

(b) any reference to an order under section one hundred and thirty of the Bankruptcy Act, 1914, for the administration of the estate of a deceased debtor according to the law of bankruptcy, shall be deemed to include a reference to an award of sequestration of the estate of a deceased debtor, and a reference to an appointment of a judicial factor, under section one hundred and sixty-three of the Bankruptcy (Scotland) Act, 1913, on the insolvent estate of a deceased person.

3 & 4 Geo. 5.
c. 20.

5. This Act may be cited as the Third Parties (Rights against Insurers) Act, 1930.

Short title.

CHAPTER 26.

An Act to confirm and give effect to certain agreements entered into between the Government of the Dominion of Canada and the Governments of the Provinces of Manitoba, British Columbia, Alberta and Saskatchewan respectively.

[10th July 1930.]

WHEREAS the agreements set out in the Schedule to this Act were entered into between the Government of the Dominion of Canada and the Governments of the Provinces of Manitoba, British Columbia, Alberta and Saskatchewan respectively subject, however, in each case to approval by the Parliament of Canada and the Legislature of the Province to which the agreement relates and also to confirmation by the Parliament of the United Kingdom:

And whereas each of the said agreements has been duly approved by the Parliament of Canada and by the Legislature of the Province to which it relates:

And whereas, after the execution of the said agreement relating to the Province of Alberta, it was agreed between the parties concerned, subject to such approval and confirmation as aforesaid, that the said Province should, in addition to the rights accruing to it under the said agreement as originally executed, be entitled to such further rights, if any, with respect to the subject

matter of the said agreement as were required to be vested in the Province in order that it might enjoy rights equal to those which might be conferred upon or reserved to the Province of Saskatchewan under any agreement upon a like subject matter thereafter approved and confirmed in the manner aforesaid, and provision in that behalf was accordingly made by the Parliament of Canada and the Legislature of the Province of Alberta when approving the said agreement:

And whereas the Senate and Commons of Canada in Parliament assembled have submitted an address to His Majesty praying that His Majesty may graciously be pleased to give his consent to the submission of a measure to the Parliament of the United Kingdom for the confirmation of the said agreements:

Be it therefore enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

Confirma-
tion of
scheduled
agreements.
30 & 31 Vict.
c. 3.

1. The agreements set out in the Schedule to this Act are hereby confirmed and shall have the force of law notwithstanding anything in the British North America Act, 1867, or any Act amending the same, or any Act of Parliament of Canada, or in any Order in Council or terms or conditions of union made or approved under any such Act as aforesaid.

Extension
of scheduled
agreement
relating to
Alberta.

2. The agreement relating to the Province of Alberta which is confirmed by this Act shall be construed and have effect for all purposes as if it contained a provision to the following effect, namely, that the said Province shall, in addition to the rights accruing to it under the said agreement as originally executed, be entitled to such further rights, if any, with respect to the subject matter of the said agreement as are required to be vested in the Province in order that it may enjoy rights equal to those conferred upon, or reserved to, the Province of Saskatchewan under the agreement relating to that Province which is confirmed by this Act.

Short title.

3. This Act may be cited as the British North America Act, 1930, and the British North America Acts, 1867 to 1916, and this Act may be cited together as the British North America Acts, 1867 to 1930.

SCHEDULE.

(1.) MANITOBA.

MEMORANDUM OF AGREEMENT.

Made this fourteenth day of December, 1929.

Between

The Government of the Dominion of Canada, represented herein
by the Honourable Ernest Lapointe, Minister of Justice, and
the Honourable Charles Stewart, Minister of the Interior,
Of the First Part,
and

The Government of the Province of Manitoba, represented herein
by the Honourable John Bracken, Premier of Manitoba, and
the Honourable Donald G. McKenzie, Minister of Mines and
Natural Resources - - - Of the Second Part.

