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No. 182.

5th Session, 8th Parliament, 63 Victoria, 1900

BILL.

**An Act respecting the construction of a
Branch Railway from Charlettetown to
Murray Harbour.**

First reading, June 18, 1900.

MR. BLAIR.

OTTAWA

Printed by S. E. DAWSON
Printer to the Queen's most Excellent Majesty
1900

An Act respecting the construction of a Branch
Railway from Charlottetown to Murray Harbour.

HER Majesty, by and with the advice and consent of the
Senate and House of Commons of Canada, enacts as
follows:—

1. Notwithstanding anything contained in section 2 of 1899, c. 4.
5 chapter 4 of the statutes of 1899, the agreement set forth in the schedule to this Act is ratified and confirmed. Agreement confirmed.

SCHEDULE.

An agreement made in duplicate this eighteenth day of
April, one thousand nine hundred,

Between Her Majesty the Queen, represented by the Minister
of Railways and Canals of Canada, acting under the authority
of the Act of the Parliament of Canada, 62-63 Victoria,
chapter 4, hereinafter called the "Dominion Government," of
the first part; and Her Majesty the Queen, represented by the
Premier and the Commissioner of Public Works of the
province of Prince Edward Island, acting by virtue of the
Acts of the Legislature of the province of Prince Edward
Island, 62 Victoria, chapters 2 and , and under the authority
of an Order of the Lieutenant-Governor in Council, dated the
22nd day of March, 1900, hereinafter called the "Provincial
Government," of the second part.

Whereas, by virtue of the aforementioned Act of the
Parliament of Canada, it is provided that the Minister of
Railways and Canals may enter into an agreement with the
Provincial Government for the construction of a bridge over
the Hillsborough River, in the said province, adapted and
suitable for public highway and railway purposes, the Provin-
cial Government to contribute the sum of twelve thousand
dollars annually towards the interest on the cost thereof.

And whereas, under the above mentioned Acts of the
Legislature of the province of Prince Edward Island, power
was given to the Provincial Government to enter into an
agreement for the purposes aforesaid.

And whereas, plans and specifications of the said bridge
have been prepared and approved on behalf of the said parties
and are now on file in the Department of Railways and Canals
at Ottawa; and it appearing, that the cost of the construction
of the said bridge will not be as great as was estimated at the
time of the passing of the aforementioned Dominion Act, the
contribution to be made by the Provincial Government towards

the construction and maintenance of the said bridge has been settled at the sum of nine thousand seven hundred and fifty dollars per annum,—and the Dominion Government has agreed to procure legislation confirming the same.

It is therefore agreed by and between the said parties, that in consideration of the premises, the Dominion Government shall construct a railway and highway bridge in accordance with the plans and specifications aforementioned, over the Hillsborough River from the shipyard on the northern side of the said river to Mutch's Point on the southern side thereof, at a place located by the engineer of the Department of Railways and Canals, as set forth in the report of such engineer, dated the twenty-third day of January, 1900.

The Provincial Government shall keep and maintain in good repair the planking or flooring on the portion of the said bridge used for highway purposes, being so much of the flooring of the said bridge as shall be exclusive of the portion thereof lying between the rails forming the railway track thereon; that, excepting as above, the Dominion Government shall keep and maintain the said bridge in good and safe order and condition, painting the same where necessary and keeping the flooring between the said rails in good order and condition.

The Provincial Government shall furnish the lighting of the said bridge for highway purposes (if required) and the Dominion Government for railway purposes (if required); the Provincial Government shall use all necessary means for the protection and safety of all foot-passengers and persons using the highway portion of the said bridge.

The Provincial Government shall contribute annually towards the interest on the cost of the construction and maintenance of the said bridge the sum of nine thousand seven hundred and fifty dollars per annum, in semi-annual payments of four thousand eight hundred and seventy-five dollars each; that such contribution shall be deducted half-yearly by the Dominion Government from the grants, subsidies or allowances payable by the Dominion Government to the said province, the first deduction on account thereof to be made from the grant, allowance or subsidy due and payable to the said province next after the completion of the said bridge, *pro rata*, according to the number of days elapsing between the date of such completion and the date of the payment of such first allowance.

The Provincial Government shall have the exclusive right and power to levy and collect tolls and charges for the use of the said bridge, railway traffic of any nature and railway employees alone excepted.

The Dominion Government shall secure legislation amending the above recited Act of the Parliament of Canada in so far as the provisions thereof may be inconsistent with this agreement.

In witness whereof the said Minister of Railways and Canals has hereto set his hand and has caused the seal of the Department of Railways and Canals to be hereto affixed and these presents to be signed by the Secretary of the said Department and

the said Premier and the Commissioner of Public Works of Prince Edward Island have hereto set their hands and seals the day and year first above written.

SIGNED, sealed and delivered)
 by the Dominion Govern-) ANDW. G. BLAIR,
 ment in manner aforesaid in) *Minister of Railways & Canals.*
 the presence of :) L. K. JONES.
 GERARD G. RUEL.) *Secretary Dept. Rys. & Canals.*

SIGNED, sealed and delivered)
 by the Provincial Govern-) D. FARQUHARSON,
 ment in manner aforesaid in) *Premier of Prince Edward Isl*
 in the presence of :) JAMES R. MACLEAN,
 L. E. PROWSE.) *Commissioner of Public Works.*