

C A P . V .

An Act respecting Ocean Mail Service.

[Assented to 18th March, 1865.]

Preamble.
Agreement
with Hugh
Allan, recited.

WHEREAS an Agreement was entered into on the Eighth day of December, in the year of Our Lord, one thousand eight hundred and sixty-three, between Hugh Allan, Esquire, Merchant, residing in the city of Montreal, of the first part, and the Honorable Oliver Mowat, of the city of Quebec, Postmaster General of Canada, acting therein for and on behalf of Her Majesty's Government in this Province, of the second part, whereby the said Hugh Allan did promise and engage amongst other things to keep up a regular line of Steamers between the Port of Liverpool and the Port of Quebec or Montreal, and between the Ports of Liverpool and Portland, and that during the continuance of the contract, the said Hugh Allan shall be bound to carry by each trip of the said steamers such mails as may be given to him, or to the officers in charge of his vessels as in the said contract mentioned, which agreement contains certain terms, conditions, and stipulations respecting the performance of the same, and whereas it is by the said agreement covenanted and agreed between the said parties thereto that it shall be at the option of the Government of Canada to put an end to the said contract, and render the same null and void at any time, should the terms and conditions thereof not be fairly fulfilled and carried out in their true and honest meaning, and that without being obliged to have recourse to Law, but that the said contract shall not be voidable by the Government so long as the terms and conditions of it are fairly fulfilled and carried out in their true and honest meaning, and that the right of the Government to annul the same for any cause shall, after the first of April, one thousand eight hundred and sixty-five, be decided on by some tribunal having jurisdiction in such matters, if such there be, or by any tribunal which may be created or appointed by Parliament for this purpose, and that such tribunal shall decide summarily and without appeal by the said Hugh Allan, and may for the sake of expedition and substantial justice, dispense with the forms and rules of procedure applicable to other cases; And whereas it is desirable that a tribunal should be created or appointed for the purposes in the said contract as hereinbefore recited set forth: Therefore, Her Majesty, by and with the advice and consent of the Legislative Council and Assembly of Canada, enacts as follows:

Governor in Council may create a tribunal for deciding whether the said agreement has been faithfully carried out.

1. The Governor in Council may at any time after the first day of April in the year one thousand eight hundred and sixty-five, by commission under the Great Seal, create a tribunal or court to decide summarily and without appeal by the said Hugh Allan, whenever and so often as the same may be submitted for adjudication by the Postmaster General for the

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