

### Unclaimed Balances.

Hon. W. S. Fielding, minister of finance, has just issued a blue book in conformity with Act 53, Victoria, Chap. 31, section "An Act respecting Banks and Banking," being a report of dividends, unclaimed balances, and drafts or bills of exchange remaining unpaid in chartered banks of Canada, in respect to which no transactions have taken place, or upon which no interest has been paid for five years and upwards prior to Dec. 31, 1900. The total amounts of dividends and unclaimed balances are \$104,330.02 and £112 5s 10d. Out of this total the sum of \$16,747.99 stands to the credit of persons whose last address on the books of the banks is in Manitoba or the Northwest Territories.

There are a number of names in the list well known in the West, the reasons for non-withdrawal of same being almost as varied as the separate sums involved which run from the insignificant sum of one cent to the nice little amount of \$1,150.00, which latter amount lies to the credit of John Jacob Wagner, in the Bank of B. N. A. Winnipeg, whose last known address is Morris, Man.

The following is a complete list of the Western balances:—

#### Imperial Bank of Canada.

Winnipeg—A. W. Anderson, \$181.50; G. A. Burns, \$1.81; J. W. Barrow clough, \$3.50; H. D. Christy, \$1.93; K. Douglas, \$100; J. J. Dowley, \$3.90; Hewett & Co., \$23; J. E. Jennings, 10c; W. R. Johnston, \$21.10; J. Lake, \$74; J. McDonald, \$22.40; J. E. McDougall, \$3.68; F. M. McDougall, \$29.75; D. McLean, \$3.11; W. Norby, \$35; H. J. Smith, \$1.80; Starkey & Co., \$3.28; D. J. Thom, \$1.98; A. H. Talbot, \$1.72; J. P. Winter, \$1.65; A. Barret, \$300; A. Kerr, \$2.40; Miss L. G. Lemon, \$3.75; R. Cochran, \$1.13; J. King, \$46.15; F. Kirshaw, \$3.33; W. G. Baldwin, \$2.04; J. Stuart, \$1.07; M. Nicholson, \$3.17; A. E. Porter, \$3.15; P. R. Wallace, \$2.56; Balmoral church, \$1.38; G. McKenzie, Sec. Treas., \$10.83; municipality of Rose-dale, \$2.68; H. Wolfgang, \$2.00; Olafson & Co., \$8.60; Prestwich school district, \$2.07; R. M. J. Rowley, \$1; J. Taylor, \$9.30; J. W. Turner, \$1.04; F. S. Young, \$1.10; Springfield Agricultural society, \$21.00; Canadian Anthracite Coal Co., \$20.81.

Brandon—A. Benson, \$186; C. West-head, \$9.33; George Huston, \$3.31; W. F. Carson, \$1.15; George Gauley, \$6.32; H. Nugent, \$42.10; A. W. Rowe, \$49.12; Mary J. McLean, \$10.80; Rev. J. D. McGregor, \$17.75; S. McAdoo, Jr., \$9; O. G. V. Spain, \$11.83; Mrs. B. Spain, \$2.59; J. P. Murray, \$3.68; J. Sharp, Jr., \$10; Thomas & Mowat, \$30.51; P. R. Lamb, \$12.84; W. H. Hooper, assignee, \$247.60; J. Pye, \$5; Portage la Prairie—R. W. Holkes, \$24.75; J. A. Fraser, \$2.65; W. C. Campbell, \$38.35.

Calgary—Ferguson & McMurty, \$34.67; J. H. Morrison, \$22.00; A. Q. Cowan, \$7.67; A. P. Mann, \$80.41; W. J. Hockin, \$24.00; T. Anderson, \$2.75; D. D. Mann, \$31.01; S. Mitchell, \$14.96; J. McMillan, \$25; Revelstoke Lumber Co., \$11.89; W. Donohoe, \$5.20; Green & Moorhouse, \$10.60; G. S. Headman, \$3.35; A. E. McDiarmid, \$14.80; Thomas Preston, \$20.01; J. W. Silverthorne, \$8.53; Lucas Loughheed & McCarthy, \$8.35; J. D. Davidson, \$2.13; C. Murray, \$77; W. J. Ikin, \$14.19.

Rat Portage—R. Baker, Sec. Robert Linn, \$230; A. F. Stout, \$80.27; E. P. Frank, \$49.75; James Ray, \$9.75.

Prince Albert—J. W. Welsh, \$10; G. Gordon, \$10; Jones & Stewart, \$10.50; J. Smart, \$10; A. Wikemann, \$6.35.

