

1937

## c 315 Soldiers' Aid Commission Act

Ontario

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## CHAPTER 315.

## The Soldiers' Aid Commission Act.

Soldiers' Aid Commission continued.

1916, c. 3.

**1.** The Soldiers' Aid Commission established by Order-in-Council dated the 10th day of November, A.D. 1915, and set out in Schedule A, which order was confirmed by section 2 of the Act passed in the sixth year of the reign of His late Majesty King George V. chaptered 3, is continued and constituted a body corporate and politic under the name of the "Soldiers' Aid Commission," hereinafter called the "Commission," with power to buy, sell, lease, hold or otherwise deal in real property for the purposes of the Commission. 1929, c. 4, s. 2.

Execution of conveyances by corporation.

**2.**—(1) A conveyance, document or other instrument executed under the hand of the chairman and the supervising commissioner and the seal of the Commission, shall be deemed sufficiently executed to bind the Commission for all purposes.

Sufficiency of execution.

(2) Every conveyance, document or instrument heretofore signed, or purporting to have been signed, on behalf of the Commission by the chairman and the secretary thereof, or by the chairman and any other member of the Commission, or by the chairman and any officer of the Commission duly appointed, or by any member of the Commission and any officer of the Commission duly appointed, shall be deemed to be and to have been executed by the Commission and is hereby validated and confirmed, and every such conveyance, document or instrument so executed is declared and shall be deemed to have and to have had the effect of vesting in any person named therein such right, title and interest of the Commission as the conveyance, document or instrument conveys or transfers, or purports to convey or transfer to him in the land therein described. 1929, c. 4, s. 3.

Powers of Commission.

**3.**—(1) Notwithstanding anything in the said Order-in-Council of the 10th day of November, 1915, contained, the Commission may exercise the like powers with respect to, and may grant the same assistance to members of His Majesty's Imperial Forces or the forces of any of the Allies who, as Reservists, and while resident in Canada, were called upon to serve in the Imperial Forces or the forces of any of the Allies, or who left Canada for the purpose of enlisting and did enlist in the Imperial Forces or the forces of any of the Allies to

serve therein during the late war with Germany, as the Commission may grant to members of the Canadian Expeditionary Forces under the terms of the Order-in-Council of the 10th day of November, 1915, and the like assistance may be granted to any person who, after enlistment in Canada for service in the said war, and before going overseas, has been discharged on account of wounds, injury or disease incurred or contracted while on active service.

(2) Notwithstanding anything in the said Order-in-Council dated the 10th day of November, 1915, the Commission shall have and may exercise the like powers and perform the like services with respect to any of the classes of persons mentioned in subsection 1 who have returned to Ontario since the war as it may with respect to those who returned during the war. 1929, c. 4, s. 4.

Extent of powers of Commission.

4. The Lieutenant-Governor in Council may add such persons from time to time as members of the Commission as he may deem advisable, or may appoint a member in place of any member dying or retiring or becoming incapable of acting. 1929, c. 4, s. 5.

Adding members to Commission.

5. The Commission may establish or arrange for the establishment of branches of the Commission in the various municipalities in the Province and appoint a supervising commissioner and such officers, clerks, servants and agents as may be deemed necessary and expedient for carrying out the work of the Commission, and the salaries, wages, fees or other remuneration payable to such officers, clerks, servants and agents, and all other costs, charges and expenses incurred by the Commission shall be payable out of such moneys as may be appropriated from time to time by the Legislature for the purposes of the Commission. 1929, c. 4, s. 6.

Branches, office staff, —appointment of.

6.—(1) The Commission has and shall be deemed to have had since the date of its establishment, power to receive, administer and dispose of gifts, devises and bequests for the benefit of persons belonging to any of the classes mentioned in section 3, or for the benefit, as a class, of the wives, widows, children and dependent relatives of any such person belonging to any of the classes mentioned in section 3, and, without limiting the generality of the foregoing, shall be deemed to include the right to receive, hold, administer and dispose of lands so devised.

Commission authorized to receive and administer gifts, etc.

(2) Where by the will of any person dying before or after the passing of this Act, a devise or bequest is made to or for the benefit of any class of persons mentioned in section 3, or for any object within the powers of the Commission, or for

Where bequest would otherwise be void for uncertainty.

any like purpose, and such will does not specify the particular person, society or institution that is to receive such devise or bequest, or if such devise or bequest is or may be held to be void for uncertainty as to the persons entitled to receive the same, or as to the object to which the same may be applied, then in any such case the Commission shall be the beneficiary and shall be entitled to receive, administer and dispose of the same in such manner as the Commission may deem expedient.

Application of subs. 2.

(3) Subsection 2 shall apply and take effect notwithstanding that by the terms of any such will the executor or trustee thereunder is directed to distribute such devise or bequest in the discretion of such executor or trustee. 1929, c. 4, s. 7.

