

privileges to the said towns, and sell and dispose of electric power and energy to the said towns on terms equally favorable, having regard to the difference in mileage required to deliver such power, and such person, company or corporation shall supply the same on the terms aforesaid.

34. The Corporation of the Town of Fort William shall not exercise the powers conferred by this Act of developing water power and electricity and of acquiring lands and other property from Edward Spencer Jenison until a by-law for such purpose shall have been submitted to the ratepayers of said town entitled to vote on money by-laws and carried by a majority of such ratepayers voting on said by-law.

Powers of
Fort William
to be exercised
with assent of
ratepayers.

SCHEDULE C.

AGREEMENT.

Made this 11th day of March, A. D. 1902, between the Corporation of the Town of Fort William, hereinafter called the Town of the First Part, and the Kakabeka Falls Land and Electric Company (Limited), hereinafter called the Company of the Second Part.

1. Witnesseth that the town agrees to return the water of the Kaministiquia River above the Kakabeka Falls so as to enable the company to have the full advantage of the fall of the water of the said Falls.

2. The town and the company will each pay one-half the costs of and incidental to the legislation the said town is now applying for.

3. The company will pay two-thirds of any amount which may be awarded to Jenison for damages or otherwise for anything the town may do by virtue of said legislation. The amount to be paid by the company not to exceed \$5,000 unless power is developed by the company. If power is developed by the company at any time, then the company is to pay two-thirds of the said amount without limit.

4. If the town constructs storage works and the company develops the power at Kakabeka Falls, then the company will, if it receive benefits from the said storage works, pay two-thirds of the total expense the town shall be put to in respect to such storage works, including maintenance as well as the original cost. If the storage works be built and maintained by the company, and the water so stored be of benefit to the town, then the town shall pay one third of the cost of such construction and maintenance.

5. The town may, on terms to be agreed upon, transfer and assign to the company its rights, properties, powers and privileges under the said legislation subject to the liabilities therein imposed, and the company may, on terms to be agreed upon, transfer all its rights, properties, powers and privileges to the town.

IN WITNESS WHEREOF the parties have signed

The Corporation of the Town of Fort William.

by H. L. DRAYTON,
Their Solicitor.

The Kakabeka Falls Land and Electric Company, Limited.

by H. C. HAMILTON,
Their Solicitor.

WITNESS: J. E. Irving.