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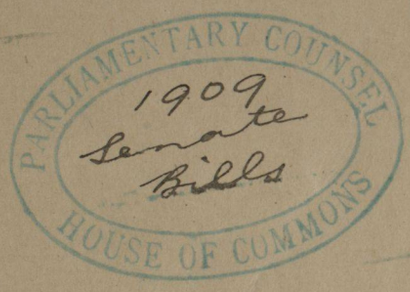

amissing from this Volume:-

Bill B 2nd Reading Form

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S E N A T E

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The following Bills are amissing from this Volume:-

Bill B 2nd Reading Form
" K " " "

1st Sess., 11th Parliament, 9 Edward VII, 1909.

THE SENATE OF CANADA.

BILL A

An Act relating to the Water-Carriage of Goods.

Preamble.

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

Short title.

1. This Act may be cited as *The Water-Carriage of Goods Act*, 1909.

Interpretation.

2. In this Act, unless the context otherwise requires:—

"Goods."

(*a*) "goods", includes goods, wares, merchandise, and articles of any kind whatsoever, but does not include live animals;

"Ship."

(*b*) "ship" includes every description of vessel used in navigation not propelled by oars;

"Port."

(*c*) "port" means a place where ships may discharge or load cargo.

Application of Act.

3. This Act applies to ships carrying goods from any port in Canada to any other port in Canada, or from any port in Canada to any port outside Canada, and to such goods carried by such ships, or received to be carried by such ships.

Certain clauses prohibited in bill of lading.

4. Where any bill of lading or document contains any clause, covenant or agreement whereby—

(*a*) the owner, charterer, master, or agent of any ship, or the ship itself, is relieved from liability for loss or damage to goods arising from negligence, fault, or failure in the proper loading, stowage, custody, care or delivery of goods received by them or any of them to be carried in or by the ship; or

(*b*) any obligations of the owner or charterer of any ship to exercise due diligence to properly man, equip, and supply the ship, and make and keep the ship seaworthy, and make and keep the ship's hold, refrigerating and cool chambers, and all other parts of the ship in which goods are carried, fit and safe for their reception, carriage and preservation, are in any wise lessened, weakened or avoided; or

(*c*) the obligations of the master, officers, agents, or servants of any ship to carefully handle and stow goods, and to care for, preserve, and properly deliver them, are in any wise lessened, weakened or avoided;

that clause, covenant or agreement shall be illegal, null and void, and of no effect.

Express reference to be made to this Act.

5. Every bill of lading or document relating to the carriage of goods from any place in Canada to any place outside of Canada shall contain a clause to the effect that the shipment is subject to all the terms and provisions of, and all the exemptions from liability contained in, this Act; and any stipulation or agreement purporting to oust or lessen the jurisdiction of any court having jurisdiction at the port of loading in Canada in respect of the bill of lading or document, shall be illegal, null and void, and of no effect.

Jurisdiction.

Responsibility for navigation and management.

6. If the owner of any ship transporting merchandise or property from any port in Canada exercises due diligence to make the ship in all respects seaworthy and properly manned, equipped and supplied, neither the ship nor the owner, agent or charterer shall become or be held responsible for loss or damage resulting from faults or errors in navigation or in the management of the ship.

Loss for which the ship, the owner, etc., is not liable.

7. The ship, the owner, charterer, agent or master shall not be held liable for loss arising from fire, dangers of the sea or other navigable waters, acts of God or public enemies, or inherent defect, quality or vice of the thing carried, or from insufficiency of package, or seizure under legal process, or for loss resulting from any act or omission of the shipper or owner of the goods, his agent or representative, or from saving or attempting to save life or property at sea, or from any deviation in rendering such service, or from strikes, or for loss arising without their actual fault or privity or without the fault or neglect of their agents, servants or employees.

Limit of liability as to value of goods.

8. The ship, the owner, charterer, master or agent shall not be liable for loss or damage to or in connection with goods for a greater amount than one hundred dollars per package, unless a higher value is stated in the bill of lading or other shipping document, nor for any loss or damage whatever if the nature or value of such goods has been falsely stated by the shipper, unless such false statement has been made by inadvertence or error. The declaration by the shipper as to the nature and value of the goods shall not be considered as binding or conclusive on the ship, her owner, charterer, master or agent.

Effect of declaration.

Bill of lading to be issued to shipper.

9. Every owner, charterer, master or agent of any ship carrying goods, shall on demand issue to the shipper of such goods a bill of lading showing, among other things, the marks necessary for identification as furnished in writing by the shipper, the number of packages, the quality or the weight, as the case may be, and the apparent order and condition of the goods as delivered to or received by such owner, charterer,

Contents.

master or agent; and such bill of lading shall be *prima facie* evidence of the receipt of the goods as therein described. Effect as evidence.

10. When a ship arrives at a port where goods carried by the ship are to be delivered, the owner, charterer, master or agent of the ship shall forthwith give such notice as is customary at the port, to the consignees of goods to be delivered there, that the ship has arrived there. Notice of arrival of ship.

11. Everyone who, being the owner, charterer, master or agent of a ship— Penalties.

(*a*) inserts in any bill of lading or document any clause, covenant or agreement declared by this Act to be illegal; or makes, signs, or executes any bill of lading or document containing any clause, covenant or agreement declared by this Act to be illegal;

without incorporating *verbatim*, in conspicuous type, in the same bill of lading or document section 4 of this Act; or

(*b*) refuses to issue to a shipper of goods a bill of lading as provided by this Act; or

(*c*) refuses or neglects to give the notice of arrival of the ship required by this Act;

is liable to a fine not exceeding two thousand dollars, with cost of prosecution; and the ship may be libeled therefor in any Admiralty District in Canada within which the ship is found.

2. Such proportion of any penalty imposed under this section as the court deems proper, together with full costs, shall be paid to the person injured, and the balance shall belong to His Majesty for the public uses of Canada. Disposal of penalty.

12. Every one who knowingly ships goods of an inflammable or explosive nature, of or a dangerous nature, without before shipping the goods making full disclosure of their nature to, and obtaining the permission of, the agent, master or person in charge of the ship, is liable to a fine of one thousand dollars. Shipping inflammable, explosives or dangerous goods. Penalty.

13. Goods of an inflammable or explosive nature, or of a dangerous nature, shipped without permission from the agent, master or person in charge of the ship, may, at any time before delivery, be destroyed or rendered innocuous, by the master or person in charge of the ship, without compensation to the owner, shipper or consignee of the goods; and the person so shipping the goods shall be liable to the owner or charterer of the ship for all damages directly or indirectly arising out of such shipping. Master may destroy such goods, if shipped without disclosure. Shipper liable for damages.

14. This Act shall not apply to any bill of lading or document made pursuant to a contract entered into before this Act comes into force. Act not retroactive.

15. This Act shall come into force on the first day of September, A.D. 1909. Commencement of Act.

1st Session, 11th Parliament, 8-9 Edward VII., 1909

THE SENATE OF CANADA

BILL

A

An Act relating to the Water-Carriage of Goods.

Received and read a first time,

Wednesday, 27th January, 1909.

Second reading,

Friday, 29th January, 1909.

Honourable Mr. CAMPBELL.

OTTAWA
Printed by W. McMAHON
Printer to the King's most Excellent Majesty
1909

BILL AS PASSED MARCH 5, 1909.

THE SENATE OF CANADA.

BILL A.

An Act relating to the Water-Carriage of Goods.

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

1. This Act may be cited as *The Water-Carriage of Goods Act*, 1909. Short title.

2. In this Act, unless the context otherwise requires:— Interpretation.

(*a*) "goods", includes goods, wares, merchandise, and articles of any kind whatsoever, but does not include live animals; "Goods."

(*b*) "ship" includes every description of vessel used in navigation not propelled by oars; "Ship."

(*c*) "port" means a place where ships may discharge or load cargo. "Port."

3. This Act applies to ships carrying goods from any port in Canada to any other port in Canada, or from any port in Canada to any port outside Canada, and to such goods carried by such ships, or received to be carried by such ships. Application of Act.

4. Where any bill of lading or similar document of title to goods contains any clause, covenant or agreement whereby— Certain clauses prohibited in bill of lading.

(*a*) the owner, charterer, master, or agent of any ship, or the ship itself, is relieved from liability for loss or damage to goods arising from negligence, fault, or failure in the proper loading, stowage, custody, care or delivery of goods received by them or any of them to be carried in or by the ship; or

(*b*) any obligations of the owner or charterer of any ship to exercise due diligence to properly man, equip, and supply the ship, and make and keep the ship seaworthy, and make and keep the ship's hold, refrigerating and cool chambers, and all other parts of the ship in which goods are carried, fit and safe for their reception, carri-

age and preservation, are in any wise lessened, weakened or avoided; or

(*c*) the obligations of the master, officers, agents, or servants of any ship to carefully handle and stow goods, and to care for, preserve, and properly deliver them, are in any wise lessened, weakened or avoided;

that clause, covenant or agreement shall be illegal, null and void, and of no effect.

Express reference to be made to this Act.

5. Every bill of lading, or similar document of title to goods, relating to the carriage of goods from any place in Canada to any place outside of Canada shall contain a clause to the effect that the shipment is subject to all the terms and provisions of, and all the exemptions from liability contained in, this Act; and any stipulation or agreement purporting to oust or lessen the jurisdiction of any court having jurisdiction at the port of loading in Canada in respect of the bill of lading or document, shall be illegal, null and void, and of no effect.

Jurisdiction.

Responsibility for navigation and management.

6. If the owner of any ship transporting merchandise or property from any port in Canada exercises due diligence to make the ship in all respects seaworthy and properly manned, equipped and supplied, neither the ship nor the owner, agent or charterer shall become or be held responsible for loss or damage resulting from faults or errors in navigation or in the management of the ship.

Loss for which the ship, the owner, etc., is not liable.

7. The ship, the owner, charterer, agent or master shall not be held liable for loss arising from fire, dangers of the sea or other navigable waters, acts of God or public enemies, or inherent defect, quality or vice of the thing carried, or from insufficiency of package, or seizure under legal process, or for loss resulting from any act or omission of the shipper or owner of the goods, his agent or representative, or from saving or attempting to save life or property at sea, or from any deviation in rendering such service, or other reasonable deviation, or from strikes, or for loss arising without their actual fault or privity or without the fault or neglect of their agents, servants or employees.

Limit of liability as to value of goods.

8. The ship, the owner, charterer, master or agent shall not be liable for loss or damage to or in connection with goods for a greater amount than one hundred dollars per package, unless a higher value is stated in the bill of lading or other shipping document, nor for any loss or damage whatever if the nature or value of such goods has been falsely stated by the shipper, unless such false statement has been made by inadvertence or error. The declaration by the shipper as to the nature and value of the goods shall not be considered as binding or conclusive on the ship, her owner, charterer, master or agent.

Effect of declaration.

9. Every owner, charterer, master or agent of any ship carrying goods, shall on demand issue to the shipper of such goods a bill of lading showing, among other things, the marks necessary for identification as furnished in writing by the shipper, the number of packages, the quantity or the weight, as the case may be, and the apparent order and condition of the goods as delivered to or received by such owner, charterer, master or agent; and such bill of lading shall be *prima facie* evidence of the receipt of the goods as therein described.

Bill of lading to be issued to shipper.

Contents.

Effect as evidence.

10. When a ship arrives at a port where goods carried by the ship are to be delivered, the owner, charterer, master or agent of the ship shall forthwith give such notice as is customary at the port, to the consignees of goods to be delivered there, that the ship has arrived there.

Notice of arrival of ship.

11. Everyone who, being the owner, charterer, master or agent of a ship—

Penalties.

(*a*) inserts in any bill of lading or similar document of title to goods any clause, covenant or agreement declared by this Act to be illegal; or makes, signs, or executes any bill of lading or document containing any clause, covenant or agreement declared by this Act to be illegal;

without incorporating *verbatim*, in conspicuous type, in the same bill of lading or document, section 4 of this Act; or

(*b*) refuses to issue to a shipper of goods a bill of lading as provided by this Act; or

(*c*) refuses or neglects to give the notice of arrival of the ship required by this Act;

is liable to a fine not exceeding two thousand dollars, with cost of prosecution; and the ship may be libeled therefor in any Admiralty District in Canada within which the ship is found.

2. Such proportion of any penalty imposed under this section as the court deems proper, together with full costs, shall be paid to the person injured, and the balance shall belong to His Majesty for the public uses of Canada.

Disposal of penalty.

12. Every one who knowingly ships goods of an inflammable or explosive nature, of or a dangerous nature, without before shipping the goods making full disclosure in writing of their nature to, and obtaining the permission in writing of, the agent, master or person in charge of the ship, is liable to a fine of one thousand dollars.

Shipping inflammable, explosives or dangerous goods.

Penalty.

13. Goods of an inflammable or explosive nature, or of a dangerous nature, shipped without permission from the agent, master or person in charge of the ship, may, at any time before delivery, be destroyed or rendered innocuous, by the master or

Master may destroy such goods, if shipped without disclosure.

person in charge of the ship, without compensation to the owner, shipper or consignee of the goods; and the person so shipping the goods shall be liable to the owner or charterer of the ship for all damages directly or indirectly arising out of such shipping.

Shipper liable for damages.

Act not retroactive.

14. This Act shall not apply to any bill of lading or similar document of title to goods made pursuant to a contract entered into before this Act comes into force.

Commencement of Act.

15. This Act shall come into force on the first day of September, A.D. 1909.

BILL AS PASSED MARCH 11, 1909.

THE SENATE OF CANADA.

BILL B.

An Act to amend The Government Annuities Act, 1908.

HIS Majesty, by and with the consent of the Senate and House of Commons of Canada, enacts as follows:— Preamble. 1908 c. 5.

1. This Act may be cited as *The Government Annuities Amendment Act, 1909.* Mode of citing.

2. Subsection 1 of section 8 of *The Government Annuities Act, 1908*, is hereby amended by adding at the end thereof the words, "except, in the case of husband and wife, as regards annuities purchased before their marriage." 1908, c. 5, s. 8 amended Amount of annuity.

3. The said section 8 is hereby further amended by adding thereto as subsection 5 thereof the following:— S. 8 further amended.

"**5.** When a married man who has purchased an annuity payable to himself applies to have a portion thereof converted into an annuity payable to his wife, the Minister may make such conversion, if— Conversion of portion of husband's annuity into annuity for wife.

"(*a*) the application is made not less than three months before the time when the annuity becomes payable; and— Conditions.

"(*b*) the annuity so made payable to the wife does not exceed one-half of the husband's annuity; and—

"(*c*) the provisions of this Act and any regulations made under this Act are complied with in all material respects."

4. Section 10 of the said Act is hereby repealed and the following is substituted therefor:— S. 10 amended.

"**10.** Except as otherwise provided in this Act, no property, right, title, benefit or interest in, under, or arising out of a contract for an annuity shall be transferable, either at law or in equity. Rights to annuity not transferable.

"2. The Minister shall not receive nor be affected by notice, however given, of any trust affecting an annuity or affecting moneys paid or payable in respect of an annuity." Trusts not to be recognized

S. 12 amended.

5. Section 12 of the said Act is hereby repealed and the following is substituted therefor:—

Return of moneys paid if annuitant dies before receiving annuity.

"**12.** When the annuitant or last survivor of joint annuitants dies before the annuity becomes payable and any moneys have been paid or deposited as consideration for the annuity,—

"(*a*) If there is no express agreement between the Minister and the purchaser of the annuity as to dealing with such moneys, all such moneys shall be paid to the purchaser or his legal representatives, with interest thereon at the rate of three per cent per annum, compounded yearly;

"(*b*) If there is such an express agreement the moneys shall be dealt with as thereby provided."

Application.

2. This section shall apply to contracts for annuities entered into before the passing of this Act.

1st Session, 11th Parliament, 9 Edward VII. 1909.

THE SENATE OF CANADA.

BILL C.

An Act to amend *The Railway Act* with respect to persons in vehicles crossing railways.

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

1. *The Railway Act*, chapter 37 of *The Revised Statutes, 1906*, is hereby amended by inserting immediately after section 409 thereof the following section:— R. S., c. 37. New section.

"**409A.** Every one is liable on summary conviction to a penalty not exceeding dollars, who crosses or attempts to cross any line of railway at a highway crossing at rail-level, in or with any carriage, cart, wagon, sleigh, cutter, farmer's implement, automobile, or other vehicle of whatsoever nature, without first bringing such vehicle to a standstill at a point not less than feet nor more than feet from the nearest rail of such line of railway, and looking along the same in both directions, and also listening carefully to ascertain whether a train is approaching thereon." Penalty for crossing or attempting to cross railway without stopping, looking and listening.

1st Session, 11th Parliament, 8-9 Edward VII., 1909

THE SENATE OF CANADA.

BILL

C

An Act to amend The Railway Act with respect to persons in vehicles crossing railways.

Received and read a first time,

Thursday, February 25, 1909.

Second reading,

Tuesday, March 2, 1909.

Honourable Mr. McMullen.

OTTAWA
Printed by C. H. Parmelee
Printer to the King's most Excellent Majesty
1909

1st Session, 11th Parliament, 9 Edward VII, 1909.

THE SENATE OF CANADA.

BILL D.

An Act to incorporate the British Colonial Fire Insurance Company.

Preamble.

WHEREAS a petition has been presented praying that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Incorporation.

1. Charles Eugene Dubord, a member of the Legislative Council of the province of Quebec, and Jean Baptiste Morissette, insurance underwriter, both of the city of Quebec; Ernest F. de Varennes, notary public and member of the Legislative Council of the province of Quebec, of Waterloo, in the county of Shefford, province of Quebec; Alexander Mathewson Nairn and Theodore Meunier, both of the city of Montreal, insurance underwriters; Edmond Guillet, manufacturer, of Marieville, in the county of Rouville, province of Quebec; and Israel Louis Lafleur, wholesale hardware merchant, of the city of Montreal; and J. E. Emile Leonard, advocate, of Ste. Rose, in the county of Laval, province of Quebec; together with such persons as become shareholders in the company, are hereby incorporated under the name of "British Colonial Fire Insurance Company," hereinafter called "the Company."

Corporate name.

Provisional directors.

2. The persons named in section 1 of this Act shall be the provisional directors of the Company, the majority of whom shall be a quorum, and they may forthwith open stock books, procure subscriptions of stock for the undertaking, make calls on stock subscribed and receive payments theron; and they shall deposit in a chartered bank in Canada all moneys received by them on account of stock subscribed or otherwise received by them on account of the Company and shall withdraw the said moneys for the purposes of the Company only; and they may do generally what is necessary to organize the Company.

Powers for organization.

Capital stock.

3. The capital stock of the Company shall be two million dollars, divided into shares of one hundred dollars each.

Calls.

4. The shares of the capital stock subscribed for shall be paid by such instalments and at such times and places as the directors appoint; no instalment shall exceed ten per cent; and not less than thirty days notice shall be given of any call.

Head office.

5. The head office of the Company shall be in the city of Montreal, in the province of Quebec.

Agencies.

2. Local advisory boards or agencies may be established and maintained either in Canada or elsewhere, at such times and in such manner as the directors from time to time direct.

First general meeting.

6. So soon as two hundred thousand dollars of the capital stock have been subscribed, and twenty-five per cent of that amount has been paid into some chartered bank in Canada, the provisional directors shall call a general meeting of the shareholders at some place to be named in the city of Montreal, at which meeting the shareholders present or represented by proxy, who have paid not less than ten per cent on the amount of shares subscribed for by them, shall elect a board of not less than seven nor more than twenty-five directors, of whom a majority shall be a quorum.

Election of directors.

Qualification of directors.

2. No person shall be a director unless he holds in his own name or for his own use at least twenty-five shares of the capital stock, and has paid all calls due thereon and all liabilities incurred by him to the Company.

Annual meeting.

7. A general meeting of the Company shall be called at its head office once in each year after the organization of the Company and commencement of business; and at such meeting a statement of the affairs of the Company shall be submitted.

Special general meetings.

2. Special general meetings may at any time be called by five of the directors or by requisition of any twenty-five shareholders specifying in the notice the object of such meeting.

Notice of meetings.

3. Notice of each such meeting shall be sufficiently given by printed or writen notice to each of the shareholders, mailed at least twenty days before the day for which the meeting is called, and addressed to the addresses of the shareholders respectively given in the books of the Company.

Business of the company.

8. The Company may generally carry on the business of fire, cyclone or tornado, inland marine and inland transportation insurance in all its branches, including the right to cause itself to be re-insured against any risk it may have undertaken, and to re-insure any other person against risks which such person may have undertaken.

Investment in foreign securities.

9. The Company may invest or deposit such portion of its funds in foreign securities as is necessary for the maintenance of any foreign branch.

Power to hold real property.

10. The Company may acquire and hold any real property required in part or wholly for its use and accommodation, and may dispose thereof when necessary; but the annual value of such property held in any province in Canada shall not exceed three thousand dollars, except in the province of Quebec, where it shall not exceed ten thousand dollars.

Limitation.

When business may be commenced.

11. The Company shall not commence the business of insurance until two hundred thousand dollars of the capital stock have been subscribed and at least fifty thousand dollars have

been paid thereon in cash, into the funds of the Company, to be appropriated only for the purposes of the Company under this Act. Payments on capital.

12. This Act and the Company hereby incorporated, and the exercise of the powers hereby conferred, shall be subject to the provisions of *The Insurance Act* and of any general Act relating to insurance passed during the present session of Parliament; and in any respect in which this Act is inconsistent with those Acts, the latter shall prevail. Application of Insurance Acts. R.S., c. 34. Conflicting provisions.

13. Notwithstanding anything in *The Companies Act*, Part II thereof, except sections 125, 134, 141, 158 and 165 thereof, shall apply to the Company in so far as the said Part is not inconsistent with any of the provisions of *The Insurance Act*, or of any general Act relating to insurance passed during the present session of Parliament, or of this Act. Application of R.S., c. 79. R.S., c. 34.

1st Session, 11th Parliament, 8-9 Edward VII., 1909

THE SENATE OF CANADA.

BILL

D

An Act to incorporate the British Colonial Fire Insurance Company.

First reading,

Friday, February 26, 1909.

Second reading,

Wednesday, March 3, 1909.

Honourable Mr. CHOQUETTE.

OTTAWA
Printed by C. H. PARMELEE
Printer to the King's most Excellent Majesty
1909

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BILL AS PASSED MARCH 25, 1909.

THE SENATE OF CANADA.

BILL D.

An Act to incorporate the British Colonial Fire Insurance Company.

Preamble.

WHEREAS a petition has been presented praying that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Incorporation.

1. Charles Eugene Dubord, a member of the Legislative Council of the province of Quebec, and Jean Baptiste Morissette, insurance underwriter, both of the city of Quebec; Ernest F. de Varennes, notary public and member of the Legislative Council of the province of Quebec, of Waterloo, in the county of Shefford, province of Quebec; Alexander Mathewson Nairn and Theodore Meunier, both of the city of Montreal, insurance underwriters; Edmond Guillet, manufacturer, of Marieville, in the county of Rouville, province of Quebec; and Israel Louis Lafleur, wholesale hardware merchant, of the city of Montreal; and J. E. Emile Leonard, advocate, of Ste. Rose, in the county of Laval, province of Quebec; together with such persons as become shareholders in the company, are hereby incorporated under the name of "British Colonial Fire Insurance Company," hereinafter called "the Company."

Corporate name.

Provisional directors.

Powers for organization.

2. The persons named in section 1 of this Act shall be the provisional directors of the Company, the majority of whom shall be a quorum, and they may forthwith open stock books, procure subscriptions of stock for the undertaking, make calls on stock subscribed and receive payments theron; and they shall deposit in a chartered bank in Canada all moneys received by them on account of stock subscribed or otherwise received by them on account of the Company and shall withdraw the said moneys for the purposes of the Company only; and they may do generally what is necessary to organize the Company.

Capital stock.

3. The capital stock of the Company shall be two million dollars, divided into shares of one hundred dollars each.

Calls.

4. The shares of the capital stock subscribed for shall be paid by such instalments and at such times and places as the directors appoint; no instalment shall exceed ten per cent; and not less than thirty days notice shall be given of any call.

Head office

5. The head office of the Company shall be in the city of Montreal, in the province of Quebec.

Agencies.

2. Local advisory boards or agencies may be established and maintained either in Canada or elsewhere, in such manner as the directors from time to time direct.

First general meeting.

6. So soon as two hundred thousand dollars of the capital stock have been subscribed, and twenty-five per cent of that amount has been paid into some chartered bank in Canada, the provisional directors shall call a general meeting of the shareholders at some place to be named in the city of Montreal, at which meeting the shareholders present or represented by proxy, who have paid not less than ten per cent on the amount of shares subscribed for by them, shall elect a board of not less than eight nor more than twenty-four directors, of whom a majority shall be a quorum.

Election of directors.

Qualification of directors.

2. No person shall be a director unless he holds in his own name or for his own use at least twenty-five shares of the capital stock, and has paid all calls due thereon and all liabilities incurred by him to the Company.

Annual meeting.

7. A general meeting of the Company shall be called at its head office once in each year after the organization of the Company and commencement of business; and at such meeting a statement of the affairs of the Company shall be submitted.

Special general meetings.

2. Special general meetings may at any time be called by five of the directors or by requisition of any twenty-five shareholders specifying in the notice the object of such meeting.

Notice of meetings.

3. Notice of each such meeting shall be sufficiently given by printed or written notice to each of the shareholders, mailed at least twenty days before the day for which the meeting is called, and addressed to the addresses of the shareholders respectively given in the books of the Company.

Business of the company.

8. The Company may generally carry on the business of fire, cyclone or tornado, inland marine and inland transportation insurance in all its branches.

2. The Company may also cause itself to be re-insured against any risk it may have undertaken, and may re-insure any other person against risks which such person may have undertaken.

Investment in foreign securities.

9. The Company may invest or deposit such portion of its funds in foreign securities as is necessary for the maintenance of any foreign branch.

10. The Company may acquire and hold any real property required in part or wholly for its use and accommodation, and may dispose thereof when necessary; but the annual value of such property held in any province in Canada shall not exceed three thousand dollars, except in the province of Quebec, where it shall not exceed ten thousand dollars.

Power to hold real property.

Limitation

11. The Company shall not commence the business of fire insurance as provided for by this Act until two hundred and fifty thousand dollars of the capital stock have been subscribed and one hundred thousand dollars have been paid in cash into the funds of the Company to be appropriated only for the purposes of the Company under this Act.

Commencement of business.

Fire.

2. The Company shall not commence the business of inland marine and inland transportation insurance until its subscribed capital has been increased to at least four hundred thousand dollars, and an additional amount of seventy-five thousand dollars has been paid thereon in cash into the funds of the Company, to be appropriated only for the purposes of the Company under this Act.

Inland Marine, etc.

3. The amount paid in cash by any shareholder which is less than ten per cent of the amount subscribed for by him shall not be reckoned as part of the several sums of one hundred thousand dollars and seventy-five thousand dollars required to be paid into the funds of the Company under the provisions of subsections 1 and 2 of this section nor shall stock upon which less than ten per cent in cash has been paid by the subscriber to be reckoned as part of the stock necessary to be subscribed as provided for by this Act.

Ascertainment of payments on capital.

12. In each year for five years after the issue of a license to the Company under *The Insurance Act*, a sum of fifteen thousand dollars shall be paid annually in cash upon the capital stock of the Company, which sum shall be in addition to the sums required to be paid under section 11 of this Act.

13. This Act and the Company hereby incorporated, and the exercise of the powers hereby conferred, shall be subject to the provisions of *The Insurance Act* and of any general Act relating to insurance passed during the present session of Parliament; and in any respect in which this Act is inconsistent with those Acts, the latter shall prevail.

Application of Insurance Acts.

R.S., c. 34

Conflicting provisions.

14. Notwithstanding anything in *The Companies Act*, Part II thereof, except sections 125, 134, 135, 141, 158, 159, and 165 thereof, shall apply to the Company in so far as the said Part is not inconsistent with any of the provisions of *The Insurance Act*, or of any general Act relating to insurance passed during the present session of Parliament, or of this Act.

Application of R.S., c. 79

R.S., c. 3

1st Sess., 11th Parliament, 9 Edward VII, 1909.

THE SENATE OF CANADA.

BILL E.

An Act to incorporate the Dominion of Canada Burglary and Plate Glass Insurance Company.

Preamble. WHEREAS a petition has been presented praying that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Incorporation. **1.** Albert Edward Gooderham, Charles D. Warren, Robert L. Patterson, James F. W. Ross, William G. Blackstock and James E. Roberts, all of the city of Toronto, in the province of Ontario, together with such persons as become shareholders in the company, are incorporated under the name of "The Dominion of Canada Burglary and Plate Glass Insurance Company," hereinafter called the Company.

Corporate name.

Provisional directors. **2.** The persons named in section 1 of this Act, together with such persons, not exceeding six, as they associate with them, shall be the provisional directors of the Company, a majority of whom shall be a quorum for the transaction of business; and they may forthwith open stock books, procure subscriptions of stock for the undertaking, make calls on stock subscribed and receive payments thereon; and shall deposit in a chartered bank in Canada all moneys received by them on account of stock subscribed or otherwise received by them on account of the Company, and may withdraw the same for the purposes of the Company only; and may do generally whatever is necessary to organize the Company.

Powers for organization.

Head office. **3.** The head office of the Company shall be in the city of Toronto, in the province of Ontario.

Agencies. 2. The directors may establish agencies and local advisory boards, either in Canada or elsewhere, at such times and in such manner as they deem expedient.

Capital stock. **4.** The capital stock of the Company shall be five hundred thousand dollars divided into shares of one hundred dollars each.

Increase of capital.

2. The directors may, after the whole capital stock has been subscribed and fifty per cent paid thereon in cash, increase the amount of the capital stock from time to time to an amount not exceeding one million dollars; but the stock shall not be increased until a resolution of the board of directors authorizing such increase has first been submitted to, and confirmed by two-thirds in value of the shareholders present or represented by proxy at a special general meeting of the shareholders duly called for that purpose: Provided that no issue of such increased capital stock shall be made except upon the payment of ten per cent in cash upon the amount of such issue.

First general meeting.

5. So soon as one hundred and fifty thousand dollars of the capital stock have been subscribed, and ten per cent of that amount has been paid into some chartered bank in Canada, the provisional directors shall call a general meeting of the shareholders at some place to be named in the city of Toronto, at which meeting the shareholders present or represented by proxy who have paid not less than ten per cent on the amount of shares subscribed for by them, shall elect a board of not less than five nor more than twenty directors, a majority of whom shall be a quorum.

Election of directors.

Quorum.

Qualification of directors.

2. No person shall be a director unless he holds in his own name and for his own use at least twenty shares of the capital stock and has paid all calls due thereon and all liabilities incurred by him to the Company.

General meeting.

6. A general meeting of the Company shall be called at its head office once in each year after the organization of the Company and commencement of business, and at such meeting a statement of the affairs of the Company shall be submitted, and special general or extraordinary meetings may at any time be called by any three of the directors or by requisition of any twenty-five shareholders, specifying in the notice the object of such meeting.

Notice of meeting.

2. Notice of each such meeting shall be sufficiently given by printed or written notice to each of the shareholders mailed at least ten days before the day for which the meeting is called and addressed by letter to the addresses of the shareholders respectively given in the books of the Company.

Calls on stock.

7. The shares of the capital stock subscribed for shall be paid by such instalments and at such times and places as the directors appoint; the first instalment shall not exceed twenty-five per cent, and no subsequent instalment shall exceed ten per cent, and not less than thirty days notice shall be given of any call; and any notice of call may be effectually given by sending the notice by registered letter, post paid to the last known address of each shareholder: Provided that the whole amount so paid by any shareholder shall not be less than ten per cent of the amount subscribed by such shareholder.

Notice of call.

Business defined.

Plate glass insurance.

8. The Company may make and effect contracts of insurance with any person against loss or damage, by breakage or otherwise, to plate or other glass, whether affixed to and forming part

of a building, or stored or placed therein, or in transit on shore or afloat, upon such terms and conditions as may be agreed upon, and may generally carry on the business of plate glass insurance as defined by *The Insurance Act* in force from time to time.

Business defined.

9. The Company may—

Insurance against theft, burglary, &c.

(*a*) make and effect contracts of insurance with any person against loss or damage to property, real or personal, by reason of theft, burglary or house-breaking, upon such terms and conditions as are agreed upon, and may generally carry on the business of burglary insurance as defined by *The Insurance Act* in force from time to time;

Safe deposit vaults.

(*b*) establish safety deposit vaults in connection with its burglary insurance business for the purpose of receiving, guarding and caring for any property deposited with the Company and guaranteeing the same against loss or damage from theft, burglary or house-breaking;

Alarm system.

(*c*) for the purposes of protecting property against theft, burglary, house-breaking or fire, acquire, construct, install, equip, maintain and operate electrical, mechanical or any other devices or systems of detection, alarm or communication by electric wires or otherwise, whether inside or outside of buildings; and establish, equip, maintain and operate services of patrol or watch by persons wearing either uniform or ordinary clothing;

Patrol service.

Manufacture of plant, etc.

(*d*) manufacture, acquire, and dispose of all plant, equipment, implements, instruments, articles, devices and things necessary or expedient for the systems and services mentioned in the next preceding paragraph.

When business may be commenced.

10. The Company shall not commence business until one hundred thousand dollars of the capital stock have been subscribed and fifty thousand dollars have been paid in cash into the funds of the Company to be appropriated only for the purposes of the Company under this Act.

Powers to enter on highways, &c., and to construct lines.

11. With the consent of the municipal council having jurisdiction over the roads and streets of any city, town or municipality, the Company may by its servants, agents or workmen—

(*a*) enter upon any public road, highway, street, bridge, watercourse, navigable or non-navigable water or other such places in any city, incorporated town, village, county, municipality, or other place, for the purpose of constructing, erecting, equipping, working and maintaining its wires upon, along, across, over and under the same;

(*b*) erect, equip and maintain such and so many poles or other works and devices as the Company deems necessary for making, completing and supporting, using, working and maintaining the system of communication by wire; and stretch wires and other contrivances thereon;

(*c*) as often as the Company, its agents, officers or workmen think proper, break up and open any part whatsoever of the said public roads, highways, streets, bridges, watercourses, navigable and non-navigable waters and other like places.

Power to hold real property.

12. The Company may acquire and hold any real property required in part or wholly for its use and accommodation, and may dispose thereof when necessary; but the annual value of such property held in any province of Canada shall not exceed three thousand dollars, except in the province of Ontario, where it shall not exceed ten thousand dollars.

Limitation.

Re-insurance.

13. The Company may also cause itself to be insured against any risk undertaken in the course of its business.

R.S., c. 34 to apply.

Also general Acts of this session.

Application.

14. This Act, and the Company hereby incorporated, and the exercise of the powers hereby conferred, shall be subject to the provisions of *The Insurance Act*, and of any general Act relating to insurance passed during the present session of Parliament; and in any respect in which any provision of this Act is inconsistent with those Acts, the provision made by those Acts shall prevail.

Application of R.S., c. 79.

R.S., c. 34.

15. Notwithstanding anything contained in *The Companies Act*, Part II. thereof, except sections 122, 125, 134, 141, 158 and 165 shall apply to the Company in so far as the said Part is not inconsistent with any of the provisions of *The Insurance Act*, or of any general Act relating to insurance passed during the present session of Parliament, or of this Act.

1st Session, 11th Parliament, 8-9 Edward VII., 1909

THE SENATE OF CANADA.

BILL

E

An Act to incorporate The Dominion of Canada Burglary and Plate Glass Insurance Company.

First reading,

Friday, 26th February, 1909.

Second reading,

Wednesday, 3rd March, 1909.

Honourable Mr. Ross,
(Middlesex.)

OTTAWA
Printed by C. H. Parmelee
Printer to the King's most Excellent Majesty
1909

1st Session, 11th Parliament, 9 Edward VII. 1909.

THE SENATE OF CANADA.

BILL F.

An Act to incorporate The Governing Council of the Salvation Army in Canada.

Preamble.

WHEREAS the voluntary community or society of Christian persons known as The Salvation Army, which was founded in England by William Booth, usually known and designated as General of The Salvation Army, has carried on in Canada for many years its work of religion, charity and benevolence, in pursuance of the objects and purposes and according to the principles of organization, administration and discipline described in certain documents commonly known as and hereinafter called "the foundation deeds," namely in:—

(1.) A deed-poll, under his hand and seal, dated 7th August, 1878, and enrolled in the Chancery Division of the High Court of Justice in London, England, on 13th August, 1878;

(2.) A deed-poll, under his hand, dated 24th June, 1880, and enrolled in the Supreme Court of Judicature in London, England, on 20th April, 1906;

(3.) A deed-poll, under his hand and seal, dated 26th July, 1904, and enrolled in the Supreme Court of Judicature, in London, England, on 27th July, 1904;

a copy of each of which deeds-poll is set forth in the schedule to this Act; and whereas, with the consent and approval of the said William Booth, a petition praying that a corporation may be created for the purposes and with the powers hereinafter set forth, has been presented on behalf of The Salvation Army by the persons, usually designated by the titles herein affixed to their respective names, who hold in The Salvation Army the offices herein specified with regard to each such person, namely by Thomas Bales Coombs, commissioner in Canada; Nellie Coombs, wife of the said Thomas Bales Coombs, officer in charge of the womens' social work; Henry William Mapp, colonel, chief secretary; Albert Gaskin, lieutenant colonel, field secretary; Joseph Pugmire, lieutenant-colonel, men's social secretary; Thomas Howell, lieutenant-colonel, immigration secretary; John Sharp, lieutenant-colonel, provincial officer; William Barnard Turner, lieutenant-colonel, provincial officer; William Scott Potter, brigadier, financial and trade secretary; John Bond, brigadier, editor; Annie Stewart, brigadier, assistant for the womens' social work; Charles Taylor, brigadier, principal of the training school; John Southall, brigadier, advanced-training secretary; William Moreham, brigadier, divisional officer; Robert Hargrave, brigadier, provincial officer; John

Rawlings, major, property secretary; Frank Morris, major, provincial officer; William Green, major, divisional officer; and whereas it is expedient to grant the prayer of the said petition; Therefore, His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Incorporation.

1. The said Thomas Bales Coombs, Henry William Mapp, Albert Gaskin, William Scott Potter and John Rawlings, together with their successors as provided for by this Act, are hereby constituted a corporation under the name of "The Governing Council of The Salvation Army in Canada," hereinafter called "the Corporation," for the purposes of administering in Canada the property, business and other temporal affairs of The Salvation Army.

Corporate name.

Purposes.

Membership.

2. The said William Booth and his successors lawfully appointed, in accordance with the provisions of the foundation-deeds, to be General of The Salvation Army, may, at any time and from time to time, remove all or any of the members of the Corporation, and may fill any vacancies in the membership thereof caused by such removal or by death, resignation or otherwise, by appointment to be made from among:—

(*a*) the petitioners named in the preamble to this Act, or—

(*b*) the successors of the said petitioners in their respective offices in The Salvation Army; or—

(*c*) such other persons as, under the provisions of the foundation-deeds, may from time to time be appointed officers in Canada of The Salvation Army.

Head office.

3. The head office of the Corporation shall be in the city of Toronto, province of Ontario, and may be known and described as "The Territorial Headquarters." The Corporation may from time to time, by by-law, with the approval of the General of The Salvation Army, change the situation of the head office to any other place in Canada, and, with the like approval, establish branch offices or agencies in any place in Canada or elsewhere.

Branches.

Power to make by-laws.

4. The Corporation may, from time to time, make by-laws, not contrary to law nor inconsistent with the foundation-deeds, for:—

(*a*) the administration, management and control of the property, business and other temporal affairs of the Corporation;

(*b*) the appointment, functions, duties and remuneration of all officers, agents and servants of the Corporation;

(*c*) the appointment of committees and their duties;

(*d*) the calling of meetings, regular or special, of the Corporation or of committees;

(*e*) the fixing of the necessary quorum and procedure in all things at such meetings;

(*f*) generally, for the carrying out of the objects and purposes of the Corporation.

Establishment, etc., of charitable institutions.

5. The Corporation may, throughout Canada, establish, acquire by purchase, lease, gift, devise, bequest or otherwise, build, maintain, manage and operate:—

(*a*) buildings and places for meetings, religious or secular, of The Salvation Army;

(*b*) offices for the transaction of its business;

(*c*) homes for its officers, and schools and colleges for their education and training;

(*d*) lodging houses, shelters, homes and workshops for the poor;

(*e*) hospitals and places of rest and recuperation for the sick and convalescent;

(*f*) homes for the rescue of fallen women;

(*g*) homes for children;

(*h*) homes and shelters for immigrants;

(*i*) generally, any buildings necessary for carrying out the eleemosynary, educational, religious or other benevolent objects and purposes of the Salvation Army.

Powers to aid immigrants.

6. The Corporation, in order to enable persons desirous of owning their own homes to acquire homesteads and to become self-supporting by their own labor in tilling the soil or otherwise, may;—

(*a*) promote, and assist in any manner, immigration into Canada from the United Kingdom and from foreign countries;

(*b*) establish, at any places in Canada, agricultural or industrial colonies, and maintain and manage such colonies;

(*c*) for the purpose of promoting the settlement and cultivation of any lands in such colonies, enter into agreements with settlers or intending settlers to aid them by making advances of money, goods, utensils or other necessaries, which advances may be secured upon such lands, or otherwise; and construct and operate, or aid in, or subscribe to works of construction, maintenance and improvement of roads, bridges, aqueducts, ditches, mills, and other similar works;

(*d*) generally, do all things necessary or expedient for the objects and purposes authorized by this section.

Commercial business.

7. The Corporation may, throughout Canada, establish, maintain, operate and carry on the following businesses:—

(*a*) printing and publishing;

(*b*) manufacturing, buying and selling goods, articles and appliances required by The Salvation Army, or by persons desirous of assisting the work of The Salvation Army by purchasing the manufactures of the Corporation.

Disposal of profits.

2. No officer, member or employee of the Corporation or of The Salvation Army shall receive any pecuniary profit from any such business, except reasonable salary or wages, or except by way of proper benefit from charitable funds of the Corporation in compensation for services rendered in or about such business; and all other pecuniary profits of the said businesses shall be applied to the objects and purposes of the Salvation Army.

Powers to acquire and hold real property.

8. The Corporation may purchase, take, have, hold, receive, possess, retain and enjoy, property, real or personal, corporeal or incorporeal, whatsoever, and for any or every estate or interest therein whatsoever, given, granted, devised, or bequeathed to it, or appropriated, purchased, or acquired by it in any manner or way whatsoever, to, for, or in favour of the uses and purposes of the Corporation or of The Salvation Army set forth in sections 5, 6 and 7 of this Act, or to, for or in favour of any eleemosynary, educational, religious or other institution established or intended to be established, by, under the management of, or in connection with the work of the Corporation or The Salvation Army, or to, for, or in favour of the uses and purposes of any agricultural or industrial colony so established or intended to be established.

Limit as to value.

2. The annual value of the real estate held by or in trust for the Corporation in any province of Canada shall not exceed fifty thousand dollars, except in the province of Ontario, where it shall not exceed one hundred and fifty thousand dollars.

Investment in and disposal of real property.

9. The Corporation may also sell, convey, exchange, alienate, mortgage, lease or demise any real property held by the Corporation, whether by the way of investment for the uses and purposes mentioned in the next preceding section or not; and may also, from time to time, invest all or any of its funds or moneys, and all or any funds or moneys vested in or acquired by it for the uses and purposes aforesaid, in and upon any security by way of mortgage, hypothec or charge upon real property in any part of Canada; and for the purposes of such investment may take, receive and accept mortgages or assignments thereof, whether made and executed directly to the Corporation or to any corporation, body, company or person in trust for it; and may sell, grant, assign and transfer such mortgages or assignments, and may release and discharge such mortgages or assignments either wholly or partly.

Disposal of real property acquired by way of security.

10. The Corporation may hold such real estate as is *bonâ fide* mortgaged to it by way of security, or conveyed to it in satisfaction of debts or judgments recovered: Provided that no parcel of land or interest therein, at any time acquired by the Corporation and not required for its actual use and occupation, and not held by way of security, shall be held by the Corporation or any trustee on its behalf, for a longer period than twelve years after the acquisition thereof, but shall, at or before the expiration of such period, be absolutely sold and disposed of, so that the Corporation shall no longer retain any interest therein, except by way of security.

Limit as to time.

Forfeiture to Crown.

2. Any such parcel of land, or any interest therein, not within the exceptions hereinbefore mentioned, which has been held by the Corporation for a longer period than twelve years without being disposed of, shall be forfeited to His Majesty for the use of Canada: Provided that no such forfeiture shall take effect or be enforced until the expiration of at least six calendar months after notice in writing from the Minister of Finance to the Corporation of the intention of His Majesty to claim such forfeiture.

Notice.

3. The Corporation shall give the Minister of Finance when required a full and correct statement of all lands at the date of such statement held by the Corporation, or in trust for it, and subject to the provisions of this section. Statement.

11. In regard to any real property which, by reason of its situation or otherwise, is subject to the legislative authority of the Parliament of Canada, a license in mortmain shall not be necessary for the exercise of the powers granted by this Act; but otherwise the exercise of the said powers shall in any province of Canada be subject to the laws of such province as to the acquisition and holding of lands by religious corporations, in so far as such laws apply to the Corporation. Application of Dominion and Provincial mortmain laws.

12. In so far as authorization by the Parliament of Canada is necessary, any person or corporation in whose name any property, real or personal, is held, in trust or otherwise, for the uses and purposes aforesaid, or any such person or corporation to whom any such property devolves, may, subject always to the terms and conditions of any trust relating to such property, transfer such property or any part thereof to the Corporation to be held in such trust, if any. Authority for transfer of property held in trust.

13. Any deed or other instrument relating to real estate vested in the Corporation or to any interest in such real estate shall, if executed within the jurisdiction of the Parliament of Canada, be deemed to be duly executed if there are affixed thereto the seal of the Corporation and the signature of any officer of the Corporation duly authorized for such purpose or his lawful attorney. Execution of deeds.

14. If authorized thereto by by-law passed by unanimous vote of the Corporation at a meeting duly called for the purpose of considering the by-law, the Corporation may, from time to time, for the purposes of the Corporation:— Borrowing powers.

(*a*) borrow money upon the credit of the Corporation;

(*b*) limit or increase the amount to be borrowed;

(*c*) make, draw, accept, endorse or become party to promissory notes and bills of exchange; every such note or bill made, drawn, accepted or endorsed by the officer thereto authorized by the by-laws of the Corporation and countersigned by the proper officer of the Corporation, shall be binding upon the Corporation, and shall be presumed to have been made, drawn, accepted or endorsed with proper authority, until the contrary is shown; and it shall not be necessary in any case to have the seal of the Corporation affixed to any such note or bill; Negotiable instruments.

(*d*) issue bonds, debentures or other securities of the Corporation for sums not less than twenty-five dollars each, and pledge or sell the same for such sums and at such prices as may be deemed expedient; Bonds, etc.

(*e*) mortgage, hypothecate or pledge the real or personal property of the Corporation or both to secure any such bonds, debentures or other securities and any money borrowed for the purposes of the Corporation.

2. No officer of the company so authorized as aforesaid, shall be individually responsible for any such promissory note or bill Personal responsibility of officers.

of exchange made, drawn, accepted or endorsed, or countersigned by him, unless such promissory note or bill of exchange has been issued without proper authority.

Powers for investment of funds.

15. The Corporation may invest its funds, or any portion thereof, either directly in the name of the Corporation or indirectly in the name of trustees, in the purchase of:—

(*a*) the debentures, bonds, stocks or other securities of Canada, or of any province of Canada, or of any municipal or public school corporation in Canada; or,

(*b*) the stock of any chartered bank in Canada, or the debentures, bonds, stocks or other securities of any building society, loan or investment company, trust company, water-works company, water-power company, gas company, navigation company, street railway company (by whatever power the railway is operated), electric light or power company, heat and light company, rolling stock company, bridge construction company, harbour-trust company or commission, telegraph, cable or telephone company, dock company, fire insurance company, or the debentures or bonds of any steam railway company, which has earned and paid regular dividends upon its ordinary preferred or guaranteed stocks for the two years next preceding the purchase of such bonds or debentures, if such society, commission or company is incorporated in Canada; or,

(*c*) the public consols, stocks, bonds, debentures, or other securities of the United Kingdom, or of any colony or dependency thereof, or of the United States or any state thereof; or,

(*d*) ground rents and mortgages on real estate in any province of Canada.

Powers to lend.

2. The Corporation may lend its funds, or any portion thereof, on the security of,—

(*a*) any of the bonds, stocks, debentures or securities mentioned in the last preceding subsection; or,

(*b*) real estate or leaseholds for a term or terms of years, or other estate or interest in real property in any province of Canada.

Collateral securities.

3. The Corporation may take any additional securities of any nature to secure further the repayment of any liability thereto, or to secure further the sufficiency of any of the securities in or upon which the Corporation is by this Act authorized to invest or lend any of its funds.

Terms, etc., of loans.

4. Any loan by this Act authorized to be made may be on such terms and conditions, and in such manner, and at such times, and for such sums, and in such sums of repayment, whether of principal or interest or principal and interest together, as the Corporation from time to time determines.

SCHEDULE.

PUBLIC RECORD OFFICE COPY.

(Pursuant to Statute 1 & 2 Vict., c. 94.)

CLOSE ROLL (CHANCERY).
1878. Part 72. m. 28.

Booth
a
Deed Poll

To all to whom these Presents shall come I William Booth of 3 Gore Road Victoria Park Road Hackney in the county of Middlesex Minister of the Gospel the Founder and General Superintendent for the time being of The Christian Mission, Send Greeting

Whereas in the year 1865 the said William Booth commenced preaching the Gospel in a Tent erected in the Friends Burial Ground Thomas Street in the parish of Whitechapel in the county of Middlesex and in other places in the same neighbourhood.

And whereas a number of People were formed into a Community or Society by the said William Booth for the purpose of enjoying Religious fellowship and in order to continue and multiply such efforts as had been made in the Tent to bring under the Gospel those who were not in the habit of attending any place of worship by Preaching in the open air in Tents Theatres Music Halls and other places and by holding other Religious Services or Meetings.

And whereas at the first the said Society was known by the name of the East London Revival Society and afterwards as the East London Christian Mission.

And whereas other Societies were afterwards added in different parts of London and a Society was also formed at Croydon.

And whereas the names of these united Societies was then altered to that of "The Christian Mission."

And whereas divers halls or meeting houses schoolrooms vestries lands buildings and appurts situate lying and being in various parts of Her Majesty's Dominions and elsewhere have been or are intended to be and hereafter may be given and conveyed to certain persons in such Gifts and Conveyances named and to be named upon trusts for the purposes therein and herein mentioned or any of them and generally for promoting the objects of the said Christian Mission under the direction of the General Superintendent.

And whereas in order to render valid and effectual such trusts to remove doubts and prevent Litigation in the interpretation thereof or as to the terms used therein to ascertain what is the name or title and what are and shall be for ever the doctrines of the said Christian Mission and also in order to preserve the system of the said Christian Mission generally by means of a General Superintendent it has been deemed expedient to make and execute these presents.

Now these presents witness that for the purposes aforesaid I the said William Booth do hereby declare

Firstly—That the name style and title by which the said Religious Community or Mission hereinbefore described hath

during the last nine years been called known and recognised is "The Christian Mission."