Acquiring lands for cemetery purposes.

7. The Commission may acquire lands by purchase or expropriation or otherwise for the purposes of a cemetery for the burial of persons belonging to any of the classes mentioned in section 3 and with respect to such cemetery shall possess all the powers of an owner of a cemetery under *The Cemetery Act*, 1929, c. 4, s. 8.

Rev. Stat., c. 351.

Aid to widows.

8. The Commission has and shall be deemed to have had since the date of its establishment, power to grant assistance, financial or otherwise, to the widows of the classes mentioned in section 4 of *The Soldiers' Aid Commission Act*, being chapter 3 of the Acts passed in the sixth year of the reign of His late Majesty King George V. who have remained unmarried or who have remarried and, in the opinion of the Commission, need help, and all such assistance, financial or otherwise heretofore given by the Commission is declared to be legal and valid for all intents and purposes. 1929, c. 4, s. 9.

1916, c. 3.

Powers of Commission as to children of soldiers.

9. With respect to the child of any person who has served with His Majesty's forces or the forces of any of the Allies of His Majesty in the late war, the Commission shall have and may exercise and perform all the rights, powers and duties of a children's aid society as provided by *The Children's Protection Act*, 1929, c. 4, s. 10.

Rev. Stat., c. 312.

Establishing children's shelters.

10. The Commission may establish children's shelters or homes for children coming under its care by virtue of this Act and may apply any of the funds of the Commission for such purpose. 1929, c. 4, s. 11.

Agreement to accept custody of child.

11. The Commission may enter into an agreement with any person who served with His Majesty's forces or the forces of any of the Allies of His Majesty in the late war with Germany, or who was the wife or husband of a person so serving before



the cessation of hostilities, whereby the Commission may accept the custody of any child or children of such applicant upon being satisfied that the circumstances of the applicant are such that the applicant is unable to properly maintain and care for such child or children. 1929, c. 4, s. 12.

**12.** The members of the Commission shall serve without remuneration, but may be paid their travelling expenses and other necessary disbursements as part of the expenses of the Commission, and the receiving of such expenses and disbursements by any member of the Commission shall not render him ineligible as a member of the Assembly, nor disqualify nor render him liable to any penalty for sitting and voting therein, anything in *The Legislative Assembly Act* to the contrary notwithstanding. 1929, c. 4, s. 13.

Services to be honorary.

Rev. Stat., c. 12.

**13.** The Commission acting as a central provincial committee and a branch sub-committee of The Military Hospitals Commission, may enter into arrangements with the Department of Education for Ontario, or with any educational authority or institution, for providing instruction of any kind, including technical and industrial instruction for those of the classes of persons mentioned in section 3, who, as a result of wounds, disease or other injury sustained during the period of enlistment, are unable to pursue their former calling or occupation, and for such other training, instruction and assistance as the Commission may deem advisable. 1929, c. 4, s. 14.

Arrangements for technical instruction for incapacitated soldiers.

**14.** The Lieutenant-Governor in Council may confer such further powers and impose such further duties upon the Commission with respect to soldiers who have returned to Ontario since the war, with a view to securing their well-being, as may be deemed advisable. 1929, c. 4, s. 15.

Further powers and duties may be conferred and imposed.

## SCHEDULE A.

Copy of an Order-in-Council approved by His Honour the Lieutenant-Governor the 10th day of November, A.D. 1915.

Upon the recommendation of the Honourable the Provincial Secretary, the Committee of Council advise that a Commission be issued appointing William David McPherson, K.C., M.L.A., and John B. Laidlaw, Robert J. Christie and William Banks, Esquires, Toronto; the Honourable George Gordon, North Bay, Senator; Kenneth W. McKay, St. Thomas, County Clerk; William F. Nickle, K.C., M.P., Kingston; George Lynch Staunton, K.C., Hamilton; Ernest G. Henderson, Windsor, Esquire, and W. L. Best, Ottawa, Esquire, Commissioners to constitute a Central Provincial Committee and a Branch Sub-Committee of The Military Hospitals Commission to take care of and to find employment for members of the Canadian Expeditionary Force who return to Canada during the period of the war, and to assist, advise and co-operate with the said The Military Hospitals Commission, and with all Provincial or local committees or organizations to attain the aforesaid objects, and to do all things which may be incidental and ancillary to the foregoing; and the said William David McPherson to be *ex officio* a Member of the said The Military Hospitals Commission, and to be Chairman of the said Commission, and Charles Norris Cochrane, Toronto, Esquire, to be Secretary thereof.

Certified.

(Sgd.) J. LONSDALE CAPREOL,  
*Clerk, Executive Council.*

1929, c 4, Schedule A.

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