

ORDINANCES  
OF THE  
**YUKON TERRITORY**

---

PASSED BY THE  
YUKON COUNCIL

IN THE YEAR  
**1943**

---

GEORGE ALLEN JEKELL  
CONTROLLER



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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

LAW BRANCH  
HOUSE of COMMONS  
OLIVIER & FRASER  
JOINT LAW CLERKS

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## CHAPTER 1

### AN ORDINANCE TO AMEND "THE YUKON MEDICAL ORDINANCE"

*(Assented to April 22nd, 1943.)*

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 Medical Ordinance," Chapter 64 of the Consolidated Ordinances of the Yukon Territory, 1914, is hereby amended by adding the following immediately after Section 28 thereof:

29. Notwithstanding anything contained in this Ordinance, the Controller may issue special permits to practise medicine in the Yukon Territory, subject to the following provisions:

- (a) Such permits shall be issued only to duly qualified physicians and surgeons who shall furnish credentials satisfactory to the Controller. Special permits  
To whom issued.
- (b) The Controller may cancel any such permit at any time, and no permit shall in any event extend beyond the duration of the present emergency. Controller may cancel.
- (c) The holder of a permit shall be entitled to give professional services only to persons directly or indirectly in the service of the United States of America, whether in the Army or forming part of civilian personnel engaged on defence projects. Limitations imposed.
- (d) No fee shall be charged for permits issued hereunder. No fee.

## CHAPTER 2

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### AN ORDINANCE RESPECTING THE PREVENTION OF VENEREAL DISEASE

*(Assented to April 22nd, 1943.)*

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

short title.

1. This Ordinance may be cited as "The Venereal Diseases Prevention Ordinance."

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

(a) "Controller" shall mean the Controller of the Yukon Territory.

interpretation.

(b) "District" shall mean any settlement, camp, or other area under the control of a medical health officer.

(c) "Medical health officer" shall mean medical health officer appointed under the "Yukon Health Ordinance."

(d) "place of detention" shall mean hospital, sanatorium, jail, lock-up, reformatory, training school, industrial farm, industrial refuge, or any place designated as a place of detention by the Controller, but shall not include an isolation hospital for the care of communicable diseases other than venereal diseases.

- (e) "physician" shall mean a legally qualified medical practitioner.
- (f) "prescribed" shall mean prescribed by the regulations.
- (g) "regulations" shall mean regulations made under authority of this Ordinance.
- (h) "venereal disease" shall mean syphilis, gonorrhœa or chancroid.
- (i) "magistrate" shall mean any person having the power or authority of two justices of the peace.

3. The Controller shall pay from Territorial funds the amount of any account for services performed, materials or supplies furnished, or any expenditure incurred under the direction of the medical health officer in carrying out the provisions of this Ordinance and the regulations.

Payment of expenses.

4. (1) Every person infected with venereal disease upon becoming aware or suspecting that he is so infected shall place himself forthwith under the care and treatment of a physician, and if unable to obtain such care or treatment he shall apply to the Medical Health Officer for the district in which he is ordinarily or temporarily resident, who shall direct his course of conduct and treatment.

Infected persons to submit to treatment.

(2) Every such person shall continue treatment until he obtains from the attending physician a notice in writing that he has received adequate treatment.

Duration of treatment.

(3) Every person who fails to comply with any of the provisions of this section shall incur a penalty of not less than \$100 nor more than \$500 and in default of immediate payment shall be imprisoned for a period not exceeding twelve months.

Penalty.

5. (1) It shall be the duty of:

Duty to report.

- (a) every physician;
- (b) every superintendent or head of a hospital, sanatorium or laboratory; and
- (c) every person in medical charge of any jail, lock-up, reformatory, industrial farm, training school, school or college, industrial, female or other refuge, or other similar institution,

to report to the Controller every case of venereal disease coming under his diagnosis, treatment, care or charge for the first time.

Within 24 hours.

(2) The report in the prescribed form shall be completed and forwarded to the Controller within twenty-four hours after the first diagnosis, treatment, or knowledge by or of such physician, head or other person.

Action of M.H.O. on reasonable belief.

6. (1) Where a medical health officer has reasonable grounds for believing that a person within his district is or may be infected with venereal disease or has been exposed to infection, the medical health officer may give notice in writing in the prescribed form to such person, directing him to submit to an examination by a physician designated by or satisfactory to the medical health officer, and to procure and produce to the medical health officer within the time specified in the notice, a report or certificate of the physician that such person is or is not infected with venereal disease.

Penalty.

(2) Every person who without reasonable excuse, the proof of which shall be upon him, fails to comply with a direction made under sub-section 1, shall incur a penalty of not less than \$100 nor more than \$500, and in default of immediate payment shall be imprisoned for a period not exceeding twelve months.



(3) If by the report or certificate mentioned in sub-section 1 it appears that the person so notified is infected with venereal disease, the medical health officer may:

Powers of  
M.H.O. on  
report.

- (a) deliver to such person directions in the prescribed form as to the course of conduct to be pursued and may require such person to produce from time to time evidence satisfactory to the medical health officer that he is undergoing adequate medical treatment and is in other respects carrying out such directions; and where such person fails to comply with the course of conduct prescribed for him or to produce the evidence required, the medical health officer may exercise all the powers vested in him under Section 7; or
- (b) with the approval of the Controller order in writing that such person be removed and detained in a place of detention for the prescribed treatment until such time as the medical health officer is satisfied that an adequate degree of treatment has been attained.

(4) Where a medical health officer makes an order under clause "b" of sub-section 3 he shall deliver the order to a peace officer, who shall thereupon take the person named in the order into his custody and remove him to the place of detention named in the order, and the person for the time being in charge of the place of detention, upon receiving such order, shall receive such person and shall detain him until he is authorized by the medical health officer to release him.