Secondly—That the Religious doctrines professed believed and taught by the Members of the said Christian Mission are and shall for ever be as follows.

1. We believe that the Scriptures of the Old and New Testaments were given by inspiration of God and that they only constitute the Divine rule of Christian faith and practice.
2. We believe there is only one God who is infinitely perfect the Creator Preserver and Governor of all things and who is the only proper object of Religious Worship.
3. We believe that there are three persons in the Godhead the Father the Son and the Holy Ghost undivided in essence and co-equal in power and glory.
4. We believe that in the person of Jesus Christ the Divine and human natures are united, so that he is truly and properly God and truly and properly man.
5. We believe that our first Parents were created in a state of innocency but by their disobedience they lost their purity and happiness and that in consequence of their fall all men have become sinners totally depraved and as such are justly exposed to the wrath of God.
6. We believe that the Lord Jesus Christ has by his suffering and death made an atonement for the whole world so that whosoever will may be saved.
7. We believe that repentance towards God faith in our Lord Jesus Christ and regeneration by the Holy Spirit are necessary to Salvation.
8. We believe that we are justified by grace through faith in our Lord Jesus Christ and that he that believeth hath the witness in himself.
9. We believe that continuance in a state of Salvation depends upon continued obedient faith in Christ.
10. We believe that it is the privilege of all believers to be "wholly sanctified" and that "their whole spirit and soul and body" may "be preserved blameless unto the coming of our Lord Jesus Christ" (1 Thess: v 23).
11. We believe in the immortality of the soul in the Resurrection of the body in the general judgment at the end of the World in the eternal happiness of the Righteous and in the endless punishment of the wicked.

Thirdly—That the said Christian Mission is and shall be always hereafter under the oversight direction and control of some one person who shall be the General Superintendent thereof whose duty it shall be to determine and enforce the discipline and laws and superintend the operations of the said Christian Mission and to conserve the same to and for the objects and purposes for which it was first originated.

The General Superintendent shall have power to expend on behalf of the Christian Mission all moneys contributed for the general purposes of the said Christian Mission or for any of the special objects or operations thereof but he shall annually publish a Balance Sheet (duly audited) of all such receipts and expenditure.

The General Superintendent shall have power to acquire by Gift purchase or otherwise any hall or meeting house school room vestry land building and appurts and any seats fittings furniture or other property whatsoever which may in his judgment be required for the purposes of the said Christian Mission and to build upon such land or alter or pull down any such buildings and to hire on lease or otherwise any land or buildings and to lend give away let sell or otherwise dispose of any such Property land or buildings as he may deem necessary in the interests of the said Christian Mission wherein all trustees shall render him every assistance and he may in all such cases as he shall deem it expedient so to do nominate and appoint trustees or a trustee of any part or parts respectively of such property and direct the Conveyance or Transfer thereof to such trustees or trustee with power for the General Superintendent to declare the trusts thereof and from time to time if it shall seem expedient to him so to do to revoke any such trusts or the appointment of such trustees or trustee and upon such revocation the same property shall be conveyed or transferred to such persons or person and upon such trusts as he may direct but only for the benefit of the said Christian Mission.

Fourthly—That the said William Booth shall continue to be for the term of his natural life the General Superintendent of the Christian Mission unless he shall resign such Office.

Fifthly—That the said William Booth and every General Superintendent who shall succeed him shall have power to appoint his successor to the Office of General Superintendent and all the rights powers and authorities of the Office shall vest in the person so appointed upon the decease of the said William Booth or other General Superintendent appointing him or at such other period as may be named in the Document appointing him.

Sixthly—That it shall be the duty of every General Superintendent to make in writing as soon as conveniently may be after his appointment a Statement as to his successor or as to the means which are to be taken for the appointment of a successor at the decease of the General Superintendent or upon his ceasing to perform the duties of the Office such Statement to be signed by the General Superintendent and delivered in a Sealed envelope to the Solicitor for the time being of the Christian Mission but such statement may be altered at will by the General Superintendent at any time during his continuance in Office upon a new Statement being signed by him and delivered as before mentioned to such Solicitor as aforesaid.

In witness whereof I the said William Booth have hereunto subscribed my name and affixed my seal this seventh day of August in the year of Redemption one thousand eight hundred and seventy eight.

WILLIAM BOOTH (Ls).

Signed sealed and delivered by the said William Booth in the presence of

Thos. Whittington 3 Bishopsgate St. Without Solr.

J. E. BILLOPS

This Deed was duly presented to and approved by the persons assembled at a General Meeting of the Christian Mission held at No. 272 Whitechapel Road in the county of Middlesex And we the undersigned William Booth and George Scott Railton do hereby in the name of the Christian Mission set our hands hereto in ratification of and for perpetuating testimony of this Deed.

Dated this same seventh day of August 1878.

General Superintendent

WILLIAM BOOTH
G. S. RAILTON,
Secretary of the Christian Mission.

Witnesses to both Signatures

THOS. WHITTINGTON.
J. E. BILLOPS

Enrolled the thirteenth day of August in the year of our Lord one thousand eight hundred and seventy eight (being first duly stamped) according to the tenor of the Statutes made for that purpose.

I certify that the foregoing is a true and authentic copy.

G. F. HANDCOCK
Assist-Keeper of the Public Records.

27th January 1909.

Booth
Christian Mission
to be known as The
Salvation Army
(See Deed enrolled
13th Aug. 1878
Part 72
522

Be it remembered and entered as of Record That Whereas the Society called and known previously to the end of the year One thousand eight hundred and seventy eight as "The Christian Mission" was on or about the first day of January One thousand eight hundred and seventy nine with a view to the more beneficially extending of its operations renamed and has been since that time and is now usually known as "The Salvation Army" Now I William Booth the General of the Salvation Army (and also the General Superintendent of The Christian Mission) as hereby by virtue of all and every powers and authority in me vested declare that the said Society formerly known and in the within written Deed described as The Christian Mission is now and is intended to be hereafter called and known or described for all public purposes of its operations as "The Salvation Army" and that the expression "The Christian Mission" in the within Deed contained shall be taken to mean "The Salvation Army" and that everything in the within Deed contained relating or referring to The Christian Mission shall be taken as relating or referring to The Salvation Army.

In witness whereof I have hereto set my hand this twenty fourth day of June One thousand eight hundred and eighty.

WILLIAM BOOTH.

Witness
THOS. WHITTINGTON.

Enrolled the twentieth day of April in the year of our Lord One thousand nine hundred and six.

SUPREME COURT OF
GENERAL OFFICE
ENROLMENT
DEPART *t*
JUDICATURE
} *Stamped.*

Office Copy.

Booth
a
Deed Poll
Salvation Army
107.
1103

To all to whom these presents shall come William Booth of 101 Queen Victoria Street in the City of London General of the Salvation Army sends Greeting

Whereas by a Deed Poll (hereinafter called "the Deed of Constitution") dated the 7th day of August 1878 and under the hand and seal of the said William Booth (the Founder and General Superintendent of a Religious Society or Organization known as "The Christian Mission", and afterwards enrolled in the Chancery Division of the High Court of Justice on the 13th day of August 1878 the origin name and doctrines of the said Christian Mission were recited and stated and it was by the said Deed Poll amongst other things provided (Clause 3) that the said Christian Mission was and should always be thereafter under the oversight direction and control of some one person who should be the General Superintendent thereof whose duty it should be to determine and enforce the discipline and laws and superintend the Operations of the said Christian Mission and to conserve the same to and for the objects and purposes for which it was first originated and that the said General Superintendent should have the powers therein mentioned (Clause 4) that the said William Booth should continue to be for the term of his natural life the General Superintendent of the Christian Mission unless he should resign such Office (Clause 5) that the said William Booth and every General Superintendent who should succeed him should have power to appoint his successor to the Office of General Superintendent and all the rights powers and authorities of the Office should vest in the person so appointed upon the decease of the said William Booth or other General Superintendent appointing him or at such other period as might be named in the document appointing him and (Clause 6) that it should be the duty of every General Superintendent to make in writing as soon as conveniently might be after his appointment a Statement as to his successor or as to the means which were to be

taken for the appointment of a successor at the decease of the General Superintendent or upon his ceasing to perform the duties of the Office such Statement to be signed by the General Superintendent and delivered in a sealed Envelope to the Solicitor for the time being of the Christian Mission but such Statement might be altered at will by the General Superintendent at any time during his continuance in Office upon a new Statement being signed by him and delivered as before mentioned to such Solicitor as aforesaid And whereas on or about the 1st day of January 1879 the name of the said Religious Society or Congregation was changed from "the Christian Mission" to "The Salvation Army" as appears by a Memorandum under the hand of the said William Booth dated the 24th day of June 1880 and endorsed on the said recited Deed Poll and the said Society or Organization has since been and is now known as "The Salvation Army" and the Title of The General Superintendent thereof has been altered and shortened into that of General and the said William Booth is now known and designated and it is expected that every Successor of his will hereafter be known and designated as the "General" of the Salvation Army And whereas in Order to minimise the possibility of doubt dispute or litigation it is considered desirable to provide more fully and specifically than is done by the Deed of Constitution for the events in which the General for the time being shall cease to perform the duties of his Office and also for the nomination and appointment of a successor to the General for the time being on his dying or ceasing to perform the duties of the Office and the said William Booth has accordingly determined to execute these presents Now these presents witness that the said William Booth doth hereby declare as follows that is to say.

1. The Statement provided for by Clause 6 of the Deed of Constitution shall be signed and delivered to the Solicitor of the Salvation Army by every General of the Salvation Army as soon as possible after his appointment and if containing merely the nomination of an individual as successor or being otherwise liable to fail by reason of the death incapacity refusal or unwillingness to act of an individual shall be accompanied or succeeded as soon as possible by one or more alternative statement or statements numbered in the intended Order of priority and intended to operate in the event only of the appointment under the prior Statement or under all prior Statements as the case may be failing to take effect by reason of the death incapacity refusal or unwillingness to act of the person or persons ascertained under the prior Statement or Statements and every Statement or alternative statement shall have endorsed or placed on the envelope or cover containing the same a note of the date of the signing thereof to the intent that such note may be relied on for the purpose of destroying the said Statement unopened should it be proper to do so having regard to any of the provisions in the Deed of Constitution or these presents contained. Provided always that any such alternative Statement or Statements as aforesaid may be revoked or altered at will by the General at any time during his continuance in Office whether with or without the substitution of any fresh alternative statement or statements

but nevertheless it shall be a continuing as well as an original Obligation on the General for the time being to have for the time being in force and capable of operation a Statement or Statements not liable to fail by reason of the death incapacity refusal or unwillingness to act of a single nominee Provided also that except so far as may otherwise be expressly directed by any General any alternative statement or statements shall be opened only in the event of the prior statement or all prior statements as the case may be failing to result in the appointment of a successor and otherwise shall be destroyed unopened

2. Every General for the time being of the Salvation Army shall be deemed to cease to perform the duties of the Office within Clause 6 of the Deed of Constitution and to vacate such Office upon the happening of any of the following events that is to say.
    1. If he shall be found lunatic by inquisition or if all the Commissioners of the Salvation Army (which expression as and when used in these presents and in the Schedule hereto shall except where and so far as the context shall otherwise require be deemed to include the Chief of Staff and the Secretary for Foreign Affairs for the time being but not to include any retired Commissioners or Commissioner) or a majority of such Commissioners amounting to at least four in five declare by writing under their hands that they are satisfied that the General is of unsound mind or permanently incapacitated by mental or physical infirmity from the adequte performance of the duties of his Office
    2. If all the Commissioners of the Salvation Army or a majority of such Commissioners amounting to at least nine in ten declare by writing under their hands that they are satisfied that the General is in consequence of Bankruptcy or insolvency dereliction of duty notorious misconduct or other circumstances unfit to continue to perform the duties of his office
    3. If a Resolution adjudicating the General unfit for Office and removing him therefrom shall be passed by a majority of not less than three fourths of the members present and voting of the High Council of the Salvation Army hereinafter referred to

    The following provisions shall take effect with regard to any declaration under either of the first two subclauses of this present clause that is to say: First Any such Declaration shall show on its face whether it is made under the first subclause or under the second Sub Clause but subject to this need not state the incapacity or unfitness otherwise than in general terms or the nature of the evidence (if any) on which the Declarants or any of them may have acted and it shall not be necessary to have given the General in question Notice of the intention to make such declaration Secondly Any such Declaration may be by one or several documents and need not be signed simultaneously so long as there shall not be an interval of more than three calendar months between the first signature and the last Thirdly

The date at which the Commissioners of the Salvation Army are to be ascertained for the purposes of this Clause shall be at the date when the declaration in question shall have been signed by the Commissioner who shall first sign the same to the intent that no dismissal of any Commissioner or other alteration in the Commissioners (whether by termination of Office by time or otherwise) between the date of such first signing and the date of the formal handing of the declaration as hereinafter mentioned shall in any way prejudice or affect the possibility of obtaining the declaration or the validity or operation thereof when obtained Provided lastly that any such declaration shall be operative and the vacation of Office shall take place upon such declaration being formally handed to the Chief of the Staff or in his absence to the next highest Officer for the time being at Headquarters whose duty it shall be to receive such declaration and to publish the same with the date of its receipt within twenty four hours of receipt or as soon as possible thereafter. Vacation of Office under the first subclause of this Clause is hereinafter referred to as vacation of Office through mental incapacity and vacation of Office under the second subclause of this Clause is hereinafter referred to as vacation of Office through declared unfitness and vacation of Office under the third subclause of this Clause is hereinafter referred to as vacation of Office through adjudicated unfitness.

3. If the vacation of the Office of General shall take place through declared unfitness or through adjudicated unfitness any and every statement made by the vacating General as to his successor or the means to be adopted for appointing his successor shall be void and be disregarded and shall be destroyed without being opened And if the vacation of the Office of General shall take place through mental incapacity any and every such Statement which shall have been made by the vacating General later than one calendar month prior either to the date of the Commencement of the proceedings under which he shall have been found lunatic by inquisition or to the date of the signature by the Commissioner who shall first sign the same of the declaration declaring his mental incapacity as the case may be shall be void and be disregarded and shall be destroyed But if the vacation of Office of General shall take place through death or resignation and also if such vacation having taken place through mental incapacity there shall be in existence a Statement or statements made by the General more than one calendar month prior to the alternative date lastly hereinafter mentioned then and in any of the said cases his successor shall be appointed in accordance with the Statement made by the vacating General as in the Deed of Constitution and hereinbefore provided but so nevertheless as not hereby to validate any statement made by a vacating General which though actually made one calendar month or upwards prior to the said alternative date may nevertheless be proved to have been

made when the vacating General was in fact *non compos mentis*

4. If in any of the cases mentioned in the last preceding Clause in which a Statement by the vacating General would be *prima facie* effective it shall happen either that there is no such Statement as therein mentioned (which fact shall be sufficiently proved by a Joint Declaration in writing under the hand of the Chief of the Staff for the time being and the Solicitor of the Army for the time being that to the best of their knowledge information and belief there is no such Statement or that no such Statement is found within a fortnight after the vacation of Office or that any such Statement is invalid by reason of the vacating General having been *non compos mentis* at the date of making the same or otherwise or that whether by death refusal or otherwise no successor can be appointed in pursuance any such Statement or is so appointed within one calendar month of the vacation of Office then and in any of the said events and also in the event of vacation of Office under circumstances in which any statement by the Vacating General is to be disregarded the appointment of the successor shall be determined by the High Council of the Salvation Army hereinafter referred to.
5. In the case also of vacation of Office through adjudicated unfitness the appointment of the successor to the Vacating General shall be determined by the High Council of the Salvation Army hereinafter referred to.
6. During any interval that shall elapse between the Vacation of Office by any General of the Salvation Army and the appointment of his Successor the person who is at the date of vacation of Office the Chief of the Staff of the Salvation Army or (him failing) the next higher Officer for the time being except as provided in the First proviso hereto exercise all and every the powers and discretions which are under the Deed of Constitution or these presents vested in the General for the time being Provided always that the Chief of the Staff or other highest Officer as aforesaid shall not do any one or more of the following things that is to say (*a*) Retire or reduce any Commissioner for the time being from that rank otherwise than with the consent in writing of at least three in four of the other Commissioners of the Salvation Army for the time being except upon a finding of misconduct by a Court Martial constituted under the Rules and Regulations for the time being (*b*) Make any change in the Orders and Regulations for the time being of the Salvation Army as printed and published (*c*) Enter upon or engage in otherwise than with the consent in writing of at least three in four of the Commissioners for the time being any new transaction or Obligation involving an expenditure or liability or both to a greater extent in the whole than £10,000 Provided also that the Chief of the Staff or other highest Officer as aforesaid shall throughout the interval during which he shall perform the duties of the General keep a continuous and exact record in writing of all transactions and decisions done and given by him in that capacity such record to be

submitted to the next succeeding General forthwith upon his appointment and to be thereafter retained by him

7. Any General for the time being of the Salvation Army whether appointed under the Deed of Constitution or under these presents whether varied or not or under the conjoint operations of both Deeds shall have full and unrestricted power to purchase hire or otherwise acquire and to sell mortgage let or otherwise dispose of and deal with any Real and personal property in any part of the world and all other the powers and discretions given by the Deed of Constitution
8. Every General of the Salvation Army shall forthwith upon communication to him of his appointment execute a deed accepting Office upon and subject to the terms not only of the Deed of Constitution but also of these presents either as originally fixed or as varied as hereinafter mentioned as the case may be If any General does not execute such a Deed within 48 hours after being required in writing so to do by any three commissioners or if no such Request shall be made within one calendar month at least after communication to him of his appointment then and in such case and immediately upon the expiration of the alternative period in question such General shall be deemed to cease to perform his duties and to vacate Office and the like consequences shall ensue as on a vacation of Office through declared unfitness Provided always that if the execution of a Deed Poll under the provisions of this Clause shall be delayed by illness or other inevitable occasion then and in such case the aforesaid alternative periods of 48 hours and one calendar month shall run only as from the ceasing of the cause of delay
9. The provisions of these presents including the provisions of the Schedule hereto, may at any time or from time to time hereafter be added to revoked altered or otherwise varied by any General for the time being of the Salvation Army by deed executed with the consent in writing of a majority in number of the Commissioners of the said Army amounting to at least two thirds of the whole number thereof And any Statement in such deed of the number of the Commissioners of the said Army and of the fact that any named persons are some of such Commissioners shall be sufficient for the purposes of effectuating any such deed without any further proof of such total number or of the fact that all or any of such named persons are in fact such Commissioners
10. For the purpose of adjudicating on the question whether any General is unfit for Office and should be removed therefrom under Clause 2 Sub clause (3) of these presents and also for the purpose of electing a successor to the Office of General under Clause 4 of these Presents there shall henceforth be established and shall from time to time and at all times when necessary be convened a Council of the Salvation Army to be known as the High Council of the Salvation Army Such Council shall be constituted convened and regulated in accordance with the provisions contained in

the Schedule hereto which shall be as valid and operative as if set out in the body of these presents.

In witness whereof the said William Booth hath hereunto set his hand and seal this twenty sixth day of July One thousand nine hundred and four

THE SCHEDULE ABOVE REFERRED TO.

The High Council of the Salvation Army.

1. The High Council of the Salvation Army (hereinafter referred to as "the High Council", may be convened for the purpose of adjudicating on the question whether the General for the time being of the Salvation Army is unfit for Office and should be removed therefrom under Clause 2 Sub clause 3 of the foregoing Deed Poll and shall be convened in any of the events mentioned in Clause 4 of such Deed Poll for the purpose of appointing a successor to the Office of General of the Salvation Army.
2. For the purpose of adjudicating as aforesaid the High Council may be convened at any time as follows and not otherwise that is to say either on the joint Requisition of the Chief of the Staff for the time being and of not less than four other Commissioners of the Salvation Army for the time being or on the joint Requisition of not less than seven Commissioners for the time being. In the event of the High Council being convened under this Clause the date of the despatch of the summonses convening the same or of the earliest of such summonses if the same are not all sent out on one day is hereinafter referred to as and shall be for the purposes of the provisions hereinafter contained be deemed to be "the qualifying date" hereinafter referred to.
3. For the purpose of appointing a successor to the Office of General of the Salvation Army the High Council shall be convened by Summonses despatched upon the date of occurrence of any event or of the last of any series of events upon which the appointment of a successor has under Clause 4 of the foregoing Deed Poll to be determined by the High Council or as soon after such date as possible In the Cases provided for by this Clause the date which is hereinafter referred to as and shall for the purposes of the provisions hereinafter contained be deemed to be "the qualifying date" shall be the date of the vacation of Office by the General who has just vacated the same except in the case of vacation either through declared unfitness or through a declaration of mental incapacity in either of which cases the date shall be the date when the declaration shall have been signed by the Commissioner who shall first sign the same.
4. The duty of despatching the summonses for and convening the High Council under the last preceding clause shall in the first place rest with and be performed by the Chief of the Staff at the qualifying date but if there shall be no Chief of the Staff at the date when the duty in question has first to be performed or he shall be unable or unwilling to act or shall not act within fourteen days then and in any

of the said cases the said duty shall rest with and be performed by the Secretary for Foreign Affairs and if summonses have not been despatched for convening the High Council by either of the above persons within twenty one days after the date when the occasion for despatching them first arose then and in such case the summonses may be despatched and the High Council convened by any three Commissioners of the Army.

5. The High Council shall consist of and Summonses shall accordingly be despatched to the persons holding at the qualifying date the following Offices that is to say:

   The Chief of the Staff

   The Secretary for Foreign Affairs

   All the Commissioners of the Army not being Commissioners on the Retired List.

   All the Officers holding territorial Commands in the Army in any part of the World whatever their rank in the Army.

   Provided always that in case under the foregoing qualifications of Commissioners and Territorial Commanders two persons being Husband and Wife and holding Commissions or commands in respect of the same Country or district are entitled to be members of the High Council they shall only have one vote which shall be given by the husband as he may think fit if he alone is present or both are present and shall be given by the wife as she may think fit only if she alone is present.

6. Summonses to Members of the High Council at places which are within ten days ordinary post of Headquarters may be sent either by post or by Telegram Summonses to Members of the High Council at places which are not within ten days ordinary post of Head quarters should be sent so far as practicable by telegram.

7. The High Council shall be summoned to meet on the earliest date at which the person sending out the Summonses shall *bona fide* consider that it will be reasonably possible for all the Members or for the great majority of them to assemble by travelling express Provided always that the date of meeting shall in no case be more than sixty days from the date of the despatch of the summons thereto which is first despatched The place of meeting of the High Council shall be in or near to London or other the place where Headquarters shall be established at the qualifying date and such place and the date of meeting shall be named in the Summonses It shall be the duty of all persons summoned to the High Council to forthwith obey such Summons and in case any person or persons actually summoned shall not attend the other persons attending shall receive evidence of such person or persons having been Summoned and shall record such evidence and the fact of non attendance in a suitable form

8. The persons actually Summoned and meeting at the High Council may proceed and act notwithstanding that any person or persons who should have been summoned may not have been summoned or that any person or persons summoned may have refused or neglected to obey such

summons as may not in fact have arrived or may from time to time neglect or fail to attend the meetings whether from illness death or any other cause whatever and the persons actually summoned and meeting as the High Council shall, in addition and without prejudice to any other powers, have the following powers that is to say:

(A) Power to elect a President and Vice President of the High Council and to give the President and Vice President such powers when presiding including the giving of a second or casting vote as may be thought fit

(B) Power to determine absolutely in case of any doubt whether there has or has not been a vacation of Office by the General of the Salvation Army and whether an event has or has not arisen for the convening and constitution of the High Council and whether the High Council has or has not been properly summoned.

(C) Power to determine whether the persons summoned to the High Council or any of them ought to have been so summoned and whether any such persons are or are not properly qualified to act as Members of the High Council and to exclude any persons who ought not to have been summoned or who are not qualified to act.

(D) Power to summon to the High Council any person who in their opinion should have been summoned thereto and should be Members thereof but so that it shall not be obligatory to exercise this power by summoning all or any of such persons and that it shall not be exercised if the exercise of it would or might cause any considerable delay.

(E) Power to determine what if any report of the proceedings of the High Council shall be published.

(F) Power to adjourn at any time or from time to time and generally to determine and regulate their own procedure subject always to any express directions herein contained and also to appoint Committees for such purposes as the High Council shall think fit to delegate or entrust to them and so that such Committees shall (subject to any directions of the High Council) have power to appoint sub-Committees and generally to determine their own procedure.

(G) Power to determine how the costs and expenses of the summoning and attendance of the members of the High Council and of all proceedings in connection therewith ought to be borne and defrayed and in particular to what extent such costs and expenses should be borne and defrayed out of the funds of the Salvation Army Provided always that primarily and without prejudice to any question of ultimate Recoupment the Reasonable travelling and other expences that eyerv person summoned as a Member of the High Council shall incur by virtue of that summons and in connection

with his duties as a Member of the High Council shall except in any case of neglect or misconduct be defrayed out of the funds of the Salvation Army

(H) Power to do all things necessary for the purpose of settling finally and conclusively the question for the determination of which the High Council shall have been convened.

And also in the case of a High Council convened for the purpose of adjudicating on the question whether the General for the time being of the Salvation Army is unfit for Office and should be removed from Office the following further and additional powers that is to say:

(I) Power to summon the General or any other Officer of the Salvation Army or other person in such manner as shall be thought fit to attend before the High Council at any time or from time to time as the High Council shall think fit.

(J) Power to give such directions if any as the High Council (or any Committee or sub committee to whom the question may be referred) shall think fit as to the formulation of any charge against the General and as to the person or persons by whom the same should be formulated and supported and as to the formulation of the answer (if any) of the General thereto and as to whether the parties to the proceedings should be heard in person only or by Solicitors or Counsel

(K) Power to decide all questions of the admission and rejection of evidence whether in accordance with strict legal Rules or not

(L) Power to appoint any Committee not being less than thirteen in number for the purpose of investigating and reporting on all or any of the Charges that may be made against the General and to adopt the report of any such Committee and so that any such Committee shall in the course and for the purposes of such investigation and report have power to appoint a Chairman (if any appointed by the High Council) to determine their own procedure to direct and control the proceedings before them and generally all the like powers as those given to the High Council by sub clauses (F) (I) (J) and (K) hereinbefore contained

(M) Power generally to direct and control the proceedings before the High Council for the purposes of a fair and proper ultimate adjudication and to pronounce such adjudication accordingly.

9. The proceedings before a High Council summoned for purposes of adjudication shall be conducted as continuously and with as great despatch as is reasonably possible and immediately on the conclusion of such proceedings or after as short an adjournment as possible a vote of the Members of the High Council shall be taken in private in such manner as they think fit on the question whether the General is unfit for Office and should be removed therefrom If a Resolution in the affirmative shall be passed by a majority

of not less than three in four of the Members of the High Council present and voting then and in such case it shall be the duty of the actual President to forthwith make a public announcement to that effect and the General shall forthwith cease to be and vacate the office of General of the Salvation Army and the High Council shall proceed to the election of a Successor to such Office in like manner so far as may be as is hereinafter directed in the case of a High Council originally summoned for the purpose of appointing a successor But if a Resolution in the affirmative shall not be passed by the majority aforesaid then and in such case it shall be the duty of the actual President to forthwith make a public announcement that the General has not been declared unfit for office or removed and the proceedings of the High Council shall come to an end and their duties and powers shall cease and they shall stand *ipso facto* dissolved. In neither case shall the president make a public announcement of the names or numbers of the members voting for or against the Resolution unless the High Council shall resolve to that effect.

10. A Member of the High Council shall be competent to sit thereon and to take part in adjudication and to vote for or against the Resolution in the last preceding Clause mentioned although he may have been one of the persons originally convening the High Council or may make any statement or give any evidence against or for the General with Reference to the matters being adjudicated on or may otherwise have been concerned or occupied in the matters in question and also although he may not have been present throughout the whole of the proceedings

11. The Summoning of the High Council for purposes of adjudication and any proceedings before such High Council shall not in any way prejudice or affect the liability of the General to vacation of Office through declared unfitness under Clause 2 Subclause (2) of the foregoing Deed Poll And if after such summoning and before the High Council shall have passed or failed to pass as the case may be a Resolution removing the General from the Office the Office of General shall have been vacated through declared unfitness or the General shall have died or resigned or otherwise vacated Office then and in any of the said cases the High Council summoned as aforesaid shall be capable of proceeding and shall proceed to the election of a successor to such Office in like manner so far as may be as is hereafter directed in the case of a High Council originally Summoned for the purpose of appointing a successor and without any further or additional summons.

12. A High Council summoned for the purpose of appointing a successor to the Office of General of the Salvation Army shall immediately upon the constitution thereof and a High Council originally summoned for purposes of adjudication shall if and so soon as such High Council shall under the directions hereinbefore contained be competent in that behalf proceed to the election of a General of the Salvation Army in succession to the one who has vacated Office. The person so to be elected may be either one of the members

of the High Council or some other person The election shall be by ballot and shall require a two thirds majority of those voting and if at the first or any subsequent ballot no person shall obtain an absolute two thirds majority of the votes of the members voting a further ballot shall be taken until some person shall obtain such an absolute majority The person first obtaining such an absolute majority as aforesaid of the votes of the members voting shall be thereby elected the General of the Salvation Army

13. Immediately upon the election in manner aforesaid of a General of the Salvation Army the President of the Council shall forthwith publish the same (*a*) by notifying the same to the General so elected and (*b*) by giving notice thereof to the Solicitor for the time being of the Salvation Army And such further publication thereof shall be made by exhibiting a notice or notices in some conspicuous place or places at Headquarters and by advertisement in newspapers or otherwise as the said Solicitor shall in his discretion think fit but subject always to the direction and supervision of the elected General Provided always that the notification of election to the person elected and to the Solicitor aforesaid shall precede any other publication thereof and that if the person shall refuse or shall not accept the Office any further publication shall be foregone either permanently or until he shall accept the same.

14. Immediately upon the president of the High Council notifying to the General so elected as aforesaid the fact of his election and upon the General accepting Office all the duties and powers of the High Council shall cease and they shall stand *ipso facto* dissolved. But if the person so elected shall refuse or shall not accept the same within forty eight hours after election or within such further time (if any) as the High Council may determine then and in such case the High Council summoned as aforesaid shall proceed to the election of another person as General and so on *toties quoties* until some person has been elected General and has accepted Office whereupon all the duties and powers of the High Council shall cease and they shall stand *ipso facto* dissolved.

15. After any person has been elected General of the Salvation Army and has accepted Office his election shall not be invalidated by any flaw in the summoning constitution or proceedings of the High Council or by any other error in any matter or thing in anywise relating to such election or to any removal or other vacation of Office by any prior General who may purport to have been removed from or otherwise to have vacated Office or whose vacation of Office may in any other respect be a condition of the election of the person so elected as aforesaid

WILLIAM BOOTH Ls.

Signed Sealed and Delivered by the above named William Booth in the presence of

Wm. Frost, Sol. of Fenchurch Street E.C.
F de L Booth Tucker 120 West 14th St. New York Commander of the American Forces.
T Henry Howard 101 Queen Victoria St London E.C. Foreign Secretary Sal. Army
Et Cosandy 3 Rue Auber Paris Commissioner of the Forces in France Italy and Belgium
Adelaide Cox 259 Mare Street Hackney NE. Commissioner for Womens Social Work Gt Britain & Ireland.

Enrolled the twenty seventh day of July in the year of our Lord One thousand nine hundred and four.

SUPREME COURT OF
CENTRAL OFFICE
ENROLMENT
DEPART t
JUDICATURE
} *Stamped.*

Office Copy.

1st Session, 11th Parliament, 8-9 Edward VII., 1909

THE SENATE OF CANADA.

BILL

F

An Act to incorporate The Governing Council of the Salvation Army in Canada.

Received and read a first time,

Wednesday, 3rd March, 1909.

Second reading,

Friday, 5th March, 1909.

Honourable Mr. Ross,
(Middlesex.)

OTTAWA
Printed by C. H. Parmelee
Printer to the King's most Excellent Majesty
1909

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BILL AS PASSED APRIL 6. 1909.

THE SENATE OF CANADA.

BILL F.

An Act to incorporate The Governing Council of the Salvation Army in Canada.

Preamble.

WHEREAS the voluntary community or society of Christian persons known as The Salvation Army, which was founded in England by William Booth, usually known and designated as General of The Salvation Army, has carried on in Canada for many years its work of religion, charity and benevolence, in pursuance of the objects and purposes and according to the principles of organization, administration and discipline described in certain documents commonly known as and hereinafter called "the foundation deeds," namely in:—

(1.) A deed-poll, under his hand and seal, dated 7th August, 1878, and enrolled in the Chancery Division of the High Court of Justice in London, England, on 13th August, 1878;

(2.) A deed-poll, under his hand, dated 24th June, 1880, and enrolled in the Supreme Court of Judicature in London, England, on 20th April, 1906;

(3.) A deed-poll, under his hand and seal, dated 26th July, 1904, and enrolled in the Supreme Court of Judicature, in London, England, on 27th July, 1904;

a copy of each of which deeds-poll is set forth in the schedule to this Act; and whereas, with the consent and approval of the said William Booth, a petition praying that a corporation may be created for the purposes and with the powers hereinafter set forth, has been presented on behalf of The Salvation Army by the persons, usually designated by the titles herein affixed to their respective names, who hold in The Salvation Army the offices herein specified with regard to each such person, namely by Thomas Bales Coombs, commissioner in Canada; Nellie Coombs, wife of the said Thomas Bales Coombs, officer in charge of the womens' social work; Henry William Mapp, colonel, chief secretary; Albert Gaskin, lieutenant colonel, field secretary; Joseph Pugmire, lieutenant-colonel, men's social secretary; Thomas Howell, lieutenant-colonel, immigration secre-

tary; John Sharp, lieutenant-colonel, provincial officer; William Barnard Turner, lieutenant-colonel, provincial officer; William Scott Potter, brigadier, financial secretary and trade secretary; John Bond, brigadier, editor; Annie Stewart, brigadier, asssistant for the womens' social work; Charles Taylor, brigadier, principal of the training school; John Southall, brigadier, advanced-training secretary; William Morehen, brigadier, divisional officer; Robert Hargrave, brigadier, provincial officer; George Burditt, brigadier, provincial officer; John Rawlings, major, property secretary; Frank Morris, major, provincial officer; William Green, major, divisional officer; and whereas it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Incorporation.

1. The said Thomas Bales Coombs, Henry William Mapp, Albert Gaskin, William Scott Potter and John Rawlings, by virtue of their respective offices above mentioned, and their successors in the said offices, are hereby constituted a corporation under the name of "The Governing Council of The Salvation Army in Canada," hereinafter called "the Corporation," for the purposes of administering in Canada the property, business and other temporal affairs of The Salvation Army.

Corporate name.

Purposes.

Membership, *ex officio*.

2. If any of the said offices is altered or abolished in accordance with the constitution of The Salvation Army, any other office constituted in accordance with the said constitution may be substituted for the office so altered or abolished, and the person holding the office so substituted shall by virtue thereof become a member of the Corporation.

Head office.

3. The head office of the Corporation shall be in the city of Toronto, province of Ontario, and may be known and described as "The Territorial Headquarters." The Corporation may from time to time, by by-law, with the approval of the General of The Salvation Army, change the situation of the head office to any other place in Canada, and, with the like approval, establish branch offices or agencies in any place in Canada or elsewhere.

Branches.

Power to make by-laws.

4. The Corporation may, from time to time, make by-laws, not contrary to law nor inconsistent with the foundation-deeds, for:—

(*a*) the administration, management and control of the property, business and other temporal affairs of the Corporation;

(*b*) the appointment, functions, duties and remuneration of all officers, agents and servants of the Corporation;

(*c*) the appointment of committees and their duties;

(*d*) the calling of meetings, regular or special, of the Corporation or of committees;

(*e*) the fixing of the necessary quorum and procedure in all things at such meetings;

(*f*) generally, for the carrying out of the objects and purposes of the Corporation.

Establishment, etc., of charitable institutions.

5. The Corporation may, throughout Canada, establish, acquire by purchase, lease, gift, devise, bequest or otherwise, build, maintain, manage and operate:—

(*a*) buildings and places for meetings, religious or secular, of The Salvation Army;

(*b*) offices for the transaction of its business;

(*c*) homes for its officers, and, subject to provincial laws, schools and colleges for their education and training;

(*d*) lodging houses, shelters, homes and workshops for the poor;

(*e*) hospitals and places of rest and recuperation for the sick and convalescent;

(*f*) homes for the rescue of fallen women;

(*g*) homes for children;

(*h*) homes and shelters for immigrants;

(*i*) generally, any buildings necessary for carrying out the eleemosynary, educational, religious or other benevolent objects and purposes of the Salvation Army.

Colonization powers.

6. The Corporation, in order to enable persons in Canada desirous of owning their own homes to acquire lands and to become self-supporting by their own labor in tilling the soil or otherwise, subject to any Act or regulation in force in Canada or in any province thereof, may—

(*a*) establish, at any places in Canada, agricultural or industrial colonies, and maintain and manage such colonies;

(*b*) for the purpose of promoting the settlement and cultivation of any lands in such colonies, enter into agreements with settlers or intending settlers to aid them by making advances of money, goods, utensils or other necessaries, which advances may be secured upon such lands, or otherwise; and construct and operate, or aid in, or subscribe to works of construction, maintenance and improvement of roads, bridges, aqueducts, ditches, mills, and other similar works;

(*c*) generally, do all things necessary or expedient for the objects and purposes authorized by this section.

Commercial business.

7. The Corporation, for the purposes of The Salvation Army, may, throughout Canada, establish, maintain, operate and carry on the following businesses:—

(*a*) printing and publishing;

(*b*) manufacturing, buying and selling goods, articles and appliances required by the Salvation Army.

Disposal of profits.

2. No officer, member or employee of the Corporation or of The Salvation Army shall receive any pecuniary profit from any such business, except reasonable salary or wages, or except by way of proper benefit from charitable funds of the Corporation in compensation for services rendered in or about such business; and all other pecuniary profits of the said businesses shall be applied to the objects and purposes of the Salvation Army.

Powers to acquire and hold real property.

8. The Corporation may purchase, take, have, hold, receive, possess, retain and enjoy, property, real or personal, corporeal or incorporeal, whatsoever, and for any or every estate or interest therein whatsoever, given, granted, devised, or bequeathed to it, or appropriated, purchased, or acquired by it in any manner or way whatsoever, to, for, or in favour of the uses and purposes of the Corporation or of The Salvation Army set forth in sections 5, 6 and 7 of this Act, or to, for or in favour of any eleemosynary, educational, religious or other institution established or intended to be established, by, under the management of, or in connection with the work of the Corporation or The Salvation Army, or to, for, or in favour of the uses and purposes of any agricultural or industrial colony so established or intended to be established.

Limit as to value.

2. The annual value of the real estate held by or in trust for the Corporation in any province of Canada, for the objects and purposes of sections 6 and 7 of this Act, shall not exceed fifty thousand dollars, except in the province of Ontario, where it shall not exceed one hundred and fifty thousand dollars.

Limit as to time of holding.

3. The Corporation shall, within ten years after its acquisition of any real estate, sell or otherwise dispose of and alienate so much of such real estate as is not required for the use and occupation of The Salvation Army in Canada, but nothing herein contained shall be deemed in any wise to vary or otherwise affect any trust relating to such property.

Investment in and disposal of real property.

9. The Corporation may also sell, convey, exchange, alienate, mortgage, lease or demise any real property held by the Corporation, whether by the way of investment for the uses and purposes mentioned in the next preceding section or not; and may also, from time to time, invest all or any of its funds or moneys, and all or any funds or moneys vested in or acquired by it for the uses and purposes aforesaid, in and upon any security by way of mortgage, hypothec or charge upon real property in any part of Canada; and for the purposes of such investment may take, receive and accept mortgages or assignments thereof, whether made and executed directly to the Corporation or to any corporation, body, company or person in trust for it; and may sell, grant, assign and transfer such

mortgages or assignments, and may release and discharge such mortgages or assignments either wholly or partly.

Disposal of real property acquired by way of security.

10. The Corporation may hold such real estate as is *bonâ fide* mortgaged to it by way of security, or conveyed to it in satisfaction of debts or judgments recovered: Provided that no parcel of land or interest therein, at any time acquired by the Corporation and not required for its actual use and occupation, and not held by way of security, shall be held by the Corporation or any trustee on its behalf, for a longer period than ten years after the acquisition thereof, but shall, at or before the expiration of such period, be absolutely sold and disposed of, so that the Corporation shall no longer retain any interest therein, except by way of security.

Limit as to time.

Forfeiture to Crown.

2. Any such parcel of land, or any interest therein, not within the exceptions hereinbefore mentioned, which has been held by the Corporation for a longer period than ten years without being disposed of, shall be forfeited to His Majesty for the use of Canada: Provided that no such forfeiture shall take effect or be enforced until the expiration of at least six calendar months after notice in writing from the Minister of Finance to the Corporation of the intention of His Majesty to claim such forfeiture.

Notice.

Statement.

3. The Corporation shall give the Minister of Finance when required a full and correct statement of all lands at the date of such statement held by the Corporation, or in trust for it, and subject to the provisions of this section.

Application of Dominion and Provincial mortmain laws.

11. In regard to any real property which, by reason of its situation or otherwise, is subject to the legislative authority of the Parliament of Canada, a license in mortmain shall not be necessary for the exercise of the powers granted by this Act; but otherwise the exercise of the said powers shall in any province of Canada be subject to the laws of such province as to the acquisition and holding of lands by religious corporations, in so far as such laws apply to the Corporation.

Authority for transfer of property held in trust.

12. In so far as authorization by the Parliament of Canada is necessary, any person or corporation in whose name any property, real or personal, is held, in trust or otherwise, for the uses and purposes aforesaid, or any such person or corporation to whom any such property devolves, may, subject always to the terms and conditions of any trust relating to such property, transfer such property or any part thereof to the Corporation.

Execution of deeds.

13. Any deed or other instrument relating to real estate vested in the Corporation or to any interest in such real estate shall, if executed within the jurisdiction of the Parliament of Canada, be deemed to be duly executed if there are affixed thereto the seal of the Corporation and the signature of any

officer of the Corporation duly authorized for such purpose or his lawful attorney.

Borrowing powers.

14. If authorized thereto by by-law passed by unanimous vote of the Corporation at a meeting duly called for the purpose of considering the by-law, the Corporation may, from time to time, for the purposes of the Corporation:—

(*a*) borrow money upon the credit of the Corporation;

(*b*) limit or increase the amount to be borrowed;

Negotiable instruments.

(*c*) make, draw, accept, endorse or become party to promissory notes and bills of exchange; every such note or bill made, drawn, accepted or endorsed by the officer thereto authorized by the by-laws of the Corporation and countersigned by the proper officer of the Corporation, shall be binding upon the Corporation, and shall be presumed to have been made, drawn, accepted or endorsed with proper authority, until the contrary is shown; and it shall not be necessary in any case to have the seal of the Corporation affixed to any such note or bill;

Bonds, etc.

(*d*) issue bonds, debentures or other securities of the Corporation for sums not less than twenty-five dollars each, and pledge or sell the same for such sums and at such prices as may be deemed expedient;

(*e*) mortgage, hypothecate or pledge the real or personal property of the Corporation or both to secure any such bonds, debentures or other securities and any money borrowed for the purposes of the Corporation.

Personal responsibility of officers.

2. No officer of the company so authorized as aforesaid, shall be individually responsible for any such promissory note or bill of exchange made, drawn, accepted or endorsed, or countersigned by him, unless such promissory note or bill of exchange has been issued without proper authority.

Powers for investment of funds.

15. The Corporation may invest its funds, or any portion thereof, either directly in the name of the Corporation or indirectly in the name of trustees, in the purchase of:—

(*a*) the debentures, bonds, stocks or other securities of Canada, or of any province of Canada, or of any municipal or public school corporation in Canada; or,

(*b*) the stock of any chartered bank in Canada, or the debentures, bonds, stocks or other securities of any building society, loan or investment company, trust company, water-works company, water-power company, gas company, navigation company, street railway company (by whatever power the railway is operated), electric light or power company, heat and light company, rolling stock company, bridge construction company, harbour-trust company or commission, telegraph, cable or telephone company, dock company, fire insurance company, or the debentures or bonds of any steam railway company,

which has earned and paid regular dividends upon its ordinary preferred or guaranteed stocks for the two years next preceding the purchase of such bonds or debentures, if such society, commission or company is incorporated in Canada; or,

(*c*) the public consols, stocks, bonds, debentures, or other securities of the United Kingdom, or of any colony or dependency thereof; or,

(*d*) ground rents and mortgages on real estate in any province of Canada.

Powers to lend.

2. The Corporation may lend its funds, or any portion thereof, on the security of,—

(*a*) any of the bonds, stocks, debentures or securities mentioned in the last preceding subsection; or,

(*b*) real estate or leaseholds for a term or terms of years, or other estate or interest in real property in any province of Canada.

Collateral securities.

3. The Corporation may take any additional securities of any nature to secure further the repayment of any liability thereto, or to secure further the sufficiency of any of the securities in or upon which the Corporation is by this Act authorized to invest or lend any of its funds.

Terms, etc., of loans.

4. Any loan by this Act authorized to be made may be on such terms and conditions, and in such manner, and at such times, and for such sums, and in such sums of repayment, whether of principal or interest or principal and interest together, as the Corporation from time to time determines.

Statement of operations and business.

16. Whenever the Minister of Finance so requires in writing and within such reasonable delay as he appoints, the Corporation shall transmit to him a statement as to the nature and extent of such of the operations and business of the Corporation as he designates.

Form, etc.

2. Every such statement shall be in such form and contain such details as the Minister of Finance requires, and shall be verified by the oath of the presiding officer of the Corporation.

Penalty for not furnishing statement.

3. If for the space of one month the Corporation neglects or refuses to comply with any such written request of the Minister of Finance the Corporation shall be liable to a penalty not exceeding twenty dollars for every day during which such default continues, and any member of the Corporation who knowingly or wilfully authorizes or permits such default shall be liable to the like penalty.

SCHEDULE.

PUBLIC RECORD OFFICE COPY.

(Pursuant to Statute 1 & 2 Vict., c. 94.)

CLOSE ROLL (CHANCERY).
1878. Part 72. m. 28.

Booth a Deed Poll

To all to whom these Presents shall come I William Booth of 3 Gore Road Victoria Park Road Hackney in the county of Middlesex Minister of the Gospel the Founder and General Superintendent for the time being of The Christian Mission, Send Greeting

Whereas in the year 1865 the said William Booth commenced preaching the Gospel in a Tent erected in the Friends Burial Ground Thomas Street in the parish of Whitechapel in the county of Middlesex and in other places in the same neighbourhood.

And whereas a number of People were formed into a Community or Society by the said William Booth for the purpose of enjoying Religious fellowship and in order to continue and multiply such efforts as had been made in the Tent to bring under the Gospel those who were not in the habit of attending any place of worship by Preaching in the open air in Tents Theatres Music Halls and other places and by holding other Religious Services or Meetings.

And whereas at the first the said Society was known by the name of the East London Revival Society and afterwards as the East London Christian Mission.

And whereas other Societies were afterwards added in different parts of London and a Society was also formed at Croydon.

And whereas the names of these united Societies was then altered to that of "The Christian Mission."

And whereas divers halls or meeting houses schoolrooms vestries lands buildings and appurts situate lying and being in various parts of Her Majesty's Dominions and elsewhere have been or are intended to be and hereafter may be given and conveyed to certain persons in such Gifts and Conveyances named and to be named upon trusts for the purposes therein and herein mentioned or any of them and generally for promoting the objects of the said Christian Mission under the direction of the General Superintendent.

And whereas in order to render valid and effectual such trusts to remove doubts and prevent Litigation in the interpretation thereof or as to the terms used therein to ascertain what is the name or title and what are and shall be for ever the doctrines of the said Christian Mission and also in order to preserve the system of the said Christian Mission generally by means of a General Superintendent it has been deemed expedient to make and execute these presents.

Now these presents witness that for the purposes aforesaid I the said William Booth do hereby declare

Firstly—That the name style and title by which the said Religious Community or Mission hereinbefore described hath during the last nine years been called known and recognised is "The Christian Mission."

Secondly—That the Religious doctrines professed believed and taught by the Members of the said Christian Mission are and shall for ever be as follows.

1. We believe that the Scriptures of the Old and New Testaments were given by inspiration of God and that they only constitute the Divine rule of Christian faith and practice.
2. We believe there is only one God who is infinitely perfect the Creator Preserver and Governor of all things and who is the only proper object of Religious Worship.
3. We believe that there are three persons in the Godhead the Father the Son and the Holy Ghost undivided in essence and co-equal in power and glory.
4. We believe that in the person of Jesus Christ the Divine and human natures are united, so that he is truly and properly God and truly and properly man.
5. We believe that our first Parents were created in a state of innocency but by their disobedience they lost their purity and happiness and that in consequence of their fall all men have become sinners totally depraved and as such are justly exposed to the wrath of God.
6. We believe that the Lord Jesus Christ has by his suffering and death made an atonement for the whole world so that whosoever will may be saved.
7. We believe that repentance towards God faith in our Lord Jesus Christ and regeneration by the Holy Spirit are necessary to Salvation.
8. We believe that we are justified by grace through faith in our Lord Jesus Christ and that he that believeth hath the witness in himself.
9. We believe that continuance in a state of Salvation depends upon continued obedient faith in Christ.
10. We believe that it is the privilege of all believers to be "wholly sanctified" and that "their whole spirit and soul and body" may "be preserved blameless unto the coming of our Lord Jesus Christ" (1 Thess: v 23).
11. We believe in the immortality of the soul in the Resurrection of the body in the general judgment at the end of the World in the eternal happiness of the Righteous and in the endless punishment of the wicked.

Thirdly—That the said Christian Mission is and shall be always hereafter under the oversight direction and control of some one person who shall be the General Superintendent thereof whose duty it shall be to determine and enforce the

discipline and laws and superintend the operations of the said Christian Mission and to conserve the same to and for the objects and purposes for which it was first originated.

The General Superintendent shall have power to expend on behalf of the Christian Mission all moneys contributed for the general purposes of the said Christian Mission or for any of the special objects or operations thereof but he shall annually publish a Balance Sheet (duly audited) of all such receipts and expenditure.

The General Superintendent shall have power to acquire by Gift purchase or otherwise any hall or meeting house school room vestry land building and appurts and any seats fittings furniture or other property whatsoever which may in his judgment be required for the purposes of the said Christian Mission and to build upon such land or alter or pull down any such buildings and to hire on lease or otherwise any land or buildings and to lend give away let sell or otherwise dispose of any such Property land or buildings as he may deem necessary in the interests of the said Christian Mission wherein all trustees shall render him every assistance and he may in all such cases as he shall deem it expedient so to do nominate and appoint trustees or a trustee of any part or parts respectively of such property and direct the Conveyance or Transfer thereof to such trustees or trustee with power for the General Superintendent to declare the trusts thereof and from time to time if it shall seem expedient to him so to do to revoke any such trusts or the appointment of such trustees or trustee and upon such revocation the same property shall be conveyed or transferred to such persons or person and upon such trusts as he may direct but only for the benefit of the said Christian Mission.

Fourthly—That the said William Booth shall continue to be for the term of his natural life the General Superintendent of the Christian Mission unless he shall resign such Office.