Whereas by section thirty of the Manitoba Act, being chapter
three of thirty-three Victoria, it was provided that all ungranted
or waste lands in the Province should be vested in the Crown and
administered by the Government of Canada for the purposes of
the Dominion, subject to the conditions and stipulations contained
in the Agreement for the surrender of Rupert's Land by the
Hudson's Bay Company to Her Majesty:

And whereas the boundaries of the Province as defined by
the Manitoba Act were altered and the area included in the said
Province enlarged by the statutes forty-four Victoria chapter
fourteen, and two George the Fifth chapter thirty-two:

And whereas by an Order in Council adopted upon a report
from the Right Honourable W. L. Mackenzie King, Prime
Minister of Canada, and approved by His Excellency the Governor
General on the first day of August, 1928, it was provided, pursuant
to an agreement in that behalf entered into with representatives
of the Government of the Province that the Province would be
placed in a position of equality with the other provinces of Con-
federation with respect to the administration and control of its
natural resources as from its entrance into Confederation in
1870, that a commission of three persons would be appointed to
inquire into and report as to what financial readjustments should
be made to effect that end and that upon agreement between the
Government of Canada and the Government of the Province
upon the financial terms, following consideration of the report of
the Commission, a transfer would be made by Canada to the
Province of the unalienated natural resources within the boun-

(4) BRITISH COLUMBIA.

MEMORANDUM OF AGREEMENT.

Made this twentieth day of February, 1930.

Between

The Government of the Dominion of Canada, represented here-
by the Honourable Ernest Lapointe, Minister of Justice, and
the Honourable Charles Stewart, Minister of the Interior,

Of the First Part,

and

The Government of the Province of British Columbia, represented
herein by the Honourable Simon Fraser Tolmie, Premier
and Minister of Railways of the said Province, and the
Honourable Frederick Parker Burden, Minister of Lands
thereof - - - - - Of the Second Part.

Whereas pursuant to paragraph eleven of the Terms of
Union between the Dominion of Canada and the then Colony of
British Columbia and to certain statutes of the Legislature of the
Province of British Columbia, being chapter eleven of the
statutes of the year eighteen hundred and eighty, chapter
fourteen of the statutes of the year eighteen hundred and
eighty-three, and chapter fourteen of the statutes of the year
eighteen hundred and eighty-four, there were granted by the
Province to Canada certain Crown lands in the Province by way
of consideration for Canada's undertaking to secure the con-
struction of a railway to connect the seaboard of the Province
with the railway system of Canada and of Canada's paying to
the Province from the date of the Union an annual sum of one
hundred thousand dollars, the said Crown lands being defined
in the statutes aforesaid and having become known as the
Railway Belt and the Peace River Block;

And whereas a railway such as is described in paragraph
eleven of the Terms of Union has been duly constructed and is
in operation, and the Province has requested the re-transfer to
it of such of the lands in the said Railway Belt and Peace River
Block as remain unalienated;

And whereas the Honourable W. M. Martin, one of the Judges
of the Court of Appeal for the Province of Saskatchewan, having
by Order in Council dated the eighth day of March, 1927
(P.C. 422) been appointed a commissioner under Part One of the
Inquiries Act to receive and inquire into the arguments of the
Government of the Province of British Columbia in support of its
claim for the reconveyance of the said lands to the Province,
submitted his report as such commissioner in which he expressed
the opinion that the Province could not by reason of its own

agreements and statutes advance any legal claim, but that its request should be considered from the standpoint of fairness and justice rather than from the strictly legal and contractual position, and in which he recommended that the said lands should be restored;

And whereas Canada has agreed accordingly to re-transfer the said lands to the Province on the terms hereinafter set out:

Now This Agreement Witnesseth that the parties have agreed as follows:

Transfer of Railway Belt and Peace River Block Generally.

1. Subject as hereinafter provided, all and every interest of Canada in the lands granted by the Province to Canada as hereinbefore recited are hereby re-transferred by Canada to the Province and shall, from and after the date of the coming into force of this agreement, be subject to the laws of the Province then in force relating to the administration of Crown lands therein.

2. Any payment received by Canada before the coming into force of this agreement in respect of any interest in the said lands shall continue to belong to Canada, whether paid in advance or otherwise, without any obligation on the part of Canada to account to the Province therefor, and the Province shall be entitled to receive and retain any such payment made after the coming into force of this agreement without accounting to Canada therefor.

3. The Province will carry out in accordance with the terms thereof every contract to purchase or lease any interest in any of the lands hereby transferred and every other arrangement whereby any person has become entitled to any interest therein as against Canada, and will perform every obligation of Canada arising by virtue of the provisions of any statute or order in council or regulation affecting the said lands hereby transferred to any person entitled to a grant of lands by way of subsidy for the construction of railways or otherwise, or to any railway company for grants of land for right of way, roadbed, stations, station grounds, workshops, buildings, yards, ballast pits or other appurtenances.