Duties of  
peace officer  
on order  
of M.H.O.

(5) A medical health officer may adopt the procedure or do any of the acts referred to in sub-section 3 with regard to any person who has been examined by a physician at any time within one year previously and has been certified by such physician to be infected with syphilis.

Where  
person  
certified  
within 1  
year.

More than  
one examina-  
tion.

(6) A medical health officer may require a person whom he believes may be infected with venereal disease to undergo more than one examination in order to determine the presence or absence of such infection.

Information  
by M.H.O.

7. (1) Any medical health officer may make a complaint or lay an information in writing and under oath before a magistrate charging that the circumstances set out in clauses (a) or (b) of sub-section 5 exist with regard to any person named in such complaint or information.

Issue of  
Summons.

(2) Upon receiving any such complaint or information the magistrate shall hear and consider the allegations of the complainant, and if he considers it desirable or necessary, the evidence of any witness or witnesses, and if he is of the opinion that a case for so doing is made out he shall issue a summons directed to the person complained of requiring him to appear at a time and place named therein.

Warrant.

(3) Where a person to whom a summons is directed does not appear at the time and place named therein, or where it appears that a summons cannot be served, a magistrate may issue a warrant directing that the person named in the summons be brought before him.

Inquiry by  
Magistrate.

(4) Where a person appears or is brought before a magistrate under this section the magistrate shall enquire into the truth of the matters charged in the complaint or information and for such purpose shall proceed in the manner prescribed by Part XV of the Criminal Code dealing with Summary Convictions, and shall have the powers of a magistrate holding a hearing under that Part.

Order for  
detention.

(5) Where a magistrate finds that any person—

(a) is infected with a venereal disease and is unwilling or unable to conduct himself in such a manner as not to expose other persons to the danger of infection; or

- (b) is infected with a venereal disease and refuses or neglects to take or continue treatment as required by this Act and the regulations,

he shall order that such person be admitted to and detained in a place of detention for such period not exceeding one year as the magistrate may deem necessary.

(6) In any enquiry under this section a certificate as to the result of any tests made, signed or purporting to be signed by the directors of at least two independent laboratories approved by the Controller shall be *prima facie* evidence of the facts stated therein and of the authority of the persons giving such certificates without any proof of appointment or signature.

Laboratory certificate *prima facie* evidence.

(7) Any person detained under this section may, with the approval in writing of the Controller, be brought before a magistrate at any time during the last thirty days of the period for which he is so detained, and if the magistrate finds that he is still infected with venereal disease and in need of further treatment, he may order that such person be further detained for such period not exceeding one year as the magistrate may deem necessary.

Extension of detention.

(8) Where the Controller is of the opinion that any person detained under this section is no longer infected with venereal disease or has received an adequate degree of treatment he may direct the discharge of such person.

Discharge by Controller.

8. (1) Where any physician in medical charge of any jail, lock-up, reformatory, industrial farm, training school or industrial, female or other refuge has reason to believe that any person under his charge may be infected with venereal disease or has been exposed to infection with venereal disease, he may, and if he is directed by the medical health officer, he shall cause such person to undergo such examination as may be necessary to ascertain whether or not he is infected with venereal disease or to ascertain the extent of venereal disease infection and if such examination dis-

Examination by physician of institution.

closes that he is so infected such physician shall report the facts to the medical health officer, who may thereupon exercise the powers vested in him by Section 10.

Duty of  
physician.

(2) Where an examination has not been made under this section every physician in medical charge of any jail, lock-up, reformatory, industrial farm, training school, or industrial, female or other refuge shall report to the medical health officer the name and place of confinement of any person under his charge whom he suspects or believes to be infected with venereal disease and such report shall be made within twenty-four hours after he suspects or believes such person to be so infected.

Reports to  
Controller  
and M.H.O.

(3) A copy or statement of every report made under this section shall be forwarded to the Controller and to the medical health officer of the district in which such person resided before being admitted to such institution by the physician making the report.

Examina-  
tion of  
person in  
custody.

9. When a medical health officer believes that any person under arrest or in custody, whether awaiting trial for any offence under or violation of any statute of Canada or Ordinance of the Yukon Territory, or any regulation, by-law or order made thereunder or serving the sentence of a Court upon conviction of any such offence or violation, has been or may be infected or has been exposed to infection with venereal disease, he may cause such person to undergo such examination as may be necessary, in order to ascertain whether or not such person is infected with venereal disease, or to ascertain the extent of infection with venereal disease, and may direct that such person shall remain in custody until the results of such examination are known.

Treatment  
where  
disease  
found to  
exist.

10. (1) Where any person under arrest or in custody, whether awaiting trial for any offence under or violation of any statute of Canada or Ordinance of the Yukon Territory, or any regulation, by-law or order made thereunder or serving the sentence of a Court upon conviction of any such offence or violation, is found to be infected with venereal

disease, the medical health officer may by order in writing direct that such person undergo treatment therefor and that such action be taken as the medical health officer or Controller may deem advisable for his isolation and the prevention of infection by him, and that he be detained in custody until cured or until he has received a degree of treatment considered adequate by the attending physician and the Controller, notwithstanding that he may be otherwise entitled to be released, and any order made under this section shall be sufficient warrant to the person to whom the order is addressed to carry out the terms thereof.

(2) Where any person is suspected of suffering from gonorrhoea or has been named as a source of such infection, if the clinical findings and history of the case indicate that such person is or may be infected with gonorrhoea despite the negative character of the laboratory findings, a medical health officer may by order in writing direct that such person shall undergo treatment as required by this Act and the regulations.

Treatment of suspected persons.