Fifthly—That the said William Booth and every General Superintendent who shall succeed him shall have power to appoint his successor to the Office of General Superintendent and all the rights powers and authorities of the Office shall vest in the person so appointed upon the decease of the said William Booth or other General Superintendent appointing him or at such other period as may be named in the Document appointing him.

Sixthly—That it shall be the duty of every General Superintendent to make in writing as soon as conveniently may be after his appointment a Statement as to his successor or as to the means which are to be taken for the appointment of a successor at the decease of the General Superintendent or upon his ceasing to perform the duties of the Office such Statement to be signed by the General Superintendent and delivered in a Sealed envelope to the Solicitor for the time being of the Christian Mission but such statement may be altered at will by the

General Superintendent at any time during his continuance in Office upon a new Statement being signed by him and delivered as before mentioned to such Solicitor as aforesaid.

In witness whereof I the said William Booth have hereunto subscribed my name and affixed my seal this seventh day of August in the year of Redemption one thousand eight hundred and seventy eight.

WILLIAM BOOTH (Ls).

Signed sealed and delivered by the said William Booth in the presence of

Thos. Whittington 3 Bishopsgate St. Without Solr.

J. E. BILLOPS.

This Deed was duly presented to and approved by the persons assembled at a General Meeting of the Christian Mission held at No. 272 Whitechapel Road in the county of Middlesex And we the undersigned William Booth and George Scott Railton do hereby in the name of the Christian Mission set our hands hereto in ratification of and for perpetuating testimony of this Deed.

Dated this same seventh day of August 1878.

General Superintendent

WILLIAM BOOTH
G. S. RAILTON,
Secretary of the Christian Mission.

Witnesses to both Signatures

THOS. WHITTINGTON.
J. E. BILLOPS

Enrolled the thirteenth day of August in the year of our Lord one thousand eight hundred and seventy eight (being first duly stamped) according to the tenor of the Statutes made for that purpose.

I certify that the foregoing is a true and authentic copy.

G. F. HANDCOCK
Assist-Keeper of the Public Records.

27th January 1909.

Booth
Christian Mission
to be known as The
Salvation Army
(See Deed enrolled
13th Aug. 1878
Part 72
522

Be it remembered and entered as of Record That Whereas the Society called and known previously to the end of the year One thousand eight hundred and seventy eight as "The Christian Mission" was on or about the first day of January One thousand eight hundred and seventy

nine with a view to the more beneficially extending of its operations renamed and has been since that time and is now usually known as "The Salvation Army" Now I William Booth the General of the Salvation Army (and also the General Superintendent of The Christian Mission) as hereby by virtue of all and every powers and authority in me vested declare that the said Society formerly known and in the within written Deed described as The Christian Mission is now and is intended to be hereafter called and known or described for all public purposes of its operations as "The Salvation Army" and that the expression "The Christian Mission" in the within Deed contained shall be taken to mean "The Salvation Army" and that everything in the within Deed contained relating or referring to The Christian Mission shall be taken as relating or referring to The Salvation Army.

In witness whereof I have hereto set my hand this twenty fourth day of June One thousand eight hundred and eighty.

WILLIAM BOOTH.

Witness
THOS. WHITTINGTON.

Enrolled the twentieth day of April in the year of our Lord One thousand nine hundred and six.

SUPREME COURT OF
GENERAL OFFICE
ENROLMENT
DEPART t
JUDICATURE
} *Stamped.*

Office Copy.

Booth
a
Deed Poll
Salvation Army
107.
1103

To all to whom these presents shall come William Booth of 101 Queen Victoria Street in the City of London General of the Salvation Army sends Greeting

Whereas by a Deed Poll (hereinafter called "the Deed of Constitution") dated the 7th day of August 1878 and under the hand and seal of the said William Booth (the Founder and General Superintendent of a Religious Society or Organization known as "The Christian Mission", and afterwards enrolled in the Chancery Division of the High Court of Justice on the 13th day of August 1878 the origin name and doctrines of the said Christian Mission were recited and stated and it was by the said Deed Poll amongst other things provided (Clause 3) that the said Christian

Mission was and should always be thereafter under the oversight direction and control of some one person who should be the General Superintendent thereof whose duty it should be to determine and enforce the discipline and laws and superintend the Operations of the said Christian Mission and to conserve the same to and for the objects and purposes for which it was first originated and that the said General Superintendent should have the powers therein mentioned (Clause 4) that the said William Booth should continue to be for the term of his natural life the General Superintendent of the Christian Mission unless he should resign such Office (Clause 5) that the said William Booth and every General Superintendent who should succeed him should have power to appoint his successor to the Office of General Superintendent and all the rights powers and authorities of the Office should vest in the person so appointed upon the decease of the said William Booth or other General Superintendent appointing him or at such other period as might be named in the document appointing him and (Clause 6) that it should be the duty of every General Superintendent to make in writing as soon as conveniently might be after his appointment a Statement as to his successor or as to the means which were to be taken for the appointment of a successor at the decease of the General Superintendent or upon his ceasing to perform the duties of the Office such Statement to be signed by the General Superintendent and delivered in a sealed Envelope to the Solicitor for the time being of the Christian Mission but such Statement might be altered at will by the General Superintendent at any time during his continuance in Office upon a new Statement being signed by him and delivered as before mentioned to such Solicitor as aforesaid And whereas on or about the 1st day of January 1879 the name of the said Religious Society or Congregation was changed from "the Christian Mission" to "The Salvation Army" as appears by a Memorandum under the hand of the said William Booth dated the 24th day of June 1880 and endorsed on the said recited Deed Poll and the said Society or Organization has since been and is now known as "The Salvation Army" and the Title of The General Superintendent thereof has been altered and shortened into that of General and the said William Booth is now known and designated and it is expected that every Successor of his will hereafter be known and designated as the "General" of the Salvation Army And whereas in Order to minimise the possibility of doubt dispute or litigation it is considered desirable to provide more fully and specifically than is done by the Deed of Constitution for the events in which the General for the time being shall cease to perform the duties of his Office and also for the nomination and appointment of a successor to the General for the time being on his dying or ceasing to perform the duties of the Office and the said William Booth has accordingly determined to execute these presents Now these presents witness that the said William Booth doth hereby declare as follows that is to say.

1. The Statement provided for by Clause 6 of the Deed of Constitution shall be signed and delivered to the Solicitor of the Salvation Army by every General of the Salvation Army as soon as possible after his appointment and if containing merely the nomination of an individual as successor or being otherwise liable to fail by reason of the death incapacity refusal or unwillingness to act of an individual shall be accompanied or succeeded as soon as possible by one or more alternative statement or statements numbered in the intended Order of priority and intended to operate in the event only of the appointment under the prior Statement or under all prior Statements as the case may be failing to take effect by reason of the death incapacity refusal or unwillingness to act of the person or persons ascertained under the prior Statement or Statements and every Statement or alternative statement shall have endorsed or placed on the envelope or cover containing the same a note of the date of the signing thereof to the intent that such note may be relied on for the purpose of destroying the said Statement unopened should it be proper to do so having regard to any of the provisions in the Deed of Constitution or these presents contained. Provided always that any such alternative Statement or Statements as aforesaid may be revoked or altered at will by the General at any time during his continuance in Office whether with or without the substitution of any fresh alternative statement or statements but nevertheless it shall be a continuing as well as an original Obligation on the General for the time being to have for the time being in force and capable of operation a Statement or Statements not liable to fail by reason of the death incapacity refusal or unwillingness to act of a single nominee Provided also that except so far as may otherwise be expressly directed by any General any alternative statement or statements shall be opened only in the event of the prior statement or all prior statements as the case may be failing to result in the appointment of a successor and otherwise shall be destroyed unopened
2. Every General for the time being of the Salvation Army shall be deemed to cease to perform the duties of the Office within Clause 6 of the Deed of Constitution and to vacate such Office upon the happening of any of the following events that is to say.
    1. If he shall be found lunatic by inquisition or if all the Commissioners of the Salvation Army (which expression as and when used in these presents and in the Schedule hereto shall except where and so far as the context shall otherwise require be deemed to include the Chief of Staff and the Secretary for Foreign Affairs for the time being but not to include any retired Commissioners or Commissioner) or a majority of such Com-

missioners amounting to at least four in five declare by writing under their hands that they are satisfied that the General is of unsound mind or permanently incapacitated by mental or physical infirmity from the adequte performance of the duties of his Office

2. If all the Commissioners of the Salvation Army or a majority of such Commissioners amounting to at least nine in ten declare by writing under their hands that they are satisfied that the General is in consequence of Bankruptcy or insolvency dereliction of duty notorious misconduct or other circumstances unfit to continue to perform the duties of his office
3. If a Resolution adjudicating the General unfit for Office and removing him therefrom shall be passed by a majority of not less than three fourths of the members present and voting of the High Council of the Salvation Army hereinafter referred to

The following provisions shall take effect with regard to any declaration under either of the first two subclauses of this present clause that is to say: First Any such Declaration shall show on its face whether it is made under the first subclause or under the second Sub Clause but subject to this need not state the incapacity or unfitness otherwise than in general terms or the nature of the evidence (if any) on which the Declarants or any of them may have acted and it shall not be necessary to have given the General in question Notice of the intention to make such declaration Secondly Any such Declaration may be by one or several documents and need not be signed simultaneously so long as there shall not be an interval of more than three calendar months between the first signature and the last Thirdly The date at which the Commissioners of the Salvation Army are to be ascertained for the purposes of this Clause shall be at the date when the declaration in question shall have been signed by the Commissioner who shall first sign the same to the intent that no dismissal of any Commissioner or other alteration in the Commissioners (whether by termination of Office by time or otherwise) between the date of such first signing and the date of the formal handing of the declaration as hereinafter mentioned shall in any way prejudice or affect the possibility of obtaining the declaration or the validity or operation thereof when obtained Provided lastly that any such declaration shall be operative and the vacation of Office shall take place upon such declaration being formally handed to the Chief of the Staff or in his absence to the next highest Officer for the time being at Headquarters whose duty it shall be to receive such declaration and to publish

the same with the date of its receipt within twenty four hours of receipt or as soon as possible thereafter. Vacation of Office under the first subclause of this Clause is hereinafter referred to as vacation of Office through mental incapacity and vacation of Office under the second subclause of this Clause is hereinafter referred to as vacation of Office through declared unfitness and vacation of Office under the third subclause of this Clause is hereinafter referred to as vacation of Office through adjudicated unfitness.

3. If the vacation of the Office of General shall take place through declared unfitness or through adjudicated unfitness any and every statement made by the vacating General as to his successor or the means to be adopted for appointing his successor shall be void and be disregarded and shall be destroyed without being opened And if the vacation of the Office of General shall take place through mental incapacity any and every such Statement which shall have been made by the vacating General later than one calendar month prior either to the date of the Commencement of the proceedings under which he shall have been found lunatic by inquisition or to the date of the signature by the Commissioner who shall first sign the same of the declaration declaring his mental incapacity as the case may be shall be void and be disregarded and shall be destroyed But if the vacation of Office of General shall take place through death or resignation and also if such vacation having taken place through mental incapacity there shall be in existence a Statement or statements made by the General more than one calendar month prior to the alternative date lastly hereinafter mentioned then and in any of the said cases his successor shall be appointed in accordance with the Statement made by the vacating General as in the Deed of Constitution and hereinbefore provided but so nevertheless as not hereby to validate any statement made by a vacating General which though actually made one calendar month or upwards prior to the said alternative date may nevertheless be proved to have been made when the vacating General was in fact *non compos mentis*
4. If in any of the cases mentioned in the last preceding Clause in which a Statement by the vacating General would be *prima facie* effective it shall happen either that there is no such Statement as therein mentioned (which fact shall be sufficiently proved by a Joint Declaration in writing under the hand of the Chief of the Staff for the time being and the Solicitor of the Army for the time being that to the best of their knowledge information and belief there is no such Statement or that no such Statement is found within a fortnight after the vacation of Office or that any

such Statement is invalid by reason of the vacating General having been *non compos mentis* at the date of making the same or otherwise or that whether by death refusal or otherwise no successor can be appointed in pursuance any such Statement or is so appointed within one calendar month of the vacation of Office then and in any of the said events and also in the event of vacation of Office under circumstances in which any statement by the Vacating General is to be disregarded the appointment of the successor shall be determined by the High Council of the Salvation Army hereinafter referred to.

5. In the case also of vacation of Office through adjudicated unfitness the appointment of the successor to the Vacating General shall be determined by the High Council of the Salvation Army hereinafter referred to.
6. During any interval that shall elapse between the Vacation of Office by any General of the Salvation Army and the appointment of his Successor the person who is at the date of vacation of Office the Chief of the Staff of the Salvation Army or (him failing) the next higher Officer for the time being except as provided in the First proviso hereto exercise all and every the powers and discretions which are under the Deed of Constitution or these presents vested in the General for the time being Provided always that the Chief of the Staff or other highest Officer as aforesaid shall not do any one or more of the following things that is to say (*a*) Retire or reduce any Commissioner for the time being from that rank otherwise than with the consent in writing of at least three in four of the other Commissioners of the Salvation Army for the time being except upon a finding of misconduct by a Court Martial constituted under the Rules and Regulations for the time being (*b*) Make any change in the Orders and Regulations for the time being of the Salvation Army as printed and published (*c*) Enter upon or engage in otherwise than with the consent in writing of at least three in four of the Commissioners for the time being any new transaction or Obligation involving an expenditure or liability or both to a greater extent in the whole than £10,000 Provided also that the Chief of the Staff or other highest Officer as aforesaid shall throughout the interval during which he shall perform the duties of the General keep a continuous and exact record in writing of all transactions and decisions done and given by him in that capacity such record to be submitted to the next succeeding General forthwith upon his appointment and to be thereafter retained by him
7. Any General for the time being of the Salvation Army whether appointed under the Deed of Constitution or under these presents whether varied or not or under the conjoint operations of both Deeds shall have full and unrestricted

power to purchase hire or otherwise acquire and to sell mortgage let or otherwise dispose of and deal with any Real and personal property in any part of the world and all other the powers and discretions given by the Deed of Constitution

8. Every General of the Salvation Army shall forthwith upon communication to him of his appointment execute a deed accepting Office upon and subject to the terms not only of the Deed of Constitution but also of these presents either as originally fixed or as varied as hereinafter mentioned as the case may be If any General does not execute such a Deed within 48 hours after being required in writing so to do by any three commissioners or if no such Request shall be made within one calendar month at least after communication to him of his appointment then and in such case and immediately upon the expiration of the alternative period in question such General shall be deemed to cease to perform his duties and to vacate Office and the like consequences shall ensue as on a vacation of Office through declared unfitness Provided always that if the execution of a Deed Poll under the provisions of this Clause shall be delayed by illness or other inevitable occasion then and in such case the aforesaid alternative periods of 48 hours and one calendar month shall run only as from the ceasing of the cause of delay
9. The provisions of these presents including the provisions of the Schedule hereto, may at any time or from time to time hereafter be added to revoked altered or otherwise varied by any General for the time being of the Salvation Army by deed executed with the consent in writing of a majority in number of the Commissioners of the said Army amounting to at least two thirds of the whole number thereof And any Statement in such deed of the number of the Commissioners of the said Army and of the fact that any named persons are some of such Commissioners shall be sufficient for the purposes of effectuating any such deed without any further proof of such total number or of the fact that all or any of such named persons are in fact such Commissioners
10. For the purpose of adjudicating on the question whether any General is unfit for Office and should be removed therefrom under Clause 2 Sub clause (3) of these presents and also for the purpose of electing a successor to the Office of General under Clause 4 of these Presents there shall henceforth be established and shall from time to time and at all times when necessary be convened a Council of the Salvation Army to be known as the High Council of the Salvation Army Such Council shall be constituted convened and regulated in accordance with the provisions contained in the Schedule hereto which shall be as valid and operative as if set out in the body of these presents.

In witness whereof the said William Booth hath hereunto set his hand and seal this twenty sixth day of July One thousand nine hundred and four

THE SCHEDULE ABOVE REFERRED TO.

The High Council of the Salvation Army.

1. The High Council of the Salvation Army (hereinafter referred to as "the High Council", may be convened for the purpose of adjudicating on the question whether the General for the time being of the Salvation Army is unfit for Office and should be removed therefrom under Clause 2 Sub clause 3 of the foregoing Deed Poll and shall be convened in any of the events mentioned in Clause 4 of such Deed Poll for the purpose of appointing a successor to the Office of General of the Salvation Army.
2. For the purpose of adjudicating as aforesaid the High Council may be convened at any time as follows and not otherwise that is to say either on the joint Requisition of the Chief of the Staff for the time being and of not less than four other Commissioners of the Salvation Army for the time being or on the joint Requisition of not less than seven Commissioners for the time being. In the event of the High Council being convened under this Clause the date of the despatch of the summonses convening the same or of the earliest of such summonses if the same are not all sent out on one day is hereinafter referred to as and shall be for the purposes of the provisions hereinafter contained be deemed to be "the qualifying date" hereinafter referred to.
3. For the purpose of appointing a successor to the Office of General of the Salvation Army the High Council shall be convened by Summonses despatched upon the date of occurrence of any event or of the last of any series of events upon which the appointment of a successor has under Clause 4 of the foregoing Deed Poll to be determined by the High Council or as soon after such date as possible In the Cases provided for by this Clause the date which is hereinafter referred to as and shall for the purposes of the provisions hereinafter contained be deemed to be "the qualifying date" shall be the date of the vacation of Office by the General who has just vacated the same except in the case of vacation either through declared unfitness or through a declaration of mental incapacity in either of which cases the date shall be the date when the declaration shall have been signed by the Commissioner who shall first sign the same.
4. The duty of despatching the summonses for and convening the High Council under the last preceding clause shall in the first place rest with and be performed by the Chief of the Staff at the qualifying date but if there shall be no

Chief of the Staff at the date when the duty in question has first to be performed or he shall be unable or unwilling to act or shall not act within fourteen days then and in any of the said cases the said duty shall rest with and be performed by the Secretary for Foreign Affairs and if summonses have not been despatched for convening the High Council by either of the above persons within twenty one days after the date when the occasion for despatching them first arose then and in such case the summonses may be despatched and the High Council convened by any three Commissioners of the Army.

5. The High Council shall consist of and Summonses shall accordingly be despatched to the persons holding at the qualifying date the following Offices that is to say:

The Chief of the Staff

The Secretary for Foreign Affairs

All the Commissioners of the Army not being Commissioners on the Retired List.

All the Officers holding territorial Commands in the Army in any part of the World whatever their rank in the Army.

Provided always that in case under the foregoing qualifications of Commissioners and Territorial Commanders two persons being Husband and Wife and holding Commissions or commands in respect of the same Country or district are entitled to be members of the High Council they shall only have one vote which shall be given by the husband as he may think fit if he alone is present or both are present and shall be given by the wife as she may think fit only if she alone is present.

6. Summonses to Members of the High Council at places which are within ten days ordinary post of Headquarters may be sent either by post or by Telegram Summonses to Members of the High Council at places which are not within ten days ordinary post of Head quarters should be sent so far as practicable by telegram.

7. The High Council shall be summoned to meet on the earliest date at which the person sending out the Summonses shall *bona fide* consider that it will be reasonably possible for all the Members or for the great majority of them to assemble by travelling express Provided always that the date of meeting shall in no case be more than sixty days from the date of the despatch of the summons thereto which is first despatched The place of meeting of the High Council shall be in or near to London or other the place where Headquarters shall be established at the qualifying date and such place and the date of meeting shall be named in the Summonses It shall be the duty of all persons summoned to the High Council to forthwith obey such Summons and in case any person or persons

actually summoned shall not attend the other persons attending shall receive evidence of such person or persons having been Summoned and shall record such evidence and the fact of non attendance in a suitable form

8. The persons actually Summoned and meeting at the High Council may proceed and act notwithstanding that any person or persons who should have been summoned may not have been summoned or that any person or persons summoned may have refused or neglected to obey such summons as may not in fact have arrived or may from time to time neglect or fail to attend the meetings whether from illness death or any other cause whatever and the persons actually summoned and meeting as the High Council shall, in addition and without prejudice to any other powers, have the following powers that is to say:

(A) Power to elect a President and Vice President of the High Council and to give the President and Vice President such powers when presiding including the giving of a second or casting vote as may be thought fit

(B) Power to determine absolutely in case of any doubt whether there has or has not been a vacation of Office by the General of the Salvation Army and whether an event has or has not arisen for the convening and constitution of the High Council and whether the High Council has or has not been properly summoned.

(C) Power to determine whether the persons summoned to the High Council or any of them ought to have been so summoned and whether any such persons are or are not properly qualified to act as Members of the High Council and to exclude any persons who ought not to have been summoned or who are not qualified to act.

(D) Power to summon to the High Council any person who in their opinion should have been summoned thereto and should be Members thereof but so that it shall not be obligatory to exercise this power by summoning all or any of such persons and that it shall not be exercised if the exercise of it would or might cause any considerable delay.

(E) Power to determine what if any report of the proceedings of the High Council shall be published.

(F) Power to adjourn at any time or from time to time and generally to determine and regulate their own procedure subject always to any express directions herein contained and also to appoint Committees for such purposes as the High Council shall think fit to delegate or entrust to them and so that such Committees shall (subject to any

directions of the High Council) have power to appoint sub-Committees and generally to determine their own procedure.

(G) Power to determine how the costs and expenses of the summoning and attendance of the members of the High Council and of all proceedings in connection therewith ought to be borne and defrayed and in particular to what extent such costs and expenses should be borne and defrayed out of the funds of the Salvation Army Provided always that primarily and without prejudice to any question of ultimate Recoupment the Reasonable travelling and other expences that eyerv person summoned as a Member of the High Council shall incur by virtue of that summons and in connection with his duties as a Member of the High Council shall except in any case of neglect or misconduct be defrayed out of the funds of the Salvation Army

(H) Power to do all things necessary for the purpose of settling finally and conclusively the question for the determination of which the High Council shall have been convened.

And also in the case of a High Council convened for the purpose of adjudicating on the question whether the General for the time being of the Salvation Army is unfit for Office and should be removed from Office the following further and additional powers that is to say:

(I) Power to summon the General or any other Officer of the Salvation Army or other person in such manner as shall be thought fit to attend before the High Council at any time or from time to time as the High Council shall think fit.

(J) Power to give such directions if any as the High Council (or any Committee or sub committee to whom the question may be referred) shall think fit as to the formulation of any charge against the General and as to the person or persons by whom the same should be formulated and supported and as to the formulation of the answer (if any) of the General thereto and as to whether the parties to the proceedings should be heard in person only or by Solicitors or Counsel

(K) Power to decide all questions of the admission and rejection of evidence whether in accordance with strict legal Rules or not

(L) Power to appoint any Committee not being less than thirteen in number for the purpose of investigating and reporting on all or any of the Charges that may be made against the General and to adopt the report of any such Committee and so that any

such Committee shall in the course and for the purposes of such investigation and report have power to appoint a Chairman (if any appointed by the High Council) to determine their own procedure to direct and control the proceedings before them and generally all the like powers as those given to the High Council by sub clauses (F) (I) (J) and (K) hereinbefore contained

(M) Power generally to direct and control the proceedings before the High Council for the purposes of a fair and proper ultimate adjudication and to pronounce such adjudication accordingly.

9. The proceedings before a High Council summoned for purposes of adjudication shall be conducted as continuously and with as great despatch as is reasonably possible and immediately on the conclusion of such proceedings or after as short an adjournment as possible a vote of the Members of the High Council shall be taken in private in such manner as they think fit on the question whether the General is unfit for Office and should be removed therefrom If a Resolution in the affirmative shall be passed by a majority of not less than three in four of the Members of the High Council present and voting then and in such case it shall be the duty of the actual President to forthwith make a public announcement to that effect and the General shall forthwith cease to be and vacate the office of General of the Salvation Army and the High Council shall proceed to the election of a Successor to such Office in like manner so far as may be as is hereinafter directed in the case of a High Council originally summoned for the purpose of appointing a successor But if a Resolution in the affirmative shall not be passed by the majority aforesaid then and in such case it shall be the duty of the actual President to forthwith make a public announcement that the General has not been declared unfit for office or removed and the proceedings of the High Council shall come to an end and their duties and powers shall cease and they shall stand *ipso facto* dissolved. In neither case shall the president make a public announcement of the names or numbers of the members voting for or against the Resolution unless the High Council shall resolve to that effect.

10. A Member of the High Council shall be competent to sit thereon and to take part in adjudication and to vote for or against the Resolution in the last preceding Clause mentioned although he may have been one of the persons originally convening the High Council or may make any statement or give any evidence against or for the General with Reference to the matters being adjudicated on or may otherwise have been concerned or occupied in the matters in question and also although he may not have been present throughout the whole of the proceedings

11. The Summoning of the High Council for purposes of adjudication and any proceedings before such High Council shall not in any way prejudice or affect the liability of the General to vacation of Office through declared unfitness under Clause 2 Subclause (2) of the foregoing Deed Poll And if after such summoning and before the High Council shall have passed or failed to pass as the case may be a Resolution removing the General from the Office the Office of General shall have been vacated through declared unfitness or the General shall have died or resigned or otherwise vacated Office then and in any of the said cases the High Council summoned as aforesaid shall be capable of proceeding and shall proceed to the election of a successor to such Office in like manner so far as may be as is hereafter directed in the case of a High Council originally Summoned for the purpose of appointing a successor and without any further or additional summons.
12. A High Council summoned for the purpose of appointing a successor to the Office of General of the Salvation Army shall immediately upon the constitution thereof and a High Council originally summoned for purposes of adjudication shall if and so soon as such High Council shall under the directions hereinbefore contained be competent in that behalf proceed to the election of a General of the Salvation Army in succession to the one who has vacated Office. The person so to be elected may be either one of the members of the High Council or some other person The election shall be by ballot and shall require a two thirds majority of those voting and if at the first or any subsequent ballot no person shall obtain an absolute two thirds majority of the votes of the members voting a further ballot shall be taken until some person shall obtain such an absolute majority The person first obtaining such an absolute majority as aforesaid of the votes of the members voting shall be thereby elected the General of the Salvation Army
13. Immediately upon the election in manner aforesaid of a General of the Salvation Army the President of the Council shall forthwith publish the same (*a*) by notifying the same to the General so elected and (*b*) by giving notice thereof to the Solicitor for the time being of the Salvation Army And such further publication thereof shall be made by exhibiting a notice or notices in some conspicuous place or places at Headquarters and by advertisement in newspapers or otherwise as the said Solicitor shall in his discretion think fit but subject always to the direction and supervision of the elected General Provided always that the notification of election to the person elected and to the Solicitor aforesaid shall precede any other publication thereof and that if the person shall refuse or shall not accept the Office any further publication shall be foregone either permanently or until he shall accept the same.

14. Immediately upon the president of the High Council notifying to the General so elected as aforesaid the fact of his election and upon the General accepting Office all the duties and powers of the High Council shall cease and they shall stand *ipso facto* dissolved. But if the person so elected shall refuse or shall not accept the same within forty eight hours after election or within such further time (if any) as the High Council may determine then and in such case the High Council summoned as aforesaid shall proceed to the election of another person as General and so on *toties quoties* until some person has been elected General and has accepted Office whereupon all the duties and powers of the High Council shall cease and they shall stand *ipso facto* dissolved.

15. After any person has been elected General of the Salvation Army and has accepted Office his election shall not be invalidated by any flaw in the summoning constitution or proceedings of the High Council or by any other error in any matter or thing in anywise relating to such election or to any removal or other vacation of Office by any prior General who may purport to have been removed from or otherwise to have vacated Office or whose vacation of Office may in any other respect be a condition of the election of the person so elected as aforesaid

WILLIAM BOOTH [L.S.]

Signed Sealed and Delivered by the above named William Booth in the presence of

Wm. Frost, Sol. of Fenchurch Street E.C.

F de L Booth Tucker 120 West 14th St. New York Commander of the American Forces.

T Henry Howard 101 Queen Victoria St London E.C. Foreign Secretary Sal. Army

Et Cosandy 3 Rue Auber Paris Commissioner of the Forces in France Italy and Belgium

Adelaide Cox 259 Mare Street Hackney NE. Commissioner for Womens Social Work Gt Britain & Ireland.

Enrolled the twenty seventh day of July in the year of our Lord One thousand nine hundred and four

SUPREME COURT OF
CENTRAL OFFICE
ENROLMENT
DEPART *t*
JUDICATURE
} *Stamped*

Office Copy

F—26

1st Session, 11th Parliament, 9 Edward VII. 1909.

THE SENATE OF CANADA.

BILL G.

An Act to amend the law relating to Protest of Bills of Exchange, Cheques and Promissory Notes.

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

1. Section 109 of *The Bills of Exchange Act*, chapter 119 of *The Revised Statutes of Canada*, 1906, is hereby repealed and the following is substituted therefor:— R.S., c. 119, s. 109 amended.

"**109.** In order to render liable the acceptor, endorser or any party to a bill of exchange, cheque or promissory note, it is not necessary to protest the bill, cheque or note." Acceptor, endorser, &c., liable without protest.

2. Any law to the contrary, as respects bills of exchange, cheques or promissory notes, is hereby repealed. Repeal of inconsistent law.

1st Session, 11th Parliament, 8-9 Edward VII., 1909

THE SENATE OF CANADA.

BILL

G

An Act to amend the law relating to Protest of Bills of Exchange, Cheques and Promissory Notes.

Received and read a first time,

Tuesday, 9th March, 1909.

Second reading,

Thursday, 11th March, 1909.

Honourable Mr. CHOQUETTE.

OTTAWA
Printed by C. H. PARMELEE
Printer to the King's most Excellent Majesty
1909

1st Sess., 11th Parliament, 9 Edward VII, 1909.

THE SENATE OF CANADA.

BILL H.

An Act respecting the Anglo Canadian and Continental Bank.

WHEREAS the provisional directors of The Anglo-Canadian and Continental Bank have by their petition prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada enacts as follows:— Preamble. 1908, c. 81.

1. The name of The Anglo-Canadian and Continental Bank, hereinafter called "the Bank" is changed to "Anglo-Canadian Bank." Change of name.

2. Notwithstanding anything in *The Bank Act* or in chapter 81 of the statutes of 1908 incorporating the Bank, the Treasury Board may, within one year after the sixteenth day of June, 1909, give to the Bank the certificate required by section 14 of *The Bank Act*. Extension of time for commencig business. R.S., 1906, c. 29.

3. If the Bank does not obtain the said certificate within the time aforesaid, the rights, powers and privileges conferred on the Bank by its Act of incorporation and by this Act shall thereupon cease and determine, but otherwise shall remain in full force and effect notwithstanding section 16 of *The Bank Act*. Effect of certificate.

1st Session, 11th Parliament, 8-9 Edward VII., 1909

THE SENATE OF CANADA.

BILL.

H

An Act respecting The Anglo-Canadian and Continental Bank.

Received and read a first time,

Wednesday, 10th March, 1909.

Second reading,

Friday, 12th March, 1909.

Honourable Mr. CLORAN.

OTTAWA
Printed by C. H. PARMALEE
Printer to the King's most Excellent Majesty
1909

BILL AS PASSED MARCH 30, 1909.

THE SENATE OF CANADA.

BILL H.

An Act respecting the Anglo Canadian and Continental Bank.

WHEREAS the provisional directors of The Anglo-Canadian and Continental Bank have by their petition prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada enacts as follows:— Preamble. 1908, c. 81.

1. The name of The Anglo-Canadian and Continental Bank, hereinafter called "the Bank" is changed to "Anglo-Canadian Bank." Change of name.

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3. If the Bank does not obtain the said certificate within the time aforesaid, the rights, powers and privileges conferred on the Bank by its Act of incorporation and by this Act shall thereupon cease and determine, but otherwise shall remain in full force and effect notwithstanding section 16 of *The Bank Act*. Effect of certificate.

1st Session, 11th Parliament, 9 Edward VII, 1909.

THE SENATE OF CANADA.

BILL I.

An Act respecting the Quebec Oriental Railway Company.

Preamble. Quebec, 1903, c. 82. Quebec, 1905, c. 53. Canada, 1907, c. 122.

WHEREAS The Quebec Oriental Railway Company, hereinafter called "the Company," has, by its petition, prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Quebec, 1903, c. 82, s. 5, amended. Annual meeting.

1. Section 5 of the Act incorporating the Company, chapter 82 of the statutes of 1903 of the Province of Quebec, is hereby repealed, and the following is substituted therefor:—

"**5.** The annual meeting of the shareholders shall be held on the last Wednesday in October in each year."

Quebec, 1903, c. 82, s. 6, amended. Directors.

2. Section 6 of the said Act is hereby repealed, and the following is substituted therefor:—

"**6.** The number of directors shall be not less than three, nor more than seven, one or more of whom may be paid directors. Unless otherwise fixed by by-law, the number of directors shall be five."

Quebec, 1903, c. 82, s. 8, amended. Issue of securities increased.

3. Section 8 of the said Act is hereby repealed, and the following is substituted therefor:—

"**8.** The Company may issue bonds, debentures or other securities to the extent of forty-five thousand dollars per mile of the railways which the Company is authorized to construct or to acquire; but such bonds, debentures or other securities may be issued only in proportion to the length of the said railways constructed or under contract to be constructed, acquired or to be acquired."

Canada, 1907, c. 122, s. 3, amended. Head office.

4. The following subsections are hereby added to section 3 of chapter 122 of the statutes of 1907:—

"2. Subject to the provisions of section 80 of *The Railway Act* which may be applicable, the Company may, by by-law, from time to time, change the location of its head office to any place in Canada or in England.

Office in England.

"3. The Company may, in any case, have an office in London, England, where the meetings of its shareholders and of its directors may also be held."

Extension of time for construction.

5. The Company may commence the construction of its railway, and expend fifteen per centum of the amount of its capital stock thereon within two years after the passing of this Act, and may complete the said railway and put it in operation within five years after the passing of this Act; and if the said railway is not so commenced and such expenditure is not so made, or if the said railway is not completed and put in operation, within the said periods respectively, the powers of construction conferred upon the Company by Parliament shall cease and be null and void as respects so much of the said railway as then remains uncompleted.

Power to purchase certain railways.

R.S., c. 37, 1907, c. 122. ss. 6, 7.

6. Subject to the provisions of sections 361, 362 and 363 of *The Railway Act* and of sections 6 and 7 of chapter 122 of the statutes of 1907, the Company may purchase from the Royal Trust Company or owner or owners for the time being, and the Royal Trust Company or owner or owners for the time being may sell to the Company, the railways from Matapedia to Caplin and from Caplin to Paspebiac, in the province of Quebec, heretofore known as the Baie des Chaleurs section of The Atlantic and Lake Superior Railway Company, upon such terms and conditions as may be agreed upon between the Company and the Royal Trust Company or the owner or owners for the time being.

Nature of purchase price.

2. The purchase price of the railways referred to in subsection 1 of this section, may be in cash, or in bonds or debentures or debenture stock or other securities, or in capital stock of the Company, or partly in each or any of them, as may be agreed upon between the parties.

Issue and ranking of securities issued for purchase price.

3. Any bonds or debentures or debenture stock or other securities issued in satisfaction or part satisfaction of the purchase price of the said railways, may be divided into two series, entitled respectively to a first and to a second mortgage and preferential charge upon the property, assets, rents and revenues of the Company; and any other bonds, debentures or debenture stock or other securities, which the Company may thereafter issue, shall rank only after and subject to the privileges conferred upon the bonds or debentures or debenture stock or other securities issued as consideration for the purchase of the said railways.

1st Session, 11th Parliament, 8-9 Edward VII., 190

THE SENATE OF CANADA.

BILL

I

An Act respecting The Quebec Oriental Railway Company.

Received and read a first time,

Thursday, 11th March, 1909,

Second reading,

Tuesday, 16th March, 1909.

Honourable Mr. TESSIER.

OTTAWA
Printed by C. H. PARMELEE
Printer to the King's most Excellent Majesty
1909

BILL AS PASSED APRIL 7, 1909.

THE SENATE OF CANADA.

BILL I.

An Act respecting the Quebec Oriental Railway Company.

Preamble.

WHEREAS The Quebec Oriental Railway Company, hereinafter called "the Company," has, by its petition, prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Quebec, 1903, c. 82. Quebec, 1905, c. 53. Canada, 1907, c. 122.

Annual meeting.

1. The annual meeting of the shareholders shall be held on the last Wednesday in October in each year.

Directors.

2. The number of directors shall be not less than three, nor more than seven, one or more of whom may be paid directors. Unless otherwise fixed by by-law, the number of directors shall be five.

Issue of securities increased.

3. The Company may issue bonds, debentures or other securities to the extent of forty-five thousand dollars per mile of the railways which the Company is authorized to construct or to acquire; but such bonds, debentures or other securities may be issued only in proportion to the length of the said railways constructed or under contract to be constructed, acquired or to be acquired.

Canada, 1907, c. 122, s. 3, amended.

4. The following subsections are hereby added to section 3 of chapter 122 of the statutes of 1907:—

Head office.

"2. Subject to the provisions of section 80 of *The Railway Act* which may be applicable, the Company may, by by-law, from time to time, change the location of its head office to any place in Canada or in England.

Office in England.

"3. The Company may, in any case, have an office in London, England, where the meetings of its shareholders and of its directors may also be held."

Extension of time for construction.

5. The Company may commence the construction of its railway, and expend fifteen per centum of the amount of its capital stock thereon within two years after the passing of this Act, and may complete the said railway and put it in operation within five years after the passing of this Act; and if the said railway is not so commenced and such expenditure is not so made, or if the said railway is not completed and put in operation, within the said periods respectively, the powers of construction conferred upon the Company by Parliament shall cease and be null and void as respects so much of the said railway as then remains uncompleted.

Former time limit.

2. Section 5 of chapter 122 of the statutes of 1907 is hereby repealed.

Power to purchase certain railways.

R.S., c. 37, 1907, c. 122. ss. 6, 7.

6. Subject to the provisions of sections 361, 362 and 363 of *The Railway Act* and of sections 6 and 7 of chapter 122 of the statutes of 1907, the Company may purchase from the Royal Trust Company or owner or owners for the time being, and the Royal Trust Company or owner or owners for the time being may sell to the Company, the railways from Matapedia to Caplin and from Caplin to Paspebiac, in the province of Quebec, heretofore known as the Baie des Chaleurs section of The Atlantic and Lake Superior Railway Company, upon such terms and conditions as may be agreed upon between the Company and the Royal Trust Company or the owner or owners for the time being.

Nature of purchase price.

2. The purchase price of the railways referred to in subsection 1 of this section, may be in cash, or in bonds or debentures or debenture stock or other securities, or in capital stock of the Company, or partly in each or any of them, as may be agreed upon between the parties.

Certain claims to be first charge.

3. The claims mentioned in section 6 of chapter 122 of the statutes of 1907, to an amount not exceeding fifty thousand dollars as in the said section stated, shall be a first charge and lien on all the property of every kind and description, passing from The Royal Trust Company to The Quebec Oriental Railway Company, under the purchase of the railways above mentioned.

1st Session, 11th Parliament, 9 Edward VII. 1909.

THE SENATE OF CANADA.

BILL J.

An Act respecting The Windsor, Essex and Lake Shore Rapid Railway Company.

Preamble. Ont., 1901, c. 92; Ont., 1902, c. 97; Ont., 1904, c. 95; Ont., 1905, c. 110. Can., 1906, c. 184.

WHEREAS The Windsor, Essex and Lake Shore Rapid Railway Company has by its petition prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Time for construction extended. Ont., 1901, c. 92, s. 12; Ont., 1904, c. 95, s. 5; Ont., 1905, c. 110, s. 7; Can., 1903, c. 58, s. 117; Can., 1906, c. 184, s. 2; R.S.C., c. 37, s. 150.

1. Notwithstanding anything contained in *The Railway Act, 1903*, in *The Railway Act*, chapter 37 of The Revised Statutes of Canada, in section 2 of chapter 184 of the statutes of 1906, or in the statutes of Ontario relating to The Windsor, Essex and Lake Shore Rapid Railway Company, the construction of the said Company's lines of railway authorized by the said chapter 184 and the said statutes of Ontario may be commenced, and fifteen per cent of the amount of the capital stock expended thereon within two years after the passing of this Act, and the said lines of railway finished and put in operation within five years after the passing of this Act; and if the said lines of railway are not so commenced and such expenditure is not so made, or if the said lines of railway are not finished and put in operation within the said respective periods, the powers of construction granted to the said company by Parliament shall cease and be null and void as respects so much of the said lines of railway as then remains uncompleted.

Issue of securities increased. Ont., 1902, c. 97, s. 1; Can., 1906, c. 184, s. 2.

2. The limitation of the amount of securities which may be issued by the said company is hereby increased from twenty thousand dollars per mile to twenty-five thousand dollars per mile of the said lines of railway; but such securities may be issued only in proportion to the length of the said lines of railway constructed or under contract to be constructed.

2. Such securities and the coupons for interest thereon may be made payable in Canadian currency, or sterling, or such other currency as the directors may determine.

1st Session, 11th Parliament, 8-9 Edward VII., 1909

THE SENATE OF CANADA.

BILL

J

An Act respecting The Windsor, Essex and Lake Shore Rapid Railway Company.

Received and read a first time,

Thursday, 11th March, 1909.

Second reading,

Tuesday, 16th March, 1909.

Honourable Mr. McMULLEN.

OTTAWA
Printed by C. H. PARMELEE
Printer to the King's most Excellent Majesty
1909

BILL AS PASSED MARCH 31, 1909.

THE SENATE OF CANADA.

BILL J.

An Act respecting The Windsor, Essex and Lake Shore Rapid Railway Company.

Preamble. Ont., 1901, c. 92; Ont., 1902, c. 97; Ont., 1904, c. 95; Ont., 1905, c. 110. Can., 1906, c. 184.

WHEREAS The Windsor, Essex and Lake Shore Rapid Railway Company has by its petition prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Time for construction extended. Ont., 1901, c. 92, s. 12; Ont., 1904, c. 95, s. 5; Ont., 1905, c. 110, s. 7; Can., 1903, c. 58, s. 117; Can., 1906, c. 184, s. 2; R.S.C., c. 37, s. 150.

1. Notwithstanding anything contained in *The Railway Act, 1903*, in *The Railway Act*, chapter 37 of The Revised Statutes of Canada, in section 2 of chapter 184 of the statutes of 1906, or in the statutes of Ontario relating to The Windsor, Essex and Lake Shore Rapid Railway Company, the construction of the said Company's lines of railway authorized by the said chapter 184 and the said statutes of Ontario may be commenced, and fifteen per cent of the amount of the capital stock expended thereon within two years after the passing of this Act, and the said lines of railway finished and put in operation within five years after the passing of this Act; and if the said lines of railway are not so commenced and such expenditure is not so made, or if the said lines of railway are not finished and put in operation within the said respective periods, the powers of construction granted to the said company by Parliament shall cease and be null and void as respects so much of the said lines of railway as then remains uncompleted.

Issue of securities increased. Ont., 1902, c. 97, s. 1; Can., 1906, c. 184, s. 2.

2. The limitation of the amount of securities which may be issued by the said company is hereby increased from twenty thousand dollars per mile to twenty-five thousand dollars per mile of the said lines of railway; but such securities may be issued only in proportion to the length of the said lines of railway constructed or under contract to be constructed.

[Bill sent down from the Senate, and reprinted as amended and reported by the Railway Committee of the House of Commons, April 20, 1909.]

[*Amendments are between square brackets.*]

BILL J.

An Act respecting the Windsor, Essex and Lake Shore Rapid Railway Company.

WHEREAS the Windsor, Essex and Lake Shore Rapid Railway Company has by its petition prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:— Preamble Ont., 1901 c. 92; 1902, c. 97; 1904, c. 95; 1905, c. 110 Can., 1906 c. 184

1. [The Windsor, Essex and Lake Shore Rapid Railway Company may construct and complete within five years after the passing of this Act the lines of railway heretofore authorized to be constructed by the said company; and if the said lines of railway are not completed and put in operation within the said five years,] the powers of construction granted to the said company by Parliament shall cease and be null and void as respects so much of the said lines of railway as then remains uncompleted. Time for construction extended Ont., 1901 c. 92, s. 12 1904 c. 95 s. 5; 1905, c. 110 s. 7. Can. 1903, c. 58 s. 117 1906, c. 184, s. 2 R.S., c. 37, s. 150.

2. The limitation of the amount of securities which may be issued by the said company is hereby increased from twenty thousand dollars per mile to twenty-five thousand dollars per mile of the said lines of railway; but such securities may be issued only in proportion to the length of the said lines of railway constructed or under contract to be constructed. Issue of securities increased Ont. 1902 c. 97, s. 1. Can., 1906, c 184, s. 2.

BILL AS PASSED MARCH 31, 1909.

THE SENATE OF CANADA.

BILL K.

An Act respecting certain letters patent of the American Bar Lock Company.

Preamble.

WHEREAS the American Bar Lock Company, a corporation having its principal office in the city of Philadelphia, in the State of Pennsylvania, one of the United States of America, has by its petition represented that it is the holder of letters patent for the Dominion of Canada issued under the seal of the Patent Office, being number 93,022, dated 9th May, 1905, for new and useful improvements in vault light construction; and whereas the said company has inadvertently imported certain of the said patented improvements, contrary to the provisions of *The Patent Act;* and whereas the said company by its said petition has prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Rights not forfeited by importation contrary to statute.

R.S., c. 69.

1. Notwithstanding anything in *The Patent Act,* or in the letters patent mentioned in the preamble, the importation of the invention patented under the said letters patent shall be deemed not to have affected the validity of the said letters patent, or to have caused forfeiture of any rights acquired thereunder.

Certain rights saved.

2. If since the date of any said importation any person, other than a licensee or a person having occupied the position of a licensee, has commenced in Canada to manufacture, use or sell any of the patented inventions covered by the said letters patent, such person may continue such manufacture, use, or sale, as the case may be, in as full and ample a manner as if this Act had not been passed.

1st Session, 11th Parliament, 9 Edward VII, 1909.

THE SENATE OF CANADA.

BILL L.

An Act respecting certain letters patent of Franklin Montgomery Gray.

Preamble.

WHEREAS Franklin Montgomery Gray has by his petition represented that he is the holder of letters-patent under the seal of the Patent Office for the Dominion of Canada, issued and dated 28th October, 1902, and numbered 77,989, and re-issued and dated 2nd June, 1903, and numbered 81,207, for improvements in the process of converting wood and other cellulose material into dextrose sugar and alcohol; and whereas by the said petition he has prayed that it be enacted as hereinafter set out and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Extension of time for payment of fees.

R.S., c. 69, s. 23.

Power for issue of extension of patent.

1. Notwithstanding anything in *The Patent Act* or in the letters-patent referred to in the preamble hereof, the Commissioner of Patents may receive from the said Franklin Montgomery Gray an application for a certificate of payment and the usual fees upon the said letters-patent for the remainder of the term of eighteen years from the date thereof; and may grant and issue to the said Franklin Montgomery Gray the certificate of payment of further fees as provided by *The Patent Act* and an extension of the period of duration of the said letters-patent to the full term of eighteen years, in as full and ample a manner as if the application therefor had been duly made within six years from the date of the issue of the said letters-patent.

Saving of rights acquired by manufacture, use and sale.

2. If any person has, in the period between 28th October, 1908, and the date of the passing of this Act, commenced to manufacture, use and sell, in Canada, any of the inventions covered by the said letters-patent or either of them, such person may continue to manufacture, use and sell such invention in as full and ample a manner as if this Act had not been passed: Provided that this exception shall not extend to any person who, with or without the consent of the holder of the said letters-patent, has commenced the use, construction or manufacture of such invention before the expiry of the said letters-patent.

1st Session, 11th Parliament, 8-9 Edward VII., 1909

THE SENATE OF CANADA.

BILL

L

An Act respecting certain letters-patent of Franklin Montgomery Gray.

Received and read a first time,

Thursday, 11th March, 1909.

Second reading,

Wednesday, 17th March, 1909.

Honourable Mr. TALBOT.

OTTAWA
Printed by C. H. PARMELEE
Printer to the King's most Excellent Majesty
1909

BILL AS PASSED APRIL 6. 1909.

THE SENATE OF CANADA.

BILL L.

An Act respecting certain letters patent of Franklin Montgomery Gray.

Preamble.

WHEREAS Franklin Montgomery Gray has by his petition represented that he is the holder of letters-patent under the seal of the Patent Office for the Dominion of Canada, issued and dated 28th October, 1902, and numbered 77,989, and re-issued and dated 2nd June, 1903, and numbered 81,207, for improvements in the process of converting wood and other cellulose material into dextrose sugar and alcohol; and whereas by the said petition he has prayed that it be enacted as hereinafter set out, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Extension of time for payment of fees.

R.S., c. 69, s. 23.

Power for issue of extension of patent

1. Notwithstanding anything in *The Patent Act* or in the letters-patent referred to in the preamble hereof, the Commissioner of Patents may receive from the said Franklin Montgomery Gray an application for a certificate of payment and the usual fees upon the said letters-patent for the remainder of the term of eighteen years from the date thereof; and may grant and issue to the said Franklin Montgomery Gray the certificate of payment of further fees as provided by *The Patent Act* and an extension of the period of duration of the said letters-patent to the full term of eighteen years, in as full and ample a manner as if the application therefor had been duly made within six years from the date of the issue of the said letters-patent.

Saving of rights acquired.

2. If any person other than a licensee has, in the period between 28th October, 1908, and the date of the passing of this Act, commenced to manufacture, use or sell, in Canada, any of the inventions covered by the said letters-patent or either of them, such person may continue to manufacture, use or sell such invention in as full and ample a manner as if this Act had not

been passed. Provided that this exemption shall not extend to any person who, without the consent of the holder of the said letters-patent, has commenced the use, construction or manufacture of such invention before the expiry of the said letters-patent.

1st Sess., 11th Parliament, 9 Edward VII, 1909.

THE SENATE OF CANADA.

BILL M.

An Act to amend The Conciliation and Labour Act.

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

1. Paragraph (*c*) of subsection 1 of section 6 of *The Conciliation and Labour Act*, chapter 96 of *The Revised Statutes*, is hereby amended by adding thereto, after the word "conciliator" in the fifth line thereof, the words "but no person who is not a citizen of Canada and a British subject shall be so appointed." R.S., c. 96, s. 6 amended. Appointment of conciliator.

2. The following section is hereby added to the said Act, immediately after setion 6, as section 6A thereof:— New section added.

"**4**A. Every one is guilty of an offence and liable, on summary conviction, to a fine not exceeding $100, who, not being a citizen of Canada and a British subject, in any way intervenes in a difference, whether existing or apprehended, between an employer or any class of employers and workmen, or between different classes of workmen." Penalty for alien intervening in strikes.

1st Session, 11th Parliament, 8-9 Edward VII., 1909

THE SENATE OF CANADA.

BILL.

M

An Act to amend The Conciliation and Labour Act.

Received and read a first time,

Thursday, 11th March, 1909.

Second reading,

Tuesday, 16th March, 1909.

Honourable Mr. McMULLEN.

OTTAWA
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1909

1st Session, 11th Parliament, 9 Edward VII. 1909.

THE SENATE OF CANADA.

BILL N.

An Act respecting The Ontario, Hudson's Bay and Western Railways Company.