4. Any power or right which, by any agreement or other arrangement relating to any interest in the lands hereby transferred or by any Act of the Parliament of Canada relating to the said lands, or by any regulation made under any such Act, is reserved to the Governor in Council, or to the Minister of the Interior or any other officer of the Government of Canada, may be exercised by the Lieutenant-Governor of the Province in council or by such officer of the Government of the Province as

is authorized to exercise similar powers or rights under the laws of the Province relating to the administration of Crown lands therein.

5. The application to the lands hereby transferred of the laws of the Province relating to the administration of Crown lands therein, as hereinbefore provided, shall not be deemed to affect the terms of any alienation by Canada of any interest in the said lands or of any agreement made by Canada for such alienation, or the rights to which any person may have become entitled as aforesaid.

Ordnance and Admiralty Lands.

6. Nothing in this agreement shall be interpreted as affecting or transferring to the Province any ordnance or admiralty lands included in the Railway Belt which have been or are hereafter transferred or surrendered to Canada by the Government of the United Kingdom of Great Britain and Ireland or of the United Kingdom of Great Britain and Northern Ireland.

7. All ordnance and admiralty lands which were set aside as such before the sixteenth day of May, eighteen hundred and seventy-one, and which have been or are hereafter transferred or surrendered to Canada as aforesaid, whether the same lie within or without the said Railway Belt, shall continue to be vested in and administered by the Government of Canada for the purposes of Canada, provided, however, that Canada shall recognize and confirm any alienation of any part of the said lands heretofore made by the Province and shall perform and execute every obligation of the Province which has arisen with respect to any part of the said lands by virtue of any agreement made by the Province in respect thereof, or by virtue of any Act of the Legislature of the Province or of any Order in Council or regulation made under the authority of any such Act.

8. The location and boundaries of the several parcels of ordnance and admiralty lands aforesaid shall be referred for determination to two persons, one of whom shall be appointed by the Governor General in Council, and one by the Lieutenant-Governor in Council, and in the event of a disagreement between the said two persons, an umpire shall be selected by agreement between the Minister of Justice for Canada and the Attorney-General of British Columbia.

Public Works.

9. Notwithstanding anything in the foregoing paragraphs of this agreement, Canada shall retain the wharves and wharf sites situate within the Railway Belt and specified in Schedule One to this agreement, together with the lands adjacent thereto which

are required for the convenient use of any such wharf or wharf site, the boundaries of the parcels of land reserved to Canada under this clause shall be ascertained and defined by agreement between Canada and the Province as soon as convenient.

10. Forthwith upon any of the said parcels of land ceasing to be required for use as a wharf site, such parcel shall revert to and become the property of the Province.

Harbours.

11. Nothing in the foregoing paragraphs of this agreement shall extend to the foreshores or beds of harbours heretofore established within the Railway Belt, but the said foreshores and beds shall continue to be vested in Canada, and there shall in addition be reserved and retained by Canada the foreshores and beds of the Fraser River and the Pitt River lying above the eastern boundaries of New Westminster Harbour and below lines to be ascertained and defined by agreement at the junction of Kanaka Creek with the Fraser River and at the point of the exit of the Pitt River from Pitt Lake.

Sumas Dyking Lands.

12. The Province will grant and assure to the Canadian Pacific Railway Company the lands occupied or required by it for the purpose of the construction and operation of its railway in that part of the Railway Belt hereinbefore referred to which is known as the Sumas Dyking Lands, in such manner that the said Company may obtain a registered title to the said lands in fee simple, free from encumbrance.

Indian Reserves.

13. Nothing in this agreement shall extend to the lands included within Indian reserves in the Railway Belt and the Peace River Block, but the said reserves shall continue to be vested in Canada in trust for the Indians on the terms and conditions set out in a certain order of the Governor General of Canada in Council approved on the 3rd day of February, 1930 (P.C. 208).

Parks.

14. Nothing in the foregoing clauses of this agreement shall be construed as re-transferring to the Province any interests of Canada in any of the lands forming part of the Railway Belt which are included within any of the national parks described in Schedule Two to this agreement.