(3) Where such person fails to comply with an order made under sub-section 2, the medical health officer may exercise all the powers invested in him by clause (b), sub-section 3, Section 6, or may proceed under Section 7 of this Ordinance.

Where persons fail to comply.

11. (1) Where a person who has been under treatment for venereal disease refuses or neglects to continue treatment in a manner and to a degree satisfactory to the attending physician and the Controller, the physician shall report to the Controller the name and address of such person, together with such other information as may be required by the regulations.

Physician to report.

(2) A person who fails to attend upon his physician within seven days of an appointment for treatment shall be presumed to have neglected to continue treatment and the attending physician shall report such failure in writing to the Controller within fourteen days of the appointment.

Failure to attend.

Penalty.

(3) A physician who fails to report as required by this section shall incur a penalty of not less than \$25 and not more than \$100.

Supply of drugs, etc., only by qualified persons.

12. (1) No person other than a physician shall attend upon or prescribe for or supply or offer to supply any drug, medicine, appliance or treatment to or for a person suffering from venereal disease for the purpose of the alleviation or cure of such disease.

Penalty.

(2) Every person who contravenes sub-section 1 shall incur a penalty of not less than \$100 and not more than \$500 and in default of immediate payment shall be imprisoned for a period not exceeding twelve months.

Exceptions as to chemists.

(3) Sub-section 1 shall not apply to a registered pharmaceutical chemist who dispenses to a patient of a physician upon a written prescription signed by such physician or who sells to any person any patent, proprietary or other medicine, drug or appliance approved by the regulations for the cure or alleviation of venereal disease provided that no prescription shall be filled more than once except upon the written direction of the prescribing physician.

13. (1) Every person who :

Offences.

- (a) wilfully neglects or disobeys any order or direction given by a medical health officer or the Controller under this Ordinance or the regulations :
- (b) hinders, delays or obstructs any medical health officer, peace officer, or other person acting in the performance of his duties under this Ordinance ;
- (c) publishes any proceedings taken under this Ordinance or the regulations contrary to sub-section 2 ;

- (d) wilfully represents himself as bearing some other name than his own or makes any false statements as to his ordinary place of residence during the course of his treatment for any venereal disease with the purpose of concealing his identity; or
- (e) fails to comply with any of the provisions of this Ordinance or the regulations,

shall, where no other penalty is prescribed, incur a penalty of not less than \$25 nor more than \$100, and in default of immediate payment shall be imprisoned for a period not exceeding three months.

(2) All prosecutions under this Ordinance shall be brought summarily before a magistrate, but all proceedings for the recovery of penalties under this Ordinance and proceedings authorized under Section 7 shall be conducted in camera and no report of any such proceedings shall be published.

Prosecutions

14. (1) Every person who publicly or privately, verbally or in writing, directly or indirectly, states that any other person has been notified or examined or otherwise dealt with under the provisions of this Ordinance, or makes a statement that any other person is suffering or has suffered from venereal disease, whether such statement or intimation is or is not true, in addition to any other penalty or liability, shall incur a penalty of \$200 and in default of immediate payment shall be imprisoned for a period of not more than six months.

Statements as to existence of diseases.

(2) Sub-section 1 shall not apply to a communication or disclosure made in good faith:

Exceptions.

- (a) to the Controller;
- (b) to a medical health officer for his information in carrying out the provisions of this Ordinance;

- (c) to a physician;
- (d) in the course of consultation for treatment of venereal disease;
- (e) to the superintendent or head of any public hospital, sanatorium, or place of detention;
- (f) to any communication authorized or required to be made by this Ordinance or the regulations.

Obligation to observe secrecy.

15. Every person engaged in the administration of this Ordinance shall preserve secrecy with regard to all matters which may come to his knowledge in the course of such employment and shall not communicate any such matter to any other person except in the performance of his duties under this Ordinance or when instructed to do so by a medical health officer or the Controller, and in default he shall, in addition to any other penalty, forfeit his office or be dismissed from his employment.

Laboratory reports not to be divulged.

16. No person shall issue or make available to any person other than a physician or such persons as are engaged in the administration of this Ordinance any laboratory report either in whole or in part of an examination made to determine the presence or absence of venereal disease.

Hospitals to provide for treatment.

17. Every hospital receiving aid from the Yukon Territory, except isolation hospitals for the care of communicable diseases other than venereal diseases, shall make adequate provision for the reception, examination, and treatment, upon such terms as may be prescribed, of such persons or classes of persons infected with venereal disease as may by this Ordinance or the regulations be required or permitted to be treated at such hospital, and in case of default the Controller may withhold from any hospital the whole or any part of any grant or subsidy which would otherwise be payable.



18. The medical health officer of each district shall make provision for the adequate treatment of all persons infected with venereal disease within such district when such persons apply or are referred to him or when requested to do so by the Controller.

M.H.O.  
to make  
provision for  
treatment.

19. (i) The name of any person infected or suspected to be infected with any venereal disease shall not appear on any account in connection with treatment therefor, but the case may be designated by a number or otherwise, and it shall be the duty of every medical health officer to see that secrecy is preserved.

Secrecy as  
to name.

(2) Every person who contravenes the provisions of sub-section 1 shall be guilty of an offence and shall incur the penalties provided by Sections 14 and 15.

Penalty.

20. Where any direction or order of a medical health officer or magistrate involves the transfer of a person infected with venereal disease from one district to another district:

Transfer  
to other  
district.

(a) the medical health officer of the second district shall, upon such transfer being effected and until the return of such person to the first district, exercise all the powers and perform all the duties conferred or imposed by this Ordinance or the regulations upon a medical health officer with respect to such person;

(b) a duplicate original of every written report made by the person in medical charge of a place of detention in which such person is placed in the second district to the medical health officer thereof shall be sent forthwith to the medical health officer of the first district.

