section 42 of the Ordinance the following:

"43. No vehicle employed in the construction of the Alaskan Military Highway by either the United States Army Corps of Engineers, or the United States Civilian Roads Commission shall be subject to any of the provisions of this Ordinance having to do with licensing or registration."

Vehicles used on Alaskan Highway not subject to Ordinance.

CHAPTER 7

AN ORDINANCE TO AMEND "THE YUKON GAME ORDINANCE"

(Assented to July 21st, 1942.)

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

1. The Yukon Game Ordinance, being Chapter 1 of the Ordinances of 1938, is hereby amended by adding thereto immediately after Section 79 of the said Ordinance the following:

Resident
licenses for
U. S. staff
on Alaskan
Highway
construc-
tion.

- (2) The Controller may make special regulations (and from time to time amend the same) providing for the issue of Resident Hunting Licenses to members of the United States Army Corps of Engineers, and to members of the United States Government Service in the Public Roads Administration, while such persons are in the Yukon Territory and engaged on work in connection with the Alaskan Military Highway. Any such regulation or amendment thereto shall take effect on the day on which it is signed by the Controller, and shall be published in the issue of the Yukon Gazette next following such day.

Regulations
by
Controller.

Licenses to
be subject to
Ordinance.

- (3) The fees payable for such licenses, and the privileges of the licenses shall be the same in all respect as if such persons were "residents" as defined by this Ordinance.

CHAPTER 8

AN ORDINANCE RESPECTING THE ADOPTION OF INFANTS

(Assented to July 21st, 1942.)

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

1. This Ordinance may be cited as the "Adoption of Infants Ordinance." Short title.

2. Any unmarried persons of the full age of 21 years or a husband and wife jointly may by petition to a stipendiary magistrate apply for leave to adopt an infant or infants not in the relationship of brother or sister or uncle or aunt by the whole or the half blood to the petitioner or petitioners. Petition for adoption.

3. (1) The stipendiary magistrate may on the return of the petition if satisfied of the ability of the petitioner or petitioners to bring up and educate the infant in a proper manner, and having regard to the welfare of the infant and the interest of the natural parents if living, of the fitness and propriety of the adoption, make an order for the adoption of the infant by the petitioner or petitioners. Order by Magistrate.

(2) Every order for adoption shall recite the facts evident upon the hearing of the petition, set forth the conditions, if any, imposed in respect of the adoption upon the petitioner or petitioners and declare the surname by which the infant shall thenceforth be known. Form of order.

Illegitimacy
not to be
recited.

(3) Illegitimacy shall be excluded from any recital of facts in an order for adoption.

(4) Save as in this section otherwise provided no order for adoption shall be made without the written consent of:

Consent
required
in
certain
cases.

- (a) the infant when above the age of 14 years;
- (b) the parents of the infant or survivor of them: or the parent, guardian or person having the lawful custody of the infant: or the mother only where the infant is illegitimate;
- (c) the parent by adoption in case of a subsequent adoption;
- (d) one of the next of kin to the infant where such infant has no parent or guardian.

(5) The stipendiary magistrate may in his discretion dispense with any such consent other than that of the infant.

Effect of
order.

4. When an order for adoption is made and while it remains unrescinded the effect shall be:

- (a) to divest the natural parents, guardian or person in whose custody the infant has been of all legal rights in respect to such infant and to free such person or persons from all legal obligations and duties as to the maintenance of such infant.
- (b) to make such infant for the purpose of the custody of the person and right of obedience to all intents and purposes the child of the petitioner or petitioners.
- (c) to give to the infant:
 - (i) the right to be known and described by the surname accorded him by the order;

(ii) the same right to any claim upon the petitioner or petitioners for nurture, maintenance and education that would be his were the petitioner or petitioners his natural parent or parents.

5. (1) A person adopted in accordance with the provisions of this Ordinance shall in case of intestacy,

Rights of adopted person in case of intestacy.

- (a) succeed to and take the same share of property of the petitioner or petitioners that he would succeed to or take, and
- (b) stand in regard to the legal descendants but to no other of the kindred of such petitioner or petitioners in the same position as if born to such petitioner or petitioners in lawful wedlock.

(2) If such person die intestate his property:

- (a) acquired by gift or inheritance from the petitioner or petitioners or either of them or from the kindred thereof or by himself shall be distributed in the same manner as if he had been born to the petitioner or petitioners in lawful wedlock.
- (b) acquired by gift or inheritance from his natural parents or either of them or from the kindred thereof shall be distributed in the same manner as if no act of adoption had taken place.