Edmonton—Bellisle Bros., \$7.53; Jos. Bellisle, \$1.83; W. C. Ross, \$12.43; Mother St. Joseph, \$14.75; D. McDougall, \$18.90; R. H. Mennie, \$58.49; P. Verbrake, \$15; F. Vestrecker, \$15; H. B. Spratt, \$10.40.

#### The Ontario Bank.

Winnipeg—James Murch, \$11.00; George Pearce, \$91.75; Alf. Pearson, \$3.65; G. L. Ferguson, \$3.95; Duncan McDonald, \$24.45; J. D. McGovern, \$6.50; G. J. Huss, \$2.65; Mary Johnson, \$6.75; C. D. A. Teter, \$5.45; James Smith, \$15.44; J. Battenden, \$17.70; Thomas Erwin, \$10.45; J. J. Miller, \$25.08; Alex McDonald, \$31.93.

#### Bank of B. N. A.

Winnipeg—John Bennett, \$7c; H. J. Bowman, \$c; John Campbell, \$1c; Marcus Moses, \$1c; Mrs. Henrietta Whittaker, \$3.86; Frank S. Wright, \$30c; R. V. Asbury, \$25c; C. W. Kunber, \$c; Agnes H. Logan, \$5.16; John Jacob Wagner, \$1,150; Prof. Hy. Tanner, \$15.60; J. Y. McNaught, Sec. Treas., \$15.70.

Brandon—Robert Wright, \$1.40; W. Daly, \$2c; A. E. Lewis, \$c; E. F. Moffitt, \$10c.

#### Banque d'Hochelega.

Winnipeg—J. Campeau, \$1.30; A. J. Ferguson, \$1.14; P. F. Bernard, \$2.02; Steacy & Wilson, \$1.51; J. B. Brennan, \$15.80.

#### Banque Provinciale du Canada.

Edmonton—Alfred Bourque, \$1.37; Joseph Byers, \$1.31; Etienne Pouquette, \$5.50; Millan & McDermott, \$5.71; Philip Ottewill, \$11.75; Alex McDonald, \$1.00; The Stony Plain Quarry Co., \$3.82; Edward Boutin, \$2.42.

#### Merchants Bank of Canada.

Brandon—Mrs. Margaret Bradley, \$758.28; J. T. Bell, treasurer I. O. O. F., \$119.40; Wm. Mitchell, \$597.76; M. E. Gordon, \$100.00; Elizabeth McKen-zie, \$559.00; Miss Agnes Mair, \$300.00; Portage la Prairie—Geo. Porterfield, \$16.40; Daisy M. Snider, \$7.08; Mary Snider, treasurer, \$15.54.

Winnipeg—Municipality of Tache, \$5.31; Moravian Settlers' Fund, \$10.65; Buchanan & Co., \$25.00; J. S. Bedford, \$12.16; Church of England S. S. union, \$11.15; Charles Keer, \$14.40; Joseph Altrec, \$1.65; Trustees, Companions of the Forest, Prairie Grove Circle, \$5.65; James Malcolm, \$1.00; Georgina Wil-son, \$5c; Manitoba Book and Tract society, \$13.91; G. H. Howard and F. H. Phippen, \$235.00; Wm. Fullerton, in trust for R. A. Fullerton, \$100.00; Wm. Fullerton, in trust for Charles Davidson, \$100.00; Wm. Fullerton, in trust for Reg. G. Thekon, \$100.00; Wm. Fullerton, in trust for C. R. Townsend, \$100.00; Mrs. Margaret Morgan, \$300.00; Wm. Woodman, \$300.00.

#### Molson Bank.

Calgary—A. Irvine Robertson, \$7.05.

Winnipeg—W. T. Teetzel, \$5.63; A. Walters, \$5.85; Doberer Bros., \$5.50; Fullerton & Co., \$19.89; J. R. Ormond, \$11.00; E. C. Mitchell, \$21.35.

#### Bank of Montreal

Calgary—Wellington & McKenzie, \$4.65; John Jarvis, \$25; A. J. Sharpe, \$9; E. H. Rupert, \$14.05; R. Totman, \$6.14; F. M. Wells, \$5.50; D. Courtney, \$10; R. H. Henderson, \$14.75; Mrs. S. F. Martin, \$22.82; J. Hanney, \$6.16.

Regina—J. W. Smith, \$33.44; T. Tubby, \$50; J. T. Whiteway, \$6.40; A. J. Williams, \$19.50; A. McArthur, \$20; D. McKenzie, \$50; Hy La Belle, \$19.97; A. C. Lindsey, \$22.53; E. L. Turcott, \$11.48.