21. Where a person is admitted to a place of detention under the provisions of this Ordinance, whether such admission is voluntary or under the order of a magistrate or medical health officer:

Rules of places of detention to apply.

- (a) such person shall be subject to all rules, regulations, and provisions of law governing the conduct of patients, inmates, or pupils of such place of detention.

Where person infected under 16 years.

22. Where any person infected with venereal disease is a child under the age of sixteen years all notices, directions, or orders required or authorized by this Ordinance or by the regulations to be given in respect of such child shall be given to the father or mother or to the person having the custody of the child for the time being and it shall be the duty of such father, mother or other person to see that such child complies in every respect with every such notice, order or direction and in default thereof the father, mother or other person, as the case may be, shall be liable to the penalties provided by this Ordinance or the regulations for non-compliance with any such notice, direction or orders unless on any prosecution in that behalf it is proven to the satisfaction of the Court that such father, mother or other person did everything in his power to cause such child to comply therewith.

Regulations.

23. (1) The Controller may make regulations—

Examinations.

- (a) prescribing the method and extent of the examinations of any person for the purpose of ascertaining whether or not such person is infected with venereal disease or the extent of such infection;

Conduct of patient.

- (b) prescribing the course of conduct to be pursued by any person infected with venereal disease in order to effect a cure and to prevent the infection of other persons;

- (c) prescribing rules for the treatment of persons infected with venereal disease in hospitals, places of detention and other places; Treatment.
- (d) for preventing the spread of infection from persons suffering from venereal disease; Preventing infection.
- (e) for distributing to physicians and hospitals information as to the treatment, diet and care of persons infected with venereal disease and requiring physicians and hospitals to distribute the information to such persons; Distributing information.
- (f) providing for the approval by the Controller of methods and remedies for the treatment, alleviation and cure of venereal disease; Approval of remedies.
- (g) providing for the display of notices and placards dealing with venereal disease, its cause, manifestation, treatment and cure; Notices.
- (h) prescribing the forms of notices, certificates and reports required or authorized to be given or issued under this Ordinance; Forms.
- (i) requiring every physician to furnish reports with respect to the condition and treatment of persons infected with venereal disease who are or who have been under his diagnosis, treatment, care or charge; Progress reports.
- (j) prescribing the procedure to be followed and the evidence required in case of an Procedure on appeal.

- appeal to the Controller from any action or decision of a medical health officer under this Ordinance;
- Clinics. (k) providing for the establishment of and furnishing of financial assistance to clinics for the treatment of venereal disease and for the regulation and control of such clinics;
- Grants. (l) providing for the making of grants or payments in respect of the maintenance, hospitalization or special treatments for any class or classes of patients in places of detention or elsewhere in addition to or in lieu of any other moneys which may be payable in respect of such maintenance, hospitalization or special treatments;
- Sending notices. (m) prescribing the mode of sending or giving any notice, report or direction required or permitted to be sent or given by this Ordinance or the regulations; and
- Generally. (n) generally for the better carrying out of the provisions of this Ordinance and for the prevention, treatment and cure of venereal disease.

Appeal to Controller. 24. (1) Every person who deems himself aggrieved by any action or decision of a medical health officer under this Ordinance may appeal therefrom to the Controller by giving notice in writing to the Controller and to the medical health officer.

Evidence on appeal. (2) The Controller may require the appellant to furnish such information and evidence and to submit to such examination as may be prescribed or as the Controller may deem necessary to determine the matter in dispute.

Decision final. (3) The decision of the Controller shall be final.

25. No action or other proceeding shall be brought against any physician in respect of any examination or certificate given or required to be given by him under this Ordinance, without the consent in writing of the Controller.

Actions.

26. The medical health officer or a physician designated by him in writing for the purpose may enter in and upon any house, outhouse or premises in the day time for the purpose of making inquiry and examination with respect to the state of the health of any person therein and may cause any person found therein who is infected with any venereal disease to be removed to a place of detention or may give such directions as may prevent other persons in the same house, outhouse or premises from being infected.

Right of entry.

27. The administration of this Ordinance and the regulations shall not interfere with the course of justice in the case of any person under arrest or in custody previous to trial for any offence under or violation of any statute of Canada or Ordinance of the Yukon Territory or any regulations, by-law or order made thereunder, provided that where it is necessary for the purpose of any examination authorized or required by this Ordinance, such person may be held in custody until the results of the examination are known.

Administra-  
tion of Act  
not to  
interfere  
with course  
of justice.

## CHAPTER 3

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### AN ORDINANCE TO AMEND "THE YUKON HEALTH ORDINANCE"

*(Assented to April 22nd, 1943.)*

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-A of the said Ordinance the following:

Examina-  
tion of food  
handlers.

24-B (1) The Medical Health Officer may require any person who handles food in the course of the sale, cooking or other preparation thereof, or when it is being served, to attend and submit to physical examination for infectious or contagious disease, and in particular for venereal disease or tuberculosis. This section shall not apply to the cooking or serving of food in private dwellings.

Notice by  
M.H.O.  
to attend.

(2) The Medical Health Officer shall give any person whom he desires to examine a written notice stating the time and place for the examination.

M.H.O. to  
communi-  
cate findings

(3) The Medical Health Officer shall communicate his findings on every such examination to the person examined, to the Controller, to the employer of such person and to the Officer in command of the nearest Detachment of Royal Canadian Mounted Police.

(3a) It shall be an offence against this Ordinance for any employer or any other person (with the exception of the Controller and the said Officer in command of the R. C. M. Police in Yukon Territory) to publish to a third person the notice of any said findings of the Medical Health Officer, whether or not such published version correctly states the nature of the findings.