(3) No such person shall by being adopted lose his right to inherit from or succeed to the property of his natural parents or kindred.

6. A person adopted elsewhere than in the Yukon Territory and the parents by adoption of any such person shall in the case of intestacy respectively have the same rights in respect of the property of the deceased situate in the Yukon Territory as he or they, as the case may be, would have if such property were situate in the place of such adoption.

Rights in Yukon of persons adopted elsewhere.

Effect of
order on
prior acts of
adoption.

7. Upon the issue of an order of adoption of an infant under the provisions of this Ordinance all the legal consequences of any prior order or act of adoption of such infant shall determine except in so far as any interest in property may as a consequence of such prior order or act have vested in such infant.

Order to be
filed in office
of Clerk of
Court.

8. (1) Every order of adoption granted under the provisions of this Ordinance together with the petition and all documents connected with the hearing thereof shall be deposited of record in the office of the Clerk of the Territorial Court of the Yukon Territory, and the stipendiary magistrate granting the order shall forthwith transmit a duly certified copy of the record to the Registrar General.

Record of
proceedings
not to be
published.

(2) No record of the proceedings upon any petition for adoption under the provisions of this Ordinance other than the resultant order for adoption shall be published or disclosed to any person except upon the direction in writing of a stipendiary magistrate.

Rules of
Judicature
Ordinance
to apply.

9. The practice and procedure upon applications to the stipendiary magistrate under this Ordinance shall be governed by the Judicature Ordinance and the rules from time to time in effect thereunder.

Tariff of
fees.

10. The tariff of fees to be charged by the Clerk of the Territorial Court of the Yukon Territory shall apply in respect of the filing in that Court of any documents under this Ordinance.

CHAPTER 9

AN ORDINANCE TO PROVIDE FOR THE MAINTENANCE OF CHILDREN OF UNMARRIED PARENTS

(Assented to July 21st, 1942.)

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

1. This Ordinance may be cited as the "Children of Unmarried Parents Ordinance." Short title.

2. In this Ordinance, unless the context otherwise requires: Interpretation.

"Magistrate" means any Stipendiary Magistrate, Police Magistrate, or any two Justices of the Peace.

"Mother" means any single woman or widow who has been delivered of an illegitimate child, or who is pregnant and likely to be delivered of an illegitimate child, or any married woman who is living apart from her husband and who has been delivered of an illegitimate child, or who is pregnant and likely to be delivered of an illegitimate child, and who was living apart from her husband at the time of the conception of the child.

"Territorial Secretary" means the Territorial Secretary of the Yukon Territory, and includes the Assistant Territorial Secretary.

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Duty of Registrar of Vital Statistics.

3. Every Registrar of Vital Statistics shall notify the Territorial Secretary of the birth of every child born out of wedlock registered in his office under the "Vital Statistics Ordinance," and of every birth so registered in such a manner as to suggest that the parents are unmarried or unknown, with such particulars as the Territorial Secretary may require.

Territorial Secretary to make enquiry.

4. It shall be the duty of the Territorial Secretary by enquiry and investigation to obtain all information possible with respect to every child born out of wedlock, and the Territorial Secretary shall take such proceedings and do all such things as are permitted or required under this Ordinance as may seem to him advisable in the interest of the child.

Mother may apply to Territorial Secretary for advice.

5. Every woman who is a mother within the meaning of Section 2 may apply to the Territorial Secretary for advice in any matter connected with her child or with the birth of her child, and the Territorial Secretary shall take such action as may seem to him advisable in the interests of the mother and the child.

Summons to putative father.

6. (1) Upon information on oath made to a Magistrate that any woman has become a mother within the meaning of this Ordinance, stating whether or not the child has been born, and stating the name of the person alleged to be the father of the child, the Magistrate may issue a summons requiring the putative father to appear at a time and place mentioned in the summons, or, if he sees fit, the Magistrate may issue a warrant for the apprehension of the putative father, and by the summons or warrant, as the case may be, shall require the putative father to answer to the complaint and to be further dealt with according to law.

Who may make complaint.

(2) The complaint may be made by:

- (a) The mother or her next friend or guardian, or
- (b) By the guardian of the illegitimate child, or

(c) By the Territorial Secretary.

(3) The fact that a summons has been issued shall not prevent any Magistrate from issuing a warrant at any time before or after the time mentioned in the summons for the appearance of the putative father.

Warrant
may issue.

(4) It shall not be necessary to make a warrant issued under this section returnable at any particular time, but the same shall remain in force until it is executed.