Winnipeg—L. D. Allan, \$60; W. J. Bailey, \$15; A. Barnard, \$9.23; E. A. Baynes, \$6.35; J. H. Burdett, \$5.78; Burnett & Barnard, \$5; J. Campbell, \$22.78; H. L. J. Cocks, \$37.71; J. Corcoran, \$10; E. Delaney, \$10.00; D. A. Denis, \$14.36; F. Doyle, \$10; S. L. Dundas, \$7.00; C. Fitzpatrick, \$28.75; D. Gibb, \$6.09; T. J. Gibson, \$9; Great Northwest Land Company, \$6.60; H. B. Hammond, \$6; J. Harvey, \$16.30; R. Hislop, \$7.36; Wm. Hood, Sec., \$7.09; C. H. Logan, \$21; Manitoba and Col. Ry. Co., \$50; J. A. B. Melton, \$15.29; E. McCarthy, \$49.50; John McDonald, \$3.50; W. Napier, \$6.45; W. P. Price, \$8.03; J. Rutledge, \$14.44; H. L. Sabine, \$13.91; W. J. Sherwood, \$5.00; John Smith, \$5; E. G. Starr, \$6.60; F. H. Stone, \$9.90; J. B. Stobo, \$15.63; A. T. Symes, \$30.00; J. Towers, \$10; C. S. Toynbee, \$5.67; H. M. Webster, \$8.90; C. H. Wells, \$10; R. Wood, \$39.75; W. D. Wood, \$11.90; H. Wrightson, \$5.02; C. J. Wyatt, \$17.20; W. R. Albrow, \$15; J. Hagard, \$5.75; M. McIntyre, \$75; P. Mills, \$5.51; G. J. McArthur, \$15; J. C. Needham, \$75.80; J. P. Bennett, \$15.15; D. McKenzie, \$37.99; T. Calk, \$17.25; H. V. Woodgate, \$22; J. Walton, \$58.60; J. G. Alston, \$12.20; S. Hareford, \$10; George Anderson, \$25.25; Joseph Armstrong, \$580.40; Mrs. H. Radeger, \$0.33; George Wilson, \$5.71; R. Graham, \$50; J. H. Morgan, \$700.

#### Bank of Nova Scotia.

McNabb, \$80; W. J. Pearce, \$148; Lawrence Prendergast, \$12.35; W. B. Scarth, \$31.04; Wm. Woodman, \$1,101.84; Wade & Wheatler, \$1.45.

#### Bank of Nova Scotia.

Winnipeg—Geo. Barres, \$25c; Geo. A. Bayne, \$2c; R. Boulbee, \$1.13; Sir R. J. Cartwright, \$18c; S. J. Cohn, \$c; W. C. Copeland, \$25c; G. W. Grant, \$2.62; James Hooper, \$1c; Tracey Ludington, \$1c; T. J. Lynskey, \$20c; Charles Mars-halsey, \$1.51; John Maloney, \$5c; Geo. P. Murray, \$c; A. L. McLean, \$30c; Donald McLean, \$2c; H. E. Neelands, \$c; G. F. Pearson, \$1c; A. J. Ross, \$43c; J. H. Stranger, \$1.80; W. F. Smith, \$2c; D. S. Thorne, \$1.14; W. Willoughby, \$7.47.

### Reaches the Courts.

The legislative fight over the Roblin railway deal is apparently to be followed by a legal fight and the guantlet was thrown down last week in the court of King's Bench by the entering of an action against the Manitoba government, the Canadian Northern railway, and the Northern Pacific railway, the object of which is to get the court to declare the contracts void and to prohibit the government of Manitoba from carrying out the transfer of the Northern Pacific lines and restraining Premier Roblin and the minister of public works from taking over or receiving the Northern Pacific lines.

#### The plaintiffs claim:—

1. A declaration from this honorable court that the contracts of the 15th of January and 11th of February, 1901, are void and of no force and effect.

2. That the defendants other than the Attorney-General of this province may be restrained from carrying out the transfer of the said railway lines, railway plant and telegraph lines.

3. The defendants the Honorable R. P. Roblin and the Honorable Robert Rogers may be restrained from taking over or receiving the said railway lines, railway plant and telegraph lines.

The following is the style of the case:—

"In the King's Bench, the 23rd day of May, 1901, between John Arbuthnot, Alexander Macdonald, Thomas L. Robinson, Thomas Ching and Elie-uzon, plaintiffs, and the Northern Pacific Railway company, the Northern Pacific and Manitoba Railway company, the Winnipeg Trans-fer, Railway company (limited), the Portage and Northwestern Railway company, the Waskada and Northeastern Railway company, the Canadian Northern Railway company, the At-orney-General for the province of Manitoba, the Honorable R. P. Roblin and the Honorable Robert Rogers, de-fendants.

