

When proclaimed direction and control to be vested in Trustees.

Trustees to have powers etc. of former Board of Directors.

Trustees to be substituted for Boards of Directors of all Canadian companies comprised within the National Railways.

Proviso.

Inconsistent acts, orders and charters to be construed so as to conform.

All operations and services to continue.

9. When the Governor in Council shall proclaim in the *Canada Gazette* that he has vacated all nominations to the Board of Directors of the National Company and has appointed Trustees as by section four of this Act provided

the said Board shall cease to exist and, by force of this Act and without more, the direction and control of the National Company and its undertaking shall be vested, subject to the provisions of this Act, in the Trustees.

(2) The Trustees shall and may thereafter, subject to the provisions of this Act, have and exercise all the powers, rights, privileges and immunities, and perform and be subject to all the duties, responsibilities and restrictions, which now appertain to the Board of Directors of the National Company.

(3) At the same time, by the same force and without more, the Trustees shall become and be Trustees in the place and stead of and in succession to every Board of Directors of every other company in Canada which is comprised in National Railways and they may and shall, thereafter, subject to the provisions of this Act, have and exercise with relation to such other companies, respectively, the like powers, rights, privileges and immunities, and perform and be subject to the like duties, responsibilities, and restrictions as those already in this section provided for with relation to the National Company: Provided that in any case where the ownership, interest or right to operate or control of the National Company or of any element of which National Railways as defined by this Act is composed is, as respects any of such companies in Canada, partial only, because whereof after the passing of this Act part of the Board of Directors of such company will be or continue to be appointable otherwise than by the Trustees, they shall at the same time, by the same force and without more become and be directors in the place and stead of that part of such Board of Directors of such company which before the passing of this Act was appointable by or for the National Company or by or for any element of which National Railways is composed; and if the number of directors appointable by them be more than three the Trustees may appoint such additional directors of such company in Canada as may be authorized and necessary and may remove and replace them at any time without notice and without assigning cause.

(4) The National Act and all statutes, charters, letters patent and orders in council of Canada which relate to any of such companies in Canada shall, in so far as they may be inconsistent with the provisions of this section, be read in the light hereof and be construed so as to conform herewith.

(5) Subject to the terms of this Act, and until otherwise provided or directed under its authority, every operation and service of National Railways shall continue and be continued by all persons now concerned therewith as if this Act had not been passed.

Substantially same as old report

added

added

the Governor of the what are they?

X See section 2

Why shall

NOTE King suggests to by Govt

Add these lines to any declaration or provision which may be inserted re no amalgamation (See Liberal amendment)

Should clause be inserted bringing act into force by proclamation of Governor in Council?

W.L.M. King Papers, Memoranda and Notes, 1933-1939
(M.G. 26, J 4, volume 205, pages C141316-C141859)

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