Offence to publish.

(4) No action shall lie against the Medical Health Officer in respect of any examination made by him under this section, nor for any consequences physical or otherwise of such examination, nor for any communication made by him as above provided.

Action not to lie against M.H.O.

(5) Any person who fails to attend for examination at the time and place specified in the notice from the Medical Health Officer, or who, upon attending, fails to submit to examination or obstructs in any way the efforts of the Medical Health Officer, shall be guilty of an offence and shall be subject to a penalty not exceeding \$100.00 and in default of payment to imprisonment for a period not exceeding two months.

Penalties.

## CHAPTER 4

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### AN ORDINANCE TO AMEND "THE YUKON GAME ORDINANCE."

*(Assented to April 22nd, 1943.)*

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 (3) of the said Ordinance the following:

Regulations  
for  
protection of  
wild life  
along  
Alaska  
Highway.

(4) (a) The Controller may make special regulations (and from time to time amend the same) for the protection of wild life along the route of the Alaska Highway. The expression "Wild life" shall include all the animals and birds mentioned in Section 4 of this Ordinance. In particular such regulations may restrict, or prohibit entirely, the hunting, trapping, killing or molesting in any manner of such wild life within an area extending a distance of one mile on either side of the centre of the said Highway.

Penalty.

(b) Any person who violates any of the provisions of such regulations shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding \$500.00 and costs, or to imprisonment for any term not exceeding six months, or to both fine and imprisonment.



- (c) Any such regulation or amendment shall be published in one issue of the Yukon Gazette, and shall take effect on the date of such publication. Publication of regulations.

2. The said Ordinance is further amended by adding the following section immediately after Section 80 thereof:

81. (1) The following described area is set aside as a game sanctuary, to be known as "The Kluane Game Sanctuary."

All of the area contained by bounding lines which may be particularly described as follows: Formation of Kluane Game Sanctuary.

Commencing at the point of intersection of the International Boundary between Yukon Territory and the Territory of Alaska with the middle of the main channel of White River in approximate North Latitude sixty-one degrees and forty-five minutes; thence south and easterly along the said International Boundary to its intersection with the northern boundary of the province of British Columbia; thence east along the said northern boundary to its intersection with the middle of the main channel of Alsek River; thence northerly following the middle of the main channel of Alsek River and Dezadeash River to a point due south of the west bank of Bear Creek; thence due north to the west bank of Bear Creek; thence northerly along the said west bank to its intersection with the southwesterly limit of the right-of-way of the Canadian-Alaskan Military Highway as constructed on the ground; thence northwesterly along the southwesterly limit of the said right-of-way to its intersection with the south bank of Silver Creek; thence northwesterly along the said southerly bank to its intersection with the bank of Kluane Lake; thence northwesterly along the northerly bank of Kluane Lake to the mouth of Kluane River; thence due south to the south bank of said river; thence northwesterly along said southerly bank to its intersection with the south bank of Burwash Creek; thence westerly along said south bank of its intersection with the

southwesterly limit of the right-of-way of the Canadian-Alaskan Military Highway as constructed; thence northwesterly along the southwesterly limit of the said right-of-way to its intersection with the middle of the main channel of White River; thence southwesterly along the middle of the said main channel to the point of commencement; containing ten thousand one hundred and thirty (10,130) square miles, more or less

Hunting in  
Sanctuary  
prohibited.

(3) No person may hunt, trap, take, kill, shoot at, wound, injure, or molest any game, as defined in Section 4 of this Ordinance, or take, destroy, or molest the eggs or nests of birds in any game sanctuary at any time of the year. The possession of game or the nests or eggs of birds by any person within a game sanctuary shall be *prima facie* evidence of the guilt of such person and the onus of proof to the contrary shall rest upon him.

## CHAPTER 5

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

*(Assented to April 22nd, 1943.)*

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

1. "The Workmen's Compensation Ordinance," being Chapter 1 of the Ordinances of the Yukon Territory, 1917, is hereby amended by adding thereto immediately after Section 16 of the said Ordinance the following:

17. Notwithstanding anything in this Ordinance wherein any employment to which this Ordinance applies personal injury by accident arising out of and in the course of the employment is caused to a workman, his employer shall not be liable to pay compensation under this Ordinance if in consequence of such injury or accident such workman becomes entitled to compensation under any legislation of the United States of America, and in every such case such right to compensation shall be in lieu of all rights of action, statutory or otherwise, to which such workman or his dependents will or may be entitled against such employer for or by reason for such injury or accident and no action in respect thereof shall lie.

Cases  
where  
compensa-  
tion payable  
under laws  
of U.S.A..

Sec. 4 (1)  
amended.

The said Ordinance is further amended by striking out the figures "14" in the second line of subdivision (a) of Section 4 (1) of the Ordinance, and substituting therefor the figure "3".

The said Ordinance is further amended by inserting immediately after Section 3 of the First Schedule to the Ordinance the following:

Sec. 3 of  
First  
Schedule  
amended.

"In addition to the amounts payable under this Section in respect of partial disability the workman shall be paid on the scale provided by Section 4 of this Schedule during such period as he is under treatment for the accident and until he is restored to a fair condition of health. In no case, however, shall the length of such period exceed that provided by said Section 4 in cases of temporary disability."

Sec. 4 of  
First  
Schedule  
amended.

The said Ordinance is further amended by striking out all the words in Section 4 of the said First Schedule beginning with the words "In all cases" in the sixth line thereof and running to the end of the said Section.