#### Statement of Claim.

The statement of claim sets forth that the plaintiffs all reside in the city of Winnipeg and are citizens of the province of Manitoba and British subjects, and possessed of large prop-erties, both real and personal, in the province of Manitoba, and are deeply interested financially in the subject matter of the suit, "and they bring this suit on behalf of themselves and all other the inhabitants of the province of Manitoba, except the de-fendants."

The defendant, the Northern Pacific Railway Co., is declared to be a foreign railway company owning and operating a large transcontinental line of railway and connecting with Manitoba only by a branch line, and that for many years the Northern Pacific and Manitoba Railway Co. has been operated in connection with, and was a through railway and part of the system of the Northern Pacific. It is claimed that the Northern Pacific and Manitoba Railway Co. is not sub-ject to the legislative control of Mani-toba and reasons for this are given; also that the defendants, the Trans-fer Co., the Portage and Northwest-ern and the Waskada roads are each declared by the parliament of Canada to be works for the general advantage of Canada and are subject to the Railway Act of Canada.

The document filed in court con-tains a complete transcript of the lease made between the Northern Pacific Co. and the government of Mani-toba and goes on to state that the legislative assembly of Manitoba at its last session assumed to con-firm the lease and to make it valid and binding.

### The Canadian Northern Case.

The statement of claim goes on to set forth the nature of the work known as the Canadian Northern Railway, a work declared to be by the parliament of Canada for the general advantage of Canada. It is set forth that the line commences at Port Arthur and runs westward through the province of Ontario to the international bound-ary line at Rainy River and again commences at the international boundary line between the United States and Manitoba near the south-eastern corner of this province, and then runs northwesterly through the province and about fifty miles into the Northwest Territories, and that the Canadian Northern intends to use for the purpose of connecting the two links of their railway a certain line owned by the Minnesota and Manitoba Railway company, which is a com-pany incorporated by the State of Minnesota and not subject to our laws, and also that the company in-tends to use a bridge across the Rainy river which is to be built and owned by the Minnesota and Ontario Bridge company, a foreign corporation. It is alleged that there is no binding con-tract by which the Canadian North-ern can use either the bridge or rail-way line in Minnesota. After set-ting out the various Acts confirming the contracts the statement of claim goes on to say:

"In pretended performance of the first mentioned indenture the de-fendants, the Northern Pacific Railway Co. and the Northern Pacific and Manitoba Railway Co. intend at once to hand over and deliver to the de-fendants, the Hon. R. P. Roblin and the Hon. Robert Rogers all the lines or railway of those companies and all the rolling stock and claim and re-ceive from this province the rental and liability mentioned in the lease, and the said Hon. R. P. Roblin and the Hon. Robert Rogers propo-se to operate the said lines of railway as a public railway in this province."

#### The Reasons.

"The plaintiffs submit that the province of Manitoba has no power to legislate respecting the said railway and plant and the agreement of Jan 15, 1901, cannot be acted upon, and for the following amongst other rea-sons:—

A. The railway line of the North-ern Pacific in Manitoba connects the province with a foreign country.

B. The said railway line has been declared by the parliament of Canada to be for the general advantage of Canada.

C. The defendants, the Hon. R. P. Roblin, the Hon. Robert Rogers have not, nor has either of them, nor has the executive of the province been granted power by the parliament of Canada to take over, operate, control, or manage the said railway lines or plant.

D. The parliament of Canada can not authorize the executive of the province to take over or operate the railway, or give the local legislature power to legislate respecting the same.

E. The contract of the 11th of Feb-ruary is beyond the powers of the legis-lature of this province and any prov-vincial legislation relating thereto is void and ultra vires for the following amongst other reasons:—

1. The Canadian Northern railway line connects this province with a for-ign country.

2. The said railway line extends be-yond this province.

3. The said railway line has been declared by the parliament of Canada to be for the general advantage of Canada.

4. The executive of Manitoba has not and never had, nor have the de-fendants the Hon. R. P. Roblin and Robert Rogers, or either of them, any power or authority to transfer, convey, or hand over the said rail-way line and plant to the Canadian Northern Railway company.

5. The parliament of Canada can-not give the legislature or the execu-tive of this province any power to en-ter into the said contract.

#### The Petition.

The plaintiffs claim:—

1. A declaration from this honor-able court that the contracts of the 15th of January and 11th of Febru-ary, 1901, are void and of no force and effect.

2. That the defendants other than the Attorney-General of this province may be restrained from carry-ing out the transfer of the said rail-