Preamble. Ont., 1890, c. 124. Ont., 1899, c. 101. Can., 1901, c. 78. Can., 1905, c. 138. Can., 1907, c. 114.

WHEREAS The Ontario, Hudson's Bay and Western Railways Company has by its petition prayed that it be enacted as hereinafter set forth and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Extension of time for construction.

1. The construction of the railway of The Ontario, Hudson's Bay and Western Railways Company may be commenced, and fifteen per cent on the amount of its capital stock be expended thereon, within two years after the passing of this Act, and the railway may be completed and put in operation within five years after the passing of this Act; and if the railway is not so commenced and such expenditure is not made, or if the railway is not completed and put into operation, within the said respective periods, the powers for the construction thereof granted by Parliament shall cease and be null and void as respects so much of the railway as then remains uncompleted.

Repeal of former time limit.

2. Section 1 of chapter 114 of the statutes of 1907 is hereby repealed.

1st Session, 11th Parliament, 8-9 Edward VII., 1909

THE SENATE OF CANADA.

BILL

N

An Act respecting The Ontario, Hudson's Bay and Western Railway Company.

Received and read a first time,

Thursday, 11th March, 1909.

Second reading,

Tuesday, 16th March, 1909.

Honourable Mr. Ross,
(Middlesex.)

OTTAWA
Printed by C. H. Parmelee
Printer to the King's most Excellent Majesty
1909

BILL AS PASSED APRIL 1, 1909.

THE SENATE OF CANADA.

BILL N.

An Act respecting The Ontario, Hudson's Bay and Western Railways Company.

WHEREAS The Ontario, Hudson's Bay and Western Railways Company has by its petition prayed that it be enacted as hereinafter set forth and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:— Preamble. Ont., 1890, c. 124. Ont., 1899, c. 101. Can., 1901, c. 78. Can., 1905, c. 138. Can., 1907, c. 114.

1. The construction of the railway of The Ontario, Hudson's Bay and Western Railways Company may be commenced, and fifteen per cent on the amount of its capital stock be expended thereon, within two years after the passing of this Act, and the railway may be completed and put in operation within five years after the passing of this Act; and if the railway is not so commenced and such expenditure is not made, or if the railway is not completed and put into operation, within the said respective periods, the powers for the construction thereof granted by Parliament shall cease and be null and void as respects so much of the railway as then remains uncompleted. Extension of time for construction.

2. Section 1 of chapter 114 of the statutes of 1907 is hereby repealed. Repeal of former time limit.

1st Session, 11th Parliament, 9 Edward VII. 1909.

THE SENATE OF CANADA.

BILL O.

An Act respecting The Algoma Central and Hudson Bay Railway Company.

Preamble.

1899, c. 50.
1900, c. 49.
1901, c. 46.
1902, c. 38.
1905, c. 53.
1906, c. 54.
1907, c. 57.

WHEREAS The Algoma Central and Hudson Bay Railway Company has by its petition prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Extension of time for construction of line to James Bay.

1901, c. 46, s. 3.
1905, c. 53, s. 2.
1907, c. 57, s. 1.

1. The Algoma Central and Hudson Bay Railway Company may commence within two years after the passing of this Act the construction of the railway authorized by section 3 of chapter 46 of the statutes of 1901, and may complete the said railway and put it in operation within five years after the passing of this Act; and if the said railway is not so commenced, or if the said railway is not completed and put in operation within the said periods respectively, the powers of construction conferred upon the said company by Parliament shall cease and be null and void as respects so much of the said railway as then remains uncompleted.

Repeal of former limit of time.

2. Section 2 of chapter 53 of the statutes of 1905 and section 1 of chapter 57 of the statutes of 1907 are hereby repealed.

1st Session, 11th Parliament, 8-9 Edward VII., 1909

THE SENATE OF CANADA.

BILL

0

An Act respecting The Algoma Central and Hudson Bay Railway Company.

Received and read a first time,

Thursday, 11th March, 1909.

Second reading,

Tuesday, 16th March, 1909.

Honourable Mr. Ross,
(Middlesex.)

OTTAWA
Printed by C. H. Parmelee
Printer to the King's most Excellent Majesty
1909

BILL AS PASSED APRIL 1, 1909.

THE SENATE OF CANADA.

BILL O.

An Act respecting The Algoma Central and Hudson Bay Railway Company.

WHEREAS The Algoma Central and Hudson Bay Railway Company has by its petition prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:— Preamble. 1899, c. 50. 1900, c. 49. 1901, c. 46. 1902, c. 38. 1905, c. 53. 1906, c. 54. 1907, c. 57.

1. The Algoma Central and Hudson Bay Railway Company may commence within two years after the passing of this Act the construction of the railway authorized by section 3 of chapter 46 of the statutes of 1901, and may complete the said railway and put it in operation within five years after the passing of this Act; and if the said railway is not so commenced, or if the said railway is not completed and put in operation within the said periods respectively, the powers of construction conferred upon the said company by Parliament shall cease and be null and void as respects so much of the said railway as then remains uncompleted. Extension of time for construction of line to James Bay. 1901, c. 46, s. 3. 1905, c. 53, s. 2. 1907, c. 57, s. 1.

2. Section 2 of chapter 53 of the statutes of 1905 and section 1 of chapter 57 of the statutes of 1907 are hereby repealed. Repeal of former limit of time.

1st Session, 11th Parliament, 9 Edward VII. 1909.

THE SENATE OF CANADA.

BILL P.

An Act to incorporate The Kootenay and Alberta Railway Company.

Preamble.

WHEREAS a petition has been presented praying that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Incorporation.

1. J. H. Senkler, barrister, John Bowerman Ferguson, mine operator, both of the city of Vancouver, in the province of British Columbia; John W. McConnell, financier, Hanbury A. Budden, barrister, and Sherley Ogilvy, manufacturer, all of the city of Montreal, in the province of Quebec, together with such persons as become shareholders in the Company, are incorporated under the name of "The Kootenay and Alberta Railway Company," hereinafter called "the Company."

Corporate name.

Provisional directors.

2. The persons named in section 1 of this Act are constituted the provisional directors of the Company.

Capital stock.

3. The capital stock of the Company shall be one million dollars. No one call thereon shall exceed ten per cent on the shares subscribed.

Head office.

4. The head office of the Company shall be in the city of Montreal, in the province of Quebec.

Annual meeting.

5. The annual meeting of the shareholders shall be held on the second Wednesday in September.

Number of directors.

6. The number of directors shall be not less than five nor more than nine, one or more of whom may be paid directors.

Lines of railway.

7. The Company may lay out, construct and operate a railway of the gauge of four feet eight and one-half inches,—

(*a*) from a point on the Crow's Nest branch of the Canadian Pacific Railway between Cowley Station and Pincher Station, in the province of Alberta, thence in a southerly direction passing through Beaver Valley to the North Kootenay Pass, thence in a southerly direction down the valley of the Flathead River, in the province of British Columbia, to the International Boundary;

(*b*) from a point on the Crow's Nest branch of the Canadian Pacific Railway between Cowley Station and Pincher Station, thence through the town of Pincher Creek, the Fishbourn Settlement, the Blood Indian Reserve, to Mountainview and Cardston and down the Milk River Valley to the International Boundary at or near Coutts.

Consent of municipalities as to railway on highways.

8. The Company shall not construct or operate its line of railway along any highway, street or other public place without first obtaining the consent, expressed by by-law, of the municipality having jurisdiction over such highway, street or other public place, and upon terms to be agreed upon with such municipality.

Water power, compressed air and electricity.

9. The Company may, for the purpose of its undertaking,—

(*a*) acquire and utilize steam power and water power for the purpose of compressing air and generating electricity for lighting, heating or motor purposes, and may, subject to the approval of the Board of Railway Commissioners of Canada, and subject to section 247 of *The Railway Act*, supply, sell or otherwise dispose of surplus power generated by the Company's works and not required for the undertaking of the Company; and for the purposes of such acquisition, utilization and disposal, may construct, operate and maintain lines for the conveyance of light, heat, power and electricity;

Acquisition and distribution of power.

(*b*) acquire electric or other power or energy which may be transmitted and delivered to any place in the municipalities through which the railway is authorized to be built; and receive, transform, transmit, distribute and supply such power or energy in any form, and dispose of the surplus thereof.

Consent of municipalities as to construction and operation of telegraph, telephone and electric lines.

R.S., c. 37.

R.S., c. 126.

10. Nothing in this Act, or in *The Railway Act*, or in *The Telegraphs Act*, shall authorize the Company to construct or operate any telegraph or telephone lines for the purpose of distributing electricity for lighting, heating or motor purposes, or disposing of surplus power generated by the Company's works and not required for the undertaking of the Company, upon, along or across any highway or public place, without first obtaining the consent, expressed by by-law, of the municipality having jurisdiction over such highway or public place, and upon terms to be agreed upon with such municipality.

Telegraph and telephone lines on railway.

R.S., c. 37.

Contracts with other companies.

11. The Company may, subject to the provisions of *The Railway Act*, construct and operate telegraph and telephone lines upon and along its railway, and establish offices for and undertake the transmission of messages for the public, and collect tolls therefor; and for the purpose of operating such lines or exchanging or transmitting messages, may, subject to the provisions of the said Act, enter into contracts with any companies having telegraph or telephone powers, and may connect its own lines with the lines of, or may lease its own lines to, any such companies.

Tolls or charges.

2. No toll or charge shall be demanded or taken for the transmission of any message, or for leasing or using the telegraphs or telephones of the Company, until it has been approved of

by the Board of Railway Commissioners for Canada, who may also revise such tolls and charges from time to time.

3. Part II of *The Telegraphs Act* shall apply to the telegraphic business of the Company. R.S., c. 126.

12. The securities issued by the Company shall not exceed fifty thousand dollars per mile of the railway, and may be issued only in proportion to the length of railway constructed or under contract to be constructed. Securities.

13. Subject to the provisions of sections 361, 362 and 363 of *The Railway Act* the Company may enter into agreements with all or any of the companies hereinafter named, for any of the purposes specified in the said section 361, such companies being the Canadian Pacific Railway Company, the Calgary and Edmonton Railway Company, the Grand Trunk Pacific Railway Company, the Canadian Northern Railway Company, the Southern Central Pacific Railway Company and the Great Northern Railway Company. Agreements with other companies.

1st Session, 11th Parliament, 8-9 Edward VII., 1909

THE SENATE OF CANADA.

BILL

P

An Act to incorporate The Kootenay and Alberta Railway Company.

Received and read a first time,

Thursday, 11th March, 1909.

Second reading,

Tuesday, 16th March, 1909.

Honourable Mr. DeVeber.

OTTAWA
Printed by C. H. Parmelee
Printer to the King's most Excellent Majesty
1909

BILL AS PASSED APRIL 2, 1909.

THE SENATE OF CANADA.

BILL P.

An Act to incorporate The Kootenay and Alberta Railway Company.

Preamble.

WHEREAS a petition has been presented praying that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Incorporation.

1. J. H. Senkler, barrister, John Bowerman Ferguson, mine operator, both of the city of Vancouver, in the province of British Columbia; John W. McConnell, financier, Hanbury A. Budden, barrister, and Sherley Ogilvy, manufacturer, all of the city of Montreal, in the province of Quebec, together with such persons as become shareholders in the Company, are incorporated under the name of "The Kootenay and Alberta Railway Company," hereinafter called "the Company."

Corporate name.

Provisional directors.

2. The persons named in section 1 of this Act are constituted the provisional directors of the Company.

Capital stock

3. The capital stock of the Company shall be one million dollars. No one call thereon shall exceed ten per cent on the shares subscribed.

Head office.

4. The head office of the Company shall be in the city of Montreal, in the province of Quebec.

Annual meeting.

5. The annual meeting of the shareholders shall be held on the second Wednesday in September.

Number of directors.

6. The number of directors shall be not less than five nor more than nine, one or more of whom may be paid directors.

Lines of railway.

7. The Company may lay out, construct and operate a railway of the gauge of four feet eight and one-half inches,—

(*a*) from a point on the Crow's Nest branch of the Canadian Pacific Railway between Cowley Station and Pincher Station,

in the province of Alberta, thence in a southerly direction passing through Beaver Valley to the North Kootenay Pass, thence in a southerly direction down the valley of the Flathead River, in the province of British Columbia, to the International Boundary;

(*b*) from a point on the Crow's Nest branch of the Canadian Pacific Railway between Cowley Station and Pincher Station, thence through the town of Pincher Creek, the Fishbourn Settlement, the Blood Indian Reserve, to Mountainview and Cardston and down the Milk River Valley to the International Boundary at or near Coutts.

Consent of municipalities as to railway on highways.

8. The Company shall not construct or operate its line of railway along any highway, street or other public place without first obtaining the consent, expressed by by-law, of the municipality having jurisdiction over such highway, street or other public place, and upon terms to be agreed upon with such municipality.

Acquisition and distribution of power.

9. For the purposes of its undertaking, and subject to the provisions of section 247 of *The Railway Act*, the Company may acquire electric or other power or energy, which may be transmitted and delivered to any place in the district through which the railway is authorized to be built; and may receive, transform, transmit, distribute and supply such power or energy in any form, and may dispose of the surplus thereof and collect rates and charges therefor; but no such rate or charge shall be demanded or taken until it has been approved of by the Board of Railway Commissioners for Canada, who may also revise such rates and charges from time to time.

Rates.

Consent of municipalities as to construction and operation of telegraph, telephone and electric lines.

R.S., c. 37.

R.S., c. 126.

10. Nothing in this Act, or in *The Railway Act*, or in *The Telegraphs Act*, shall authorize the Company to construct or operate any telegraph or telephone lines, or any lines for the purpose of distributing electricity for lighting, heating or motor purposes, or disposing of surplus power generated by the Company's works and not required for the undertaking of the Company, upon, along or across any highway or public place, with out first obtaining the consent, expressed by by-law, of the municipality having jurisdiction over such highway or public place, and upon terms to be agreed upon with such municipality.

Telegraph and telephone lines on railway.

R.S., c. 37.

Contracts with other companies.

11. The Company may, subject to the provisions of *The Railway Act*, construct and operate telegraph and telephone lines upon and along its railway, and establish offices for and undertake the transmission of messages for the public, and collect tolls therefor; and for the purpose of operating such lines or exchanging or transmitting messages, may, subject to the provisions of the said Act, enter into contracts with any companies having telegraph or telephone powers, and may connect its own

lines with the lines of, or may lease its own lines to, any such companies.

2. No toll or charge shall be demanded or taken for the transmission of any message, or for leasing or using the telegraphs or telephones of the Company, until it has been approved of by the Board of Railway Commissioners for Canada, who may also revise such tolls and charges from time to time. Tolls or charges.

3. Part II of *The Telegraphs Act*, except such portions thereof as are inconsistent with this Act or with *The Railway Act*, shall apply to the telegraphic business of the Company. R.S., c. 126.

12. The securities issued by the Company shall not exceed fifty thousand dollars per mile of the railway, and may be issued only in proportion to the length of railway constructed or under contract to be constructed. Securities.

13. Subject to the provisions of sections 361, 362 and 363 of *The Railway Act* the Company may enter into agreements with all or any of the companies hereinafter named, for any of the purposes specified in the said section 361, such companies being the Canadian Pacific Railway Company, the Calgary and Edmonton Railway Company, the Grand Trunk Pacific Railway Company, the Canadian Northern Railway Company, the Southern Central Pacific Railway Company and the Great Northern Railway Company. Agreements with other companies.

1st Session, 11th Parliament, 9 Edward VII. 1909.

THE SENATE OF CANADA.

BILL Q.

An Act respecting The Quinze and Blanche River Railway Company.

WHEREAS a petition has been presented praying that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:— Preamble. 1907, c. 123.

1. Notwithstanding anything in *The Railway Act*, The Quinze and Blanche River Railway Company may construct and complete at any time within five years from the passing of this Act the railway authorized by chapter 123 of the statutes of 1907; and if the said railway is not completed within the said period, the powers for constructing the same granted to the Company by the said Acts and this Act shall cease and be null and void with respect to so much of the said railway as then remains uncompleted. Extension of time for completion of railway. R.S., c. 37, s. 150. 1907, c. 123, s. 8.

1st Session, 11th Parliament, 8-9 Edward VII., 1909

THE SENATE OF CANADA.

BILL

Q

An Act respecting The Quinze and Blanche River Railway Company.

Received and read a first time,

Thursday, 11th March, 1909.

Second reading,

Tuesday, 16th March, 1909.

Honourable Mr. BELCOURT.

OTTAWA
Printed by C. H. PARMELEE
Printer to the King's most Excellent Majesty
1909

BILL AS PASSED MARCH 30, 1909.

THE SENATE OF CANADA.

BILL Q.

An Act respecting The Quinze and Blanche River Railway Company.

WHEREAS a petition has been presented praying that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:— Preamble. 1907, c. 123.

1. Notwithstanding anything in *The Railway Act*, The Quinze and Blanche River Railway Company may construct and complete at any time within five years from the passing of this Act the railway authorized by chapter 123 of the statutes of 1907; and if the said railway is not completed within the said period, the powers for constructing the same granted to the Company by the said Acts and this Act shall cease and be null and void with respect to so much of the said railway as then remains uncompleted. Extension of time for completion of railway. R.S., c. 37, s. 150. 1907, c. 123, s. 8.

[Bill sent down from the Senate, and reprinted as amended and reported by the Railway Committee of the House of Commons, April 20, 1909.]

[*Amendments are between square brackets.*]

BILL Q.

An Act respecting the Quinze and Blanche River Railway Company.

Preamble. 1907, c. 123.

WHEREAS a petition has been presented praying that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Time for completion of railway extended. 1907, c. 123, s. 8.

1. [The Quinze and Blanche River Railway Company shall, within two years after the passing of this Act, expend (including expenditure already made) an amount equal to fifteen per cent of its capital stock on its undertaking authorized by chapter 123 of the statutes of 1907, and may construct and complete at any time within five years from the passing of this Act the railway authorized by the said chapter 123; and if such expenditure has not been made prior to the expiration of the said period of two years, and if the said railway is not completed and put in operation within the said period of five years, the powers for constructing it granted to the said company by the said Acts and by this Act shall cease and be null and void with respect to so much of the said railway as then remains uncompleted.]

1st Sess., 11th Parliament, 9 Edward VII, 1909.

THE SENATE OF CANADA.

BILL R.

An Act respecting the Ottawa Fire Insurance Company and to change its name to Ottawa Assurance Company.

WHEREAS The Ottawa Fire Insurance Company has by its petition prayed that it be enacted as hereinafter set forth and it is expedient to grant the prayer of the said petition: therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Candad, enacts as follows— Preamble. 1904, c. 110.

1. The name of The Ottawa Fire Insurance Company, hereinafter called "the Company," is hereby changed to "Ottawa Assurance Company; but such change of name shall not in any way impair, alter or affect the rights or liabilities of the Company, nor in any wise affect any suit or proceeding now pending or judgment existing either by, or in favour of or against the Company, which, notwithstanding such change in the name of the Company, may be prosecuted, continued, completed and enforced as if this Act had not been passed. Change of name. Savings of rights, &c.

2. Section 12 of chapter 110 of the statutes of 1904 is hereby amended by adding to the first subsection thereof after the word "forms" the following words, namely:—"and may also carry on the following additional classes of insurance, namely, cyclone or tornado insurance, inland marine insurance and inland transportation insurance." 1904, c. 110, s. 12 amended. Authorization of additional classes of business.

1st Session, 11th Parliament, 8-9 Edward VII., 1909

THE SENATE OF CANADA

BILL

R

An Act respecting The Ottawa Fire Insurance Company and to change its name to Ottawa Assurance Company.

Received and read a first time,

Thursday, 11th March, 1909.

Second reading,

Tuesday, 16th March, 1909.

Honourable Mr. BELCOURT.

OTTAWA
Printed by C. H. PARMELEE
Printer to the King's most Excellent Majesty
1909

BILL AS PASSED APRIL 7, 1909.

THE SENATE OF CANADA.

BILL R.

An Act respecting the Ottawa Fire Insurance Company and to change its name to Ottawa Assurance Company.

WHEREAS The Ottawa Fire Insurance Company has by its petition prayed that it be enacted as hereinafter set forth and it is expedient to grant the prayer of the said petition: therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows— Preamble. 1904, c. 110.

1. The name of The Ottawa Fire Insurance Company, hereinafter called "the Company," is hereby changed to "Ottawa Assurance Company; but such change of name shall not in any way impair, alter or affect the rights or liabilities of the Company, nor in any wise affect any suit or proceeding now pending or judgment existing either by, or in favour of or against the Company, which, notwithstanding such change in the name of the Company, may be prosecuted, continued, completed and enforced as if this Act had not been passed. Change of name. Savings of rights, &c.

2. Section 12 of chapter 110 of the statutes of 1904 is hereby amended by adding to the first subsection thereof after the word "forms" the following words, namely:—"and may also carry on the following additional classes of insurance, namely, cyclone or tornado insurance, inland marine insurance and inland transportation insurance." 1904, c. 110, s. 12 amended. Authorization of additional classes of business.

3. The Company shall not exercise the enlarged powers given by this Act, unless the subscribed capital has been increased to at least four hundred thousand dollars and the amount paid thereon in cash has been increased to at least two hundred thousand dollars; but the Company may transact— Increase of capital before commencement of new business.

(*a*) the business of insuring yachts and motor boats upon the inland navigable waters of Canada, as soon as the subscribed capital has been increased to three hundred thousand dollars and the amount paid thereon to one hundred and fifty thousand dollars;

(*b*) the business of inland transportation insurance, as soon as a further sum of twenty thousand dollars capital stock has been subscribed and a further sum of ten thousand dollars paid thereon;

(*c*) the business of cyclone and tornado insurance, as soon as the sum of twenty thousand dollars capital has been subscribed in addition to the sums hereinbefore mentioned in this section, and a further sum of ten thousand dollars has been paid thereon; and—

And license to be obtained.

(*d*) in each case, not until a license for the transaction of that branch of business has been obtained under the provisions of *The Insurance Act*.

1st Sess., 11th Parliament, 9 Edward VII, 1909.

THE SENATE OF CANADA.

BILL S.

An Act respecting the Grand Trunk Pacific Branch Lines Company.

Preamble.

1906, c. 99; 1908, c. 115.

WHEREAS a petition has been presented praying that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

1906, c. 99, s. 11 amended.

Authority for additional railways.

1. Section 11 of chapter 99 of the statutes of 1906, incorporating The Grand Trunk Pacific Branch Lines Company, hereinafter called "the Company," is hereby amended by adding thereto the following paragraphs:—

"19. From a point on the main line of the Grand Trunk Pacific Railway west of Pembina Crossing, in the Province of Alberta, thence running southwesterly to a point at or near the Embarras River, and thence in a southerly direction towards the headwaters of the Little Pembina River, a distance of about one hundred miles.

"20. From a point on the main line of the Grand Trunk Pacific Railway, thence along the Embarras River running southwesterly towards the McLeod River, a distance of about twenty-five miles;

"21. From a point on the Company's authorized line between Calgary and Coutts and running southwesterly to McLeod, thence through or in the vicinity of Pincher Creek to the western boundary of the province of Alberta, a distance of about one hundred miles;

"22. From a point on the Company's authorized line at or near Regina, Province of Saskatchewan, thence westerly to Moosejaw, a distance of about forty-five miles."

S. 11 further amended.

Division of lines into sections.

2. Sub-paragraph (*c*) of paragraph 17 of the said section 11 is amended by striking out the words and figures "and 14 inclusive" in the second line thereof and substituting therefor the words and figures "14, 19, 20, 21 and 22."

S. 11 further amended.

Error in description corrected.

3. Paragraph 11 of the said section 11 is amended by striking out the figure "7" in the second line thereof and substituting "6" therefor.

Issue of securities.

4. The Company may issue bonds, debentures or other securities in respect of the said hereinbefore mentioned lines of

railway to the extent of thirty thousand dollars per mile ; and, except as herein otherwise provided, all the provisions of sections 12, 22 and 33 of the said Act shall apply to such bonds, debentures or other securities.

Time for construction.

5. Section 35 of the said Act is hereby repealed.

1st Session, 11th Parliament, 8-9 Edward VII., 1909

THE SENATE OF CANADA.

BILL.

S

An Act respecting the Grand Trunk Pacific Branch Lines Company.

Received and read a first time,

Thursday, 11th March, 1909.

Second reading,

Tuesday, 16th March, 1909.

Honourable Mr. WASTON.

OTTAWA
Printed by C. H. PARMELEE
Printer to the King's most Excellent Majesty
1909

BILL AS PASSED APRIL 7, 1909.

THE SENATE OF CANADA.

BILL S.

An Act respecting the Grand Trunk Pacific Branch Lines Company.

Preamble.

1906, c. 99; 1908, c. 115.

WHEREAS a petition has been presented praying that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

1906, c. 99, s. 11 amended.

Authority for additional railways.

1. Section 11 of chapter 99 of the statutes of 1906, incorporating The Grand Trunk Pacific Branch Lines Company, hereinafter called "the Company," is hereby amended by adding thereto the following paragraphs:—

"19. From a point on the main line of the Grand Trunk Pacific Railway west of Pembina Crossing, in the Province of Alberta, thence running southwesterly to a point at or near the Embarras River, and thence in a southerly direction towards the headwaters of the Little Pembina River, a distance of about one hundred miles;

"20. From a point, on the line described in the paragraph numbered 19, in the vicinity of the Embarras River thence in a southwesterly direction to a point at or near the McLeod River, a distance of about twenty-five miles;

"21. From a point on the Company's authorized line between Calgary and Coutts and running southwesterly to McLeod, thence through or in the vicinity of Pincher Creek to the western boundary of the province of Alberta, a distance of about one hundred miles;

"22. From a point on the Company's authorized line at or near Regina, Province of Saskatchewan, thence westerly to Moosejaw, a distance of about forty-five miles;"

S. 11 further amended.

Division of lines into sections.

2. Sub-paragraph (*c*) of paragraph 17 of the said section 11 is amended by striking out the words and figures "and 14 inclusive" in the second line thereof and substituting therefor the word and figures "14, 19, 20, 21 and 22."

S. 11 further amended.

Error in description corrected.

3. Paragraph 11 of the said section 11 is amended by striking out the figure "7" in the second line thereof and substituting "6" therefor; and paragraph 15 of the said section 11 is amended by striking out the figures "122nd" in the third line thereof and substituting "119th" therefor.

Issue of securities.

4. The Company may issue bonds, debentures or other securities in respect of the said hereinbefore mentioned lines of railway to the extent of thirty thousand dollars per mile; and, except as herein otherwise provided, all the provisions of sections 12, 22 and 33 of the said Act shall apply to such bonds, debentures or other securities.

Former limit of time for construction.

5. Section 35 of the said Act is hereby repealed.

S—

1st Session, 11th Parliament, 9 Edward VII. 1909.

THE SENATE OF CANADA.

BILL T.

An Act to restrict the evils of Divorce.

WHEREAS it is in the interest of society that the evils of Divorce be restricted: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:— Preamble.

1. The offending and guilty party to a marriage contract shall have no right to remarry in the Dominion of Canada after the obtention of a Bill of Divorce through the Parliament of Canada, and if such party remarry he or she shall come under the provisions of *The Criminal Code* relating to bigamy; and further if such party remarry outside the jurisdiction of the Parliament of Canada, such remarriage shall be considered, for all purposes, invalid and illegal; and such party remarried shall be considered a bigamist within the territory of Canada. Remarriage of guilty party invalid in Canada.

1st Session, 11th Parliament, 8-9 Edward VII., 1909

THE SENATE OF CANADA.

BILL

T

An Act to restrict the evils of Divorce.

Received and read a first time,

Friday, 12th March, 1909.

Second reading,

Wednesday, 24th March, 1909.

Honourable Mr. CLORAN.

OTTAWA
Printed by C. H. PARMELEE
Printer to the King's most Excellent Majesty
1909

1st Session, 11th Parliament, 9 Edward VII. 1909.

THE SENATE OF CANADA.

BILL U.

An Act for the relief of Victor Eccles Blackhall.

Preamble.

WHEREAS Victor Eccles Blackhall, of the city of Toronto, in the province of Ontario, has by his petition alleged, in effect, that on the thirtieth day of June A.D. 1891, at the said city of Toronto, he was lawfully married to Blanche Mabel Jackson, then of the said city, a spinster; that his legal domicile was then and is now in Canada; that at the said city of Toronto, at divers times in the month of April, A.D. 1895, and at the city of Buffalo, in the state of New York, at divers times in the months of July and August, A.D. 1895, she committed adultery with divers persons; that he has not connived at nor condoned the said adultery; that there has been no collusion, directly or indirectly, between him and her in the proceedings for divorce; and whereas by his petition he has prayed for the passing of an Act dissolving his said marriage, authorizing him to marry again, and affording him such other relief as is deemed meet; and whereas the said allegations have been proved, and it is expedient that the prayer of his petition be granted: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Marriage dissolved.

1. The said marriage between Victor Eccles Blackhall and Blanche Mabel Jackson, his wife, is hereby dissolved, and shall be henceforth null and void to all intents and purposes whatsoever.

Right to marry again.

2. The said Victor Eccles Blackhall may at any time hereafter marry any woman whom he might lawfully marry if the said marriage with the said Blanche Mabel Blackhall had not been solemnized.

1st Session, 11th Parliament, 8-9 Edward VII., 1909

THE SENATE OF CANADA.

BILL

U

An Act for the relief of Victor Eccles Blackhall.

Received and read a first time,

Friday, 19th March, 1909.

Second reading,

Wednesday, 24th March, 1909.

Honourable Mr. CAMPBELL.

OTTAWA
Printed by C. H. PARMELEE
Printer to the King's most Excellent Majesty
1909

BILL AS PASSED MARCH 26, 1909.

THE SENATE OF CANADA.

BILL U.

An Act for the relief of Victor Eccles Blackhall.

Preamble

WHEREAS Victor Eccles Blackhall, of the city of Toronto, in the province of Ontario, has by his petition alleged, in effect, that on the thirtieth day of June A.D. 1891, at the said city of Toronto, he was lawfully married to Blanche Mabel Jackson, then of the said city, a spinster; that his legal domicile was then and is now in Canada; that at the said city of Toronto, at divers times in the month of April, A.D. 1895, and at the city of Buffalo, in the state of New York, at divers times in the months of July and August, A.D. 1895, she committed adultery with divers persons; that he has not connived at nor condoned the said adultery; that there has been no collusion, directly or indirectly, between him and her in the proceedings for divorce; and whereas by his petition he has prayed for the passing of an Act dissolving his said marriage, authorizing him to marry again, and affording him such other relief as is deemed meet; and whereas the said allegations have been proved, and it is expedient that the prayer of his petition be granted: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Marriage dissolved.

1. The said marriage between Victor Eccles Blackhall and Blanche Mabel Jackson, his wife, is hereby dissolved, and shall be henceforth null and void to all intents and purposes whatsoever.

Right to marry again.

2. The said Victor Eccles Blackhall may at any time hereafter marry any woman whom he might lawfully marry if the said marriage with the said Blanche Mabel Blackhall had not been solemnized.

1st Sess., 11th Parliament, 9 Edward VII, 1909.

THE SENATE OF CANADA.

BILL V.

An Act for the relief of Annie Louisa Coltman.

Preamble.

WHEREAS Annie Louise Coltman presently residing at the town of Buckingham, in the province of Quebec, wife of Milton Delose Coltman, of the city of Toronto, in the province of Ontario, broker, has by her petition alleged, in effect, that they were lawfully married on the tenth day of Februbary, A.D. 1903., at the said town of Buckingham, she then being Annie Louisa Warwick, spinster; that the legal domicile of the said Milton Delose Coltman was then and is now in Canada; that at the city of Toronto, in the province of Ontario, during the month of February or March, A.D. 1907, and at the city of London, in the said province, on or about the twenty-seventh and twenty-eighth days of April, A.D. 1907, he committed adultery; that she has not connived at nor condoned the said adultery; that there has been no collusion, directly or indirectly, between him and her in the proceedings for divorce; and whereas by her petition she has prayed for the passing of an Act dissolving her said marriage, authorizing her to marry again, and affording her such other relief as is deemed meet; and whereas the said allegations have been proved, and it is expedient that the prayer of her petition be granted: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Marriage dissolved.

2. The said marriage between Annie Louisa Warwick and Milton Delose Coltman, her husband, is hereby dissolved, and shall be henceforth null and voil to all intents and purposes whatsoever.

Right to marry again.

2. The said Annie Louisa Warwick, may at any time hereafter marry any man whom she might lawfully marry if the said marriage with the said Milton Delose Coltman had not been solemnized.

1st Session, 11th Parliament, 8-9 Edward VII., 1909

THE SENATE OF CANADA.

BILL

V

An Act for the relief of Annie Louisa Coltman.

Received and read a first time,

Friday, 19th March, 1909.

Second reading,

Wednesday, 24th March, 1909.

Honourable Mr. CAMPBELL.

OTTAWA
Printed by C. H. PARMELEE
Printer to the King's most Excellent Majesty
1909

BILL AS PASSED MARCH 26, 1909.

THE SENATE OF CANADA.

BILL V.

An Act for the relief of Annie Louisa Coltman.

Preamble.

WHEREAS Annie Louise Coltman presently residing at the town of Buckingham, in the province of Quebec, wife of Milton Delose Coltman, of the city of Toronto, in the province of Ontario, broker, has by her petition alleged, in effect, that they were lawfully married on the tenth day of Februbary, A.D. 1903., at the said town of Buckingham, she then being Annie Louisa Warwick, spinster; that the legal domicile of the said Milton Delose Coltman was then and is now in Canada; that at the city of Toronto, in the province of Ontario, during the month of February or March, A.D. 1907, and at the city of London, in the said province, on or about the twenty-seventh and twenty-eighth days of April, A.D. 1907, he committed adultery; that she has not connived at nor condoned the said adultery; that there has been no collusion, directly or indirectly, between him and her in the proceedings for divorce; and whereas by her petition she has prayed for the passing of an Act dissolving her said marriage, authorizing her to marry again, and affording her such other relief as is deemed meet; and whereas the said allegations have been proved, and it is expedient that the prayer of her petition be granted: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Marriage dissolved.

2. The said marriage between Annie Louisa Warwick and Milton Delose Coltman, her husband, is hereby dissolved, and shall be henceforth null and voil to all intents and purposes whatsoever.

Right to marry again.

2. The said Annie Louisa Warwick may at any time hereafter marry any man whom she might lawfully marry if the said marriage with the said Milton Delose Coltman had not been solemnized.

1st Session, 11th Parliament, 9 Edward VII. 1909.

THE SENATE OF CANADA.

BILL W.

An Act for the relief of John Grant Ridout.

Preamble.

WHEREAS John Grant Ridout, of the city of Toronto, in the province of Ontario, civil servant, has by his petition alleged, in effect, that on the fourth day of April, A.D. 1899, at the said city of Toronto, he was lawfully married to Alice Mabel Callighen; that she was then of the said city of Toronto, a spinster; that his legal domicile was then and is now in Canada; that at the said city of Toronto they lived and cohabited until the twenty-sixth day of March, 1902; that in or about the year 1903 she went to the state of South Dakota, one of the United States of America, and there obtained, according to the law of that state, a decree of divorce from him; that, on the twenty-seventh day of June, A.D. 1908, at the city of New York, in the state of New York, one of the United States of America, she went through the form of marriage with one Lincoln A. Smith; that, at the town of Sioux Falls, in the said state of South Dakota, on the fifth day of July, A.D. 1908, she went through another form of marriage with the said Lincoln A. Smith; that she is now living with the said Lincoln A. Smith as the wife of the said Lincoln A. Smith at the town of Port Hope, in the province of Ontario; that he has not connived at nor condoned the said marriages; that there has been no collusion, directly or indirectly, between him and her in the proceedings for divorce; and whereas by his petition he has prayed for the passing of an Act dissolving his said marriage, authorizing him to marry again, and affording him such other relief as is deemed meet; and whereas the said allegations have been proved, and it is expedient that the prayer of his petition be granted: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Marriage dissolved.

1. The said marriage between John Grant Ridout and Alice Mabel Callighen his wife, is hereby dissolved, and shall be henceforth null and void to all intents and purposes whatsoever.

Right to marry again.

2. The said John Grant Ridout may at any time hereafter marry any woman whom he might lawfully marry if the said marriage with the said Alice Mabel Callighen had not been solemnized.

1st Session, 11th Parliament, 8-9 Edward VII., 1909

THE SENATE OF CANADA.

BILL

W

An Act for the relief of John Grant Ridout.

Received and read a first time,

Friday, 19th March, 1909.

Second reading,

Wednesday, 24th March, 1909.

Honourable Mr. GIBSON.

OTTAWA
Printed by C. H. PARMELEE
Printer to the King's most Excellent Majesty
1909

BILL AS PASSED MARCH 31, 1909.

THE SENATE OF CANADA.

BILL W.

An Act for the relief of John Grant Ridout.

Preamble.

WHEREAS John Grant Ridout, of the city of Toronto, in the province of Ontario, civil servant, has by his petition alleged, in effect, that on the fourth day of April, A.D. 1899, at the town of Barrie, in the said province, he was lawfully married to Alice Mabel Callighen; that she was then of the said city of Toronto, a spinster; that his legal domicile was then and is now in Canada; that at the said city of Toronto they lived and cohabited until the twenty-sixth day of March, 1902; that in or about the year 1903 she went to the state of South Dakota, one of the United States of America, and there obtained, according to the law of that state, a decree of divorce from him; that ,on the twenty-seventh day of June, A.D. 1908, at the city of New York, in the state of New York, one of the United States of America, she went through the form of marriage with one Lincoln A. Smith; that, at the town of Sioux Falls, in the said state of South Dakota, on the fifth day of July, A.D. 1908, she went through another form of marriage with the said Lincoln A. Smith; that she has since lived with the said Lincoln A. Smith as the wife of the said Lincoln A. Smith at the town of Port Hope, in the province of Ontario; that he has not connived at or condoned the said marriages; that there has been no collusion, directly or indirectly, between him and her in the proceedings for divorce; and whereas by his petition he has prayed for the passing of an Act dissolving his said marriage, authorizing him to marry again, and affording him such other relief as is deemed meet; and whereas the said allegations have been proved, and it is expedient that the prayer of his petition be granted: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Marriage dissolved.

1. The said marriage between John Grant Ridout and Alice Mabel Callighen his wife, is hereby dissolved, and shall be henceforth null and void to all intents and purposes whatsoever.

Right to marry again.

2. The said John Grant Ridout may at any time hereafter marry any woman whom he might lawfully marry if the said marriage with the said Alice Mabel Callighen had not been solemnized.

1st Session, 11th Parliament, 9 Edward VII. 1909.

THE SENATE OF CANADA.

BILL X.

An Act respecting The Joliette and Lake Manuan Colonization Railway Company.

Preamble.

1903, c. 135; 1905, c. 111.

WHEREAS a petition has been presented praying that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Time for construction extended.

1. The construction of the railway of The Joliette and Lake Manuan Colonization Railway Company may be commenced, and fifteen per cent of the amount of the capital stock expended thereon, within two years after the passing of this Act, and the railway finished and put into operation within five years after the passing of this Act; and if the railway is not so commenced and such expenditure is not so made, or if the railway is not finished and put into operation within the said respective periods, the powers of construction granted to the said company by Parliament shall cease and be null and void as respects so much of the railway as then remains uncompleted.

Repeal of former limit of time.

2. Chapter 111 of the statutes of 1905 is hereby repealed.

1st Session, 11th Parliament, 8-9 Edward VII., 1909

THE SENATE OF CANADA.

BILL

X

An Act respecting The Joliette and Lake Manuan Colonization Railway Company.

Received and read a first time,

Wednesday, 24th March, 1909.

Second reading,

Friday, 26th March, 1909.

Honourable Mr. TESSIER.

OTTAWA
Printed by C. H. PARMELEE
Printer to the King's most Excellent Majesty
1909

BILL AS PASSED APRIL 1, 1909.

THE SENATE OF CANADA.

BILL X.

An Act respecting The Joliette and Lake Manuan Colonization Railway Company.

WHEREAS a petition has been presented praying that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:— Preamble. 1903, c. 135; 1905, c. 111.

1. The construction of the railway of The Joliette and Lake Manuan Colonization Railway Company may be commenced, and fifteen per cent of the amount of the capital stock expended thereon, within two years after the passing of this Act, and the railway finished and put into operation within five years after the passing of this Act; and if the railway is not so commenced and such expenditure is not so made, or if the railway is not finished and put into operation within the said respective periods, the powers of construction granted to the said company by Parliament shall cease and be null and void as respects so much of the railway as then remains uncompleted. Time for construction extended.

2. Chapter 111 of the statutes of 1905 is hereby repealed. Repeal of former limit of time.

1st Session, 11th Parliament, 9 Edward VII. 1909.

THE SENATE OF CANADA.

BILL Y.

An Act respecting The Central Railway of Canada.

Preamble.

1903, c. 172; 1904, c. 113; 1905, c. 79; 1906, c. 79.

WHEREAS The Central Railway Company of Canada has by its petition prayed that it be enacted as hereinafter set forth and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Issue of securities for erection of works, &c., other than the railway.

Limitation of amount.

1. The Company may for the purpose of raising capital necessary for the erection of works for providing light, heat and power for the Company's use, and for providing electric equipment for any portion of the Company's lines, stations, buildings and works, issue bonds upon such works and the said bonds shall be a first charge on the works and properties specified therein, provided that in no case shall the amount of bonds so issued exceed the value of the works and properties so charged.

Issue of securities for double track.

2. The Company may for the purpose of double tracking any of its line issue bonds to the extent of fifteen thousand dollars per mile on each mile of second track, and the said bonds shall rank *pari passu* with the bonds issued or to be issued on the Company's main line of railway.

Terminals at Montreal.

Branch lines and tunnels.

3. The Company may, in providing terminal facilities at and near Montreal for its own traffic, also provide accommodation for the traffic of any other companies desiring such accommodation, and, for the purpose of giving access to these terminals to companies on the south side of the River St. Lawrence whose lines do not enter the City of Montreal, may build such branch lines and tunnel or tunnels under the River St. Lawrence as may be necessary.

Limitation of time for completion.

4. The railway and terminals shall be completed and be in operation within five years after the passing of this Act and if they are not so completed and put in operation within the said period the powers granted by Parliament shall cease and be null and void as respects so much of the railway and terminals as then remain uncompleted.

1st Session, 11th Parliament, 9 Edward VII., 1909

THE SENATE OF CANADA.

BILL.

Y

An Act respecting The Central Railway of Canada.

Received and read a first time,

Thursday, 25th March, 1909.

Second reading,

Tuesday, 30th March, 1909.

Honourable Mr. EDWARDS.

OTTAWA
Printed by C. H. PARMELEE
Printer to the King's most Excellent Majesty
1909

BILL AS PASSED APRIL 30, 1909.

THE SENATE OF CANADA.

BILL Y.

An Act respecting The Central Railway of Canada.

Preamble.

WHEREAS The Central Railway Company of Canada, hereinafter called "the Company," has by its petition prayed that it be enacted as hereinafter set forth and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

1903, c. 172; 1904, c. 112; 1905, c. 79; 1906, c. 79.

Issue of securities for erection of works, &c., other than the railway.

1. The Company may for the purpose of raising capital necessary for the erection of works for providing light, heat and power for the Company's use, and for providing electric equipment for any portion of the Company's lines, stations, buildings and works, issue bonds, debentures or other securities charged upon such first-mentioned works; provided that in no case shall the amount of bonds, debentures or other securities so issued exceed the value of the works and properties so charged.

Limitation of amount.

Issue of securities for double track.

2. The Company may for the purpose of double tracking any of its line issue bonds, debentures or other securities to the extent of fifteen thousand dollars per mile for each mile of second track, constructed or under contract to be constructed.

Limitation of time for completion.

3. The railway of the Company shall be completed and put in operation within five years after the passing of this Act, and if the said railway is not so completed and put in operation within the said period the powers granted by Parliament shall cease and be null and void as respects so much of the said railway as then remains uncompleted.

1st Session, 11th Parliament, 9 Edward VII. 1909.

THE SENATE OF CANADA.

BILL Z.

An Act respecting The Bank of Winnipeg.

Preamble.
1908, c. 173.

WHEREAS the provisional directors of The Bank of Winnipeg have by their petition prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Extension of time for commencing business.
R.S., 1906, c. 29.

1. Notwithstanding anything contained in *The Bank Act* or in chapter 173 of the Statutes of 1908 incorporating The Bank of Winnipeg, the Treasury Board may, within two years after the third day of April, 1908, give to the Bank the certificate required by section 14 of *The Bank Act*.

Effect of certificate.

2. If the Bank does not obtain the said certificate within the time aforesaid, the rights, powers and privileges conferred on the Bank by its Act of incorporation and by this Act shall thereupon cease and determine, but otherwise shall remain in full force and effect notwithstanding section 16 of *The Bank Act*.

1st Session, 11th Parliament, 8-9 Edward VII., 1909

THE SENATE OF CANADA.

BILL

Z

An Act respecting The Bank of Winnipeg.

Received and read a first time,
Thursday, 25th March, 1909.
Second reading,
Tuesday, 30th March, 1909.

Honourable Mr. CHEVRIER.

OTTAWA
Printed by C. H. PARMELEE
Printer to the King's most Excellent Majesty
1909

BILL AS PASSED APRIL 23, 1909.

THE SENATE OF CANADA.

BILL Z.

An Act respecting The Bank of Winnipeg.

Preamble.
1908, c. 173.

WHEREAS the provisional directors of The Bank of Winnipeg have by their petition prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Extension of time for commencing business.
R.S., 1906, c. 29.

1. Notwithstanding anything contained in *The Bank Act* or in chapter 173 of the Statutes of 1908 incorporating The Bank of Winnipeg, the Treasury Board may, within two years after the third day of April, 1908, give to the Bank the certificate required by section 14 of *The Bank Act*.

Effect of certificate.

2. If the Bank does not obtain the said certificate within the time aforesaid, the rights, powers and privileges conferred on the Bank by its Act of incorporation and by this Act shall thereupon cease and determine, but otherwise shall remain in full force and effect notwithstanding section 16 of *The Bank Act*.

1st Sess., 11th Parliament, 9 Edward VII, 1909.

THE SENATE OF CANADA.

BILL AA.

An Act to incorporate The Prairie Provinces Trust Company.

Preamble.

WHEREAS a petition has been presented praying that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Incorporation.

1. Major Duncan Stuart, lately of the city of Johannesburg, in the province of the Transvaal, O. W. Owens, of the city of London, England, John A. McDougall, Richard Secord and Robert Lee, all of the city of Edmonton, in the province of Alberta, and Alexander Stuart, of the city of London, Ontario, together with such other persons as become shareholders in the company hereby created are hereby constituted a body corporate under the name of "The Prairie Province Trust Company," hereinafter called "the Company."

Corporate name.

Directors.

Provisional directors.

2. The affairs of the Company shall be managed by a Board of not less than five nor more than fifteen directors, of whom a majority shall be a quorum, and the persons named in section 1 of this Act shall be the provisional directors of the Company.

Head office.

3. The head office of the Company shall be at the city of Edmonton, in the province of Alberta.

Branches, etc.

2. The directors may establish branch offices and local advisory boards at such other places in the provinces of Alberta, Saskatchewan and British Columbia and in the Yukon Territory as they may determine.

Capital stock.

4. The capital stock of the Company shall be one million dollars, divided into shares of one hundred dollars each.

When business may be commenced.

5. The Company shall not commence business until two hundred thousand dollars of the capital stock has been subscribed and fifty thousand dollars has been paid thereon.

Qualification of directors.

6. No shareholder shall be eligible for election as a director unless he holds in his own right at least ten shares of stock upon which all calls made and due have been paid; and if any director makes an assignment for the benefit of creditors or comes within the operation of any insolvency law then in force, or ceases to hold ten shares in his own right, he shall *ipso facto*

cease to be a director and his place may be filled for the remainder of the term by the directors from among the qualified shareholders of the Company.

Calls on stock.

7. Calls on stock may be made by the directors at such times and in such proportions as they deem proper; but no call except the first shall exceed ten per cent and no more than twenty-five per cent shall be called in any year after the first year.

Business of company.

8. The Company may throughout Canada:—

Trust money.

(*a*) receive and hold moneys in trust for the purposes herein specified, and invest and accumulate the same at such rates of of interest as may be obtained therefor;

Trustee.

(*b*) accept and execute all such trusts of every nature and description as are entrusted to it by any person, society, association, body corporate or government, or as are committed or transferred to the Company by any order, judgment or decree of any court in Canada or elsewhere; accept and execute the office of executor, administrator, trustee, accountant, arbitrator, adjuster, auditor, receiver, assignee, liquidator, sequestrator, guardian, curator or committee of a lunatic; and perform the duties of such offices and trusts as fully and completely as any person so appointed could do; and in all cases where application is made to any court, judge, officer or person having authority to make an appointment to any such office or trust, such court, judge, officer or person may appoint the Company with its consent to hold such office or trust and may substitute, if necessary, for any obligation required from a private person appointed to such offices such usual obligations as are applicable to corporations, and may fix the remuneration of the Company;

Holding of estate.

(*c*) take, hold and accept by grant, assignment, transfer, deed, will, devise, bequest or otherwise, any real or personal estate upon any lawful trusts, and perform and execute such trusts according to the terms and for the purposes declared, established or agreed upon;

Trusts for married women.

(*d*) accept from and execute trusts for married women in respect of their separate property, real or personal, and act as agents for them in the management of such separate property;

Guarantee investments.

(*e*) on such terms and conditions as are agreed upon, guarantee re-payment of the principal, or payment of the interest, or both, of any money entrusted to the Company for investment;

Agent for issuing sto k.

(*f*) act as agents for the purposes of issuing, countersigning, registering, or otherwise ascertaining and certifying to the genuineness of, any issue of stock, bonds, debentures or other obligations or securities for money, of any government, municipal or other corporate body or society, duly authorized to make and issue the same; and hold the said securities as agent or trustee, and act generally as fiscal or other agent for any such government or corporate body or society;

Management of estate.

(*g*) act as agent or attorney for managing estates, winding-up estates, receiving or collecting rents or any principal, interest, or other moneys, secured by mortgages, debentures, coupons or other securities, or any principal or interest or any debt evidenced by any bills or notes or otherwise, or any other debt or demand

of any nature or kind whatsoever, and in the sale or purchase of any real or personal property; and generally act in all matters in the nature of a trust or general agency;

Agent of executors.

(*h*) act as investing or managing agents of estates and properties for and on behalf of executors, administrators and trustees or other persons;

Custody of jewellery, etc.

(*i*) be the custodian, on such terms as are agreed upon, of any jewellery, plate or other valuable property and of wills, deeds, mortgages, debentures and other evidences of title or indebtedness;

Remuneration.

(*j*) receive and collect such remuneration for services of the Company as is agreed upon or as is previously fixed from time to time by its by-laws, and all usual and customary charges costs and expenses.

Investment of trust money.

9. The Company shall invest trust moneys as follows, and may manage, sell or dispose of such investments as the terms of the trust require,—

On mortgages.

(*a*) upon first mortgages of improved freehold property in Canada, and may accept personal property or covenants by way of collateral security thereto;

On stock and securities.