7. No affiliation order shall be made upon a complaint under this Ordinance unless the complaint is made within the lifetime of the putative father, and:

When
complaint
must be
made.

- (a) Within one year after the birth of the child; or
- (b) Within one year after the doing of any act on the part of the putative father which affords evidence of acknowledgment of paternity; or
- (c) Within one year after the return to the Territory of the putative father where he has been absent from the Territory at the expiration of the period of one year from the birth of the child.

8. (1) If the putative father appears at the time and place mentioned in the summons, or if the putative father does not appear at the time and place aforesaid and proof is furnished to the satisfaction of the Magistrate present at the hearing of the due service of the summons a reasonable time before the time appointed for the appearance, or if the putative father is brought before the Magistrate present at the hearing by virtue of a warrant, the Magistrate may proceed to inquire into the matter of the complaint, and may make an order declaring the putative father to be the father of the child, and requiring him to pay either to the Territorial Secretary or to the mother, as the Magistrate may in his discretion consider advisable:

Procedure
on hearing.

Power of
Magistrate.

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- (a) The reasonable expenses for the maintenance and care, medical or otherwise, of the mother during the three months last preceding the birth of the child, at the birth, and during such period after the birth as may in the opinion of the Magistrate have been or be necessary in connection with or as a consequence of the birth of the child, taking into consideration the circumstances of the case, and the evidence of any duly qualified medical practitioner made in respect thereof.
- (b) A sum of money weekly towards the maintenance of the child until the child attains the age of sixteen years.
- (c) The expenses of the burial of the child in case of the death of the child before making of the affiliation order.

Order may require mother to contribute.

(2) The Magistrate may in his discretion, by the affiliation order or by a subsequent order varying it, require the mother to contribute a sum of money weekly towards the maintenance of the child until the child attains the age of sixteen years.

If putative father does not appear;

Magistrate may issue warrant.

(3) In case the putative father does not appear at the time and place mentioned in the summons and proof is furnished to the satisfaction of the Magistrate of the due service of the summons a reasonable time before the time appointed for the appearance, the Magistrate may, if he thinks fit, instead of proceeding *ex parte* to hear and determine the complaint in the absence of the putative father, issue his warrant as the Magistrate to whom the complaint was made might have done in the first instance for the apprehension of the putative father, and adjourn the hearing of the complaint until the putative father is apprehended; but nothing done under this sub-section shall prevent the Magistrate from proceeding *ex parte* at any time he thinks fit, in the event of the putative father not being apprehended.

9. The Magistrate shall fix such sums for maintenance as will enable the child to be maintained according to a reasonable standard of living, and the Magistrate shall be governed in his findings by a consideration of the probable standard of living the child would have enjoyed if he had been born to his parents in lawful wedlock.

Standard for fixing sums for maintenance.

10. Where an affiliation order has been made under this Ordinance, then upon application from time to time of the Territorial Secretary, or of either parent of the child, or of the child, or of any person entitled to make complaint in respect of the child under this Ordinance, and upon proof that the means of either parent or the needs of the child have altered in amount since the making of the affiliation order or the latest subsequent order varying it, any Magistrate may vary the original or subsequent order so made.

Variation of original order.

11. Where an affiliation order is made or varied under this Ordinance the Magistrate may require the putative father against whom the order is made to furnish such security for the performance of the order and in such manner as the Magistrate may direct; and if the putative father fails to furnish the security required, the Magistrate may forthwith commit him to gaol, there to be imprisoned with hard labor for a term of not less than six months and not more than twelve months, or until he furnishes the security and pays the costs and charges of the commitment and conveying of him to gaol.

Security may be required from putative father.

12. The provisions of Part XV of the Criminal Code of Canada, relating to summary convictions, as to appeals and the proceedings therein and incidental thereto, shall apply to any order made under the provisions of this Ordinance, except that where the putative father is the appellant proceedings on the order appealed from shall not be stayed pending the appeal, and he shall pay all costs of the appeal, and where the mother is the appellant no bond or security for the costs of the appeal shall be required.

Procedure on appeal.

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Corrobor-
ation required
for evidence
of mother.

13. (1) No affiliation order shall be made upon the complaint of the mother unless her evidence as to the paternity of her child is corroborated by some other material evidence.

(2) Subject to sub-section (1), the fact of paternity may be established under this Ordinance upon such evidence as the Magistrate considers sufficient.

Married
woman
competent
witness.