## CHAPTER 6

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### AN ORDINANCE TO PROHIBIT THE OPERA- TION OF FEE-CHARGING EMPLOYMENT AGENCIES IN THE YUKON TERRITORY

*(Assented to April 22nd, 1943.)*

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

1. In this Ordinance the expression "fee charging employment agency" shall mean:

(a) Employment agencies conducted with a view to profit, that is to say, any person, company, institution, agency or other organization which acts as an intermediary for the purpose of procuring employment for a worker or supplying a worker for an employer with a view to deriving either directly or indirectly any pecuniary or other material advantage from either employer or worker; the expression does not include newspapers or other publications unless they are published wholly or mainly for the purpose of acting as intermediaries between employers and workers.

Fee  
charging  
employment  
agencies  
defined.

(b) Employment agencies not conducted with a view to profit, that is to say, any company, institution, agency or other organization which though not conducted with a view

to deriving any pecuniary or other material advantage levies from either employer or worker for its placing services an entrance fee, a periodical contribution or any other charge.

Prohibition. 2. No person shall conduct, either directly or indirectly, any fee charging employment agency in the Yukon Territory.

Penalty. 3. Any person violating the provisions of this Ordinance shall be guilty of an offence and liable on summary conviction thereof to a penalty not exceeding \$100.00 and in default of immediate payment to imprisonment for a period not exceeding two months, with or without hard labor.

## CHAPTER 7

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### AN ORDINANCE TO AMEND "THE MOTOR VEHICLE ORDINANCE"

*(Assented to April 22nd, 1943.)*

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 12 the following:

(2) Every motor vehicle other than a motorcycle shall be equipped with:

(a) A device for cleaning rain, snow and other moisture from the windshield so constructed as to be controlled or operated by the driver.

Vehicles  
to have  
windshield  
wiper and  
rear view  
mirror.

(b) A mirror securely attached to such vehicle and placed in such a position as to afford the driver a clearly reflected view of the roadway in the rear, or of any vehicle approaching from the rear.

2. The said Ordinance is further amended by adding immediately after Section 43 thereof the following:

- Stop signs. 44. (1) The Controller may direct that an appropriate and legible Stop Sign be erected at any intersection on a street or highway anywhere in the Territory.
- Driver to come to stop. (2) On approaching such a Stop Sign the driver of a motor vehicle shall bring his vehicle to a full stop before proceeding to cross or enter upon the intercommunicating street or highway.
- Penalty. (3) The driver of a motor vehicle who fails to bring the same to a full stop shall be guilty of an offence and shall be subject to the penalties provided by Section 29 of this Ordinance.
- Parking restrictions. 45. (1) The Controller may designate certain areas or locations in the streets of incorporated areas or towns or villages in the Territory, within which it shall be unlawful to park any motor vehicle. Such areas or locations shall be marked by legible signs.
- Penalty. (2) The driver of any vehicle who parks the same within a prohibited area or location shall be guilty of an offence and shall be subject to the penalties provided by Section 29 of this Ordinance.



## CHAPTER 8

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### AN ORDINANCE TO AMEND "THE GOVERNMENT LIQUOR ORDINANCE"

*(Assented to April 22nd, 1943.)*

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

1. "The Government Liquor Ordinance," being Chapter 1 of the Ordinances of the Yukon Territory, 1921, (Second Session), is hereby amended by striking out Section 7 thereof and substituting the following:

7. (1) A Vendor may sell to any person who is the holder of a subsisting permit such liquor as that person is at the date of production of such permit entitled to purchase under the then existing regulations.

Sale to holders of permits.

(2) No liquor sold under this section shall be delivered until:

(a) The purchaser has given a written order to the Vendor dated and signed by the purchaser, stating the number of his permit and the nature and quantity of the liquor ordered; and

Conditions precedent to delivery.

(b) The purchaser has produced his permit for inspection and endorsement by the Vendor and has established his identity as the permittee to the satisfaction of the Vendor; and

- (c) The purchaser has paid for the liquor in cash; and
- (d) The Vendor has endorsed on the permit such particulars of the purchase as the regulations made hereunder may from time to time require;

Provided, however, that

(3) No liquor shall be sold nor shall any liquor be delivered to,

- (a) Any person under the age of 21 years;
- (b) Any person under the influence of liquor;
- (c) An Indian;
- (d) Any interdicted person.

Restricted  
classes to  
whom no  
sale  
allowed.

2. The said Ordinance is further amended by adding thereto immediately after Section 8 the following sections:

### PERMITS

8-A. Upon application in the prescribed form being made to a Vendor or to any official authorized by the Controller of the Yukon Territory to issue permits, accompanied by payment of the prescribed fee, and upon the Vendor or official being satisfied that the applicant is entitled to a permit for the purchase of liquor under this Ordinance, the Vendor or official shall issue to the applicant a permit of the class applied for as follows:

Issue of  
permits.

- (a) Where the application is for an individual permit and is made by an individual of the full age of 21 years, an individual permit in the prescribed form entitling the applicant to purchase liquor in accordance with the provisions of this Ordinance and the regulations made or to be made thereunder. The fee for such permit shall be one dollar.

Individual  
permits.

(b) Where the application is for a special permit and is made by a person in charge of an institution regularly conducted as a hospital or sanatorium for the care of persons in ill-health, a special permit in the prescribed form entitling the applicant to purchase liquor for the purpose named in the permit and in accordance with the provisions of this Ordinance and the regulations made or to be made thereunder.

Special permits hospitals, etc.

(c) Where the application is for a special permit for the purchase of wine for sacramental purposes, and is made by a minister of the gospel, a special permit in the prescribed form entitling the applicant to purchase wine for sacramental purposes.

Special permits sacramental purposes.

8-B. Every permit issued as hereinbefore provided shall expire at midnight on the 31st day of March next ensuing after the date of issue.