(*b*) in the stock, funds or government securities of Canada, or of any province of Canada, or of the United States, or guaranteed thereby respectively, or in bonds or debentures of any municipal corporation in any such province, other than municipal corporations having a population of less than two thousand inhabitants or an annual rate of assessment exceeding two cents on the dollar, or in the bonds and debentures of any school district in any such province, or in any public stock, funds or government securities of the United Kingdom, or any of the colonies or dependencies thereof;

On securities specified by court.

(*c*) in such securities as are specified by the terms of the trust or by the order, judgment or decree of a court or judge.

Existing securities.

2. Nothing in this section shall prevent the Company from holding securities of any other kind which form part of any trust estate which comes into its hands; and it may hold such securities subject to the trusts and legal obligations attached thereto; but in the case of the realization of any portion thereof the proceeds shall be invested as herein directed, unless the will, deed, order or instrument creating the trust has provided otherwise.

Trust money to be kept separate.

10. The moneys and securities of all such trusts shall always be kept distinct from those of the Company, and in separate accounts, and so marked for each particular trust as always to be distinguished from any other in the registers and other books of account kept by the Company, so that at no time shall trust moneys form part of or be mixed with the general assets of the Company, and the Company shall, in the receipt of rents and in the overseeing and management of trusts and other property keep distinct records and accounts of all operations connected therewith: Provided that in the management of the moneys and properties held by the Company as trustee, or in any other official capacity, under the powers conferred by this Act, the Company may, unless the authority making the appointment

Proviso as to a general trust fund.

otherwise directs, invest trust money, in the manner provided by section 9 of this Act, in a general trust fund of the Company: Provided always that the total amount of money of any one trust invested in the said general fund shall not, at any time, exceed three thousand dollars.

Trust property not liable for debts of company.

11. Moneys, properties and securities received or held by the Company upon trust or as agent shall not be liable for the debts or obligations of the Company.

Account of administration.

12. In case of the appointment of the Company to any trust or office by any court in Canada, or by any judge, officer or person having lawful authority in that behalf, such court, judge, officer or person may, from time to time, require the Company to render an account of its administration of the particular trust or office to which it has been appointed, and may from time to time appoint a suitable person or suitable persons to investigate the affairs and management of the Company, and as to the security afforded to those by or for whom its engagements are held, and everyone so appointed shall report thereon to such court, judge, officer or person, and the expenses of such investigation shall be borne as ordered by such court, judge, officer or person.

Real estate which may be held.

13. The Company may hold such real estate as is necessary for the transaction of its business, not exceeding the net yearly value of ten thousand dollars, and may hold any further real estate of whatever value which, being mortgaged or hypothecated to it, is acquired by it for the protection of its investments, and may, from time to time, sell, mortgage, lease or otherwise dispose thereof; but the Company shall sell any real estate acquired in satisfaction of any debt due to itself, other than as trustee or in an official capacity, within seven years after such acquisition, unless such time is extended by order of the Governor in Council, otherwise such real estate shall revert to His Majesty for the use of Canada.

Investment of moneys of company.

14. The Company may invest any moneys forming part of its own capital or reserve, or accumulated profit thereon, in any of the securities mentioned in section 9 of this Act, or on the security of real estate in Canada, or of any interest in such real estate, or on the security of the debentures, bonds, stock and other securities of any chartered bank or Company incorporated by or under the authority of the Parliament of Canada, or of the legislature of any province of Canada, as the directors deem expedient.

Issue of notes prohibited.

15. Nothing in this Act shall be construed to authorize the Company to issue any note payable to bearer, or any promissory note intended to be circulated as money or as the note of a bank, or to engage in the business of banking or of insurance.

Subject to provincial laws.

16. The powers and authority hereby granted to the Company shall be exercised in any province subject to the laws of such province in that behalf, and shall not have any force or

effect in any province in any respect in which they are inconsistent with the laws of that province.

Annual statement to be given to Minister of Finance.

17. The Company shall prepare, and annually transmit to the Minister of Finance, a statement in duplicate, verified by the oath of the president or vice-president and of the manager or secretary. The statement shall set forth the capital stock of the Company, the proportion thereof paid up, the assets and liabilities of the Company, the trust property held by it, and such other details as the Minister requires, and shall be made up to the thirty-first day of December in each year.

Sections of Companies Act not to apply. R.S.C., c. 79.

18. Sections 125, 141 and 165 of *The Companies Act* shall not apply to the Company.

1st Session, 11th Parliament, 9 Edward VII., 1909

THE SENATE OF CANADA.

BILL

AA

An Act to incorporate The Prairie Provinces Trust Company.

Received and read a first time,

Thursday, 25th March, 1909,

Second reading,

Tuesday, 30th March, 1909.

Honourable Mr. COFFEY.

OTTAWA
Printed by C. H. PARMELEE
Printer to the King's most Excellent Majesty
1909

BILL AS PASSED APRIL 27, 1909.

THE SENATE OF CANADA.

BILL AA.

An Act to incorporate The Prairie Provinces Trust Company.

Preamble. WHEREAS a petition has been presented praying that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Incorporation. **1.** Major Duncan Stuart, lately of the city of Johannesburg, in the province of the Transvaal, O. W. Owens, of the city of London, England, John A. McDougall, Richard Secord and Robert Lee, all of the city of Edmonton, in the province of Alberta, Alexander Stuart, Thomas K. Pool and William F. Roome, all of the city of London, Ontario, together with such other persons as become shareholders in the company hereby created are hereby constituted a body corporate under the name of "The Prairie Provinces Trust Company," hereinafter called "the Company" Corporate name.

Directors. **2.** The affairs of the Company shall be managed by a Board of not less than five nor more than fifteen directors, of whom a majority shall be a quorum, and the persons named in section 1 of this Act shall be the provisional directors of the Company. Provisional directors.

Head office. **3.** The head office of the Company shall be at the city of Edmonton, in the province of Alberta.

Branches, etc 2. The directors may establish branch offices and local advisory boards at such other places in the provinces of Alberta, Saskatchewan and British Columbia and in the Yukon Territory as they may determine.

Capital stock. **4.** The capital stock of the Company shall be one million dollars, divided into shares of one hundred dollars each.

When business may be commenced. **5.** The Company shall not commence business until four hundred thousand dollars of the capital stock has been subscribed and one hundred thousand dollars has been paid thereon.

Qualification of directors.

6. No shareholder shall be eligible for election as a director unless he holds in his own right at least twenty shares of stock upon which all calls made and due have been paid; and if any director makes an assignment for the benefit of creditors or comes within the operation of any insolvency law then in force, or ceases to hold twenty shares in his own right, he shall *ipso facto* cease to be a director and his place may be filled for the remainder of the term by the directors from among the qualified shareholders of the Company.

Calls on stock.

7. Calls on stock may be made by the directors at such times and in such proportions as they deem proper; but no call except the first shall exceed ten per cent and no call shall be made at a less interval than one month from the last preceding call.

Business of company.

8. The Company may throughout Canada:—

Trust money.

(*a*) receive and hold moneys in trust for the purposes herein specified, and invest and accumulate the same at such rates of interest as may be obtained therefor;

Trustee.

(*b*) accept and execute all such trusts of every nature and description as are entrusted to it by any person or government, or as are committed or transferred to the Company by any order, judgment or decree of any court in Canada or elsewhere; accept and execute the office of executor, administrator, trustee, accountant, arbitrator, adjuster, auditor, receiver, assignee, liquidator, sequestrator, guardian, curator or committee of a lunatic; and perform the duties of such offices and trusts as fully and completely as any person so appointed could do; and in all cases where application is made to any court, judge, officer or person having authority to make an appointment to any such office or trust, such court, judge, officer or person may appoint the Company with its consent to hold such office or trust and may substitute, if necessary, for any obligation required from a private person appointed to such offices such usual obligations as are applicable to corporations, and may fix the remuneration of the Company;

Holding of property.

(*c*) take, hold and accept by grant, assignment, transfer, deed, will, devise, bequest or otherwise, any real or personal estate upon any lawful trusts, and perform and execute such trusts according to the terms and for the purposes declared, established or agreed upon;

Trusts for married women.

(*d*) accept from and execute trusts for married women in respect of their separate property, real or personal, and act as agents for them in the management of such separate property;

Guarantee investments.

(*e*) on such terms and conditions as are agreed upon, guarantee re-payment of the principal, or payment of the interest, or both, of any money entrusted to the Company for investment;

Agent for issuing stock.

(*f*) act as agents for the purposes of issuing, countersigning, registering, or otherwise ascertaining and certifying to the

genuineness of, any issue of stock, bonds, debentures or other obligations or securities for money, of any government, municipal or other corporate body or society, duly authorized to make and issue the same; and hold the said securities as agent or trustee, and act generally as fiscal or other agent for any such government or corporate body or society;

Management of estate.

(*g*) act as agent or attorney for managing estates, winding-up estates, receiving or collecting rents or any principal, interest, or other moneys, secured by mortgages, debentures, coupons or other securities, or any principal or interest or any debt evidenced by any bills or notes or otherwise, or any other debt or demand of any nature or kind whatsoever, and in the sale or purchase of any real or personal property; and generally act in all matters in the nature of a trust or general agency;

Agent of executors.

(*h*) act as investing or managing agents of estates and properties for and on behalf of executors, administrators and trustees or other persons;

Custody of jewellery, etc.

(*i*) be the custodian, on such terms as are agreed upon, of any jewellery, plate or other valuable property and of wills, deeds, mortgages, debentures and other evidences of title or indebtedness;

Remuneration.

(*j*) receive and collect such remuneration for services of the Company as is agreed upon or as is previously fixed from time to time by its by-laws, and all usual and customary charges costs and expenses.

Investment of trust money.

9. The Company shall invest trust moneys as follows, and may manage, sell or dispose of such investments as the terms of the trust require,—

On mortgages.

(*a*) upon first mortgages of improved freehold property in Canada, and may accept personal property or covenants by way of collateral security thereto;

On stock and securities.

(*b*) in the stock, funds or government securities of Canada, or of any province of Canada, or of the United States, or guaranteed thereby respectively, or in bonds or debentures of any municipal corporation in any such province, other than municipal corporations having a population of less than two thousand inhabitants or an annual rate of assessment exceeding two cents on the dollar, exclusive of school tax, or in the bonds and debentures of any school district in any such province, or in any public stock, funds or government securities of the United Kingdom, or any of the colonies or dependencies thereof;

On securities specified by court.

(*c*) in such securities as are specified by the terms of the trust or by the order, judgment or decree of a court or judge.

Existing securities.

2. Nothing in this section shall prevent the Company from holding securities of any other kind which form or are part of any trust estate which comes into its hands; and it may hold such securities subject to the trusts and legal obligations attached thereto; but in the case of the realization of any portion thereof the proceeds shall be invested as herein directed, unless the will,

deed, order or instrument creating the trust has provided otherwise.

Trust money to be kept separate.

10. The moneys and securities of all such trusts shall always be kept distinct from those of the Company, and in separate accounts, and so marked for each particular trust as always to be distinguished from any other in the registers and other books of account kept by the Company, so that at no time shall trust moneys form part of or be mixed with the general assets of the Company, and the Company shall, in the receipt of rents and in the overseeing and management of trusts and other property keep distinct records and accounts of all operations connected therewith: Provided that in the management of the moneys and properties held by the Company as trustee, or in any other official capacity, under the powers conferred by this Act, the Company may, unless the authority making the appointment otherwise directs, invest trust money, in the manner provided by section 9 of this Act, in a general trust fund of the Company: Provided always that the total amount of money of any one trust invested in the said general trust fund shall not, at any time, exceed three thousand dollars.

Proviso as to a general trust fund.

Trust property not liable for debts of company.

11. Moneys, properties and securities received or held by the Company upon trust or as agent shall not be liable for the debts or obligations of the Company.

Account of administration.

12. In case of the appointment of the Company to any trust or office by any court in Canada, or by any judge, officer or person having lawful authority in that behalf, such court, judge, officer or person may, from time to time, require the Company to render an account of its administration of the particular trust or office to which it has been appointed, and may from time to time appoint a suitable person or suitable persons to investigate the affairs and management of the Company, and as to the security afforded to those by or for whom its engagements are held, and everyone so appointed shall report thereon to such court, judge, officer or person, and the expenses of such investigation shall be borne as ordered by such court, judge, officer or person.

Real estate which may be held.

13. The Company may hold such real estate as is necessary for the transaction of its business, not exceeding the net yearly value of ten thousand dollars, and may hold any further real estate of whatever value which, being mortgaged or hypothecated to it, is acquired by it for the protection of its investments, and may, from time to time, sell, mortgage, lease or otherwise dispose thereof; but the Company shall sell any real estate acquired in satisfaction of any debt due to itself, other than as trustee or in an official capacity, within seven years after such acquisition, unless such time is extended by order of the Gover-

nor in Council, otherwise such real estate shall revert to His Majesty for the use of Canada.

Investment of moneys of company.

14. The Company may invest any moneys forming part of its own capital or reserve, or accumulated profit thereon, in any of the securities mentioned in section 9 of this Act, or on the security of real estate in Canada, or of any interest in such real estate, or on the security of the debentures, bonds, stock and other securities of any chartered bank or Company incorporated by or under the authority of the Parliament of Canada, or of the legislature of any province of Canada, as the directors deem expedient.

Issue of notes prohibited.

15. Nothing in this Act shall be construed to authorize the Company to issue any note payable to bearer, or any promissory note intended to be circulated as money or as the note of a bank, or to engage in the business of banking or of insurance.

Subject to provincial laws.

16. The powers and authority hereby granted to the Company shall be exercised in any province subject to the laws of such province in that behalf, and shall not have any force or effect in any province in any respect in which they are inconsistent with the laws of that province.

Annual statement to be given to Minister of Finance.

17. The Company shall prepare, and annually transmit to the Minister of Finance, a statement in duplicate, verified by the oath of the president or vice-president and of the manager or secretary. The statement shall set forth the capital stock of the Company, the proportion thereof paid up, the assets and liabilities of the Company, the trust property held by it, and such other details as the Minister requires, and shall be made up to the thirty-first day of December in each year.

Sections of Companies Act not to apply. R.S.C., c. 79.

18. Sections 125, 141 and 165 of *The Companies Act* shall not apply to the Company.

Duration of powers.

19. The powers granted by this Act shall expire at the end of two years from the passing thereof, unless the Company goes into actual operation within such two years.

1st Session, 11th Parliament, 9 Edward VII. 1909.

THE SENATE OF CANADA.

BILL BB.

An Act to incorporate The Board of Elders of The Canadian District of the Northern Province of The Moravian Church in America.

Preamble.

WHEREAS the persons hereinafter named have, by their petition, represented that they are members of the Moravian Church in America; that the said church has been engaged for several years in establishing and carrying on missions, the erection and conduct of churches, schools, colleges, orphanages and hospitals, in the provinces of Manitoba, Saskatchewan and Alberta; that in the course of their work some of them have acquired land which they desire to transfer to the corporation hereby created; and whereas the said petitioners have prayed that certain of the members in Canada of the said church may be invested with corporate powers, and it is expedient to grant their prayer: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Incorporation.

1. The present members of the Board of Brethren, who, for the time being, are appointed to superintend the secular and spiritual concerns of the Canadian District of the Northern Province of the Moravian Church in America, to wit, the Right Reverend Clement Hoyler, of Strathcona, the Reverend Emile Suemper, of Calgary, and William Wensel, esquire, of Strathcona, all of the province of Alberta, and their successors, from time to time lawfully appointed in accordance with the constitution, rules and regulations of the said church, as the said constitution, rules and regulations now exist or may be hereafter modified or altered, are hereby constituted a corporation under the name of "The Board of Elders of the Canadian District of the Northern Province of the Moravian Church in America," hereinafter called "the Board."

Corporate name.

Head office.

2. The head office of the Board shall be in the city of Edmonton, in the province of Alberta, The Board may, from time to time, by by-law, establish branch offices or agencies at any place in Canada or elsewhere.

Branches.

Power to make by-laws.

3. The Board may, from time to time, make by-laws, not contrary to law nor inconsistent with the constitution, rules and regulations of the Moravian Church in America, for:—

(*a*) the administration, management and control of the property, business, and other temporal affairs of the Canadian District of the Northern Province of the Moravian Church in America;

(*b*) the appointment, functions, duties and remuneration of all officers, agents and servants of the Board;

(*c*) the appointment of committees and their duties;

(*d*) the calling of meetings, regular or special, of the Board or of committees;

(*e*) the fixing of the necessary quorum and procedure in all things at such meetings;

(*f*) generally, for the carrying out of the objects and purposes of the Board.

Powers to acquire and hold real property.

4. The Board may purchase, take, have, hold, receive, possess, retain and enjoy, property, real or personal, corporeal or incorporeal, whatsoever, and for any or every estate or interest therein whatsoever, given, granted, devised, or bequeathed to it, or appropriated, purchased, or acquired by it in any manner or way whatsoever, to, for, or in favour of the uses and purposes of the Board or of the Moravian Church in America, or to, for, or in favour of any eleemosynary, educational, religious or other institution established or intended to be established, by, under the management of, or in connection with the work of the Board or of the Moravian Church in America.

Limit as to value.

2. The annual value of the real estate held in Canada by or in trust for the Board shall not exceed fifty thousand dollars.

Investment in and disposal of real property.

5. The Board may also sell, convey, exchange, alienate, mortgage, lease or demise any real property held by the Board, whether by the way of investment for the uses and purposes mentioned in the next preceding section or not; and may also, from time to time, invest all or any of its funds or moneys, and all or any funds or moneys vested in or acquired by it for the uses and purposes aforesaid. in and upon any security by way of mortgage, hypothec or charge upon real property in any part of Canada; and for the purpcses of such investment may take, receive and accept mortgages or assignments thereof, whether made and executed directly to the Board or to any corporation, body, company or person in trust for it; and may sell, grant, assign and transfer such mortgages or assignments, and may release and discharge such mortgages or assignments either wholly or partly.

Application of Dominion and Provincial mortmain laws.

6. In regard to any real property which, by reason of its situation or otherwise, is subject to the legislative authority of the Parliament of Canada, a license in mortmain shall not be necessary for the exercise of the powers granted by this Act; but otherwise the exercise of the said powers shall in any province of Canada be subject to the laws of such province as to the acquisition and holding of lands by religious corporations, in so far as such laws apply to the Board.

Authority for transfer of property held in trust.

7. In so far as authorization by the Parliament of Canada is necessary, any person or corporation in whose name any

property, real or personal, is held, in trust or otherwise, for the uses and purposes aforesaid, or any such person or corporation to whom any such property devolves, may, subject always to the terms and conditions of any trust relating to such property, transfer such property or any part thereof to the Board to be held in such trust, if any.

Execution of deeds.

8. Any deed or other instrument relating to real estate vested in the Board or to any interest in such real estate shall, if executed within the jurisdiction of the Parliament of Canada, be deemed to be duly executed if there are affixed thereto the seal of the Board and the signature of any officer of the Board duly authorized for such purpose or of his lawful attorney.

1st Session, 11th Parliament, 9 Edward VII., 1909

THE SENATE OF CANADA.

BILL.

BB

An Act to incorporate The Board of Elders of The Canadian District of the Northern Province of The Moravian Church in America.

Received and read a first time,

Thursday, 25th March, 1909.

Second reading,

Tuesday, 30th March, 1909.

Honourable Mr. DeVeber.

OTTAWA
Printed by C. H. Parmelee
Printer to the King's most Excellent Majesty
1909

BILL AS PASSED APRIL 30, 1909.

THE SENATE OF CANADA.

BILL BB.

An Act to incorporate The Board of Elders of The Canadian District of The Moravian Church in America.

WHEREAS the persons hereinafter named have, by their petition, represented that they are members of the Moravian Church in America; that the said church has been engaged for several years in establishing and carrying on missions, the erection and conduct of churches, schools, colleges, orphanages and hospitals, in the provinces of Manitoba, Saskatchewan and Alberta; that in the course of their work some of them have acquired land which they desire to transfer to the corporation hereby created; and whereas the said petitioners have prayed that certain of the members in Canada of the said church may be invested with corporate powers, and it is expedient to grant their prayer: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:— Preamble.

1. The present members of the Board of Brethren, who, for the time being, are appointed to superintend the secular and spiritual concerns of the Canadian District of the Northern Province of the Moravian Church in America, to wit, the Right Reverend Clement Hoyler, of Strathcona, the Reverend Emile Suemper, of Calgary, and William Wensel, esquire, of Strathcona, all of the province of Alberta, and their successors, from time to time lawfully appointed in accordance with the constitution, rules and regulations of the said church, as the said constitution, rules and regulations now exist or may be hereafter modified or altered, are hereby constituted a corporation under the name of "The Board of Elders of the Canadian District of the Moravian Church in America," hereinafter called "the Board." Incorporation. Corporate name.

2. The head office of the Board shall be in the city of Edmonton, in the province of Alberta, The Board may, from time to time, by by-law, establish branch offices or agencies at any place in Canada or elsewhere. Head office. Branches.

Power to make by-laws.

3. The Board may, from time to time, make by-laws, not contrary to law nor inconsistent with the constitution, rules and regulations of the Moravian Church in America, for:—

(*a*) the administration, management and control of the property, business, and other temporal affairs of the Canadian District of the Northern Province of the Moravian Church in America;

(*b*) the appointment, functions, duties and remuneration of all officers, agents and servants of the Board;

(*c*) the appointment of committees and their duties;

(*d*) the calling of meetings, regular or special, of the Board or of committees;

(*e*) the fixing of the necessary quorum and procedure in all things at such meetings;

(*f*) generally, for the carrying out of the objects and purposes of the Board.

Powers to acquire and hold real property.

4. The Board may purchase, take, have, hold, receive, possess, retain and enjoy, property, real or personal, corporeal or incorporeal, whatsoever, and for any or every estate or interest therein whatsoever, given, granted, devised, or bequeathed to it, or appropriated, purchased, or acquired by it in any manner or way whatsoever, to, for, or in favour of the uses and purposes of the Board or of the Moravian Church in America, or to, for, or in favour of any eleemosynary, educational, religious or other institution established or intended to be established, by, under the management of, or in connection with the work of the Board or of the Moravian Church in America.

Limit as to value.

2. The annual value of the real estate held in Canada by or in trust for the Board shall not exceed fifty thousand dollars.

Investment in and disposal of real property.

5. The Board may also sell, convey, exchange, alienate, mortgage, lease or demise any real property held by the Board, whether by the way of investment for the uses and purposes mentioned in the next preceding section or not; and may also, from time to time, invest all or any of its funds or moneys, and all or any funds or moneys vested in or acquired by it for the uses and purposes aforesaid. in and upon any security by way of mortgage, hypothec or charge upon real property in any part of Canada; and for the purposes of such investment may take, receive and accept mortgages or assignments thereof, whether made and executed directly to the Board or to any corporation, body, company or person in trust for it; and may sell, grant, assign and transfer such mortgages or assignments, and may release and discharge such mortgages or assignments either wholly or partly.

Application of Dominion and Provincial mortmain laws.

6. In regard to any real property which, by reason of its situation or otherwise, is subject to the legislative authority of the Parliament of Canada, a license in mortmain shall not be necessary for the exercise of the powers granted by this Act;

but otherwise the exercise of the said powers shall in any province of Canada be subject to the laws of such province as to the acquisition and holding of lands by religious corporations, in so far as such laws apply to the Board.

Authority for transfer of property held in trust.

7. In so far as authorization by the Parliament of Canada is necessary, any person or corporation in whose name any property, real or personal, is held, in trust or otherwise, for the uses and purposes aforesaid, or any such person or corporation to whom any such property devolves, may, subject always to the terms and conditions of any trust relating to such property, transfer such property or any part thereof to the Board to be held in such trust, if any.

Execution of deeds.

8. Any deed or other instrument relating to real estate vested in the Board or to any interest in such real estate shall, if executed within the jurisdiction of the Parliament of Canada, be deemed to be duly executed if there are affixed thereto the seal of the Board and the signature of any officer of the Board duly authorized for such purpose or of his lawful attorney.

1st Sess., 11th Parliament, 9 Edward VII, 1909.

THE SENATE OF CANADA.

BILL CC.

An Act to incorporate The Canadian Medical Association.

Preamble.

WHEREAS Adam T. Shillington, Robert Wynyard Powell, Frederick Montizambert, Henry Beaumont Small and John D. Courtenay, all of the city of Ottawa, in the province of Ontario, physicians, have by their petition on behalf of the unincorporated society known as "The Canadian Medical Association" prayed that it be enacted as hereinafter set forth and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Incorporation.

1. The said Adam T. Shillington, Robert Wynyard Powell, Frederick Montizambert, Henry Beaumont Small and John D. Courtenay, and all other members of the said present unincorporated society, together with such other persons as become members of the corporation, are hereby constituted a corporation under the name of "The Canadian Medical Association," hereinafter called "the Association."

Corporate name.

Objects.

2. The objects of the Association shall be the promotion of the medical and allied sciences, and the maintenance of the honour and the interests of the medical profession, by the aid of all or any of the following:—

(*a*) Periodical meetings of the members of the Association, and of the medical profession generally, in different parts of Canada or elsewhere.

(*b*) The publication of such information as may be thought desirable in the form of a periodical journal, which shall be the journal of the Association.

(*c*) The occasional publication of transactions or other papers.

(*d*) The grant of sums of money out of the funds of the Association for the promotion of the medical and allied sciences in such manner as may from time to time be determined.

(*e*) And such other lawful things as are incidental or conducive to the attainment of the above objects.

By-laws and rules.

3. The Association may make such by-laws and rules, not contrary to law or to the provisions of this Act, as it may deem necessary for the government and management of its business and affairs, and especially with respect to the qualification,

classification, admission and expulsion of members, the fees and dues which it may deem advisable to impose, and the number, constitution, powers and duties of its executive council, or other governing or managing committee, and of its officers, and may from time to time alter or repeal all or any of such by-laws and rules as it may see fit.

Existing constitution, by-laws and rules continued till changed.

4. Until altered or repealed in accordance with the provisions thereof, the existing constitution, by-laws and rules of the said unincorporated society, in so far as they are not contrary to law or to the provisions of this Act, shall be the constitution, by-laws and rules of the Association.

Executive Council and Officers.

5. The present executive council and other officers of the said unincorporated society shall continue to be the executive council and officers of the Association until replaced by others in accordance with the constitution, by-laws and regulations aforesaid.

Members not personally liable.

6. No member of the Association shall, merely by reason of such membership, be or become personally liable for any of its debts or obligations.

Real and personal property.

7. The Association may receive, acquire, accept and hold real and personal property by gift, purchase, legacy, lease or otherwise, for the purposes of the Association, and may sell, lease, invest or otherwise dispose thereof in such manner as it may deem advisable for such purposes: provided however that the annual value of the real estate held by the Association shall not exceed the sum of fifty thousand dollars.

1st Session, 11th Parliament, 9 Edward VII., 1909

THE SENATE OF CANADA.

BILL

CC

An Act to incorporate The Canadian Medical Association.

Received and read a first time,
Friday, 26th March, 1909.
Second reading,
Wednesday, 31st March, 1909.

Honourable Mr. McMILLAN.

OTTAWA
Printed by C. H. PARMELEE
Printer to the King's most Excellent Majesty
1909

BILL AS PASSED APRIL 6. 1909.

THE SENATE OF CANADA.

BILL CC.

An Act to incorporate The Canadian Medical Association.

Preamble.

WHEREAS Adam T. Shillington, Robert Wynyard Powell, Frederick Montizambert, Henry Beaumont Small and John D. Courtenay, all of the city of Ottawa, in the province of Ontario, physicians, have by their petition on behalf of the unincorporated society known as "The Canadian Medical Association" prayed that it be enacted as hereinafter set forth and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Incorporation.

1. The said Adam T. Shillington, Robert Wynyard Powell, Frederick Montizambert, Henry Beaumont Small and John D. Courtenay, and all other members of the said present unincorporated society, together with such other persons as become members of the corporation, are hereby constituted a corporation under the name of "The Canadian Medical Association," hereinafter called "the Association."

Corporate name.

Objects.

2. The objects of the Association shall be the promotion of the medical and allied sciences, and the maintenance of the honour and the interests of the medical profession, by the aid of all or any of the following:—

(*a*) Periodical meetings of the members of the Association, and of the medical profession generally, in different parts of Canada or elsewhere.

(*b*) The publication of such information as may be thought desirable in the form of a periodical journal, which shall be the journal of the Association.

(*c*) The occasional publication of transactions or other papers.

(*d*) The grant of sums of money out of the funds of the Association for the promotion of the medical and allied sciences in such manner as may from time to time be determined.

(*e*) And such other lawful things as are incidental or conducive to the attainment of the above objects.

By-laws and rules.

3. The Association may make such by-laws and rules, not contrary to law or to the provisions of this Act, as it may deem necessary for the government and management of its business and affairs, and especially with respect to the qualification, classification, admission and expulsion of members, the fees and dues which it may deem advisable to impose, and the number, constitution, powers and duties of its executive council, or other governing or managing committee, and of its officers, and may from time to time alter or repeal all or any of such by-laws and rules as it may see fit.

Existing constitution, by-laws and rules continued till changed.

4. Until altered or repealed in accordance with the provisions thereof, the existing constitution, by-laws and rules of the said unincorporated society, in so far as they are not contrary to law or to the provisions of this Act, shall be the constitution, by-laws and rules of the Association.

Executive Council and Officers.

5. The present executive council and other officers of the said unincorporated society shall continue to be the executive council and officers of the Association until replaced by others in accordance with the constitution, by-laws and regulations aforesaid.

Members not personally liable.

6. No member of the Association shall, merely by reason of such membership, be or become personally liable for any of its debts or obligations.

Real and personal property.

7. The Association may receive, acquire, accept and hold real and personal property by gift, purchase, legacy, lease or otherwise, for the purposes of the Association, and may sell, lease, invest or otherwise dispose thereof in such manner as it may deem advisable for such purposes: provided however that the annual value of the real estate held by the Association shall not exceed the sum of fifty thousand dollars.

1st Session, 11th Parliament, 9 Edward VII. 1909.

THE SENATE OF CANADA.

BILL DD.

An Act respecting The Manitoba Radial Railway Company.

Preamble.

1907, c. 105.

WHEREAS a petition has been presented praying that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Extension of time for construction.

R.S., c 37, s. 150.

1. The Manitoba Radial Railway Company may commence the construction of its railway and expend fifteen per cent of the amount of its capital stock thereon within two years after the passing of this Act, and may finish the said railway and put it in operation within five years after the passing of this Act; and if the said railway is not so commenced and such expenditure is not so made, or if the said railway is not finished and put in operation, within the said periods respectively, the powers of construction conferred upon the company by Parliament shall cease and be null and void as respects so much of the said railway as then remains uncompleted.

1st Session, 11th Parliament, 8-9 Edward VII., 1909

THE SENATE OF CANADA.

BILL

DD

An Act respecting The Manitoba Radial Railway Company.

First reading,

Friday, 26th March, 1909.

Second reading,

Wednesday, 31st March, 1909.

Honourable Mr. WATSON.

OTTAWA
Printed by C. H. PARMELEE
Printer to the King's most Excellent Majesty
1909

BILL AS PASSED APRIL 7, 1909.

THE SENATE OF CANADA.

BILL DD.

An Act respecting The Manitoba Radial Railway Company.

Preamble.

1907, c. 105.

WHEREAS a petition has been presented praying that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Extension of time for construction.

R.S., c 37, s. 150.

1. The Manitoba Radial Railway Company may commence the construction of its railway and expend fifteen per cent of the amount of its capital stock thereon within two years after the passing of this Act, and may finish the said railway and put it in operation within five years after the passing of this Act; and if the said railway is not so commenced and such expenditure is not so made, or if the said railway is not finished and put in operation, within the said periods respectively, the powers of construction conferred upon the company by Parliament shall cease and be null and void as respects so much of the said railway as then remains uncompleted.

1st Session, 11th Parliament, 9 Edward VII. 1909.

THE SENATE OF CANADA.

BILL EE.

An Act for the relief of Evelyn Martha Keller.

Preamble.

WHEREAS Evelyn Martha Keller, presently residing at the city of Toronto, in the province of Ontario, wife of Charles Henry Keller, formerly of the said city of Toronto, clerk, presently residing in the city of Detroit, state of Michigan, one of the United States of America, has by her petition alleged, in effect, that they were lawfully married on the fourteenth day of June, A.D. 1906, at the said city of Toronto, she then being Evelyn Martha Graham, spinster; that his legal domicile was then and is now in Canada; that at the said city of Toronto, in the period between the end of the month of November, A.D. 1907, and the beginning of the month of April, A.D. 1908, he committed adultery; that she has not connived at nor condoned the said adultery; that there has been no collusion, directly or indirectly, between him and her in the proceedings for divorce; and whereas by her petition she has prayed for the passing of an Act dissolving her said marriage, authorizing her to marry again, and affording her such other relief as is deemed meet; and whereas the said allegations have been proved, and it is expedient that the prayer of her petition be granted: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Marriage dissolved.

1. The said marriage between Evelyn Martha Graham and Charles Henry Keller, her husband, is hereby dissolved, and shall be henceforth null and void to all intents and purposes whatsoever.

Right to marry again.

2. The said Evelyn Martha Graham may at any time hereafter marry any man whom she might lawfully marry if the said marriage with the said Charles Henry Keller had not been solemnized.

1st Session, 11th Parliament, 9 Edward VII., 1909

THE SENATE OF CANADA.

BILL.

EE

An Act for the relief of Evelyn Martha Keller.

Received and read a first time,

Tuesday, 30th March, 1909.

Second reading,

Thursday, 1st April, 1909.

Honourable Mr. PERLEY.

OTTAWA
Printed by C. H. PARMELEE
Printer to the King's most Excellent Majesty
1909

BILL AS PASSED APRIL 2, 1909.

THE SENATE OF CANADA.

BILL EE.

An Act for the relief of Evelyn Martha Keller.

Preamble.

WHEREAS Evelyn Martha Keller, presently residing at the city of Toronto, in the province of Ontario, wife of Charles Henry Keller, formerly of the said city of Toronto, clerk, presently residing in the city of Detroit, state of Michigan, one of the United States of America, has by her petition alleged, in effect, that they were lawfully married on the fourteenth day of June, A.D. 1906, at the said city of Toronto, she then being Evelyn Martha Graham, spinster; that his legal domicile was then and is now in Canada; that at the said city of Toronto, in the period between the end of the month of November, A.D. 1907, and the beginning of the month of April, A.D. 1908, he committed adultery; that she has not connived at nor condoned the said adultery; that there has been no collusion, directly or indirectly, between him and her in the proceedings for divorce; and whereas by her petition she has prayed for the passing of an Act dissolving her said marriage, authorizing her to marry again, and affording her such other relief as is deemed meet; and whereas the said allegations have been proved, and it is expedient that the prayer of her petition be granted: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Marriage dissolved.

1. The said marriage between Evelyn Martha Graham and Charles Henry Keller, her husband, is hereby dissolved, and shall be henceforth null and void to all intents and purposes whatsoever.

Right to marry again.

2. The said Evelyn Martha Graham may at any time hereafter marry any man whom she might lawfully marry if the said marriage with the said Charles Henry Keller had not been solemnized.

1st Session, 11th Parliament, 9 Edward VII. 1909.

THE SENATE OF CANADA.

BILL FF.

An Act for the relief of Frank Parsons.

Preamble.

WHEREAS Frank Parsons, of the municipality of Westbourne, in the province of Manitoba, locomotive engineer, has by his petition alleged, in effect, that on the seventh day of November A.D. 1898, at the township of Hope, in the county of Durham, province of Ontario, he was lawfully married to Ellen Weller; that she was then of the village of Janetville, in the said county, a spinster ; that his legal domicile was then and is now in Canada; that on the thirtieth day of January, A.D. 1902, at Stonewall, in the province of Manitoba, she went through the form of marriage with John David Edgar Hetherington, and has since then been living in adultery with the said Hetherington, and was so living with the said Hetherington in the month of October, A.D. 1908, at Somerset, in the province of Manitoba; that he has not connived at nor condoned the said adultery; that there has been no collusion, directly or indirectly, between him and her in the proceedings for divorce; and whereas by his petition he has prayed for the passing of an Act dissolving his said marriage, authorizing him to marry again, and affording him such other relief as is deemed meet; and whereas the said allegations have been proved, and it is expedient that the prayer of his petition be granted: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Marriage dissolved.

1. The said marriage between Frank Parsons and Ellen Weller, his wife, is hereby dissolved, and shall be henceforth null and void to all intents and purposes whatsoever.

Right to marry again.

2. The said Frank Parsons may at any time hereafter marry any woman whom he might lawfully marry if the said marriage with the said Ellen Weller had not been solemnized.

1st Session, 11th Parliament, 9 Edward VII., 1909

THE SENATE OF CANADA.

BILL

FF

An Act for the relief of Frank Parsons.

Received and read a first time,

Tuesday, 30th March, 1909.

Second reading,

Thursday, 1st April, 1909.

Honourable Mr. DERBYSHIRE.

OTTAWA
Printed by C. H. PARMELEE
Printer to the King's most Excellent Majesty
1909

BILL AS PASSED APRIL 2, 1909.

THE SENATE OF CANADA.

BILL FF.

An Act for the relief of Frank Parsons.

Preamble.

WHEREAS Frank Parsons, of the municipality of Westbourne, in the province of Manitoba, locomotive engineer, has by his petition alleged, in effect, that on the seventh day of November A.D. 1898, at the township of Hope, in the county of Durham, province of Ontario, he was lawfully married to Ellen Weller; that she was then of the village of Janetville, in the said county, a spinster; that his legal domicile was then and is now in Canada; that on the thirtieth day of January, A.D. 1902, at Stonewall, in the province of Manitoba, she went through form of marriage with John David Edgar Hetherington, and has since then been living in adultery with the said Hetherington, and was so living with the said Hetherington in the month of October, A.D. 1908, at Somerset, in the province of Manitoba; that he has not connived at nor condoned the said adultery; that there has been no collusion, directly or indirectly, between him and her in the proceedings for divorce; and whereas by his petition he has prayed for the passing of an Act dissolving his said marriage, authorizing him to marry again, and affording him such other relief as is deemed meet; and whereas the said allegations have been proved, and it is expedient that the prayer of his petition be granted: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Marriage dissolved.

1. The said marriage between Frank Parsons and Ellen Weller, his wife, is hereby dissolved, and shall be henceforth null and void to all intents and purposes whatsoever.

Right to marry again.

2. The said Frank Parsons may at any time hereafter marry any woman whom he might lawfully marry if the said marriage with the said Ellen Weller had not been solemnized.

1st Session, 11th Parliament, 9 Edward VII. 1909.

THE SENATE OF CANADA.

BILL GG.

An Act for the relief of Hannah Ella Tomkins.

Preamble.

WHEREAS Dame Hannah Ella Trenholme, presently residing at the town of Coaticook, in the province of Quebec, wife of John Edwin Charles Tomkins, formerly of the village of Stanstead, in the said province, doctor of medicine, presently residing in the village of Yukon, in the state of Oklahoma, one of the United States of America, has by her petition alleged, in effect, that they were lawfully married on the tenth day of October, A.D. 1894, at the said town of Coaticook, she then being a spinster; that his legal domicile was then and thereafter continued to be in Canada, that in or about the month of November, A.D. 1904, he deserted her; that in or about the month of November, A,D, 1904, he deserted her; that his present legal domicile is unknown; that at divers places in the province of Quebec at divers times between the months of August and November, A.D. 1904, he committed adultery with Alice Holmes then the wife of Charles William Holmes, of the village of Rock Island, in the said province; that by chapter 108 of the statutes of 1904, intituled "An Act for the relief of Charles William Holmes", a divorce from the said Alice Holmes was granted to the said Charles William Holmes, on the ground of her adultery with the said John Edwin Charles Tomkins at divers times between the months of August, A.D. 1903 and November, A.D. 1905, at divers places both in the province of Quebec and in the United States of America; that she has not connived at nor condoned the said adultery; that there has been no collusion, directly or indirectly, between him and her in the proceedings for divorce; and whereas by her petition she has prayed for the passing of an Act dissolving her said marriage, authorizing her to marry again, and affording her such other relief as is deemed meet; and whereas the said allegations have been proved, and it is expedient that the prayer of her petition be granted: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Marriage dissolved.

1. The said marriage between Hannah Ella Trenholme and John Edwin Tomkins, her husband, is hereby dissolved, and shall be henceforth null and void to all intents and purposes whatsover.

Right to marry again.

2. The said Hannah Ella Trenholme may at any time hereafter marry any man whom she might lawfully marry if the said marriage with the said John Edwin Charles Tomkins had not been solemnized.

1st Session, 11th Parliament, 9 Edward VII., 1909

THE SENATE OF CANADA

BILL

GG

An Act for the relief of Hannah Ella Tomkins.

Received and read a first time,

Wednesday, 31st March, 1909.

Second reading,

Friday, 2nd April, 1909.

Honourable Mr. MITCHELL.

OTTAWA
Printed by C. H. PARMELEE
Printer to the King's most Excellent Majesty
1909

BILL AS PASSED APRIL 6. 1909.

THE SENATE OF CANADA.

BILL GG.

An Act for the relief of Hannah Ella Tomkins.

Preamble.

WHEREAS Dame Hannah Ella Trenholme, presently residing at the town of Coaticook, in the province of Quebec, wife of John Edwin Charles Tomkins, formerly of the village of Stanstead, in the said province, doctor of medicine, presently residing in the village of Yukon, in the state of Oklahoma, one of the United States of America, has by her petition alleged, in effect, that they were lawfully married on the tenth day of October, A.D. 1894, at the said town of Coaticook, she then being a spinster; that his legal domicile was then and thereafter continued to be in Canada; that in or about the month of November, A,D, 1904, he deserted her; that his present residence is unknown; that at divers places in the province of Quebec at divers times between the months of August and November, A.D. 1904, he committed adultery with Alice Holmes then the wife of Charles William Holmes, of the village of Rock Island, in the said province; that by chapter 108 of the statutes of 1904, intituled "An Act for the relief of Charles William Holmes", a divorce from the said Alice Holmes was granted to the said Charles William Holmes, on the ground of her adultery with the said John Edwin Charles Tomkins at divers times between the months of August, A.D. 1903 and November, A.D. 1905, at divers places both in the province of Quebec and in the United States of America; that she has not connived at nor condoned the said adultery; that there has been no collusion, directly or indirectly, between him and her in the proceedings for divorce; and whereas by her petition she has prayed for the passing of an Act dissolving her said marriage, authorizing her to marry again, and affording her such other relief as is deemed meet; and whereas the said allegations have been proved, and it is expedient that the prayer of her petition be granted: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Marriage dissolved.

1. The said marriage between Hannah Ella Trenholme and John Edwin Tomkins, her husband, is hereby dissolved, and shall be henceforth null and void to all intents and purposes whatsover.

Right to marry again.

2. The said Hannah Ella Trenholme may at any time hereafter marry any man whom she might lawfully marry if the said marriage with the said John Edwin Charles Tomkins had not been solemnized.

1st Session, 11th Parliament, 9 Edward VII. 1909.

THE SENATE OF CANADA.

BILL HH.

An Act to incorporate The Canadian Red Cross Society.

Preamble.

WHEREAS an Association known as The Canadian Red Cross Society has been in operation for some years past, and was actively engaged during the late war in South Africa in contributing funds and tending the sick and wounded; and whereas the said association was in affiliation with the Society in England known as "The National Society for Aid to the Sick and Wounded in War," and the work, operations and powers of the last named Society have now been transferred to and are being carried on, under the patronage of His Majesty King Edward the Seventh, by The British Red Cross Society, with which The Canadian Red Cross Society has now become affiliated; and whereas the International Conference of Geneva of 1863 recommended: "That there should exist in every country a Committee whose mission consists in co-operating in times of war with the hospital service of the armies by all means in its power;" and whereas it is expedient that there should be a permanent organization in Canada in affiliation with the British Red Cross Society to carry out the purposes of the said treaty, and especially to secure supplies and to execute the humane objects contemplated by the said treaty, with the power to adopt and use the distinctive flag and badge specified by the said treaty in Article 7, on which shall be the sign of the Red Cross, for the purpose of co-operating with the "Comité International de Secours aux Militaires Blessés;" and whereas it is expedient that the existing association in Canada should be incorporated for the purposes aforesaid: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Incorporation.

1. His Honour Colonel John Morison Gibson, Lieutenant Governor of the province of Ontario; Sir Louis A. Davies, Ottawa; The Honourable George W. Ross, Toronto; The Honourable Hugh John Macdonald, Winnipeg; The Honourable George A. Cox, Toronto; Lieutenant-Colonel George Sterling Ryerson, Toronto; Lieutenant-Colonel A. E. Labelle, Montreal; Lieutenant-Colonel T. G. J. Loggie, Fredericton; Lieutenant-Colonel James Bayne MacLean, Toronto; Lieutenant-Colonel Minden Cole, Montreal; Lieutenant-Colonel The Honourable John S. Hendrie, Hamilton; Lieutenant-Colonel William N. Ponton, Belleville; Lieutenant-Colonel George A. Sweny, Toronto; Lieutenant-Colonel John Irvine Davidson, Toronto; Colonel

1st Session, 11th Parliament, 9 Edward VII., 1909

THE SENATE OF CANADA.

BILL

HH

An Act to incorporate The Canadian Red Cross Society.

Received and read a first time,
Friday, 2nd April, 1909.
Second reading,
Wednesday, 7th April, 1909.

Honourable Mr. Ross,
(Middlesex.)

OTTAWA
Printed by C. H. Parmelee
Printer to the King's most Excellent Majesty
1909

BILL AS PASSED APRIL 23, 1909.

THE SENATE OF CANADA.

BILL HH

An Act to incorporate The Canadian Red Cross Society.

Preamble.

WHEREAS an Association known as The Canadian Red Cross Society has been in operation for some years past, and was actively engaged during the late war in South Africa in contributing funds and tending the sick and wounded; and whereas the said association was in affiliation with the Society in England known as "The National Society for Aid to the Sick and Wounded in War," and the work, operations and powers of the last named Society have now been t ansferred to and are being carried on, under the patronage of His Majesty King Edward the Seventh, by The British Red Cross Society, with which The Canadian Red Cross Society has now become affiliated; and whereas the International Conference of Geneva of 1863 recommended: "That there should exist in every country a Committee whose mission consists in co-operating in times of war with the hospital service of the armies by all means in its power;" and whereas it is expedient that there should be a permanent organization in Canada in affiliation with the British Red Cross Society to carry out the purposes of the said treaty, and especially to secure supplies and to execute the humane objects contemplated by the said treaty, with the power to adopt and use the distinctive flag and badge specified by the said treaty in Article 7, on which shall be the sign of the Red Cross, and for the purpose of co-operating with the "Comité International de Secours aux Militaires Blessés;" and whereas it is expedient that the existing association in Canada should be incorporated for the purposes aforesaid: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Incorporation.

1. His Honour Colonel John Morison Gibson, Lieutenant Governor of the province of Ontario; Sir Louis A. Davies, Ottawa; The Honourable George W. Ross, Toronto; The Honourable Hugh John Macdonald, Winnipeg; The Honourable George A. Cox, Toronto; Colonel George Sterling Ryerson,

Toronto; Lieutenant-Colonel A. E. Labelle, Montreal; Lieutenant-Colonel T. G. J. Loggie, Fredericton; Lieutenant-Colonel James Bayne MacLean, Toronto; Colonel Minden Cole, Montreal; Lieutenant-Colonel The Honourable John S. Hendrie, Hamilton; Lieutenant-Colonel William N. Ponton, Belleville; Lieutenant-Colonel George A. Sweny, Toronto; Lieutenant-Colonel John Irvine Davidson, Toronto; Colonel James A. Mason, Toronto; Colonel Sir Henry M. Pellatt, Toronto; Lieutenant-Colonel Hugh H. McLean, St. John, N.B.; Charles R. Dickson, M.D., Toronto; The Honourable George E. Foster, Toronto; Alexander MacNeill, Wiarton; The Honourable W. H. Montague, Winnipeg; Sir Charles Hibbert Tupper, Victoria; Judge D. T. Hughes, St. Thomas; Justin Miller, Mayor of Ingersoll; John George W. Hodgins, LL.D., Toronto; James Algernon Temple, M.D., Toronto; Daniel R. Wikie, Toronto; Thomas G. Roddick, M.D., Montreal; Frederick M. Montizambert, M.D., Ottawa; Henry S. Strathy, Toronto; John T. Small, K.C., Toronto; and Charles Alfred Hodgetts, M.D., Toronto; and the following ladies, president of local organizations: Mrs. H. A. Boomer, London; Mrs. Harrington, Dorchester, N.B.; Mrs. Cornelia de Lancry Smith, Moncton, N.B.; Mrs. Helen Arnold, Sussex, N.B.; Mrs. Edith Boulton Nordheimer, Toronto; Mrs. Jennie C. McFadden, Brampton; Mrs. Florence A. Robertson, Newmarket; Mrs. Emma Tyrwhitt, Bradford; Mrs. Frances M. DuMoulin, Hamilton; Mrs. Emily C. Watson, Edmonton; Lady Tilley, St. John, N. B.; Mrs. Alberta Poulle, Sackville, N.B.; Mrs. Jessie McEwen, Brandon; Mrs. Annie Lett, Guelph; Mrs. Kate I. Hare, Whitby; and Mrs. A. I. Domville, Rothesay, N.B.; and their associates and successors are hereby created a body corporate and politic in and for the Dominion of Canada under the name of "The Canadian Red Cross Society," hereinafter called "the Society."

Corporate name.

Purposes.

2. The purposes of the Society shall be:—

Aid to sick and wounded in war.

(1) To furnish volunteer aid to the sick and wounded of armies in time of war, in accordance with the spirit and conditions of the conference of Geneva of October, 1863, and also of the treaty of the Red Cross or the treaty of Geneva of August twenty-second, 1864, to which Great Britain has given its adhesion.

Performance of national duties under Treaty of Geneva.

(2) To perform all the duties devolved upon a national society by each nation which has acceded to said treaty, but in affiliation with the said British Red Cross Society.

Succession to former association.

(3) To succeed to and take over all the rights and property heretofore or now held and enjoyed by, and all the duties heretofore performed by, the unincorporated association known as the Canadian Red Cross Society.

Emblem and badge.

3. The Society shall have the right to have and use in carrying out its purposes as an emblem and badge a Greek Red Cross on a white ground as the same has been de-

scribed in the treaty of Geneva dated the twenty-second day of August, 1864, and adopted by the several nations acceding thereto; and may make by-laws and regulations, not inconsistent with the laws of Canada or of any province thereof; and generally may do all such acts and things as are necessary to carry into effect the provisions of this Act and promote the purposes of the Society; and the Society is hereby designated as the Canadian organization which is authorized to act in matters of relief under the said treaty.

By-laws and regulations

Authority to act under Treaty of Geneva

4. From and after the passing of this Act it shall be unlawful for any person within the jurisdiction of the Parliament of Canada to falsely and fradulently hold himself out as, or represent or pretend himself to be, a member of, or agent for, the Canadian Red Cross Society, for the purpose of soliciting, collecting or receiving money or material; or for any person to wear or display the sign of the Red Cross, or any insignia coloured in imitation thereof, for the fraudulent purpose of inducing the belief that he is a member of, or an agent for, the Canadian Red Cross Society. Nor shall it be lawful for any person or corporation, or their successors, other than the Canadian Red Cross Society, not now lawfully entitled to use the sign of the Red Cross, hereafter to use such sign or any insignia coloured in imitation thereof for the purposes of trade or as an advertisement to induce the sale of any article whatsoever. If any person violates the provisions of this section, he shall be guilty of an indictable offence and shall be liable to a fine of not less than one nor more than five hundred dollars, or imprisonment for a term not exceeding one year, or both, for each and every offence. The fine so collected shall be paid to the Canadian Red Cross Society.