(3) In all proceedings under this Ordinance a married woman shall be a competent and compellable witness to testify as to the paternity of her child in respect of whom the proceedings are taken.

Death of
mother not
to bar
proceedings.

14. The Territorial Secretary shall not be debarred from instituting or continuing proceedings under this Ordinance by the death of the mother of the child born out of wedlock for whom relief is sought.

Person
taking
action—
other than
Territorial
Secretary
to give
notice.

15. Where any proceedings are instituted under this Ordinance by any person other than the Territorial Secretary, the person instituting the proceedings shall give notice to the Territorial Secretary, who shall have the right to appear and intervene and be heard in person or by counsel on the proceedings.

Exclusion of
persons
from
hearing.

16. The room or place in which the Magistrate sits to hear any complaint under this Ordinance shall not be deemed an open or Public Court, and all persons other than the officers of the Court, the parties interested, and their witnesses and counsel shall be excluded therefrom.

Duty of
Territorial
Secretary
to see
payments
are made,
and to
enforce
order.

17. It shall be the duty of the Territorial Secretary:

- (a) To see that all payments directed to be made by the putative father under an affiliation order are duly made and in default of payment to take all necessary proceedings for the enforcement of the order, including the enforcement of any security given by the putative father.

CHILDREN OF UNMARRIED PARENTS ORDINANCE 19

- (b) To see that all monies collected under any affiliation order are paid and applied forthwith, without any deduction to or for the persons entitled to relief in accordance with the terms of the order and the provisions of this Ordinance.

To see to application of money.

18. A copy of every affiliation order made hereunder, and of every order made in variation or amendment of an original order, shall be filed by the Territorial Secretary with the Clerk of the Territorial Court of the Yukon Territory. Such order shall then become a judgment of the Court for the enforcement of which the provisions of the Judicature Ordinance shall apply. The provisions of this section shall be in addition to all others in the Ordinance for the enforcement of affiliation orders.

Order to be filed with Clerk Territorial Court.

Order may be enforced as judgment.

19. Every affiliation order shall bind the estate of the putative father and every sum payable thereunder shall be a debt due from and chargeable upon the estate of the putative father; but every such order shall as to any payment falling due either before or after the putative father's death, be subject to review under Section 10 hereof, and no action or other proceeding shall be taken thereon after the death of the father without the leave of a Magistrate, and the Magistrate before granting leave shall direct that notice shall be given to the widow and legitimate children of the putative father.

Order to bind estate of putative father.

20. No agreement entered into between the mother of a child born out of wedlock, or an unmarried woman pregnant with a child likely to be born out of wedlock, and the putative father of the child, relating to any matters within the scope of this Ordinance, shall be a bar to any proceedings hereunder.

Agreements between mother and putative father no bar.

21. Where the putative father admits the paternity of the child and makes an adequate offer to provide for the maintenance and education of the child, he may enter into an agreement in writing therefor with the Territorial Secretary; and upon failure on the part of the putative father

Agreement between putative father and Territorial Secretary.

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to comply with the terms of the agreement the Territorial Secretary may apply to a Magistrate for an affiliation order and the agreement shall be sufficient proof of paternity.

Remedies
now existing
not affected.

22. Nothing in this Ordinance shall take away or abridge any right of action or remedy which, without this Ordinance, might have been maintained against the father of a child born out of wedlock.

CHAPTER 10

AN ORDINANCE TO AMEND "THE WORKMEN'S COMPENSATION ORDINANCE"

(Assented to July 21st, 1942.)

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

Quartz
Mining Act.

1. "The Workmen's Compensation Ordinance," being Chapter 1 of the Ordinances of the Yukon Territory, 1917, is hereby amended by striking out the words "quartz mining regulations" in the third and fourth lines of paragraph (1) of Section 1 of the said Ordinance and substituting therefor the words "Yukon Quartz Mining Act."

CHAPTER 11

AN ORDINANCE TO AMEND "THE JUDICATURE ORDINANCE"

(Assented to July 21st, 1942.)

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

1. The Judicature Ordinance, Chapter 48 of the Consolidated Ordinances of the Yukon Territory, 1914, is hereby amended by striking out Rule 408 of the Rules of Court, and substituting therefor the following:

"408. Money owing for wages or salary shall not be subject to seizure or attachment except as to such amount as is in excess of \$3.00 per day for the period in respect of which such wages or salary are owing at the date of service of the garnishee summons. In fixing the amount to which a person whose wages or salary have been attached is entitled to exemption from seizure hereunder, the said sum of \$3.00 per day shall be reduced by the daily cost of any board supplied by his employer in addition to the cash wages paid.

