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No. 115.

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

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BILL.

An Act to incorporate the Canada  
National Railway and Transport Com-  
pany.

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*(New section proposed to be added in the  
Railway Committee.)*

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MR. CAMPBELL.

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

An Act to incorporate the Canada National Railway  
and Transport Company.

(*New section proposed to be added in the Railway Committee.*)

- 13.** Her Majesty may, at any time, on giving to the Com-  
pany one month's notice in writing, take over the undertaking,  
property, rights and franchises of the Company. Crown may  
take over  
undertaking.
2. The notice may be given by the Minister of Railways  
5 and Canals, and upon the expiration of the period of notifica-  
tion the said undertaking, property, rights and franchises shall  
vest absolutely in Her Majesty. Notice.  
When  
property, etc.,  
to vest.
3. Compensation to the Company shall be fixed by the  
10 Exchequer Court upon information filed by the Attorney  
General of Canada, and shall be based upon the reasonable  
value of the undertaking, property and rights of the Company  
at the time of the giving of the notice, but shall not include  
prospective values or prospective profits. Compensa-  
tion.
4. The Court shall, from its valuation, deduct all subsidies  
15 or bonuses paid to the Company under the authority of the  
Parliament of Canada, and judgment for the balance of such  
valuation shall be entered against Her Majesty. No allowance  
for any  
subsidy or  
bonus.
5. In so far as they are not inconsistent herewith, sections  
20 24, 25, 26, 27, 28, 31 and 32 of *The Expropriation Act*, chapter  
13 of the statutes of 1889, and sections 29 and 30 thereof as  
amended by an Act of the present session, shall apply to any  
action taken under this section. 1889, c. 13,  
1900, c. .
6. The compensation adjudged shall stand in the stead of  
25 the said undertaking, property, rights and franchises; and  
any claim to or incumbrance upon such undertaking, property,  
rights and franchises shall, in so far as Her Majesty is con-  
cerned, be converted into a claim to such compensation money  
or a proportionate amount thereof, and shall be void as against  
30 Her Majesty, and as against the undertaking, property, rights  
and franchises vested in Her Majesty under the provisions of  
this section. Compensation  
money to  
stand in lieu  
of property,  
etc.

(*Alternative section 13.*)

- 13.** Her Majesty may at any time assume the possession  
and property of the railway and works, and all the rights,  
privileges and advantages of the Company, all of which shall,  
Crown may  
take over  
undertaking.

Notice to  
Company.

after such assumption, be vested in Her Majesty, on giving to the Company one month's notice thereof, and on paying to the Company the value thereof, to be fixed by three arbitrators or the majority of them, one to be chosen by the Government, another by the Company, and a third by the two arbitrators so chosen; and the arbitrators may, in such valuation, take into account the expenditure of the Company, its property, the business of the railway and other works hereby authorized, and their past and present business, with interest not exceeding five per cent from the time of the investment thereof. 5 10