Penalties for unlawful use of Society's name, badge, etc.

5. The Society may purchase, take, have, hold, possess, retain and enjoy, property, real or personal, corporeal or incorporeal, whatsoever, and for any or every estate or interest therein whatsoever, given, granted, devised, or bequeathed to it, or appropriated, purchased, or acquired by it in any manner or way whatsoever, to, for, or in favour of the uses and purposes of the Society.

Acquisition and holdin of property

2. The annual value of the real estate held in Canada by or in trust for the Society shall not exceed fifty thousand dollars.

Limit of real estate

6. The governing body of the Society shall consist of a Central Council, numbering eighteen persons, to be elected immediately after the passing of this Act by the corporators above named. It shall be the duty of the Central Council to organize with as little delay as possible branches in the various provinces of Canada under such rules as the Central Council may prescribe; and upon the formation of such branches each province shall be entitled to appoint one member of the Central

Government of Society.

Branches

Council specially to represent it, such member so to be appointed to be in addition to the eighteen above named.

Election of members of Central Council.

2. The said eighteen members of the Central Council shall be elected each for three years, retiring members being eligible for re-election by all the then members of the Society.

Executive Committee.

3. The Central Council shall have the power to appoint an executive committee of seven of its members, five of whom shall be a quorum, who, when the Central Council is not in session, shall have and exercise all the powers of the Central Council.

Report of proceedings.

7. The Society shall, not later than the thirty-first day of January of each year, furnish to the Minister of Militia and Defence a report of its proceedings for the previous calendar year, including a full, complete and itemized report of receipts and expenditures of whatever kind, which report shall be duly audited by the Department of Militia and Defence.

Penalty for not furnishing report.

2. If for the space of one month the Society neglects or refuses to furnish such report the Society shall be liable to a penalty not exceeding twenty dollars for every day during which such default continues, and any member of the Society who knowingly or wilfully authorizes or permits such default shall be liable to the like penalty.

1st Session, 11th Parliament, 9 Edward VII. 1909.

THE SENATE OF CANADA.

BILL II.

An Act to incorporate the Equity Fire Insurance Company of Canada.

Preamble.

WHEREAS The Equity Fire Insurance Company has by its petition represented that it was incorporated by letters patent under the Great Seal of Ontario dated 29th January, 1898, issued pursuant to "The Ontario Insurance Act," chapter 203 of The Revised Statutes of Ontario of 1897, and that it has since 1st July, 1901, under license issued pursuant to *The Insurance Act*, carried on the business of fire insurance in Canada; and whereas the said Company has by its petition prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

R.S.O., 1897.
R.S.C., c. 34.

Incorporation.

1. The shareholders of The Equity Fire Insurance Company mentioned in the preamble, and hereinafter called "the old Company," together with such persons as become shareholders in the Company hereby incorporated, are hereby incorporated under the name of "The Equity Fire Insurance Company of Canada," hereinafter called "the new Company."

Corporate name.

Capital stock.

Shares.

2. The capital stock of the new Company shall be one million dollars, divided into shares of fifty dollars each.

Conversion of shares of old Company into shares of new Company.

3. Each shareholder of the old Company is hereby declared to be the holder of the same number of shares in the new Company as he holds in the old Company: but no sum less than twenty-five dollars per share paid on the issued shares of the old Company shall be credited as paid on the shares of the new Company. The liability of a shareholder of the new Company upon the shares of the new Company so held by him shall amount, per share, only to the difference between the sums so credited as paid upon each share and fifty dollars.

Liability on new shares.

Issue of fully paid shares for amount at credit.

2. When the paid-up capital of the new Company is not less than two hundred and fifty thousand dollars, and if the new Company's assets are sufficient to cover the paid-up capital and the re-insurance reserve, as required by *The Insurance Act*, and all other liabilities of the new Company, each holder of shares in the new Company which have been issued in exchange for shares in the old Company, shall receive fully-paid-up shares representing the amount so credited as aforesaid as paid upon his shares and the amount of any additional payments which have been made by him.

Liability as to shares in old Company.

4. Nothing in this Act shall affect the liability of shareholders of the old Company who have not paid the calls already made upon the shares of the old Company to pay the said calls; and nothing in this Act shall be so construed as to lessen the liability of the shareholders of the old Company to the present creditors or to the present policy-holders of the old Company: Provided, however, that any payment made upon the shares of the new Company shall reduce the liability of the shareholders of the old Company by the amount of such payment.

New Company's liability for old Company's obligations.

5. The new Company shall be liable for and subject to, and shall pay, discharge, carry out and perform all the debts, liabilities, obligations and contracts of the old Company; and any person having any claim, demand, right, cause of action, or complaint against the old Company, or to whom the old Company is under any obligation, liability or contract, shall have the same rights and powers with respect thereto and to the collection and enforcement thereof from and against the new Company, as such person has against the old Company: Provided, however, that the shareholders of the new Company shall not be individually liable under section 150 of *The Companies Act*, with respect to their shares in the new Company, to such person unless such person abandons his right in respect of the shares in the old Company.

As to individual liability of shareholders.

R.S., c. 79.

Vesting of assets.

6. All the assets, rights, credits, effects and properties, real personal and mixed of whatever kind and wheresoever situated belonging to the old Company or to which it is or may be or may become entitled, shall be vested in the new Company subject to existing mortgages or liens, if any, upon due execution of an indenture in the form contained in the schedule to this Act, or to the like effect.

Calls on new Company's shares.

7. The directors of the new Company may, from time to time, make such calls as they think fit upon the shareholders in respect of all moneys unpaid on the shares of the new Company held by them respectively. Such calls shall be payable at such times and places and in such payments or installments as the directors appoint: Provided, that no call shall exceed ten per cent, and that not less than thirty days' notice of any call shall be given.

Amount.

Notice.

Officers, directors and by-laws continued.

8. The president, vice-president and directors of the old Company shall continue to be such in the new Company, until their successors are elected; and all by-laws, rules and regulations of the old Company not contrary to law nor inconsistent with this Act shall be the by-laws, rules and regulations of the new Company until amended or repealed under the provisions of this Act.

Directors.

Qualification.

9. The affairs of the new Company shall be managed by a board of not less than eight or more than twenty-four directors a majority of whom shall be a quorum. No person shall be a director unless he holds in his own name and for his own use

at least fifty shares of the capital stock of the new Company and has paid all calls due thereon and all liabilities incurred by him to the new Company.

10. The head office of the new Company shall be in the city of Toronto, in the province of Ontario. Head office.

2. Local advisory boards or agencies may be established and maintained either in Canada or elsewhere, in such manner as the directors from time to time direct. Local boards.

11. A general meeting of the new Company shall be called at its head office once in each year; and at such meeting a statement of the affairs of the new Company shall be submitted by the directors. Annual general meeting. Statement.

2. Special general meetings may be called at any time, by any five of the directors, or by requisition of any twenty five shareholders, specifying in the notice the object of such meeting. Special general meeting.

3. Notice of each such meeting shall be sufficiently given by printed or written notice to each of the shareholders mailed at least twenty days before the day for which the meeting is called, and addressed to the addresses of the shareholders, respectively, given in the books of the new Company.

12. The new Company may make and effect contracts of insurance, throughout Canada and elsewhere, with any person against loss or damage by fire, or lightning, in or to any house, dwelling, store, factory, mill or other building whatsoever, or to any goods, chattels, bridges, railway plants or personal estate whatsoever, for such time, for such premiums or considerations and with such modifications, restrictions and conditions as are agreed upon between the new Company and the insured; and, generally, may carry on the business of fire insurance in all its branches and forms. Authorized business. Fire insurance.

2. The new Company may also make and effect contracts of insurance with any person against any accident or casualty, of whatever nature or from whatever cause arising, to individuals whereby the insured suffers loss or injury or is disabled, or, in case of death from accident or casualty, securing to the representative of the person assured the payment of a certain sum of money upon such terms and conditions as are agreed upon; and, generally, may carry on the business of accident insurance as defined by *The Insurance Act*. Accident insurance.

3. The new Company may also cause itself to be insured against any risk it may have undertaken in the course of its business. Re-insurance.

4. The new Company may also undertake the re-insurance of the risks of other Companies. Re-insurance.

13. The new Company may acquire and hold any real property required in part or wholly for its use or accommodation, and may dispose thereof when necessary, but the annual value of such property held in any province of Canada shall not exceed five thousand dollars, except in the province of Ontario, where it shall not exceed ten thousand dollars. Power to hold real property. Limitation.

Commencement of business.

14. The new Company shall not commence the business of fire insurance authorized by this Act until the subscribed capital of the new Company has been increased from two hundred and twelve thousand four hundred dollars, being the sum to which the present subscribed capital of the old Company is reduced by virtue of section 3 of this Act, to at least two hundred and fifty thousand dollars, and there has been paid thereon, in addition to the sum of twenty one thousand two hundred and forty dollars, being the amount over and above twenty-five dollars per share paid on the issued shares of the old Company which may be credited as paid on the fifty dollar shares of the new Company, at least the sum of seventy-eight thousand seven hundred and sixty dollars in cash into the funds of the new Company to be appropriated only for the purposes of the new Company under this Act.

Fire.

Accident.

2. The new Company shall not commence the business of accident insurance as provided for under this Act until its subscribed capital has been increased to at least four hundred thousand dollars, and a further and additional amount of fifty thousand dollars has been paid thereon in cash into the funds of the new Company to be appropriated only for the purposes of the new Company under this Act.

Ascertainment of payments of capital.

3. No subscription to the capital stock upon which less than ten per cent has been paid in cash shall be reckoned as part of the capital stock of the new Company required to be subscribed under this Act.

Ascertainment of payments of capital.

4. The amount paid in cash by any shareholder of the new Company which is less than ten per cent of the amount subscribed for by him shall not be reckoned as part of the several sums required to be paid under subsections 1 and 2 of this section.

Further annual payments.

15. In each year for five years after the issue of a license to the new Company under *The Insurance Act* a sum of fifteen thousand dollars shall be paid annually in cash upon the capital stock of the new Company, which sums shall be in addition to the sums required to be paid under section 14 of this Act.

Bringing of this Act into force by approval of shareholders of old company.

16. This Act shall not take effect unless and until accepted and approved of by resolution passed by a vote of not less than two-thirds in value of the shareholders of the old Company present or represented by proxy at a special general meeting of the old Company duly called for the purpose of considering this Act; and, if so accepted and approved of, this Act shall come into force upon a subsequent day to be fixed for that purpose by the said resolution.

Notice thereof

2. Notice of such acceptance and approval and of the day so fixed, shall be published by the new Company in *The Canada Gazette*.

Application of R.S., c. 79.

17. Notwithstanding anything in *The Companies Act*, Part II thereof, except sections 125, 134, 135, 141, 158, 159 and 165 thereof, shall apply to the new Company, in so far as the said Part is not inconsistent with any of the provisions of *The Insurance Act*, or of any general Act relating to insurance passed during the present session of Parliament, or of this Act.

R.S., c. 34.

18. This Act, and the new Company hereby incorporated, and the exercise of the powers hereby conferred, shall be subject to the provisions of *The Insurance Act* and of any general Act relating to insurance passed during the present session of Parliament; and in any respect in which this Act is inconsistent with those Acts the latter shall prevail.

Application of Insurance Act.

R.S., c. 34.

Conflicting provisions.

SCHEDULE.

This indenture made the day of A.D 1909, between The Equity Fire Insurance Company, a company incorporated under the provisions of "The Ontario Insurance Act" being Chapter 203 of the Revised Statutes of Ontario, 1897, of the first part, hereinafter called "the old Company" and "The Equity Fire Insurance Company of Canada" incorporated by an Act of the Parliament of Canada, of the second part, hereinafter called "the new Company".

Whereas by a resolution duly passed in that behalf the shareholders of the old Company have accepted and approved of the new Company's Act of incorporation, being Chapter of the Statutes of Canada, 1909, intituled "An Act to incorporate The Equity Fire Insurance Company of Canada", and, by the said resolution, the day of 19 , was fixed as the date from which the said Act should take effect.

And whereas, by the said Act the new Company is authorized to acquire all the assets, rights, credits, effects and property, real, personal and mixed, of the old Company, and whereas the old Company has agreed to convey the same to the new Company.

Now this indenture witnesseth: That, in consideration of the said Act, and of the shares in the capital stock of the new Company which are hereby vested in the shareholders of the old Company, and in consideration of the covenants by the new Company hereinafter contained, the old Company hereby grants, assigns, transfers and sets over unto the new Company, its successors and assigns, forever, all the assets, rights, credits, effects and property, real, personal and mixed, of whatever kind and wheresoever situated belonging to the old Company or to which it is or may be or may become entitled. To have and to hold unto the new Company, its sucessors and assigns, to and for its sole and only use; and the old Company covenants with the new Company to execute and deliver at the expense of the new Company, all such further and other separate and formal assurances, assignments, transfers and conveyances for registration purposes or otherwise, as may be required to vest in the new Company, its successors and assigns, the full legal equitable and beneficial title and interest to and in the said assets, rights, credits, effects and property, and each and every part thereof.

And in consideration of the foregoing the new Company covenants with the old Company, its successors and assigns, that it shall and will pay, discharge, carry out and perform all

debts, liabilities, obligations and contracts for or in respect of which the old Company is now liable, or which it should pay, discharge, carry out or perform, and the new Company shall and will indemnify and save harmless the old Company in respect thereof.

1st Session, 11th Parliament, 9 Edward VII., 1909

THE SENATE OF CANADA

BILL

H

An Act to incorporate The Equity Fire Insurance Company of Canada.

Received and read a first time,

Friday, 2nd April, 1909.

Second reading,

Wednesday, 7th April, 1909.

Honourable Mr. Ross.
(Middlesex.)

OTTAWA
Printed by C. H. Parmelee
Printer to the King's most Excellent Majesty
1909

BILL AS PASSED APRIL 23, 1909.

THE SENATE OF CANADA.

BILL II

An Act to incorporate the Equity Fire Insurance Company of Canada.

Preamble.

WHEREAS The Equity Fire Insurance Company has by its petition represented that it was incorporated by letters patent under the Great Seal of Ontario dated 29th January, 1898, issued pursuant to "The Ontario Insurance Act," chapter 203 of The Revised Statutes of Ontario of 1897, and that it has since 1st July, 1901, under license issued pursuant to *The Insurance Act*, carried on the business of fire insurance in Canada; and whereas the said Company has by its petition prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

R.S.O., 1897.

R.S.C., c. 34.

Incorporation.

1. The shareholders of The Equity Fire Insurance Company mentioned in the preamble, and hereinafter called "the old Company," together with such persons as become shareholders in the Company hereby incorporated, are hereby incorporated under the name of "The Equity Fire Insurance Company of Canada," hereinafter called "the new Company."

Corporate name.

Capital stock.

Shares.

2. The capital stock of the new Company shall be one million dollars, divided into shares of fifty dollars each.

Conversion of shares of old Company into shares of new Company.

Liability on new shares.

3. Each shareholder of the old Company is hereby declared to be the holder of the same number of shares in the new Company as he holds in the old Company; but only the sum in excess of twenty-five dollars per share paid on the issued shares of the old Company shall be credited as paid on the shares of the new Company. The liability of a shareholder of the new Company upon the shares of the new Company so held by him shall amount, per share, only to the difference between the sums so credited as paid upon each share and fifty dollars.

Issue of fully paid shares for amount at credit.

2. When the paid-up capital of the new Company is not less than two hundred and fifty thousand dollars, and if the new

Company's assets are sufficient to cover the paid-up capital and the re-insurance reserve, as required by *The Insurance Act*, and all other liabilities of the new Company, each holder of shares in the new Company which have been issued in exchange for shares in the old Company, shall receive fully-paid-up shares representing the amount so credited as aforesaid as paid upon his shares and the amount of any additional payments which have been made by him.

Liability as to shares in old Company.

4. Nothing in this Act shall affect the liability of shareholders of the old Company who have not paid the calls already made upon the shares of the old Company to pay the said calls; and nothing in this Act shall be so construed as to lessen the liability of the shareholders of the old Company to the present creditors or to the present policy-holders of the old Company: Provided, however, that any payment made upon the shares of the new Company shall reduce the liability of the shareholders of the old Company by the amount of such payment.

Acquisition of old Company's assets.

5. The new Company may acquire all assets, rights, credits, effects and properties, real, personal or mixed, of whatever kind and wheresoever situated, belonging to the old Company, or to which it is, or may be, or may become entitled; and in such case the new Company shall be liable for and subject to, and shall pay, discharge, carry out and perform all the debts, liabilities, obligations and contracts of the old Company; and any person having any claim, demand, right, cause of action, or complaint against the old Company, or to whom the old Company is under any obligation, liability or contract, shall have the same rights and powers with respect thereto and to the collection and enforcement thereof from and against the new Company, as such person has against the old Company: Provided, however, that the shareholders of the new Company shall not be individually liable under section 150 of *The Companies Act*, with respect to their shares in the new Company, to such person unless such person abandons his right in respect of the shares in the old Company.

Liability for old Company's obligations.

As to individual liability of shareholders.

R.S., c. 79.

Calls on new Company's shares.

6. The directors of the new Company may, from time to time, make such calls as they think fit upon the shareholders in respect of all moneys unpaid on the shares of the new Company held by them respectively. Such calls shall be payable at such times and places and in such payments or installments as the directors appoint: Provided, that no call shall exceed ten per cent, and that not less than thirty days' notice of any call shall be given.

Amount.

Notice.

Officers, directors and by-laws continued.

7. The president, vice-president and directors of the old Company shall continue to be such in the new Company, until

their successors are elected; and all by-laws, rules and regulations of the old Company not contrary to law nor inconsistent with this Act shall be the by-laws, rules and regulations of the new Company until amended or repealed under the provisions of this Act.

Directors.

8. The affairs of the new Company shall be managed by a board of not less than eight nor more than twenty-four directors a majority of whom shall be a quorum. No person shall be a director unless he holds in his own name and for his own use at least fifty shares of the capital stock of the new Company and has paid all calls due thereon and all liabilities incurred by him to the new Company.

Qualification

Head office.

9. The head office of the new Company shall be in the city of Toronto, in the province of Ontario.

Local boards

2. Local advisory boards or agencies may be established and maintained either in Canada or elsewhere, in such manner as the directors from time to time direct.

Annual general meeting.

10. A general meeting of the new Company shall be called at its head office once in each year; and at such meeting a statement of the affairs of the new Company shall be submitted by the directors.

Statement

Special general meeting.

2. Special general meetings may be called at any time, by any five of the directors, or by requisition of any twenty five shareholders, specifying in the notice the object of such meeting.

3. Notice of each such meeting shall be sufficiently given by printed or written notice to each of the shareholders mailed at least twenty days before the day for which the meeting is called, and addressed to the addresses of the shareholders, respectively, given in the books of the new Company.

Authorized business.

11. The new Company may make and effect contracts of insurance, throughout Canada and elsewhere, with any person against loss or damage by fire, or lightning, in or to any house, dwelling, store, factory, mill or other building whatsoever, or to any goods, chattels, bridges, railway plants or personal estate whatsoever, for such time, for such premiums or considerations and with such modifications, restrictions and conditions as are agreed upon between the new Company and the insured; and, generally, may carry on the business of fire insurance in all its branches and forms.

Fire insurance

Accident insurance.

2. The new Company may also make and effect contracts of insurance with any person against any accident or casualty, of whatever nature or from whatever cause arising, to individuals whereby the insured suffers loss or injury or is disabled, or, in case of death from accident or casualty, securing to the representative of the person assured the payment of a certain sum of money upon such terms and conditions as are agreed upon;

and, generally, may carry on the business of accident insurance as defined by *The Insurance Act*.

Re-insurance.

3. The new Company may also cause itself to be insured against any risk it may have undertaken in the course of its business.

Re-insurance.

4. The new Company may also undertake the re-insurance of the risks of other Companies.

Power to hold real property.

Limitation.

12. The new Company may acquire and hold any real property required in part or wholly for its use or accommodation, and may dispose thereof when necessary, but the annual value of such property held in any province of Canada shall not exceed five thousand dollars, except in the province of Ontario, where it shall not exceed ten thousand dollars.

Commencement of business.

Fire.

13. The new Company shall not commence the business of fire insurance authorized by this Act until the subscribed capital of the new Company has been increased from two hundred and twelve thousand four hundred dollars, being the sum to which the present subscribed capital of the old Company is reduced by virtue of section 3 of this Act, to at least two hundred and fifty thousand dollars, and there has been paid thereon, in addition to the sum of twenty one thousand two hundred and forty dollars, being the amount over and above twenty-five dollars per share paid on the issued shares of the old Company which may be credited as paid on the fifty dollar shares of the new Company, at least the sum of seventy-eight thousand seven hundred and sixty dollars in cash into the funds of the new Company to be appropriated only for the purposes of the new Company under this Act.

Accident.

2. The new Company shall not commence the business of accident insurance as provided for under this Act until its subscribed capital has been increased to at least four hundred thousand dollars, and a further and additional amount of fifty thousand dollars has been paid thereon in cash into the funds of the new Company to be appropriated only for the purposes of the new Company under this Act.

Ascertainment of payments of capital.

3. No subscription to the capital stock upon which less than ten per cent has been paid in cash shall be reckoned as part of the capital stock of the new Company required to be subscribed under this Act.

Ascertainment of payments of capital.

4. The amount paid in cash by any shareholder of the new Company which is less than ten per cent of the amount subscribed for by him shall not be reckoned as part of the several sums required to be paid under subsections 1 and 2 of this section.

Further annual payments.

14. In each year for five years after the issue of a license to the new Company under *The Insurance Act* a sum of fifteen thousand dollars shall be paid annually in cash upon the capital

stock of the new Company, which sums shall be in addition to the sums required to be paid under section 13 of this Act.

Bringing of this Act into force by approval of shareholders of old company.

15. This Act shall not take effect unless and until accepted and approved of by resolution passed by a vote of not less than two-thirds in value of the shareholders of the old Company present or represented by proxy at a special general meeting of the old Company duly called for the purpose of considering this Act; and, if so accepted and approved of, this Act shall come into force upon a subsequent day to be fixed for that purpose by the said resolution.

Notice thereof

2. Notice of such acceptance and approval and of the day so fixed, shall be published by the new Company in *The Canada Gazette*.

Application of R.S., c. 79.

16. Notwithstanding anything in *The Companies Act*, Part II thereof, except sections 125, 134, 135, 141, 158, 159 and 165 thereof, shall apply to the new Company, in so far as the said Part is not inconsistent with any of the provisions of *The Insurance Act*, or of any general Act relating to insurance passed during the present session of Parliament, or of this Act.

R.S., c. 34.

Application of Insurance Act.

R.S., c. 34

Conflicting provisions

17. This Act, and the new Company hereby incorporated, and the exercise of the powers hereby conferred, shall be subject to the provisions of *The Insurance Act* and of any general Act relating to insurance passed during the present session of Parliament; and in any respect in which this Act is inconsistent with those Acts the latter shall prevail.

1st Session, 11th Parliament, 9 Edward VII. 1909.

THE SENATE OF CANADA.

BILL JJ.

An Act respecting Mexican Transportation Company, Limited and to change its name to "Mexican Northwestern Railway Company."

WHEREAS Mexican Transportation Company, Limited, has by its petition, represented that it is incorporated under *The Companies Act*, chapter 79 of *The Revised Statutes of Canada, 1906*, and has prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:— Preamble. R.S., c. 79.

1. The name of the said Company, hereinafter called "the Company" is changed to "Mexican Northwestern Railway Company," but such change of name shall not in any way impair, alter or affect the rights or liabilities of the Company, nor in anywise affect any suit or proceeding now pending, or judgment existing, either by, or in favour of, or against the Company, which, notwithstanding such change in the name of the Company, may be prosecuted, continued, completed and enforced as if this Act had not been passed. Name changed. Existing rights not affected.

2. Subject to the laws in force in the Republic of Mexico, and with such legislative, governmental, municipal or other authority, concession, license or consent as is necessary, the Company may, within the Republic of Mexico, survey, lay out, construct, complete, equip, maintain, and operate, and from time to time extend, remove and change as required, double or single iron or steel railways and branches, side tracks, turn-outs, and appurtenances and tramways for the passage of cars, carriages and other vehicles adapted thereto, upon and along streets, highways and other public places, and upon and along lands purchased leased or otherwise acquired by the Company; also telegraph and telephone lines and works in connection therewith; and allow the use of the said railways and other works by lease, license or otherwise for reward; and take, transmit and carry for reward telegrams, messages, passengers and freight, including mails, express and other freight upon or by means thereof, by steam, pneumatic, electric or other power, or by a combination of them or any of them; and also may there acquire, by purchase, lease or otherwise, upon such terms and conditions as are agreed upon, and maintain and operate for reward, any existing or future lines of railway, tramway, telegraph and telephone; and for all or any of the purposes Company authorized to acquire powers in Republic of Mexico. Railways. Tramways. Telegraphs. Telephones. Carriers. Acquisition of properties of other companies.

aforesaid, the Company may enter into and carry out such contracts, concessions and agreements as it thinks necessary.

Issue of share warrants.

3. The Company may, with respect to any share which is fully paid up, issue under its common seal a warrant stating that the bearer of the warrant is entitled to the share or shares therein specified, and may provide, by coupons or otherwise, for the payment of the future dividends on the share or shares included in such warrant, hereinafter referred to as a "share warrant."

Effect of share warrant.

4. A share warrant shall entitle the bearer of such warrant to the shares specified in it, and such shares may be transferred by the delivery of the share warrant.

Surrender and cancellation entitle to entry as shareholder.

Liability of Company for entry without cancellation.

5. The bearer of a share warrant shall, subject to the conditions to be determined by the directors as hereinafter provided, be entitled, on surrendering such warrant for cancellation, to have his name entered as a shareholder in the books of the Company, and the Company shall be responsible for any loss incurred by any person by reason of the Company entering in its books the name of any bearer of a share warrant in respect of the shares specified therein without the share warrant being surrendered and cancelled.

To what extent bearer is to be deemed shareholder.

R.S., c. 79.

Warrant will not qualify bearer as a director.

6. The bearer of a share warrant, may, if the directors so determine, be deemed to be a shareholder of the Company within the meaning of *The Companies Act,* either to the full extent or for such purposes as is prescribed by the directors: Provided that the bearer of a share warrant shall not be qualified in respect of the shares specified in such warrant for being a director of the Company.

Particulars to be entered in register.

7. On the issue of a share warrant in respect of any share or shares, the Company shall strike out of its books the name of the shareholder then entered therein as holding such share or shares as if he had ceased to be a shareholder, and shall enter in the register the following particulars:—

(*a*) the fact of the issue of the warrant;

(*b*) a statement of the share or shares included in the warrant;

(*c*) the date of the issue of the warrant;

Date of surrender to be entered.

R.S., c.79, ss. 89, 90.

and until the warrant is surrendered the above particulars shall be deemed to be the particulars which are required, by sections 89 and 90 of *The Companies Act,* to be entered in the books of the Company in respect of such share or shares; and on the surrender of a warrant the date of such surrender shall be entered as if it were the date at which a person ceased to be a shareholder.

Directors may vary conditions of issue.

8. The directors may determine, and from time to time vary, the conditions upon which share warrants shall be issued, and in particular upon which a new share warrant or coupon will be issued in the place of one worn out, defaced, lost or destroyed, and the conditions upon which the bearer of a share warrant shall be entitled to attend and vote at general meetings, and upon which a share warrant may be surrendered and the

name of the holder entered in the books of the Company in respect of the shares therein specified. Unless the bearer of a share warrant is entitled to attend and vote at general meetings, the shares represented by such warrant shall not be counted as part of the stock of the Company for the purposes of a general meeting. The holder of a share warrant shall be subject to the conditions for the time being in force, whether made before or after the issue of such warrant.

Company may guarantee securities of other corporations controlled by it.

9. The Company may guarantee the payment of the principal and interest, or any part thereof, of bonds, debenture stock, or other securities or evidences of indebtedness of any corporation the majority of whose capital stock is held or controlled by the Company; such guarantee may be signed by the officer duly authorized in that behalf, and may be in the form set out in the schedule hereto or to the like effect; and the Company shall be liable to the holder from time to time of the bond or other security so guaranteed, in accordance with the terms of such guarantee.

SCHEDULE.

Payment of the principal and interest (*or as the case may be*) of the within bond (*or as the case may be*) in accordance with the tenor thereof (*or as the case may be*) is hereby guaranteed by Mexican Northwestern Railway Company, (*here may be set out any special terms or conditions of the guarantee.*)

For

MEXICAN NORTHWESTERN RAILWAY COMPANY.

President (*or other officer duly authorised*).

1st Session, 11th Parliament, 9 Edward VII., 1909

THE SENATE OF CANADA.

BILL

JJ

An Act respecting Mexican Transportation Company, Limited and to change its name to "Mexican Northwestern Railway Company."

Received and read a first time,

Friday, 2nd April, 1909.

Second reading,

Wednesday, 7th April, 1909.

Honourable Mr. RILEY.

OTTAWA
Printed by C. H. PARMELEE
Printer to the King's most Excellent Majesty
1909

BILL AS PASSED APRIL 30, 1909.

THE SENATE OF CANADA.

BILL JJ.

An Act respecting Mexican Transportation Company, Limited and to change its name to "Mexico Northwestern Railway Company."

WHEREAS Mexican Transportation Company, Limited, has by its petition, represented that it is incorporated under *The Companies Act*, chapter 79 of *The Revised Statutes of Canada, 1906*, and has prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:- Preamble. R.S., c. 79.

1. The name of the said Company, hereinafter called "the Company" is changed to "Mexico Northwestern Railway Company," but such change of name shall not in any way impair, alter or affect the rights or liabilities of the Company, nor in anywise affect any suit or proceeding now pending, or judgment existing, either by, or in favour of, or against the Company, which, notwithstanding such change in the name of the Company, may be prosecuted, continued, completed and enforced as if this Act had not been passed. Name changed. Existing rights not affected.

2. Subject to the laws in force in the Republic of Mexico, and with such legislative, governmental, municipal or other authority, concession, license or consent as is necessary, the Company may, within the Republic of Mexico, survey, lay out, construct, complete, equip, maintain, and operate, and from time to time extend, remove, and change as required, double or single iron or steel railways and branches, side tracks, turn-outs, and appurtenances and tramways for the passage of cars, carriages and other vehicles adapted thereto, upon and along streets, highways and other public places, and upon and along lands purchased, leased, or otherwise acquired by the Company; also telegraph and telephone lines and works in connection therewith; and allow the use of the said railways and other works by lease, license or otherwise for reward; and take, Company authorized to acquire powers in Republic of Mexico. Railways. Tramways. Telegraphs. Telephones.

Carriers.

transmit, and carry for reward telegrams, messages, passengers and freight, including mails, express, and other freight upon or by means thereof, by steam, pneumatic, electric or other power, or by a combination of them or any of them; and also may there acquire, by purchase, lease or otherwise, upon such terms and conditions as are agreed upon, and maintain, and operate for reward, any existing or future lines of railway, tramway, telegraph and telephone; and for all or any of the purposes aforesaid, the Company may enter into and carry out such contracts, concessions and agreements as it thinks necessary.

Acquisition of properties of other companies.

Issue of share warrants.

3. The Company may, with respect to any share which is fully paid up, issue under its common seal a warrant stating that the bearer of the warrant is entitled to the share or shares therein specified, and may provide, by coupons or otherwise, for the payment of the future dividends on the share or shares included in such warrant, hereinafter referred to as a "share warrant."

Effect of share warrant.

4. A share warrant shall entitle the bearer of such warrant to the shares specified in it, and such shares may be transferred by the delivery of the share warrant.

Surrender and cancellation entitle to entry as shareholder.

Liability of Company for entry without cancellation.

5. The bearer of a share warrant shall, subject to the conditions to be determined by the directors as hereinafter provided, be entitled, on surrendering such warrant for cancellation, to have his name entered as a shareholder in the books of the Company, and the Company shall be responsible for any loss incurred by any person by reason of the Company entering in its books the name of any bearer of a share warrant in respect of the shares specified therein without the share warrant being surrendered and cancelled.

To what extent bearer is to be deemed shareholder.

R.S., c. 79.

Warrant will not qualify bearer as a director.

6. The bearer of a share warrant, may, if the directors so determine, be deemed to be a shareholder of the Company within the meaning of *The Companies Act*, either to the full extent or for such purposes as is prescribed by the directors: Provided that the bearer of a share warrant shall not be qualified in respect of the shares specified in such warrant for being a director of the Company.

Particulars to be entered in register.

7. On the issue of a share warrant in respect of any share or shares, the Company shall strike out of its books the name of the shareholder then entered therein as holding such share or shares as if he had ceased to be a shareholder, and shall enter in the register the following particulars:—

(*a*) the fact of the issue of the warrant;

(*b*) a statement of the share or shares included in the warrant;

(*c*) the date of the issue of the warrant;

Date of surrender to be entered.

and until the warrant is surrendered the above particulars shall be deemed to be the particulars which are required, by

sections 89 and 90 of *The Companies Act*, to be entered in the books of the Company in respect of such share or shares; and on the surrender of a warrant the date of such surrender shall be entered as if it were the date at which a person ceased to be a shareholder. R.S., c.79, ss. 89, 90.

8. The directors may determine, and from time to time vary, the conditions upon which share warrants shall be issued, and in particular upon which a new share warrant or coupon will be issued in the place of one worn out, defaced, lost or destroyed, and the conditions upon which the bearer of a share warrant shall be entitled to attend and vote at general meetings, and upon which a share warrant may be surrendered and the name of the holder entered in the books of the Company in respect of the shares therein specified. Unless the bearer of a share warrant is entitled to attend and vote at general meetings, the shares represented by such warrant shall not be counted as part of the stock of the Company for the purposes of a general meeting. The holder of a share warrant shall be subject to the conditions for the time being in force, whether made before or after the issue of such warrant. Directors may vary conditions of issue.

9. The Company may guarantee the payment of the principal and interest, or any part thereof, of bonds, debenture stock, or other securities or evidences of indebtedness of any corporation the majority of whose capital stock is held or controlled by the Company; such guarantee may be signed by the officer duly authorized in that behalf, and may be in the form set out in the schedule hereto or to the like effect; and the Company shall be liable to the holder from time to time of the bond or other security so guaranteed, in accordance with the terms of such guarantee. Company may guarantee securities of other corporations controlled by it.

SCHEDULE.

Payment of the principal and interest (*or as the case may be*) of the within bond (*or as the case may be*) in accordance with the tenor thereof (*or as the case may be*) is hereby guaranteed by Mexican Northwestern Railway Company, (*here may be set out any special terms or conditions of the guarantee.*)

For

MEXICAN NORTHWESTERN RAILWAY COMPANY.

President (*or other officer duly authorised*).

1st Session, 11th Parliament, 9 Edward VII. 1909.

THE SENATE OF CANADA.

BILL KK.

An Act for the relief of Mildred Gwendolyn Platt Patterson.

Preamble.

WHEREAS Mildred Gwendolyn Platt Patterson, presently residing at the city of Toronto, in the province of Ontario, wife of Charles Colebrooke Patterson, of the city of Ottawa, in the province of Ontario, has by her petition alleged, in effect, that they were lawfully married on the first day of September, A.D. 1902, at the city of Ottawa, in the province of Ontario, she then being Mildred Gwendolyn Platt Church, spinster; that the legal domicile of the said Charles Colebrooke Patterson was then and is now in Canada; that at the city of Ogdensburg, in the state of New York, one of the United States of America, on or about the fourth and fifth days of July, A.D. 1908, he committed adultery; that she has not connived at nor condoned the said adultery; that there has been no collusion, directly or indirectly, between him and her in the proceedings for divorce; and whereas by her petition she has prayed for the passing of an Act dissolving her said marriage, authorizing her to marry again, and affording her such other relief as is deemed meet; and whereas the said allegations have been proved, and it is expedient that the prayer of her petition be granted: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Marriage dissolved.

1. The said marriage between Mildred Gwendolyn Platt Church and Charles Colebrooke Patterson, her husband, is hereby dissolved, and shall be henceforth null and void to all intents and purposes whatsoever.

Right to marry again.

2. The said Mildred Gwendolyn Platt Church may at any time hereafter marry any man whom she might lawfully marry if the said marriage with the said Charles Colebrooke Patterson had not been solemnized.

1st Session, 11th Parliament, 9 Edward VII., 1909

THE SENATE OF CANADA.

BILL.

KK

An Act for the relief of Mildred Gwendolyn Platt Patterson.

Received and read a first time,

Tuesday, 6th April, 1909.

Second reading,

Wednesday, 7th April, 1909.

Honourable Mr. JONES.

OTTAWA
Printed by C. H. PARMELEE
Printer to the King's most Excellent Majesty
1909

BILL AS PASSED APRIL 7, 1909.

THE SENATE OF CANADA.

BILL KK.

An Act for the relief of Mildred Gwendolyn Platt Patterson.

Preamble.

WHEREAS Mildred Gwendolyn Platt Patterson, presently residing at the city of Toronto, in the province of Ontario, wife of Charles Colebrooke Patterson, of the city of Ottawa, in the province of Ontario, has by her petition alleged, in effect, that they were lawfully married on the first day of September, A.D. 1902, at the city of Ottawa, in the province of Ontario, she then being Mildred Gwendolyn Platt Church, spinster; that the legal domicile of the said Charles Colebrooke Patterson was then and is now in Canada; that at the city of Ogdensburg, in the state of New York, one of the United States of America, on or about the fourth and fifth days of July, A.D. 1908, he committed adultery; that she has not connived at nor condoned the said adultery; that there has been no collusion, directly or indirectly, between him and her in the proceedings for divorce; and whereas by her petition she has prayed for the passing of an Act dissolving her said marriage, authorizing her to marry again, and affording her such other relief as is deemed meet; and whereas the said allegations have been proved, and it is expedient that the prayer of her petition be granted: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Marriage dissolved.

1. The said marriage between Mildred Gwendolyn Platt Church and Charles Colebrooke Patterson, her husband, is hereby dissolved, and shall be henceforth null and void to all intents and purposes whatsoever.

Right to marry again.

2. The said Mildred Gwendolyn Platt Church may at any time hereafter marry any man whom she might lawfully marry if the said marriage with the said Charles Colebrooke Patterson had not been solemnized.

1st Sess., 11th Parliament, 9 Edward VII, 1909.

THE SENATE OF CANADA.

BILL LI.

An Act for the relief of Charles Bowerbank Lowndes.

Preamble.

WHEREAS Charles Bowerbank Lowndes, of the city of Toronto, in the province of Ontario, manufacturer, has by his petition alleged, in effect, that on the twenty-third day of April, A.D. 1895, at the city of Cincinnati, in the state of Ohio, one of the United States of America, he was lawfully married to Lulu Anna Henderson; that his legal domicile was then and is now in Canada; that in or about the month of June, A.D. 1905, she deserted him and went to the city of Detroit, in the state of Michigan, one of the said United States; that on the second day of October, A.D. 1906, at the city of Chicago, in the state of Illinois, one of the said United States, she went through a form of marriage with one K. Franklin Peterson, with whom she has since lived, as wife with husband, and was on the first day of March, A.D. 1909, so living at the said city of Chicago; that he has not connived at nor condoned the said offence; that there has been no collusion, directly or indirectly, between him and her in the proceedings for divorce; and whereas by his petition he has prayed for the passing of an Act dissolving his said marriage, authorizing him to marry again, and affording him such other relief as is deemed meet; and whereas the said allegations have been proved, and it is expedient that the prayer of his petition be granted: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Marriage dissolved.

1. The said marriage between Charles Bowerbank Lowndes and Lulu Anna Henderson, his wife, is hereby dissolved, and shall be henceforth null and void to all intents and purposes whatsoever.

Right to marry again.

2. The said Charles Bowerbank Lowndes may at any time hereafter marry any woman whom he might lawfully marry if the said marriage with the said Lulu Anna Henderson had not been solemnized.

1st Session, 11th Parliament, 9 Edward VII., 1909

THE SENATE OF CANADA.

BILL

LL

An Act for the relief of Charles Bowerbank Lowndes.

Received and read a first time,

Tuesday, 6th April, 1909,

Second reading,

Wednesday, 7th April, 1909.

Honourable Mr. CAMPBELL.

OTTAWA
Printed by C. H. PARMELEE
Printer to the King's most Excellent Majesty
1909

BILL AS PASSED APRIL 7, 1909.

THE SENATE OF CANADA.

BILL LL.

An Act for the relief of Charles Bowerbank Lowndes.

Preamble. WHEREAS Charles Bowerbank Lowndes, of the city of Toronto, in the province of Ontario, manufacturer, has by his petition alleged, in effect, that on the twenty-third day of April, A.D. 1895, at the city of Cincinnati, in the state of Ohio, one of the United States of America, he was lawfully married to Lulu Anna Henderson; that his legal domicile was then and is now in Canada; that in or about the month of June, A.D. 1905, she deserted him and went to the city of Detroit, in the state of Michigan, one of the said United States; that on the second day of October, A.D. 1906, at the city of Chicago, in the state of Illinois, one of the said United States, she went through a form of marriage with one K. Franklin Peterson, with whom she has since lived, as wife with husband, and was on the first day of March, A.D. 1909, so living at the said city of Chicago; that he has not connived at nor condoned the said offence; that there has been no collusion, directly or indirectly, between him and her in the proceedings for divorce; and whereas by his petition he has prayed for the passing of an Act dissolving his said marriage, authorizing him to marry again, and affording him such other relief as is deemed meet; and whereas the said allegations have been proved, and it is expedient that the prayer of his petition be granted: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Marriage dissolved. **1.** The said marriage between Charles Bowerbank Lowndes and Lulu Anna Henderson, his wife, is hereby dissolved, and shall be henceforth null and void to all intents and purposes whatsoever.

Right to marry again. **2.** The said Charles Bowerbank Lowndes may at any time hereafter marry any woman whom he might lawfully marry if the said marriage with the said Lulu Anna Henderson had not been solemnized.

1st Session, 11th Parliament, 9 Edward VII. 1909.

THE SENATE OF CANADA.

BILL MM.

An Act for the relief of Isaac Moore.

Preamble.

WHEREAS Isaac Moore, of the city of Toronto, in the province of Ontario, teamster, has by his petition alleged, in effect, that on the seventh day of August, A.D. 1893, at the said city of Toronto, he was lawfully married to Mary Ellen Terry, that she was then of the said city of Toronto, a spinster; that his legal domicile was then and is now in Canada; that at the city of Hamilton, in the province of Ontario, in or about the month of June, A.D. 1904, she committed adultery with one Richard L. Hammond; that he has not connived at nor condoned the said adultery; that there has been no collusion, directly or indirectly, between him and her in the proceedings for divorce; and whereas by his petition he has prayed for the passing of an Act dissolving his said marriage, authorizing him to marry again, and affording him such other relief as is deemed meet; and whereas the said allegations have been proved, and it is expedient that the prayer of his petition be granted: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Marriage dissolved.

1. The said marriage between Isaac Moore and Mary Ellen Terry, his wife, is hereby dissolved, and shall be henceforth null and void to all intents and purposes whatsoever.

Right to marry again.

2. The said Isaac Moore may at any time hereafter marry any woman whom he might lawfully marry if the said marriage with the said Mary Ellen Terry had not been solemnized.

1st Session, 11th Parliament, 9 Edward VII., 1909

THE SENATE OF CANADA.

BILL

MM

An Act for the relief of Isaac Moore.

Received and read a first time,

Tuesday, 6th April, 1909.

Second reading,

Wednesday, 7th April, 1909.

Honourable Mr. CAMPBELL.

OTTAWA
Printed by C. H. PARMELEE
Printer to the King's most Excellent Majesty
1909

BILL AS PASSED APRIL 7, 1909.

THE SENATE OF CANADA.

BILL MM.

An Act for the relief of Isaac Moore.

Preamble. WHEREAS Isaac Moore, of the city of Toronto, in the province of Ontario, teamster, has by his petition alleged, in effect, that on the seventh day of August, A.D. 1893, at the said city of Toronto, he was lawfully married to Mary Ellen Terry, that she was then of the said city of Toronto, a spinster; that his legal domicile was then and is now in Canada; that at the city of Hamilton, in the province of Ontario, in or about the month of June, A.D. 1904, she committed adultery with one Richard L. Hammond; that he has not connived at nor condoned the said adultery; that there has been no collusion, directly or indirectly, between him and her in the proceedings for divorce; and whereas by his petition he has prayed for the passing of an Act dissolving his said marriage, authorizing him to marry again, and affording him such other relief as is deemed meet; and whereas the said allegations have been proved, and it is expedient that the prayer of his petition be granted: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Marriage dissolved. **1.** The said marriage between Isaac Moore and Mary Ellen Terry, his wife, is hereby dissolved, and shall be henceforth null and void to all intents and purposes whatsoever.

Right to marry again. **2.** The said Isaac Moore may at any time hereafter marry any woman whom he might lawfully marry if the said marriage with the said Mary Ellen Terry had not been solemnized.

1st Session, 11th Parliament, 9 Edward VII. 1909.

THE SENATE OF CANADA.

BILL NN.

An Act to confer on the Commissioner of Patents certain powers for the relief of Washington R. McCloy.

Preamble.

WHEREAS Washington R. McCloy, having his chief place of business at the city of Elwood, county of Madison, in the state of Indiana, one of the United States of America, has by his petition represented that on October 21st, 1902, he was granted letters patent, number 77,901, under the seal of the Patent Office, for a machine for finishing glassware; that on or before the expiration of the six years of the said letters patent, which were granted for a term of eighteen years (only a partial fee for the first six years being paid upon the issue thereof), he was entitled upon application therefor to a certificate of payment of the renewal fee as provided by section 23 of *The Patent Act;* that he duly remitted, in the month of September, 1908, the sum of twenty-two dollars and fifty cents to a responsible firm of patent solicitors at Ottawa; that on October 2nd, 1908, Mr. Lloyd Blackmore, on behalf of the said firm, wrote to him as follows:—

R.S., 1906, c. 69, s. 23.

"We are paying this fee at the Patent Office, and will receive the certificate in the course of a day or so, when we will immediately forward the same to you;"

that the record of the receipt of this fee was inadvertently mislaid in the office of the said firm, and the mistake was not discovered until October 22nd, 1908; that the said fee was then tendered to the Patent Office, and, under the rules of the Patent Office, was rejected as being too late; that the said Washington R. McCloy again wrote to the said firm, not having received his certificate, and asked the reason of the delay, and in no way neglected his part in the matter; that the said Washington R. McCloy was attentive in his efforts to fulfill the requirements of the law, and was careful in his choice of agents; that the said Washington R. McCloy relied on the said agents and therefore that the said Washington R. McCloy was an innocent party to the neglect; and whereas the said Washington R. McCloy has petitioned for an Act authorizing the Commissioner of Patents to receive his application and fee for the second term of six years of the eighteen years for which the said letters patent were conditionally granted, and to issue the certificate of payment of said fee provided by *The Patent Act*, and it is expedient to grant the prayer of the said petitioner: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Power to Commissioner of Patents to receive fee and extend duration of patent.

1. Notwithstanding anything to the contrary in *The Patent Act*, or in the said letters patent, the Commissioner of Patents may receive from Washington R. McCloy, the application for a certificate of payment and the usual fees therefor upon the said letters patent for the second term of six years of the eighteen years of the said letters patent, and may grant and issue to the said Washington R. McCloy, the certificate of payment of fees provided for by *The Patent Act*, and an extension of the period of duration of the said letters patent to the term of twelve years, in as full and ample a manner as if application therefor has been duly made within six years from the date of the issue of the said letters patent.

R.S., c. 69, s. 23.

Certain rights saved.

2. If any person has, in the period between the 21st October, 1908, and the 23rd February, 1909, commenced to manufacture, use or sell, in Canada, the invention covered by the said letters patent, such person may continue to manufacture, use or sell such invention in as full and ample a manner as if this Act had not been passed.

1st Session, 11th Parliament, 9 Edward VII., 1909

THE SENATE OF CANADA.

BILL

NN

An Act to confer on the Commissioner of Patents certain powers for the relief of Washington R. McCloy.

First reading,

Tuesday, 6th April, 1909.

Second reading,

Wednesday, 7th April, 1909.

Honourable Mr. McHUGH.

OTTAWA
Printed by C. H. PARMELEE
Printer to the King's most Excellent Majesty
1909

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BILL AS PASSED APRIL 30, 1909.

THE SENATE OF CANADA.

BILL NN.

An Act respecting the Patents of Washington R. McCloy.

WHEREAS Washington R. McCloy, having his chief place of business at the city of Elwood, county of Madison, in the state of Indiana, one of the United States of America, has by his petition represented that on October 21st, 1902, he was granted letters patent, number 77,901, under the seal of the Patent Office, for a machine for finishing glassware; that on or before the expiration of the six years of the said letters patent, which were granted for a term of eighteen years (only a partial fee for the first six years being paid upon the issue thereof), he was entitled upon application therefor to a certificate of payment of the renewal fee as provided by section 23 of *The Patent Act;* that he duly remitted, in the month of September, 1908, the sum of twenty-two dollars and fifty cents to a responsible firm of patent solicitors at Ottawa; that on October 2nd, 1908, Mr. Lloyd Blackmore, on behalf of the said firm, wrote to him as follows:— Preamble. R.S., 1906, c. 69, s. 23.

"We are paying this fee at the Patent Office, and will receive the certificate in the course of a day or so, when we will immediately forward the same to you;"

that the record of the receipt of this fee was inadvertently mislaid in the office of the said firm, and the mistake was not discovered until October 22nd, 1908; that the said fee was then tendered to the Patent Office, and, under the rules of the Patent Office, was rejected as being too late; that the said Washington R. McCloy again wrote to the said firm, not having received his certificate, and asked the reason of the delay, and in no way neglected his part in the matter; that the said Washington R. McCloy was attentive in his efforts to fulfill the requirements of the law, and was careful in his choice of agents; that the said Washington R. McCloy relied on the said agents and therefore that the said Washington R. McCloy was an innocent party to the neglect; and whereas the said Washington R. McCloy has petitioned for an Act authorizing the Commissioner of Patents to receive his application and fee for the second term of six

years of the eighteen years for which the said letters patent were conditionally granted, and to issue the certificate of payment of said fee provided by *The Patent Act*, and it is expedient to grant the prayer of the said petitioner: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Power to Commissioner of Patents to receive fee and extend duration of patent.

1. Notwithstanding anything to the contrary in *The Patent Act*, or in the said letters patent, the Commissioner of Patents may receive from Washington R. McCloy the application for a certificate of payment and the usual fees therefor upon the said letters patent for the second term of six years of the eighteen years of the said letters patent, and may grant and issue to the said Washington R. McCloy the certificate of payment of fees provided for by *The Patent Act*, and an extension of the period of duration of the said letters patent to the term of twelve years, in as full and ample a manner as if application therefor had been duly made within six years from the date of the issue of the said letters patent.