15. In order that the said national parks may be administered by Canada as such, all the rights of the Crown in all the lands,

mines and minerals (precious and base) and the royalties incident thereto within any of the said parks are hereby vested in Canada, so far as they are not already so vested.

16. The Parliament of Canada shall have exclusive legislative jurisdiction within the whole area included within the outer boundaries of each of the said parks, notwithstanding that portions of any such area may not form part of the park proper, and the laws now in force within such areas shall continue so in force only until changed by the Parliament of Canada or under its authority, provided, however, that all laws of the Province now or hereafter in force, which are not repugnant to any law or regulation made applicable within the said areas or any of them by or under the authority of the Parliament of Canada, shall extend to and be enforced within the same, and that all general taxing acts passed by the Province shall apply within the same unless expressly excluded from application therein by or under the authority of the Parliament of Canada.

17. On the termination by effluxion of time or surrender or otherwise, of any interest in any lands included within any of the said areas which is outstanding in any person at the date of the coming into force of this agreement, the lands in which such interest existed shall vest in and shall thereafter be administered by Canada as part of the national park within the outer boundaries of which such lands lie.

18. All rights of the Crown in any waters within the said parks shall be vested in and administered by Canada, and the Province will not by works outside any such park reduce the flow of water in any of the rivers or streams within the said park to less than the flow which the Minister of the Interior may deem necessary adequately to preserve the scenic beauty of the said park.

19. In the event of the Parliament of Canada at any time declaring that any of the said areas or any part of any of them are no longer required for national park purposes, the lands, mines, minerals (precious and base) and the royalties incident thereto specified in any such declaration shall forthwith upon the making thereof belong to the Province and the provisions of paragraphs one to five of this agreement shall apply thereto as from the date of such declaration.

20. In the event of its being hereafter agreed by Canada and the Province that any area or areas of land in the Province, in addition to those specified in Schedule Two to this agreement, should be set aside as national parks and be administered by Canada, the foregoing provisions of this agreement on the subject of parks may be applied to such area or areas with such modification as may be agreed upon.

Soldiers' Settlement Lands.

21. Nothing in this agreement shall have the effect of transferring to the Province the interest of Canada in any part of the said lands upon the security of which any advance has been made under the provisions of the Soldier Settlement Act, being chapter 188 of the Revised Statutes of Canada, 1927, and amending Acts, until after the provisions of the said Act have ceased to apply to or affect the said lands.

Historic Sites and Bird Sanctuaries.

22. The Province will not dispose of any historic site which is notified to it by Canada as such and which Canada undertakes to maintain as an historic site. The Province will further continue and preserve as such the bird sanctuaries which have been already established by Canada in the Railway Belt or Peace River Block, and will set aside such additional bird sanctuaries as may hereafter be established by agreement between the Minister of the Interior and the Attorney-General or such other Minister of the Province as may be specified under the laws thereof.

General Reservation to Canada.

23. Except as herein otherwise expressly provided, nothing in this agreement shall be interpreted as applying so as to affect or transfer to the administration of the Province (a) any lands for which Crown grants have been made and registered under the Land Registry Act of the Province and of which His Majesty the King in the right of His Dominion of Canada is, or is entitled to become, the registered owner at the date upon which this agreement comes into force, or (b) any ungranted lands of the Crown upon which public money of Canada has been expended or which are, at the date upon which this agreement comes into force, in use or reserved by Canada for the purpose of the federal administration.

Subsidy Continued.

24. Notwithstanding the re-transfer of the hereinbefore recited lands, Canada will continue to pay annually to the Province, by half-yearly payments on the first days of January and July in each year, the sum of one hundred thousand dollars, as provided in paragraph eleven of the Terms of Union aforesaid.

Records.

25. Canada will, after the coming into force of this agreement, deliver to the Province from time to time at the request of the Province the originals or complete copies of all records in any department of the Government of Canada relating exclusively to any dealings with any of the lands hereby re-transferred to the Province and will give to the Province access to all other records, documents or entries relating to any such dealings and permit to be copied by the Province any of the documents required by it for the effective administration of the lands hereby transferred.

Amendment of Agreement.