Expiry date.

8-C. (1) Every permit shall be issued in the name of the applicant therefor, and no permit shall be transferable nor shall the holder of any permit allow any other person to use the permit.

Non-transferable.

(2) No person shall apply in any false or fictitious name for the issue to him of a permit, and no person shall furnish a false or fictitious address in his application for a permit.

Application in false name.

8-D. No permit shall be valid or be accepted or used for the purchase of liquor until the applicant for the permit has written his signature thereon in the prescribed manner for the purposes of identification as the holder thereof, in the presence of the Vendor or official to whom the application is made, or in the presence of such other person as may be designated by the Controller, and the signature has been attested in the prescribed manner by the person in whose presence it was written.

Signing of permit.

Only one  
permit to  
be held.

8-E. No person who is the holder of an unexpired individual permit issued under this Ordinance shall make application for or be entitled to hold any other individual permit, but any person whose permit has been lost or destroyed may apply to any Vendor or to the official by whom the permit was issued, and upon proof of the loss or destruction of the permit, and subject to the conditions contained in the regulations, may obtain a duplicate permit in lieu of the permit so lost or destroyed.

Controller  
may suspend  
or cancel  
permit.

8-F. (1) Where the holder of any permit issued under this Ordinance violates any provisions of the Ordinance, or of the regulations, or is an interdicted person, or is otherwise disqualified from holding a permit, the Controller, upon proof to his satisfaction of the fact or existence of such violation, interdiction or disqualification, and in his sole discretion, may suspend the permit and all rights of the holder therein, for such period as he may see fit, or may cancel the permit.

Court may  
cancel or  
suspend  
permit.

(2) The Court before whom any holder of a permit issued under this Ordinance is convicted of a violation of any provisions of this Ordinance or of the regulations, may cancel or suspend the permit, and thereupon the Court shall notify the holder and the Controller of the cancellation or suspension of such permit.

Delivery  
up of  
cancelled  
permit.

(3) Upon receipt of notice of the suspension, or cancellation of the permit, the holder of the permit shall forthwith deliver up the permit to the Controller. Where the permit has been suspended only the Controller shall return the permit to the holder at the expiration or determination of the period of suspension. Where the permit has been cancelled, the Controller shall notify all Vendors of the cancellation of the permit, and no Vendor or official shall issue to the person whose permit is cancelled any permit under this Ordinance within the period of one year from the date of cancellation.

8-G. Where any permit is produced to a Vendor by a person who is not the holder of the permit or where any permit which is suspended or cancelled or in lieu of which a duplicate permit has been issued, is produced to a Vendor, the Vendor shall retain the same in his custody and shall forthwith notify the Controller of the fact of its retention.

Retention  
of permit  
by Vendor.

3. The said Ordinance is further amended by striking out the first three lines of Section 13 (1), and substituting the following:

Sec. 13 (1)  
amended.

13. (1) Subject to any restrictions which may be made in the regulations, a Vendor may sell:

## CHAPTER 9

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### AN ORDINANCE TO AMEND "THE ASSESSMENT ORDINANCE "

*(Assented to April 22nd, 1943.)*

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

Sec. 16  
amended.

1. "The Assessment Ordinance," being Chapter 5 of the Consolidated Ordinances of the Yukon Territory, 1914, is hereby amended by striking out the figures "\$250" in the sixth line of Section 16 and substituting therefor \$500.00."

Sec. 20 (2)  
amended.

2. The said Ordinance is further amended by striking out the figures "20" in the third line of Section 20-2 of the said Ordinance (as enacted by Section 1 of Chapter 9 of the Ordinance of 1940) and substituting therefor the figures "50."

Sec. 19 (2)  
amended.

3. The said Ordinance is further amended by adding immediately after the words "per cent" in the third line of subsection (2) of Section 19 (as enacted by Chapter 9, Section 2 of the Ordinances of 1940) the following: "in respect of taxes payable for yearly periods up to and including the one ending on 31st March, 1944, and shall be increased by 50 per cent in respect of taxes payable for all subsequent yearly periods."

## CHAPTER 10

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### AN ORDINANCE TO AMEND "THE COMPANIES ORDINANCE"

*(Assented to April 22nd, 1943.)*

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

1. "The Companies Ordinance," being Chapter 18 of the Consolidated Ordinances of the Yukon Territory, 1914, is hereby amended by striking out the figures "\$450,000" in the fifth line of paragraph 4 of Table "B" and substituting the figures "\$145,000." Table "B" amended.

## CHAPTER 11

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### AN ORDINANCE TO PROVIDE FOR THE PRE- SUMPTION OF DEATH IN CERTAIN CASES

*(Assented to April 22nd, 1943.)*

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 Presumption of Death Ordinance."

## 2.

Petition  
to Court.

(1) Any married person who alleges that reasonable grounds exist for supposing that the other party to the marriage is dead may present a petition to a Judge of the Court to have it presumed that the other party is dead, and the Court, if satisfied that such reasonable grounds exist, may make a decree of presumption of death.

Absence  
for 7  
years.

(2) In any such proceedings the fact that for a period of seven years or upwards the other party to the marriage has been continually absent from the petitioner and the petitioner has no reason to believe that the other party has been living within that time shall be evidence that he or she is dead until the contrary is proved.

## 3.

Presumption  
of death for  
administra-  
tion of  
estates.

Whenever with respect to a person owning property in the Yukon Territory it is alleged that reasonable grounds exist for supposing him to be dead, the executor named in the will of such person, the Public Administrator or the persons who might be entitled to letters of administration, may petition a Judge of the Court to have it presumed that such person is dead. The Judge if satisfied that such reasonable grounds exist may make a decree of presumption of death for the purpose of administration of the property in the Yukon Territory, and may make an order for the issue of Letters Probate or letters of administration, or administration by the Public Administrator, subject to such special conditions and restrictions as he shall think fit. In deciding whether reasonable grounds exist in any case the Judge may take into account any circumstances giving rise to the presumption of death, whether such circumstances are of recent occurrence or otherwise.