R.S., c. 69, s. 23.

Certain rights saved.

2. If any person has, in the period between the 21st October, 1908, and the 23rd February, 1909, commenced to manufacture, use or sell, in Canada, the invention covered by the said letters patent, such person may continue to manufacture, use or sell such invention in as full and ample a manner as if this Act had not been passed.

1st Session, 11th Parliament, 9 Edward VII. 1909.

THE SENATE OF CANADA.

BILL OO.

An Act for the relief of John Denison Smith.

Preamble.

WHEREAS John Denison Smith, of the town of Richmond, in the province of Quebec, has by his petition alleged, in effect, that on the twentieth day of September, A.D. 1898, at the city of Montreal, in the said province, he was lawfully married to May Stephen; that she was then of the city of Sorel, in the said province, a spinster; that his legal domicile was then and is now in Canada; that in or about the month of September, A.D. 1905, she deserted him; that on the twentieth day of April, A.D. 1908, at the town of Brighton, in the state of Vermont, one of the United States of America, she went through a form of marriage with one Edmund F. Cleveland, with whom she has since lived in adultery at the said town of Richmond; that he has not connived at nor condoned the said adultery; that there has been no collusion, directly or indirectly, between him and her in the proceedings for divorce; and whereas by his petition he has prayed for the passing of an Act dissolving his said marriage, authorizing him to marry again, and affording him such other relief as is deemed meet; and whereas the said allegations have been proved, and it is expedient that the prayer of his petition be granted: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Marriage dissolved.

1. The said marriage between John Denison Smith and May Stephen, his wife, is hereby dissolved, and shall be henceforth null and void to all intents and purposes whatsoever.

Right to marry again.

2. The said John Denison Smith may at any time hereafter marry any woman whom he might lawfully marry if the said marriage with the said May Stephen had not been solemnized.

1st Session, 11th Parliament, 9 Edward VII., 1909

THE SENATE OF CANADA.

BILL

00

An Act for the relief of John Denison Smith.

Received and read a first time,

Wednesday, 7th April, 1909.

Second reading,

Wednesday, 21st April, 1909.

Honourable Mr. MITCHELL,

OTTAWA
Printed by C. H. PARMELEE
Printer to the King's most Excellent Majesty
1909

BILL AS PASSED APRIL 22, 1909.

THE SENATE OF CANADA.

BILL OO.

An Act for the relief of John Denison Smith.

Preamble.

WHEREAS John Denison Smith, of the town of Richmond, in the province of Quebec, has by his petition alleged, in effect, that on the twentieth day of September, A.D. 1898, at the city of Montreal, in the said province, he was lawfully married to May Stephen; that she was then of the city of Sorel, in the said province, a spinster; that his legal domicile was then and is now in Canada; that in or about the month of September, A.D. 1905, she deserted him; that on the twentieth day of April, A.D. 1908, at the town of Brighton, in the state of Vermont, one of the United States of America, she went through a form of marriage with one Edmund F. Cleveland, with whom she has since lived in adultery at the said town of Richmond; that he has not connived at nor condoned the said adultery; that there has been no collusion, directly or indirectly, between him and her in the proceedings for divorce; and whereas by his petition he has prayed for the passing of an Act dissolving his said marriage, authorizing him to marry again, and affording him such other relief as is deemed meet; and whereas the said allegations have been proved, and it is expedient that the prayer of his petition be granted: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Marriage dissolved.

1. The said marriage between John Denison Smith and May Stephen, his wife, is hereby dissolved, and shall be henceforth null and void to all intents and purposes whatsoever.

Right to marry again.

2. The said John Denison Smith may at any time hereafter marry any woman whom he might lawfully marry if the said marriage with the said May Stephen had not been solemnized.

1st Session, 11th Parliament, 9 Edward VII. 1909.

THE SENATE OF CANADA.

BILL PP.

An Act respecting The Royal Victoria Life Insurance Company and to change its name to Royal Life Insurance Company of Canada.

Preamble.

WHEREAS The Royal Victoria Life Insurance Company has by its petition prayed that it be enacted as hereinafter set forth and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

1897, c. 81.

1907, c. 126.

1897, c. 81, s. 7 repealed and new provisions.

Board of directors.

1. Section 7 of chapter 81 of the statutes of 1897 is hereby repealed and in lieu thereof it is hereby enacted that the affairs of the Company shall be managed by a board of not less than seven or more than twenty-five directors, of whom a majority shall be a quorum.

1907, c. 126, s. 3 repealed.

2. Section 3 of chapter 126 of the statutes of 1907 is hereby repealed.

1907, c. 126, s. 4 amended.

New provision as to liability of shareholders in respect of reduced shares.

3. The following subsections are hereby added to section 4 of the said chapter 126 as subsections 2, 3 and 4 thereof:—

"2. Until the full amount so available has been subscribed and issued and twenty per cent has been paid thereon, to be applied as in the next succeeding subsection specified, the liability of the shareholders shall remain the same as if no reduction had been made in the subscribed capital or in the amount paid up thereon and shall not be affected thereby, but so soon as the said stock has been subscribed and issued and twenty per cent has been paid thereon as aforesaid, the liability upon the shares issued prior to such reduction shall be reduced to the amount remaining actually unpaid upon the shares.

"3. Of the twenty per cent paid on the shares mentioned in the next preceding subsection, one half shall be credited as paid upon the shares and the balance shall be treated as a bonus and shall be held as and shall form part of the general funds of the Company.

"4. The said balance may, however, be repaid, but shall be repayable only out of the net profits derived from the business of the Company in the non-participating policies of insurance issued by the Company and out of ten per cent of the net profits derived from the business of the Company in the participating policies of insurance issued by the Company. The ninety per cent of the portion of the profits referred to in section 14 of this Act and set apart as therein mentioned, shall in no case be liable

for. or be charged with, the repayment of the said balance, or of any portion thereof, or of interest thereon; and the said balance shall not, in any case or under any circumstances, form a liability of the Company as against the claims and interests of the policyholders in respect of profits or otherwise."

Company's name changed.

4. The name of the company is hereby changed to "Royal Life Insurance Company of Canada," but such change of name shall not in any way impair, alter or affect any right or obligation of the company, nor in any wise affect any suit or proceeding now pending by or against the company or any existing judgment in favour of or against the company.

1st Session, 11th Parliament, 8-9 Edward VII., 1909

THE SENATE OF CANADA.

BILL

PP

An Act respecting the Royal Victoria Life Insurance Company, and to change its name to Royal Life Insurance Company of Canada.

Received and read a first time,

Wednesday, 21st April, 1909.

Second reading,

Friday, 23rd April, 1909.

Honourable Mr. DAVID.

OTTAWA
Printed by C. H. PARMELEE
Printer to the King's most Excellent Majesty
1909

BILL AS PASSED MAY 5, 1909.

THE SENATE OF CANADA.

BILL PP.

An Act respecting The Royal Victoria Life Insurance Company and to change its name to Royal Victoria Life Insurance Company of Canada.

WHEREAS The Royal Victoria Life Insurance Company has by its petition prayed that it be enacted as hereinafter set forth and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:— Preamble. 1897, c. 81. 1907, c. 126.

1. Section 7 of chapter 81 of the statutes of 1897 is hereby repealed and in lieu thereof it is hereby enacted that the affairs of the Company shall be managed by a board of not less than eight nor more than twenty-four directors, of whom a majority shall be a quorum. 1897, c. 81, s. 7 repealed and new provisions. Board of directors.

2. Section 3 of chapter 126 of the statutes of 1907 is hereby repealed. 1907, c. 126, s. 3 repealed.

3. The following subsections are hereby added to section 4 of the said chapter 126 as subsections 2, 3 and 4 thereof:— 1907, c. 126, s. 4 amended

"2. Until the full amount so available has been subscribed and issued and twenty per cent has been paid thereon, to be applied as in the next succeeding subsection specified, the liability of the shareholders shall remain the same as if no reduction had been made in the subscribed capital or in the amount paid up thereon and shall not be affected thereby, but so soon as the said stock has been subscribed and issued and twenty per cent has been paid thereon as aforesaid, the liability upon the shares issued prior to such reduction shall be reduced to the amount remaining actually unpaid upon the shares. New provision as to liability of shareholders in respect of reduced shares.

"3. Of the twenty per cent paid on the shares mentioned in the next preceding subsection, one half shall be credited as paid upon the shares and the balance shall be treated as a bonus and shall be held as and shall form part of the general funds of the Company.

"4. The said balance may, however, be repaid, but shall be repayable only out of the net profits derived from the business of the Company in the non-participating policies of insurance issued by the Company and out of ten per cent of the net profits derived from the business of the Company in the participating policies of insurance issued by the Company. The ninety per cent of the portion of the profits referred to in section 14 of chapter 81 of the statutes of 1897 and set apart as therein mentioned, shall in no case be liable for. or be charged with, the repayment of the said balance, or of any portion thereof, or of interest thereon; and the said balance shall not, in any case or under any circumstances, form a liability of the Company as against the claims and interests of the policyholders in respect of profits or otherwise."

Company's name changed.

4. The name of the company is hereby changed to "Royal Victoria Life Insurance Company of Canada," but such change of name shall not in any way impair, alter or affect any right or obligation of the company, nor in any wise affect any suit or proceeding now pending by or against the company or any existing judgment in favour of or against the company.

Application of Insurance Acts.

5. This Act, and the exercise of the powers hereby conferred, shall be subject to *The Insurance Act* and to any general Act relating to insurance passed during the present session of Parliament; and in any respect in which this Act is inconsistent with those Acts the latter shall prevail.

1st Session, 11th Parliament, 9 Edward VII. 1909.

THE SENATE OF CANADA.

BILL QQ.

An Act to provide for the incorporation of Railway Companies.

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

1. Any number of persons, not fewer than seven, of the full age of twenty-one years, who desire to be incorporated for the purposes of constructing, maintaining and operating a railway which is within the legislative jurisdiction of the Parliament of Canada, may, by agreement in writing, form themselves into an association for those purposes, and, upon complying with the provisions of this Act, may obtain letters-patent creating them and their successors a corporation with all the powers and privileges, and subject to all the obligations and restrictions, contained in *The Railway Act* and in any other general Act relating to railways. Formation of association. R.S., c. 37.

2. The agreement of association shall contain the following particulars:— Contents of agreement.

(*a*) the proposed name of the corporation, which name shall not be that of any other known company, incorporated or unincorporated, or any name likely to be mistaken therefor, nor otherwise, on grounds of public policy or convenience, objectionable, and shall end with the words "Railway Company;". Name of corporation.

(*b*) the terminal points of the proposed railway, and, as nearly as may be estimated, its length in miles; Termini.

(*c*) the proposed route, with the name of each county, city, town, village, and municipality through, into or near which it is proposed to build the railway; Route.

(*d*) the gauge of the railway, which shall be four feet, eight inches and one-half of an inch; Gauge.

(*e*) the amount of the capital stock of the corporation, which shall not be less than ten thousand dollars for each mile of the estimated length of the railway, and shall be divided into shares of one hundred dollars each; Capital. Shares.

(*f*) the number of shares of capital stock which each associate agrees to take; but an associate shall not be bound by such agreement to pay more than ten per cent upon such shares unless the corporation is duly created; Subscribed shares.

(*g*) the place where the head office of the corporation is to be; Head office.

Provisional directors.

(*h*) the names, residences, occupations and post office addresses of at least seven persons to act as provisional directors. These must be subscribers to the agreement and a majority of them resident in Canada; they may fill any vacancy occurring among their number; and shall appoint a secretary and a treasurer who shall hold office until their successors are appointed by the corporation if created; the same person may be appointed both secretary and treasurer;

Secretary and Treasurer.

(*i*) The name, residence, occupation and post office address of the secretary and of the treasurer of the association.

Execution of agreement.

2. The agreement shall be signed with the full name of and be sealed by each associate, who shall, opposite his signature, state his residence, occupation and post office address, and the place and date of his signature. Each signature shall be duly witnessed by one witness, whose full name, residence and occupation shall be stated.

Notice of agreement.

3. Before proceeding to examine and survey the route of the proposed railway the provisional directors shall cause notice of the agreement of association to be given as follows:—

By publication in official and local newspapers.

(1) By publication of a copy thereof, at least once a week for six consecutive weeks,—

(*a*) in *The Canada Gazette*, and

(*b*) the official Gazette of any province in which the proposed railway or any part thereof is to be constructed; and

(*c*) in at least one newspaper in each city, town or village through, into or near which the proposed railway is to be constructed, and in which there is a newspaper published.

By letter.

(2) By sending by registered letter a copy of the agreement of association to the clerk of each county or district council, and of each city, town, village or other municipal corporation, which may be specially affected by the construction or operation of the proposed railway.

English and French.

2. In the provinces of Quebec and Manitoba, the notice shall be given in both the English and French languages.

Proof.

3. A statutory declaration by the secretary of the association that any provision of this section has been duly complied with shall be *prima facie* proof of such compliance.

Examination and survey.

4. After the notice required by section 3 of this Act has been duly given, the directors may cause an examination and survey of the route of the proposed railway to be made; and for that purpose they or their agents may enter upon any lands along or adjacent to such route, and do all things necessary.

Damages and compensation therefor.

2. In the exercise of the powers granted by this section as little damage as possible shall be done and full compensation shall be made to all persons interested for all damages by the exercise of such powers.

Plan, profile, report and estimate of cost.

5. The provisional directors shall cause to be made by a competent engineer, from actual examination and survey, a plan, profile, report and estimate of cost, on such scales and contain-

ing such information and in such detail, as may be required by regulations in that behalf to be made by the Board of Railway Commissioners for Canada, or as may be required by special order of the Board made when necessary.

Information to be given thereby.

2. The plan, profile, report and estimate shall contain generally all necessary information as to—

(*a*) the character of the country through which the proposed railway is to pass and the feasibility of the proposed route;

(*b*) the proposed gradients;

(*c*) all existing railways and highways to be crossed and the mode of crossing proposed in each case;

(*d*) all rivers and streams to be crossed or diverted, specially distinguishing such as are navigable waters, and giving in each case the nature and estimated cost of the proposed bridge, tunnel, ferry or other means of crossing, or of the proposed diversion;

(*e*) the kind and amount of excavation, embankment, masonry and other sorts of work;

(*f*) full information as to the manner of constructing the proposed railway and the standard to be adopted therefor both as to its construction and equipment;

(*g*) everything necessary to enable the Board of Railway Commissioners for Canada to determine whether the certificate provided for by this Act should be granted by the Board.

Application to Board of Railway Commissioners for certificate.

6. Within twelve months after the last publication of the notice of agreement of association the provisional directors may apply to the Board of Railway Commissioners for Canada for a certificate that the public interest requires that a railway should be constructed as proposed in the agreement of association.

What to be submitted.

2. With such application there shall be submitted to the Board—

(*a*) the original agreement of association, and as many copies thereof as the Board may require;

(*b*) proof, in such form as the Board may require, that the preceding provisions of this Act have been complied with;

(*c*) proof that responsible persons have in good faith subscribed the amount of capital stock required by this Act, and that at least twenty-five per cent on the amount so subscribed has been actually paid in cash into some chartered bank in Canada to the credit of the association to be used only for the purposes of the agreement of association;

(*d*) proof that the necessary notice has been published and given as required by this Act;

(*e*) the plan, profile, report and estimate of cost required by this Act;

(*f*) a statutory declaration, made by at least the majority of the provisional directors and by the secretary of the association, as to the truth of all essentials required by this Act and that it is in good faith intended by the association to locate, construct, maintain, equip and operate the railway on the proposed route.

Powers to Board.

2. The Board may order such further information or proof of any alleged fact to be afforded as in its discretion may be requisite.

Form and verification.

3. Any information or proof required by this Act or by the Board in pursuance of this Act shall be given in such form, and shall be verified in such way, by statutory declaration or otherwise, as the Board may prescribe either by general regulation or by special order.

Requirements for issue of certificate.

7. If the Board is satisfied—

that the requirements of this Act, and of all regulations and orders made under this Act by the Board, have been complied with as regards all matters preliminary to the making of the application and as regards the application; and—

that the amount mentioned in the next preceding section of this Act has been paid in good faith as required by that section, or that such further amount has been so paid as in the opinion of the Board is necessary to pay all damages, immediate or consequential, caused by the laying out or building of the railway or by the taking of any lands or material therefor; and—

that sufficient security has been given, by bond or otherwise, that the said amount shall not be withdrawn for any purposes other than those of the agreement of association; and—

that the construction and operation of the proposed railway will be in the public interest;

Issue of certificate.

the Board shall issue a certificate setting forth that the provisions of this Act have been complied with and recommending that the associates be incorporated under this Act, under such name, with such powers, and subject to such provisions, as the Board may, in pursuance of this Act, determine.

Refusal of certificate.

8. If the Board is not so satisfied, it shall refuse to issue such certificate, but the associates may within one year from such refusal apply again for a certificate.

Matters to be settled by the Board.

9. Before issuing the certificate the Board shall determine all such matters relating to the following subjects as are not provided for by *The Railway Act*—

R.S., c. 37.

Corporators. (*a*) the persons to be incorporated;

Name. (*b*) the corporate name to be given to the corporation;

Directors. (*c*) the provisional directors;

Capital. (*d*) the capital stock;

Head office. (*e*) the head office;

Annual meeting. (*f*) the annual meeting of the corporation;

Route. (*g*) the route of the proposed railway, as to which the Board may impose such conditions and restrictions as the Board deems advisable in the interest of the public or of any municipality.

Municipalities.

The route fixed by the Board may include such lines, branches or spurs within municipalities as may be necessary for carrying on the corporation's business; but no such line, branch or spur shall be located or constructed without the consent of the proper municipal authority, who in giving such consent may impose such conditions and restrictions as to the location, construction or use

thereof as are agreed upon between the provisional directors, or the directors, and the municipal authority; and the corporation shall be liable to the municipality for all damage or loss caused to the municipality by such location, construction or use, or by the negligence or default of the corporation, its agents or workmen;

Issue of securities.

(*h*) the amount of bonds, debentures or other securities which may be issued. This shall be fixed at a certain rate per mile of the railway, and such issue shall be authorized to be made only in proportion to the length of railway constructed or under contract to be constructed, and on the express condition that all moneys realized from such issue shall be used for no other purpose than the construction, equipment, maintenance and operation of the railway, and that if by any court of competent jurisdiction it is found that this condition has not been fulfilled, that court shall order the corporation to pay an amount equal to the moneys so diverted from their proper use, which amount shall be paid into the consolidated revenue fund of Canada;

Agreements with other companies.

(*i*) the other railway companies with which, if it so desires, the corporation may, subject to the provisions of sections 361, 362 and 363 of *The Railway Act*, enter into agreements for any of the purposes specified in section 361 of that Act;

Additional powers.

10. When in the opinion of the Board it would be for the public interest that the powers hereinafter mentioned, or any of them, should be conferred upon the corporation, and that such powers are necessary for the effectual carrying on of the business of the corporation as a common carrier, the Board may also determine whether and to what extent any or all of such powers should be conferred upon the corporation, that is to say, powers for—

Vessels, &c.

(*a*) the acquisition, chartering, maintenance and operation of steam and other vessels in connection with the undertaking of the corporation; and the construction, acquisition and disposal of wharves, docks, elevators, warehouses and all other structures and buildings necessary for such purposes;

Development and utilization of power.

(*b*) the construction, maintenance and operation of structures and works for the development of power of any kind, and for the conversion of power so obtained into any other form of power, heat, light or electricity, and for the utilization of power, heat, light or electricity obtained by such development or conversion, in and for the purposes of the business of the corporation,

Operation of telegraph and telephone lines for public.

(*c*) the operation of the telegraph and telephone lines of the corporation for the transmission of messages for the public; the collection of tolls for such transmission, subject to approval of such tolls by the Board, and to revision thereof from time to time by the Board; and, for the purposes of such operation and transmission, the making of contracts with any companies having tele-

graph or telephone powers, and the connection of the lines of the corporation with the lines of such companies, or their lease to such companies;

Issue of securities on property other than railway.

(*d*) the issue by the corporation of bonds, debentures or other securities, charged upon any property of the corporation other than the railway.

Issue of letters patent of incorporation.

11. If the provisional directors fyle with the Secretary of State the certificate issued by the Board of Railway Commissioners for Canada, and if the proper fees as set forth in the Schedule to this Act have been paid, the Secretary of State shall forthwith cause to be issued under his seal of office, letters patent incorporating the association according to the tenour of the certificate.

Application of R.S., c. 37.

12. *The Railway Act* and all amendments thereof, except in so far as modified by this Act, shall apply to every corporation created under this Act.

Interpretation.

2. The expressions "Special Act" and "Act authorizing the construction of the railway", wherever used in *The Railway Act* and its amendments, shall include letters patent issued under this Act.

Prohibition of amalgamation and pooling with competitors.

13. No corporation created under this Act shall amalgamate with, or enter into any agreement for making a common fund or pooling earnings or receipts with, or leasing any part of its line to,any other railway company owning a parallel or competing line. Every such amalgamation or arrangement shall be null and void.

Exception.

2. The provisions of this section shall not extend to arrangements made under section 364 of *The Railway Act*, as to interchange of traffic, running rights and the other purposes authorized by that section.

Act not to apply to existing companies.

14. Nothing in this Act shall apply to any railway company incorporated before the passing of this Act.

SCHEDULE.

NOTE.—*It is intended to add the Schedule of fees at a future stage of the Bill.*

1st Session, 11th Parliament, 9 Edward VII., 1909

THE SENATE OF CANADA.

BILL

QQ

An Act to provide for the incorporation of Railway Companies.

Received and read a first time,

Wednesday, 21st April, 1909.

Second reading,

Tuesday, 27th April, 1909.

Honourable Mr. DAVIS.

OTTAWA

Printed by C. H. PARMELEE

Printer to the King's most Excellent Majesty

1909

1st Session, 11th Parliament, 9 Edward VII, 1909.

THE SENATE OF CANADA.

BILL RR.

An Act respecting The Brockville, Westport and North-western Railway Company.

Preamble.

WHEREAS the Brockville, Westport and North-western Railway Company has by its petition prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

1903, c. 88.
1905, c. 64.
1907, c. 67.

Extension of time for construction

1907, c. 67 s. 2.

1. The Brockville, Westport and North-western Railway Company may commence the construction of its railway and expend fifteen per cent of the amount of its capital stock thereon, within two years after the passing of this Act, and may complete the said railway and put it in operation within five years after the passing of this Act; and if the said railway is not so commenced and such expenditure is not so made, or if the said railway is not completed and put in operation, within the said periods respectively, the powers of construction conferred upon the said company by Parliament shall cease and be null and void as respects such portion of the said railway as then remains uncompleted.

Repeal of former limit.

2. Section 2 of chapter 67 of the statutes of 1907 is hereby repealed.

1st Session, 11th Parliament, 8-9 Edward VII., 1909

THE SENATE OF CANADA.

BILL

RR

An Act respecting The Brockville, Westport and North-western Railway Company.

First reading,

Friday, 23rd April, 1909.

Second reading,

Wednesday, 28th April, 1909.

Honourable Mr. DERBYSHIRE.

OTTAWA
Printed by C. H. PARMELEE
Printer to the King's most Excellent Majesty
1909

BILL AS PASSED APRIL 30, 1909.

THE SENATE OF CANADA.

BILL RR.

An Act respecting The Brockville, Westport and North-western Railway Company.

Preamble. 1903, c. 88. 1905, c. 64. 1907, c. 67.

WHEREAS the Brockville, Westport and North-western Railway Company has by its petition prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Extension of time for construction. 1907, c. 67 s. 2.

1. The Brockville, Westport and North-western Railway Company may complete its railway and put it in operation within five years after the passing of this Act; and if the said railway is not completed and put in operation, within the said period, the powers of construction conferred upon the said company by Parliament shall cease and be null and void as respects such portion of the said railway as then remains uncompleted.

Repeal of former limit.

2. Section 2 of chapter 67 of the statutes of 1907 is hereby repealed.

1st Session, 11th Parliament, 9 Edward VII, 1909.

THE SENATE OF CANADA.

BILL SS.

An Act respecting The Quebec and New Brunswick Railway Company.

Preamble.

WHEREAS The Quebec and New Brunswick Railway Company has, by its petition, prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore, His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

1900, c. 75.
1903, c. 176.
1908, c. 149.

1900, c. 75, s. 8 amended.
Increase of bond issue.

1. Section 8 of chapter 75 of the statutes of 1900 is amended by substituting for the word "twenty" in the second line thereof the words "thirty-five."

S. 7 again amended.

2. Section 7 of chapter 75 of the statutes of 1900, as amended by sections 3 and 4 of chapter 149 of the statutes of 1908, is hereby further amended by adding thereto the following subsection:—

Additional line of railway authorized.

"3. The Company may also lay out, construct and operate a railway of the gauge of four feet eight and one-half inches from a point on its railway authorized by chapter 75 of the statutes of 1900, at or near Connor Station in New Brunswick, to Centreville by the most convenient route in the neighbourhood of the international boundary line, thence to Woodstock, and from Woodstock by the St. John River valley to the city of St. John, passing through the counties of Madawaska, Victoria, Carleton, York, Sunbury, Queens, Kings and St. John, in the province of New Brunswick."

All railways of company to be deemed one line.

3. The railways described in section 7 of chapter 75 of the statutes of 1900, in subsection 2 added thereto by section 4 of chapter 149 of the statutes of 1908, and in subsection 3 added thereto by section 2 of this Act, shall be deemed to be but one railway.

Extension of time for completion.

4. The Company may construct and complete its railway, as defined in the last preceding section, within five years after the passing of this Act; and if the said railway is not completed and put in operation within that period, then the powers of construction conferred upon the Company by Parliament shall cease and be null and void with respect to so much of the said railway as then remains uncompleted.

Repeal of former time limit.

5. Section 1 of chapter 149 of the statutes of 1908 is hereby repealed.

1st Session, 11th Parliament, 9 Edward VII., 1909

THE SENATE OF CANADA.

BILL

SS

An Act respecting the Quebec and New Brunswick Railway Company.

Received and read a first time,

Friday, 23rd April, 1909.

Second reading,

Wednesday, 28th April, 1909.

Honourable Mr. COSTIGAN.

OTTAWA
Printed by C. H. PARMELEE
Printer to the King's most Excellent Majesty
1909

BILL AS PASSED APRIL 30, 1909.

THE SENATE OF CANADA.

BILL SS.

An Act respecting The Quebec and New Brunswick Railway Company.

Preamble.

WHEREAS The Quebec and New Brunswick Railway Company has, by its petition, prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore, His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

1900, c. 75.
1903, c. 176.
1908, c. 149.

1900, c. 75, s. 8 amended.
Increase of bond issue.

1. Section 8 of chapter 75 of the statutes of 1900 is amended by substituting for the word "twenty" in the second line thereof the words "thirty-five."

S. 7 again amended.

2. Section 7 of chapter 75 of the statutes of 1900, as amended by sections 3 and 4 of chapter 149 of the statutes of 1908, is hereby further amended by adding thereto the following subsection:—

Additional line of railway authorized.

"3. The Company may also lay out, construct and operate a railway of the gauge of four feet eight and one-half inches from a point on its railway authorized by chapter 75 of the statutes of 1900, at or near Connor Station in New Brunswick, to Centreville by the most convenient route in the neighbourhood of the international boundary line, thence to Woodstock, and from Woodstock by the St. John River valley to the city of St. John, passing through the counties of Madawaska, Victoria, Carleton, York, Sunbury, Queens, Kings and St. John, in the province of New Brunswick."

Extension of time for completion.

3. The Company may, within five years after the passing of this Act, construct and complete its railway as described in section 7 of chapter 75 of the statutes of 1900, in subsection 2 added thereto by section 4 of chapter 149 of the statutes of 1908, and in subsection 3 added thereto by section 2 of this Act; and if the said railway is not proceeded with and fifteen per cent of the capital stock of the Company is not expended there-

on within two years after the passing of this Act, or if the said railway is not completed and put in operation within five years after the passing of this Act, then the powers of construction conferred upon the Company by Parliament shall cease and be null and void in respect to so much of the said railway as then remains uncompleted.

Repeal of former time limit.

4. Section 1 of chapter 149 of the statutes of 1908 is hereby repealed.

1st Sess., 11th Parl ament, 9 Edward VII, 1909.

THE SENATE OF CANADA.

BILL TT.

An Act respecting The Montreal Bridge and Terminal Company.

Preamble.

WHEREAS a petition has been presented praying that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

1890, c. 93. 1891, c. 106. 1894, c. 63. 1897, c. 67. 1905, c. 127.

Change of corporate name.

1. The name of The Montreal Bridge and Terminal Company hereinafter called "the Company," is hereby changed to "The Montreal Central Terminal Company;" but such change of name shall not, except as herein provided, in any way impair, alter or affect the rights or liabilities of the Company, nor in any wise affect any suit or proceeding now pending or judgment existing either by or in favour of or against the Company; and notwithstanding such change in the name of the Company, any such suit or proceeding may be prosecuted, continued or completed or any such judgment may be enforced as if this Act had not been passed.

Tunnels authorized.

2. The Company, in lieu of constructing a bridge as now authorized, may, at its option, construct, maintain, own and operate one or more tunnels for railway purposes under the River St. Lawrence from a point in the city of Montreal to a point on the south shore of the River St. Lawrence; and in case of a tunnel or tunnels being constructed as aforesaid, the Company is hereby empowered to issue its bonds, debentures or other securities for the construction of such tunnel or tunnels and approaches for the amount of six million dollars as now authorized.

Issue of securities.

Tunnel or bridge at Lachine.

3. The Company may, for the purpose of connecting with any railway reaching the south shore of the River St. Lawrence from the south or west, lay out, construct, own and operate a bridge or tunnel across or under the River St. Lawrence near Lachine.

Stations, etc.

4. The Company may construct, own, maintain and operate one or more freight and passenger stations, elevators, warehouses and general freight and passenger terminal facilities in and about the city of Montreal; and may construct, own and operate such branches and sidings as may be necessary to connect the same with the Company's lines; and may also construct, main-

Branches to stations, etc.

Hotels, etc.

tain, own and operate one or more hotels, parks and places of amusement along its lines.

Conveyance of power, etc.

Sale, etc., thereof.

5. The Company may construct its tunnel or tunnels, subways, surface lines, and bridge or bridges so that, in addition to the operation of railways, it may convey and distribute power, heat, light, gas, air and water by conduits, wires, tubes, pipes, or otherwise, for its use, or may sell, lease or rent the use of the same or any part thereof to others.

Issue of securities on works other than tunnels and approaches.

Limit of amount.

6. The Company may, in addition to the bonds, debentures or other securities to be issued in respect of the said tunnel or tunnels mentioned in section 2 of this Act, issue bonds, debentures or other securities, from time to time, on any portion of the works there being undertaken, other than the said tunnel or tunnels and approaches; and such bonds, debentures or other securities shall be secured by a mortgage which shall be a first charge upon the said works: provided, however, that the amount of bonds, debentures or other securities so issued does not exceed the cost of the property mortgaged to secure such bonds, debentures or other securities.

Consent of Montreal city council as to passage of streets by railway lines.

7. No main line, branch line or siding of the railway constructed by the Company shall pass along, across, over or under any street in the city of Montreal without the consent of the city council of the city of Montreal, and the manner of passing across, along, over or under any street or property belonging to the city of Montreal shall be subject to the approval of the city council of the city of Montreal.

Determination of disputes.

2. In case of disagreement between the Company and the city council of the city of Montreal or any municipal council, the matters in dispute shall be determined by the Board of Railway Commissioners for Canada.

Agreements with other companies.

8. Subject to the provisions of sections 361, 362 and 363 of *The Railway Act*, the Company may enter into an agreement of agreements, with any existing or future railway company or companies or street railway company or companies whose line or railway terminates at or near the city of Montreal, granting to such company or companies the use of the passenger and freight stations of the Company and of the lines, tunnels, bridges and terminal facilities of the Company; and the said companies or any of them are hereby authorized to enter into any such agreements upon such terms as may be mutually agreed upon.

1890, c. 93, s. 3 amended.

Work authorized.

9. Section 3 of chapter 93 of the statutes of 1890 is hereby amended by adding after the word "bridge," wherever it appears in the said section, the words "or tunnel or tunnels" and after the word "connect" where it appears in the said section the words "the Company's Contract passenger station and."

Time for construction extended.

10. Notwithstanding anything to the contrary in the Acts relating to the Company, the Company may proceed with the construction of its works or any portion thereof and complete the same before the 31st December, 1914, otherwise the powers granted for the construction thereof shall cease and determine as respects so much of the work as then remains uncompleted.

1st Session, 11th Parliament, 9 Edward VII., 1909

THE SENATE OF CANADA.

BILL

TT

An Act respecting The Montreal Bridge and Terminal Company.

Received and read a first time,
Friday, 23rd April, 1909.
Second reading,
Wednesday, 28th April, 1909.

Honourable Mr. CHOQUETTE.

OTTAWA
Printed by C. H. PARMELEE
Printer to the King's most Excellent Majesty
1909

BILL AS PASSED MAY 6, 1909.

THE SENATE OF CANADA.

BILL TT.

An Act respecting The Montreal Bridge and Terminal Company.

Preamble. 1890, c. 93. 1891, c. 106. 1894, c. 63. 1897, c. 67. 1905, c. 127.

WHEREAS a petition has been presented praying that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Change of corporate name.

1. The name of The Montreal Bridge and Terminal Company hereinafter called "the Company," is hereby changed to "The Montreal Central Terminal Company;" but such change of name shall not in any way impair, alter or affect the rights or liabilities of the Company, nor in any wise affect any suit or proceeding now pending or judgment existing either by or in favour of or against the Company; and notwithstanding such change in the name of the Company, any such suit or proceeding may be prosecuted, continued or completed or any such judgment may be enforced as if this Act had not been passed.

Tunnels authorized.

Issue of securities

2. The Company, in lieu of constructing a bridge as now authorized, may, at its option, and subject to the approval and consent of the Governor in Council and of the council of the city of Montreal provided for by section 2 of chapter 93 of the statutes of 1890, construct, maintain, own and operate one or more tunnels for railway purposes under the River St. Lawrence from a point in the city of Montreal to a point on the south shore of the River St. Lawrence; and the Company is hereby empowered to issue its bonds, debentures or other securities for the construction of such tunnel or tunnels and approaches for the amount of six million dollars as now authorized.

Tunnel or bridge at Lachine.

3. After the works mentioned in section 2 of this Act have been commenced and fifteen per cent of the estimated cost thereof has been expended thereon, the Company may, for the purpose of connecting with any railway reaching the south shore

of the River St. Lawrence from the south or west, lay out, construct, own and operate a bridge or tunnel across or under the River St. Lawrence near Lachine.

Stations, etc.

4. The Company may construct, own, maintain and operate one or more freight and passenger stations, elevators, warehouses and general freight and passenger terminal facilities in and about the city of Montreal; and may construct, own and operate such branches and sidings as may be necessary to connect the same with the Company's lines; and may also construct, maintain, own and operate one or more hotels, parks and places of amusement along its lines; but no park or place of amusement shall be located or constructed within the city of Montreal without the consent of the council of the city of Montreal.

Branches to stations, etc.

Hotels, etc.

Conveyance of power, etc.

5. The Company may construct its tunnel or tunnels, subways, surface lines, and bridge or bridges so that, in addition to the operation of railways, it may, for the purposes of its undertaking, and subject to the provisions of section 247 of *The Railway Act*, convey and distribute power, heat, light, gas, air and water by conduits, wires, tubes, pipes, or otherwise, and may, with the consent of the city of Montreal expressed by by-law, sell, lease or rent the use of the same or any part thereof to others.

Sale, etc., thereof.

Issue of securities on works other than tunnels and approaches.

Limit of amount.

6. The Company may, in addition to the bonds, debentures or other securities authorized under section 2 of this Act, issue bonds, debentures or other securities, from time to time, on any portion of its works other than the said tunnel or tunnels and approaches: provided, however, that the amount of bonds, debentures or other securities so issued does not exceed the cost of the property mortgaged to secure such bonds, debentures or other securities.

Consent of Montreal city council as to passage of streets by railway lines.

7. No main line, branch line or siding of the railway constructed by the Company shall pass along, across, over or under any street in the city of Montreal without the consent of the city of Montreal expressed by by-law; and the manner of passing across, along, over or under any street or property belonging to the city of Montreal shall be subject to the approval of the city council of the city of Montreal.

Agreements with other companies.

8. Subject to the provisions of sections 361, 362 and 363 of *The Railway Act*, the Company may enter into an agreement or agreements, with any existing or future railway company or companies or street railway company or companies whose railway terminates at or near, or passes through the city of Montreal, granting to such company or companies the use of the passenger and freight stations of the Company and of the lines, tunnels, bridges and terminal facilities of the Company; and the said

companies or any of them are hereby authorized to enter into any such agreements upon such terms as may be mutually agreed upon.

1890, c. 93, s. 3 amended.

Works authorized

9. Sections 3, 4, 5 and 6 of chapter 93 of the statutes of 1890 are hereby amended by adding after the word "bridge" wherever it appears in the said sections the words "or tunnel or tunnels" and after the word "connect" where it appears in the said sections the words "the Company's central passenger station and."

Time for construction extended

10. The Company shall commence the construction of the bridge or tunnel referred to in section 2 of this Act, and shall expend thereon fifteen percent of its capital stock within two years after the passing of this Act: and if such commencement and expenditure are not so made, or if the said bridge or tunnel is not completed within five years from the passing of this Act, the powers of construction granted to the Company by this Act and the other Acts relating to the Company, shall cease and become null and void as respects so much of the Company's works as then remains uncompleted.

[Bill sent down from the Senate, and reprinted as amended and reported by the Railway Committee of the House of Commons, May 13, 1909.]

BILL TT.

An Act respecting The Montreal Bridge and Terminal Company.

Preamble. 1890, c. 93. 1891, c. 106. 1894, c. 63. 1897, c. 67. 1905, c. 127.

WHEREAS a petition has been presented praying that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Change of corporate name.

1. The name of The Montreal Bridge and Terminal Company hereinafter called "the Company," is hereby changed to "The Montreal Central Terminal Company;" but such change of name shall not in any way impair, alter or affect the rights or liabilities of the Company, nor in any wise affect any suit or proceeding now pending or judgment existing either by or in favour of or against the Company; and notwithstanding such change in the name of the Company, any such suit or proceeding may be prosecuted, continued or completed or any such judgment may be enforced as if this Act had not been passed.

Tunnels authorized.

Issue of securities

2. The Company, in lieu of constructing a bridge as now authorized, may, at its option, and subject to the approval and consent of the Governor in Council and of the council of the city of Montreal provided for by section 4 of chapter 93 of the statutes of 1890, construct, maintain, own and operate one or more tunnels for railway purposes under the River St. Lawrence from a point in the city of Montreal to a point on the south shore of the River St. Lawrence; and the Company is hereby empowered to issue its bonds, debentures or other securities for the construction of such tunnel or tunnels and approaches for the amount of six million dollars as now authorized.

Tunnel or bridge at Lachine

3. After the works mentioned in section 2 of this Act have been commenced and fifteen per cent of the estimated cost thereof has been expended thereon, the Company may, for the purpose of connecting with any railway reaching the south shore

of the River St. Lawrence from the south or west, lay out, construct, own and operate a bridge or tunnel across or under the River St. Lawrence near Lachine.

Stations, etc.

4. The Company may construct, own, maintain and operate one or more freight and passenger stations, elevators, warehouses and general freight and passenger terminal facilities in and about the city of Montreal; and may construct, own and operate such branches and sidings as may be necessary to connect the same with the Company's lines; and may also construct, maintain, own and operate one or more hotels, parks and places of amusement along its lines; but no park or place of amusement shall be located or constructed within the city of Montreal without the consent of the council of the city of Montreal or elsewhere without the consent of the municipality in which such park or place of amusement is situated.

Branches to stations, etc.

Hotels, etc.

Conveyance of power, etc.

5. The Company may construct its tunnel or tunnels, subways, surface lines, and bridge or bridges so that, in addition to the operation of railways, it may, for the purposes of its undertaking, and subject to the provisions of section 247 of *The Railway Act*, convey and distribute power, heat, light, gas, air and water by conduits, wires, tubes, pipes, or otherwise, and may, with the consent of the city of Montreal or any other municipality affected expressed by by-law, sell, lease or rent the use of the same or any part thereof to others and collect rates and charges therefor; but no such rate or charge shall be demanded or taken until it has been approved of by the Board of Railway Commissioners for Canada, who may also revise such rates and charges from time to time.

Sale, etc., thereof.

Rates and charges.

Issue of securities on works other than tunnels and approaches.

Limit of amount.

6. The Company may, in addition to the bonds, debentures or other securities authorized under section 2 of this Act, issue bonds, debentures or other securities, from time to time, on any portion of its works other than the said tunnel or tunnels and approaches; provided, however, that the amount of bonds, debentures or other securities so issued does not exceed the cost of the property mortgaged to secure such bonds, debentures or other securities.

Consent of municipalities.

7. Nothing in this Act or in *The Telegraphs Act* shall authorize the Company to construct or operate any telegraph or telephone lines or any lines for the purpose of distributing electricity for lighting, heating or motor purposes or to convey and distribute gas, air and water by tubes, pipes or otherwise, or disposing of surplus power generated by the Company's works and not required for the undertaking of the Company, upon, along or across any highway or public place, without first obtaining the consent, expressed by by-law, of the municipality having jurisdiction over such highway or public place, and upon terms to be agreed upon with such municipality.

8. The Company shall not construct or operate its line of railway along any highway, street or other public place without first obtaining the consent, expressed by by-law, of the municipality having jurisdiction over such highway, street or other public place, and upon terms to be agreed upon with such municipality. Consent of municipalities.

2. Subject to the provisions of sections 361, 362 and 363 of *The Railway Act*, the Company may enter into agreements with all or any of the companies hereinafter named for any of the purposes specified in the said section 361, such companies being the Canadian Pacific Railway Company, the Grand Trunk Railway Company of Canada, the Canadian Northern Quebec Railway Company, the Delaware and Hudson Railroad Company, the New York Central Railroad Company, the Southern Counties Railway Company, the Montreal Quebec and Southern Railway Company, the Montreal Street Railway Company, the Montreal Park and Island Railway Company, the Central Railway Company of Canada, the Vermont Central Railroad Company and the Rutland Railroad Company. Agreements with other companies.

9. Sections 3, 4, 5 and 6 of chapter 93 of the statutes of 1890 are hereby amended by adding after the word "bridge" wherever it appears in the said sections the words "or tunnel or tunnels," and after the word "connect" where it appears in the said section 3 the words "the Company's central passenger station and." 1890, c. 93, s. 3 amended. Works authorized.

10. The Company shall commence the construction of the bridges or tunnels referred to in sections 2 and 3 of this Act, and shall expend thereon fifteen per cent of its capital stock within two years after the passing of this Act: and if such commencement and expenditure are not so made, or if the said bridges or tunnels are not completed within five years from the passing of this Act, the powers of construction for such bridges and tunnels granted to the Company by this Act and the other Acts relating to the Company, shall cease and become null and void as respects so much of the Company's works as then remains uncompleted. Time for construction extended.

1st Session, 11th Parliament, 9 Edward VII. 1909.

THE SENATE OF CANADA.

BILL UU.

An Act respecting The Prudential Life Insurance Company of Canada.

Preamble.

1907, c. 120.

R.S., c. 34, s. 69.

WHEREAS The Prudential Life Insurance Company of Canada, incorporated by chapter 120 of the statutes of 1907, owing to unavoidable difficulties incident to the perfecting of the financial and other arrangements for the organization and carrying on of the business for which the said company was incorporated, has been unable to complete its organization so as to be entitled to a license under *The Insurance Act;* and whereas the provisional directors of the said company have by their petition prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Extension of time for obtaining license to do business.

R.S., c. 34, s. 69.

1. Nothwithstanding anything in section 69 of *The Insurance Act*, the special Act, chapter 120 of the statutes of 1907, incorporating The Prudential Life Insurance Company of Canada, shall be deemed not to have expired and ceased to be in force after the 27th April, 1909, but to have continued and to be in force; and the said company may at any time not later than the 27th April, 1910, obtain from the Minister of Finance, under and subject to the provisions of *The Insurance Act*, the license required by *The Insurance Act.*

Powers to cease if license not obtained.

2. If the said company has not obtained such license on the 27th April, 1910, the powers for carrying on the business of life insurance which are granted to the company by the said special Act, shall then cease and be null and void.

1st Session, 11th Parliament, 9 Edward VII., 1909

THE SENATE OF CANADA.

BILL

UU

An Act respecting The Prudential Life Insurance Company of Canada.

Received and read a first time,

Friday, 23rd April, 1909.

Second reading,

Wednesday, 28th April, 1909.

Honourable Mr. DERBYSHIRE.

OTTAWA
Printed by C. H. PARMELEE
Printer to the King's most Excellent Majesty
1909

BILL AS PASSED MAY 12, 1909.

THE SENATE OF CANADA.

BILL UU.

An Act respecting The Prudential Life Insurance Company of Canada, and to change its name to "The Security Life Insurance Company of Canada."

WHEREAS a petition has been presented praying that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:— Preamble. 1907, c. 120.

1. Nothwithstanding anything in section 69 of *The Insurance Act*, chapter 120 of the statutes of 1907, incorporating The Prudential Life Insurance Company of Canada, shall be deemed not to have expired and ceased to be in force after the 27th April, 1909, but to have continued and to be in force. Powers to do business revived and continued. R.S., c. 34, s. 69.

2. The Minister of Finance may, at any time not later than the 27th April, 1911, under and subject to the provisions of *The Insurance Act*, and of any Act in amendment thereof, grant to the said company the license necessary for carrying on business. License.

3. The name of The Prudential Life Insurance Company of Canada, is hereby changed to 'The Security Life Insurance Company of Canada," but such change of name shall not in any way impair, alter or affect the rights or liabilities of the Company, nor in any wise affect any suit or proceeding now pending, or judgment existing, either by or in favour of, or against the Company, which, notwithstanding such change in the name of the Company may be prosecuted, continued, completed and enforced as if this Act had not been passed. Name changed.

1st Session, 11th Parliament, 9 Edward VII. 1909.

THE SENATE OF CANADA.

BILL VV.

An Act respecting The Canadian Patriotic Fund Association.

HIS Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:— Preamble. 1901, c. 92. 1908, c. 96.

1. The affairs of The Canadian Patriotic Fund Association, hereinafter called "the Association" shall be managed by the executive committee appointed in accordance with the by-laws, rules and regulations of the Association. Executive committee.

2. Whenever it is necessary or desirable to take a vote of the members of the executive committee of the Association upon any motion, proposition or question affecting the Association, any member may vote personally or by proxy. Mode of voting.

3. In such case the secretary of the Association shall transmit by mail to each member of the executive committee a copy of the motion, proposition or question to be voted upon; and any member may thereupon transmit his authority to vote by proxy to the secretary or to any other member of the executive committee. Submission of motion, etc. Transmission of proxy.

4. The instrument appointing a proxy shall be in writing, and shall be signed by the appointor, and shall be deposited with the secretary of the Association not less than twenty-four hours before the time of holding the meeting at which the vote is to be taken. Requisites as to instrument.

5. The person appointed a proxy shall be a member of the executive committee, qualified to vote, and shall not vote unless he is present at the meeting at which the vote is taken. Requisites as to person of proxy.

6. Chapter 96 of the statutes of 1908 is hereby repealed. 1908, c. 96 repealed.

1st Session, 11th Parliament, ' 9 Edward VII., 1909

THE SENATE OF CANADA.

BILL

VV

An Act respecting The Canadian Patriotic Fund Association.

Received and read a first time,

Tuesday, 27th April, 1909.

Second reading,

Thursday, 29th April, 1909.

Honourable Mr. SCOTT.

OTTAWA
Printed by C. H. PARMELEE
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1909

BILL AS PASSED APRIL 30, 1909.

THE SENATE OF CANADA.

BILL VV.

An Act further to amend chapter 92 of the Statutes of 1901 respecting The Canadian Patriotic Fund Association.

HIS Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:— Preamble. 1901, c. 92. 1908, c. 96.

1. The affairs of The Canadian Patriotic Fund Association, hereinafter called "the Association," shall be managed by the executive committee appointed in accordance with the by-laws, rules and regulations of the Association. Executive committee.

2. Whenever it is necessary or desirable to take a vote of the members of the executive committee of the Association upon any motion, proposition or question affecting the Association, any member may vote personally or by proxy. Mode of voting.

3. In such case the secretary of the Association shall transmit by mail to each member of the executive committee a copy of the motion, proposition or question to be voted upon; and any member may thereupon transmit his authority to vote by proxy to the secretary or to any other member of the executive committee. Submission of motion, etc. Transmission of proxy.

4. The instrument appointing a proxy shall be in writing, and shall be signed by the appointor, and shall be deposited with the secretary of the Association not less than twenty-four hours before the time of holding the meeting at which the vote is to be taken. Requisites as to instrument.

5. The person appointed a proxy shall be a member of the executive committee, qualified to vote, and shall not vote unless he is present at the meeting at which the vote is taken. Requisites as to person of proxy.

6. Chapter 96 of the statutes of 1908 is hereby repealed. 1908, c. 96 repealed.

1st Session, 11th Parliament, 9 Edward VII. 1909.

THE SENATE OF CANADA.

BILL WW.

An Act to incorporate The St. Maurice and Eastern Railway Company.

Preamble.

WHEREAS a petition has been presented praying that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Incorporation.

1. John Bourgeois, junior, of the town of Shawinigan Falls, Ralph B. McDunnough, of the city of Three Rivers, James L. Rintoul, of the city of Montreal, John A. Walls, of the city of Montreal, and Frederick P. Kaelin, of the city of Montreal, all in the province of Quebec, together with such persons as become shareholders in the company, are hereby incorporated under the name of "The St. Maurice and Eastern Railway Company" hereinafter called "the Company."

Declaratory.

2. The undertaking of the Company is hereby declared to be a work for the general advantage of Canada.

Provisional directors.

3. The persons named in section 1 of this Act are hereby constituted provisional directors of the Company.

Capital stock.

4. The capital stock of the Company shall be five hundred thousand dollars. No one call thereon shall exceed ten per cent on the shares subscribed.

Head office.

5. The head office of the Company shall be in the town of Shawinigan Falls, in the county of St. Maurice, in the province of Quebec.

Annual meeting.

6. The annual meeting of the shareholders shall be held on the second Monday in September in each year.

Directors.

7. The number of directors shall not be less than five nor more than seven, one or more of whom may be paid directors.

Line of railway described.

8. The Company may lay out, construct and operate a railway, of the gauge of four feet eight and one-half inches, from a point on The National Transcontinental Railway, at or near the villages of St. Stanislas and St. Prosper, in the county of Champlain, thence in a westerly direction to and crossing the Batiscan River, thence in a westerly direction, through the

1st Session, 11th Parliament, 9 Edward VII., 1909

THE SENATE OF CANADA.

BILL

WW

An Act to incorporate The St. Maurice and Eastern Railway Company.

Received and read a first time,

Tuesday, 27th April, 1909.

Second reading,

Thursday, 29th April, 1909.

Honourable Mr. TESSIER.

OTTAWA
Printed by C. H. PARMELEE
Printer to the King's most Excellent Majesty
1909

BILL AS PASSED MAY 4, 1909.