26. The foregoing provisions of this agreement may be varied by agreement confirmed by concurrent statutes of the Parliament of Canada and the Legislature of the Province.

When Agreement Comes into Force.

27. This agreement is made subject to its being approved by the Parliament of Canada and by the Legislature of the Province of British Columbia, and shall take effect on the first day of the calendar month beginning next after the day upon which His Majesty gives His Assent to an Act of the Parliament of the United Kingdom of Great Britain and Northern Ireland confirming the same.

In witness whereof the Honourable Ernest Lapointe, Minister of Justice, and the Honourable Charles Stewart, Minister of the Interior, have hereunto set their hands on behalf of the Dominion of Canada, and the Honourable Simon Fraser Tolmie, Premier and Minister of Railways of the said Province, and the Honourable Frederick Parker Burden, Minister of Lands thereof, have hereunto set their hands on behalf of the Province of British Columbia.

Signed on behalf of the Government
of Canada by the Honourable
Ernest Lapointe, Minister of Jus-
tice, and the Honourable Charles
Stewart, Minister of the Interior,
in the presence of

ERNEST LAPOINTE.

CHAS. STEWART.

O. M. BIGGAR.

Signed on the behalf of the Govern-
ment of British Columbia by the
Honourable Simon Fraser Tolmie,
Premier and Minister of Railways
thereof, and the Honourable
Frederick Parker Burden, Minister
of Lands thereof:

S. F. TOLMIE.

F. P. BURDEN.

R. H. POOLEY,
*Attorney-General.*N. S. LOUGHEED,
*Minister of Lands.*H. CATHCART,
*Deputy Minister of Lands.*OSCAR C. BASS,
Deputy Attorney-General.

SCHEDULE ONE.

WHARF LOCATIONS.

Brownsville.	Riverside.
Coquitlam.	Mission.
Port Coquitlam.	Hatzic.
Minnekanda.	Dewdney.
Harris Road.	Murphy's Landing.
Hammond.	Magars Landing.
Port Moody.	Sumas.
Ioco.	Chilliwack Upper Landing.
Haney.	Minto Landing.
Albion.	Anglemont.
Whonnock.	Blind Bay.
Ruskin.	Canoe.
Donatella.	Celista.
Barnston Island.	Chase.
Port Kells.	Eagle Bay.
Gordon Road.	Wanlock.
McAdams.	Glenedon.
Langley.	Magna Bay.
McIvers.	Sicamous.
McKays.	Salmon Arm.
Glen Valley.	Seymour Arm.
Marsh's.	Sorrento.
Mount Lehman.	Scotch Creek.
Matsqui.	Pritchard.

S. F. T.

E. L.

F. P. B.

C. S.

SCHEDULE TWO.

NATIONAL PARKS.

1. Mount Revelstoke National Park, with the boundaries defined by the Proclamations based upon Orders in Council dated 28th April, 1914 (P.C. 1125); 5th May, 1920 (P.C. 985); 18th August, 1927 (P.C. 1645).

2. Glacier National Park, with the boundaries defined by the Proclamations based upon Orders in Council dated 8th June, 1911 (P.C. 1338); 12th August, 1911 (P.C. 1781); 11th February, 1930 (P.C. 134).

3. Yoho National Park, with the boundaries defined by the Proclamations based upon Orders in Council dated 8th June, 1911 (P.C. 1338); 21st April, 1920 (P.C. 828); 11th February, 1930 (P.C. 134).

4. Kootenay National Park as shown on a map certified by the Surveyor General of Canada on 1st February, 1928, and on file in the office of the Surveyor General, a copy thereof having been filed in the Department of Lands of the Province under number 7T 312.

S. F. T.
F. P. B.

E. L.
C. S.

CHAPTER 27.

An Act to apply a sum out of the Consolidated Fund to the service of the year ending on the thirty-first day of March, one thousand nine hundred and thirty-one, and to appropriate the Supplies granted in this Session of Parliament. [1st August 1930.]

Most Gracious Sovereign,

WE, Your Majesty's most dutiful and loyal subjects, the Commons of the United Kingdom in Parliament assembled, towards making good the supply which we have cheerfully granted to Your Majesty in this session of Parliament, have resolved to grant unto Your Majesty the sum hereinafter mentioned; and do therefore most humbly beseech Your Majesty that it may