## CHAPTER 12

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

*(Assented to April 22nd, 1943.)*

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 levied, assessed 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 year 1943.

Income  
earned in  
1943 not  
taxed.

## 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 April 22nd, 1943.)*

*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, 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 "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 three hundred seventy thousand one hundred eighty-six dollars and thirty-three cents for defraying the several charges and expenses of the Public Service of the Yukon Territory for the year ending March 31st, 1943 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 two hundred and forty-four dollars and seventy-three cents for defraying the several charges and expenses of the Public Service of the City of Dawson for the year ending March 31st, 1943, 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 sixty thousand dollars for defraying the several charges and expenses of the Public Service of the Yukon Territory for the twelve months ending March 31st, 1944, 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-four thousand seven hundred and forty-two dollars for defraying the several charges and expenses of the Public Service of the City of Dawson for the twelve months ending March 31st, 1944, 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, 1943, and for the purposes for which they are granted.

## SCHOOLS:

Whitehorse .....	\$247.62	
Mayo .....	79.13	
	<u>          </u>	\$ 326.75

## GRANTS:

Yukon Law Library .....		9.92
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## MISCELLANEOUS:

Printing and Stationery.....	\$ 722.41	
Contingencies .....	1,138.38	
	<u>          </u>	1,860.79

THE GOVERNMENT LIQUOR ORDINANCE .....		367,988.87
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\$370,186.33

## CITY OF DAWSON:

Streets and Sidewalks .....	\$	<u>244.73</u>
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## 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 .....	\$ 7,200.00	
Travelling Expenses .....	700.00	
	<u>          </u>	\$ 7,900.00

## YUKON COUNCIL

Sessional Indemnity and Travel- ling Expenses .....	\$ 1,100.00	
Electing New Council .....	2,350.00	
	<u>          </u>	3,450.00

Carried forward .....

            
            
\$ 11,350.00

Brought forward ..... \$ 11,350.00.

## SCHOOLS

Schools Generally .....	\$ 4,475.00	
Dawson School .....	14,100.00	
St. Mary's School .....	3,600.00	
Whitehorse School .....	14,350.00	
Mayo School .....	4,000.00	
Carcross School .....	3,100.00	
Auto Transportation .....	1,800.00	
	<hr/>	45,425.00

## HOSPITALS, CHARITIES AND PUBLIC HEALTH

Grant, St. Mary's Hospital .....	\$ 38,000.00	
Grant, Whitehorse Hospital .....	9,000.00	
Additional Grant, Whitehorse Hospital to complete addi- tion and furnish same.....	25,000.00	
Salary, Medical Health Officer, etc., Dawson District .....	1,200.00	
Salary, Medical Health Officer, etc., Whitehorse District .....	1,200.00	
Honorarium, Mrs C. A. Boerner, Public Nursing Service, Mayo	187.50	
Honorarium, Mrs. John Shandro, Public Nursing Service, Mayo	337.50	
Public Nursing Service, Mayo, for fiscal year 1943-1944.....	900.00	
Public Health and Care Indigents	30,000.00	
Care Indigent Half-breed and White Children at St. Paul's Hostel .....	5,500.00	
	<hr/>	111,325.00

## GRANTS TO LIBRARIES, READING ROOMS, ETC.

Dawson Library and Reading Room .....	\$ 900.00	
Whitehorse Library and Read- ing Room .....	450.00	
	<hr/>	
Carried forward .....	\$ 1,350.00	\$168,100.00

Brought forward .....	\$ 1,350.00	\$168,100.00
Mayo Library & Reading Room	450.00	
Yukon Law Library .....	150.00	
City of Dawson .....	13,000.00	
	<hr/>	14,950.00
		<hr/>
		\$183,050.00

## MISCELLANEOUS EXPENDITURES

Territorial Agent, Whitehorse....	\$ 750.00	
Town of Whitehorse .....	20,000.00	
Assay Office, Keno .....	5,500.00	
Printing and Stationery .....	2,000.00	
Contingencies .....	2,500.00	
Aviation Fields .....	4,500.00	
	<hr/>	35,250.00

## ROADS, BRIDGES AND PUBLIC WORKS

Dawson to Miller Creek and International Boundary .....	\$ 1,000.00	
Dawson Cable Ferry and Ferry Building .....	2,500.00	
Hunker - Dominion and Sulphur Creek Roads .....	8,500.00	
Bonanza, Eldorado, Quartz Creek and Indian River Roads.....	3,000.00	
Klondike Road .....	1,000.00	
Clear Creek Road .....	2,000.00	
Mayo District Roads .....	2,300.00	
Whitehorse District Roads.....	1,000.00	
Overland Road—Dawson and Mayo to Alaska Highway, not otherwise provided.....	2,000.00	
Winter Roads .....	5,000.00	
Maintenance Road Equipment, Garages, and Machine Shop, Dawson District .....	12,000.00	
Sundry Roads and General Ex- pense .....	1,400.00	
	<hr/>	41,700.00

Total Estimated Expenditure..... \$260,000.00

## SCHEDULE "C"

## CITY OF DAWSON

Fire Department .....	\$ 11,316.00
Hydrant Service .....	13,356.00
Street Lighting .....	2,550.00
Printing and Stationery .....	250.00
Salaries .....	1,120.00
Contingencies .....	150.00
Streets and Sidewalks .....	6,000.00
	\$ 34,742.00

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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