THE SENATE OF CANADA.

BILL WW.

An Act to incorporate The St. Maurice and Eastern Railway Company.

WHEREAS a petition has been presented praying that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:— Preamble.

1. John Bourgeois, junior, of the town of Shawinigan Falls, Ralph B. McDunnough, of the city of Three Rivers, James L. Rintoul, of the city of Montreal, John A. Walls, of the city of Montreal, and Frederick P. Kaelin, of the city of Montreal, all in the province of Quebec, together with such persons as become shareholders in the company, are hereby incorporated under the name of "The St. Maurice and Eastern Railway Company" hereinafter called "the Company." Incorporation.

2. The undertaking of the Company is hereby declared to be a work for the general advantage of Canada. Declaratory.

3. The persons named in section 1 of this Act are hereby constituted provisional directors of the Company. Provisional directors.

4. The capital stock of the Company shall be five hundred thousand dollars. No one call thereon shall exceed ten per cent on the shares subscribed. Capital stock.

5. The head office of the Company shall be in the town of Shawinigan Falls, in the county of St. Maurice, in the province of Quebec. Head office.

6. The annual meeting of the shareholders shall be held on the second Monday in September in each year. Annual meeting.

7. The number of directors shall not be less than five nor more than seven, one or more of whom may be paid directors. Directors.

Line of railway described.

8. The Company may lay out, construct and operate a railway, of the gauge of four feet eight and one-half inches, from a point on The National Transcontinental Railway, at or near the villages of St. Stanislas and St. Prosper, in the county of Champlain, thence in a westerly direction to and crossing the Batiscan River, thence in a westerly direction, through the parishes of St. Stanislas, St. Narcisse and Mont-Carmel, all in the county of Champlain, to and crossing the St. Maurice River, thence to and through the town of Shawinigan Falls; or that part of the above mentioned line from its point of beginning to another point thereof in the said parish of Mont Carmel, and thence in a northwesterly direction to a point of crossing of the St. Maurice River, in the parish of Ste. Flore, county of St. Maurice, thence through the said parish of St. Flore, to and through the town of Shawinigan Falls.

The said line shall cross the line of The Canadian Northern Quebec Railway at or near the village of St. Stanislas, in the county of Champlain, and shall cross the line of The St. Maurice Valley Railway at or near the town of Shawinigan Falls, in the county of St. Maurice.

Powers of company.

9. The Company may, in connection with its undertaking and for the purposes of its railway business, carry on the business of carriers, forwarding and transportation agents and all other business incidental thereto or connected therewith, and also the business of wharfingers, shippers and vessel owners.

Telegraphs and telephones.

10. The Company may, subject to the provisions of *The Railway Act*, construct and operate telegraph and telephone lines upon its railway, and establish offices for and undertake the transmission of messages for the public, and collect tolls therefor; and for the purpose of operating such lines, or exchanging or transmitting messages, may, subject to the provisions of the said Act, enter into contracts with any companies having telegraph or telephone powers, and may connect its own lines with, or may lease its own lines to, any such companies.

Tolls.

2. No toll or charge shall be demanded or taken for the transmission of any message, or for leasing or using the telegraphs or telephones of the Company, until it has been approved of by the Board of Railway Commissioners for Canada, who may also revise such tolls and charges from time to time.

R.S., c. 126.

3. Part II of *The Telegraphs Act*, except such portions thereof as are inconsistent with this Act or with *The Railway Act*, shall apply to the telegraphic business of the Company.

Issue of securities.

11. The securities issued by the Company shall not exceed forty thousand dollars per mile of the railway and may be issued only in proportion to the length of railway constructed or under contract to be constructed.

12. Subject to the provisions of sections 361, 362 and 363 of *The Railway Act*, the Company may enter into agreements, for any of the purposes specified in the said section 361, with The Canadian Northern Quebec Railway Company, The Grand Trunk Pacific Railway Company, The National Transcontinental Railway Company, and the St. Maurice Valley Railway Company, or with any of the said companies.

Agreements with other companies.

1st Session, 11th Parliament, 9 Edward VII, 1909.

THE SENATE OF CANADA.

BILL XX.

An Act to incorporate The Fundy Tidal Power Company.

Preamble.

WHEREAS a petition has been presented praying that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Incorporation.

1. John L. Weller and Welland D. Woodruff, both of the city of St. Catharines, in the province of Ontario; Frederic H. Deacon, of the city of Toronto, in the said province; Benjamin F. Pearson, of the city of Halifax, in the province of Nova Scotia; Frederick W. Sumner, John T. Hawke, and Algernon E. McSweeney, all of the city of Moncton, in the province of New Brunswick; Charles J. Osman, of Hillsborough, in the province of New Brunswick; Fred Magee, of Port Elgin, in the province of New Brunswick; and John H. Hickman, Charles S. Hickman and James Friel, all of Dorchester, in the province of New Brunswick; together with such persons as become shareholders in the company, are hereby incorporated under the name of "The Fundy Tidal Power Company" hereinafter called "the Company."

Corporate name.

Declaratory.

2. The works authorized by this Act are hereby declared to be works for the general advantage of Canada.

Provisional directors.

3. The above named John L. Weller, Frederic H. Deacon, Benjamin F. Pearson, John F. Hawke and James Friel are hereby constituted provisional directors of the Company.

Capital stock.

4. The capital stock of the Company shall be two hundred and fifty thousand dollars divided into shares of one hundred dollars each, and calls for payment of the same may be made by the directors from time to time as they deem necessary.

Head office.

5. The head office of the Company shall be in Dorchester, in the province of New Brunswick.

Annual meeting.

6. The annual meeting of the shareholders shall be held on the second Tuesday in July in each year at the head office of the Company, or on such other date and at such other place in Canada as may be fixed by by-law.

Directors.

7. The number of directors shall not be less than five nor more than nine.

General powers.

8. The Company may—

(*a*) develop, operate and utilize power from the tidal flow in the waters, rivers and basins of the Bay of Fundy, and supply and sell heat, light and electric or other power therefrom; and for that purpose, subject in all cases to the provisions of *The Navigable Waters Protection Act*, construct, maintain and operate dams across the Petitcodiac River, in the province of New Brunswick, at some point or points between the city of Moncton and Fort Folly Point, and across the creeks, streams or tributaries thereof; across the Memramcook River, in the said province, at or near its entrance into Shepody Bay; across the Shepody River, in the said province; across the Tantramar, Aulac and Missiquash Rivers, in the said province, at or near their entrance into Cumberland Basin; across the La Planche, Maccan, Nappan and Hebert Rivers, in the province of Nova Scotia, and across certain portions of the head of Cumberland Basin and the tributaries thereof, and across the creeks and streams leading into said tributaries; across the Avon River, in the said province of Nova Scotia, and the various small streams, creeks and tributaries thereof; across the Shubenacadie and Stewiacke Rivers, in the said province, and their tributaries; and across the head waters of the Basin of Minas and the tributaries thereof;

R.S., c. 115.

(*b*) construct, maintain and operate all necessary works, dams, wing dams, canals, intakes, tail-races, channels and conduits, tunnels, transmission lines, structures, buildings, machinery, plant, appliances, instruments, and devices, and erect and maintain poles and towers, and lay and maintain pipes, cables, wires or other conductors, and connect the same with similar lines;

(*c*) acquire such lands, easements, privileges, water and water rights, as may be necessary for its undertaking;

(*d*) carry on the business of a power and electric heating and lighting company, and contract with persons, firms, municipalities, or corporations, for supplying them with electricity;

(*e*) build and operate electric tramways and railways;

(*f*) treat minerals and ore by electricity;

(*g*) construct and operate telegraph and telephone lines, but on its own property only, and may transmit messages for the public over the same and collect tolls therefor;

(*h*) promote the formation of companies which may require electricity as power.

Acquisition of other like businesses, etc.

9. The Company may purchase or otherwise acquire any business within its objects, and any lands, property, franchises, privileges, rights, undertakings, contracts, powers, patents, inventions, stocks, contracts and assets within the scheme of this charter; and may, for such considerations, issue paid up and non-assessable stock shares of its capital stock, to any person or corporation, or pay therefor in debentures of the Com-

pany, or part one way and part the other, as may be agreed upon; and may sell or lease or otherwise dispose of the business, property, rights or undertaking of the Company, or any part thereof, for such consideration as the Company may think fit, and in particular, for shares, debentures or securities of any other company having objects altogether or in part similar to those of the Company.

Disposal of Company's business or property.

10. The Company may enter upon any lands for examination and survey, if necessary, paying, or tendering pay for the actual damages done, if any.

Entry on lands for survey.

11. When it is necessary for the purposes of the Company that it obtain title to any lands, easements, or privileges over land, required in the construction or operation of the works hereby authorized, and the Company cannot come to an agreement with the owners or proprietors, or the owners or proprietors are unable to give title, then, and in every such case, the Company shall have power to expropriate, and the provisions of *The Railway Act* with reference to the taking and using of land, from section 172 to section 220, both inclusive, and such other parts of the said Act as may be applicable, shall apply to the Company, in so far as applicable and when not inconsistent with this Act.

Expropriation.

Proceedings. R.S., c. 37.

The word "company" in *The Railway Act*, shall, in that respect, include this Company.

The word "railway" in *The Railway Act* shall mean the works of this Company unless the context otherwise requires.

Whenever in *The Railway Act* the word "land" occurs, it shall include any right of way, privilege, or easement required by the Company for constructing or operating its works.

12. The Company shall file certified copies of the plans of any intended work authorized by this Act, and of the lands, ways, and easements required for the same, in the Department of Public Works at Ottawa and in the public works department of the province, and the registry office of the county, in which the work is to be situated, and shall give four weeks notice of such filing by publication in *The Canada Gazette*, and the Royal Gazette or official paper of the province concerned. The Company shall have no authority to proceed with the construction, erection or making of any such work until the Minister of Public Works shall have approved of the said plans. Any city, incorporated town or municipality interested, and any private owner whose property shall be affected, may be heard in opposition to the granting of such approval, or with reference to the terms and conditions upon which it shall be granted.

Certified copies of plans to be filed and approval obtained.

Notice.

Hearing parties interested.

13. The Company may borrow money, and make and issue promissory notes and bills of exchange, and may issue bonds, debentures and evidences of indebtedness of all kinds, to an amount not exceeding five million dollars, and to secure such bonds, debentures or other indebtedness, may hypothecate, mortgage or pledge the real or personal property of the Company, or both, or any part of the same. The bonds, debentures or other securities of the Company shall be issued for sums of

Borrowing.

Mortgages.

not less than one hundred dollars each, and the directors may pledge or sell the same for such amounts and at such prices as may be deemed expedient.

R.S., c. 79, s. 141. Calls on stock.

14. Section 141 of *The Companies Act* shall not apply to the Company.

Time for construction of works limited.

15. The works hereby authorized shall be commenced within three years and completed within six years after the passing of this Act, otherwise the powers hereby granted shall cease as respects so much of the said works as may then remain uncompleted.

1st Session, 11th Parliament, 9 Edward VII., 1909

THE SENATE OF CANADA.

BILL

XX

An Act to incorporate The Fundy Tidal Power Company.

Received and read a first time,

Wednesday, 28th April, 1909.

Second reading,

Tuesday, 4th May, 1909.

Honourable Mr. McSWEENEY.

OTTAWA
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1909

1st Session, 11th Parliament, 9 Edward VII. 1909.

THE SENATE OF CANADA.

BILL YY.

An Act to incorporate The Catholic Church Extension Society of Canada.

Preamble.

WHEREAS the Board of Governors of The Catholic Church Extension Society have by their petition prayed to be incorporated by the Parliament of Canada so that they may carry on business in all the provinces and territories of Canada under the control of one central body, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Incorporation.

1. The Most Reverend Fergus Patrick McEvay, D.D., Toronto, Ontario; The Very Reverend Alfred E. Burke, D.D., Alberton, Prince Edward Island; The Reverend John T. Kidd, Toronto, Ontario; The Most Reverend Louis N. Begin, D.D., Quebec; The Right Reverend James C. McDonald, D.D., Charlottetown, Prince Edward Island; The Right Reverend Alfred J. Archambault, D.D., Joliette, Quebec; The Right Reverend Emile Legal, D.D., Saint Albert, Alberta; The Right Honourable Sir Charles Fitzpatrick, K.C.M.G., Chief Justice of Canada, Ottawa; The Honourable Alexandre Taschereau, LL.D., Minister of Public Works, Quebec; Mr. Justice Nicholas D. Beck of Edmonton, Alberta; M. P. Davis, Ottawa, Ontario; M. J. O'Brien, Renfrew, Ontario; Eugene O'Keefe, M. J. Haney, and G. P. Magann, Toronto, Ontario; and George Lang, Berlin, Ontario, all of them officers and members of the Board of Governors of The Catholic Church Extension Society of Canada, together with such other persons as become members of the Society hereby incorporated, are hereby constituted a corporation under the name of "The Catholic Church Extension Society of Canada," hereinafter called "the Society."

Corporate name.

Objects.

2. The objects of the Society are religious and charitable and are designed to foster, extend and diffuse the blessings of Christianity and useful knowledge, and to promote and support Christian missions and missionary schools throughout Canada.

Provisional directors.

3. The said Most Reverend Fergus Patrick McEvay, Right Reverend Alfred J. Archambault, Very Reverend Alfred E. Burke and Right Honourable Sir Charles Fitzpatrick shall be the provisional directors of the Society.

Head office.

4. The head office of the Society shall be in the city of Toronto in the province of Ontario, or in such other place in Canada as may from time to time be designated by the Society.

Branches.

Powers of branches.

5. Subject to the constitution and by-laws of the Society, provincial and territorial branches of the Society may be established subject to such conditions and with such powers as the Society may from time to time determine, provided however that such powers shall not be in excess of those conferred on the Society by this Act.

By-laws.

6. The Society may make by-laws for the guidance of its officers and members, the control and management of its funds, and generally for regulating every matter and thing proper or necessary to be done for the good of the Society and the prosecution of its object and business.

Acquisition and holding of real estate.

7. The Society may receive, take and hold real estate by purchase, gift or devise and determine by by-law the manner in which such property shall be held and conveyed, subject always to the laws of the province in which such real estate is situated.

Borrowing powers.

Lender not responsible for application of moneys borrowed.

8. The Society may borrow money, on mortgage security of the real estate of the Society, for the purpose of purchasing real estate, for any of the purposes of the said Society, or for the purpose of erecting, furnishing or repairing any church, chapel, school, hospital, charitable institution, seminary or other building erected or to be erected and for enlarging the same, or to pay off any debt which may have been or may be incurred by the Society, and any person from whom moneys are borrowed by the Society on any mortgage security shall not be obliged to see to the application of the said moneys or any part thereof.

Certificate of membership.

9. Every member of the Society shall receive a certificate of membership, on which shall be printed the conditions of such membership, and so long as such conditions are complied with, he shall enjoy all the benefits and privileges of such membership.

1st Session, 11th Parliament, 9 Edward VII., 1909

THE SENATE OF CANADA.

BILL

YY

An Act to incorporate The Catholic Church Extension Society of Canada.

Received and read a first time,

Thursday, 29th April, 1909.

Second reading,

Tuesday, 4th May, 1909.

Honourable Mr. BELCOURT.

OTTAWA

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1909

BILL AS PASSED MAY 7, 1909.

THE SENATE OF CANADA.

BILL YY.

An Act to incorporate The Catholic Church Extension Society of Canada.

Preamble

WHEREAS the Board of Governors of The Catholic Church Extension Society have by their petition prayed to be incorporated by the Parliament of Canada so that they may carry on business in all the provinces and territories of Canada under the control of one central body, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Incorporation

1. The Most Reverend Fergus Patrick McEvay, D.D., Toronto, Ontario; The Very Reverend Alfred E. Burke, D.D., Alberton, Prince Edward Island; The Reverend John T. Kidd, Toronto, Ontario; The Most Reverend Louis N. Begin, D.D., Quebec; The Right Reverend James C. McDonald, D.D., Charlottetown, Prince Edward Island; The Right Reverend Alfred J. Archambeault, D.D., Joliette, Quebec; The Right Reverend Emile Legal, D.D., Saint Albert, Alberta; The Right Honourable Sir Charles Fitzpatrick, K.C.M.G., Chief Justice of Canada, Ottawa; The Honourable Alexandre Taschereau, LL.D., Minister of Public Works, Quebec; Mr. Justice Nicholas D. Beck of Edmonton, Alberta; M. P. Davis, Ottawa, Ontario; M. J. O'Brien, Renfrew, Ontario; Eugene O'Keefe, M. J. Haney, and G. P. Magann, Toronto, Ontario; and George Lang, Berlin, Ontario, all of them officers and members of the Board of Governors of The Catholic Church Extension Society of Canada, together with such other persons as become members of the Society hereby incorporated, are hereby constituted a corporation under the name of "The Catholic Church Extension Society of Canada," hereinafter called "the Society."

Corporate name.

Objects.

2. The objects of the Society are religious and charitable and are designed to foster, extend and diffuse the blessings of Christianity and useful knowledge, and to promote and support Christian missions and missionary schools throughout Canada.

Provisional directors.

3. The said Most Reverend Fergus Patrick McEvay, Right Reverend Alfred J. Archambeault, Very Reverend Alfred E. Burke and Right Honourable Sir Charles Fitzpatrick shall be the provisional directors of the Society.

Head office.

4. The head office of the Society shall be in the city of Toronto in the province of Ontario, or in such other place in Canada as may from time to time be designated by the Society.

Branches.

Powers of branches.

5. Subject to the constitution and by-laws of the Society, provincial and territorial branches of the Society may be established subject to such conditions and with such powers as the Society may from time to time determine, provided however that such powers shall not be in excess of those conferred on the Society by this Act.

By-laws.

6. The Society may make by-laws for the guidance of its officers and members, the control and management of its funds, and generally for regulating every matter and thing proper or necessary to be done for the good of the Society and the prosecution of its object and business.

Acquisition and holding of real estate.

7. The Society may receive, take and hold real estate by purchase, gift or devise and determine by by-law the manner in which such property shall be held and conveyed, subject always to the laws of the province in which such real estate is situated.

Borrowing powers.

8. The Society may borrow money, on mortgage security of the real estate of the Society, for the purpose of purchasing real estate, for any of the purposes of the said Society, or for the purpose of erecting, furnishing or repairing any church, chapel, school, hospital, charitable institution, seminary or other building erected or to be erected and for enlarging the same, or to pay off any debt which may have been or may be incurred by the Society, and any person from whom moneys are borrowed by the Society on any mortgage security shall not be obliged to see to the application of the said moneys or any part thereof.

Lender not responsible for application of moneys borrowed.

Certificate of membership.

9. Every member of the Society shall receive a certificate of membership, on which shall be printed the conditions of such membership, and so long as such conditions are complied with, he shall enjoy all the benefits and privileges of such membership.

1st Sess., 11th Parliament, 9 Edward VII, 1909.

THE SENATE OF CANADA.

BILL ZZ.

An Act to incorporate Commerce Insurance Company.

Preamble.

WHEREAS a petition has been presented praying that it be enacted as herein set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Incorporation.

1. Henry John Hague, Spencer Lewin Dale Harris, Alwin Ernest Woodworth, Chillian Graves Heward and Edward Goff Trevor Penny, all of the city of Montreal, in the province of Quebec, together with such persons as become shareholders in the company, are incorporated under the name of "Commerce Insurance Company," hereinafter called "the Company."

Corporate name.

Provisional directors.

2. The persons named in section 1 of this Act shall be the provisional directors of the Company, a majority of whom shall be a quorum for the transaction of business. They shall remain in office until replaced by directors duly elected in their stead; and they may forthwith open stock books, procure subscriptions of stock for the undertaking, make calls on stock subscribed and receive payments thereon; and they shall deposit in a chartered bank in Canada all moneys received by them on account of stock subscribed or otherwise received by them on account of the Company and may withdraw the same for the purposes of the Company only; and they may do generally what is necessary to organize the Company.

Powers.

Capital stock.

3. The capital stock of the Company shall be five hundred thousand dollars divided into shares of one hundred dollars each.

Payment for shares.

2. The shares of the capital stock subscribed for shall be paid by such instalments and at such times and places as the directors appoint; the first instalment shall not exceed twenty-five per cent and no subsequent instalment shall exceed ten per cent and not less than thirty days notice of any call shall be given.

Increase of capital stock.

3. The directors may, after the whole authorized capital stock of the Company has been subscribed and fifty per cent paid thereon in cash, increase the capital stock from time to time to an amount not exceeding two million dollars: but the stock shall not be increased until a resolution of the directors authorizing such increase has been first submitted to and confirmed by two-thirds in value of the shareholders present or represented by proxy at a special general meeting of the shareholders duly called for that purpose.

Head office.

4. The head office of the Company shall be in the city of Montreal in the province of Quebec.

Agencies.

2. The directors may from time to time establish local advisory boards or agencies either in Canada or elsewhere in such manner as they deem expedient.

First meeting of shareholders.

Election of directors.

5. As soon as two hundred and fifty thousand dollars of the capital stock has been subscribed and ten per cent of that amount has been paid into some chartered bank in Canada, the provisional directors shall call a general meeting of the shareholders at some place to be named in the city of Montreal, at which meeting the shareholders present or represented by proxy who have paid not less than ten per cent on the amount of shares subscribed for by them shall elect a board of not less than eight or more than twenty-four directors, of whom a majority shall be a quorum.

Qualification.

2. No person shall be a director unless he holds in his own name and for his own use at least twenty-five shares of the capital stock and has paid all calls due thereon and all liabilities incurred by him to the Company.

Annual meeting.

6. A general meeting of the Company shall be called at its head office once in each year after the organization of the Company and the commencement of business, and at such meeting a statement of the affairs of the Company shall be submitted.

Special meetings.

2. Special general meetings may at any time be called by any five of the directors, and the directors, on requisition of any twenty-five shareholders, shall call a special general meeting, and in either case the object of such meeting shall be specified in the notice calling the meeting.

Notice of meeting.

3. Notice of each such meeting shall be sufficiently given by a printed or written notice to each of the shareholders mailed at least twenty days before the day for which the meeting has been called, and addressed to the addresses of the shareholders respectively given in the books of the Company.

When business may be commenced.

7. The Company shall not commence the business of fire insurance until two hundred and fifty thousand dollars of the capital stock have been subscribed and at least one hundred thousand dollars have been paid thereon in cash into the funds of the Company, to be appropriated only for the purposes of the Company under this Act, and thereafter in each succeeding year, for five years, a further sum of fifteen thousand dollars shall be paid in cash upon the capital stock of the Company.

No subscription reckoned if less than ten per cent paid in cash.

2. No subscription to the capital stock upon which less than ten per cent has been paid in cash shall be reckoned as part of the amount of capital stock required to be subscribed for under this Act.

No payment reckoned if less than ten per cent subscribed is paid in cash.

3. No sum paid by any shareholder who has paid in cash less than ten per cent of the amount subscribed by such shareholder shall be reckoned as part of the one hundred thousand dollars required to be paid under subsection 1 of this section.

Business of the Company.

8. The Company may make and effect contracts of insurance against loss or damage resulting from fire or lightning to real or personal property of every description, for such time and for

such premiums or considerations and under such modifications, restrictions and conditions as may be agreed upon between the Company and the insured, and may generally carry on the business of fire insurance in all its branches; the Company may also carry on, in addition to fire insurance, any or all other classes of insurance, including inland marine insurance and inland transportation insurance, for which, according to the provisions of *The Insurance Act* or of any general Acts hereafter passed relating to insurance, a license should be granted in conjunction with the license to carry on fire insurance, and the Company may from time to time vary the classes of insurance carried on by it in addition to fire insurance: Provided that nothing contained in this section shall be held to confer upon the Company the power to carry on at any particular period more classes of insurance than it could at that period be granted a license to carry on, nor to carry on in Canada any class of insurance without a license. The Company may cause itself to be reinsured either in Canada or elsewhere against any risks undertaken by it, and may reinsure any other person or company against any risks which such person or company may have undertaken; and the Company generally may do and perform all other necessary matters and things connected with and proper to promote the business of the Company.

Real property.

9. The Company may acquire, hold and dispose of any real property, in Canada or elsewhere, required wholly or in part for the use or accommodation of the Company or such as may reasonably be required for the natural expansion of its business.

Investment in foreign securities.

10. The Company may invest or deposit such portion of its funds in foreign securities as is necessary for the maintenance of any foreign branch.

Application of R.S., c. 79.

R.S., c. 34.

11. Part II of *The Companies Act*, excepting sections 125, 141, 154, 165 and 168 thereof, shall apply to the Company in so far as it is not inconsistent with any of the provisions of *The Insurance Act* or of this Act, or of any general Act relating to insurance passed during the present session of Parliament.

Application of Insurance Act.

12. This Act, and the Company hereby incorporated, and the exercise of the powers hereby conferred, shall be subject to the provisions of *The Insurance Act* and of any general Act relating to insurance passed during the present session of Parliament; and in any respect in which this Act is inconsistent with those Acts, the latter shall prevail.

1st Session, 11th Parliament, 9 Edward VII., 1909

THE SENATE OF CANADA.

BILL

ZZ

An Act to incorporate Commerce Insurance Company.

First reading,

Thursday, 29th April, 1909.

Second reading,

Friday, 30th April, 1909.

Honourable Mr. BÉIQUE.

OTTAWA
Printed by C. H. PARMELEE
Printer to the King's most Excellent Majesty
1909

BILL AS PASSED MAY 12, 1909.

THE SENATE OF CANADA.

BILL ZZ.

An Act to incorporate Commerce Insurance Company.

WHEREAS a petition has been presented praying that it be enacted as herein set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:— Preamble.

1. Henry John Hague, Spencer Lewin Dale Harris, Alvin Ernest Woodworth, Chillian Graves Heward and Edward Goff Trevor Penny, all of the city of Montreal, in the province of Quebec, together with such persons as become shareholders in the company, are incorporated under the name of "Commerce Insurance Company," hereinafter called "the Company." Incorporation. Corporate name.

2. The persons named in section 1 of this Act shall be the provisional directors of the Company, a majority of whom shall be a quorum for the transaction of business. They shall remain in office until replaced by directors duly elected in their stead; and they may forthwith open stock books, procure subscriptions of stock for the undertaking, make calls on stock subscribed and receive payments thereon; and they shall deposit in a chartered bank in Canada all moneys received by them on account of stock subscribed or otherwise received by them on account of the Company and may withdraw the same for the purposes of the Company only; and they may do generally what is necessary to organize the Company. Provisional directors. Powers.

3. The capital stock of the Company shall be five hundred thousand dollars divided into shares of one hundred dollars each. Capital stock.

2. The shares of the capital stock subscribed for shall be paid by such instalments and at such times and places as the directors appoint; the first instalment shall not exceed twenty-five per cent and no subsequent instalment shall exceed ten per cent and not less than thirty days notice of any call shall be given. Payment for shares.

Increase of capital stock.

3. The directors may, after the whole authorized capital stock of the Company has been subscribed and fifty per cent paid thereon in cash, increase the capital stock from time to time to an amount not exceeding two million dollars; but the stock shall not be increased until a resolution of the directors authorizing such increase has been first submitted to and confirmed by two-thirds in value of the shareholders present or represented by proxy at a special general meeting of the shareholders duly called for that purpose.

Head office.

4. The head office of the Company shall be in the city of Montreal in the province of Quebec.

Agencies.

2. The directors may from time to time establish local advisory boards or agencies either in Canada or elsewhere in such manner as they deem expedient.

First meeting of shareholders.

5. As soon as two hundred and fifty thousand dollars of the capital stock has been subscribed and ten per cent of that amount has been paid into some chartered bank in Canada, the provisional directors shall call a general meeting of the shareholders at some place to be named in the city of Montreal, at which meeting the shareholders present or represented by proxy who have paid not less than ten per cent on the amount of shares subscribed for by them shall elect a board of not less than eight or more than twenty-four directors, of whom a majority shall be a quorum.

Election of directors.

Qualification.

2. No person shall be a director unless he holds in his own name and for his own use at least twenty-five shares of the capital stock and has paid all calls due thereon and all liabilities incurred by him to the Company.

Annual meeting.

6. A general meeting of the Company shall be called at its head office once in each year after the organization of the Company and the commencement of business, and at such meeting a statement of the affairs of the Company shall be submitted.

Special meetings.

2. Special general meetings may at any time be called by any five of the directors, and the directors, on requisition of any twenty-five shareholders, shall call a special general meeting, and in either case the object of such meeting shall be specified in the notice calling the meeting.

Notice of meeting.

3. Notice of each such meeting shall be sufficiently given by a printed or written notice to each of the shareholders mailed at least twenty days before the day for which the meeting has been called, and addressed to the addresses of the shareholders respectively given in the books of the Company.

Business of the Company.

7. The Company may, generally, carry on the business of fire, cyclone or tornado, inland marine and inland transportation insurance in all their branches.

2. The Company may also cause itself to be reinsured against any risk it may have undertaken, and may reinsure any other person or company against any risk which such person or company may have undertaken. Reinsurance.

8. The Company shall not commence the business of fire insurance until two hundred and fifty thousand dollars of the capital stock have been subscribed and at least one hundred thousand dollars have been paid thereon in cash into the funds of the Company, to be appropriated only for the purposes of the Company under this Act. Payments on stock required before commencement of business.

2. The Company shall not commence the business of inland marine and inland transportation insurance until its subscribed capital has been increased to at least four hundred thousand dollars and an additional amount of seventy-five thousand dollars has been paid thereon in cash into the funds of the Company, to be appropriated only for the purposes of the Company under this Act. do

3. The amount paid in cash by any shareholder which is less than ten per cent of the amount subscribed for by him shall not be reckoned as part of the several sums of one hundred thousand dollars and seventy-five thousand dollars required to be paid into the funds of the Company under the provisions of subsections 1 and 2 of this section, nor shall stock upon which less than ten per cent in cash has been paid by the subscriber be reckoned as part of the stock necessary to be subscribed as provided by this Act. Reckoning of shareholder's payments.

9. Within five years after the issue of a license to the Company under *The Insurance Act* a further sum of seventy-five thousand dollars shall be paid in cash upon the capital stock of the Company, in addition to the sums required to be paid under section 8 of this Act, and not less than fifteen thousand dollars of such sum shall be paid annually until the whole sum is paid. Additional payment on capital after issue of license.

10. The Company may acquire, hold and dispose of any real property, in Canada or elsewhere, required wholly or in part for the use or accommodation of the Company; but the annual value of such property held in any province in Canada shall not exceed five thousand dollars, except in the province of Quebec, where it shall not exceed ten thousand dollars. Real property.

11. The Company may invest or deposit such portion of its funds in foreign securities as is necessary for the maintenance of any foreign branch. Investment in foreign securities.

12. Part II of *The Companies Act*, excepting sections 125, 134, 135, 141, 154, 158, 159, 165 and 168 thereof, shall apply to the Company in so far as it is not inconsistent with any of the provisions of *The Insurance Act* or of this Act, or of any general Application of R.S., c. 79. R.S., c. 34.

Act relating to insurance passed during the present session of Parliament.

Application of Insurance Act

13. This Act, and the Company hereby incorporated, and the exercise of the powers hereby conferred, shall be subject to the provisions of *The Insurance Act* and of any general Act relating to insurance passed during the present session of Parliament; and in any respect in which this Act is inconsistent with those Acts, the latter shall prevail.

1st Session, 11th Parliament, 9 Edward VII, 1909.

THE SENATE OF CANADA.

BILL AAA.

An Act respecting The Fidelity Life Insurance Company of Canada.

Preamble. 1907, c. 86.

WHEREAS The Fidelity Life Insurance Company of Canada has, by its petition, prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Extension of time for obtaining license. R. S., c. 34, s. 69.

1. Notwithstanding the provisions of section 69 of *The Insurance Act*, the time limited thereby for obtaining a license from the Minister of Finance authorizing The Fidelity Life Insurance Company of Canada to carry on the business of life insurance, is hereby extended for one year from the 27th day of April, 1909.

1st Session, 11th Parliament, 9 Edward VII., 1909

THE SENATE OF CANADA.

BILL

AAA

An Act respecting The Fidelity Life Insurance Company of Canada.

Received and read a first time,

Tuesday, 4th May, 1909.

Second reading,

Thursday, 6th May, 1909,

Honourable Mr. JAFFRAY.

OTTAWA
Printed by C. H. PARMELEE
Printer to the King's most Excellent Majesty
1909

BILL AS PASSED MAY 12, 1909.

THE SENATE OF CANADA.

BILL AAA.

An Act respecting The Fidelity Life Insurance Company of Canada.

Preamble.

1907, c. 86.

WHEREAS The Fidelity Life Insurance Company of Canada has, by its petition, prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Powers to do business revived and continued.

R. S., c. 34, s. 69.

1. Notwithstanding anything in section 69 of *The Insurance Act*, chapter 86 of the statutes of 1907, incorporating The Fidelity Life Insurance Company of Canada, shall be deemed not to have expired and ceased to be in force after the 27th April, 1909, but to have continued and to be in force.

License.

2. The Minister of Finance may, at any time not later than the 27th April, 1911, under and subject to the provisions of *The Insurance Act* and of any Act in amendment thereof, grant to the said Company the license necessary for carrying on business.

1st Session, 11th Parliament, 9 Edward VII, 1909.

THE SENATE OF CANADA.

BILL BBB.

An Act for the relief of John Wake.

Preamble.

WHEREAS John Wake, of the town of Minnedosa, in the province of Manitoba, gentleman, has by his petition alleged, in effect, that on the fourteenth day of October, A.D. 1907, at the city of Winnipeg, in the said province, he was lawfully married to Amy Annie Renwick, then of the said town of Minnedosa; that his legal domicile was then and is now in Canada; that at the city of Denver, in the state of Colorado, one of the United States of America, on or about the eighteenth day of June, A.D. 1908, and at other times in the said month of June, she committed adultery with one Wilson; that she is now residing at the said city of Denver; that he has not connived at nor condoned the said adultery; that there has been no collusion, directly or indirectly, between him and her in the proceedings for divorce; and whereas by his petition he has prayed for the passing of an Act dissolving his said marriage authorizing him to marry again, and affording him such other relief as is deemed meet; and whereas the said allegations have been proved, and it is expedient that the prayer of his petition be granted: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Marriage dissolved.

1. The said marriage between John Wake and Amy Annie Renwick, his wife, is hereby dissolved, and shall be henceforth null and void to all intents and purposes whatsoever.

Right to marry again.

2. The said John Wake may at any time hereafter marry any woman whom he might lawfully marry if the said marriage with the said Amy Annie Renwick had not been solemnized.

1st Session, 11th Parliament, 9 Edward VII., 1909

THE SENATE OF CANADA.

BILL

BBB

An Act for the relief of John Wake.

Received and read a first time,

Tuesday, 4th May, 1909.

Second reading,

Tuesday, 4th May, 1909.

Honourable Mr. WATSON.

OTTAWA
Printed by C. H. PARMELEE
Printer to the King's most Excellent Majesty
1909

BILL AS PASSED MAY 4, 1909.

THE SENATE OF CANADA.

BILL BBB.

An Act for the relief of John Wake.

WHEREAS John Wake, of the town of Minnedosa, in the province of Manitoba, gentleman, has by his petition alleged, in effect, that on the fourteenth day of October, A.D. 1907, at the city of Winnipeg, in the said province, he was lawfully married to Amy Annie Renwick, then of the said town of Minnedosa; that his legal domicile was then and is now in Canada; that at the city of Denver, in the state of Colorado, one of the United States of America, on or about the eighteenth day of June, A.D. 1908, and at other times in the said month of June, she committed adultery with one Wilson; that she is now residing at the said city of Denver; that he has not connived at nor condoned the said adultery; that there has been no collusion, directly or indirectly, between him and her in the proceedings for divorce; and whereas by his petition he has prayed for the passing of an Act dissolving his said marriage authorizing him to marry again, and affording him such other relief as is deemed meet; and whereas the said allegations have been proved, and it is expedient that the prayer of his petition be granted: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:— Preamble.

1. The said marriage between John Wake and Amy Annie Renwick, his wife, is hereby dissolved, and shall be henceforth null and void to all intents and purposes whatsoever. Marriage dissolved.

2. The said John Wake may at any time hereafter marry any woman whom he might lawfully marry if the said marriage with the said Amy Annie Renwick had not been solemnized. Right to marry again.

1st Session, 11th Parliament, 9 Edward VII. 1909.

THE SENATE OF CANADA.

BILL CCC.

An Act for the relief of Laura McQuoid.

Preamble.

WHEREAS Laura McQuoid, presently residing at the city of Toronto, in the province of Ontario, wife of William McQuoid, of the town of Colborne, in the county of Northumberland, in the province of Ontario, farmer, has by her petition alleged, in effect, that they were lawfully married on the fourteenth day of December, A.D. 1892, at the town of Cobourg, in the said county, she then being Laura Ross, spinster; that the legal domicile of the said William McQuoid was then and is now in Canada; that at the said city of Toronto, on or about the ninth day of September, A.D. 1908, he committed adultery; that she has not connived at nor condoned the said adultery; that there has been no collusion, directly or indirectly, between him and her in the proceedings for divorce; and whereas by her petition she has prayed for the passing of an Act dissolving her said marriage, authorizing her to marry again, and affording her such other relief as is deemed meet; and whereas the said allegations have been proved, and it is expedient that the prayer of her petition be granted: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Marriage dissolved.

1. The said marriage between Laura Ross and William McQuoid, her husband, is hereby dissolved, and shall be henceforth null and void to all intents and purposes whatsoever.

Right to marry again.

2. The said Laura Ross, may at any time hereafter marry any man whom she might lawfully marry if the said marriage with the said William McQuoid had not been solemnized.

1st Session, 11th Parliament, 9 Edward VII. 1909.

THE SENATE OF CANADA.

BILL DDD.

An Act for the relief of Fleetwood Howard Ward.

Preamble.

WHEREAS Fleetwood Howard Ward, of the city of Montreal, in the province of Quebec, gentleman, has by his petition alleged, in effect, that on the second day of April, A.D. 1904, at the city of New York, in the state of New York, one of the United States of America, he was lawfully married to Jennie May Morell, then of the said city of New York; that his legal domicile was then and is now in Canada; that, at the said city of Montreal, on or about the tenth day of July, A.D. 1908, she committed adultery with one David Cohen; that he has not connived at nor condoned the said adultery; that there has been no collusion, directly or indirectly, between him and her in the proceedings for divorce; and whereas by his petition he has prayed for the passing of an Act dissolving his said marriage, authorizing him to marry again, and affording him such other relief as is deemed meet; and whereas the said allegations have been proved, and it is expedient that the prayer of his petition be granted: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Marriage dissolved.

1. The said marriage between Fleetwood Howard Ward and Jennie May Morell, his wife, is hereby dissolved, and shall be henceforth null and void to all intents and purposes whatsoever.

Right to marry again.

2. The said Fleetwood Howard Ward may at any time hereafter marry any woman whom he might lawfully marry if the said marriage with the said Jennie May Morell had not been solemnized.

1st Session, 11th Parliament, 9 Edward VII., 1909

THE SENATE OF CANADA.

BILL

DDD

An Act for the relief of Fleetwood Howard Ward.

Received and read a first time,

Thursday, 6th May, 1909.

Second reading,

Thursday, 6th May, 1909.

Honourable Mr. OWENS.

OTTAWA
Printed by C. H. PARMELEE
Printer to the King's most Excellent Majesty
1909

BILL AS PASSED MAY 6, 1909.

THE SENATE OF CANADA.

BILL DDD.

An Act for the relief of Fleetwood Howard Ward.

Preamble.

WHEREAS Fleetwood Howard Ward, of the city of Montreal, in the province of Quebec, gentleman, has by his petition alleged, in effect, that on the second day of April, A.D. 1904, at the city of New York, in the state of New York, one of the United States of America, he was lawfully married to Jennie May Morell, then of the said city of New York; that his legal domicile was then and is now in Canada; that, at the said city of Montreal, on or about the tenth day of July, A.D. 1908, she committed adultery with one David Cohen; that he has not connived at nor condoned the said adultery; that there has been no collusion, directly or indirectly, between him and her in the proceedings for divorce; and whereas by his petition he has prayed for the passing of an Act dissolving his said marriage, authorizing him to marry again, and affording him such other relief as is deemed meet; and whereas the said allegations have been proved, and it is expedient that the prayer of his petition be granted: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Marriage dissolved.

1. The said marriage between Fleetwood Howard Ward and Jennie May Morell, his wife, is hereby dissolved, and shall be henceforth null and void to all intents and purposes whatsoever.

Right to marry again.

2. The said Fleetwood Howard Ward may at any time hereafter marry any woman whom he might lawfully marry if the said marriage with the said Jennie May Morell had not been solemnized.

1st Session, 11th Parliament, 9 Edward VII. 1909.

THE SENATE OF CANADA.

BILL EEE.

An Act for the relief of Aaron William Morley Campbell.

Preamble.

WHEREAS Aaron William Morley Campbell, of the town of Fort Saskatchewan, in the province of Alberta, postmaster, has by his petition alleged, in effect, that on the eleventh day of November, A.D. 1892, at the town of Battleford, then in the North-west Territories, but now in the province of Alberta, he was lawfully married to Sarah McFeeters; that she was then of the said town of Battleford, a spinster; that his legal domicile was then and is now in Canada; that at the city of Seattle, in the state of Washington, one of the United States of America, on or about the sixteenth day of September, A.D. 1903, she went through a pretended form of marriage with one John Currie, with whom since that date she has lived as the reputed wife of the said John Currie and was so living on the twenty-second day of December, A.D. 1908; and that thereby she has committed adultery; that he has not connived at nor condoned the said adultery; that there has been no collusion, directly or indirectly, between him and her in the proceedings for divorce; and whereas by his petition he has prayed for the passing of an Act dissolving his said marriage, authorizing him to marry again, and affording him such other relief as is deemed meet; and whereas the said allegations have been proved, and it is expedient that the prayer of his petition be granted: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Marriage dissolved.

1. The said marriage between Aaron William Morley Campbell, and Sarah McFeeters, his wife, is hereby dissolved, and shall be henceforth null and void to all intents and purposes whatsoever.

Right to marry again.

2. The said Aaron William Morley Campbell may at any time hereafter marry any woman whom he might lawfully marry if the said marriage with the said Sarah McFeeters had not been solemnized.

1st Session, 11th Parliament, 9 Edward VII., 1909

THE SENATE OF CANADA.

BILL

EEE

An Act for the relief of Aaron William Morley Campbell.

First reading,

Thursday, 6th May, 1909.

Second reading,

Thursday, 6th May, 1909.

Honourable Mr. TALBOT.

OTTAWA
Printed by C. H. PARMELEE
Printer to the King's most Excellent Majesty
1909

BILL AS PASSED MAY 6, 1909.

THE SENATE OF CANADA.

BILL EEE.

An Act for the relief of Aaron William Morley Campbell.

Preamble.

WHEREAS Aaron William Morley Campbell, of the town of Fort Saskatchewan, in the province of Alberta, postmaster, has by his petition alleged, in effect, that on the eleventh day of November, A.D. 1892, at the town of Battleford, then in the North-west Territories, but now in the province of Alberta, he was lawfully married to Sarah McFeeters; that she was then of the said town of Battleford, a spinster; that his legal domicile was then and is now in Canada; that at the city of Seattle, in the state of Washington, one of the United States of America, on or about the sixteenth day of September, A.D. 1903, she went through a pretended form of marriage with one John Currie, with whom since that date she has lived as the reputed wife of the said John Currie and was so living on the twenty-second day of December, A.D. 1908; and that thereby she has committed adultery; that he has not connived at nor condoned the said adultery; that there has been no collusion, directly or indirectly, between him and her in the proceedings for divorce; and whereas by his petition he has prayed for the passing of an Act dissolving his said marriage, authorizing him to marry again, and affording him such other relief as is deemed meet; and whereas the said allegations have been proved, and it is expedient that the prayer of his petition be granted: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Marriage dissolved.

1. The said marriage between Aaron William Morley Campbell, and Sarah McFeeters, his wife, is hereby dissolved, and shall be henceforth null and void to all intents and purposes whatsoever.

Right to marry again.

2. The said Aaron William Morley Campbell may at any time hereafter marry any woman whom he might lawfully marry if the said marriage with the said Sarah McFeeters had not been solemnized.

1st Session, 11th Parliament, 9 Edward VII. 1909.

THE SENATE OF CANADA.

BILL FFF.

An Act for the relief of John Christopher Cowan.

Preamble.

WHEREAS John Christopher Cowan, of the district of Souris, in the province of Saskatchewan, farmer, has by his petition alleged, in effect, that on the first day of October, A.D. 1906, at the town of North Portal, in the said district, he was lawfully married to Daisy McFarland; that she was then of the city of Denver, in the state of Colorado, one of the United States of America, a spinster; that his legal domicile was then and is now in Canada; that, at his residence in the said district of Souris, on or about the seventeenth day of October, A.D. 1907, she committed adultery with one Benjamin Burke, of the town of Gainsborough, in the said district, hotel-keeper; that at divers places at divers times since the twenty-second day of December, 1907, she committed adultery with other persons whose names are unknown; that he has not connived at nor condoned the said adultery; that there has been no collusion, directly or indirectly, between him and her in the proceedings for divorce; and whereas by his petition he has prayed for the passing of an Act dissolving his said marriage, authorizing him to marry again, and affording him such other relief as is deemed meet; and whereas the said allegations have been proved, and it is expedient that the prayer of his petition be granted: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Marriage dissolved.

1. The said marriage between John Christopher Cowan and Daisy McFarland, his wife, is hereby dissolved, and shall be henceforth null and void to all intents and purposes whatsoever.

Right to marry again.

2. The said John Christopher Cowan may at any time hereafter marry any woman he might lawfully marry if the said marriage with the said Daisy McFarland had not been solemnized.

1st Session, 11th Parliament, 9 Edward VII., 1909

THE SENATE OF CANADA.

BILL

FFF

An Act for the relief of John Christopher Cowan.

Received and read a first time,

Thursday, 6th May, 1909.

Second reading,

Thursday, 6th May, 1909.

Honourable Mr. WATSON.

OTTAWA
Printed by C. H. PARMELEE
Printer to the King's most Excellent Majesty
1909

BILL AS PASSED MAY 6, 1909.

THE SENATE OF CANADA.

BILL FFF.

An Act for the relief of John Christopher Cowan.

Preamble.

WHEREAS John Christopher Cowan, of the district of Souris, in the province of Saskatchewan, farmer, has by his petition alleged, in effect, that on the first day of October, A.D. 1906, at the town of North Portal, in the said district, he was lawfully married to Daisy McFarland; that she was then of the city of Denver, in the state of Colorado, one of the United States of America, a spinster; that his legal domicile was then and is now in Canada; that, at his residence in the said district of Souris, on or about the seventeenth day of October, A.D. 1907, she committed adultery with one Benjamin Burke, of the town of Gainsborough, in the said district, hotel-keeper; that at divers places at divers times since the twenty-second day of December, 1907, she committed adultery with other persons whose names are unknown; that he has not connived at nor condoned the said adultery; that there has been no collusion, directly or indirectly, between him and her in the proceedings for divorce; and whereas by his petition he has prayed for the passing of an Act dissolving his said marriage, authorizing him to marry again, and affording him such other relief as is deemed meet; and whereas the said allegations have been proved, and it is expedient that the prayer of his petition be granted: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Marriage dissolved.

1. The said marriage between John Christopher Cowan and Daisy McFarland, his wife, is hereby dissolved, and shall be henceforth null and void to all intents and purposes whatsoever.

Right to marry again.

2. The said John Christopher Cowan may at any time hereafter marry any woman he might lawfully marry if the said marriage with the said Daisy McFarland had not been solemnized.

1st Session, 11th Parliament, 9 Edward VII, 1909.

THE SENATE OF CANADA.

BILL GGG.

An Act for the relief of Annie Bowden.

Preamble.

WHEREAS Annie Bowden, presently residing at the city of Toronto, in the province of Ontario, wife of Herbert Bowden, formerly of the said city, but presently residing in the city of Philadelphia, in the state of Pennsylvania, one of the United States of America, printer, has by her petition alleged, in effect, that they were lawfully married on the twentieth day of July, A.D. 1898, at the city of Windsor, in the province of Ontario, she then being Annie Pendrel, spinster; that the legal domicile of the said Herbert Bowden was then and is now in Canada; that at the said city of Toronto, at divers times during the latter part of the year, A.D. 1903, he committed adultery with one Bessie Smith; that on or about the first day of January, A.D. 1904, he deserted his said wife and has not since then contributed to the support of her and the child born of their marriage; that she has not connived at nor condoned the said adultery; that there has been no collusion, directly or indirectly, between him and her in the proceedings for divorce; and whereas by her petition she has prayed for the passing of an Act dissolving her said marriage, authorizing her to marry again, and affording her such other relief as is deemed meet; and whereas the said allegations have been proved, and it is expedient that the prayer of her petition be granted: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Marriage dissolved.

1. The said marriage between Annie Pendrel and Herbert Bowden, her husband, is hereby dissolved, and shall be henceforth null and void to all intents and purposes whatsoever.

Right to marry again.

2. The said Annie Pendrel may at any time hereafter marry any man whom she might lawfully marry if the said marriage with the said Herbert Bowden had not been solemnized.

1st Session, 11th Parliament, 9 Edward VII., 1909

THE SENATE OF CANADA.

BILL

GGG

An Act for the relief of Annie Bowden.

Received and read a first time,

Saturday, 15th May, 1909.

Second reading,

Saturday, 15th May, 1909.

Honourable Mr. CAMPBELL.

OTTAWA
Printed by C. H. PARMELEE
Printer to the King's most Excellent Majesty
1909

BILL AS PASSED MAY 15, 1909.

THE SENATE OF CANADA.

BILL GGG.

An Act for the relief of Annie Bowden.

WHEREAS Annie Bowden, presently residing at the city of Toronto, in the province of Ontario, wife of Herbert Bowden, formerly of the said city, but presently residing in the city of Philadelphia, in the state of Pennsylvania, one of the United States of America, printer, has by her petition alleged, in effect, that they were lawfully married on the twentieth day of July, A.D. 1898, at the city of Windsor, in the province of Ontario, she then being Annie Pendrel, spinster; that the legal domicile of the said Herbert Bowden was then and is now in Canada; that at the said city of Toronto, at divers times during the latter part of the year, A.D. 1903, he committed adultery with one Bessie Smith; that on or about the first day of January, A.D. 1904, he deserted his said wife and has not since then contributed to the support of her and the child born of their marriage; that she has not connived at nor condoned the said adultery; that there has been no collusion, directly or indirectly, between him and her in the proceedings for divorce; and whereas by her petition she has prayed for the passing of an Act dissolving her said marriage, authorizing her to marry again, and affording her such other relief as is deemed meet; and whereas the said allegations have been proved, and it is expedient that the prayer of her petition be granted: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:— Preamble.

1. The said marriage between Annie Pendrel and Herbert Bowden, her husband, is hereby dissolved, and shall be henceforth null and void to all intents and purposes whatsoever. Marriage dissolved.

2. The said Annie Pendrel may at any time hereafter marry any man whom she might lawfully marry if the said marriage with the said Herbert Bowden had not been solemnized. Right to marry again.

BILL AS PASSED MAY 15, 1909.

THE SENATE OF CANADA.

BILL 66G.