New Rule
408.

Exemption
from
garnishee.

2. The said Ordinance is further amended by adding the following immediately after sub-section (3) of Rule 395:

(4) Every garnishee summons shall have endorsed on the face thereof the following:

Endorse-
ment on
garnishee
summons.

"\$3.00 per day for the period for which wages are owing at the date of service of this summons is exempt from seizure and shall not be paid into Court. This \$3.00 per day shall be reduced by the cost of board (if any) furnished to defendant in addition to cash wages paid him."

CHAPTER 12

AN ORDINANCE TO AMEND "AN ORDINANCE RESPECTING DOGS"

(Assented to July 21st, 1942.)

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

1. "An Ordinance Respecting Dogs", being Chapter 27 of the Consolidated Ordinances of the Yukon Territory, 1914, is hereby amended by adding the following immediately after Section 16 of the said Ordinance:

Disturbance
of hospital
patients by
dogs
declared
to be
nuisance.

17. (1) The keeping by any person in his possession or having under his control of two or more dogs within such distance of a hospital that their howling or other noises made by them disturb the peace and repose of patients in such hospital is declared to be a nuisance.

Complaint
by two
members
of staff.

(2) Upon complaint in writing signed by two members of the staff of a hospital, setting forth the circumstances constituting a nuisance as defined above, a Peace Officer may by notice in writing served on the person alleged to be responsible for such nuisance, require that the same be abated within 48 hours from the time of such service.

Notice by
Peace
Officer.

Penalty on
failure
to abate.

(3) A person responsible for such a nuisance, and who fails to abate the same after being served with notice as above provided, shall be guilty of an offence against this Ordinance and shall be liable on summary conviction to a penalty of \$20.00 and in default of payment forthwith after conviction to imprisonment for a period not exceeding one month.

(4) On any prosecution under this section the evidence of two members of the staff of a hospital to the effect that the peace and repose of patients therein have been disturbed by noises apparently made by dogs kept by the person accused, shall constitute *prima facie* evidence that the accused is guilty of a nuisance as above defined, and shall place upon the accused the burden of proof.

Evidence.

Burden of proof.

CHAPTER 13

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

(Assented to July 21st, 1942.)

Whereas, It appears by Message from George Allen Jeckell, Esquire, the Controller of the Yukon Territory, and in the Supplementary Estimates accompanying the same, that the sums hereinafter mentioned in Schedule "A" are required to defray certain further expenses of the Public Service of the Yukon Territory and the City of Dawson, and for the purposes relating thereto, for the year ended March 31st, 1942; and,

Whereas, It appears by Message from George Allen Jeckell, Esquire, the Controller of the Yukon Territory, and in 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, 1943; and,

Whereas, It appears by Message from George Allen Jeckell, Esquire, the Controller of the Yukon Territory, and in the Estimates accompanying the same, that the sums hereinafter mentioned in Schedule "C" to this Ordinance

are required to defray certain expenses of the Public Service of the City of Dawson, and for the purposes relating thereto, for the twelve months ending March 31st, 1943;

The Controller of the Yukon Territory, by and with the advice and consent of the Council of said Territory, therefore enacts 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 one hundred and eighty-eight thousand six hundred and seventy-eight dollars and ninety-five cents for defraying the several charges and expenses of the Public Service of the Yukon Territory for the year ending March 31st, 1942, as set forth in Schedule "A" of this Ordinance; and 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 one hundred and fifty-nine dollars and sixty-three cents for defraying the several charges and expenses of the Public Service of the City of Dawson for the year ending March 31st, 1942, as set forth in Schedule "A" of 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 thirty thousand dollars for defraying the several charges and expenses of the Public Service of the Yukon Territory for the twelve months ending March 31st, 1943, as set forth in Schedule "B" of this Ordinance.

3. 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 thirty-five thousand five hundred dollars for defraying the several charges and expenses of the Public Service of the City of Dawson for the twelve months ending March 31st, 1943, as set forth in Schedule "C" of this Ordinance.

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

SCHEDULE "A"

Further sums granted to the Controller by this Ordinance for the twelve months ending March 31st, 1942, and for the purposes for which they are granted:

SCHOOLS:

Generally	\$ 83.57	
Dawson	6.42	
Mayo	159.75	
	<u> </u>	\$ 249.73

HOSPITALS, CHARITIES AND PUBLIC HEALTH:

Public Health and Care of Indigents.....	1,735.59
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MISCELLANEOUS:

Printing and Stationery	\$ 2.98	
Contingencies	192.43	
Aviation Fields	184.22	
	<u> </u>	379.63

ROADS, BRIDGES AND PUBLIC WORKS.....	4,881.80
THE GOVERNMENT LIQUOR ORDINANCE.....	181,432.20
	<u> </u>
	<u><u>\$188,678.95</u></u>

CITY OF DAWSON:

Printing and Stationery	\$ 26.58	
Contingencies	133.05	
	<u> </u>	\$ 159.63

SCHEDULE "B"

Sums granted to the Controller by this Ordinance for the twelve months ending March 31st, 1943, and purposes for which they are granted:

SALARIES AND TRAVELLING EXPENSES

Salaries	\$ 6,600.00	
Travelling Expenses	700.00	
	<u> </u>	\$ 7,300.00

YUKON COUNCIL

Sessional Indemnity	\$ 1,200.00	
Travelling Expenses	200.00	
	<u> </u>	1,400.00

SCHOOLS

Schools Generally	\$ 4,175.00	
Dawson School	13,200.00	
St. Mary's School	3,300.00	
Whitehorse School	8,525.00	
Mayo School	3,600.00	
Carcross School	2,600.00	
Auto Transportation	1,800.00	
	<u> </u>	37,200.00

HOSPITALS, CHARITIES AND PUBLIC HEALTH

Grant, St. Mary's Hospital	\$ 38,000.00	
Grant, Mayo Hospital	1,500.00	
Grant, Whitehorse Hospital	6,500.00	
Grant towards construction addition, Whitehorse Hospital	10,000.00	
Salary, Medical Health Officer and Services to Indigents, Dawson District	1,200.00	
Salary, Medical Health Officer and Services to Indigents, Whitehorse District	300.00	
Public Health and Care of Indi- gents	30,000.00	
	<u> </u>	87,500.00
Carried forward	\$ 87,500.00	

Brought forward \$ 87,500.00

GRANTS TO LIBRARIES, READING ROOMS, ETC.

Dawson Library and Reading Room	\$ 900.00	
Whitehorse Library and Reading Room	450.00	
Mayo Library and Reading Room	450.00	
Yukon Law Library	150.00	
City of Dawson	10,000.00	
	<hr/>	11,950.00

MISCELLANEOUS EXPENDITURES

Territorial Agent, Whitehorse..\$	750.00	
Town of Whitehorse	6,400.00	
Territorial Agent and Telephone Service, Mayo	520.00	
Town of Mayo	900.00	
Assay Office, Keno	5,200.00	
Printing and Stationery	1,500.00	
Contingencies	1,500.00	
Aviation Fields	2,000.00	
	<hr/>	18,770.00

ROADS, BRIDGES AND PUBLIC WORKS

Dawson to Miller Creek and International Boundary	\$ 1,000.00	
Dawson Cable Ferry	2,600.00	
New Ferry Building—Dawson..	1,800.00	
Hunker-Dominion and Sulphur Creek Roads	10,000.00	
Bonanza, Eldorado, Quartz Creek and Indian River Roads.....	2,500.00	
Klondike Road	1,000.00	
Clear Creek Road	2,000.00	
Mayo District Roads	2,000.00	
Whitehorse District Roads.....	1,000.00	
	<hr/>	
Carried forward	\$ 23,900.00	\$ 18,770.00

Brought forward	\$ 29,900.00	\$ 18,770.00
Overland Road—Dawson and Mayo to Whitehorse—not otherwise provided	300.00	
Winter Roads	5,000.00	
Maintenance, Machine Shop, Garages and Road Equip- ment—Dawson District	12,700.00	
Sundry Roads and General Ex- pense	1,106.27	
Purchase, Patrol Grader—Bal- ance Payment due	2,873.73	
	<hr/>	45,880.00
Total Estimated Expenditure.....		<u><u>\$230,000.00</u></u>

SCHEDULE "C"

CITY OF DAWSON

Fire Department	5 10,351.00
Hydrant Service	13,356.00
Street Lighting	2,550.00
Printing and Stationery	300.00
Salaries	1,120.00
Contingencies	325.00
Streets and Sidewalks	7,498.00
	<hr/>
	<u><u>\$ 35,500.00</u></u>

5. 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 Works and Buildings, such surplus of monies shall forthwith, on the acceptance of such works or repairs by the Controller of the Yukon Territory, be taken from 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 Controller of the Yukon Territory for Roads, Bridges and Public Works.

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